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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 ACCEPT UNIVERSAL PLANT  
SERVICES' ESTIMATE FOR THE REPLACEMENT OF CAM BEARINGS**

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

**TOM MCDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**ROSAELIA ARTEAGA**

**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
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**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND  
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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 of Rochelle (“City”) operates an electric utility through the Rochelle Municipal Utilities (“RMU”), one of its departments; and

**WHEREAS**, the RMU has diesel generators to generate electricity during peak usage; and

**WHEREAS**, Peaker Engine Number 3 has never been rebuilt and needs to have new cam bearings installed to reduce the possibility of future mechanical failures; and

**WHEREAS**, the cost of the installation of the cam bearings for Peaker Engine Number 3 will be \$25,137.50, per the quote of Universal Plant Services, attached hereto as Exhibit 1; and

**WHEREAS**, Universal Plant Services is familiar with Fairbanks Morris equipment, who is the manufacturer of Peaker Engine Number 3 and staff believes that it is necessary and prudent to have Universal Plant Services make all necessary repairs; and

**WHEREAS**, the City desires to waive competitive bidding requirements and authorize the City Manager to accept the quote of Universal Plant Services for the installation of Fairbanks Morris cam bearings for Peaker Engine Number 3 (“Quote”) for the City in an amount not to exceed \$25,137.50; 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 accept the Quote of Universal Plant Services for the installation of Fairbanks Morris cam bearings for Peaker Engine Number 3; 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 approve said Quote Universal Plant Services for the installation of Fairbanks Morris cam bearings for Peaker Engine Number 3 in an amount not to exceed \$25,137.50; substantially in form and with the same pricing terms as the quote attached hereto as Exhibit 1, and the Mayor and/or City Manager are hereby authorized to execute any and all agreements necessary to effectuate said Quote, 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 12<sup>th</sup> day of September, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 12<sup>th</sup> day of September, 2022.

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MAYOR

ATTEST:

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CITY CLERK

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 Ordinance No. \_\_\_\_\_, “AN ORDINANCE WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE CITY MANAGER TO ACCEPT ACCEPT UNIVERSAL PLANT SERVICES’ ESTIMATE FOR THE REPLACEMENT OF CAM BEARINGS” which was adopted by the Mayor and City Council of the City of Rochelle on September 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 12th day of September, 2022.

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CITY CLERK