
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND
AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL OF
ROADWAY ASSET SERVICES, LLC FOR A PAVEMENT CONDITION SURVEY AND
RIGHT-OF-WAY ASSET INVENTORY**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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

City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys
200 W. Adams, Suite 2125 Chicago, IL 60606

CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. ____

**AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND
AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL OF
ROADWAY ASSET SERVICES, LLC FOR A PAVEMENT CONDITION SURVEY AND
RIGHT-OF-WAY ASSET INVENTORY**

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”) maintains roads and right of way inside of its corporate limits; and

WHEREAS, in January 2021, the City of Rochelle began implementing VueWorks software, which is a web-enabled integrated GIS, enterprise asset management solution; and

WHEREAS, VueWorks allows the City’s various departments to track the condition, minimize failure risk, optimize expenditures and service the City’s physical assets; and

WHEREAS, to fully utilize VueWorks asset management software, the City must have the most accurate and up-to-date GIS data for VueWorks; and

WHEREAS, City staff has met with multiple vendors who provide pavement condition surveys and right-of-way (“ROW”) asset inventory services; and

WHEREAS, City staff received four proposals from pavement condition survey and ROW asset inventory vendors; and

WHEREAS, City staff has reviewed the proposals with the City’s GIS team, VueWorks consultants, and City consultants and City staff has determined that Roadway Asset Services,

LLC's proposal (attached hereto as Exhibit 1) is the best proposal to complete the City's pavement condition survey and ROW asset inventory; and

WHEREAS, the City desires to waive competitive bidding requirements and authorize the City Manager to accept the proposal of Roadway Asset Services, LLC for the City's pavement condition survey and ROW asset inventory assessment, in an amount not to exceed \$71,910.00; 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 requirements and authorize the City Manager to accept Roadway Asset Services, LLC's proposal (Exhibit 1) for the City's pavement condition survey and ROW asset inventory assessment, in an amount not to exceed \$71,910.00; 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 to waive the competitive bidding requirements and authorize the City Manager to accept Roadway Asset Services, LLC's proposal (Exhibit 1) for the City's pavement condition survey and ROW asset inventory assessment, in an amount not to exceed \$71,910.00, and to execute all necessary agreements for said proposal, subject to the review and revision as to the form and substance 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 13th day of June, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 13th day of June, 2022.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Hueramo, 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. _____,
“AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND
AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL OF ROADWAY
ASSET SERVICES, LLC FOR A PAVEMENT CONDITION SURVEY AND RIGHT-OF-WAY
ASSET INVENTORY”, which was adopted by the Mayor and City Council of the City of Rochelle
on June 13, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 13th day of June, 2022.

CITY CLERK