

Ordinance No. 2015-B

STATE OF ILLINOIS)
)
LIVINGSTON COUNTY) ss
)
VILLAGE OF CULLOM)

ORDINANCE REGARDING ADOPTION OF PREVAILING WAGE STANDARDS

BE IT ORDAINED, by the President of the Board of Trustees of the Village of Cullom this 23rd day of June, 2015 as follows:

- I. **Authority:** This Ordinance is adopted pursuant to the *Davis-Bacon Act Title 40, Section 27a of the United States Code and the Illinois Prevailing Wage Act found at 820 ILCS 130/1 et. seq.* regarding the establishment of prevailing wage standards for Public Works projects located within the Village of Cullom, Livingston County, Illinois.
- II. **Statutes:** Notwithstanding any provision of this Ordinance relating to prevailing wage standards for Public Works projects within the Village of Cullom, Livingston County, Illinois, the provisions of the *Davis-Bacon Act, Title 40, Section 27a, United States Code and the Illinois Prevailing Wage Act found at 820 ILCS 130/1 et. seq.* shall prevail and govern all aspects of wages to be paid to individuals for services and work related to public works projects located within the Village of Cullom, Livingston County, Illinois.
- III. **Severability:** Should any Section of this Ordinance be deemed to be invalid as a violation of any provision of the *Illinois Prevailing Wage Act or the Davis-Bacon Act found in Title 40, Section 27a of the United States Code* or for any other reason that Section or Sections shall not cause the remainder of the Ordinance to be invalid or unenforceable. Said Section or Sections deemed to be invalid shall be severed or omitted from this Ordinance but the remaining Sections shall remain valid and enforce and effect from the date of adoption of this Ordinance.
- IV. **Federally Funded Public Works Projects:** Upon adoption of this Ordinance in addition to all projects pending in the Village of Cullom, Livingston County, Illinois at the time of the adoption of this Ordinance, all projects to be done within the Village of Cullom which Federal Funds shall pay \$2,000.00 or more of said expense shall be in compliance with the *Federal Davis-Bacon Act also known as the Federal Prevailing Wage Act found at 40 USC 27a, 29 CFR Part 5* concerning the actual construction, alteration and/or repair, painting or decorating any structure within the Village of Cullom, require the agents of the Village of Cullom to comply with said statutes by paying the pre-determined prevailing wages for all labor to be performed upon such projects within the locale of the Village of Cullom, Livingston County, Illinois as established by the United States Department of Labor. The prevailing wage is required to be paid by the agents of

the Village of Cullom, shall include basic wages as well as fringe benefits and overtime wages. All such agents of the Village of Cullom shall post a copy of the Wages and Fringe Benefits at such places and such times as to be in compliance with the *Davis-Bacon Act also known as the Federal Prevailing Wage Law*. Further, all such agents of the Village of Cullom upon such project shall submit certified payroll records each week to the Village of Cullom showing each employee's name, classification, work performed, and actual wages and benefit paid and shall keep records of each separate project that employees work upon and classification of work that such employees shall perform in order substantiate proper payment in compliance with the appropriate statutes.

All contracts entered into by the Village of Cullom with regard to such projects in which the *Federal Prevailing Wage Law* applies shall contain provisions requiring that the persons or entities contracting with the Village of Cullom to act as its agent in the management of such projects shall comply with such laws and shall indemnify the Village of Cullom for any non-compliance with the contractual obligations entered into between the Village and said entities or persons and the statutory obligations established by the *Federal Prevailing Wage Law*.

- V. **State Funded Public Works Projects:** Upon adoption of this Ordinance, in addition to all projects pending in the Village of Cullom, Livingston County, Illinois at the time of the adoption of this Ordinance, all projects to be done and previously done after the effective date of said statutes within the Village of Cullom which State Funds shall pay any of said expense and in which the Federal Government is not providing \$2,000.00 or more shall in compliance with the *Illinois Prevailing Wage Act at 820 ILCS 130/1 et. seq.* concerning the actual construction, alteration and/or repair, painting or decorating any structure within the Village of Cullom require the agents of the Village of Cullom to comply with said statutes by paying the pre-determined prevailing wages for all labor to be performed upon such projects within the locale of the Village of Cullom, Livingston County, Illinois as established by the Illinois Department of Labor. The prevailing wage is required to be paid by the agents of the Village of Cullom, shall include basic wages as well as fringe benefits and overtime wages. All such agents of the Village of Cullom shall post a copy of the Wages and Fringe Benefits at such places and such times as to be in compliance with the *Illinois Prevailing Wage Act at 820 ILCS 130/1 et. seq.* applies. Further, all such agents of the Village of Cullom upon such project shall submit certified payroll records each week to the Village of Cullom showing each employee's name, classification, work performed, and actual wages and benefit paid and shall keep records of each separate project that employees work upon and classification of work that such employees shall perform in order to substantiate proper payment in compliance with the appropriate statutes.

