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# **THE CITY OF ROCHELLE**

**Ogle County, Illinois**

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## **RESOLUTION**

**NO. \_\_\_\_\_**

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**A RESOLUTION ACCEPTING A BID PROPOSAL FOR SEAL COATING VARIOUS  
STREETS WITH MFT SEC#24-00000-00-GM FROM HELM CIVIL, INC., AND  
AUTHORIZING THE PURCHASE OF RELATED MATERIALS NOT TO  
EXCEED \$58,000**

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**JOHN BEARROWS, Mayor  
ROSE HUERAMO, City Clerk**

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

CITY OF ROCHELLE  
Ogle County, Illinois

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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**, the City’s annual sealcoating project in was advertised in the Illinois Department of Transportation (IDOT) Notice to Contractor’s Bulletin 24-23 as well as in the Rochelle Newsleader; and

**WHEREAS**, on June 11, 2024, the City publicly opened bidding for the sealcoating of City Streets, the general “Project Area” is depicted in Exhibit A attached herein; and

**WHEREAS**, Helm Civil, Inc. submitted the lowest bid project in the amount of \$314,320.00, a copy of the bid tabulation is attached herein as Exhibit B; and

**WHEREAS**, the proposal received meets all the requirements of the City’s request and is approximately 5% lower than the Engineers’ estimate of cost; and

**WHEREAS**, the City Engineer is also requesting authorization to purchase up to \$58,000 of Hot Mix Asphalt materials for Street Department use for pavement patching, edge repair and thin overlays, and street surface preparation within the project limits; and

**WHEREAS**, the Illinois Department of Transportation (IDOT) requires the execution of its BLR 14220 form authorizing the use of Motor Fuel Tax Funds which is attached herein as Exhibit C; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to accept the proposal from Helm Civil, Inc., in the amount of \$314,320.00 and to execute the BLR 14220 form attached herein as Exhibit C, to allocate up to \$320,000.00 of the City's allocated Motor Fuel Tax funds for the project and to authorize the City Manager or his designee to purchase up to \$58,000 worth of Hot Mix Asphalt Materials for use within the project limits.

**BE IT ORDAINED 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 bid submitted by Helm Civil, Inc. in the amount of \$314,320.00 is hereby accepted. The City Manager or his designee is authorized to sign any documents necessary to carry out the approval of the proposal of Helm Civil, Inc. for the sealcoating project of various streets with MFT section# 24-00000-00-GM, subject to review and revision by the City Attorney. The City Clerk is authorized to execute the Illinois Department of Transportation's BLR 14220 (attached herein as Exhibit C) on behalf of the City of Rochelle. Furthermore, the City Manager or his designee is authorized to purchase up to \$58,000 of Hot Mix Asphalt materials for Street Department use within the project limits

**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 8<sup>th</sup> day of July 2024

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MAYOR

ATTEST:

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CITY CLERK

STATE OF ILLINOIS        )  
  )       SS.  
COUNTY OF OGLE        )

