

**ILLINOIS COMMUNITY COLLEGE DISTRICT NO. 515  
COOK & WILL COUNTIES, ILLINOIS**

---

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ESTABLISHING AND ADOPTING  
GUIDELINES FOR DETERMINING  
THE "LOWEST RESPONSIBLE BIDDER" ON CONSTRUCTION  
CONTRACTS AWARDED PURSUANT TO 110 ILCS 805/3- 27.1.**

---

**PASSED AND APPROVED BY THE  
BOARD OF TRUSTEES OF  
ILLINOIS COMMUNITY COLLEGE  
DISTRICT NO. 515,  
COOK & WILL COUNTIES, ILLINOIS,**

**this**

**\_\_\_\_\_ day of \_\_\_\_\_, 2022.**

**Published in pamphlet form  
by authority of the  
Board of Trustees of Illinois  
Community College District  
No. 515, Cook & Will  
Counties, Illinois, this \_\_\_\_\_  
day of \_\_\_\_\_, 2022.**

**BOARD OF TRUSTEES OF ILLINOIS  
COMMUNITY COLLEGE DISTRICT NO. 515**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ESTABLISHING AND ADOPTING  
GUIDELINES FOR DETERMINING  
THE "LOWEST RESPONSIBLE BIDDER" ON CONSTRUCTION  
CONTRACTS AWARDED PURSUANT TO 110 ILCS 805/3- 27.1.**

**WHEREAS**, Prairie State College, Community College District No. 515 ("PSC" or "College") is a community college organized and operating under the Public Community College Act ("Act") of the State of Illinois, 110 ILCS 805/1-1 et seq.; and

**WHEREAS**, PSC's President (the "**President**") and the Board of Trustees of the District (the "**Board**" and with the President, the "**Corporate Authorities**") are committed to offering to PSC's students a comprehensive community college program, including courses in liberal arts and sciences, general education, adult education courses and courses in occupational, semi-technical or technical fields leading directly to employment; and

**WHEREAS**, PSC's core values are formed on the belief that individuals have worth and dignity in their own right and should be educated to the fullest extent of their abilities and motivations; and

**WHEREAS**, Pursuant to the Act, PSC must award all contracts for repair, maintenance, remodeling, renovation, or construction involving an expenditure in excess of \$50,000 to the lowest responsible bidder considering conformity with specifications, terms of delivery, quality and serviceability, after due advertisement, except for certain types of contracts specifically enumerated in the Act, 110 ILCS 805/3-27.1; and

**WHEREAS**, the College's new construction, renovation, and repair projects typically have strict construction schedules that must be adhered to in order to permit relocation of College operations and activities during off-peak periods and to minimize disruption of scheduled classes; and

**WHEREAS**, the ability, skill, and capacity of the bidder to perform the required services in a timely manner in strict accordance with the construction schedule is of vital concern to the College in managing both operations and its construction projects.

**WHEREAS**, the Act grants to the Board the authority and discretion to determine which of the bidders on a construction contract constitutes the "lowest responsible bidder" and it is deemed necessary and advisable by the Board to establish criteria to better enable the administration and trustees of PSC to determine which bidder constitutes the "lowest responsible bidder" for awarding contracts for the construction of new College facilities and the renovation, repair or replacement of existing College facilities; and

**WHEREAS**, in order to foster the education, worth and dignity of individuals working on PSC's construction projects, PSC has a compelling interest in supporting active apprenticeship and training programs for each of the trades that will provide workers under contracts awarded by competitive bid pursuant to Section 3-27.1 of the Act; and

**WHEREAS**, by fostering and supporting a highly skilled construction workforce on PSC's construction projects, this will facilitate lower costs over the lifetime of the completed project for building, repairs, and maintenance; and

**WHEREAS**, in order to foster the worth and dignity of individuals working on PSC's construction projects, PSC has a compelling interest in supporting the laws of the United States and the State of Illinois that provide that workers be paid the prevailing wage, that workers not be discriminated against in any manner prohibited by law, and that workers have a safe working environment; and

**WHEREAS**, PSC has determined that it should establish and adopt guidelines for determining the "lowest responsible bidder" on construction contracts awarded pursuant to 110 ILCS 805/3- 27.1, as set forth in **Exhibit A**; which is attached hereto and incorporated herein ("**Responsible Bidder Guidelines**"); and

**WHEREAS**, based on the foregoing, the Corporate Authorities have determined that it is in the best interest of the College to adopt a resolution establishing the Responsible Bidder Guidelines.

**NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees of the College as follows:**

**SECTION ONE. Incorporation.** The statements set forth in the preambles to this Resolution are found to be true and correct and are incorporated into this Resolution as if set forth in full.

**SECTION TWO. Purpose.** The purpose of this Resolution is to establish and adopt guidelines determining the "lowest responsible bidder" on construction contracts awarded pursuant to 110 ILCS 805/3- 27.1.

**SECTION THREE. Authorization.** The officers and employees of the College shall take all actions reasonably required or necessary to carry out and give effect to the intent of this Resolution and shall take all action necessary in conformity therewith. The officers and employees of the College are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with this Resolution.

**SECTION FOUR. Headings.** The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution, nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

**SECTION FIVE. Severability.** If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any other provision of this Resolution.

