

**ORDINANCE NO. 2021-04**

**ORDINANCE OF THE HIGHWAY COMMISSIONER  
WINFIELD TOWNSHIP ROAD DISTRICT  
REGARDING AGREEMENT TO ESTABLISH RESPONSIBLE BIDDER  
REQUIREMENTS ON CONSTRUCTION PROJECTS**

WHEREAS, the Winfield Township of DuPage County, Illinois Road District (“hereinafter the “Road District”).

WHEREAS, the Road District seeks to preserve administrative resources by insuring that only qualified contractors and subcontractors are awarded contracts on construction projects;

WHEREAS, THE Road District seeks to enhance its ability to identify the lowest “responsible bidder” on all construction projects by instituting more comprehensive submission requirements which are in compliance with Illinois Law; and

WHEREAS, This “Agreement to Establish Reasonable Bidder Requirements on Construction Projects” (hereinafter “Agreement”) will assure efficient use of taxpayer dollars, will promote safety and is in the public interest.

NOW THEREFORE BE IT AGREED THAT THIS AGREEMENT, known as a purchasing polity for the Winfield Township Road District, be amended to include:

Responsible bidder for construction projects means a bidder for construction contracts advertised, awarded, and financed, in whole or in part, with Township public funds, regardless of cost, excluding projects on private property; and who meets all of the job specifications, 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 Provision.
  - (c) Certificates of insurance indicating the following coverages: general liability, worker’s compensation, completed operations, and automobile
  - (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 for whom the contractor has accepted a bid and/or intends to hire on any part of the project prior to the subcontract-or commencing work on the project
- (f) The bidder and all bidder's sub-contractors must participate in active apprenticeship and training programs approved and registered with the United States Department of Labor's Office of Apprenticeship for each of the trades of work contemplated under the award contract.
- (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 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 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, 820 ILCS 185/1 et seq.
- (i) All bidders must identify projects of a similar nature as being 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 FURTHER AGREED that nothing herein hereby adopted shall be construed to affect any suit or proceeding now pending in any court of any rights accrued or liability incurred or caused or causes of action accrued under any other prior Resolution or Ordinance. Nor shall any right or remedy of any character be lost, impaired, or affected by this agreement.

BE IT FURTHER AGREED that this Agreement shall be in full force and effect immediately upon its adoption, excluding those contracts advertised or awarded before this date.

Dated this \_\_\_\_ day of \_\_\_\_\_ August 2021

  
Highway Commissioner

ATTEST:

  
Township Road District Clerk