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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 BRUNS  
CONSTRUCTION, INC. FOR THE IMPROVEMENTS TO THE REMODELING OF  
THE ROCHELLE FIRE DEPARTMENTS DORM**

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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: June 26, 2023**

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL FROM BRUNS  
CONSTRUCTION, INC. FOR THE IMPROVEMENTS TO THE REMODELING OF  
THE ROCHELLE FIRE DEPARTMENTS DORM**

**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 operates the Rochelle Fire Department, which provides housing for the firefighters in a common sleeping area, also referred to as the dorm; and

**WHEREAS**, the City Council previously budgeted for the improvements to the fire department, including the dorm (the “Project”); and

**WHEREAS**, the Project subdivides the dorm into six private rooms, substantially remodels the existing multi-user shower/bathroom into individual shower/bathroom and creates an additional individual ADA compliant shower/bathroom; and

**WHEREAS**, the City issued a Request for Proposals based upon design specifications (“the RFP”), which was published in the Rochelle News Leader on April 26, 2023, and

**WHEREAS**, in accordance with the RFP, on May 18, 2023 the City received and properly opened one (1) sealed proposal; and

**WHEREAS**, after analysis of the proposals submitted, the City’s staff and professional engineers has concluded that the proposal submitted by Bruns Construction, Inc., (attached hereto as Exhibit 1) in the amount of \$278,360.00 meets the City’s specifications pursuant to the RFP and is most advantageous to the City; 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 Bruns Construction, Inc., in the amount of \$278,360.00 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 Bruns Construction, Inc., in the amount of \$278,360.00 (attached hereto as Exhibit 1) 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 26th day of June, 2023.

AYES:

NAYS:

ABSENT:

ATTEST:

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City Clerk

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Mayor

## EXHIBIT 1

Rochelle Fire Department Remodeling

C1942

### SECTION 00 0004 - REVISED BID FORM DATED 05-16-23

TO: CITY OF ROCHELLE FIRE DEPARTMENT

**BID SUBMITTED BY:**

BIDDER: BRUNS CONSTRUCTION INC

ADDRESS: 350 N. 15<sup>TH</sup> ST. / P.O. BOX 400

ROCHELLE, IL 61068

PHONE NO: 815.561.0099

The Undersigned bidder, having reviewed the conditions affecting the cost of the Work and the Contract Documents prepared by Hagney Architects, LLC, hereby proposes to furnish all equipment, labor, and material required to complete the Work of the Contract Documents for the Contract Sum stated below. All Performance Bonds, Bid Bonds and Insurance requirements are included in this bid. **By signing this bid form, the undersigned bidder certifies that all bids provided comply with the construction documents, that no unauthorized substitutions have been made, and that all provisions in Section 016000 (Product Requirements) have been followed.**

**BASE BID**

For complete Work shown on Drawings and specified in the Bidding Documents for the sum of:

TWO HUNDRED SEVENTY EIGHT THOUSAND THREE HUNDRED SIXTY DOLLARS  
(\$ 278,360.00)

The Owner has the right to accept the Base Bid within forty-five days.

**ALTERNATE BIDS**

For complete Work shown on Drawings and specified in the Bidding Documents for ALTERNATE Bids, state the amount to be added to, or deducted from, the Base Bid amount if the Work of the Alternate Bid is included in the Contract. Include costs of related coordination, revision, or adjustment.

**Alternate FP-1:** Installation of a limited Fire Protection System as described on sheet FP1.0.

For Alternate FP-1: Add or (Deduct) the sum of:

No Bid DOLLARS  
(\$ —)

The Owner has the right to accept the Alternate Bid FP-1 within forty-five days.

**IDENTIFICATION OF SUBCONTRACTORS**

**NOTE:** All Subcontractors names/costs must be listed, or bid will be disqualified.

**NOTE:** *The Following Subcontractors must be listed, or bid will be disqualified.*

Mechanical: ANDERSON PLUMBING + HEATING

Amount included in Base Bid: \$ 18,928<sup>00</sup>

Electrical: BELG JOHNSON ELECTRIC

Amount included in Base Bid: \$ 22,166<sup>00</sup>

Plumbing: ANDERSON PLUMBING + HEATING

Amount included in Base Bid: \$ 23,856<sup>00</sup>

**NOTE:** The remaining Subcontractors are to be included on the schedule of values to be submitted no later than 7 days as indicated in Specification Section 002113

**COMPLETION DATE**

Bidder states that all Work required by the Contract Documents shall be completed within

ONE HUNDRED FIFTY ( 150 ) calendar days of the date of the notice to proceed.

**ADDENDA**

Bidder acknowledges receipt of all addenda numbered 1 through 1.

