

VILLAGE OF CHATHAM, ILLINOIS

RESOLUTION NO. 42-05

A RESOLUTION CLARIFYING RESPONSIBLE
BIDDER FOR VILLAGE CONSTRUCTION PROJECTS

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF
CHATHAM, ILLINOIS THIS 13TH DAY OF DECEMBER, 2005

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Chatham, Sangamon County,
Illinois, this 13TH day of December 2005.

RESOLUTION NO. 42-05

A RESOLUTION CLARIFYING RESPONSIBLE BIDDER
FOR VILLAGE CONSTRUCTION PROJECTS

WHEREAS, the Village of Chatham, a unit of Illinois Local Government, does from time to time, prepare specifications, advertise for, and award bids, for the construction of various projects, and

WHEREAS, the President and Board of Trustees of the Village of Chatham desires to award the contracts for the construction of such projects to the lowest responsible bidder, in accord with the applicable Illinois law, and

WHEREAS, the President and Board of Trustees believes that it is the obligation of the Village to comply with the various laws, both state and federal, which protects the health, safety, and welfare of the workers who are employed in the construction of its projects, and it is further the obligation of the Village to encourage those to whom construction contracts are awarded to comply with such statutes as well and it is further the obligations of the Village to encourage those to whom construction contracts are awarded to develop and maintain training programs in order to provide a pool of qualified and skilled workers in the area, and

WHEREAS, the Village desires to adopt ordinances and follow practices and procedures designed to ensure, to the maximum extent possible, that it and those with whom it contracts do comply with the said state and federal statutes, and do provide training programs.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois as follows:

Section 1: That from and after the passage and approval of this resolution according to law, all specifications of the construction or substantial renovation of any building, roadway, shelter, parking lot, or other capital project shall include a requirement that any person, firm, corporation, or their entity submitting a bid shall include a complete, accurate, and truthful listing and description of all citations, complaints, summons, decisions, determinations, judgments, or allegations or findings of any violation of state or federal laws which protect the health, safety, or welfare of workers, including but not limited to OSHA, FMLA, FLSA, ADA, ADEA, NLRA, the Federal Civil Rights Act, The Illinois Human Rights Act, the Illinois Wage and Hour Law, and the Prevailing Wage Act filed against it or any entity with whom it is submitting the bid, including joint venture's and partners, and also including parent and subsidiary corporations, and shall further include a statement that such bidder is a participant in at least one training program.

Section 2: That any bidder who willfully fails or refuses to include the information required in Paragraph one, or whose report is substantially incomplete, inaccurate, or untruthful, shall be disqualified and its bid rejected.

Section 3: That the Board may reject any bid and disqualify any bidder whose report, subsequent inquiry into the matters contained in such report reveals any of the following:

- a. That there has been a finding determination, or judgment by an agency of the state or federal government charged with the responsibility of enforcing laws and regulations which protect the health, safety, or welfare of workers as enumerated above or otherwise that the bidder has violated such a statute or regulation and that such violation was:
 - i. found to be part of a pattern of similar violations, or
 - ii. one of three or more similar violations committed within two years immediately preceding the submission of the bid, or
 - iii. classified by an agency of the state or federal government as serious, or
 - iv. one which threatened the health or safety of the workers employed by the bidder, or
 - v. one resulting in the payment of back wages and benefits of \$5,000 or more, or
 - vi. one that resulted or could have resulted in the debarment of the bidder from contracting with the state or federal government, or any agency thereof.
- b. That the bidder does not participate in a training program as aforesaid.

Section 4: That any person, firm, corporation, or other entity seeking to submit bids for any project of the Village of Chatham as herein described, which has been disqualified or had its bids rejected by the Board on three or more occasions within the three years immediately preceding the submission of the bid which is currently before the Board for consideration, shall be debarred from submitting further bids for such Village projects for a period of one year following the rejections of the bid then currently being considered by the Board of Trustees.

Section 5: This Resolution is effective upon passage and approval.

Thomas S. Gray

 Thomas S. Gray, President
 Village of Chatham

ATTEST: *Pat Schad*

 Pat Schad, Clerk

YEAS: 6 HERR SCHAATTEMAN BOYLE MCCARTHY
 NAYS: 0
 ABSENT: 0

PASSED: 12-13-05
 APPROVED: 12-13-05



RESOLUTION CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

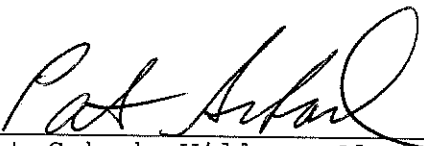
I do further certify that the Resolution attached hereto is a full, true, and exact copy of Resolution No. 42- 05, adopted by the President and Board of Trustees of said Village on the 13th day of December, 2005, said Resolution being entitled:

**A RESOLUTION CLARIFYING RESPONSIBLE
BIDDER FOR VILLAGE CONSTRUCTION PROJECTS**

I do further certify that prior to the making of this certificate, the said Resolution was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 13th day of December 2005.




Pat Schad, Village Clerk