

ORDINANCE NO. 08-19-10-1

AN ORDINANCE AMENDING CHAPTER VI, SECTION 1 OF ORDINANCE NO. 06-17-10-1 COMMONLY REFERRED TO AS THE POSEN PARK DISTRICT BYLAWS TO FURTHER DEFINE RESPONSIBLE BIDDER

WHEREAS the Posen Park District is a Municipal Corporation, duly organized and acting pursuant to the powers as recited in the "Park District Code", 70 ILCS 1205/1-1 et seq; and

WHEREAS the Park District Code empowers the Posen Park District pursuant to 70 ILCS 1205/8-1 (d) and (f) to pass all necessary ordinances, rules, and regulations for the conduct of business, protection of the Parks, and direction of employees; and

WHEREAS the Board of Commissioners previously passed Ordinance No. 06-17-10-1, commonly referred to as the Posen Park District Bylaws; and

WHEREAS it is in the best interests of the Posen Park District to amend Chapter VI, Section 1 of the Posen Park District Bylaws in order to further define Responsible Bidder as it pertains to the letting of contracts by the Posen Park District

NOW THEREFORE BE IT ORDAINED by the President and Board of Commissioners of the Posen Park District, Cook County, Illinois, that the following definition be added to Chapter VI, Section 1 of the Posen Park District Bylaws Ordinance:

SECTION 1: DEFINITION OF RESPONSIBLE BIDDER.

Responsible bidder for construction contracts means a bidder who meets all of the job Specifications, the following applicable criteria, and submits evidence of such compliance:

- 1) All applicable laws prerequisite to doing business in 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's: general liability, workers' compensation, completed operations, automobile, hazardous occupation, and product liability.
- 4) Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance, and retirement for those trades covered by the act.
- 5) 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 Bureau of Apprenticeship and Training for each of the trades of work contemplated under the awarded contract.

6) All contractors and sub-contractors are required to turn in certified payrolls as specified in Illinois Public Act 94-0515.

BE IT FURTHER ORDAINED, that nothing herein hereby adopted shall be construed to affect any suit of proceeding now pending in any court of any rights accrued or liability incurred or cause or causes of action accrued of existing under any prior Resolution or Ordinance. Nor shall any right or remedy of any character be lost, impaired, or affected by the Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance amendment shall be in full force and effect immediately upon its adoption.

AYES: 5
NAYS: 0
ABSENT: 0
ABSTAIN: 0

Board of Commissioners

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|-------------------|--------------------------------|--|
| Terrence Whitcomb | <u>Aye</u> /Nay/Absent/Abstain | APPROVED this <u>7th</u> day Of <u>October</u> , 2010. |
| Mark Murphy | <u>Aye</u> /Nay/Absent/Abstain | POSEN PARK DISTRICT |
| Albert Chmielak | <u>Aye</u> /Nay/Absent/Abstain | By: <u>T. Whitcomb</u> President |
| Rey Lopez | <u>Aye</u> /Nay/Absent/Abstain | Board of Commissioners |
| Jerry Hwan | <u>Aye</u> /Nay/Absent/Abstain | Posen Park District Cook County, Illinois |

ATTEST:

Mark Murphy
Secretary