By signing this bid form, the undersigned bidder certifies that all bids provided comply with the construction documents, that no unauthorized substitutions have been made, and that all provisions in Section 016000 (Product Requirements) have been followed. The undersigned further states that it is a duly licensed contractor, for the type of work proposed, in Ogle County, State of Illinois, and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

The documents constituting component parts of the Bid Form are the following:

1. Invitation to Bidders (1 page)
2. Bid Form (3 pages)
3. Bid-Rigging Certification (1 page)
4. Bidder's Certifications (Non-Collusion Affidavit, Equal Opportunity, Sexual Harassment, Tobacco Use, Drug Free Workplace) (1 page)


**SUBMISSION OF BID**

Respectfully submitted this 18<sup>TH</sup> day of MAY, 2023.

Submitted By: BRUNS CONSTRUCTION INC.




(Name of bidding firm or corporation)

Authorized  
Signature:   
(Handwritten signature)

Signed By: Tim Bruns  
(Type or print name)

Title: President  
(Owner/Partner/President/Vice President)

Witness By: Christopher A. Alfano  
(Handwritten signature)

Attest:   
(Handwritten signature)

By: Roger Bruns  
(Type or print name)

Title: Secretary  
(Corporate Secretary or Assistant Secretary)

Street Address: 350 N. 15<sup>th</sup> St.

City, State, Zip: Rochelle, IL 61068

Phone: 815.561.0099

License No.: 114-011400

Federal ID No.: 36-4359004

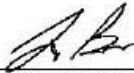
END: 00 0004 - BID FORM





## Bid-Rigging Certification

Tim Bruns, a duly  
(Agent)  
authorized agent of BRUNS CONSTRUCTION INC.  
(Contractor)  
do hereby certify that neither BRUNS CONSTRUCTION INC.  
(Contractor)  
nor any individual presently affiliated with BRUNS CONSTRUCTION INC.  
(Contractor)  
\_\_\_\_\_ has been barred from bidding on a public contract as a  
result of a violation of either Section 33E-3 (bid-rigging) or Section 33E-4 (bid rotating)  
of the Illinois Criminal Code, contained in Chapter 38 of the Illinois Revised Statutes.



Authorized Agent

BRUNS CONSTRUCTION INC.  
Contractor



## BIDDER'S CERTIFICATIONS

### NON-COLLUSION AFFIDAVIT

The undersigned Bidder certifies that the Bidder has not, nor has any member, officer, representative, or agent of the Bidder, entered into any combination, collusion, or agreement with any person or entity relative to the price to be bid by anyone under this Invitation for Bid, nor to prevent any person from bidding, nor to induce anyone to refrain from bidding, and this Bid is made without reference to any other bid and without any agreement, understanding, or combination with any other person in reference to such bidding.

This Bidder further states that no person, firm, or corporation has, or will receive directly or indirectly, any rebate, fee, gift, commission, or thing of value based upon awarding of the Contract.

BRUNS CONSTRUCTION INC.

Name of Bidder (Please Print)



Submitted by (Signature)

### EQUAL OPPORTUNITY

The undersigned hereby certifies that Bidder is in compliance with the Equal Employment Opportunity Clause and the Illinois Fair Employment Practices Act.

BRUNS CONSTRUCTION INC.

Name of Bidder (Please Print)



Submitted by (Signature)

### SEXUAL HARASSMENT

The undersigned hereby certifies that Bidder has complied and will comply with the requirement of Section 2-105 of the Illinois Human Rights Act (775 ILCS 5/2-105) with respect to sexual harassment policies. The terms of that law, as applicable, are hereby incorporated into the Contract.

BRUNS CONSTRUCTION INC.

Name of Bidder (Please Print)



Submitted by (Signature)

### TOBACCO USE

The undersigned hereby certifies that Bidder agrees that it and its employees will abide by the provisions of Illinois law (105 ILCS 5/10-20.5b) and the District's ban on tobacco use on District property.

BRUNS CONSTRUCTION INC.

Name of Bidder (Please Print)



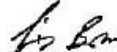
Submitted by (Signature)

### DRUG-FREE WORKPLACE

Each Bidder, if having twenty-five employees or more, does hereby certify through the undersigned, pursuant to Section 3 of the Illinois Drug-Free Workplace Act (30 ILCS 580/3), to the extent applicable, that it shall provide a drug-free workplace for all employees engaged in the performance of services under the Contract by complying with the requirements of the Illinois Drug-Free Workplace Act, and further certifies that it is not ineligible for award of this Contract by reason of debarment for a violation of the Illinois Drug-Free Workplace Act.

BRUNS CONSTRUCTION INC.

Name of Bidder (Please Print)



Submitted by (Signature)

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 BRUNS  
CONSTRUCTION, INC. FOR THE IMPROVEMENTS TO THE REMODELING OF THE  
ROCHELLE FIRE DEPARTMENTS DORM” which was adopted by the Mayor and City Council  
of the City of Rochelle on June 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 26<sup>th</sup> day of June, 2023.

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CITY CLERK