
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING
EMERGENCY REPAIRS TO PEAKER #2**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

TOM McDERMOTT
BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
ROSAELIA ARTEAGA
BEN VALDIVIESO
City Council

CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION NO. ____

**A RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING
EMERGENCY REPAIRS TO PEAKER #2**

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 (“City”) operates an electric distribution utility through the Rochelle Municipal Utilities (“RMU”), one of the City’s departments; and

WHEREAS, on June 18, 2024, Peaker Power Plant #2 developed an internal jacket water leak. Operators were able to continue safely running the engine for that week; and

WHEREAS, during the week of June 23, 2024 operators inspected the issue and discovered a cracked liner; and

WHEREAS, due to the hot summer months being run season, Fairbanks Morse was contacted to replace the liner. Fairbanks Morse indicated they only had availability the week of July 1, otherwise they would not be able to complete the replacement until the end of October; and

WHEREAS, due to the high demand of run season it was necessary to act quickly and approve the emergency repairs; and

WHEREAS, when Fairbanks Morse arrived on July 1, a new liner was installed, and the engine was reassembled for operation to continue by July 3; and

WHEREAS, pursuant to the City Ordinance, “contracts for emergency services” are exempt from competitive bidding “when the delay in seeking competitive bids would result in damage or additional cost to the city.” Rochelle Municipal Code, Sec. 2-373(1); and

WHEREAS, the City may waive competitive bidding requirements by a two-thirds vote of the City Council pursuant to 65 ILCS 5/8-9-1 of the Illinois Municipal Code and Section 2-371 of the Rochelle Municipal Code; and

WHEREAS, for emergency purposes, RMU needed to authorize the emergency repairs to Peaker Plant #2 to minimize any potential disruption of electrical service during peak season; and

WHEREAS, the delay in obtaining competitive bids for this repair would have resulted in major disruptions in electrical service; and

WHEREAS, by authorizing the emergency repairs RMU was able to minimize disruptions to electrical services during the peak season; and

WHEREAS, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest to waive competitive bidding and approve the emergency expenditure in the amount of \$42,587.02 to Fairbanks Morse for the repair Peaker Plant #2.

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 Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle waive any competitive bidding requirements and approve and ratify the emergency expenditure in the amount of \$42,587.02 to Fairbanks Morse.

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 day 12th of August 2024

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

Page 1 of 2

**FAIRBANKS MORSE
DEFENSE**

FAIRBANKS MORSE, LLC
701 White Ave
Beloit, WI 53511
Tel: 608.364.4111
Fax: 608.364.8151
FM.Accountsreceivable@
fairbanksmorse.com

REMIT TO : PO BOX 95424
CHICAGO, IL 60694-5424
US

SHIP TO : ROCHELLE MUNICIPAL UTILITIES
MUNICIPAL POWER PLANT
1015 SOUTH CARON ROAD
ROCHELLE, IL 61068
US

BILL TO :
ACCOUNTS PAYABLE
ROCHELLE MUNICIPAL UTILITIES
P O BOX A
420 N 6TH STREET
ROCHELLE, IL 61068
US

Invoice Number	
357432	
Date	
01-JUL-24	
Purchase Order Number	Sales Order Number
PO # 5410	40144066
Service Request Number	Project Number
- BELOIT	
Customer Number	Location Number
1649	2319
TIN#	
81-2933620	
D&B#	
08-037-4350	

Terms:		Due Date:	Salesperson:	Ship Date:	Ship VIA:		Shipping Reference:	
30 NET		31-JUL-24		01-JUL-24	CUSTOMER PICK UP		customer pick up	
SO ITEM	CUST ITEM NO	PART NUMBER	ITEM DESCRIPTION	ORDERED	SHIPPED	UNIT PRICE	EXTENDED AMOUNT	
1.1	01	16302869	LINER AY-CYL.CR,PL.W	1	1	\$17,151.66	\$17,151.66	
2.1	02	16701147	GASKET,ADAPTER CAFB1	3	3	\$31.63	\$94.89	
3.1	03	16701148	GASKET,ADAPTER CAFB1	1	1	\$25.24	\$25.24	
4.1	04	16701280	RING SEAL,ADAPTER CA	4	4	\$1.90	\$7.60	
5.1	05	16701278	RING,SEAL-ADAPTER CA	3	3	\$6.60	\$19.80	
6.1	06	16701279	RING,GLAND ADAPT SEA	3	3	\$36.73	\$110.19	
7.1	07	16101087	GASKET,COVER-C'CASE	6	6	\$33.92	\$203.52	
9.1	09	16100649	GASKET,TOP CVR-BLWR	1	1	\$16.16	\$16.16	
10.1	10	16200497	GASKET,CONTEND-COV	1	1	\$28.66	\$28.66	
11.1	11	16101191	RING,PISTON OIL DRAI	3	3	\$304.43	\$913.29	
12.1	12	16300217	RING,PISTON OIL SCRA	2	1	\$358.61	\$358.61	
13.1	13	16101192	EXPANDER,PISTON OIL	1	1	\$62.74	\$62.74	
14.1	14	16103236	RING,PISTON OIL DRAI	1	1	\$221.02	\$221.02	
15.1	15	16200498	GASKET,CONT END COV	1	1	\$84.07	\$84.07	
16.1	16	16704652	O-RING,ADPT GLAND RI	2	2	\$8.00	\$16.00	
17.1	17	16701772	GASKET,O.P.NOZZLE HO	2	2	\$7.71	\$15.42	
18.1	18	16113957	O-RING, GASKET	4	4	\$3.77	\$15.08	
19.1	19	10555032	GASKET-ADAPTER TO EX	2	2	\$8.70	\$17.40	
20.1	20	16701282	GASKET,WTR HDR-INLET	1	1	\$33.59	\$33.59	
21.1	21	16102902	RING,OIL SEAL-LINER	2	2	\$31.37	\$62.74	
22.1	22	16101262	RING,TOP SEAL-EXH BE	1	1	\$685.06	\$685.06	
23.1	23	16106469	RING,OIL SEAL-LINER	1	1	\$110.30	\$110.30	
24.1	24	16102412	RING,SUPPORT-LINER T	1	1	\$556.64	\$556.64	
25.1	25	16106518	THREDSEAL,CYL LINER	8	8	\$109.67	\$877.36	
26.1	26	16107826	LOCKPLATE,CYL LINER	4	4	\$8.90	\$35.60	

