

CITY OF O'FALLON, ILLINOIS  
RESOLUTION 2009 -

A RESOLUTION ASCERTAINING THE PREVAILING RATE OF WAGES FOR  
LABORERS, WORKMEN, AND MECHANICS EMPLOYED BY CONTRACTORS OR  
SUBCONTRACTORS IN THE PERFORMANCE OF PUBLIC WORKS CONTRACTS FROM  
JUNE 1, 2009 TO MAY 31, 2010

**WHEREAS**, the State of Illinois has enacted “An act regulating wages of laborers, mechanics, and other workers employed in any public works by the state, county, city or any public body or any political subdivision or by anyone under contract for public works”, approved June 26, 1941, as amended, being 820 ILCS 130/0.01 through 130/12 (the “Act”); and

**WHEREAS**, the aforesaid Act requires that the City of O'Fallon investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said City of O'Fallon employed in performing construction of public works for said City of O'Fallon.

NOW, THEREFORE, Be it resolved by the Mayor and City Council of the City of O'Fallon, St. Clair County, Illinois as follows:

**SECTION 1:** To the extent and as required by “An act regulating wages of laborers, mechanics, and other workers employed in any public works by the state, county, city or any public body or any political subdivision or by anyone under contract for public works”, approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics, and other workers engaged in construction of public works coming under the jurisdiction of the City of O'Fallon is hereby ascertained to be the same as the prevailing rate of wages for construction work in the St. Clair County areas as determined by the Department of Labor of the State of Illinois as of June 1, 2009, a copy of that determination being attached hereto and incorporated herein by reference, and marked as Exhibit “A”. As required by said 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 City of O'Fallon. The definition of any terms appearing in this Resolution which are also used in aforesaid Act shall be the same as in said Act.

**SECTION 2:** Nothing herein contained shall be construed to apply said general prevailing wages as herein ascertained to any work or employment except public works construction of the City of O'Fallon to the extent required by the aforesaid Act.

**SECTION 3:** The City Clerk shall publicly post or keep available for inspection by any interested party in the City Clerk’s office this determination and any revisions of such prevailing rate of wage. 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.

**SECTION 4:** The City Clerk shall mail a copy of this determination to any employer, any association of employers, and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

**SECTION 5.** The City Clerk shall promptly file a certified copy of this Resolution with the Secretary of State of Illinois in Springfield.

**SECTION 6:** Within thirty (30) days, the City Clerk shall cause to be published in a newspaper of general circulation within the area a notice that this Resolution has been adopted, and such publication shall constitute notice that the determination is effective and that this is the determination of the public body.

This Resolution shall become effective immediately upon its adoption, approval, by City Council and publication as provided by law.

Passed by the City Council this 20th day of July 2009.

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ATTEST:

(seal)

Approved by the Mayor this 20th day  
of July 2009.

\_\_\_\_\_  
Philip A. Goodwin, City Clerk

\_\_\_\_\_  
Gary L. Graham, Mayor

Published: July \_\_\_\_, 2009

Certified to Secretary of State: \_\_\_\_\_

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF ST. CLAIR

**CLERK’S CERTIFICATE**

I, Philip A. Goodwin, DO HEREBY CERTIFY, that I am the City Clerk of the City of O’Fallon, St. Clair County, Illinois, and as such official, I am the keeper of the records, ordinances, files and seal of said City, and

I HEREBY CERTIFY that the foregoing instrument is a true and correct copy of A RESOLUTION ADOPTING PREVAILING WAGE RATES TO BE PAID TO LABORERS, MECHANICS AND OTHER WORKERS PERFORMING CONSTRUCTION OF PUBLIC WORKS FOR THE CITY OF O’FALLON adopted at a duly called Regular Meeting of the City Council, held in O’Fallon, Illinois at 7:00 p.m. on the 20th day of July 2009.

I DO FURTHER CERTIFY that the deliberations of the City Council on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the City Code of the City of O’Fallon, as amended, and that the City Council has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the City Council.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said City in O’Fallon, Illinois, \_\_\_\_ day of July 2009.

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Philip A. Goodwin  
City Clerk  
City of O’Fallon