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

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

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**AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND  
AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBSEQUENT SMALL  
MUNICIPAL AND COUNTY GOVERNMENT ENTERPRISE AGREEMENT WITH  
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.**

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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  
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys  
1301 W. 22nd Street – Ste. 500, Oak Brook, Illinois 60523

CITY OF ROCHELLE  
Ogle County, Illinois

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

**AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBSEQUENT SMALL MUNICIPAL AND COUNTY GOVERNMENT ENTERPRISE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.**

**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 (“City”) operates various utilities through Rochelle Municipal Utilities (“RMU”), one of its departments; and

**WHEREAS**, the City, the various utilities of the RMU, and other City Departments utilize Geographic Information Systems (GIS) software; and

**WHEREAS**, Environmental Systems Research Institute, Inc. (“ESRI”) is the leading GIS software company in the world and is the City’s current GIS software provider; and

**WHEREAS**, on June 13, 2022, the City approved Ordinance 22-5349, an “Ordinance Waiving the Competitive Bidding Requirements and Authorizing the City Manager to Enter into a Small Municipal and County Government Enterprise Agreement with Environmental Systems Research Institute, Inc.,” and

**WHEREAS**, the City seeks to enter into a subsequent GIS software contract with ESRI for an additional three years, at a rate of \$29,300.00 per year for a total of \$87,900 for three years. A copy of the proposed agreement is attached herein as Exhibit A; and

**WHEREAS**, the City’s staff has concluded that the GIS software is necessary to the operation of RMU, the City’s various departments, and meets the City’s needs and requirements for its GIS-related daily business and program management; and

**WHEREAS**, ESRI's GIS software would continue to serve the City's various departments and RMU's multiple utilities' GIS needs; and

**WHEREAS**, the City desires to waive competitive bidding requirements and authorize the City Manager to execute a three-year agreement with ESRI for a total of \$29,300.00; 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 requirements and authorize the City Manager to execute the attached Small Municipal and County Government Enterprise Agreement with ESRI (Exhibit A), not to exceed \$87,900.00; 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 the competitive bidding requirements and authorize the City Manager to execute the attached Small Municipal and County Government Enterprise Agreement with ESRI (Exhibit A), for a three-year term, not to exceed \$87,900.00, subject to the review and revision as to the form and substance 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 24th day of February, 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 24th day of February, 2025.

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MAYOR

ATTEST:

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CITY CLERK

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 THE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBSEQUENT SMALL MUNICIPAL AND COUNTY GOVERNMENT ENTERPRISE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.” which was adopted by the Mayor and City Council of the City of Rochelle on February 24, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 24th day of February, 2025.

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CITY CLERK