

RESOLUTION 19-54

CITY OF EAST MOLINE, ILLINOIS

**A RESOLUTION ESTABLISHING RESPONSIBLE BIDDER
REQUIREMENTS ON PUBLIC WORKS PROJECTS**

WHEREAS, the City of East Moline, Illinois ("City") is a municipal corporation organized and operating under the laws of the State of Illinois; and

WHEREAS, the City expends substantial funds for the construction of public works, a portion of that money being derived from taxes paid by residents; and

WHEREAS, the City seeks to preserve administrative resources by ensuring that only qualified contractors and subcontractors are awarded contracts on public works construction projects; and

WHEREAS, the City seeks to enhance its ability to identify the lowest "responsible bidder" on all public works construction projects by instituting more comprehensive submission requirements which are in compliance with Illinois law; and

WHEREAS, "A Resolution Establishing Responsible Bidder Requirements on Public Works Projects" may facilitate the efficient use of taxpayer dollars and is in the public interest.

NOW, THEREFORE, BE IT ORDAINED by the City Council of East Moline, Illinois, that the following definition be adopted:

Section One. Responsible Bidder for Construction contracts means a bidder as defined in 65 ILCS 5/8-9-1. Additionally, the City may also consider the following factors in determining who is the lowest bidder.

- (1) Certificate/proof to transact business within the State of Illinois.
- (2) Evidence of compliance with:
 - a. Federal Employer Tax Identification Number or Social Security Number (for individuals).
 - b. "Equal Opportunity Employer" provisions.
- (3) Certificates of Insurance indicating the following coverages: general liability, workers' compensation, automobile, hazardous occupation, product liability and professional liability.
- (4) 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.

- (5) 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.
- (6) Disclosure of the names and addresses of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of this project.
- (7) 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 programs will be allowed to participate on the project.
- (8) Statements as to past performances, which shall give an accurate and complete record of all work projects completed in the last three (3) years by the contractor.
- (9) The contractor and officers of the contractor disclose any tax lien or delinquency in the last five (5) years.
- (10) 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 five (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 employees' OSHA cards; failure to produce an employee's OSHA card may result in a determination that the bidder is not a responsible bidder.
- (11) Bidder shall demonstrate the efforts taken to employ local workers with strong consideration given to bidders employing residents of the City of East Moline.
- (12) Bidder provides written record of compliance with State of Illinois DBE requirements for public works projects, including the hiring of women and minority workers to perform the contracted work.
- (13) Any other factors which are relevant to the determination of a bidder's ability to carry out the requirements of the project in accordance with what may be expected or demanded under the terms of the contract.

It shall be the sole responsibility of the contractor to comply with all the submission requirements at the time it submits its bid to the City of East Moline.

Section Two. All Ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Three. This ordinance shall be in full force and effect from and after its passage and approval as required by law.



Reggie Freeman
Mayor of East Moline, Illinois

ATTEST: Debbie A. Halmea
City Clerk