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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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

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**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF UTILITY  
DYNAMICS CORPORATION FOR THE RITCHIE TO CHS LINE PROJECT**

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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**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Ottosen DiNolfo Hasenbalg & Castaldo, Ltd. – City Attorneys  
1804 North Naper Boulevard, Suite 350, Naperville, Illinois 60563

**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF UTILITY  
DYNAMICS CORPORATION FOR THE RITCHIE TO CHS LINE PROJECT**

**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**, CHS, Inc., is a local ethanol producer with a plant located at 1900 Steward Road, in Rochelle; and

**WHEREAS**, CHS, Inc., is looking to expand its local plant which will include a utility line upgrade; and

**WHEREAS**, CHS, Inc., has requested that RMU procure a contractor and monitor the installation of the service upgrade, pursuant to a Utility Services Agreement; and

**WHEREAS**, concurrent with this Ordinance, RMU has proposed “a Resolution Authorizing a Utility Services Agreement with CHS Inc., for 1900 Steward Road;” and

**WHEREAS**, the Ritchie to CHS Line Project (“The Project”) is an upgrade of the existing 13.8 kV feed to a 34.5kV feed which will provide the facility with greater reliability; and

**WHEREAS**, as part of the Utility Services Agreement, RMU advertised a request for bids in the Rochelle News Leader on March 19, March 26, and April 2, 2025; and

**WHEREAS**, in accordance with the request for bids, on April 24, 2025 at 2 p.m. the City properly opened the four (4) bids it received; a summary of the bids is attached as Exhibit A; and

**WHEREAS**, the lowest bids (for two proposals) were from Utility Dynamics, Corp., the bids were \$1,312,580.00 for Proposal 1 and \$1,112,250.00 for Proposal 2; and

**WHEREAS**, the bid from Utility Dynamics, Corp., is higher than the engineer's estimate of \$1,195,000, however; the engineer's estimate did not include the added material procurement, so the bid is closer to the engineer's estimate when adjusted to include materials; and

**WHEREAS**, RMU recommends Proposal 1 over Proposal 2 due to the need for concrete encased duct bank and additional conduit; and

**WHEREAS**, staff recommends the City accept the Proposal 1 bid from Utility Dynamics, Corp., as their references all provided positive reviews, and the company is in good standing and employs certified and trained craftsmen; and

**WHEREAS**, the Mayor and City Council find that it is in the best interest of the City and its residents to accept and approve Proposal 1 from Dynamics Utilities Corp., in the amount of \$1,312,580.00 for the Ritchie to CHS line project.

**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 hereby accept and approve Proposal 1 of Dynamics Utilities, Corp., in the amount of \$1,312,580.00 for the Ritchie to CHS line project. The City Manager or his designee is authorized to execute the documents necessary to carry out the intent of this Ordinance subject to review and revision 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.

APPROVED this 26<sup>th</sup> day of May 2025.

ATTEST:

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City Clerk

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Mayor

**EXHIBIT A**

Contractor	Proposal 1 - Base Price	Proposal 2 - Base Price
JF Electric	\$1,693,456.00	\$1,455,256.00
Tri-City Electric Co.	\$1,798,650.00	\$1,422,860.00
Utility Dynamics Corp	\$1,312,580.00	\$1,112,250.00
Helm Electric	\$1,340,619.11	\$1,168.008.01

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 Ordinance No. \_\_\_\_\_,  
“AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF UTILITY  
DYNAMICS CORPORATION FOR THE RITCHIE TO CHS LINE PROJECT” which was  
adopted by the Mayor and City Council of the City of Rochelle on May 26, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 26<sup>th</sup> day of May 2025.

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CITY CLERK