

AUTHORIZING A CONCURRENCE LETTER AS REQUESTED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION CONCURRING WITH A BID AWARD AND AUTHORIZING LOCAL FUNDING OF A BID OVER-RUN (PEACE ROAD AND FAIRVIEW DRIVE, DEKALB, ILLINOIS).

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, on April 29, 2022, Illinois Department of Transportation (IDOT) publicly opened bids for the intersection improvements at Peace Road and Fairview Drive (the "Project") with the lowest responsible bid being William Charles Construction Co, LLC (the "Contractor") in the total amount of \$3,514,799.56 (the "Bid"); and

WHEREAS, the City's corporate authorities find that concurring with IDOT's award recommendation of the Contractor's Bid is in the City's best interests for the protection of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The City's corporate authorities approve, authorize, and direct the Mayor to execute and submit an Award Concurrence Letter to IDOT, in the same or substantially similar form as Exhibit A attached hereto and incorporated herein, to advance the construction contract with William Charles Construction Co, LLC for the intersection improvements at Peace Road and Fairview Drive.

SECTION 2: This resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this resolution should be inconsistent with any non-preemptive state law, this resolution shall supersede state law in that regard within its jurisdiction.

SECTION 3: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 23rd day of May 2022 and approved by me as Mayor on the same day. Passed by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Favre, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant

May 23, 2022

COPY

Illinois Department of Transportation
Attention: Mr. Steve Chery
700 E. Norris Drive
Ottawa, Illinois 61350

Re: City of DeKalb – 15-00185-00-WR Concurrence in Award (Contract 183-87750)

Dear Mr. Chery:

This letter is to serve as the City's concurrence in award relating to the City's 19-00054-00-PV Project, Contract 183-87750. Following review of the bids received at the November 5, 2021, bid letting the City is in concurrence with the award to William Charles Construction Co, LLC at the contract price of \$ 3,514,799.56.

The City requests that despite the fact that the bid was not within a reasonable approximation of the engineer's estimate of \$ 3,171,761.55 that the project be awarded. The City Council and I, along with the City Engineer, have reviewed the bids and have determined that it is in the best interest of the City to proceed with the project.

I hope this letter meets your needs for review so that the contract can be awarded to William Charles Construction Co, LLC but if you require anything further, please let me know.

Sincerely,



Cohen Barnes
Mayor