

ORDINANCE NO. 080912 B

**AN ORDINANCE OF THE TROY FIRE PROTECTION  
DISTRICT REGARDING PROPOSALS AND BIDS  
FOR CERTAIN DISTRICT CONTRACTS**

COPY

**WHEREAS**, Illinois Statutes 70 ILCS 705/10 provides that the Fire Protection District ("District") may construct fire houses and provide for the care and maintenance of fire protection apparatus; and

**WHEREAS**, the Board of Trustees of the Troy Fire Protection District ("Board") finds that it is in the best interest of the District to set forth requirements governing the District's purchases of construction goods and services; and

**WHEREAS**, the Board wishes to ensure that contracts are awarded in an atmosphere that invites competition and secures the best goods and services at the lowest cost practicable; and

**WHEREAS**, the Board possesses great discretion in selecting which proposal or bid to accept and is entitled to specify the terms of the contract and the criteria that persons or entities must meet in order to be eligible to submit a proposal or bid, whichever may apply;

**WHEREAS**, the Board solicits proposals or bids on different types of construction contracts, with varying factors affecting each purchasing decision, and therefore must take into account the reasonable benefits to the District's welfare arising from each proposal or bid;

**WHEREAS**, the Board of Trustees of the District find it is in the best interest of the District that those persons or entities contracting with the District for the construction of public improvements meet the requirements set forth in this Ordinance; and

**WHEREAS**, the apprenticeship programs required by this Ordinance will result in a high quality of public improvements being delivered to the District and will thereafter reduce the District's cost for maintenance and related matters.

**NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TROY FIRE PROTECTION DISTRICT, WILL AND KENDALL COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** That financial responsibility is an important factor in determining whether to accept a proposal or bid, and the Board shall require any person or entity that submits a proposal or bid on a public contract to produce satisfactory evidence that the business entity is properly registered and authorized to conduct the type of work to be performed, including but not limited to, evidence demonstrating that the entity possesses or complies with the requirements of the Internal Revenue Service, Illinois Departments of Revenue and/or Registration and Illinois Department of Employment Security registration requirements during the term of the contract.



**SECTION 2: Mandatory requirements for persons or entities submitting a proposal or bid; submission of proposals or bids; form.**

(a) In addition to any other requirement, unless otherwise expressly stated in a solicitation or request for a proposal or bid, whichever may apply, or an award of a contract, all persons or entities submitting a proposal or bid, whichever may apply, for public improvements (hereinafter referred to as "Offeror") must comply with the following requirements in order to submit a proposal or bid, whichever may apply, or be awarded a contract, and must include satisfactory evidence thereof in the proposal or bid.

- (1) The Offeror shall be a sole proprietor or duly organized legal entity in compliance with all laws prerequisite to doing business in Illinois.
- (2) The Offeror shall have a valid Federal Employer Tax Identification Number or Social Security Number.
- (3) The Offeror shall be an equal opportunity employer and shall comply with Section 2000(e) of Chapter 21, Title 42 of the United States Code, Equal Employment Opportunities, and with Executive Order No. 11246, Equal Employment Opportunity.
- (4) The Offeror shall provide certificates of insurance indicating the following coverages if called for in the proposal solicitation; general liability, workers compensation, completed operation, automobile, hazardous occupation and product liability.
- (5) The Offeror shall comply with all provisions of the Illinois Prevailing Wage Act (820 ILCS 130), including wages, medical and hospitalization insurance and retirement for those trades covered in the Act.
- (6) All contractors and sub-contractors performing services covered by the Illinois Prevailing Wage Act shall submit to the District the certified payrolls required by the Act, as amended by Illinois Public Act 94-0515.
- (7) For Public Improvements over \$20,000.00, the Offeror must provide or make available to its employees, apprenticeship and training programs that are registered with the United States Department of Labor's Bureau of Apprenticeship and Training, or a reasonable equivalent.

(b) Proposals or Bids, whichever may apply, shall be submitted in a sealed envelope to the President of the Board of Trustees of the District. Each proposal or bid, whichever may apply, shall be addressed to the Troy Fire Protection District Board of Trustees and shall bear on the face of the envelope the name of the person or entity making the proposal, a statement that it is a sealed proposal or sealed bid, whichever may apply, to be opened on the day and hour mentioned in the advertisement for proposals or bids (if applicable), and a statement describing



the contract for which the proposal or bid is made. Each proposal or bid, whichever may apply, shall be submitted on the printed form supplied by the District and shall be bound in the original binding.

**SECTION 3:** That the District may solicit or request a Proposal or it may request a Bid. It is in the District's sole discretion to decide whether to solicit a Proposal or whether to solicit a Bid. Nothing in this ordinance shall be construed so as to suggest that a solicitation or request for a Proposal is to be regarded in the same manner as a solicitation or request for a Bid.

**SECTION 4:** That the Board may accept the lowest proposal or bid, whichever may apply, or any other proposal or bid, whichever applies, which is determined to be in the best interests of the District. In each case, the Board may reject all proposals or all bids.

**SECTION 5:** That in making a determination as to which proposal or bid to select for acceptance, the Board shall confirm and substantiate that any potential awardees of the contract can reasonably be expected to complete and perform under the contract specifications. The Board may require awardees to post a bid, performance, wage/fringe benefit, material bond(s) or other type of bond. The Board shall also determine if the successful bidder can reasonably be expected to complete the project within the time constraints delineated in the solicitation or request for proposals or bids. The Board shall also determine if the potential awardees maintain a satisfactory level of past performance and integrity as well as possesses the financial, supervisory, personnel, material, equipment and other resources and expertise to satisfactorily meet its contractual responsibilities and obligations.

**SECTION 6:** That this Ordinance and every provision thereof shall be considered separable and the invalidity of any section, clause, paragraph, sentence or provision of the Ordinance shall not affect the validity of any other portion of this Ordinance.

**SECTION 7:** All Ordinances or parts of Ordinances conflicting with any of the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict.

**SECTION 8:** This Ordinance shall take effect immediately upon its passage and approval.

**SECTION 9: EFFECTIVE DATE**

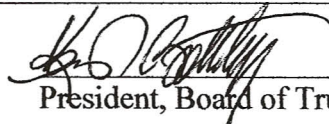
This Ordinance shall be effective after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 12 day of September, 2008 with 3 members voting aye, 0 members voting nay and 0 members abstaining or passing, said vote being:

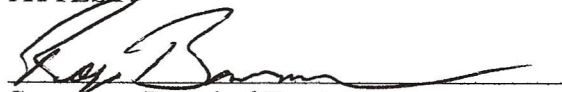
AYES: 3 Barrowman, Bottomley, Krabbe

NAYS: \_\_\_\_\_ 0

ABSENT: \_\_\_\_\_ 0

  
\_\_\_\_\_  
President, Board of Trustees

ATTEST

  
\_\_\_\_\_  
Secretary, Board of Trustees