

ORDINANCE NO. 3778

AN ORDINANCE ESTABLISHING A COMPETITIVE BIDDER PROCEDURE FOR THE VILLAGE OF PLAINFIELD PUBLIC WORKS PROJECTS

WHEREAS, the Illinois Municipal Code, 65 ILCS5/1-2-1, provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and,

WHEREAS, the Village of Plainfield is a home rule Illinois municipality pursuant to the Constitution of the State of Illinois of 1970, as amended; and,

WHEREAS, The Village of Plainfield, seeks to ensure that only qualified contractors are awarded contracts on construction projects by instituting an additional requirement for construction projects.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PLAINFIELD, WILL AND KENDALL COUNTIES, ILLINOIS, AS FOLLOWS:

Section 1: Establish a Responsible Bidder.

The Village of Plainfield shall require all bidders on applicable public works contracts estimated to be at least twenty-five thousand dollars (\$25,000) or more, to meet minimum standards of responsibility. A "responsible bidder" for construction contracts means a bidder for public works construction contracts advertised, awarded, and financed, in whole or in part, with Village public funds, excluding projects on private property; and who meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance.

- a) All applicable laws prerequisite to doing business in Illinois, and all local ordinances; and not in conflict with any state or federal law.
- b) Holds a Federal Employer Tax Identification Number or Social Security Number (for individuals).
- c) Compliance with provisions of Section 2000 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).
- d) Compliance with all provisions and exemptions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those 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 bidder's subcontractors must participate in active apprenticeship and training programs approved and registered with the U.S. Department of Labor's Office of Apprenticeship for each of the trades of work contemplated under the awarded contract.
- g) The bidder shall provide certificates of insurance indicating the following coverages if called for in the bid solicitation: general liability, workers compensation, completed operations, automobile, hazardous occupation and product liability.
- h) Certification of compliance with the Substance Abuse Prevention on Public Works Project.
- i) All Bidders must provide three (3) projects of a similar nature as being performed in the immediate past five (5) years with the name, address, and telephone number of the contact person having knowledge of the project or three (3) references (name, address, and telephone number) with knowledge of the integrity and business practices of the contractor.

Section 2: Contract Performance And Payment Bonds:

- a) When Required: When a construction contract is awarded in excess of twenty-five thousand dollars (\$25,000.00), the following bonds or security shall be delivered to the Village and shall become binding on the parties upon the execution of the contract:
 - i. A performance bond satisfactory to the Village, executed by a surety company authorized to do business in the State or otherwise secured in a manner satisfactory to the Village, in an amount equal to one hundred percent (100%) of the price specified in the contract; and
 - ii. A payment bond satisfactory to the Village, executed by a surety company authorized to do business in the State or otherwise secured in a manner satisfactory to the Village, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to one hundred percent (100%) of the price specified in the contract.
- b) Authority To Require Additional Bonds: Nothing in this Section shall be construed to limit the authority of the Management Services Director to require other forms of security to assure timely, faithful, and uninterrupted performance.

Section 3: Exemptions

The requirements under Sections 1 of this ordinance shall not apply to specialty projects when:

1. The nature of the work is such that only one or a limited number of contractors possess the required qualifications, certifications, or proprietary rights to perform the work;
2. The project involves custom design, fabrication, or artistic elements not conducive to traditional bidding;
3. A competitive bid process would be impracticable, unreasonable, or detrimental to the project timeline or integrity;

4. The exemption is necessary to meet funding or partnership requirements (e.g., state, federal, or private grants);
5. An emergency or unforeseen condition necessitates immediate procurement outside normal procedures.

Joint purchasing. The Village Administrator is authorized to let joint purchasing contracts where the funds for such contracts have been previously budgeted by the Village Board and where the contract is bid pursuant to the "Government Joint Purchasing Act," ILCS Ch. 30, Act 525, §§ 0.01 et seq. No other bidding requirements of the village need be followed.

Section 4: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as required by law.

Section 5: This Ordinance shall be numbered as Ordinance No. 3778.

PASSED THIS 15TH DAY OF December, 2025.

AYES: Panicker, Ruane, Sula, Wojowski, Bonuchi, Kiefer

NAYS: None

ABSENT: None

APPROVED THIS 15TH DAY OF DECEMBER, 2025.



VILLAGE PRESIDENT

ATTEST:



VILLAGE CLERK

