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ORDINANCE AMENDING TITLE 1 (ADMINISTRATION) CHAPTER 16
(PROCUREMENT) SECTION 1-16-7 (CONSTRUCTION BIDDING AND
CONTRACTS) ESTABLISHING CRITERIA FOR THE DETERMINATION OF A
RESPONSIBLE BIDDER FOR VILLAGE CONSTRUCTION PROJECTS

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WHEREAS, the Illinois Compiled Statutes, including the Illinois Municipal Code, regulate purchases and contracts entered into by the Village of Orland Park, a home-rule municipality; and

WHEREAS, such Statutes grant to the Village the authority and discretion to determine what constitutes a “responsible bidder” and it is deemed necessary and advisable to establish criteria to better enable the corporate authorities of the Village to determine who constitutes a “responsible bidder” for Village public works projects such as construction of new municipal facilities, renovation of existing facilities and road and utility construction projects; and

WHEREAS, the Village has a responsibility to ensure that public funds are expended in a manner that secures the highest quality of work at the most responsible cost; and

WHEREAS, properly trained and skilled workers are essential to the quality and safety of public construction projects; and

WHEREAS, responsible bidder requirements support the development of a skilled local workforce, enhance workplace safety, and promote economic stability in the community; and

WHEREAS, requiring bidders to participate in and maintain an applicable apprenticeship and training program approved by the U.S. Department of Labor or the Illinois Department of Labor ensures a pipeline of qualified workers for the community; and

WHEREAS, as September includes the celebrations of Labor Union Appreciation Month, Labor Day, Construction Appreciation Week, and National Tradesmen Day, so it is a fitting and appropriate time for the Village to celebrate the contributions of organized labor to the Orland Park community and to codify its support of minimum requirements for responsible bidders on public works projects, including a requirement that all responsible bidders on public works projects of \$25,000 or more maintain an approved apprenticeship program.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1:

Title 1 (Administration), Chapter 16, (Procurement) Section 1-16-7 (Construction Bidding and Contracts) shall be amended by adding a new subsection D as follows:
1-16-7: CONSTRUCTION BIDDING AND CONTRACTS:

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“D. Responsible Bidder Requirements.

In determining which bidder is a “responsible bidder” on Village public works projects with a value of \$25,000 or more, the bidder must comply with the following criteria, and submit acceptable evidence of such compliance, in addition to any other requirements as determined from time to time by the Village for the specific type of work to be performed:

(1) All applicable laws and Village Codes and Ordinances prerequisite to doing business in Illinois and the Village, including required Village licenses;

(2) Evidence of compliance with:

(a) Submittal of Federal Employer Tax Identification Number or Social Security Number (for individual); and

(b) 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).

(3) 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;

(4) All provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades as covered in the Act;

(5) Participation in apprenticeship and training programs approved and registered with the United States Department of Labor’s Bureau of Apprenticeship and Training or the Illinois Department of Labor, including the graduation of at least five (5) apprentices in each of the applicable construction crafts in the preceding five (5) years;

(6) The applicable provisions of the Illinois Human Rights Act and the rules of the Illinois Human Rights Commission;

(7) Adoption of a Sexual Harassment Policy pursuant to Illinois statute;

(8) Furnishing of required Performance and Payment Bonds;

(9) Certificate of no delinquency in the payment of any tax administered by the Illinois Department of Revenue;

(10) Certificate that the bidder 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

(11) Evidence that the bidder 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.

SECTION 2:

This Ordinance shall be in full force and effect from and after its passage and approval as required by law.