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

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

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**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF CURREN  
CONTRACTING CO., PURSUANT TO THE REQUEST FOR BIDS FOR THE 2024  
STEWARD ROAD IMPROVEMENT PROJECT WITH SECTION #24-00119-00-RS  
AND AUTHORIZING ADDITIONAL WORK NOT TO EXCEED \$172,000**

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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  
Law Offices of Peterson, Johnson, & Murray, LLC – City Attorneys  
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF CURRAN CONTRACTING CO., PURSUANT TO THE REQUEST FOR BIDS FOR THE 2024 STEWARD ROAD IMPROVEMENT PROJECT WITH SECTION #24-00119-00-RS AND AUTHORIZING ADDITIONAL WORK NOT TO EXCEED \$172,000**

**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

**WHERAS**, there has been over a 40% increase in truck traffic on Steward Road since 2009; and

**WHERAS**, Steward Road was identified as a necessary capital improvement project under the Rebuilt Illinois Funds (RBI) P3 project; and

**WHERAS**, the 2024 Steward Road improvement project will include pavement improvements, hot mix asphalt (HMA) shoulder upgrades and pavement striping of the existing roadway alignment; and

**WHERAS**, the project will extend from the west side of the BNSF overpass to the Lee County line for a total of 1.6 miles; and

**WHEARAS**, in anticipation of this project, plans and specifications were developed by the City Engineering Department and a request for bids advertised in the Rochelle News leader April 28, 2024, in Illinois Department of Transportation’s (IDOT) Notice to Contractor’s Bulletin 24-18, and on City’s website; and

**WHEREAS**, in accordance with the request for bids, on May 13, 2024, the three (3) bids the City received were opened and read aloud; and

**WHEREAS** a summary of the bids is attached as Exhibit A; and

**WHEREAS**, the lowest bid for the 2024 Steward Road improvement project was from Curran Contracting Company, and was in the amount of \$1,347,898.65; and

**WHEREAS**, staff recommends the City accept the bid from Curran Contracting Company in the amount of \$1,347,898.65, as it is under the Engineer's Cost Estimate, and it meets all the City's specifications for the project; and

**WHEREAS**, furthermore, given the favorable prices for construction materials in the proposal, staff is also requesting the authority to negotiate additional work within the proposed bid contract prices, or other work germane to the project, in an amount not to exceed \$172,000; 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 Curran Contracting Company, in the amount of \$1,347,898.65, and to authorize the ability to negotiate the purchase of additional improvements in an amount not to exceed \$172,000.

**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 Ordinance as if fully set forth herein.

**SECTION TWO:** The Mayor and City Council hereby accept and approve the proposal of Curran Contracting Company for the 2024 Steward Road improvement project in the amount of \$1,347,898.65. Furthermore, the City Manager or his designee is authorized to negotiate additional improvements by Curran Contracting Company at the proposed bid contract prices, or at additional cost as negotiated and approved by the City, in an amount not to exceed \$172,000. The City Manager or his designee is authorized to execute all documents necessary to carry out the intent of this Ordinance subject to review as to substance and form 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.

[SIGNATURE PAGE TO FOLLOW]

APPROVED this 10<sup>th</sup> day of June 2024.

ATTEST:

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City Clerk

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Mayor

**EXHIBIT A**

City of Rochelle  
2024 Steward Road Pavement Improvements  
Section No. 24-00119-00-RS  
Bid Opening Checklist  
Bid Opening: 5/13/2024 at 11:00 am

Name	BLR 12200 LPA Formal Contract Proposal	BLR 12201 Schedule of Prices	BLR 12325 Apprenticeship or Training Program Cert.	BLR 12326 Affidavit of Illinois Business Office	BLR 12230 Proposal Bid Bond	Total Cost of Improvement
Curran Contracting Company Crystal Lake, IL	X	X	X	X	X	\$1,347,898.65
Rock Road Companies, Inc. Janesville, WI	X	X	X	X	X	\$1,354,688.53
Martin & Company Excavating Oregon, IL	X	X	X	X	X	\$1,372,371.55

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 OF CURREN  
CONTRACTING CO., PURSUANT TO THE REQUEST FOR BIDS FOR THE 2024  
STEWARD ROAD IMPROVEMENT PROJECT AND AUTHORIZING ADDITIONAL WORK  
NOT TO EXCEED \$172,000” which was adopted by the Mayor and City Council of the City of  
Rochelle on June 10, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 10<sup>th</sup> day of June 2024.

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CITY CLERK