

NOTICE OF SPECIAL MEETING OF THE PUBLIC WORKS COMMITTEE

A Special Meeting of the Public Works Committee is scheduled for
Tuesday, November 12, 2019 beginning at 7:45 p.m. in the

Council Chambers located at the
Village Hall of Tinley Park
16260 South Oak Park Avenue
Tinley Park, Illinois

A copy of the agenda for this meeting is attached hereto and can be found at
www.tinleypark.org.

Kristin A. Thirion
Clerk
Village of Tinley Park

NOTICE OF A SPECIAL MEETING
OF THE PUBLIC WORKS COMMITTEE

Notice is hereby given that a special meeting of the Public Works Committee of the Village of Tinley Park, Cook and Will Counties, Illinois, will begin at 7:45 p.m. on Tuesday, November 12, 2019, in Council Chambers at the Village Hall of Tinley Park, 16250 S. Oak Park Avenue, Tinley Park, Illinois.

1. OPEN THE MEETING.
2. CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL PUBLIC WORKS COMMITTEE MEETING HELD ON OCTOBER 8, 2019.
3. DISCUSS AMENDMENT TO TITLE V OF THE TINLEY PARK MUNICIPAL CODE “RESPONSIBLE BIDDER REQUIREMENTS ON PUBLIC WORKS PROJECTS”.
4. RECEIVE COMMENTS FROM THE PUBLIC.

ADJOURNMENT

KRISTIN A. THIRION
VILLAGE CLERK

MINUTES
Meeting of the Public Works Committee
October 8, 2019 - 7:30 p.m.
Village Hall of Tinley Park – Council Chambers
16250 S. Oak Park Avenue
Tinley Park, IL 60477

Members Present: M. Glotz, Chairman
W. Brady, Village Trustee
W. Brennan, Village Trustee

Members Absent: None

Other Board Members Present: None

Staff Present: D. Niemeyer, Village Manager
P. Carr, Assistant Village Manager
B. Bettenhausen, Village Treasurer
M. Walsh, Police Chief
F. Reeder, Fire Chief
J. Urbanski, Assistant Public Works Director
L. Valley, Executive Assistant to the Manager and Trustees
L. Godette, Deputy Village Clerk
H. Lipman, Management Analyst
P. Connelly, Village Attorney

Item #1 - The meeting of the Public Works Committee was called to order at 8:25 p.m.

Item #2 – CONSIDER APPROVAL OF THE MINUTES OF THE PUBLIC WORKS COMMITTEE MEETING HELD ON SEPTEMBER 10, 2019 – Motion was made by Trustee Glotz, seconded by Trustee Brady, to approve the minutes of the Public Works Committee meeting held on September 10, 2019. Vote by voice call. Chairman Glotz declared the motion carried.

Item #3 – DISCUSS 2019-2020 SALT PURCHASE CONTRACT - John Urbanski stated a request for a purchasing agreement proposal for bulk rock salt was requested from eight (8) companies and three (3) proposals were received. Morton Salt, Inc. was the lowest proposal received. He noted that this purchase agreement locks in the price for bulk salt with Morton Salt, Inc. delivered to the Public Works facility at \$87.36 per ton. Under this agreement the Village is required to take delivery of 5,500 tons of salt over the winter season. The total estimated cost for the 2019-2020 season is \$480,480, which is \$29,520 under the budgeted amount. Motion was made by Brennan, seconded by Trustee Brady, to recommend purchase agreement with Morton Salt, Inc. for the Fiscal Year 2020 bulks salt purchase in the amount of \$87.36 per ton, be forwarded brought to the Village Board meeting on October 15, 2019. Vote by voice. Chairman Glotz declared the motion carried.

Item #4 – DISCUSS SURPLUS EQUIPMENT – John Urbanski stated that this is a continuation form the previous surplus equipment list presented to the Village Board in September. The four (4) pieces of equipment on this list were left off the previous list. Motion was made by Trustee Glotz, seconded by Trustee Brady, to recommend this addition list of four (4) vehicles be placed in a 2019 Surplus Equipment Ordinance be brought forward to the Village Board. Vote by voice. Chairman Glotz declared the motion carried.

