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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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

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**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL FROM N-TRAK  
GROUP, LLC FOR THE 14<sup>TH</sup> STREET AND 8<sup>TH</sup> AVENUE IMPROVEMENTS IN  
ROCHELLE, ILLINOIS**

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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**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Law Offices of Peterson, Johnson, & Murray—Chicago, City Attorneys  
200 W. Adams, Ste. 2125, Chicago, IL 60606

**ORDINANCE NO: \_\_\_\_\_**

**Date Passed: May 22, 2023**

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL FROM N-TRAK GROUP, LLC FOR THE 14<sup>TH</sup> STREET AND 8<sup>TH</sup> AVENUE IMPROVEMENTS IN ROCHELLE, ILLINOIS**

**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 (“City”), 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 maintains various roadways throughout its corporate limits including 14<sup>th</sup> Street and 8<sup>th</sup> Avenue, Rochelle, Illinois; and

**WHEREAS**, the City has budgeted \$722,000 for roadway improvements, including the removal of the existing pavement and reconstruction of the pavement in a manner more consistent with a truck route and will also include certain storm sewer, curb/gutter and sidewalk ramp improvements (the “Project”); and

**WHEREAS**, the City issued a Request for Proposals based upon the design specification prepared by the City’s Engineering Department for the Project (“the RFP”) and also published the RFP in the the Rochelle News Leader on April 30, 2023, and

**WHEREAS**, in accordance with the RFP, on May 16, 2023 the City received and properly opened four (4) sealed proposals; and

**WHEREAS**, after analysis of the proposals submitted, the City’s staff and professional engineers has concluded that the proposal submitted by N-Trak Group, LLC, in the amount of \$528,787.25 and the alternate bid of \$157,557.50 meets the City’s specifications pursuant to the RFP and is most advantageous to the City; and

**WHEREAS**, City Staff recommends additional spending authority in an amount not to exceed \$35,000.00 to negotiate further change order work; and

**WHEREAS**, the Mayor and City Council finds that it is in the best interest of the City and its residents to accept and approve the proposal of Lite Construction in the amount of \$174,950.00 and authorize additional spending authority in an amount not to exceed \$8,873.00 to negotiate change order work for the Project; and

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the City of Rochelle as follows:

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

SECTION TWO: The Mayor and City Council hereby accept and approve the proposal of N-Trak Group, LLC, in the amount of \$528,787.25 and the alternate bid of \$157,557.50 (attached hereto as Exhibit 1), authorizes additional spending authority in an amount not to exceed \$35,000.00 to negotiate change order work for the Project, and authorize the City Manager to execute any and all necessary agreements to memorialize the terms of said proposal, in a form to be reviewed by the City Attorney.

SECTION THREE: If any provision of this Ordinance 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 ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

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

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

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

PASSED AND APPROVED this 22<sup>nd</sup> day of May, 2023.

AYES:

NAYS:

ABSENT:

ATTEST:

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City Clerk

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Mayor

## EXHIBIT 1

CITY OF ROCHELLE - 2023  
14<sup>th</sup> ST/8<sup>th</sup> Ave PAVEMENT IMPROVEMENTS - PHASE 2  
CITY OF ROCHELLE  
ROCHELLE, ILLINOIS 61068

RETURN WITH BID

### BID PROPOSAL

Proposal of N-TRAK Group, LLC

(hereinafter called "BIDDER"), organized and existing under the laws of the State of Illinois doing business as A Limited Liability Company (a corporation, a partnership, an individual, other)

To the City of Rochelle (hereinafter called "OWNER").

In compliance with your Notice to Bidders (Advertisement for Bids), BIDDER hereby proposes to perform all WORK for the construction of the City of Rochelle 2023 - 14<sup>th</sup> St/8<sup>th</sup> Ave Pavement Improvements - Phase 2 in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

- If this proposal is accepted and the undersigned fails to execute a contract and contract surety as required in the bid documents, it is hereby agreed that the bid bond or check shall be forfeited to the Owner.
  - By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.
  - BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT by August 25, 2023.
  - BIDDER certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the City of Rochelle, nor has the firm made an admission of guilt of such conduct which is a matter of record, nor has an official, agent, or employee of the firm committed bribery or attempted bribery on behalf of the firm and pursuant to the direction or authorization of a responsible official of the firm. The undersigned firm further certifies that it is not barred from contracting with any unit of State or local government as a result of a violation of State laws prohibiting bid-rigging or bid-rotating.
  - The undersigned BIDDER submits herewith the Schedule of Prices covering the work to be performed under this contract.
  - The undersigned BIDDER has reviewed the attached specifications, standards, and special provisions for the Project.
- Each item shall have a unit price and a total price. The unit price shall govern if no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity.
- If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.
  - A bid will be declared unacceptable if neither a unit price nor a total price is shown.
- BIDDER acknowledges receipt of ADDENDUM(S):

