

A GENERAL ORDINANCE

AMENDING Chapter 27, "PURCHASING," of the Moline Code of Ordinances, Section 3100, "COMPETITIVE SEALED BIDDING," to require bidder certification regarding apprenticeship training for certain public works projects.

WHEREAS, the City of Moline ("*City*") is a home rule municipality located in Rock Island County, Illinois; and

WHEREAS, the Illinois Municipal Code in 65 ILCS 5/8-9-1 prescribes that public works that exceed \$25,000 shall be constructed by the lowest responsible bidder, after a competitive bidding procedure; and

WHEREAS, Section 27-3100 of the Moline Code of Ordinances contains the procedure for purchasing via competitive bidding, and contracting with the lowest responsible bidder (27-3100(c)(2)); and

WHEREAS, the City acknowledges the importance of good trades and crafts, and therefore values apprenticeship programs for these types of labor; and

WHEREAS, the City feels it is important to support and encourage people to take on such apprenticeships to perfect their craft; and

WHEREAS, the City hereby desires to amend the City of Moline Code of Ordinances to make participation in an apprenticeship program a requirement of their responsible bidder ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Moline, Rock Island County, Illinois as follows:

SECTION 1: The forgoing recitals are hereby incorporated into this Ordinance herein as findings of the corporate authorities of the City of Moline.

SECTION 2: Section 27-3100 of the City of Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline** and deletions in ~~**bold and strikethrough**~~):

SEC. 27-3100. COMPETITIVE SEALED BIDDING.

[...]

(c) Bid evaluation, recommendation and acceptance.

[...]

(2) For any project for the construction or demolition of any “public works” as defined in 820 ILCS 130/2, as interpreted by the Illinois Department of Labor, where the contract sum equals or exceeds \$75,000, the City shall consider all of the following criteria to determine the lowest responsive and responsible bidder and, therefore, each bidder shall certify or otherwise supply information concerning all of the following:

[...]

d. **To be considered a responsive and responsible bidder, the bidder must certify** participation in apprenticeship **and** training programs applicable to the work to be performed on the project which **are:**

i. are approved by and registered with the United States Department of Labor's Office of Apprenticeship and Training, or its successor organization; and (the City may require evidence, including a copy of all applicable apprenticeship standards and agreements for any apprentice(s) who will perform work on the public works project)

ii. have graduated at least five apprentices in each of the past five years for each of the construction crafts the bidder will perform on the project. Certification of graduation rates is not required for apprenticeable crafts dedicated exclusively to the transportation of material and equipment to and from the public works project.

The bidder's certification may be accompanied by evidence of participation in satisfactory apprenticeship training programs, including a copy of all applicable apprenticeship standards and apprenticeship agreement(s) for any apprentice(s) who will perform work on the public works project; and documentation from each applicable apprenticeship program demonstrating that it meets or exceeds the graduation standards in this subparagraph.

SECTION 3: All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

SECTION 4: This Ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this

Council Bill/General Ordinance No. 3023-2021

Sponsor: _____

Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

SECTION 5: This Ordinance will be in full force and effect upon passage, approval and publication in pamphlet form in the manner provided by law.

Passed by the Corporate Authorities on _____, 2021, on a roll call vote as follows:

AYES:

NAYES:

ABSTAIN:

ABSENT:

Approved by the Mayor on _____, 2021.

Mayor

ATTEST:

City Clerk

Published in pamphlet form by the authority of the City of Moline City Council on

_____, 2021.

City Clerk