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

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

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**AN ORDINANCE WAIVING COMPETITIVE BIDDING REQUIREMENTS AND  
AUTHORIZING THE PURCHASE OF THREE PME-11 SWITCHGEAR ASSEMBLIES  
FROM UUSCO**

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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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AUTHORIZING THE PURCHASE OF THREE PME-11 SWITCHGEAR ASSEMBLIES  
FROM UUSCO**

**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, Illinois, an Illinois municipal corporation, operates an electric utility through its municipal enterprise known as Rochelle Municipal Utilities (“RMU”) and

**WHEREAS**, Rochelle Municipal Utilities (“RMU”) has requested approval to purchase three (3) S&C PME-11 pad-mounted switchgear assemblies for use within the City’s electric distribution system; and

**WHEREAS**, the proposed switchgear assemblies are required to support electric system reliability, improve sectionalizing capabilities, and provide fault protection essential to the safe and efficient operation of the municipal electric utility; and

**WHEREAS**, RMU has standardized on S&C Electric switchgear throughout the electric distribution system, and maintaining this standard promotes operational consistency, simplifies maintenance practices, reduces training requirements, and ensures compatibility with existing equipment and spare parts inventory; and

**WHEREAS**, Universal Utility Supply Company (“UUSCO”) is the sole authorized distributor of S&C Electric equipment for the municipal electric market within the greater Chicagoland area; and

**WHEREAS**, due to this exclusive distributorship, competitive bidding is not

practicable as no other vendors are able to provide the required S&C Electric switchgear compatible with RMU's existing system; and

**WHEREAS**, RMU obtained pricing from UUSCO for two enclosure configurations and recommends selection of the standard (non-stainless steel) enclosure option, which satisfies all operational requirements while resulting in a cost savings of \$32,250 compared to the stainless-steel alternative; and

**WHEREAS**, the cost of the recommended switchgear assemblies is \$49,250 per unit, for a total purchase amount of \$147,750 for three (3) units; 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 purchase three PME-11 switchgear assemblies in the amount of \$147,7505 from UUSCO.

**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 requirements and approve the purchase three PME-11 switchgear assemblies in the amount of \$147,7505 from UUSCO.

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 13<sup>th</sup> day of April 2026.

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MAYOR

ATTEST:

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CITY CLERK

## CERTIFICATE

I, Rose Huéramo, 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 REQUIREMENTS AND AUTHORIZING THE PURCHASE OF THREE PME-11 SWITCHGEAR ASSEMBLIES FROM UUSCO," which was adopted by the Mayor and City Council of the City of Rochelle on April 13, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 13<sup>th</sup> day of April 2026.

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CITY CLERK