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

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

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**ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS  
AND AWARDING TWO DOE CONSTRUCTION SERVICES A CONTRACT  
FOR BUILDOUT IMPROVEMENTS AND AUTHORIZING A TOTAL  
IMPROVEMENT EXPENDITURE OF UP TO \$158,700.00**

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

**TOM MCDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**ROSAELIA ARTEAGA**

**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
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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 (“City”), 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 previously purchased 1030 S. 7<sup>th</sup> Street, Rochelle, Illinois to serve as an office facility for many of its departments, including the the Rochelle Municipal Utilities (“RMU”) and the Engineering Department; and

**WHEREAS**, the exterior and interior of 1030 S. 7<sup>th</sup> Street, Rochelle needed to be remodeled to suit the needs of the City and its departments;

**WHEREAS**, 1030 S. 7<sup>th</sup> Street, Rochelle, Illinois requires an interior remodeling buildout, including the construction of new office space designed to accommodate the City’s current and future needs, including signage, storage, a conference room, equipment, an additional bathroom, fixtures, and certain associated exterior façade improvements (“Buildout”); and

**WHEREAS**, the City previously budgeted \$200,000 for said interior buildout; and

**WHEREAS**, the City Engineer has developed cost estimates for the total necessary Buildout work in the amount of \$158,700.00 and the City Engineer will serve as construction management to further reduce costs; and

**WHEREAS**, the City desires to have the interior buildout and staff relocated to this building by the end of December 2022; and

**WHEREAS**, the City Engineer has contacted Two Doe Construction Services, a City of

Rochelle local business and it can commence the Buildout the beginning of September 2022 and complete the Buildout in a timely manner so that staff can move into the building before the end of this year; and

**WHEREAS**, the City Engineer recommends that the City waive competitive bidding requirements and award Two Doe Construction Services a contract for the Buildout in an amount not to exceed \$109,200.00; and

**WHEREAS**, the City Engineer recommends that the City waive competitive bidding requirements and authorize additional expenditures for the Buildout expenses in an amount not to exceed \$49,500.00; and

**WHEREAS**, the City desires to waive competitive bidding requirements and award Two Doe Construction Services a contract for the Buildout in an amount not to exceed \$109,200.00, pursuant to the quote attached hereto as Exhibit 1 and authorize additional expenditures for the Buildout expenses in an amount not to exceed \$49,500.00; 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 competitive bidding and award Two Doe Construction Services a contract for the Buildout in an amount not to exceed \$109,200.00, pursuant to the quote attached hereto as Exhibit 1, and authorize additional expenditures for the Buildout expenses in an amount not to exceed \$49,500.00; and

**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 of the City of Rochelle hereby waive competitive bidding and award Two Doe Construction Services a contract for the Buildout in an amount not to exceed \$109,200.00, pursuant to the quote attached hereto as Exhibit 1, authorize additional expenditures for the Buildout expenses in an amount not to exceed \$49,500.00 and the City Manager is hereby authorized to execute additional contracts and/or separate ancillary construction or material purchase agreements necessary to complete the Buildout not to exceed \$158,700.00 in total, subject to review and revision as to 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.

PASSED THIS 8<sup>th</sup> day of August 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 8<sup>th</sup> day of August 2022.

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MAYOR

ATTEST:

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CITY CLERK

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF OGLE        )        SS.

CERTIFICATE

I, \_\_\_\_\_, 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. \_\_, “ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND AWARDING TWO DOE CONSTRUCTION SERVICES A CONTRACT FOR BUILDOUT IMPROVEMENTS AND AUTHORIZING A TOTAL IMPROVEMENT EXPENDITURE OF UP TO \$158,700.00” which was adopted by the Mayor and City Council of the City of Rochelle on August 8, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 8<sup>th</sup> day of August 2022.

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CITY CLERK