

ORDINANCE NO. 3782

AN ORDINANCE AMENDING TITLE 1, CHAPTER 8, SECTION 4 OF THE  
EAST PEORIA CITY CODE FOR THE PURPOSE OF ESTABLISHING  
CRITERIA FOR RESPONSIBLE BIDDERS ON CERTAIN  
CONSTRUCTION PROJECTS

**WHEREAS**, Title 1, Chapter 8, Section 4 of the East Peoria City Code regulates purchases made and contracts entered into by the City; and

**WHEREAS**, it is in the best interests of the City to define the term "responsible bidder" with respect to bidders on projects over \$35,000.00 involving the construction of new facilities, the renovation of current facilities or road construction projects;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:**

**Section 1.** Title 1, Chapter 8, Section 4 of the East Peoria City Code is hereby amended by the addition thereto of a new subsection 4.12 which shall read as follows:

**1-8-4.12. Responsible bidders on construction projects.**

With respect to construction projects of more than \$35,000.00 involving the construction of new facilities, the renovation of current facilities or road construction, the term "responsible bidder" means a bidder who is capable of meeting all of the specifications for the construction project, who meets the following criteria and who submits evidence satisfactory to the City that the bidder meets such criteria:

- a. The bidder is in compliance with all applicable laws prerequisite to doing business in the State of Illinois;
- b. The bidder has obtained a federal employer tax identification number or, in the case of an individual contractor, a social security number;
- c. The bidder is in compliance with the equal opportunity employer provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Federal Executive Order No. 11375;
- d. The bidder provides certificates of insurance demonstrating that the bidder has obtained the following forms of insurance

coverage which will be effective during the term of the construction project:

Comprehensive General Liability;  
Workers Compensation;  
Completed Operations;  
Motor Vehicle;  
Hazardous Occupation; and  
where appropriate, Products Liability.

e. The bidder is in compliance with all provisions of the Illinois Prevailing Wage Act and pays wages, and provides or pays for medical and hospitalization insurance and retirement for those trades covered by the Prevailing Wage Act in the amounts determined in accordance with the Prevailing Wage Act. All such bidders awarded a contract for a construction project and their subcontractors shall provide certified payrolls to the City in accordance with the provisions of the Prevailing Wage Act; and

f. The bidder and all subcontractors performing work on the construction project must participate in an active apprenticeship and training program approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for each trade which performs work on the construction project.

**Section 2.** Nothing in the Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights accrued or liability incurred or cause or causes of action accrued or existing under any prior resolution, ordinance or contract nor shall any right or remedy of any character be lost, impaired or affected by this Ordinance.


**Section 3.** This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

**Section 4.** This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

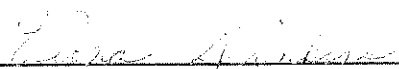
**Section 5.** This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS 24<sup>th</sup> DAY OF November, 2007.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

EXAMINED AND APPROVED:

  
\_\_\_\_\_  
Corporation Counsel