

ORDINANCE NO. 1843

VILLAGE OF BARTONVILLE, ILLINOIS

**AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, DIV. 3
OF THE VILLAGE OF BARTONVILLE CODE OF ORDINANCES
TO DEFINE A “RESPONSIBLE BIDDER” FOR CERTAIN
WORK OR PUBLIC IMPROVEMENT CONSTRUCTION CONTRACTS**

WHEREAS, the Village of Bartonville (the “Village”) is a home rule municipality in accordance with the constitution of the State of Illinois, and as such, has the authority to create this ordinance;

WHEREAS, Chapter 2, Article IV, Division 3 of the Village Code of Ordinances (the “Code”) regulates the bidding process for certain work or public improvement construction contracts (“Public Works Contracts”) of the Village;

WHEREAS, the Village desires to define a “responsible bidder” for purposes of Public Works Contracts, which are to be bid in compliance with Illinois and local laws and regulations;

WHEREAS, the Village further seeks to preserve administrative resources by ensuring that only responsible contractors and subcontractors are awarded contracts on Public Works Contracts; and

WHEREAS, the President and Board of Trustees of the Village have determined that it is in the best interests of the citizens of the Village to adopt this Ordinance to define a “responsible bidder” for purposes of Public Works Contracts.

NOW, THEREFORE, BE IT ORDANED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BARTONVILLE, PEORIA COUNTY, ILLINOIS:

Section 1: Recitals. The Village Board of Trustees hereby finds as fact the recitals set forth above.

Section 2: Addition of Section 2-236 to Chapter 2, Article IV, Division 3. Chapter 2, Article IV, Division 3 of the Village Code of Ordinances is hereby amended by the addition of the Section 2-236, entitled “Responsible Bidder for Work or Public Improvement Construction Contracts,” which shall state as follows:

Sec. 2-236. - Responsible Bidder for Work or Public Improvement Construction Contracts

A “responsible bidder” for any work or other public improvement construction which is not to be paid for in whole or in part by special assessment or special taxation, when the

expense thereof will exceed \$25,000 (TWENTY-FIVE THOUSAND AND NO/100 DOLLARS), is defined as a bidder who meets the following criteria:

1. The bidder is in compliance with all applicable laws prerequisite to doing business in the State of Illinois.
2. The bidder has obtained a federal employer tax identification number or, in the case of an individual contractor, a Social Security number.
3. The bidder is in compliance with the equal opportunity employer provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246, as amended by Federal Executive Order No. 11375.
4. The bidder provides certificates of insurance for current coverages in the amounts required in the bid specifications and/or contract requirements, which will be effective and in force during the term of the project being bid, such as: Comprehensive General Liability, Workers Compensation, Completed Operations, Motor Vehicle, Hazardous Occupation, and if applicable Products Liability.
5. The bidder is in compliance with all provisions of the Illinois Prevailing Wage Act (820 ILCS 130/.01 *et seq.*). All such bidders awarded a contract for the construction project and their subcontractors shall provide the certified payrolls to the Village on State form SBE 48 or other forms as may be deemed acceptable by the Village.
6. The bidder and all subcontractors performing work on the construction project under this Section 2-236 must participate in an active apprenticeship and training program approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for each trade which performs work on the construction project.
7. To the extent permissible by law, work performed directly by Village of Bartonville employees or directly by a public utility company shall not be subject to the restrictions set forth in this Section 2-236.

Section 3: Amendment to Section 2-225 of Chapter 2, Article IV, Division 3. Chapter 2, Article IV, Division 3, Section 2-225 of the Village Code of Ordinances is hereby amended to state as follows:

Sec. 2-225. - Applicability

Except as otherwise provided herein, no contract or purchase order shall be entered into by the Village Board on behalf of the Village for any supplies, work or other public improvement, including all materials used in work carried out by the Village itself, which is not to be paid for in whole or in part by special assessment or special taxation, when the expense thereof will exceed \$25,000.00 unless such contract will be let to the lowest responsible bidder in accordance with the manner prescribed below. Notwithstanding the foregoing, upon an affirmative vote of two-thirds of the Village Board, any contract or purchase order may be entered into without the necessity of following the bidding procedures established herein, unless otherwise required by law.

Section 4: Severability. If for any reason this Ordinance or any part hereof is held to be invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section 5: Effective Date. This Ordinance shall be in full force from and after its passage into law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BARTONVILLE, PEORIA COUNTY, ILLINOIS, THIS 11th DAY OF JANUARY, 2021.

AYES: 6

NAYS: -

ABSENT: 0

APPROVED this 11th day of January, 2021.

ATTEST:



Michelle Carr-Bruce, Village Clerk

BY:



Leon Ricca, Mayor

