
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**RESOLUTION AUTHORIZING THE RETENTION OF FEHR GRAHAM FOR
PROFESSIONAL SERVICES RELATED TO THE REPLACEMENT OF TWO
AT-GRADE RAILROAD CROSSINGS**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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JOHN GRUBEN
ROSAELIA ARTEAGA

City Council

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
200 W. Adams, Suite 2125 Chicago, IL 60606

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RESOLUTION NO. _____

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 (“City”), 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, the City of Rochelle operates a railroad through the Rochelle Municipal Utilities (“RMU”), one of its departments; and

WHEREAS, the at-grade rail crossings at Caron Road north of Steam Plant Road and at Steam Plant Road west of Caron Road are 17 years old, are beginning to deteriorate, and need to be replaced; and

WHEREAS, RMU staff solicited proposals from four different engineering firms for the engineering, design, and project management services related to this project and Fehr Graham was the only engineering firm to respond with a proposal (attached hereto as Exhibit 1); 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 approve an engineering agreement with Fehr Graham for professional engineering services related to the two at-grade rail crossings; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCHELLE, ILLINOIS as follows:

SECTION ONE: The foregoing Recitals are not mere preparatory language, but are hereby incorporated in this Section 1 as if said Recitals were fully set forth.

SECTION TWO: The City Manager is authorized to execute an engineering agreement with Fehr Graham for professional engineering services related the two at-grade rail crossing, as set forth in Fehr Graham’s proposal, attached as Exhibit 1 hereto, and execute all necessary ancillary agreements, in a form 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.

PASSED THIS 25th day of April 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 25th day of April 2022.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
) SS.
COUNTY OF OGLE)

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 Resolution No. _____,
“RESOLUTION AUTHORIZING THE RETENTION OF FEHR GRAHAM FOR
PROFESSIONAL SERVICES RELATED TO THE REPLACEMENT OF TWO AT-
GRADE RAILROAD CROSSINGS” which was adopted by the Mayor and City Council of
the City of Rochelle on April 25, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 25th day of April 2022.

CITY CLERK