



Responsible Bidder Language: Your Key To Success

Responsible Bidder Language

The term "responsible bidder" for construction contracts means a bidder who meets all applicable criteria and submits evidence of such compliance.

Critical elements to assess when choosing a contractor...

- *Does the contractor pay a living wage to its employees?*
- *Does the contractor pay medical benefits for its employees?*
- *Does the contractor promise a workforce skilled in new materials, procedures and standards?*
- *Does the contractor bring jobs in safely, on time and within budget with a reputation for honesty and integrity?*
- *Does the contractor follow all state and federal laws such as the National Labor Relations Act, Federal Labor Standards Act, Prevailing Wage Laws, and anti-discrimination laws?*

Across the United States, public and private construction users are beginning to replace traditional low-bid procurement systems with alternatives that ensure quality and level the playing field.

Some construction users are adopting best-value and quality-contracting bidding procedures, while others are drafting legislation and regulation requiring contractors to pre-qualify before bidding.

The Building Trades Department and its affiliates have been working with a growing number of owners and construction users as they change the way construction services are procured.

Many municipalities are adopting responsible bidder ordinances. These ordinances typically require any contractor wishing to bid on public work to document:

- Compliance with prevailing wage laws
- Provide health insurance for all their employees
- Affiliated with a state-certified apprenticeship program
- Classify workers as employees, not independent contractors
- Pay the appropriate workers compensation insurance for their employees
- And comply with local residency and minority participation requirements.

Contractors who do not pass these pre-qualifications can not bid on public work.

Rather than trying to chase down poor performing contractors after the fact, these ordinances check that all contractors are in compliance and have a good work performance.



Why have responsible bidder language?

Responsible bidder language protects the municipality from shoddy work and unscrupulous contractors who bid low, bill high and cheat to compete.

More and more public and private construction users are demanding proof of compliance with federal and state laws, researching past performance, and assessing training, skills, productivity and



other intangibles. This type of language promotes high quality, highly trained workforce and levels the playing field for all bidders.

The following is a list of known Responsible Bidder Ordinances currently in force with various public bodies, in the State of Illinois: Joliet Junior College (Will County); New

Lenox Park District (Will County); Rockford Park District; City of Palos Hills; City of Bloomington; City of Mendota; City of Mar-



seilles; City of Ottawa; City of Streator; City of Rockford; Town of Normal; LaSalle County; Winnebago County; Knox County; Macon County; Bureau County; Village of Mark; Village of Gardner; Village of Coal City; Village of Rockton; and Village of Downs.

Wording for responsible bidder language...

- *A bidder must meet all the job specifications*
- *The bidder must comply with all applicable laws prerequisite to doing business in the state of Illinois*
- *The bidder has active participation in apprenticeship and training with craft specific programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training*
- *The bidder provides and submits evidence of compliance with: federal employer tax I.D. number or social security number; certificates of insurance indicating the following coverages - general liability, workers compensation, completed operations, automobile, hazardous occupation, product liability and professional liability; the Equal Opportunity Employer provision; the provision of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act.*

From recently adopted language in Knox County, Illinois

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