
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION

NO. _____

**A RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS AND
AUTHORIZING THE PURCHASE OF ELSTER GATEKEEPERS FROM WESCO
DISTRIBUTION**

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
Peterson, Johnson, and Murray, LLC, City Attorneys
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION NO. _____

**A RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS AND
AUTHORIZING THE PURCHASE OF ELSTER GATEKEEPERS FROM WESCO
DISTRIBUTION**

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 electrical division which provides electrical service to local businesses and residents as part of Rochelle Municipal Utilities (“RMU”); and

WHEREAS, RMU’s current gatekeepers were deployed in 2007 and are due for replacement. The gatekeepers in need of replacement have been discontinued, therefore staff recommends purchasing 15 new gatekeepers which will allow all the current ones to be replaced and provide for one spare; and

WHEREAS, gatekeepers are responsible for collecting the information from the electric meters and reporting it back to the server; and

WHEREAS, the City must procure the Elster gatekeepers through WESCO Distribution as they are the regional representative for Elster; and

WHEREAS, WESCO Distribution in Woodridge, Illinois has provided the City with a quote in the amount of \$65,760 for fifteen (15) Elster gatekeepers, a copy of which is attached as “Exhibit A”; 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 fifteen (15) Elster gatekeepers from WESCO Distribution.

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 hereby waive the competitive bidding requirements and authorize the City Manager and/or his designee to execute all documents memorializing the purchase of fifteen (15) Elster gatekeepers from WESCO Distribution in the amount of \$65,760 further described in the attached Exhibit A, subject to review and revision as to form and substance 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 22nd day of April 2024

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A



Quote Number: SAM03212024002
 Quoted provided by: Scott Mossbrooks
 Customer: CITY OF ROCHELLE, IL
 Requested by: Matt Boggs
 Date: 3/22/2024

No
 N/A
 Yes
 N/A

Make sure to include description and model number on the PO to Honeywell as well as all the other information you have included in the past. Craig Pratt can assist with getting CPEC and MeterCat program for meters being ordered for the first time. Must have CSPEC and Meter program on file for order to be accepted. Copy Craig Pratt and Scott Mossbrooks on all orders emailed to Honeywell.

Line Item: Meter Family:	Meter Description	QTY	Sales Price Each	
1 NGGK	EE1110021100 <i>(Long Cat # to be supplied by Honeywell)</i>	15	\$4,384.00	\$65,760.00
	Product (EE)SNR-NMGK			
	Config (1) Non-Metering Gatekeeper (NMGK)			
	Power (1) AC STANDARD W/BATTERY BACKUP			
	NAN Antenna (1) LOCAL			
	WAN Antenna (0) NONE			
	Carrier (0) NONE			
	WAN Comms (2) ETHERNET			
	Enclosure (1) LARGE POLYCARBONATE NEMA ENCLOSURE			
	Mounting (1) UNIVERSAL MOUNT			
	Misc options (0) NONE			
	Regulatory (0) None			
	Warranty 5-year Warranty			

Numbers or letters in () refer to spot in the model number, not quantity

Lead times is 52 weeks or better.

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 Resolution No. _____, “A RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE PURCHASE OF ELSTER GATEKEEPERS FROM WESCO DISTRIBUTION” which was adopted by the Mayor and City Council of the City of Rochelle on April 22, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 22nd day of April 2024.

CITY CLERK