

CITY OF SPRING VALLEY

ORDINANCE NO. 1650

AN ORDINANCE AMENDING ORDINANCE NUMBER 986
ENTITLED AN ORDINANCE DEFINING A RESPONSIBLE BIDDER

ADOPTED BY THE CITY COUNCIL OF
THE CITY OF SPRING VALLEY
THIS 7th DAY OF November, 2016

Published in pamphlet form by authority of the City Council of the City of Spring Valley ,
Bureau County, Illinois, this 7th day of November, 2016.

STATE OF ILLINOIS)
) SS.
COUNTY OF BUREAU)

I, Rebecca Hansen, City Clerk of the City of Spring Valley, Bureau County, Illinois.

I further certify that on the 7th day of November, 2016, the corporate
authorities of the above municipality passed and approved Ordinance No.
1650, entitled "An Ordinance Amending Ordinance Number 986 Entitled an
Ordinance Defining A Responsible Bidder", which provided by its terms that it should be
published in pamphlet form.

The pamphlet form of Ordinance No. 1650, including the
ordinance and cover sheet thereof, was prepared and a copy of such ordinance was
posted in the municipal building, commencing on the 7th day of November, 2016, and
continuing for at least ten days thereafter. Copies of the ordinance were also available
for public inspection upon request in the office of the municipal clerk.

Dated in Spring Valley, Illinois, this 7th day of November, 2016.

Rebecca L Hansen
Rebecca Hansen, City Clerk

(SEAL)

ORDINANCE NO. 1650

AN ORDINANCE AMENDING ORDINANCE NUMBER 986
ENTITLED AN ORDINANCE DEFINING A RESPONSIBLE BIDDER

WHEREAS, the City of Spring Valley previously enacted Ordinance Number 986 entitled An Ordinance Defining A Responsible Bidder; and

WHEREAS, the corporate authorities of the City of Spring Valley deem it to be in the best interests of the public health, safety and welfare of the residents of the City of Spring Valley to better define a responsible bidder for the purpose of public works contracts awarded by the City of Spring Valley; and

WHEREAS, Section 8-10-3 of the Illinois Municipal Code (65 ILCS 5/8-10-3) provides that municipal contracts are to be awarded to the lowest responsible bidder; and

WHEREAS, by implication, Section 8-10-3 of the Illinois Municipal Code authorizes the corporate authorities of the City of Spring Valley to define what constitutes the lowest responsible bidder; and

WHEREAS, the City of Spring Valley desires to amend Ordinance Number 986 entitled an Ordinance Defining a Responsible Bidder.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY, BUREAU COUNTY, ILLINOIS, AS FOLLOWS:

1. The recitals contained in the preamble to this ordinance are restated and incorporated by reference as if set out in full herein.
2. Ordinance Number 986 entitled An Ordinance Defining Responsible Bidder is hereby repealed in its entirety and replaced by this ordinance.

3. A responsible bidder for construction contracts means a bidder as defined in Section 8-10-3 of the Illinois Municipal Code (65 ILCS 5/8-10-3). The City of Spring Valley will also consider the following minimum qualifications in determining whether a bidder is a responsible bidder:

- A. Certificate/proof to transact business within the State of Illinois.
- B. Evidence of compliance with:
 - a. Federal Employer Tax Identification Number or Social Security Number (for individuals).
 - b. "Equal Opportunity Employer" provisions.
- C. Certificates of insurance indicating the following coverages: general liability, worker's compensation, automobile, hazardous occupation, product liability and professional liability.
- D. Participation in apprenticeship and training programs applicable to the work to be performed on the project which are approved and registered with the United States Department of Labor's Office of Apprenticeship and Training. The required evidence includes a copy of all applicable apprenticeship standards and agreements for any apprentice(s) who will perform work on the public works project.
- E. Compliance with all the provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades as covered in the Act.
- F. Disclosure of the names and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of this project.
- G. A copy of the written program for the prevention of substance abuse.
 - a. The bidder shall certify that only workers that are enrolled and tested in company-based controlled substance and alcohol testing program will be allowed to participate on the project.
- H. Statements as to past performances, which shall give an accurate and complete record of all work projects completed in the last (3) years by the contractor.

- I. The contractor and officers of the contractor disclose any tax lien or delinquency in the last (5) years.
- J. Bidder shall certify that all employees expected to perform work on the project have completed a 10-hour or greater OSHA safety program within the last 5 years. Only workers that have satisfactorily completed a 10-hour or greater OSHA safety program will be allowed to participate on the project. The bidder must have copies of employee OSHA cards on file, and the City may request the bidder provide copies of an employee's OSHA card may result in a determination that the bidder is not a responsible bidder.

4. The City of Spring Valley will require all bidders submitting bids for public works projects paid for in whole, or in part, with public funds from the City of Spring Valley for public works projects of \$10,000 or more to comply with the requirements of this ordinance by providing proof of compliance with the requirements of this ordinance at the time a bidder submits a bid to the City of Spring Valley in order to be considered a responsible bidder under Section 8-10-3 of the Illinois Municipal Code.

5. This ordinance will be in full force and effect after its passage, approval, and publication in pamphlet form as provided by law.

PRESENTED, PASSED AND ADOPTED at a regular meeting of the City Council of the City of Spring Valley, Bureau County, Illinois, by an aye and nay roll call vote as follows:

DEBRA BALTIKAUSKI	<input checked="" type="checkbox"/>	AYE;	<input type="checkbox"/>	NAY;	<input type="checkbox"/>	ABSENT;	<input type="checkbox"/>	PASS
LARRY KOEHLER	<input checked="" type="checkbox"/>	AYE;	<input type="checkbox"/>	NAY;	<input type="checkbox"/>	ABSENT;	<input type="checkbox"/>	PASS
CHARLES HANSEN	<input checked="" type="checkbox"/>	AYE;	<input type="checkbox"/>	NAY;	<input type="checkbox"/>	ABSENT;	<input type="checkbox"/>	PASS
MICHAEL HERRMANN	<input checked="" type="checkbox"/>	AYE;	<input type="checkbox"/>	NAY;	<input type="checkbox"/>	ABSENT;	<input type="checkbox"/>	PASS
FREDERICK WEST	<input checked="" type="checkbox"/>	AYE;	<input type="checkbox"/>	NAY;	<input type="checkbox"/>	ABSENT;	<input type="checkbox"/>	PASS
JEFF JANUSICK	<input checked="" type="checkbox"/>	AYE;	<input type="checkbox"/>	NAY;	<input type="checkbox"/>	ABSENT;	<input type="checkbox"/>	PASS

KENNETH BOGACZ AYE; NAY; ABSENT; PASS

DAVE PELLEGRINI AYE; NAY; ABSENT; PASS

APPROVED:



Walt Marini, Mayor



Rebecca Hansen, City Clerk