

## **EXHIBIT A**

### **D. Responsible Bidder Requirements**

- (1) Any vendor, services provider, contractor or other person (collectively “Bidder” and/or “Contractor”) seeking award of a public works contracts under Chapter 1-16-7 (Construction Bidding and Contracts) with a value of \$25,000 or more, must submit the following information and supporting documentation in its bid submission, response to request for proposal, or the like, verified under oath on a form designated by the Village, in order for the public works contract to be awarded:
  - (a) A statement of compliance with all applicable laws and Village Codes and Ordinances prerequisite to doing business in Illinois and the Village, including required Village licenses;
  - (b) Documents evidencing current registration with the Illinois Department of Revenue if Contractor has employees and of a Federal Employer Tax Identification Number or Social Security Number (for individual);
  - (c) Evidence of compliance with the provisions 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).
  - (d) Certificates of insurance indicating at least the following coverages at minimum limits established by the Village: general liability, worker’s compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability;
  - (e) A statement of compliance with all provisions of the Illinois Prevailing Wage Act for the last five (5) years, including payment of the prevailing rate of pay (i.e. cash wages and fringe benefits) for work of similar character and submission of certified payroll records. A Contractor who has been found by the Illinois Department of Labor to be in violation of the Prevailing Wage Act twice within a three (3) year period shall be deemed not to be a Responsible Bidder for two (2) years from the date of the latest finding.
  - (f) Documents evidencing participation in apprenticeship and 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 Office of Apprenticeship or the Illinois Apprenticeship Office, including evidence that any applicable program has graduated at least five (5) apprentices in each of the preceding five (5) years for each of the construction crafts the Contractor will perform on the project;
  - (g) A statement of compliance with the applicable provisions of the Illinois Human Rights Act and the rules of the Illinois Human Rights Commission, including adoption of a Sexual Harassment Policy pursuant to Illinois statute;
  - (h) Furnishing of Performance and Payment Bonds, to the extent required;
  - (i) Tax Clearance Certificate from the Illinois Department of Revenue;
  - (j) A statement certifying that Contractor is not barred from bidding or contracting as a result of a violation of either Section 33E-3 or 33E-4 of Ch. 720, Article 5 of the Illinois Compiled Statutes; and
  - (k) Evidence that Contractor has not only the financial responsibility but also the ability to respond by the discharge of the contractor’s obligations in accordance with what is expected or demanded under the terms of the contract.

- (2) It is the sole responsibility of the Contractor to comply with all submission requirements under this section. Contractor submissions deemed inadequate, or incomplete, may result in a determination that the Contractor is not responsible. The Contractor has a continuing obligation to report any material changes to their status as it pertains to any of the items contained in this section, at any time. Such changes must be reported in writing to the Village within 14 days of its occurrence. Failure to comply with this requirement is grounds for the Contractor to be deemed non-responsible.
- (3) Contractor must directly perform at least twenty-five (25) percent of the services identified in the public works contract it is seeking to be awarded.
- (4) The Board of Trustees may, by a majority vote of the members present, waive the requirements set forth in Section 1-16-7D(1)(e) and award work to a Contractor who otherwise meets the requirements of this section, if it is determined that the Award is the most advantageous to the Village and/or in the best interest of the Village, taking into consideration the requirements and criteria and/or evaluation factors set forth in the invitation for bids, request for proposals, or any other solicitation for procurement of work covered by this section.