

**ORDINANCE NO. O-19-19**

**AN ORDINANCE AMENDING SECTION 1-8A-5 OF THE  
CODE OF THE VILLAGE OF FOREST PARK, ESTABLISHING  
RESPONSIBLE BIDDER REQUIREMENTS**

**WHEREAS**, Article A, entitled “Purchasing,” of Chapter 8, entitled “Municipal Finances,” of the Municipal Code of the Village of Forest Park (“Village”) regulates certain purchases and contracts entered into by the Village; and

**WHEREAS**, in the course of Village business, the Village expends substantial funds for the construction of public works, or to enter into contracts as necessary to conduct the operations of the Village; and

**WHEREAS**, such public works construction projects and other contracts are funded by taxpayers and the funds expended for such projects are partially derived from taxes paid by Village residents; and

**WHEREAS**, it is in the interest of the Village residents that only qualified and responsible contractors and subcontractors are awarded contracts for public works projects and other contracts; and

**WHEREAS**, the members of the Village Council believe that it is in the public interest to ensure the Village contract with entities which prioritize workplace safety, healthy working conditions, fair wages, and health and benefits for workers; and

**WHEREAS**, the Village values the inclusion of historically disadvantaged business enterprises in bid proposals submitted to the Village;

**WHEREAS**, the Village is committed to ensuring that Village taxpayers get the best value for their tax dollars and that quality workmanship, efficient operation, safety and timely

completion of projects are important consideration when awarding contracts for certain public works and other projects; and

**WHEREAS**, the Village seeks to enhance and refine its ability to identify the lowest “responsible bidder” on all public works construction projects by instituting comprehensive submission requirements in compliance with Illinois state law; and

**WHEREAS**, instituting certain criteria to be considered in addition to cost when reviewing bids and selecting contractors and subcontractors will ensure the best value for taxpayers, will provide for the responsible and efficient use of taxpayer dollars, will promote public safety, and is in the public interest.

**NOW, THEREFORE, BE IT ORDAINED** by the Village Council of the Village of Forest Park, Cook County, Illinois, as follows:

**Section 1:** That the foregoing recital clauses to this Ordinance are adopted as the findings of the Corporate Authorities of the Village of Forest Park and are hereby incorporated herein by specific reference.

**Section 2:** That Section 1-8A-5, entitled “Contracts for Public Works and Improvements Exceeding Twenty Thousand Dollars,” of Article A, entitled “Purchasing,” of Chapter 8, entitled “Municipal Finances,” of Title 1, entitled “Administration,” of the Village of Forest Park Village Code is hereby amended by adding paragraph 2 under subsection A of Section 1-8A-5 as follows:

2. “Responsible bidder” means a person or entity who has the capability in all respects to perform fully the contract requirements, with the perseverance, experience, integrity, reliability, capacity, facilities, equipment, and credit to assure good faith performance. In addition to meeting such criteria, a responsible bidder must also submit evidence of compliance with the following specific applicable criteria:

- a. Documents evidencing compliance with all applicable laws and ordinances prerequisite to doing business in Illinois.
- b. A valid federal employer tax identification number, or, if an individual, a valid social security number.
- c. A statement of compliance with the equal opportunity employer provisions of Section 2000e of Chapter 21, Title 42 of the United States Code and Federal Executive Order Number 11246, as amended, by Executive Order 11375 (known as the Equal Opportunity Employer Provision).
- d. Certificates of insurance indicating minimum insurance coverages as set forth in a bid specification, including general liability workers' compensation, completed operations, automobile, hazardous occupations and products liability.
- e. Evidence of a written sexual harassment policy in compliance with the provisions of the Illinois Human Rights Act.
- f. A statement of compliance with the provisions of the Illinois Prevailing Wage Act.
- g. Evidence of compliance with the Substance Abuse Prevention on Public Works Projects Act.
- h. Evidence of relevant experience that indicates the necessary capacity to perform the project and adequate references verifying the quality of work performed.
- i. For Village public works construction projects (construction of new Village facilities, renovation of existing Village facilities or Village road and/or utility construction projects) over fifty thousand dollars (\$50,000.00), evidence of participation in apprentice and training programs applicable to the work to be performed on the project which are approved by and registered with the United States Department of Labor Office of Apprenticeship and Training.
- j. For Village construction projects (construction of new Village facilities, renovation of existing facilities or Village road and/or utility construction projects), responsible bidders must demonstrate a good faith effort toward providing equal employment opportunities for persons to work as craftpersons, laborers, workers or mechanics consistent with the racial, ethnic and gender demographics of the labor force available in the Illinois Department of Employment Security Chicago-Naperville-Joliet

Metropolitan Division which consists of Cook DeKalb, DuPage, Grundy, Kane, Kendall, McHenry and Will Counties.

**Section 3:** The corporate authorities of the Village intend that this Ordinance will be made part of the Village Code and that sections of this Ordinance can be renumbered or relettered and the word "Ordinance" can be changed to "Section," "Article," Chapter" or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified, the Ordinance can be renumbered or relettered and typographical errors can be corrected with the authorization of the Village Attorney, or his or her designee.

**Section 4:** All parts of the Village Code in conflict with the terms or provisions of this Ordinance shall be and the same are hereby amended or repealed to the extent of such conflict, and said Village Code and all other existing ordinances shall otherwise remain in full force and effect.

**Section 5:** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The corporate authorities hereby declare that they would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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**Section 6:** That this Ordinance shall be in full force and effect on and after its passage and approval in the manner provided by law.

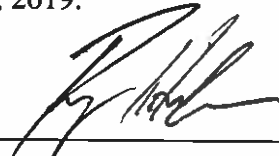
ADOPTED by the Council of the Village of Forest Park, Cook County, Illinois this 8<sup>th</sup> day of July, 2019.

AYES: \_\_\_\_\_ 5 \_\_\_\_\_

NAYS: \_\_\_\_\_ 0 \_\_\_\_\_

ABSENT: \_\_\_\_\_ 0 \_\_\_\_\_

APPROVED by me this 8<sup>th</sup> day of July, 2019.

  
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Rory E. Hoskins, Mayor

ATTESTED and filed in my office,  
And published in pamphlet form  
This 8<sup>th</sup> day of July, 2019.

  
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Vanessa Moritz, Village Clerk