

ORDINANCE #940-03

Establishing Guidelines for Selection of Responsible Bidders

WHEREAS, the Springfield Park District, 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 Board of Trustees of said District desired 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 said Board of Trustees believes that it is the obligation of the District to comply with the various laws, both state and federal, which protect 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 district to encourage those to whom construction contracts are awarded to comply with such statutes as well, and

WHEREAS, the District 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,

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of the Springfield Park District as follows:

1. That from and after the passage and approval of this ordinance according to law, all specifications of the construction or substantial renovation of any building, roadway, shelter, parking lot, golf course, pond, park or other capital project shall include a requirement that any person, firm, corporation or other entity submitting a bid shall include a complete, accurate and truthful listing and description of all citations, complaints, summons, decisions, determinations, judgements or other 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 ventures and partners, and also including parent and subsidiary corporations.
2. That any bidder who willfully fails or refuses to include the information required in Paragraph one, or whose report shall be substantially incomplete, inaccurate or untruthful, shall be disqualified and its bid rejected.

3. That the board may reject any bid and disqualify any bidder whose report of infractions, or subsequent inquiry into infractions, reveals that there has been a finding, determination or judgement by any 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:

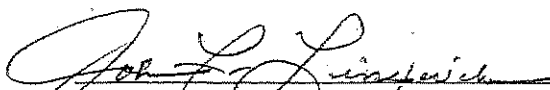
- i. found to have been part of a pattern of similar violations, or
- ii. one of the three or more similar violations committed within the two years immediately preceding the submission of the bid, or
- iii. classified by the agency as serious, or
- iv. one which threatened the health or safety of the 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.

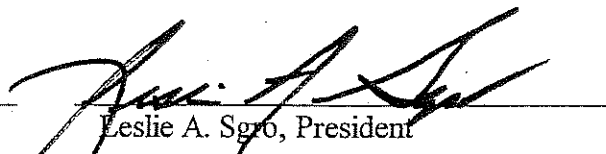
4. That any person, firm corporation or other entity seeking to submit bids for any project of the Park District as herein described, which has been disqualified or had its bids rejected by the Board on three or more occasions within the three years immediately preceding the submission of the bid which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

This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED: April 29, 2003

APPROVED: April 29, 2003


John F. Linxwiler, Secretary


Leslie A. Sgro, President