

**CITY OF DES PLAINES**

**ORDINANCE M - 66 - 11**

**AN ORDINANCE AMENDING TITLE 1, "ADMINISTRATIVE," CHAPTER 10, "PURCHASING POLICES AND GUIDELINES," SECTION 5, "FORMAL CONTRACT PROCEDURES," OF THE CITY CODE BY ADDING RESPONSIBLE BIDDER REQUIREMENT.**

WHEREAS, a process to define responsible bidders in the case of bidders for construction projects (construction of new facilities, renovation of current facilities or road construction projects) over \$25,000.00 should be added to Formal Contract Procedures to guarantee responsible bidders answer City contract solicitations;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Plaines, Cook County Illinois, in the exercise of its Home Rule powers, as follows:

**SECTION 1:** That the recitals set forth above are incorporated herein by reference and made a part hereof, the same constituting the factual basis for this Ordinance.

**SECTION 2:** That Title 1, "Administrative," Chapter 10, "Purchasing Polices and Guidelines," Section 5, "Formal Contract Procedures," be amended and read as follows:

**1-10-5: FORMAL CONTRACT PROCEDURES:**

- A. No change
- B. No change
- C. Responsible bidder for construction contracts in excess of \$25,000.00 is limited to a bidder who meets all of the job specifications, the following applicable criteria, and the responsible bidder agrees to comply with the following criteria:
  - 1. All applicable laws prerequisite to doing business in the State of Illinois.
  - 2. 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 provisions).
  - 3. Certificates of insurance indicating the following coverage: general liability, workers' compensation, completed operations, automobile, hazardous occupation, product liability and professional liability insurance.
  - 4. All provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization and retirement for those trades covered in the act.

5. Active apprenticeship and training programs approved and registered with the United States Department of Labor Bureau of Apprenticeship and Training for each of the trades of work contemplated under the awarded contract for all bidders and subcontractors.
6. Certified payrolls as specified in Illinois Public Act 94-0515 for all contractors and subcontractors.

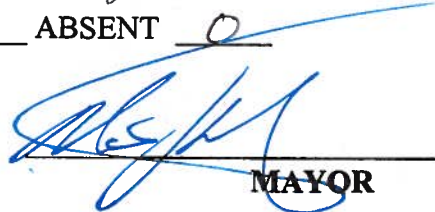
**SECTION 3:** If any paragraph, section, clause or provision of this ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the contract.

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

PASSED this 3<sup>rd</sup> day of January, 2012.

APPROVED this 4<sup>th</sup> day of January, 2012.

VOTE: AYES 7 NAYS 1 ABSENT 0

  
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MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

Published in pamphlet form this  
4<sup>th</sup> day of January, 2012.

  
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CITY CLERK

Approved as to form:

  
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David R. Wiltse, City Attorney