

VILLAGE OF NORTH AURORA

RESOLUTION No. R09092101

**RELATING TO BIDDERS AND CONTRACTORS ON
PUBLIC WORKS PROJECTS OF THE VILLAGE OF NORTH AURORA**

WHEREAS, the State of Illinois has enacted “an Act regulating wages of laborers, mechanics and other workers employed in the public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works (820 ILCS 130/0.01 et seq. (as amended) hereinafter referred to as the “Prevailing Wage Act”); and

WHEREAS, the Prevailing Wage Act requires the Village of North Aurora to require its public works contractors to comply with the prevailing rate of wages as defined in the Prevailing Wage Act for laborers, mechanics and other workers in the locality of the Village employed in performing the construction of public works for the Village.

NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees of the Village of North Aurora, as follows:

1. To the extent and as required by the Prevailing Wage Act, the general prevailing rate of wages in the locality of the Village of North Aurora for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the Village is hereby ascertained to be the same as the prevailing rate of wages for construction work in this Village as determined by the Department of Labor of the State of Illinois as of June of the current year, a copy of that Determination having previously been adopted and incorporated into the Village of North Aurora Ordinances. As required by the Prevailing Wage Act, any and all revisions of the Prevailing Rate of Wages by the Department of Labor of the State of Illinois shall supersede the Department’s June determination and apply to any and all public works’ construction undertaken by the Village of North Aurora. The definition of any terms appearing herein which are also used in the Prevailing Wage Act shall be the same as in the Prevailing Wage Act.

2. Nothing herein shall prohibit the Village of North Aurora from investigating and ascertaining the prevailing rate of wages for categories of workers not expressly covered by the published Determination of the Department of Labor, nor prohibit incorporating those rates so ascertained into the published Determination of the Department of Labor, provided that those rates ascertained by the Village shall be clearly indicated as such.

3. Any contract within the purview of this Resolution or of the Illinois Prevailing Wage Act for any public works project in excess of \$25,000 shall provide that the contractor shall be enrolled in a joint Apprenticeship Training Program that is registered and certified with the United States Department of Labor, Bureau of Apprenticeship and Training.

4. The Village of North Aurora and/or its authorized representatives shall have the power and authority to request and receive any and all information or documentation that would substantiate proper payment under this Resolution. The contract recipient shall supply the requested documentation or information to the Village or its designee within five (5) working days of the receipt of the request. Failure to comply with the request for information or documentation shall be construed as a material breach of the contract enabling the Village of North Aurora to terminate the

VILLAGE OF NORTH AURORA

contract, seek forfeiture of any performance bond, and proceed with any other remedy against the contractor at law or in equity.

5. Nothing in this Resolution shall be construed to apply to the general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the Village of North Aurora to the extent required by the Prevailing Wage Act.

6. In addition to the foregoing requirements for any public works construction of the Village of North Aurora, the Village may impose other requirements in the discretion of the Board of Trustees as requisites for the award of a contract as are deemed appropriate and necessary for any particular public works project.

6. The Village Clerk shall publicly post or keep available for inspection by any interested party in the North Aurora Village Hall this Resolution, the annual determination of the prevailing rates of wages and any revisions of such prevailing rates of wages. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

7. The Village Clerk shall mail a copy of this Resolution and the determination of the prevailing rates of wages to any employer and to any association of employers and to any person or association of employers who have filed their names and addresses, requesting copies of any determination stating that the particular rates and the particular class of workers whose wages will be affected by such rates.

8. This Resolution shall take immediate force and effect from and after its passage and approval as provided by law.

21ST Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this day of SEPTEMBER, 2009, A.D.

21ST Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this day of SEPTEMBER, 2009, A.D.

Chris Faber
Mark Guethle
Vincent Mancini

yes
yes
~~no~~ NO

Mark Gaffino
Michael Herlihy III
Robert Strusz

yes
yes
yes

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 21ST day of SEPTEMBER, 2009, A.D.

Dale Berma
Village President

ATTEST:

Scott Murray
Village Clerk