
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION WAIVING COMPETITIVE BIDDING AND APPROVING THE
PROPOSAL FROM UTILITY DYNAMICS CORPORATION FOR THE ROUTE 39 FIBER
CROSSING**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

TOM McDERMOTT
BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
ROSAELIA ARTEAGA
BEN VALDIVIESO

City Council

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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, 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 provides utility services including electric, water, sewer, wastewater treatment, and advanced communications to the greater Rochelle Community through the Utility Department, which is commonly referred to as Rochelle Municipal Utilities (RMU); and

WHEREAS, the City is seeking to expand its fiber optic network by connecting the existing fiber at the Route 39 crossing to the City’s pole line east of the interstate; and

WHEREAS, expanding the network will allow the City to provide fiber services to the landfill as well as to the Village of Creston; and

WHEREAS, in order to expedite this project and have it completed prior to farming season (and avoid damages to crops), the City did not put the project out to bid, but instead sought quotes from several vendors; and

WHEREAS, the City only received two quotes; and

WHEREAS, one quote was from Kirby Cable Services in the amount of \$67,210; and

WHEREAS, the lowest quote received was from Utility Dynamics Corporation in the amount of \$60,200, a copy of which is attached herein as Exhibit A; and

WHEREAS, Utility Dynamics is a local vendor and has a proven track record of completing jobs in a professional manner in the area; 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 approve the proposal provided by Utility Dynamics Corporation in the amount of \$60,200.

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 waive competitive bidding, and approve the proposal attached herein as Exhibit A from Utility Dynamics Corporation, in the amount of \$60,200.

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 10th day of February 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 10th day of February 2025.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

UTILITY DYNAMICS CORPORATION

23 COMMERCE DRIVE
OSWEGO, ILLINOIS 60543
e-mail: contact@utilitydynamicscorp.com

PHONE:
(630) 554-1722
FAX (630) 554-1195

ELECTRICAL CONTRACTORS • OVERHEAD LINE CONSTRUCTION • UNDERGROUND DISTRIBUTION SYSTEMS

January 17, 202

Rochelle Municipal Utilities
333 Lincoln Hwy #1684
Rochelle, IL 61068
Attn: Blake Toliver

Bid #: 25-013
RE: Flying J Pilot
Fiber Conduit
1201 E. Rt 38

Dear Sir:

Utility Dynamics Corporation appreciates the opportunity to quote the following per our discussion. UDC is able to discount the price to reflect the cost of the (2) wood poles, RMU will provide to UDC.

Scope:

- 1) Furnish and install approximately 4300LF of 2" polyduct (orange) via horizontal directional drill method.
- 2) Furnish and install tracer wire in the same bore hole.
- 3) Furnish and install mule tape in the empty conduit.
- 4) Install RMU furnished handholes, (5).
- 5) Install RMU furnished locate posts.

CHARGES: 4300LF of 2" X \$14/LF=

\$60,200.00

Clarifications:

- 1) Permits, drawings, etc. are by others.
- 2) Obstruction removal at applicable T&E rates (rock, foundations, etc.).
- 3) Traffic control will consist of signage.
- 4) Hard surface removal is to be by others if applicable.
- 5) Conduit will be daylighted at each end.

Once again, Utility Dynamics Corporation appreciates this opportunity. Please call if you have any questions.

Sincerely,
Utility Dynamics Corporation

Joseph B. Spencer
President



STATE OF ILLINOIS)
) SS.
COUNTY OF OGLE)

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 Resolution No. _____ “A RESOLUTION WAIVING COMPETITIVE BIDDING AND APPROVING THE PROPOSAL FROM UTILITY DYNAMICS CORPORATION FOR THE ROUTE 39 FIBER CROSSING” which was adopted by the Mayor and City Council of the City of Rochelle on February 10th, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 10th day of February 2025.

CITY CLERK