THE CITY OF ROCHELLE Ogle County, Illinois

ORDINANCE NO. ____

AN ORDINANCE WAIVING COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE PURCHASE OF RESIDENTIAL POLES AND FIXTURES FROM WESCO DISTRIBUTION

JOHN BEARROWS, Mayor ROSE HUERAMO, 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 Peterson, Johnson, and Murray, LLC, City Attorneys 1301 W. 22nd Street, Suite 500, Oak Brook, Illinois 60523

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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 is seeking to purchase streetlights; and

WHEREAS, the City sought a quote for the purchase of 25 residential poles and fixtures through its Sourcewell Competitive Purchasing Agreement; and

WHEREAS, WESCO Distribution in Woodridge, Illinois has provided the City with a quote in the amount of \$64,100.00, for 25 residential poles and fixtures, a copy of which is attached as "Exhibit 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, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to waive the competitive bidding requirements and approve the purchase of 25 residential poles and fixtures from WESCO Distribution.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS:

<u>SECTION ONE</u>: That the City hereby incorporates all of the recitals above into this Ordinance as if fully set forth herein.

<u>SECTION TWO</u>: The Mayor and City Council of the City of Rochelle hereby waive the competitive bidding requirements and authorize the City Manager and/or his designee to execute all documents memorializing the purchase of 25 residential poles and fixtures from WESCO Distributors, further described in the attached Exhibit 1, subject to review and revision as to form by the City Attorney.

<u>SECTION THREE</u>: 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.

<u>SECTION FOUR</u>: 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.

<u>SECTION FIVE</u>: The City Clerk shall publish this Ordinance in pamphlet form.

<u>SECTION SIX</u>: 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 12 th day of November 2024	
	MAYOR
ATTEST:	
CITY CLERK	

EXHIBIT 1

MATERIAL QUOTE

QUICK SERVICE QUOTATION

This quotation constitutes an offer to sell which offer expressly limits acceptance to the terms of this offer on the back of this quotation. This offer shall be firm for a period of thirty (30) business days from the date of this offer. Subject to Buyers credit worthiness, the return of this form with a Purchase Order number or any other reasonable manner of acceptance will be sufficient to form an agreement on the terms and conditions on the back of this quotation.



WESCO Distribution

2401 International Woodridge, Il 60517 Phone: 630-327-7017 Fax: 630-633-2026

DATE:	10/16/24	TO:	CITY OF ROCHELLE
PROJECT NAME:	7" CIRCLE RESIDENTIAL POLES/FIXTURES		
QUOTE#		ATTENTION:	BLAKE TOLIVER
SALESPERSON:	MATT BOGGS		

Item	Qty	DESCRIPTION	UNIT PRICE	U/M	TOTAL
NEW 7	25	CHA 14 F4J 3BOLT C03 BK RFD323309	\$1,330.00	E	\$33,250.00
		CHARLESTON ALUMINUM POLE, 14' TALL, 4" DIAMETER			
		STRIGHT FLUTED SHAFT .25" WALL, 3"X3" TENON, 16"			
		BASE MODIFIED TO ACCEPT AN EXISTING 7" BOLT CIRCLE ON			
		A 3-BOLT PATTERN. HOLOPHANE BLACK FINISH			
		7" BOLT CIRCLE		0 3	
FIXT	25	AUCL3 P30 40K MVOLT FC5 BK SK PR7	\$1,234.00	E	\$30,850.00
		Utility Arlington FCO LED 2, P30 performance package, 4000K, 120-277	8-8		
		Full cutoff, type V, Black, Spike finial, 7 pin NEMA dimmable photoconti			
		receptacle			
		LEAD TIME: 8-9 WEEKS			
		TO MATCH SAMPLE PREVIOUSLY PROVIDED			

If you have any questions,		s,					
please call me at (630) 327-7017.			GRAND TOTAL	\$64,100.00			
Thank Yo							

MATT BOGGS

STATE OF ILLINOIS)) SS.				
COUNTY OF OGLE) 33.				
	CF	ERTIFICATI	Ξ		
I, Rose Hueramo, C	ity Clerk of the	City of Roch	elle, County	of Ogle and State of	Illinois,
DO HEREBY CERTIFY th	nat the foregoing	g is a true and	correct copy	of Ordinance No	;
"AN ORDINANCE WA	AIVING COM	MPETITIVE	BIDDING	REQUIREMENTS	S AND
AUTHORIZING THE PU	JRCHASE OF	RESIDENT	IAL POLES	AND FIXTURES	FROM
WESCO DISTRIBUTION	" which was ad	lopted by the	e Mayor and	City Council of the	City of
Rochelle on November 12,	2024.				
IN WITNESS WHE	EREOF, I have h	nereunto set r	my hand and a	affixed the corporate	seal of
the City of Rochelle this 12	th day of Novem	nber 2024.			
			C	ITY CLERK	