All Contracts entered into by the Village of Cullom with regard to such projects in which the *Illinois Prevailing Wage Act at 820 ILCS 130/1 et. seq.* applies shall contain provisions requiring that the persons or entities contracting with the Village of Cullom to act as its agent in the management of such projects shall comply with such laws and shall indemnify the Village of Cullom for any non-compliance with the contractual obligations entered into between the Village and said entities or persons and the statutory obligations established by the *Illinois Prevailing*

Wage Act at 820 ILCS 130/1 et. seq.. In addition, regardless of the provisions of the *Illinois Prevailing Wage Act* these persons or entities shall provide to the Village of Cullom each week the same documentation regarding payment of wages to laborers or workers upon such projects to show that they are in compliance with the *Illinois Prevailing Wage Act* and that the Agents post prevailing wages at such places and times as to be in compliance with the *Illinois Prevailing Wage Act* which shall certify the records confirming payments of those and consistent with the provisions of Section 4 that it would state that all individuals would be entering into a contractual obligation to comply with the terms of these bonds and to indemnify the Village for non-compliance.

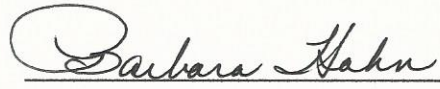
Upon adoption of this Ordinance all bid specifications for public works projects within the Village of Cullom shall list the specified rates for all laborers and workers required for such projects containing the most recent amendments to the Illinois Department of Labor Prevailing Rates of hourly wages to be paid by Public Entity.

- VI. **Preferences for Illinois workers:** Consistent with the provisions of the *Illinois Prevailing Reference Act 30 ILCS 57/1 et. seq.* all contracts entered into with the Village of Cullom for Public Works Projects or Improvements shall contain a provision requiring to the greatest extent possible by the contracting agencies with the Village of Cullom that these persons or entities to the greatest extent possible use Illinois workers for the project. In addition it would state that all individuals would be entering into a contractual obligation to indemnify the Village for non-compliance.
- VII. **Work Week:** All projects shall comply with the *Illinois Six Day Work Week Law 820 ILCS 104/1-9* by containing provisions that such entities will comply with such law. In addition it would state that all individuals would be entering into a contractual obligation to indemnify the Village for non-compliance.
- VIII. **Workers Compensation:** All persons contracting with the Village of Cullom for Public Work Projects shall provide proof of their compliance with the *Illinois Worker's Compensation Act* and would state that all individuals would be entering into a contractual obligation to indemnify the Village for non-compliance.
- IX. **Unemployment Insurance:** All persons contracting with the Village of Cullom for Public Work Projects shall provide proof of their compliance with the Illinois Unemployment Insurance Benefits and provide proof of their compliance. All such individuals would be entering into a contractual obligation to indemnify the Village for non-compliance.
- X. **Prevailing Wage Rates Schedule:** The attached Livingston County Prevailing Wage Schedule shall be paid for 2015. The Prevailing Wage Rates for all past years shall be as delineated by the United States Department of Labor and Illinois Department of Labor relating to all persons submitting bids for work to be performed upon a public works project within the Village of Cullom, Illinois.

PASSED AND APPROVED in due form this 23rd day of June, 2015 pursuant to a roll call vote as follows:

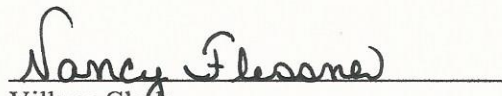
Ayes: 5

Nays: 0



President of the Board of Trustees
Village of Cullom, Illinois

Attest:



Village Clerk