Item #5 – DISCUSS CONTRACT AWARD FOR 80TH AVENUE TRAIN STATION REPAIRS -

John Urbanski stated Shortly after the original opening of the 80th Ave. Train Station in 2012, the Public Works Department identified railings in the area that were lifting from the concrete and damaging the surrounding staircases and curbing. As time has progressed, additional heaving of railings, separation of stair nosing, and “freeze/thaw” destruction to the concrete in the area continued. The Village Board approved Public Works to start replacing/repairing the staircases and railings last year (2018). This request is for completion of the entire replacement/repair project. Based on previous discussions with the Village attorney and staff members, it was recommended to complete all of the remaining damaged areas at once in lieu of partially completing phases over the next few years. Please reference the following breakdown of all items to be replaced/repared:

- Main Front Entrance Staircase: \$62,928.63
- East Ramp – North Tunnel: \$44,437.92
- East Ramp – South Tunnel: \$52,027.17
- West Ramp – North Tunnel: \$56,591.57
- West Ramp – South Tunnel: \$76,328.30
- Staircase Into Building/Entrance Staircase: \$70,923.19
- Railings: \$458,971.57
- Stair Repairs: \$30,140.54
- Staircase #1: \$46,605.25
- Staircase #3: \$46,605.25
- Staircase #4: \$46,605.25

Funding is budgeted and available in the approved FY20 Budget, Municipal Buildings Fund.

Budget Available	\$589,405.00
Contract Amount	<u>\$1,002,184.84</u>
Difference – Over Budget	\$412,779.84

Village Attorney Connelly stated that the Village has the right to seek damages from the contractors they originally built the 80th Avenue Train Station. The Trustees stated their concerns with safety at the train station.

Motion was made by Glotz, seconded by Trustee Brennan, to recommend a Job Order Contract with Gordian/F. H. Paschen, S.N. Nielsen & Associates of Chicago, Illinois in the amount of \$1,002,184.84 be forwarded to the Village Board meeting scheduled for October 15, 2019. Vote by voice. Chairman Glotz declared the motion carried.

Item #6 – RECEIVE COMMENTS FROM THE PUBLIC – No one came forward.

ADJOURNMENT

Motion was made by Brennan, seconded by Trustee Brady, to adjourn this meeting of the Public Works Committee. Vote by voice call. Chairman Glotz declared the motion carried and adjourned the meeting at 8:36 p.m.

lg



Interoffice Memo

Date: November 8, 2019

To: Public Works Committee

From: David Niemeyer, Village Manager *dm*

cc: Village Board
Pat Carr, Assistant Village Manager
Kevin Workowski, Public Works Director
John Urbanski, Assistant Public Works Director
Patrick Connelly, Village Attorney

Subject: Responsible Bidder

Attached is an update of the Responsible Bidder's Ordinance, which is part of our Purchasing Policy. Staff has reviewed this and has some verbiage suggestions for the final version which will need to go to the Village Board. We would first like to review with the Public Works Committee to get their recommendation.

I have also attached our current ordinance for reference.

THE VILLAGE OF TINLEY PARK

Cook County, Illinois

Will County, Illinois

ORDINANCE

NO. _____

**AN ORDINANCE AMENDING TITLE V OF THE TINLEY PARK MUNICIPAL CODE
AND ESTABLISHING CHAPTER 54 ENTITLED “RESPONSIBLE BIDDER
REQUIREMENTS ON PUBLIC WORK PROJECTS”**

**JACOB C. VANDENBERG, PRESIDENT
KRISTIN A. THIRION, VILLAGE CLERK**

**CYNTHIA A. BERG
WILLIAM P. BRADY
WILLIAM A. BRENNAN
DIANE M. GALANTE
MICHAEL W. GLOTZ
MICHAEL G. MUELLER
Board of Trustees**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Tinley Park
Peterson, Johnson, & Murray Chicago, LLC, Village Attorneys
200 W. Adams, Suite 2125 Chicago, IL 60606