FAIRBANKS MORSE
DEFENSE

FAIRBANKS MORSE, LLC
701 White Ave
Beloit, WI 53511
Tel: 608 364 4411
Fax: 608 364 8151
FM.accountsreceivable@
fairbanksmorse.com

REMIT TO : PO BOX 95424
CHICAGO, IL 60694-5424
US

SHIP TO : ROCHELLE MUNICIPAL UTILITIES
MUNICIPAL POWER PLANT
1015 SOUTH CARON ROAD
ROCHELLE, IL 61068
US

BILL TO :
ACCOUNTS PAYABLE
ROCHELLE MUNICIPAL UTILITIES
P O BOX A
420 N 6TH STREET
ROCHELLE, IL 61068
US

Invoice Number	
357432	
Date	
01-JUL-24	
Purchase Order Number	Sales Order Number
PO # 5410	40144066
Service Request Number	Project Number
- BELOIT	
Customer Number	Location Number
1649	2310
T I N #	
81-2933620	
D&B#	
08-037-4350	

Terms:		Due Date:	Salesperson:	Ship Date:	Ship VIA:	Shipping Reference:	
30 NET		31-JUL-24		01-JUL-24	CUSTOMER PICK UP	customer pick up	
SO ITEM	CUST ITEM NO	PART NUMBER	ITEM DESCRIPTION	ORDERED	SHIPPED	UNIT PRICE	EXTENDED AMOUNT
27.1	27	16200338	GASKET,INSP COVER-1/	4	4	\$103.07	\$412.28
28.1	28	10555101	GASKET-PIPE TO GAS V	2	2	\$3.27	\$6.54
29.1	29	16102744	GASKET,GAS JUMPER CN	2	2	\$32.50	\$65.00
30.1	08	16700552	SVK, GASKET ASSY,TOP	2	2	\$53.24	\$106.48
Tax Summary by Tax Name							
Tax EXEMPT @ 0.00							\$0.00

Comments for Invoice Number: 357432	SUBTOTAL	TAX	SHIPPING/ HANDLING	TOTAL
	\$22,312.94	\$0.00	\$0.00	\$22,312.94



FAIRBANKS MORSE, LLC
701 White Ave
Beloit, WI 53511
Tel: 608 364 4411
Fax: 608 364 8151
FM.accountsreceivable@fairbanksmorse.com

REMIT TO : PO BOX 95424
CHICAGO, IL 60694-5424
US

SHIP TO : ROCHELLE MUNICIPAL UTILITIES
MUNICIPAL POWER PLANT
1015 SOUTH CARON ROAD
ROCHELLE, IL 61068
US

BILL TO :
ACCOUNTS PAYABLE
ROCHELLE MUNICIPAL UTILITIES
P O BOX A
420 N 6TH STREET
ROCHELLE, IL 61068
US

Invoice Number 14827	
Date 23-JUL-24	
Purchase Order Number 5410	Sales Order Number
Service Request Number	Project Number 9932038
Customer Number 1649	Location Number 2319
TIN# 81-2933620	
D&B# 08-037-4350	

Terms: 30 NET		Due Date: 22-AUG-24	Salesperson:	Ship Date:	Ship VIA:	Shipping Reference:	
SO ITEM	CUST ITEM NO	PART NUMBER	ITEM DESCRIPTION	ORDERED	SHIPPED	UNIT PRICE	EXTENDED AMOUNT
1			EXPENSES TECH REP D.ELLWANER FOR POP 6/30/24-7/4/24	1	1	\$2,218.08	\$2,218.08
2			LABOR TECH REP D.ELLWANER FOR POP 6/30/24-7/4/24	1	1	\$18,056.00	\$18,056.00

Tax Summary by Tax Name

Tax EXEMPT @ 0.00

\$0.00

Comments for Invoice Number: 14827	SUBTOTAL	TAX	SHIPPING/ HANDLING	TOTAL
<i>MQ 2 7-23-24</i>	\$20,274.08	\$0.00	\$0.00	\$20,274.08

RH 7-24-24

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 Resolution No.
_____, “A RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING
EMERGENCY REPAIRS TO PEAKER #2” which was adopted by the Mayor and City Council
of the City of Rochelle on August 12, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 12th day of August 2024.

CITY CLERK