
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF DPI
CONSTRUCTION, INC., FOR THE POCKET PARK AT 517 W. 4th Avenue**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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BIL HAYES
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DAN McDERMOTT
ROSAELIA ARTEAGA
BEN VALDIVIESO
City Council

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Ottosen DiNolfo Hasenbalg & Castaldo, Ltd. – City Attorneys
1804 North Naper Boulevard, Suite 350, Naperville, Illinois 60563

ORDINANCE NO: _____

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF DPI
CONSTRUCTION, INC., FOR THE POCKET PARK AT 517 W. 4th Avenue**

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, in February 2024, the commercial building located at 517 W. 4th was purchased by the City and demolished due to structural issues; and

WHEREAS, the redevelopment of the 517 W. 4th site presents an opportunity to contribute to the vibrancy, accessibility, and aesthetic appeal of the downtown district; and

WHEREAS, in May 2024, Studio GWA presented site plans and cost estimates for plans for 517 W. 4th Avenue as a shared discussion item by the City Council; and

WHEREAS, based on that discussion, the City provided plans for a pocket park with permanent benches, lighting, perennials and other attractive streetscaping to enhance the City’s attractive, friendly, and walkable downtown; and

WHEREAS, bids were advertised for the project and were made available through QuestCDN.com and the Fehr Graham Office, with bids due by 10:00 a.m. on May 23, 2025; and

WHEREAS, in accordance with the request for bids, the City properly opened the two (2) bids it received; a summary of the bids is attached as Exhibit A; and

WHEREAS, the lowest bids (for a base bid and an alternative proposal for additional lighting) were from Utility DPI Construction, Inc., the base bid was \$260,682.00 and the alternative proposal was \$26,000, for a total of \$286,682.00; and

WHEREAS, the bid from DPI Construction, Inc., is higher than the engineer's estimate of \$270,000, but is still nearly \$32,000 lower than the second lowest bidder; and

WHEREAS, staff recommends the acceptance of DPI Construction, Inc.'s proposal for the base bid and alternative proposal; 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 base bid and alternative 1 proposal from DPI Construction, Inc., in the amount of \$286,682.00 for the pocket park project at 517 W. 4th Avenue.

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 base bid and alternative 1 proposal, from DPI Construction, Inc., in the amount of \$286,682.00 for the pocket park project at 517 W. 4th Avenue. The City Manager or his designee is authorized to execute the documents necessary to carry out the intent of this Ordinance subject to review and revision 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 9th day of June 2025.

ATTEST:

City Clerk

Mayor

EXHIBIT A

	Engineer's Estimate	DPI Construction, Inc	O'Brien Civil Works
Base Bid	\$250,000.00	\$260,682.00	\$292,120.00
Alternate 1	\$20,000.00	\$26,000.00	\$26,520.00

STATE OF ILLINOIS)
) SS.
COUNTY OF OGLE)

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 DPI
CONSTRUCTION, INC., FOR THE POCKET PARK AT 517 W. 4th Avenue” which was
adopted by the Mayor and City Council of the City of Rochelle on June 9, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 9th day of June 2025.

CITY CLERK