VILLAGE OF TINLEY PARK

Cook County, Illinois

Will County, Illinois

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE V OF THE TINLEY PARK MUNICIPAL CODE
AND ESTABLISHING CHAPTER 54 ENTITLED “RESPONSIBLE BIDDER
REQUIREMENTS ON PUBLIC WORK PROJECTS”**

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 Tinley Park, Cook and Will Counties, 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, pursuant to the Illinois Procurement Code (30 ILCS 500/1-1 *et seq*) and section 65 ILCS 5/8-9-1 of the Illinois Municipal Code (“Responsible Bidding Requirements”), the Village of Tinley Park is required to follow certain mandates pertaining to the advertising of bids prior to the Corporate Authorities of the Village of Tinley Park’s approval of public work contracts; and

WHEREAS, the Village of Tinley Park (“Village”) has previously adopted and incorporated by reference in its Village of Tinley Park Municipal Code a Purchasing Policy, pursuant to Ordinance No: 2017-O-012 prescribing certain Responsible Bidding Requirements pertain to public works contracts; and

WHEREAS, the Village now desires to codify certain Responsible Bidding Requirements into its Village of Tinley Park Municipal Code in an effort to promote further transparency in regards to competitive bidding for public works contracts and to more adequately notify prospective bidders of the Village’s competitive bidding requirements (“Amendments”); and

WHEREAS, the Corporate Authorities of the Village of Tinley Park, Cook and Will Counties, Illinois, have determined that it is in the best interest of the Village of Tinley Park and its residents to approve said Amendments; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS, STATE AS FOLLOWS:

SECTION 1: The foregoing recitals shall be and are hereby incorporated as finding of fact as if said recitals were fully set forth herein.

SECTION 2: That Title V Chapter 51 entitled “RESPONSIBLE BIDDING REQUIREMENTS ON PUBLIC WORKS CONTRACTS,” is hereby be created by adding the following underlined language:

CHAPTER 54: RESPONSIBLE BIDDER REQUIREMENTS ON PUBLIC WORKS CONTRACTS

§54.01 Public Works

§54.02 Bid Submission Requirements

§54.03 Incomplete Submissions by Bidders and Subcontractors

§54.04 Validity of Pre-Qualification Classification

§54.05 Lower Bidder Not Chosen

§54.06 Multiple Low Bids

§54.07 Public Records

§54.08 Materiality

§54.01 PUBLIC WORKS

For purposes of this chapter, the term “public works” shall mean the following: any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, moving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any public building, structure, airport facility, highway, roadway, street, alley, bridge, sewer, drain, ditch, sewage disposal plant, water work, parking facility, railroad, excavation, or other project, development, real property, or improvement, or to do any part thereof, whether or not the performance of the work herein described involves the addition to, or fabrication into, any structure, project or development, real property, publicly owned property, or improvement herein described of any material or article of merchandise, which is paid for out of a public fund or out of a special assessment. The term also includes any public works leased by a political subdivision under a lease containing an option to purchase.

For purposes of this Chapter, the term “public works” shall not include landscaping that is not performed in conjunction with or as part of work otherwise covered under the Prevailing Wage Act, 820 ILCS 130/1 *et seq.*

§54.02 Bid Submission Requirements

In determining whether a bidder is a “responsible bidder” for the award of a public works contract, the bidder must submit the following information and supporting documentation verified under oath on a form designated by the Village of Tinley Park, in order for the bid to be accepted:

