
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL FROM BRUNS
CONSTRUCTION, INC. FOR THE 2025 CITY OF ROCHELLE SIDEWALK AND
PEDESTRIAN PATHS CAPITAL IMPROVEMENT PROGRAM**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

TOM McDERMOTT
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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
Ottosen DiNolfo Hasenbalg & Castaldo, Ltd., City Attorneys
1804 N. Naper Boulevard, Ste. 350, Naperville, IL 60563

ORDINANCE NO: _____
Date Passed: April 14, 2025

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL FROM BRUNS
CONSTRUCTION, INC. FOR THE 2025 CITY OF ROCHELLE SIDEWALK AND
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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 (“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 2025 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 March 19, 2025, and

WHEREAS, in accordance with the RFP, on April 3, 2025 the City received and properly opened five (5) sealed proposals; and

WHEREAS, after analysis of the proposals submitted, the City’s staff and engineers have concluded that the proposal submitted by Bruns Construction, Inc., in the amount of

\$340,987.26.00 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 additional \$48,000.00, 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 Bruns Construction, Inc. in the amount of \$340,987.26.00 for the Project, and authorize an additional \$48,000.00 of authority to address improvements to the sidewalks and City Streets 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 Bruns Construction, Inc. in the amount of \$340,987.26.00 for the Project, authorize an additional \$48,000.00 of authority to address improvements to the sidewalks and City Streets adjacent to the Project, reject all other bids, 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 14th day of April, 2025.

AYES:

NAYS:

ABSENT:

ATTEST:

City Clerk

Mayor

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 2025 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 April 14, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 14th day of April, 2025.

CITY CLERK