
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS AND
AUTHORIZING THE PURCHASE OF CYCLONE HEADS AND ARMS FROM WESCO
DISTRIBUTION**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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

City Council

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

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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 has an opportunity to purchase cyclone heads and arms from WESCO Distribution for a discounted price due to over production; and

WHEREAS, WESCO Distribution in Woodridge, Illinois has provided the City with a quote in the amount of \$96,000.00 for forty (40) cyclone heads and forty (40) cyclone arms; a copy of which is attached as “Exhibit A”; and

WHEREAS, this opportunity to purchase these parts will save the City thousands of dollars as they can be utilized for future lighting projects; 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 cyclone heads and arms from WESCO Distribution.

**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 cyclone heads and arms from WESCO Distributors, further 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 8th day of May 2023

MAYOR

ATTEST:

CITY CLERK

MATERIAL QUOTE

This quotation constitutes an offer to sell which offer expressly limits acceptance to the terms of this offer on the back of this quotation. This offer shall be firm for a period of thirty (30) business days from the date of this offer. Subject to Buyers credit worthiness, the return of this form with a Purchase Order number or any other reasonable manner of acceptance will be sufficient to form an agreement on the terms and conditions on the back of this quotation.



WESCO Distribution

2401 International
Woodridge, IL 60517
Phone: 630-327-7017
Fax: 630-633-2026

DATE:	3/17/23	TO:	CITY OF ROCHELLE
PROJECT NAME:	CYCLONE HEADS AND ARMS		
QUOTE#	ATTENTION: BLAKE TOLIVER		
SALESPERSON:	MATT BOGGS		

[illegible]

If you have any questions,
please call me at (630) 327-7017.
Thank You.

GRAND TOTAL	\$96,000.00
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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 COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE PURCHASE OF CYCLONE HEADS AND ARMS FROM WESCO DISTRIBUTION” which was adopted by the Mayor and City Council of the City of Rochelle on May 8, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 8th day of May 2023.

CITY CLERK