
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. ____

**A RESOLUTION AUTHORIZING A CHANGE ORDER FOR PHASE 2 OF THE
ELECTRIC SYSTEM UPGRADES**

JOHN BEARROWS, Mayor
ROSE HUÉRAMO, 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
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Ogle County, Illinois

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING A CHANGE ORDER FOR PHASE 2 OF THE
ELECTRIC SYSTEM UPGRADES**

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, in 2021 the City entered into an engineering services agreement with BHMGE Engineers, Inc., to provide engineering services to design and assist in procurement and standard construction administration for infrastructure upgrades to the electric system; and

WHEREAS, the planned upgrades included a new transformer for the generation plant, the Prologis line to Centerpoint, the Centerpoint substation and the line from Centerpoint to Twombly; and

WHEREAS, over the last few years the scope and design of the project have evolved and changed; and

WHEREAS, as a result of these changes, BHMGE Engineering, Inc., has submitted a change order request, a copy of which is attached herein as Exhibit A; and

WHEREAS, although the change order is significant, the total engineering cost remains below ten percent (10%) of the total estimated project cost of nearly twenty million dollars (\$20,000,000); and

WHEREAS, given their integral role in the project and the complexity of the work involved, continuing this project without BHMGE Engineering’s support would either be infeasible or require significant additional expenditure to secure alternative engineering services; 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 to accept and authorize the change order from BHMGE Engineering Inc., for Phase 2 of the Electric Service Upgrades.

BE IT RESOLVED 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 approve the change order from BHMGE Engineering Inc., attached herein as Exhibit A, for a total increased cost of \$1,015,425 for Phase 2 of the Electric Service Upgrades. Furthermore, the Corporate Authorities authorize the City Manager and/or his designee to execute the attached Exhibit A.

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.

PASSED THIS 28th day of July 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 28th day of July 2025.

MAYOR

ATTEST:

CITY CLERK

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 AUTHORIZING A CHANGE ORDER FOR PHASE 2 OF THE ELECTRIC SYSTEM UPGRADES" which was adopted by the Mayor and City Council of the City of Rochelle on July 28, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 28th day of July 2025.

CITY CLERK