
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE ACCEPTING THE PROPOSAL FROM MARTIN AND COMPANY
EXCAVATING FOR THE 2025 N. 14TH STREET STORM SEWER IMPROVEMENTS
PHASE 1**

JOHN BEARROWS, Mayor
ROSE HUÉRAMO, City Clerk

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City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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**AN ORDINANCE ACCEPTING THE PROPOSAL FROM MARTIN AND COMPANY
EXCAVATING FOR THE 2025 N. 14TH STREET STORM SEWER IMPROVEMENTS –
PHASE 1**

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, the City of Rochelle Engineering Department has been planning for the 2025 N. 14th Street Storm Sewer improvements project (“the Project”) as part of its annual Capital improvement plan and/or fund; and

WHEREAS, as a result, the City Engineering Department has prepared plans and specifications for Phase 1 of the Project and issued a Notice to bidders for a Request for Proposals (“RFP”) to solicit proposals for said Project; and

WHEREAS, the RFP was advertised in the Rochelle Newsleader and on the City website; and;

WHEREAS, on October 21, the City of Rochelle opened eleven bid proposals, the lowest of which was from Martin and Company Excavating in the amount of \$374,069.16; and

WHEREAS, the lowest bid is approximately 21% lower than the City Engineer’s estimate of cost; and

WHEREAS, given the favorable contract prices, the City Engineer is also requesting the authority to negotiate contract change orders and other improvements or upgrades to streets or other storm sewer systems adjacent to this project within said

contract at the awarded bid contract unit prices or to negotiate unit prices for other similar types of work adjacent to the project in an amount not to exceed \$73,000; and

WHEREAS, staff recommends accepting the proposal from Martin and Company Excavating for the 2025 N. 14th Street Storm Sewer improvements - Phase 1; 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 the Martin and Company Excavating and authorize up to \$73,000 for additional work to be done at the awarded bid contract unit prices or to negotiate unit prices for other similar types of work adjacent to the project

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 from Martin and Company Excavating in the amount of \$374,069.16 for the 2025 N. 14th Street Storm Sewer improvements project - Phase 1. Furthermore, the City Manager or his designee is authorized to negotiate additional work or contract change orders to facilitate other improvements and upgrades to streets or other storm sewer system adjacent to this project, in an amount not to exceed \$73,000.

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 27th day of October 2025.

ATTEST:

City Clerk

Mayor

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

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 Ordinance No. _____, "AN ORDINANCE ACCEPTING THE PROPOSAL FROM MARTIN AND COMPANY EXCAVATING FOR THE 2025 N. 14TH STREET STORM SEWER IMPROVEMENTS - PHASE 1" which was adopted by the Mayor and City Council of the City of Rochelle on October 27, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 27th day of October 2025.

CITY CLERK