CERTIFICATE

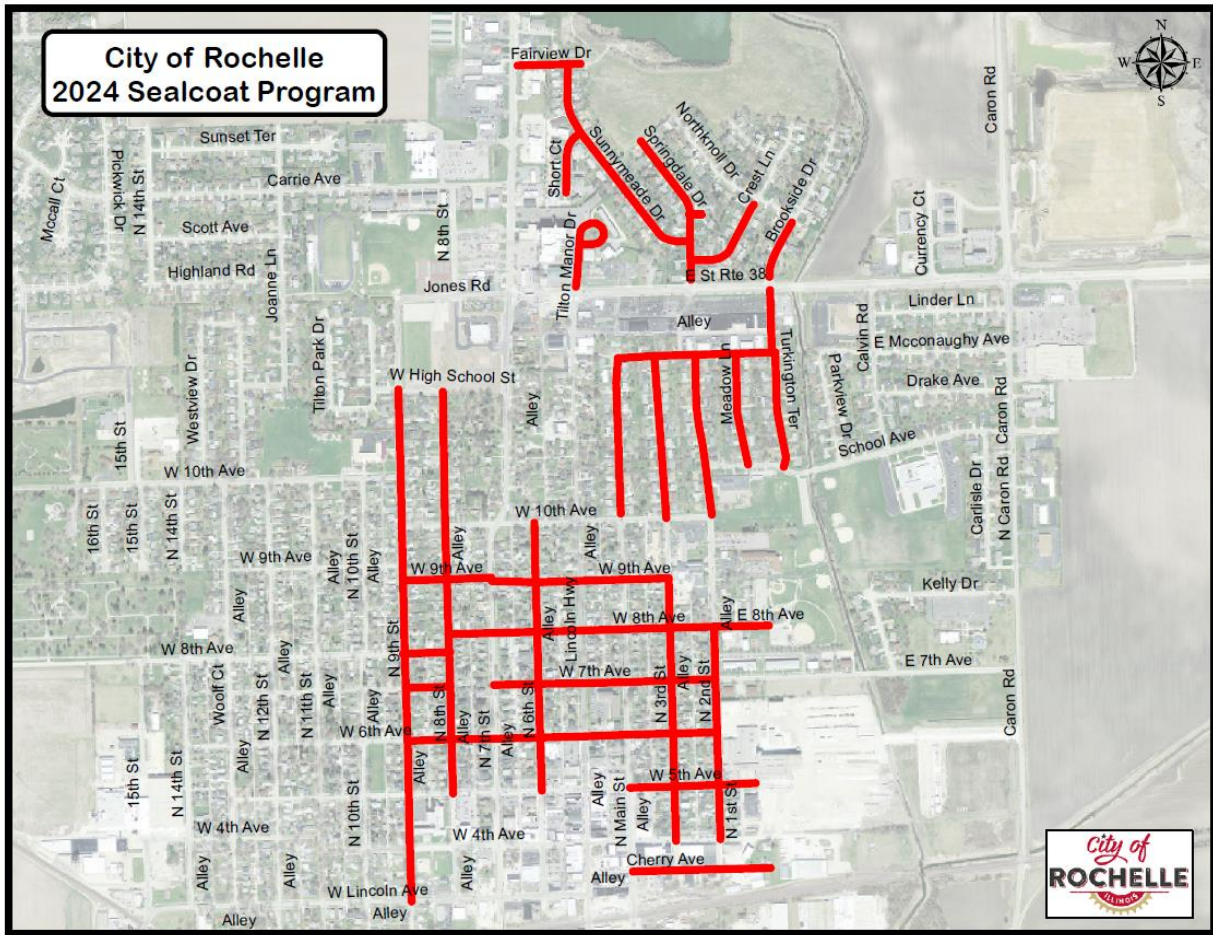
I, Rose Huéramo, City Clerk of the City of Rochelle, County of Ogle and State of Illinois,  
DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_,  
“A RESOLUTION ACCEPTING A BID PROPOSAL FOR SEAL COATING VARIOUS  
STREETS WITH MFT SEC#24-00000-00-GM FROM HELM CIVIL, INC., AND  
AUTHORIZING THE PURCHASE OF RELATED MATERIALS NOT TO EXCEED \$58,000”  
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 8<sup>th</sup> day of July, 2024.

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CITY CLERK

## **Exhibit A – Sealcoat Project Area**



**Exhibit B – Bid Tabulation**

City of Rochelle  
2024 Sealcoat Program - Various Streets  
Section No. 24-00000-00-GM  
Bid Opening Checklist  
Bid Opening: June 11, 2024 at 10:00 am

Name	BLR 12240 Proposal Cover & Notice to Bidders	BLR 12241 Material Proposal Schedule of Prices	BLR 12325 Apprenticeship or Training Program Cert.	BLR 12326 Affidavit of Illinois Business Office	BLR 12230 Proposal Bid Bond	Total Cost of Improvement
Helm Civil Freeport, IL	X	X	X	X	X	\$314,320.00

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## EXHIBIT C (BLR 14220)



**Illinois Department  
of Transportation**

### **Resolution for Maintenance Under the Illinois Highway Code**

District	County	Resolution Number	Resolution Type	Section Number
2	Ogle		Original	24-00000-00-GM

BE IT RESOLVED, by the \_\_\_\_\_ **Council** \_\_\_\_\_ of the \_\_\_\_\_ **City** \_\_\_\_\_ of  
Governing Body Type Local Public Agency Type  
\_\_\_\_\_ **Rochelle** \_\_\_\_\_ Illinois that there is hereby appropriated the sum of \_\_\_\_\_  
Name of Local Public Agency  
**Three hundred twenty thousand and no/XX** \_\_\_\_\_ Dollars ( **\$320,000.00** )

of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of Illinois Highway Code from

01/01/24 to 12/31/24  
Beginning Date Ending Date

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that \_\_\_\_\_ **City** \_\_\_\_\_ of \_\_\_\_\_ **Rochelle** \_\_\_\_\_  
Local Public Agency Type Name of Local Public Agency  
shall submit within three months after the end of the maintenance period as stated above, to the Department of Transportation, on forms available from the Department, a certified statement showing expenditures and the balances remaining in the funds authorized for expenditure by the Department under this appropriation, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I Rose Hueramo \_\_\_\_\_ **City** \_\_\_\_\_ Clerk in and for said \_\_\_\_\_ **City** \_\_\_\_\_  
Name of Clerk Local Public Agency Type Local Public Agency Type  
of \_\_\_\_\_ **Rochelle** \_\_\_\_\_ in the State of Illinois, and keeper of the records and files thereof, as  
Name of Local Public Agency  
provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the

\_\_\_\_\_ **Council** \_\_\_\_\_ of \_\_\_\_\_ **Rochelle** \_\_\_\_\_ at a meeting held on 07/08/24  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Day Month, Year

(SEAL, if required by the LPA)

Clerk Signature & Date

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**APPROVED**

Regional Engineer Signature & Date  
Department of Transportation

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