

RESPONSIBLE CONTRACTING ORDINANCE (RCO)



RESPONSIBLE CONTRACTOR ORDINANCES are not exclusively “Union” or “Non-Union.”

RESPONSIBLE CONTRACTOR ORDINANCES assure the taxpayers of the municipality that qualified contractors will be bidding on local work. Anyone can bid, providing they meet the RCO’s requirements.



Qualifications:

Each contractor and all their sub-contractors must fill out a questionnaire that includes the following information:

- They have not been **debarred** by any state, federal or local government agency within the last three (3) years.
- No officer of the firm has ever been convicted of a felony.
- The firm or its sub-contractors have not defaulted on any project within the past three (3) years.
- The firm and their sub-contractors have not had any license(s) revoked or suspended in the last three (3) years.
- The firm and their sub-contractors have not violated any wage, environmental, tax or unemployment compensation law within the last three (3) years.
- The firm has all technical qualifications, resources, equipment, financial and personnel to obtain the work through sub-contractors.
- The firm has been conducting business within the last three (3) years in the trade or trades on which it is bidding.
- The firm and its sub-contractors and all of their employees must be legal US citizens. A list of all employees must be available to the municipal government officials and submitted every month, upon request.
- The firm and sub-contractors must participate in a registered Class A Apprentice Program for each trade involved and must have graduated apprentices to journeymen within the last five (5) years in each trade involved (proof must be available).
- 30-day Review Period before the Award.

If a contractor has been debarred by the local government, it means they have been declared ineligible to bid and excluded from the bidding process.

Companies can be debarred from contracts due to allegations of fraud, mismanagement, and similar improprieties.

What does it mean to be “debarred”?

DEFINITION:

RESPONSIBLE CONTRACTOR ORDINANCES (or RCOs) cover public project construction, renovation, operation and maintenance. Under these Ordinances, done at the local level, public projects must meet certain criteria, which can include:

- A bidding process that is competitive and includes responsible contractors, including signatory contractors;
- Selected contractors must demonstrate a history of providing fair wages and benefits, compliance with federal, state and local laws, including, but not limited to, wages, insurance benefits, occupational health & safety, and non-discrimination;
- Promotion of Project Labor Agreements;
- Recognition of importance of employee training and safety and the protection of workers’ rights; and
- Certain advanced notification to national and local building trade organizations of project and bidding opportunities and providing for reasonable time to seek union labor for various functions.
- Additionally, an Ordinance should contain enforcement mechanisms designed to ensure strict adherence to the policy provisions.

- Journeyman
- Apprentice