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

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**RESOLUTION**

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

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**A RESOLUTION ACCEPTING THE BID PROPOSAL AND AUTHORIZING A  
CONTRACT WITH CURREN CONTRACTING**

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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  
Peterson, Johnson, and Murray, LLC  
200 W. Adams, Suite 2125, Chicago, IL 60606

CITY OF ROCHELLE  
Ogle County, Illinois

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

**A RESOLUTION ACCEPTING THE BID PROPOSAL AND AUTHORIZING A  
CONTRACT WITH CURREN CONTRACTING**

**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**, on July 18th at 10:00 am the City publicly opened bids for the pavement surface removal and HMA resurfacing of North Pointe Street, the “Project Area” is depicted in Exhibit A attached herein; and

**WHEREAS**, the City received three bids, the lowest from Curren Contracting in the amount of \$147,246.02; and

**WHEREAS**, the proposal received from Curren Contracting meets all the requirements of the City’s request and is approximately 15% lower than the Engineer’s estimate of cost; 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, award the contract to Curren Contracting and authorize the payment of the bid amount of \$147,246.02, plus additional change order work funds, not to exceed \$22,000.

**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 Resolution as if fully set forth herein.

SECTION TWO: The bid submitted by Curren Contracting in the amount of \$147,246.02 is accepted and payment is authorized. Furthermore, the City Manager or his designee is authorized to negotiate, approve and authorize additional improvements (contract change order) to City Streets adjacent to the project limits and within the LHP TIF zone in an amount not to exceed \$22,000, and sign any documents necessary to carry out the North Pointe Street repaving project, subject to review and revision by the City Attorney.

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 14<sup>th</sup> day of August 2023

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MAYOR

ATTEST:

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CITY CLERK

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. \_\_\_\_\_, “A RESOLUTION ACCEPTING THE BID PROPOSAL AND AUTHORIZING A CONTRACT WITH CURREN CONTRACTING” which was adopted by the Mayor and City Council of the City of Rochelle on August 14, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 14<sup>th</sup> day of August, 2023.

\_\_\_\_\_  
CITY CLERK

Exhibit A – Repave North Pointe Street Project Area

**North Pointe Street  
Pavement Improvements  
2023  
Location Map**

