

---

---

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

---

---

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

---

---

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF  
McDERMAID ROOFING & INSULATING COMPANY PURSUANT TO THE  
REQUEST FOR PROPOSAL**

---

---

**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

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

---

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Law Offices of Peterson, Johnson, & Murray—Chicago, City Attorneys  
1301 W. 22<sup>nd</sup> Street, Suite 500, Chicago, Illinois 60523

**ORDINANCE NO: \_\_\_\_\_**  
**Date Passed: November 12, 2024**

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF  
McDERMAID ROOFING & INSULATING COMPANY PURSUANT TO THE  
REQUEST FOR PROPOSAL**

**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 owns 1030 South 7<sup>th</sup> Street, Rochelle, Illinois, which it utilizes for its utility staff, other City personnel, and utility equipment; and

**WHEREAS**, 1030 South 7<sup>th</sup> Street, Rochelle, Illinois is in need of a roof replacement; and

**WHEREAS**, the City issued a Request for Proposals for the roof replacement at 1030 South 7<sup>th</sup> Street (“the RFP”) and published the RFP in the Rochelle New Leader on September 22, 2024, and

**WHEREAS**, in accordance with the RFP, on October 10, 2024 the City received and properly opened five (5) sealed proposals; and

**WHEREAS**, the RFP requested a base bid and two alternate bids; and

**WHEREAS**, after analysis of the proposals submitted, the City’s staff has concluded that the proposal submitted by McDermaid Roofing & Insulating Company of Rockford, Illinois in the amount of Eight Hundred Seventy-One Thousand (\$871,000.00) dollars meets the City’s specifications for the base bid and alternate bids 1 and 2 and is most advantageous to the City; and

**WHEREAS**, the City’s staff seeks a 15% project variance in the amount of One Hundred Thirty Thousand Six Hundred and Fifty (\$130,650.00) Dollars, in addition to the Proposal amount; and

**WHEREAS**, the Mayor and City Council finds that it is in the best interest of the City and its residents to accept and approve the Proposal from McDermaid Roofing & Insulating Company of Rockford, Illinois in the amount of Eight Hundred Seventy-One Thousand (\$871,000.00)

Dollars for the base bid and alternate bids 1 and 2 and to grant the City staff a 15% project variance in the amount of One Hundred Thirty Thousand Six Hundred and Fifty (\$130,650.00) Dollars, in addition to the Proposal amount; and

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the City of Rochelle as follows:

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 McDermaid Roofing & Insulating Company of Rockford, Illinois in the amount of Eight Hundred Seventy-One Thousand (\$871,000.00) Dollars for the base bid and alternate bids 1 and 2 and to grant the City staff a 15% project variance in the amount of One Hundred Thirty Thousand Six Hundred and Fifty (\$130,650.00) Dollars and authorize the City Manager to execute any and all necessary agreements to memorialize the terms of said Proposal in a form to be reviewed 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.

PASSED AND APPROVED this 12th day of November 2024.

ATTEST:

---

City Clerk

---

Mayor

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 McDERMAID  
ROOFING & INSULATING COMPANY PURSUANT TO THE REQUEST FOR PROPOSAL”  
which was adopted by the Mayor and City Council of the City of Rochelle on November 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 November 2024.

---

CITY CLERK