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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 WEG  
TRANSFORMERS USA LLC PURSUANT TO THE REQUEST FOR PROPOSAL FOR  
THE PURCHASE OF A TRANSFORMER**

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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  
Law Offices of Peterson, Johnson, & Murray—Chicago, City Attorneys  
200 W. Adams, Ste. 2125, Chicago, IL 60606

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

**AN ORDINANCE ACCEPTING AND APPROVING THE PROPOSAL OF WEG TRANSFORMERS USA LLC PURSUANT TO THE REQUEST FOR PROPOSAL FOR THE PURCHASE OF A TRANSFORMER**

**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 is in need of a transformer as part of its Route 38 Substation project; and

**WHEREAS**, a Request for Proposals (“RFP”) for the purchase of a transformer was published in the Rochelle New Leader on November 7, 12, 19, and 26, 2023; and

**WHEREAS**, in accordance with the Request for Proposals, on December 5, 2023, the City received and properly opened the two (2) sealed proposals; and

**WHEREAS**, the lowest proposal was received from Virginia Transformer Corporation in the amount of \$1,561,344.00; and

**WHEREAS**, the other proposal received was from WEG Transformers USA LLC in the amount of \$2,047,300.00, attached herein as Exhibit A; and

**WHEREAS**, although the proposal from WEG was not the lowest proposal, staff recommends accepting the proposal as the industry quality recognition of the proposed products identifies the WEG transformer as the best in the industry; and

**WHEREAS**, furthermore the City has a standing relationship with WEG in which staff has been thoroughly impressed and satisfied with their product; 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 the Proposal from WAG for the purchase of a transformer in the amount of \$2,047,300; and

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the City of Rochelle as follows:

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 the Proposal of WAG Transformers USA LLC, for the purchase of a transformer not to exceed the amount of \$2,047,300 and authorize the City Manager to execute any and all necessary agreements to memorialize the terms of said proposal (attached hereto as Exhibit A) in a form to be reviewed 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 AND APPROVED this 22nd day of January 2024.

ATTEST:

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City Clerk

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Mayor

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 ACCEPTING AND APPROVING THE PROPOSAL OF WEG TRANSFORMERS USA LLC PURSUANT TO THE REQUEST FOR PROPOSAL FOR THE PURCHASE OF A TRANSFORMER” which was adopted by the Mayor and City Council of the City of Rochelle on January 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 January 2024.

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CITY CLERK