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# **THE CITY OF ROCHELLE**

**Ogle County, Illinois**

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## **RESOLUTION**

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

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**A RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS AND  
AUTHORIZING THE PURCHASE OF A REPLACEMENT SUBMERSIVE PUMP  
FROM FLOW-TECHNICS, INC.**

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**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 REQUIREMENTS AND  
AUTHORIZING THE PURCHASE OF A REPLACEMENT SUBMERSIVE PUMP  
FROM FLOW-TECHNICS, INC.**

**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’s Wastewater Department through Rochelle Municipal Utilities (“RMU”) maintains several wastewater lift stations; and

**WHEREAS**, recently one of the two pumps at the lift station that serves Creston, the landfill and most of the northeast side of Rochelle experienced a failure; and

**WHEREAS**, this failed wastewater lift is essential and pumps approximately 800,000 gallons per day; and

**WHEREAS**, the pump that needs to be replaced is proprietary and therefore RMU obtained a quote from the original supplier. A request for bids would have solicited different brands which would require modifications to the pump’s mounting hardware and therefore increase costs; and

**WHEREAS**, the original supplier Flow Technics, Inc., provided a quote in the amount of \$52,906 (plus freight) for a new replacement ABS 2800 gallon per minute pump, a copy of which is attached as Exhibit A; and

**WHEREAS**, the lift pump is a critical piece of equipment and needs to be replaced as soon as practicable; 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 accept the proposal from Flow Technics, Inc., in the amount of \$52,906 (plus freight) for a replacement submersive pump.

**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 quote submitted by Flow Technics, Inc., in the amount of \$52,906 (plus freight) is hereby accepted and approved. The City Manager or his designee is authorized to sign a purchase order consistent with this Resolution, subject to review and revision by the City Attorney.

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 28<sup>th</sup> day of October 2024

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MAYOR

ATTEST:

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CITY CLERK

## EXHIBIT A



# FLOW-TECHNICS, INC.

## PROPOSAL

Rochelle Reclamation District  
888 Treatment Plant Road  
Rochelle, IL 61068  
Attn: Jeff Musselman

October 8, 2024

Re: 1<sup>st</sup> Ave Pump Station

### Sulzer/ABS Pumps

We are pleased to offer the following proposal for your consideration:

1-Sulzer/ABS XFP205J – CB2.335-PE860/4 pump with a 115 HP motor, 460V, 3 phase, 1780 RPM capable of delivering 2800 GPM AT 105' TDH. The pump is explosion-proof and comes complete with 49' of power cable. The pump has an 8" discharge.

1-Freight to Site is included

1-Moisture/Thermal Relay

1 - Day of startup

**Price \$ 52,906**

### TERMS & CONDITIONS:

Payment: Net 30 Days; no startup will be performed without 100% payment.  
Prices: Valid for 30 days from date of this proposal.  
Taxes: Sales taxes are NOT included.  
F.O.B.: Factory – Prepaid & Added  
Notes: - Offloading by others.  
- Installation IS NOT included.

### **NOT INCLUDED:**

1. Any item not specifically mentioned is not included, nor was it intended to be.
2. Anchor bolts
3. Federal, State, or Local sales taxes
4. Field installation.

Respectfully submitted,  
FLOW-TECHNICS, INC.

*Timothy L Ruppert*

Timothy L Ruppert

181 Ontario Street • Frankfort, IL 60423 • (815) 277-2600 • Fax (815) 534-5311  
Indiana (574) 299-2600 • Indiana Fax (574) 656-4406  
Website: [www.flowtechnics.com](http://www.flowtechnics.com) • Email: [info@flowtechnics.com](mailto:info@flowtechnics.com)

STATE OF ILLINOIS        )  
  )       SS.  
COUNTY OF OGLE        )

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 REQUIREMENTS AND  
AUTHORIZING THE PURCHASE OF A REPLACEMENT SUBMERSIVE PUMP FROM  
FLOW-TECHNICS, INC.” which was adopted by the Mayor and City Council of the City of  
Rochelle on October 28, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 28<sup>th</sup> day of October, 2024.

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CITY CLERK