

**THE VILLAGE OF SHERMAN**  
**SANGAMON COUNTY, ILLINOIS**

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**ORDINANCE NUMBER 2020-26**

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**AN ORDINANCE APPROVING RESPONSIBLE BIDDER REQUIREMENTS  
BIDDING ON PUBLIC CONTRACTS OF \$25,000 OR MORE  
WHERE PUBLIC FUNDS WILL BE EXPENDED**

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TREVOR J. CLATFELTER  
VILLAGE PRESIDENT

SEAN BULL, VILLAGE CLERK  
MICHAEL STRATTON, DEPUTY CLERK

PAM GRAY  
BRET HAHN  
BRIAN LONG  
KIM ROCKFORD  
KEVIN SCHULTZ  
JAY TIMM  
VILLAGE TRUSTEES

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WHEREAS, the Village of Sherman, from time to time, prepares specifications, advertises, and awards bids, for the construction of various projects, or for the provision of services directly to the residents of the said Village, and

WHEREAS, the Board of the said Village of Sherman desires to award contracts for the construction of such projects, or for the provision of such services, to the lowest responsible bidder, in accord with the applicable Illinois Law, and

WHEREAS, the said Board believes that it is the obligation of the Village 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 to the residents of the Village, and it is further the obligation of the Village to encourage those to whom such construction or services contracts are awarded to comply with such statutes as well, and it is further the obligation of the Village to encourage those to whom construction or service contracts are awarded to develop and maintain apprenticeship and training programs in order to provide a pool of qualified and skilled workers in the Springfield area, and

WHEREAS, the Board of the said Village of Sherman 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, and to provide apprenticeship and training programs,

NOW THEREFORE BE IT RESOLVED by the Board of the Village of Sherman as follows:

That from and after the passage and approval of this ordinance according to law, 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 directly to the residents of the said Village for amounts exceeding \$25,000, 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 local, state or federal laws which protect the health, safety, or welfare of workers, including, but not limited to, local workforce ordinances, 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, and shall further include a statement, and proof upon demand, that such bidder is a participant in at least one apprenticeship and training program approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training, for each of the trades or crafts to be utilized on the project being bid, provided however, that the Board may waive the Apprentice and Training program requirement herein if no such

program is available to the bidder. Upon demand, the bidder must provide additional verification that the apprenticeship and training program consists of actual training facilities, instructors, curriculum, off-the-job training, hands-on training and other characteristics incumbent to prove that the program is a legitimate and reputable apprenticeship and training program, and that the workers to be utilized have participated in or are participating in such a program in the applicable trade in which they will be working. 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 the effect with its bid.

That any bidder who willfully fails or refuses to include the information required in Paragraph one, or whose report is substantially incomplete, inaccurate, or untruthful, shall be disqualified and its bid rejected.

That the Board may reject any bid and disqualify any bidder whose report, or subsequent inquiry into the matters contained in such report, reveals any of the following:

That there has been a finding, determination, or judgment by an agency of the local, 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:

1. found to have been part of a pattern of similar violations, or one of three or more similar violations committed within the two years immediately preceding the submission of the bid, or
2. classified by an agency of the state or federal government as serious, or
3. one which threatened the health or safety of the workers employed by the bidder, or
4. one resulting in the payment of back wages and benefits of \$5,000 or more, or
5. 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.
6. That the bidder and its employees, do not actively participate in a qualifying (as described above) apprenticeship and training program as aforesaid.

That any person, firm, corporation, or other entity seeking to submit bids for any project of, or for the provision of services to the residents of the said Village 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 then currently before the Board for consideration, shall be debarred from submitting further bids for such Village projects for a period of one year following the rejection of the bid then currently being considered by the Board.

SO ORDAINED this 15<sup>th</sup> day of September 2020 at Sherman, Sangamon County, Illinois.



**VILLAGE OF SHERMAN**

  
Trevor J. Clattfelter, President

Attest:

  
Sean Bull, Village Clerk

	YES	NO	ABSENT	PRESENT
GRAY	✓			
HAHN			✓	
LONG	✓			
ROCKFORD	✓			
SCHULTZ	✓			
TIMM	✓			
CLATFELTER	✓			
TOTAL	6	0	1	0

STATE OF ILLINOIS

COUNTY OF SANGAMON

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Sherman, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true and exact copy of Ordinance Number 2020-26, adopted by the President and Board of Trustees of said Village on the 15th day of September 2020, said Ordinance being entitled:

**AN ORDINANCE APPROVING RESPONSIBLE BIDDER REQUIREMENTS  
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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 Village, where it now appears and remains.

IN WITNESS WHEREOF, I hereunto set my signature and affix the official seal of said Village this 15th Day of September 2020.



*Sean Finn*  
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Village Clerk