
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL FROM AA
CONSTRUCTION CONCRETE FOR THE 2023 CITY OF ROCHELLE SIDEWALK
AND PEDESTRIAN PATHS CAPITAL IMPROVEMENT PROGRAM**

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
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 AA
CONSTRUCTION CONCRETE FOR THE 2023 CITY OF ROCHELLE SIDEWALK
AND PEDESTRIAN PATHS CAPITAL IMPROVEMENT PROGRAM**

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 sidewalks and other pedestrian paths throughout its corporate limits; and

WHEREAS, the City Council previously budgeted for the improvements and maintenance of City sidewalks and pedestrian paths in the 2023 Capital Improvement Plan (the “Project”); and

WHEREAS, the City’s annual sidewalk and pedestrian path capital improvements project, as administered by the Engineering Department, provides for the replacement of existing sidewalks and/or constructs new sidewalks and pedestrian paths and other related items throughout the City; and

WHEREAS, the annual sidewalk and pedestrian path capital improvements project provides for improved accessible pedestrian access routes including ramps for the disabled and other users; and

WHEREAS, the City issued a Request for Proposals based upon design specifications from the City’s Engineering Department (“the RFP”), which was placed on the City’s website and published in the Rochelle News Leader on May 21, 2023, and

WHEREAS, in accordance with the RFP, on June 6, 2023 the City received and properly opened three (3) sealed proposal; and

WHEREAS, after analysis of the proposals submitted, the City’s staff and engineers have concluded that the proposal submitted by AA Construction Concrete, (attached hereto as Exhibit

1) in the amount of \$522,371.00 meets the City's specifications pursuant to the RFP and is most advantageous to the City; and

WHEREAS, the City's staff and engineer also recommend that the mayor and city council authorized an \$25,000.00, with which the City Manager and City Engineer can address improvements to the City Streets and drainages systems adjacent to the Project, as the work proceeds; 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 AA Construction Concrete in the amount of \$522,371.00 for the Project and authorize an addition \$25,000.00 of authority to address improvements to the City Streets and drainages systems adjacent to 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 AA Construction Concrete in the amount of \$522,371.00 (attached hereto as Exhibit 1) for the Project, authorize an addition \$25,000.00 of authority to address improvements to the City Streets and drainages systems adjacent to 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 26th day of June, 2023.

AYES:

NAYS:

ABSENT:

ATTEST:

City Clerk

Mayor

EXHIBIT 1

RETURN WITH BID

CITY OF ROCHELLE 2023 SIDEWALK
CAPITAL IMPROVEMENT PROGRAM
CITY OF ROCHELLE
ROCHELLE, ILLINOIS 61068

BID PROPOSAL

Proposal of A. A. Construction Concrete
(hereinafter called "BIDDER"), organized and existing under the laws of
the State of _____ doing business as
C-Corporation
(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 Sidewalk Capital Improvement Program 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 September 29, 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.

City of Rochelle
2023 Sidewalk Capital Improvement Program
Rochelle, Illinois 61068

RETURN WITH BID

BID PROPOSAL - Page 2

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	Units	Quantity	Unit Price	Total
PCC Sidewalk, 4"	SF	17,250	<u>12.00</u>	= <u>207,000.00</u>
PCC Sidewalk, 6"	SF	8,900	<u>12.75</u>	= <u>113,475.00</u>
PCC Sidewalk, 8"	SF	1,575	<u>13.25</u>	= <u>20,868.75</u>
Accessibility Ramp	SF	950	<u>25.00</u>	= <u>23,750.00</u>
Reinforcement Bars	FT	1,000	<u>00.55</u>	= <u>550.00</u>
Concrete Curb Cuts	FT	25	<u>26.00</u>	= <u>650.00</u>
Comb. Conc. Curb & Gutter Remove & Replace	FT	2,450	<u>54.00</u>	= <u>132,300.00</u>
Concrete Curb Type B	FT	50	<u>1.00</u>	= <u>50.00</u>
Remove Only	SF	1,250	<u>1.25</u>	= <u>1,562.50</u>
Inlet Adjustment	EA	1	<u>852.25</u>	= <u>852.25</u>
Inlet Reconstruction	EA	1	<u>2,300.00</u>	= <u>2,300.00</u>
Inlet Spec #1, 2'x3' Remove & Replace	EA	3	<u>2,500.00</u>	= <u>7,500.00</u>
Storm Sewer, PVC, 12"	FT	215	<u>30.00</u>	= <u>6,450.00</u>
Manhole Diamond	SF	450	<u>11.25</u>	= <u>5,062.50</u>

Bidder's Proposal for making Entire improvements >>>> 522,371.00

City of Rochelle
2023 Sidewalk Capital Improvement Program
Rochelle, Illinois 61068

RETURN WITH BID

BID PROPOSAL - PAGE 3

SIGNATURES

Respectfully Submitted,



Signature

Anthony Terera
Name (Please Print)

President
Title (Please Print)

SEAL (If bid by a Corporation)

ATTEST: Col. J. V.P.
Name and Title (Please Print & Sign)

Business Address:

A.A. Construction Concrete
P.O. Box 2005
Loves Park, IL 61130

Phone Number:

815-399-7875

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 AA
CONSTRUCTION CONCRETE, INC. FOR THE 2023 CITY OF ROCHELLE SIDEWALK
AND PEDESTRIAN PATHS CAPITAL IMPROVEMENT PROGRAM” 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 26th day of June, 2023.

CITY CLERK