

RESPONSIBLE BIDDER ORDINANCE # 2009-3

An Ordinance of Macoupin County Defining Responsible Bidder.

WHEREAS, Chapter 55 of 5/5-1022 ILCS regulates purchases and contracts entered into by Macoupin County.

WHEREAS, Although section 5/5-1022 (b) defines responsible bidder, that definition needs to be expanded in the case of bidders for construction projects (construction of new facilities, renovation of current facilities or road construction projects) over \$30,000.00.

NOW, THEREFORE, BE ORDAINED, by the Macoupin County Board, that the following definition be added to 55 ILCS 5/5-1022(b), and adopted as Macoupin County Responsible Bidder Ordinance.

Responsible bidder for construction contracts means a bidder who meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance:

- (1) All applicable laws prerequisite to doing business in Illinois.
- (2) Evidence of compliance with
 - (a) Federal Employer Tax Identification Number or Social Security Number (for individuals)
 - (b) Provision of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions).
- (3) Certificates of insurance indication the following coverage's: general liability, workers' compensation, completed operations, automobile, hazardous occupation, and product liability.
- (4) Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered in the act.
- (5) The bidder and all bidder's sub-contractors must participate in active apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for each of the trades of work contemplated under the awarded contract.
- (6) All contractors and sub-contractors are required to turn in certified payrolls as specified in Illinois Public Act 94-0515.

BE IT FURTHER ORDAINED, that nothing herein hereby adopted shall be construed to affect any suit of proceeding now pending in any court of any rights accrued or liability incurred or cause or causes of action accrued of existing under any prior Resolution or Ordinance. Nor shall any right or remedy of any character be lost, impaired, or affected by the Ordinance.

BE IT FURTHER ORDAINED, that his Ordinance amendment shall be in full force and effect immediately upon its adoption.

BE IT FURTHER ORDAINED, that the Clerk of this Macoupin County is hereby authorized and directed to prepare and deliver a certified copy of this Ordinance amendment to all County Officials.

The above and foregoing ordinance amendment was adopted by the Board of the County of Macoupin, Illinois, this 13 day of October, 2009.

Michael A Zygmunt
County Clerk

[Signature]
Chairman, Macoupin County Board