**BIDDING SCHEDULE OF PRICES BASE BID**

Item No.	ITEMS	UNIT	QUANTITY	UNIT PRICE	TOTAL
1001	Pavement Removal	Sq Yd	5,420.00	\$ 13.00	\$ 70,460.00
1002	Rem & Disp of Unsuitable Mat	Cu Yd	150.00	\$ 28.50	\$ 4,275.00
1003	Inlet Spec No 1, 2'x3'	Each	1.00	\$ 4,600.00	\$ 4,600.00
1004	Inlet Type A, 2' dia	Each	1.00	\$ 1,600.00	\$ 1,600.00
1005	St Swr, RCCP, CL IV, TY 1, 12"	Lin Ft	30.00	\$ 125.00	\$ 3,750.00
1006	Valve Boxes to be Adjusted	Each	3.00	\$ 150.00	\$ 450.00
1007	Manholes to be Adjusted	Each	3.00	\$ 800.00	\$ 2,400.00
1008	Comb Cone Curb and Gutter	Lin Ft	1,077.00	\$ 37.00	\$ 39,849.00
1009	PCC Sidewalk, 4"	Sq Ft	500.00	\$ 18.50	\$ 9,250.00
1010	PCC Sidewalk, 6"	Sq Ft	10.00	\$ 96.00	\$ 960.00
1011	PCC Sidewalk, 8"	Sq Ft	635.00	\$ 10.00	\$ 6,350.00
1010	Accessibility Ramp	Sq Ft	450.00	\$ 30.00	\$ 13,500.00
1011	Agg Base Crse, Ty B, (CA-2), 6"	Sq Yd	5,420.00	\$ 5.50	\$ 29,810.00
1012	Agg Base Crse, Ty B, (CA-6), 6"	Sq Yd	5,420.00	\$ 6.75	\$ 36,585.00
1013	Subbase Granular Material, Type B	Cu Yd	285.00	\$ 22.00	\$ 6,270.00
1014	Bit Materials (Prime Coat)	Gallon	796.00	\$ 5.25	\$ 4,179.00
1015	HMA Binder Crse, N50, IL 19.0	Ton	2,089.00	\$ 88.00	\$ 183,832.00
1016	HMA Surf Crse, Mix C, N50, IL 9.5	Ton	696.00	\$ 104.00	\$ 72,384.00
1017	Paint Pavement Mark - Line, 4"	Lin Ft	390.00	\$ 2.25	\$ 877.50
1018	Paint Pavement Mark - Line, 6"	Lin Ft	375.00	\$ 3.35	\$ 1,256.25
1019	Paint Pavement Mark - Line, 12"	Lin Ft	425.00	\$ 6.70	\$ 2,847.50
1020	Paint Pavement Mark - Line, 24"	Lin Ft	30.00	\$ 13.40	\$ 402.00
1021	Grading and Shaping Ditches	Sq Yd	745.00	\$ 20.00	\$ 14,900.00
1022	Traffic Control and Protection	Lump Sum	1.00	\$ 18,000.00	\$ 18,000.00
<b>Base Bid Total</b>					<b>\$ 528,787.25</b>

- 1) Each item shall have a unit price and a total price.
- 2) The unit price shall govern if no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity.
- 3) If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.
- 4) A bid will be declared unacceptable if neither a unit price nor a total price for entire improvements is shown.

