

Ordinance No. __

AN ORDINANCE DEFINING RESPONSIBLE CONTRACT BIDDING

WHEREAS, Rock Island Township is an Illinois non-home rule Township with the powers and authority granted to it pursuant to the provisions of the Township Code of Illinois under 60 ILCS 1/1-1, et. seq., and

WHEREAS, the Illinois Township Code provides under 60 ILCS 1/85-30 that any purchase by a township for services, materials, equipment, or supplies in excess of \$20,000.00 (other than professional services) shall be contracted let to the lowest “responsible bidder”, and

WHEREAS, the definition of “responsible bidder” needs to be expanded in the case of bidders for construction projects for the Rock Island Township (construction for new facilities, renovation of current facilities) for an amount of more than \$20,000.

NOW, THEREFORE, by Rock Island Township, in the city of Rock Island, Illinois, that the following definition be adopted:

SECTION 1: DEFINITION ADOPTED

“Responsible Bidder” for construction contracts means a bidder as defined in 55 ILCS 5/5-1022(b).

The Township will also consider:

- A. All applicable laws are prerequisite to doing business in Illinois.
- B. Evidence of compliance with:
 - 1. Federal Employer Tax identification Number or Social Security number (for individuals).
 - 2. 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 Equal Opportunity Employer provisions).

- C. Certificates of insurance indicating the following coverages: general liability, worker's compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability.
- D. Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance, and retirement for those trades as covered by the Act.
- E. Active participation in apprenticeship and training with craft specific programs approved and registered with the United States of Labor Department of Labor's Bureau of Apprenticeship and Training
- F. The provisions of this Ordinance shall not apply to federally funded construction projects if such application would jeopardize the receipt or use of federal funds in support of such a project.
- G. All contractors and sub-contractors are required to turn in certified payroll on a weekly basis.
- H. All bidding contractors or subcontractors performing work on public works projects for Rock Island Township shall provide proof that they have a drug program or policy in place for the prevention of drug abuse.
- I. Certification from the bidder that all employees expected to perform work on the project have completed a 10-hour or greater OSHA safety program in the last 5 years. Only workers who have satisfactorily completed a 10-hour or greater OSHA safety program will be allowed to participate in the project. The bidder must have copies of employee OSHA cards on file and the TOWNSHIP may request that the bidder provide copies of employee OSHA cards. Failure to produce an employee's card may result in determination that a bidder is not a responsible bidder.

BE IT FURTHER ORDAINED that nothing herein hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights accrued

or liability incurred or cause or causes of action accrued or existing under any prior Resolution or Ordinance. Nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 2: SEVERABILITY

If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION 3: EFFECTIVE DATE

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

John R. Brandmeyer Jr.
Supervisor

Contractor Signature