
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION

NO. _____

**A RESOLUTION WAIVING THE COMPETITIVE BIDDING REQUIREMENT AND
AUTHORIZING THE PURCHASE OF RADIO EQUIPMENT FOR THE POLICE
DEPARTMENT**

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 of Rochelle needs four Motorola APX 6000 radios for use by the Police Department; and

WHEREAS, Motorola Solutions, has provided the City with a quote in the amount of \$26,320.56, for four Motorola APX 6000 radios; a copy of which is attached as “Exhibit A”; 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 the competitive bidding requirements and approve the purchase of the APX 6000 radios from Motorola Solutions.

**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 Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle hereby waive the competitive bidding requirements and authorize the City Manager and/or his designee to execute all documents memorializing the purchase of four APX 6000 radios from Motorola Solutions in the

amount of \$26,320.56, as described in the attached Exhibit A, subject to review and revision as to form by the City Attorney.

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.

APPROVED THIS 23rd day of October 2023

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

09/05/2023

To: Motorola Solutions
P.O. BOX 71132
Chicago, IL. 60694-1132

Re: Purchase of Motorola Radio Equipment

This letter serves as authorization for Motorola Solutions to place an order for four APX 6000 on the attached sheet for a purchase price of \$26,320.56. Rochelle Police Department does not have a purchase order system in place and agrees to pay Net 30. All equipment needs to be shipped to:

BECK TECH dba BARBECK Communications Group
1139 Franklin Grove Rd
Dixon, IL. 61021

When Motorola Solutions invoices Rochelle Police Department, the invoice should reference this order and be sent to Chief Pete Pavia at the following address:

Rochelle Police Department
416 N SIXTH ST
ROCHELLE, IL 61068

For taxation purposes, even if tax-exempt, the equipment sold to Rochelle Police Department will ultimately reside at Rochelle Police Department 416 N SIXTH ST, ROCHELLE, IL 61068

Payments can be authorized solely on this document. I submit that I am a duly authorized official of our entity and that my signature makes this a legal and binding document, and that funding has been encumbered for this order. If you have any questions regarding this order, please feel free to contact Chief Pete Pavia ppavia@rochelleil.us.

Sincerely,

A handwritten signature in black ink, appearing to be 'Pete Pavia', with a long horizontal line extending to the right.

Chief Pete Pavia

Jeff Fiegenschuh

City Manager

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

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 WAIVING THE COMPETITIVE BIDDING REQUIREMENT AND AUTHORIZING THE PURCHASE OF RADIO EQUIPMENT FOR THE POLICE DEPARTMENT” which was adopted by the Mayor and City Council of the City of Rochelle on October 23, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 23rd day of October 2023.

CITY CLERK