
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION REJECTING ALL BIDS FOR THE 2024 FLAGG ROAD AND 20TH
STREET INTERSECTION RMU UTILITY ADJUSTMENTS AND RELOCATION
IMPROVEMENT PROJECT**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

TOM McDERMOTT
BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
ROSAELIA ARTEAGA
BEN VALDIVIESO

City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson and Murray, LLC, City Attorneys
1301 W. 22nd Street, Ste. 500 Oak Brook, Illinois 60523

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WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, in 2023 Ogle County and the City of Rochelle entered into an intergovernmental agreement to begin engineering design for reconstruction of Flagg Road and 20th Street greater intersection improvements; and

WHEREAS, during the design phase it was necessary for utilities to be relocated, including RMU overhead electric and fiber utilities installed over 17 years ago, will need to be relocated as part of said project before any construction can begin on the intersection project.; and

WHEREAS, Willett Hoffman and Associates Consulting engineers began separate utility relocation plans for RMU Electric Operations in March 2024; and

WHEREAS, the Project was let for bid in May 2024. It was advertised in the Rochelle Newsleader and on the City’s website. Bids were publicly opened and read aloud on May 30, 2024; and

WHEREAS the City received four bids, the lowest bid was from Helm Electric Facility Solutions, Inc., in the amount of \$267,437.84, and the next lowest bid was from Utility Dynamics Corporation in the amount of \$528,155.00; and

WHEREAS, the bid received by Helm Electric Facility Solutions, Inc., was approximately 33% lower than the Willett Hofmann and Associates Engineer’s estimate of cost; however, on June 10th Helm Electric, issued a letter to RMU consulting Engineer at Willett Hofmann and Associates that they were withdrawing their bid due to mathematical errors with bid line items; and

WHEREAS, the next lowest bidder Utility Dynamics Corporation was over 40% higher than the Willett Hofmann and Associates Engineer's estimate of cost; and

WHEREAS, the Mayor and City Council have found that it is in the best interest of the City to reject all bids for the 2024 Flagg Road And 20th Street Intersection RMU utility adjustments and relocation Improvement Project at this time and rebid the project at a later date.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS:

SECTION ONE: That the City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle hereby reject all bids and proposals related to 2024 Flagg Road and 20th Street Intersection RMU utility adjustments and relocation improvement project.

SECTION THREE: If any provision of this Resolution or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Resolution are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Resolution will govern.

SECTION FIVE: The City Clerk shall publish this Resolution in pamphlet form.

SECTION SIX: This Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

APPROVED THIS 8th day of July 2024.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. _____, “A RESOLUTION REJECTING ALL BIDS FOR THE FLAGG ROAD AND 20TH STREET INTERSECTION RMU UTILITY ADJUSTMENTS AND RELOCATION IMPROVEMENT PROJECT” which was adopted by the Mayor and City Council of the City of Rochelle on July 8, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 8th day of July 2024.

CITY CLERK