
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF AA
CONSTRUCTION CONCRETE, INC., PURSUANT TO THE REQUEST FOR BIDS
FOR THE 2024 SIDEWALK CAPITAL 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
Law Offices of Peterson, Johnson, & 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

WHEARAS, every year the Engineering Department administers the annual sidewalk/pedestrian path Capital improvement project (“Project”); and

WHEARAS, the Project provides for the replacement of existing sidewalks, the construction of new sidewalks, pedestrian paths, curb ramps, new curb and gutter, street pavement restoration and landscaping throughout the City. Every year the program provides improved access routes for pedestrians; and

WHEARAS, the Project is primarily funded through the Utility Tax Fund (UTF) which was established in 1997 to annually address the required upgrades to the City’s pedestrian sidewalk system, associated curb and gutter replacement, street pavement restoration and landscaping; and

WHEARAS, in anticipation of this Project, plans and specifications were developed by the City Engineering Department and advertised on the City website and in the Rochelle News-Leader on March 20 and 24, 2024; and

WHEREAS, in accordance with the request for bids, on April 11, 2024, the City properly opened the four (4) bids it received; a summary of the bids is attached as Exhibit A; and

WHEREAS, the lowest bid was from AA Construction Concrete, Inc., and was in the amount of \$658,649.55, a copy of which is attached herein as Exhibit B; and

WHEREAS, staff recommends the City accept the bid from AA Construction Concrete, Inc., as it is under the Engineer's Cost Estimate, and it meets all the City's specifications for the project; and

WHEREAS, given the favorable contract unit prices for the construction, staff is also requesting the authority to negotiate change order work within the proposed contract to facilitate other improvements and upgrades to sidewalks and streets adjacent to this project in an amount not to exceed \$44,000, and

WHEREAS, furthermore, staff is also requesting the authority to purchase additional materials as identified and approved by the City Engineer and the project specifications, for use on the project, by the City Street Department crews, to perform improvements or restoration to City sidewalks, streets/alleys and drainage systems within and adjacent to the project limits in an amount not to exceed \$64,000; and

WHEREAS, the Mayor and City Council find that it is in the best interest of the City and its residents to accept and approve the proposal from AA Construction Concrete, Inc., in the amount of \$658,649.55, and to authorize a contract change order not to exceed \$44,000, and to authorize the purchase of additional City Project materials by City Manager or his designee not to exceed \$64,000.

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 Ordinance as if fully set forth herein.

SECTION TWO: The Mayor and City Council hereby accept and approve the proposal of AA Construction Concrete, Inc., in the amount of \$658,649.55 attached herein as Exhibit B. The City Manager or his designee is authorized to negotiate a change order subject to the proposal in an amount not to exceed \$44,000; and to purchase additional City Project materials, from other suppliers and sources, subject to the approval of the City Engineer, project specifications, terms of quotes or agreements, in an amount not to exceed \$64,000. The City Manager or his designee is authorized to execute documents necessary to carry out the intent of this Ordinance subject to review as to substance and form 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.

APPROVED this 22nd day of April 2024.

ATTEST:

City Clerk

Mayor

EXHIBIT A

City of Rochelle
2024 Sidewalk Capital Improvements Program
Bid Opening Checklist
Bid Opening: April 11, 2024 1:00 pm

Name	Hold Harmless Agreement	Affidavit of Non-Collusion	Bid Bond	Bid Proposal	Total Cost of Improvement
AA Construction Concrete Rockford, IL	X	X	X	X	\$658,649.55
Bruns Construction Rochelle, IL	X	X	X	X	\$716,417.75
Triggi Construction West Chicago, IL	X	X	X	X	\$826,979.25
Elliott & Wood DeKalb, IL	X	X	X	X	\$899,928.00
N-Trak Group Loves Park, IL					No Bid
Stenstrom Construction Rockford, IL					No Bid

Enclosure (1)

Exhibit B

RETURN WITH BID

CITY OF ROCHELLE 2024 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 Illinois 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 2024 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 27, 2024.
- 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.

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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	27,077	<u>12.15</u>	= <u>328,985.55</u>
PCC Sidewalk, 6"	SF	10,606	<u>12.75</u>	= <u>135,226.50</u>
PCC Sidewalk, 8"	SF	1,050	<u>13.25</u>	= <u>13,912.50</u>
Accessibility Ramp	SF	1,550	<u>25.00</u>	= <u>38,750.00</u>
Reinforcement Bars	FT	300	<u>00.55</u>	= <u>165.00</u>
Concrete Curb Cuts	FT	100	<u>12.00</u>	= <u>1,200.00</u>
Comb. Conc. Curb & Gutter Remove & Replace	FT	2,015	<u>60.00</u>	= <u>120,900.00</u>
Concrete Curb Type B	FT	60	<u>1.00</u>	= <u>60.00</u>
Remove Only	SF	480	<u>1.25</u>	= <u>600.00</u>
Inlet Adjustment	EA	3	<u>400.00</u>	= <u>1,200.00</u>
Inlet Reconstruction	EA	9	<u>1,200.00</u>	= <u>10,800.00</u>
Inlet Spec #1, 2'x3' Remove & Replace	EA	2	<u>2,000.00</u>	= <u>4,000.00</u>
Storm Sewer, PVC, 12"	FT	210	<u>5.00</u>	= <u>1,050.00</u>
Manhole Diamond	SF	200	<u>9.00</u>	= <u>1,800.00</u>

Bidder's Proposal for making Entire improvements >>>> 658,649.55

City of Rochelle
2024 Sidewalk Capital Improvement Program
Rochelle, Illinois 61068

RETURN WITH BID

BID PROPOSAL - PAGE 3

SIGNATURES

Respectfully Submitted,


Signature

Anthony Tarara
Name (Please Print)

President
Title (Please Print)

SEAL (If bid by a Corporation)

ATTEST: Sal Tarara V.P. Sal Tarara
Name and Title (Please Print & Sign)

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

Phone Number:
815-899-7675

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 OF AA CONSTRUCTION CONCRETE, INC., PURSUANT TO THE REQUEST FOR BIDS FOR THE 2024 SIDEWALK CAPITAL IMPROVEMENT PROJECT” which was adopted by the Mayor and City Council of the City of Rochelle on April 22, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 22nd day of April 2024.

CITY CLERK