

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 02-10
Series of 2002

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TITLE: A BILL FOR AN ORDINANCE AUTHORIZING THE TOWN TO PRE-QUALIFY CONTRACTORS WORKING IN THE TOWN'S RIGHTS-OF-WAY AND ON OTHER PUBLIC IMPROVEMENTS WITHIN THE TOWN

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. The Hudson Municipal Code is amended by the addition thereto of a new Article 6 of Chapter 7, entitled "Pre-qualification of Contractors," to read as follows:

Article 6

PRE-QUALIFICATION OF CONTRACTORS

Sec. 11-85. Pre-qualification of Contractors.

The Town Administrator may establish procedures to pre-qualify contractors for public works projects, and to pre-qualify contractors permitted to work on public property, including rights-of-way.

Sec. 11-86. Requirements of Pre-Qualification of Contractors.

In order to become pre-qualified as a contractor, if such pre-qualification is determined necessary, the Town Administrator shall be provided with the following information:

(a) The contractor shall provide evidence of workmen's compensation coverage and comprehensive general liability insurance. The required insurance will be considered primary, and, in the event of loss covered by such insurance, such insurance shall first be exhausted before any other insurance or funds are applied to pay the loss.

(b) The contractor's comprehensive general liability insurance policy shall include broad form property damage, completed operations, and broad form contractual liability.

(c) Any other information determined necessary by the Town Administrator in order to protect Town property, including its rights-of-way, in the interests of the health, safety and welfare of the Town and its inhabitants.

Sec. 11-87. Refusal or Revocation of Pre-qualification.

The Town Administrator is authorized to revoke a determination of pre-qualification, or to refuse to pre-qualify a contractor, based on any of the following:

(a) Violation of any provision of this Article of the Hudson Municipal Code;

(b) Violation of any provision of any other ordinance of the town or state law relating to the work; or

(c) Existence of any condition or performance of any act which does constitute or cause a condition endangering life or damage to property.

Sec. 11-88. Appeals Process.

Any decision rendered by the Town Administrator may be appealed within thirty (30) days to the Board of Trustees.

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 24th day of April, 2002.

TOWN OF HUDSON, COLORADO

Donald B. Litton
Donald B. Litton, Mayor

ATTEST:


Judy Larson
Judy Larson, Town Clerk

PASSED ON SECOND AND FINAL READING this 22nd day of May, 2002, AND ORDERED PUBLISHED ONCE IN FULL.

TOWN OF HUDSON, COLORADO

Donald B. Litton
Donald B. Litton, Mayor

ATTEST:

The seal is circular with the text "TOWN OF HUDSON" at the top, "COLORADO" at the bottom, and "SEAL" in the center. The words "WEL" and "COM" are partially visible at the bottom of the seal.
Judy Larson
Judy Larson, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann
Corey Y. Hoffmann, Town Attorney