

ORDINANCE NO. 07-09-31**ORDINANCE AMENDING CERTAIN PROVISIONS OF TITLE 1, CHAPER 11  
OF THE VILLAGE CODE TO ESTABLISH RESPONSIBLE BIDDER CRITERIA**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Oak Lawn, Cook County, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Village President and Board of Trustees believe and hereby declare that it is in the best interests of the Village to establish responsible bidder criteria that will apply to all bidders with respect to Village public works properties;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK LAWN, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION TWO: A new Section 1-11-5-1 shall be and is hereby added to Title 1, Chapter 11 of the Oak Lawn Village Code, which new Section 1-11-5-1 shall hereafter be and read as follows:

1-11-5-1: **RESPONSIBLE BIDDER REQUIREMENTS:** In determining which bidder is a "responsible bidder" on Village public works projects, the bidder must comply with the following criteria and submit acceptable evidence of such compliance, in addition to any other requirements as determined from time to time by the Village for the specific type of work to be performed. The Village Attorney shall promulgate forms, which shall be executed with the public works contract and which shall require the following contractor submissions and certifications:

- A. Compliance with all applicable laws and Village codes and ordinances prerequisite to doing business in Illinois and the Village, including required Village licenses;
- B. Evidence of compliance with:
  - 1. Submittal of Federal Employer Tax Identification Number or Social Security Number (for individual);
  - 2. Provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11375 (known as the Equal Opportunity Employer provisions);
- C. Certificates of insurance indicating at least the following coverage at minimum limits established by the Village: general liability, worker's compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability;
- D. Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades as covered by the Act;
- E. Participation in apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training;
- F. Compliance with the applicable provisions of the Illinois Human Rights Act and the rules of the Illinois Human Rights Commission;
- G. Adoption of a Sexual Harassment Policy pursuant to Illinois Public Act 87-1257;
- H. Furnishing of required Performance and Payment Bonds;
- I. Certificate of no delinquency in the payment of any tax administered by the Illinois Department of Revenue;
- J. Certificate of the bidder is not barred from bidding or contracting as a result of a violation of either Section 33E of 33E-4 of Ch. 720, Article 5 of the Illinois Compiled Statutes;
- K. Evidence the bidder has not only the financial responsibility but also the ability to respond by the discharge of the contractor's obligations in accordance with that which is expected or demanded under the terms of the contract;
- L. Submission of a Contractor's Drug-Free Workplace Certification;
- M. Submission of an Indemnity and Hold Harmless Agreement; and
- N. Submission of an Anti-collusion Affidavit of Compliance;

SECTION THREE Those portions of Chapter 1, Article 11 of the Village Code that are not expressly amended herein shall be and are hereby ratified and affirmed and shall remain in full force and effect.

SECTION FOUR: Any policy, resolution or ordinance of the Village that conflicts with the provisions of this ordinance shall be and is hereby repealed to the extent of such conflict.

SECTION FIVE This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 8th day of May, 2007.

AYES: TRUSTEES HURCKES, QUINLAN, OLEJNICZAK, PHELAN, ROSENBAUM, STREIT

NAYS: NONE

ABSENT: NONE

APPROVED THIS 9th day of May, 2007.

ATTEST:

  
VILLAGE PRESIDENT

  
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF OAK LAWN ON May 9, 2007.

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