- A. A copy of the Illinois Secretary of State's Department of Business Services online records evidencing that the bidder has a current corporate annual report on file. If the bidder is an individual, sole proprietor, or partnership, this subsection shall not apply;
- B. Documents evidencing current registration with the Illinois Department of Revenue if bidder has employees (e.g. document with account number, Illinois Business Tax number).
- C. Documents evidencing current registration with the Illinois Department of Employment Security if bidder has employees (e.g. document with UI account number).
- D. Disclosure of any federal, state or local tax liens or tax delinquencies against the contractor or any officers of the contractor in the last five (5) years.
- E. A statement that all employees are (i) covered under a current workers' compensation insurance policy and (ii) properly classified under such policy. If the bidder is insured with a carrier, the evidence of workers' compensation insurance shall be a copy of the "Information Page" of the bidder's workers' compensation policy and any continuation of that Information Page which include the name and address of the insured, as well as the class codes the compensation premium is based on and the total estimated remuneration per class code.
- F. A statement of compliance with all provisions of the Illinois Prevailing Wage Act (820 ILCS 130/1 et seq.) and all rules and regulations therein, for the past five (5) years. Such statement shall also provide that the contractor has reviewed the Prevailing Wage Act or federal Davis-Bacon and Related Acts, has reviewed and agrees to pay the applicable prevailing wage rates attached to the bid specifications, and will strictly comply with the Prevailing Wage Act or federal Davis-Bacon and Related Acts and related requirements. A contractor who has been found by the Illinois Department of Labor to be in violation of the Prevailing Wage Act twice within a three (3) year period shall be deemed not to be a Responsible Bidder for two (2) years from the date of the latest finding.
- G. A copy of the written program for the prevention of substance abuse to be filed with a public body pursuant to the Substance Abuse Prevention on Public Works Projects Act (820 ILCS 265/1 et seq.).
- H. A statement that individuals who will perform work on the public works project on behalf of the contractor are properly classified as either (i) an employee or (ii) an independent contractor under all applicable state and federal laws and local ordinances.
- I. Documents evidencing any professional or trade license required by law or local ordinance for any trade or specialty area in which the contractor is seeking a contract award. Additionally, the contractor must disclose any suspension or revocation of such license held by the company, or of any director, officer or manager of the company.
- J. Evidence of participation in apprenticeship and training programs applicable to the work to be performed on the project which are approved by and registered with the United States Department of Labor's Office of Apprenticeship, or its successor organization. The required

evidence includes but is not limited to a copy of all applicable apprenticeship standards or Apprenticeship Agreement(s) for any apprentice(s) who will perform work on the public works project.

K. Bidder shall certify that all employees expected to perform work on the project have completed a 10-hour or greater OSHA safety program. Only workers that have satisfactorily completed a 10-hour or greater OSHA safety program will be allowed to participate on the project. The bidder must have copies of employee OSHA cards on file, and Village of Tinley Park may request the bidder provide copies of employees OSHA cards; failure to produce an employee's OSHA card may result in a determination that the bidder is not a responsible bidder.

L. Disclosure of the name and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of the project. Further, each such subcontractor shall be required to adhere to the requirements set forth herein as though it were bidding directly to Village of Tinley Park. Each contractor shall submit all subcontractor information and supporting documentation to Village of Tinley Park prior to the subcontractor commencing work on the project.

M. Statements as to past performance, which shall give an accurate and complete record of all public works projects completed in the past three (3) years by the contractor. Such statements shall include the name of the public body and the project, original contract price, final contract price, and the names of all subcontractors used, if applicable, and a statement as to compliance with completion deadlines.

N. Any determinations by a court or governmental agency for violations of federal, state, or local laws, including but not limited to serious, willful or repeated violations of the Occupational Safety and Health Act (OSHA), violations of contracting or antitrust laws, tax or licensing laws, environmental laws, or the Federal Davis-Bacon and Related Acts.

Any material changes to the contractor's status, at any time, must be reported in writing to Village of Tinley Park within fourteen (14) days of its occurrence. Failure to comply with this requirement is grounds for the contractor to be deemed a non-responsible bidder.

§54.03 Incomplete Submissions by Bidders and Subcontractors

It is the sole responsibility of the contractor to comply with all submission requirements at the time it submits its bid to Village of Tinley Park. Contractor submissions deemed inadequate or incomplete may result in a determination that the contractor is not a responsible bidder.

The submission requirements also apply to all subcontractors, except that the contractor shall submit all subcontractor submissions to Village of Tinley Park prior to the subcontractor commencing work on the project. Failure of a subcontractor to submit the required information shall not disqualify the successful bidder from performing work on the project and shall not constitute a contractual default and/or breach by the successful bidder. However, Village of Tinley Park may withhold all payments otherwise due for work performed by a subcontractor, until the subcontractor submits the required information and Village of Tinley Park approves such

information. Further, where Village of Tinley Park deems necessary, Village of Tinley Park may also require that the successful bidder remove the subcontractor from the project and replace it with a responsive and responsible subcontractor.

§54.04 Validity of Pre-Qualification Classification

Upon designation by the Village of Tinley Park that a contractor's or subcontractor's submission in anticipation of a bid is complete and timely, and upon any further consideration deemed necessary by the Village of Tinley Park the contractor or subcontractor may be pre-qualified for future Village of Tinley Park public works projects. A contractor's classification as "qualified" shall exempt the contractor or sub-contractor from the comprehensive submission requirements contained herein for a period of twelve (12) months. Thereafter, contractors or subcontractors who are pre-qualified must submit a complete application for continuation of "pre-qualified" standing, on a form provided by the Village of Tinley Park (also referred to as the "short form") by December 31st for the upcoming calendar year. Failure by any pre-qualified contractor or subcontractor to timely submit its complete application for continuation of "pre-qualified" standing shall result in automatic removal of the designation, effective January 1 of the upcoming year. However, the "removed" contractor or subcontractor shall still be permitted to bid on Village of Tinley Park public works projects.

Any material changes to the contractor's status, at any time, must be reported in writing within ten (10) days of its occurrence to the Village of Tinley Park. The pre-qualification designation is solely within the discretion of the Village of Tinley Park and the Village of Tinley Park specifically reserves the right to change or revoke the designation for a stated written reason(s).

Denial of pre-qualification shall be in writing and shall be forwarded to the contractor within seven (7) working days of such decision. Any contractor denied or losing pre-qualification status may request reconsideration of the decision by submitting such request in writing to the Village of Tinley Park within five (5) business days of receipt of notice of denial.

§54.05 Lower Bidder Not Chosen

When the award is not recommended to be given to the lowest bidder, a statement of the reason for such recommendation shall be prepared by Village of Tinley Park.

§54.06 Multiple Low Bids

When two or more responsible bidders submit the same low bid, the contract award shall be determined by drawing lots at a public meeting of Village of Tinley Park Board of Trustees unless one bidder is a local contractor and one is a non-local contractor, in which event the local contractor shall be awarded the contract.

§54.07 Public Records

All information submitted by a contractor or subcontractor pursuant to this Ordinance are public records subject to review pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.).

§54.08 Materiality

The requirements of this Ordinance are a material part of the bid documents and the contract and the successful bidder shall insert this Ordinance in all subcontracts.

SECTION 3: 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 4: That this Ordinance shall be in full force and effect from and after its adoption and approval.

SECTION 5: That the Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form, and this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED THIS ____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ day of _____, 2019.

VILLAGE PRESIDENT

ATTEST:

VILLAGE CLERK

STATE OF ILLINOIS)
COUNTY OF COOK) SS
COUNTY OF WILL)

CERTIFICATE

I, KRISTIN A. THIRION, Village Clerk of the Village of Tinley Park, Counties of Cook and Will and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. ____, “AN ORDINANCE AMENDING TITLE V OF THE TINLEY PARK MUNICIPAL CODE AND ESTABLISHING CHAPTER 54 ENTITLED “RESPONSIBLE BIDDER REQUIREMENTS ON PUBLIC WORK PROJECTS”,” which was adopted by the President and Board of Trustees of the Village of Tinley Park on _____, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Tinley Park this ____ day of _____, 2019.

KRISTIN A. THIRION, VILLAGE CLERK

STATE OF ILLINOIS)
COUNTY OF COOK) SS.
COUNTY OF WILL)

CLERK'S CERTIFICATE

I, **PATRICK E. REA**, the duly appointed, qualified and acting Village Clerk of the Village of Tinley Park, Cook and Will Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of the Resolution now on file in my office, entitled:

ORDINANCE NUMBER 2009-O-002

AN ORDINANCE ESTABLISHING CRITERIA FOR THE DETERMINATION OF A RESPONSIBLE BIDDER FOR VILLAGE PUBLIC WORKS PROJECTS

which was passed by the Village Board of Trustees of the Village of Tinley Park at a regular meeting held on 17th Day of March, 2009, at which meeting a quorum was present, and approved by the President of the Village of Tinley park on the 17th Day of March, 2009.

I further certify that the vote on the question of the passage of the said Resolution by the Board of Trustees of the Village of Tinley Park was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Tinley Park; and that the results of said vote was as follows, to-wit:

AYES: Rea, Seaman, Hannon, Maher, Staunton

NAYS: None

ABSENT: Bettenhausen

I do further certify that the original Resolution, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Tinley Park, this _____ Day of _____, 2009.

Patrick E. Rea
Village Clerk

ORDINANCE NUMBER 2009-O-002

AN ORDINANCE ESTABLISHING CRITERIA FOR THE DETERMINATION OF A RESPONSIBLE BIDDER FOR VILLAGE PUBLIC WORKS PROJECTS

WHEREAS, the Illinois Compiled Statutes, including the Illinois Municipal Code, regulate purchases and contracts entered into by the Village of Tinley Park; and

WHEREAS, such Statutes grant to the Village the authority and discretion to determine what constitutes a “responsible bidder” and it is deemed necessary and advisable to establish criteria to better enable the Corporate Authorities of the Village to determine what constitutes a “responsible bidder” for Public Works Projects such as construction of a new municipal facilities, renovation of existing facilities and road and utility construction projects; and

WHEREAS, the Corporate Authorities of the Village of Tinley Park have determined that it in the best interests of the Village and its residents to establish criteria for determining a “responsible bidder” for these types of projects as set forth below; and

WHEREAS, the Village is a Home Rule unit of government pursuant to Article VII Section 6 of the Illinois Constitution of 1970 and therefore is authorized, except as limited therein, to exercise any power and perform any function pertaining to its government and affairs;

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Tinley Park, Cook and Will Counties, Illinois, pursuant to applicable law and the Village’s home rule powers, as follows:

SECTION 1: That the above Whereas clauses are herein incorporated by references as the findings of this President and Board of Trustees of the Village, as completely as if fully recited herein at length.

SECTION 2: For purposes of this Ordinance “Village Public Works Project” is defined to mean any construction project undertaken by the Village to which the Illinois Prevailing Wage Act, 820 ILCS 130/0.01 *et seq.* is applicable.

SECTION 3: That in order to be considered a “responsible bidder” on Village Public Works Project, a 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:

- a) Compliance with all applicable laws and Village Codes and Ordinances prerequisite to

doing business in Illinois and in the Village;

- b) Compliance with:
 - a. Submittal of Federal Employer Tax Identification Number of Social Security Number (for individual), and
 - b. Provision of Section 2000e of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Federal Executive Order No. 11375 (known as the Equal Employment Opportunity Provisions);
- c) Furnishing certificates of insurance indicating at least the following coverages at minimum limits established by the Village; general liability, workers' 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 covered by the Act;
- e) Participation in apprenticeship and training programs approved by 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, including the adoption of a written sexual harassment policy;
- g) Furnishing of required performance and payment bonds;
- h) Furnishing certification of no delinquency in the payment of any tax administered by the Illinois Department of Revenue;
- i) Furnishing certification that the bidder is not barred from bidding or contracting as a result of a violation of either Section 33E or 33E-4 of Chapter 720, Article 5 of the Illinois Compiled Statutes; and
- j) Furnishing evidence that the bidder has not only the financial responsibility but also the ability to respond to the needs of the Village by the discharge of the contractor's obligations in accordance with what is expected or demanded under the terms of the contract.

SECTION 4: That this Ordinance is not intended to and shall not under any circumstances supersede the Village of Tinley Park Local Vendor Purchasing Policy, as adopted by the Village in Resolution 2005-R-003, which shall remain in full force and effect. Attached hereto as Exhibit A.

SECTION 5: That the Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form and this Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

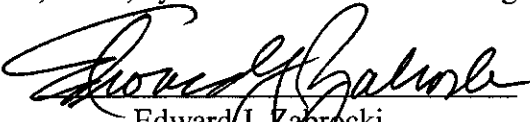
PASSED this 17th Day of March, 2009, by the Corporate Authorities of the Village of Tinley Park on a roll call vote as follows:

AYES: Rea, Seaman, Hannon, Maher, Staunton

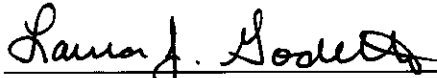
NAYS: None

ABSENT: Bettenhausen

APPROVED this 17th Day of March, 2009, by the President of the Village of Tinley Park.


Edward J. Zabrocki
Village President

ATTEST:



Laura J. Godette.
Deputy Village Clerk

EXHIBIT A

VILLAGE OF TINLEY PARK LOCAL VENDOR PURCHASING POLICY

The Village of Tinley Park believes it is important to provide local vendors with opportunities to provide goods and services to the Village of Tinley Park. This belief is based upon the fact that the active uses of commercial properties in Tinley Park benefits the community through stabilization of property tax, the creation of local sales tax and the provision of employment opportunities for citizens of the community and surrounding region. In an effort to promote the aforementioned benefits, the Village of Tinley Park wishes to provide local vendors with preferential treatment when competing for contracts with the Village. A local vendor is defined as a business that has an actual business location within the Village of Tinley Park and is licensed by the Village. The Village will not award a contract to a local vendor when the difference between the local vendors bid and the otherwise lowest responsive and responsible bid exceeds the applicable percentage indicated as follows. As such, when considering contracts, the Village of Tinley Park reserves the right to forego the lowest responsive and responsible bid exceeds the applicable percentage indicated as follows. As such, when considering contracts, the Village of Tinley Park reserves the right to forego the lowest responsive and responsible bid in favor of a local vendor under the following circumstances:

<u>Contract Value</u>	<u>Range (up to a maximum of)</u>
\$0 to \$250,000	5%
\$250,000 to \$500,000	4%
\$500,000 to \$750,000	3%
\$750,000 to \$1,000,000	2%
\$1,000,000 to \$2,000,000	1%

Under no circumstances will any contract be awarded to a local vendor when the local vendor's bid exceeds the lowest responsive and responsible bid by \$25,000 or more.

This policy shall **ONLY** apply if formal notice of the aforementioned criteria is provided as part of the bid specifications. In addition, it should be noted that the Village of Tinley Park shall not be obligated to forego the low bidder in favor of the local vendor under any circumstances. However, this policy simply provides the Village with the option of doing so when applicable. Furthermore, this policy shall not apply in any situation where any portion of the contract amount is being paid with funds other than Village monies. Specifically, this policy shall not apply in any situation where the Village has received a grant or otherwise received a source of funds other than its own funds.

PAMPHLET
BACK OF PAMPHLET

ORDINANCE NO. 2009-O-002

**AN ORDINANCE ESTABLISHING CRITERIA FOR THE DETERMINATION OF A
RESPONSIBLE BIDDER FOR VILLAGE PUBLIC WORKS PROJECTS**

Published in pamphlet form by Order of the Corporate Authorities of the Village of Tinley Park, Cook and Will Counties, Illinois.

**PUBLIC
COMMENT**