**City of Rochelle - 2023 14<sup>th</sup> St/8<sup>th</sup> Ave Pavement Improvements - Phase 2**  
**Rochelle, Illinois 61068**

**BIDDING SCHEDULE OF PRICES**  
**15<sup>th</sup> Street Alternate**

Item No.	ITEMS	UNIT	QUANTITY	UNIT PRICE	TOTAL
1001	Pavement Removal	Sq Yd	1,450.00	\$ 15.00	\$ 21,750.00
1002	Rem & Disp of Unsuitable Mat	Cu Yd	25.00	\$ 28.50	\$ 712.50
1003	Inlet Spec No. 1, 2x3	Each	1.00	\$ 4,600.00	\$ 4,600.00
1004	Inlet Type A, 2' dia	Each	2.00	\$ 1,600.00	\$ 3,200.00
1005	St Swr, RCCP, CL IV, TY 1, 12"	Lin Ft	50.00	\$ 125.00	\$ 6,250.00
1006	Valve Boxes to be Adjusted	Each	1.00	\$ 150.00	\$ 150.00
1007	Manholes to be Adjusted	Each	1.00	\$ 800.00	\$ 800.00
1008	Comb Cone Curb and Gutter	Lin Ft	425.00	\$ 39.00	\$ 16,575.00
1009	PCC Sidewalk, 4"	Sq Ft	20.00	\$ 38.25	\$ 765.00
1010	PCC Sidewalk, 6"	Sq Ft	100.00	\$ 17.25	\$ 1,725.00
1011	PCC Sidewalk, 8"	Sq Ft	365.00	\$ 10.00	\$ 3,650.00
1010	Accessibility Ramp	Sq Ft	10.00	\$ 40.00	\$ 400.00
1011	Agg Base Crse, Ty B, (CA-2), 6"	Sq Yd	1,450.00	\$ 5.50	\$ 7,975.00
1012	Agg Base Crse, Ty B, (CA-6), 6"	Sq Yd	1,450.00	\$ 6.75	\$ 9,787.50
1013	Subbase Granular Material, Type B	Cu Yd	25.00	\$ 22.00	\$ 550.00
1014	Bit Materials (Prime Coat)	Gallon	190.00	\$ 5.25	\$ 997.50
1015	HMA Binder Crse, NSO, IL 19.0	Ton	498.00	\$ 88.00	\$ 43,824.00
1016	HMA Surf Crse, Mix C, NSO, IL 9.5	Ton	166.00	\$ 104.00	\$ 17,264.00
1017	Paint Pavement Mark - Line, 4"	Lin Ft	110.00	\$ 2.25	\$ 247.50
1018	Paint Pavement Mark - Line, 6"	Lin Ft	10.00	\$ 3.35	\$ 33.50
1019	Paint Pavement Mark - Line, 12"	Lin Ft	10.00	\$ 6.70	\$ 67.00
1020	Paint Pavement Mark - Line, 24"	Lin Ft	10.00	\$ 13.40	\$ 134.00
1021	Grading and Shaping Ditches	Sq Yd	745.00	\$ 20.00	\$ 14,900.00
1022	Traffic Control and Protection	Lump Sum	1.00	\$ 1,200.00	\$ 1,200.00
<b>15<sup>th</sup> Street Alternate Total</b>					<b>\$ 157,557.50</b>

- 1) Each item shall have a unit price and a total price.
- 2) The unit price shall govern if no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity.
- 3) If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.
- 4) A bid will be declared unacceptable if neither a unit price nor a total price for entire improvements is shown.

**BID TOTALS**

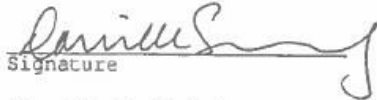
Base Bid Total	\$ 528,787.25
15th Street Alternate Total	\$ 157,557.50
<b>Total Price for Complete Project</b>	<b>\$ 686,344.75</b>

Project will be awarded based on Base Bid Total of lowest responsible bidder.

City of Rochelle - 2023  
14<sup>th</sup> St/8<sup>th</sup> Ave Pavement Improvements- Phase 2  
Rochelle, Illinois 61068

**BID PROPOSAL SIGNATURES**

Respectfully Submitted,

  
Signature

**Danielle Schlichting**

Name (Please Print)

**Managing Member**

Title (Please Print)

SEAL (If bid by a Corporation)

ATTEST:

  
Name and Title (Please Print & Sign)  
Lora Rice, Agent

Business Address:

**1523 Windsor Road**

**Loves Park, IL 61111**

Phone Number:

**815-282-3000**

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF OGLE        )        SS.

CERTIFICATE

I, Rose Hueramo, 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 Ordinance No. \_\_\_\_\_,  
“AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL FROM N-TRAK  
GROUP, LLC FOR THE 14<sup>TH</sup> STREET AND 8<sup>TH</sup> AVENUE IMPROVEMENTS IN  
ROCHELLE, ILLINOIS” which was adopted by the Mayor and City Council of the City of  
Rochelle on May 22, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 22nd day of May, 2023.

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CITY CLERK