

GENERAL ORDINANCE NO. 5, 2015

AN ORDINANCE TO AMEND *TERRE HAUTE CITY CODE SEC. 7-82*, RESPONSIBLE BIDDER CRITERIA.

Section 1. *Terre Haute City Code Sec. 7-82* is hereby amended by deletion of the stricken text and insertion of the underlined text as follows:

ARTICLE 2. RESPONSIBLE BIDDER.

...

Sec. 7-82 Criteria.

A “responsible bidder” shall:

a. Affirm compliance with all applicable laws pre-requisite to doing business in Indiana;

b. Produce evidence of a federal employer taxpayer identification number or social security number (for sole proprietors);

c. Confirm that bidder shall not discriminate against an employee or applicant for employment because of race, color, religion, sex, or national origin and that the bidder shall ensure that applicants are employed, and employees are treated during employment, without regard to their race, color, religion, sex or national origin.

d. Provide the City with certificates of insurance indicating the coverage, when such is required in the bid or contract specifications.

e. Affirm, where worker’s compensation insurance is required under the bid specifications, that all employees are (1) covered under a current worker’s compensation insurance policy and (2) properly classified under such policy; and (3) provide to the Board of Public Works and Safety, on formal request from the Board of Public Works and Safety a copy of the “declarations pages” of the contractor’s workers compensation insurance policy which includes the name and addresses of the insured, as well as the class codes the compensation premium is based.

f. Indicate compliance with Indiana Code § 5-16-7 *et seq.*, the Indiana Common Construction Wage Act;

g. Submit proof of any professional or trade license required by law for any trade or specialty area in which a bidder is seeking a contract award; and disclose any suspension or revocation within the previous five (5) years of any professional trade license held by the company, or of any director, officer, or manager employed by bidder;

h. Upon bid opening by the Board of Public Works and Safety, the bid recipient shall supply the following information relative to subcontractors:

1. Business name and address;
2. Type of work to be performed and bids submitted; and
3. Statement of acknowledgment that subcontractor will comply with all applicable federal, state and local laws.

i. State that individuals who will perform work on the public works project on behalf on the contractor are properly classified as either (1) an employee or (2) an independent contractor under all applicable state and federal laws and local ordinances;

j. Provide information as to the substance abuse policy that pertains to all of the bidder's employees working on the project; and

k. ~~Confirms that all~~ Utilize apprentices ~~that to be used on the project~~ are registered with an apprenticeship and training program approved and registered with the United States Department of Labor, Bureau of Apprenticeship and Training (or any state or federal successor agency).

SECTION 2. All the provisions of any ordinances previously or now in existence and regulations which may be in conflict with this Ordinance are hereby repealed as of the date this Ordinance takes effect.

SECTION 3. If any section, subsection, paragraph, sentence, clause, phase or provision of this Ordinance is for any reason held to be invalid, ineffective or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in force and effect. The invalidity of any section, subsection, paragraph, sentence, clause, phase or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

SECTION 4. An emergency exists for the immediate taking effect of the Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and its approval by the Mayor and publication as required by law.

Introduced by: _____ Amy Auler, Councilman

_____ Norman Loudermilk, Councilman

WITHDRAWN

Passed in open Council this _____ day of _____, 2015.

_____ John Mullican, President

ATTEST: _____ Charles P. Hanley, City Clerk

Presented by me to the Mayor this _____ day of _____, 2015.

_____ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2015.

_____ Duke A. Bennett, Mayor

ATTEST: _____ Charles P. Hanley, City Clerk