

VILLAGE OF BRADLEY

ORDINANCE NO. 0-05-22-01

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE V (FINANCE),
SECTION 2-466 (ADMINISTRATION OF CONSTRUCTION CONTRACTS FOR PUBLIC
WORKS OR PUBLIC IMPROVEMENTS) OF THE BRADLEY VILLAGE CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 9th DAY OF May, 2022

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 9th day of May, 2022

ORDINANCE NO. 0-0522-01

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE V (FINANCE), SECTION 2-466 (ADMINISTRATION OF CONSTRUCTION CONTRACTS FOR PUBLIC WORKS OR PUBLIC IMPROVEMENTS) OF THE BRADLEY VILLAGE CODE

WHEREAS, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Section 8-9-1 of the Illinois Municipal Code (65 ILCS 5/8-9-1), certain public works or public improvement contracts exceeding \$25,000 are required to be let to the lowest responsible bidder; and

WHEREAS, pursuant to said Section 8-9-1, the Corporate Authorities of the Village are authorized to establish the procedures to determine the lowest responsible bidder for public works or public improvement contracts by ordinance; and

WHEREAS, the Corporate Authorities of the Village have previously exercised the aforementioned authority by enacting Chapter 2 (Administration), Article V (Finance), Section 2-466 (Administration of construction contracts for public works or public improvements) of the Village of Bradley's code of ordinances; and

WHEREAS, the Corporate Authorities of the Village have determined that it is necessary, expedient, and in the best interests of the Village and its citizens to amend Chapter 2 (Administration), Article V (Finance), Section 2-466 (Administration of construction contracts for public works or public improvements) of the Village's code of ordinances, as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. Chapter 2 (Administration), Article V (Finance), Section 2-466 (Administration of construction contracts for public works or public improvements) is hereby amended to read as follows:

Sec. 2-466. - Administration of construction contracts for public works or public improvements.

Responsible bidder for construction contracts means a bidder who meets all of the following applicable criteria, and submits evidence of such compliance:

- (1) All applicable laws prerequisite to doing business in the state.
- (2) Evidence of compliance with the following:
 - a. Federal employer tax identification number or social security number.
 - b. Provisions of section 2000(e), the federal equal opportunity employer provisions, 42 USC § 12111 et seq.
- (3) Certificates of insurance indicating the following coverages; general liability, workers' compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability.
- (4) Compliance with all provisions of the Illinois Prevailing Wage Act, 820 ILCS 130/0.01 et seq. including wages, medical and hospitalization insurance and retirement for those trades as covered in the Act.
- (5) To the extent the construction contract is being funded wholly or in part with State funds and the project is estimated to cost \$500,000 or more, the contractor must be in compliance with Section 20-20 of the Illinois Job Works Program Act (30 ILCS 559/20-20).

(Code 1985, § 2-7; Ord. No. O-7-00-8, 8-28-2000; Ord. No. O-3-11-4, § 5, 3-28-2011)

SECTION 3. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

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PASSED by the Board of Trustees on a roll call vote on the 9th day of May, 2022.

TRUSTEES:

RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GRANT D. VANDENHOUT	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GENE JORDAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

VILLAGE PRESIDENT:

MICHAEL WATSON Aye - Nay - Absent -

TOTALS: Aye - 6 Nay - 0 Absent - 0

ATTEST:

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

APPROVED this 9th day of May, 2022.

Michael Watson
MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 00522-01, "AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE V (FINANCE), SECTION 2-466 (ADMINISTRATION OF CONSTRUCTION CONTRACTS FOR PUBLIC WORKS OR PUBLIC IMPROVEMENTS) OF THE BRADLEY VILLAGE CODE," which was adopted by the Village Corporate Authorities at a meeting held on the 9th day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 9th day of May, 2022.

Julie Tambling

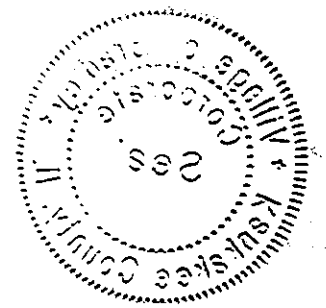
JULIE TAMBLING, VILLAGE CLERK



1880

1880

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Agenda Cover Memorandum

Meeting Date: 9 May 2022

Fiscal Year: 21-22

Agenda Item: Update to Bidding Ordinance/Administration of Public Improvements

Item Type: Ordinance Resolution Other

Action Requested: Approval First Reading For Discussion Informational

Staff Contact:
Name: Terry Memenga
Phone: 815-693-9516
Email: TJMemenga@BradleyIL.org

Internal Review
Initials
Date

Brief Summary:

We have slightly updated our bidding ordinance to remove reference to participation in apprenticeship programs to qualify as a "responsible bidder". This applies to all bids under \$500,000 – in accordance with state laws. All other aspects of the definition remain the same.

Recommendation:

Approval

Supporting Documents:

Updated ordinance

Financial (if applicable)

Is this a budgeted item? Yes No Requires Budget Amendment

Line Item: Title:

Amount Budgeted: