

AN ORDINANCE ESTABLISHING A RESPONSIBLE BIDDER POLICY

BE IT ORDAINED BY THE SOUTH SANGAMON WATER COMMISSION, AS FOLLOWS:

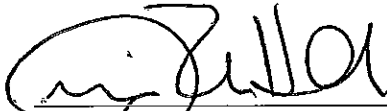
SECTION 1: The attached Responsible Bidder Policy is hereby adopted by the Commission.

SECTION 2: This Ordinance is effective immediately.

PASSED this 28th day of January, 2010


CHAIRMAN

ATTEST:


Clerk

AYES: 2 (McCord + Pfeffer)

NAYS: 0

PASSED: 1/28/10

APPROVED: Yes

ABSENT: 1 (Hall)

SOUTH SANGAMON WATER COMMISSION

Responsible Bidder Policy

WHEREAS, the, from time to time, the South Sangamon Water Commission (“Commission”) prepares specifications, advertises, and awards bids, for the construction of various projects, or for the provision of services, for the Commission which are designed to ultimately inure to the benefit the members of the Commission and their citizens, and

WHEREAS, Commission desires to award the contracts for the construction of such projects, or for the provision of such services, to the lowest responsible bidder, in accordance with the applicable Illinois Law, and

WHEREAS, the Commission intends for contractors engaged by the Commission 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, or the provision of services for the Commission, and the Commission intends to encourage those to whom such construction or services contracts are awarded to comply with such statutes as well;

NOW THEREFORE, pursuant to Ordinance adopted this date, the Commission announces the following policy:

1. All specifications for the construction or substantial renovation of any building, roadway, bridge, shelter, parking lot, or other capital project, or for the provision of services for the Commission, 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, judgments, 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 venturers and partners, and also including parent and subsidiary corporations or entities. If the bidder has not been the recipient of any citations, complaints, summons, decisions, determinations, judgments, or other allegations or findings as aforesaid, it shall include a statement to that effect with its bid.

2. Any bidder who willfully fails or refuses to include the information required in the paragraph above, or whose report is substantially incomplete, inaccurate, or untruthful, shall be disqualified and its bid rejected.

3. The Commission may reject any bid and disqualify any bidder whose report, or subsequent inquiry into the matters contained in such report, reveals any that there has been a finding, determination, or judgment by an 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 regulations, and that such violation was:

A. found to have been part of a pattern of similar violations, or one of three or more similar violations committed within the three years immediately preceding the submission of the bid, or

B. classified by an agency of the state or federal government as serious, or

C. one which threatened the health or safety of the workers employed by the bidder,
or

D. one resulting in the payment of back wages and benefits of \$3,000 or more, or

E. 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.

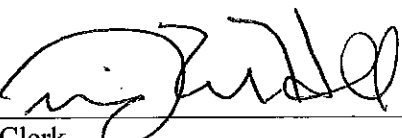
4. Any person, firm, corporation, or other entity seeking to submit bids for any project of, or for the provision of services for the Commission, which has been disqualified or had its bids rejected by the Commission on three or more occasions within the three years immediately preceding the submission of the bid which is then currently before the Commission for consideration, shall be debarred from submitting further bids for the Commission's projects for a period of two years following the rejection of the bid then currently being considered by the Commission.

Dated this 28th day of January, 2010



Commission Chairman

Attest:



Clerk

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)


I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the South Sangamon Water Commission.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 10-01, adopted by the Chairman and Board of Commissioners of said Commission on the 28th day of January, 2010, said Ordinance being entitled:

AN ORDINANCE ESTABLISHING A RESPONSIBLE BIDDER POLICY

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Commission where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Commission this 28th day of January, 2010.



Clerk