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

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

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**ORDINANCE WAIVING COMPETITIVE BIDDING REQUIREMENT AND AWARDED  
WEST SIDE TRACTOR SALES COMPANY THE PURCHASE ORDER FOR ONE NEW  
JOHN DEERE 324L COMPACT LOADER**

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**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

**TOM MCDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN MCDERMOTT**  
**BEN VALDIVIESO**  
**ROSALIA ARTEAGA**

**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle

CITY OF ROCHELLE  
Ogle County, Illinois

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

**AN ORDINANCE WAIVING COMPETITIVE BIDDING REQUIREMENT AND  
AWARDING WEST SIDE TRACTOR SALES COMPANY THE PURCHASE ORDER FOR  
ONE NEW JOHN DEERE 324L COMPACT LOADER**

**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, through the Rochelle Street Department operates various utilities and services to City residents; and

**WHEREAS**, wheel loaders perform a major role in the day-to-day operations of the Public Works Department; and

**WHEREAS**, the Rochelle Street Department has utilized a CAT 930K Wheel Loader and a Case 580M Loader Backhoe for its operations since 1998 and 2007, respectively; and

**WHEREAS**, the Street Department’s current wheel loader and loader backhoe have reached their useful life; and

**WHEREAS**, the Cat 928G Wheel Loader will be transferred to RMU Water Reclamation Department in effort to assist in sludge processing; and

**WHEREAS**, the Case 580M loader Backhoe will be used as trade-in value to reduce the overall purchase price on one new compact loader; and

**WHEREAS**, compact loaders are versatile machines that will improve the efficiency of the wide variety of work completed by the Public Works Department; and

**WHEREAS**, Public Works staff have looked at five different manufactures of compact wheel loaders and found the John Deere 324L compact wheel loader to best fit the Street

Department; and

**WHEREAS**, this single machine will reduce the current number of machines needed to complete the same amount work; and

**WHEREAS**, Street Department staff has been advised that newly ordered compact loaders may not be delivered until sometime in 2024, without a guarantee of delivery; and

**WHEREAS**, West Side Tractor Sales has two new John Deere 324L Compact Loaders in stock and available for immediate purchase; and

**WHEREAS**, the Street Department received a quote from West Side Tractor Sales Company using SourceWell competitive bid pricing for a total purchase price of \$112,966.21, that includes a five-year warranty, two buckets, and minus the trade in value of a 2007 Case Loader Backhoe in the quote attached hereto as Exhibit 1; 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 purchase of one 2023 John Deere 324L Compact Loader from Westside Tractor Sales Company in the amount of \$112,966.21, as set forth in the quote attached hereto as Exhibit 1; and

**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 of the City of Rochelle hereby waive competitive bidding, and approve the purchase of one 2023 John Deere 324L Compact Loader from West Side Tractor Sales Company in the amount of \$112,966.21, as set forth in the quote attached hereto as Exhibit 1. The City Manager is hereby authorized to execute said purchase orders, subject to review and revision as to form 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 THIS 8<sup>th</sup> day of May 2023.

AYES:

NAYS:

ABSENT:

APPROVED THIS 8<sup>th</sup> day of May 2023.

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MAYOR

ATTEST:

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CITY CLERK

**Exhibit 1**



April 24, 2023

CITY OF ROCHELLE  
420 N 6TH ST  
ROCHELLE, IL  
8155626161

**2023 John Deere 324L Compact Loader**  
**SOURCEWELL Cooperative Contract 032119-JDC**

*All the prices in the detailed sections are Per machine basis.*

**Machine Configuration**

Code	Description	Qty	Unit Price
0AG0T	JD 324L LOADER	1	140,831.00
924	EPA FT4 ENGINE	1	4,764.00
2010	CPLR READY STD Z-BAR LINKAGE	1	-
2230	DLX CLOTH SEAT HI-BACK AIR	1	2,421.00
2430	ATT ASSIST PKG CRP CTRL & TL	1	1,461.00
2842	3 SPOOL VALVE HIGHFLOW	1	4,607.00
3010	WITH RIDE CONTROL	1	2,463.00
4030	400/70R20 EM MICHELIN XMCL	1	2,391.00
7120	HALOGEN WORK LIGHTS	1	269.00
8545	LESS COUPLER/QK TATCH READY	1	-
		<b>List Price</b>	<b>\$ 159,207.00</b>
		<b>Discount 28%</b>	<b>\$ 44,577.96</b>
		<b>Net Price</b>	<b>\$ 114,629.04</b>

**Custom Jobs**

Code	Description	Qty	Price
	Dlr provide Pre-Delivery Inspection, Supplies and Fuel Fill	1	1,250.00
	Dealer Provided Delivery	1	600.00
	Labor for field installed kits	1	915.00
Ext Warranty	• Extended 5 Yr/2500 Hr Comprehensive Warranty Machine Only	1	2,086.80
J196283	JD QUICK TATCH COUPLER	1	1,893.04
J196284	JD 2.1 CU YD BUCKET	1	6,587.19
J121123	JD MP84B 4 IN 1 BKT W/ SPILL GUARD	1	5,655.14
	JDLINK	1	1,050.00
		<b>Total Price</b>	<b>\$ 20,037.17</b>

**Quote Summary (per unit)**

Item Description	Prices
Machine Net Price	\$ 114,629.04
Custom Jobs	\$ 20,037.17
<b>Price per Machine</b>	<b>\$ 134,666.21</b>

Destination	Freight Charge
Rockford, IL 61102	\$ 2,300.00
<b>Total Net Price Quantity (1)</b>	<b>\$ 136,966.21</b>
<b>Less Trade-in</b>	
<b>CASE 580 with hours</b>	<b>24,000.00</b>
<b>Net Price less Trade-Ins</b>	<b>\$ 112,966.21</b>

**Warranty Terms**

324L includes • Full Machine Warranty for 24 Mo OR 2000 Hr whichever occurs first  
 • Extended 5 Yr/2500 Hr Comprehensive Warranty Machine Only

**Remarks:**

*Please note that this quote is valid for 30 days. Purchase cards are accepted -- a 3% transaction fee will be calculated into the PO total for the credit card invoice payment.*

Ron Svartoien - Sales Representative West Side Tractor Sales - (815) 961-3160 • Fax (815) 965-1810 - rons@westsidetractorsales.com

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 WAIVING COMPETITIVE BIDDING REQUIREMENT AND AWARDED  
WEST SIDE TRACTOR SALES COMPANY THE PURCHASE ORDER FOR ONE NEW  
JOHN DEERE 324L COMPACT LOADER” which was adopted by the Mayor and City Council  
of the City of Rochelle on May 8<sup>th</sup>, 2023.

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

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CITY CLERK