THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. ____

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE NORTH 14TH STREET STORM SEWER PROJECT

JOHN BEARROWS, Mayor
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City Council

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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

WHEREAS, in October of 2025, the City Council approved a contract with Martin and Company for the North 14th Street Storm Sewer Improvements Project ("the Project")**;** and

WHEREAS, the original scope of work for the Project is anticipated to be substantially completed by the end of May 2026; and

WHEREAS, Engineering and Public Works staff have recently identified essential and critical pavement resurfacing needs along streets located within the same and/or adjacent subdivisions as the North 14th Street project and within the City cemetery along 8th Ave; and

WHEREAS, the original contract with Martin and Company authorized the City Engineer to negotiate additional unit prices and quantities for construction work that falls within the parameters of the contract; and

WHEREAS, the City Engineer and staff have discussed these additional pavement improvements with the contractor, Martin and Company, and have reached acceptable terms for additional hot mix asphalt surface improvements utilizing the same hot mix asphalt mix designs as provided in the original contract; and

WHEREAS, the estimated cost of the proposed additional work is up to one hundred seventy-eight thousand dollars ($178,000.00)**,** to be paid based on measured final quantities as determined by the City Engineer; and

WHEREAS, the additional work will extend the project completion timeline by approximately four (4) weeks, with final completion anticipated on or before June 30, 2026; and

WHEREAS, a portion of the requested funds will be utilized to pay for expenditure of other materials and equipment rentals, utilized by the City Public Works Department, in the surface removal and preparation of streets and roadways for the hot mix asphalt surface improvements proposed herein

WHEREAS, authorizing this change order will allow the City to efficiently address necessary infrastructure improvements while work is already underway, resulting in cost savings and reduced disruption to residents;

WHEREAS, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City to accept and authorize the change order from Martin and Company for the North 14th Street Storm Sewer Project.

BE IT RESOLVED 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 Mayor and City Council of the City of Rochelle hereby approve the change order for additional paving services by Martin and Company for the North 14th Street Storm Sewer Project in an amount up to one hundred seventy-eight thousand dollars ($178,000).

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 11th day of May 2026.

_____
MAYOR

ATTEST:

_____
CITY CLERK

CERTIFICATE

I, Rose Huéramo, 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 Resolution No._____, "A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE NORTH 14TH STREET STORM SEWER PROJECT," which was adopted by the Mayor and City Council of the City of Rochelle on May 11, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 11th day of May 2026.

_____
CITY CLERK