**SECTION SIX. Superseder.** Any resolution or portion of any resolution in conflict with any provisions of this Resolution is hereby repealed solely to the extent of such conflict.

**SECTION SEVEN. Publication.** A full, true and complete copy of this Resolution shall be published in accordance with Illinois law.

**SECTION EIGHT. Effective Date.** This Resolution shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by applicable law.

ADOPTED this 22<sup>nd</sup> day of February 2021, pursuant to a roll call vote as follows:

Ayes:  
Nays:  
Absent:  
Present:

APPROVED on February 22, 2022

---

DR. RONALD WHITE, Chairman

ATTEST:

---

MONICA GORDON, Secretary

STATE OF ILLINOIS     )  
                                      )  
COUNTY OF COOK     )     SS

**CERTIFICATION**

I, the undersigned, hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees of Community College District No. 515, Counties of Cook and Will, State of Illinois (the "**Board**"), and that, as such official, I am the keeper of the records and files of the Board.

I do further certify that the foregoing is a full, true and complete copy of a Resolution adopted by the Board at a meeting of said Board held on the 2<sup>nd</sup> day of February 2020, titled:

**A RESOLUTION ESTABLISHING AND ADOPTING  
GUIDELINES FOR DETERMINING  
THE "LOWEST RESPONSIBLE BIDDER" ON CONSTRUCTION  
CONTRACTS AWARDED PURSUANT TO 110 ILCS 805/3- 27.1.**

I do further certify that the vote on the adoption of said Resolution was taken openly, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act and of the Public Community College Act of the State of Illinois, as amended, and that the Board has complied with all the provisions of said Acts and with all of the procedural rules of the Board in the conduct of said meeting.

**IN WITNESS WHEREOF**, I hereunto affix my official signature this 22<sup>nd</sup> day of February 2020.

\_\_\_\_\_  
Secretary, Board of Trustees

## **EXHIBIT A**

### **Responsible Bidder Guidelines**

The Board of Trustees of Prairie State College (“College”) shall utilize the following guidelines in defining who is a "responsible bidder" in addition to any other requirements as determined by the College for the specific type of work to be performed, and the requirements specifically stated in Section 3-27.1 of the Public Community Colleges Act.

### **SECTION ONE**

In determining which bidder is a "responsible bidder" on the College's public works construction projects, the bidder, and its subcontractors, must comply with the following criteria and submit acceptable evidence of such compliance, in addition to other requirements as determined from time to time by the College for the specific types of work to be performed:

- a) Compliance with all applicable laws prerequisite to doing business in the State of Illinois; and
- b) A valid Federal Employee Tax Identification Number or Social Security Number (for an individual); and
- c) Certificates of insurance and the proper additional insured endorsements of coverage establishing that the bidder, and its subcontractors, have the requisite types and limits of insurance coverage required under the contract documents for the particular project; and
- d) Compliance with the Equal Employment Opportunities/Affirmative Action provisions of the Illinois Human Rights Act, 775 ILCS 5/2-105, and provisions of Section 2000(a) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246, as amended by Federal Executive Order No. 11375; and
- e) Compliance by the bidder and its subcontractors with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered by the Prevailing Wage Act and filing certified payroll records with the College in the time and manner required by the Prevailing Wage Act; and
- f) Evidence of participation by the bidder and its subcontractors in apprenticeship 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's Bureau of Apprenticeships, or its successor organization; and evidence that any applicable apprenticeship training program has graduated at least five (5) apprentices in each of the past five (5) years for each of the construction crafts

the bidder will perform on the project. (Evidence of graduation rates are not required for apprenticeable crafts dedicated exclusively to the transportation of material and equipment to and from the public works project.) In addition to the evidence of graduation rates set forth above, other required evidence includes, but is not limited to, a copy of all applicable apprenticeship standards and Apprenticeship Agreement(s) for any apprentice(s) who will perform work on the public works project. Further evidence of participation and graduation requirements may be requested by the College at its discretion.

## **SECTION TWO**

In determining whether the bidding entity is responsible, the bidder shall provide to the College such information as the College may reasonably request (including, but not limited to, information regarding projects of a similar nature, which were completed in the past five years with the name, address, and telephone number of an owner's representative having knowledge of the project). The College shall use such information to assist in making its determination that the bidder can reasonably be expected to satisfactorily complete the project within the time constraints as delineated in the request for bids. In determining whether the bidding entity is responsible, the College may also request information from the bidder and consider, among other relevant factors, the bidder's record of conformity with environmental, labor, and health and safety laws, including compliance with the requirements of the U.S. Department of Labor's Occupational Safety and Health Administration, and the bidder's record in undertaking good faith efforts to utilize small, minority and women owned businesses as subcontractors on prior projects.

## **SECTION THREE**

On projects in which the construction budget exceeds \$500,000.00, the College shall include as part of the contract documents, a project labor agreement when the College determines that a project labor agreement advances the College's interests of cost, efficiency, quality, safety, timeliness, skilled labor force, labor stability, or the participation of minority and women owned businesses in the construction project. When it has been determined by the College that a project labor agreement is appropriate for a particular project, the College shall in good faith negotiate a project labor agreement with the appropriate labor organizations engaged in the construction industry.