

ORDINANCE No. 05-516

AN ORDINANCE ENDING CHAPTER 33.22 ENTITLED "PROCEDURES, PUBLIC WORKS CONTRACTS, COMPETITIVE BIDDING, ADVERTISING FOR BIDS, AWARD".

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKPORT, WILL COUNTY, ILLINOIS:**

**SECTION ONE:** That Chapter 33.22 entitled "Procedures, Public Works Contracts, Competitive Bidding, Advertising for Bids, Award.

- (A) Any contract for public improvements shall be furnished by contract let to the lowest responsible bidder with such bids to be received or obtained in the following manner except as provided herein:
- (1) Where the public improvement is more than \$1,000 but less than \$2,500 not less than three oral bids or proposals shall be obtained by an authorized agent of the City, and said bids shall be documented in written form and presented to the City Council for consideration.
  - (2) Where the public improvement does not exceed \$10,000 but is more than \$2,500, three bids or proposals, in writing, shall be obtained by an authorized agent of the City, and said proposals or bids shall be submitted to the City Council for consideration.
  - (3) Where the public improvement exceeds \$10,000, the contract for the finishing of the same shall be let to the lowest responsible bidder after advertising for bids as permitted herein
- (B) Responsible bidder for a public works contract 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 coverages: general liability, workers compensation, completed operations, automobile, hazardous occupation, project liability, professional liability;
  - (4) Compliance with all provision of the Illinois Prevailing Wage Act including wages, medical and hospitalization insurance and retirement for those trades covered in the Act.
  - (5) The bidder and the 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.
  - (6) Non-compliance with this Ordinance will result in a 20% penalty and a 2% punitive damage of the total contract bid, and/or two year disbarment from bidding with the City of Lockport. This includes either/or general and sub-contractors.
  - (7) All contractors and sub-contractors are required to turn in certified payroll on a weekly basis.
- (C) Waiver. A contract may be entered into by the proper officers without advertising for bids if authorized by a vote of 2/3 of all the Alderpersons then holding office.
- (D) Advertisement for bids. All proposals to award Public Works project contracts involving amounts in excess of \$10,000 shall be published at least ten (10) days, excluding Sundays and legal holidays, in advance of the date announced for the receiving of bids, in a daily newspaper of general circulation throughout the City of Lockport.
- (E) Joint Purchasing. The City Administrator is authorized to let joint purchasing contracts where the funds for such contracts have been previously budgeted by the City Council and where the contract is bid pursuant to the "Government Joint Purchasing Act," ILCS Ch.30, Act525, Section 0.01 et seq. No other bidding requirements of the City need be followed.
- (F) Emergency Contracts. In case of an emergency affecting the public hearing and safety, the City Administrator shall authorize a vendor to perform any and all work necessary to resolve such emergency without public advertisement provided that the work does not exceed \$10,000. Documentation of the emergency and the need for immediate action shall be presented by the City Administrator to the City Council at its next regular scheduled meeting. Such documentation shall include a complete description of the materials, equipment, and labor required and the costs involved.

**SECTION TWO:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION THREE:** The provisions in Sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

**SECTION FOUR:** The City Clerk of the City of Lockport shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

PASSED this 7<sup>th</sup> day of July, 2005