

ORDINANCE ESTABLISHING RESPONSIBLE BIDDER  
REQUIREMENTS ON CONSTRUCTION PROJECTS

WHEREAS, Winfield Township ("Township") seeks to preserve administrative resources by ensuring that only qualified contractors and subcontractors are awarded contracts for competitively bid construction projects ("Projects"); and

WHEREAS, the Township has determined that quality workmanship, efficient operation, safety, and timely completion of Projects are not necessarily ensured by the award of a contract solely on the basis of the lowest responsible bid as required by state law; and

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

WHEREAS, the Board of Trustees hereby determines that this "Ordinance Establishing Responsible Bidder Requirements on Construction Projects" will assure efficient use of taxpayer dollars, will promote public safety and is in the public interest.

NOW, THEREFORE, BE IT ORDAINED that Ordinance No. 2021-03; also known as Purchasing Policy for Winfield Township, be amended to include:

In addition to all other legal requirements applicable to potential bidders on any Project, the term "Responsible bidder" means a bidder for any Project advertised, awarded, and financed, in whole or in part, with Township public funds, regardless of cost, excluding Projects on private property, who meets, the following applicable criteria and submit evidence of such compliance:

- a. All applicable laws prerequisite to doing business in Illinois, and all local ordinances; and not in conflict with any federal law.
- b. 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).
  - (c) Certificates of insurance indicating the following coverages; general liability, workers' compensation, completed operations, and automobile and other forms of insurance as may be required by the Township, in forms and amounts and from carriers as specified by the Township.
  - (d) Compliance with all provisions and exemptions of the Illinois Prevailing Wage Act, including wages, medical and hospital insurance and retirement for those in the trades covered in the Act.
  - (e) Disclosure of the name and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of the Project prior to the subcontractor commencing work on the Project.
  - (f) The bidder and all bidders' sub-contractors must participate in active apprenticeship and training programs approved and registered with the

United States Department of Labor Office of Apprenticeship for each of the trades of work contemplated for the Project.

- (g) Evidence of participation in apprenticeship 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, or its successor organization; and evidence that any applicable apprenticeship program has graduated at least five (5) apprentices in each of the construction crafts the bidder will perform on the Project. Evidence of graduation rates are not required for apprenticeship crafts dedicated exclusively to the transportation of material and equipment to and from the Project. The required evidence includes but is not limited to a copy of all applicable Apprenticeship Agreement(s) for any apprentice(s) who will perform work on the Project.
- (h) All contractors and sub-contractors are required to turn in certified payrolls as specified in Illinois Public act 94-0515, and follow all provisions of the Employee Classification Act, 820ILCS 185/1 et seq.
- (i) All bidders must identify projects of a similar nature that contractor has performed in the immediate past years with the name, address and telephone number of the contact person having knowledge of the integrity and business practices of the contractor.

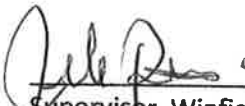
BE IT FUTHER ORDAINED, that nothing herein hereby adopted shall be construed to affect any suit of proceeding now pending in any court of any rights accrued or liability inured or caused or causes of action accrued of existing under any prior Resolution or Ordinance. Nor shall any right or remedy of any character be lost, impaired, or affected by the Ordinance. The provisions of this Ordinance that exceed statutory requirements may be exempted for a particular Project upon a motion approved by a vote of a majority of the Trustees at a properly noticed open meeting. All front-end Project documents shall include a copy of this Ordinance.

BE IT FUTHER ORDAINED, that this Ordinance shall be in full force and effect immediately upon its adoption, excluding those contracts advertised or awarded before the date of adoption.


BE IT FURTHER ORDAINED, that the Township Clerk is hereby directed to attach a certified copy of this Ordinance to the Township's current purchasing policy.

APPROVED this 14 day of June, 2021.

AYES: 5  
NAYS: 0  
ABSTAIN: 0  
ABSENT: 0

  
\_\_\_\_\_  
Supervisor, Winfield Township

ATTEST:

  
\_\_\_\_\_  
Clerk, Winfield Township

**CERTIFICATION**

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF DUPAGE         )

I, the undersigned, do hereby certify that I am the duly qualified and acting Township Clerk of the Winfield Township, DuPage County, Illinois, and as such I am the keeper of the records and files of said Township.

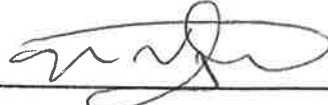
I further certify that the foregoing is a full, true and complete copy of:

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adopted at a duly called Regular Meeting of the Winfield Township Board of Trustees, held at Winfield, Illinois at 7:00 p.m. on the 14 day of JUNE, 2021.

I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Township Code of the State of Illinois, as amended, and that the Board has complied with all the provisions of said Act and said Code and with all the procedural rules of the Board.

IN WITNESS WHEREOF I hereunto affix my official signature at Winfield, Illinois, this 14 day of JUNE, 2021.

  
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Michael Guglielmi  
Township Clerk  
Winfield Township