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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 AN EMERGENCY REPAIR TO WELL 12**

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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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CITY OF ROCHELLE  
Ogle County, Illinois

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

**AN ORDINANCE WAIVING COMPETITIVE BIDDING REQUIREMENTS AND  
AUTHORIZING AN EMERGENCY REPAIR TO WELL 12**

**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 provides utility services including electric, water, sewer, wastewater treatment, and advanced communications to the greater Rochelle Community through the Utility Department, which is commonly referred to as Rochelle Municipal Utilities (RMU); and

**WHEREAS**, the RMU Water Division supplies water to the community from five wells having a capacity of 9.5 million gallons of water per day. The Division has 2.2 million gallons of above-ground storage. On an average day, the wells pump 3 million gallons of water through 105 miles of water main within the City; and

**WHEREAS**, the pump for Well 12, which is located on Hayes Road experienced equipment failure on March 31, 2026; and

**WHEREAS**, at the same time the City was in the process of starting up Well 8 after its treatment upgrades; as a result Well 8 was intermittently offline when Well 12’s pump had failed; and

**WHEREAS**, the Illinois Environmental Protection Agency (IEPA) requires that the that the City be able to meet the water demand with the largest well down; and

**WHEREAS**, in order comply with IEPA requirements it was necessary to get the

pump for Well 12 repaired emergently; and

**WHEREAS**, Municipal Well and Pump took the pump and motor to their shop for inspection and testing of the cable and electrical components and made all necessary repairs; the reinstallation of the pump was started on April 22, 2026; and

**WHEREAS**, the cost for the repair of Well Pump 12 by Municipal Well and Pump was in the amount of \$38,730.00; and

**WHEREAS**, pursuant to the City Ordinance, “contracts for emergency services” are exempt from competitive bidding “when the delay in seeking competitive bids would result in damage or additional cost to the city.” Rochelle Municipal Code, Sec. 2-373(1); and

**WHEREAS**, it was essential and emergent to repair the pump as soon as possible to prevent any disruption in water service to residents and ensure that the City was in compliance with IEPA requirements; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that it was essential and emergent to repair Well Pump 12 and therefore the contract for the emergency repair is exempt from competitive bidding as seeking competitive bids would have resulted in harm or additional cost to the City; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interests of the City of Rochelle and its residents to waive competitive bidding requirements and authorize the emergency repair of the Well 12 pump.

**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 emergency repair of the Well 12 pump by Municipal Well and Pump in the amount of \$38,730.00.

**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 27<sup>th</sup> day of April 2026.

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MAYOR

ATTEST:

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CITY CLERK

# Exhibit A



## Project Proposal

Re: Rochelle Well #12

Item #	Item Description	Quantity	Units	Unit Price	Extended Price
1	Pull 10" x 400' submersible pump assembly	1.00	LSUM	\$ 16,820.00	\$ 16,820.00
2	Reinstall 10" x 400' submersible pump assembly	1.00	LSUM	17,430.00	17,430.00
3	HiPot test Cable	1.00	LSUM	550.00	550.00
4	Tear down, inspect and rebuild bowl assembly:	1.00	LSUM	1,940.00	1,940.00
5				-	-
6	Discharge case for 12CHC bowl assembly	1.00	LSUM	1,850.00	1,850.00
7	Cut and rethread 10" column pipe	1.00	LSUM	140.00	140.00
8				-	-
9				-	-
10				-	-
11				-	-
12				-	-
13	Notes:			-	-
14	Freight not included			-	-
15	Ogle County prevailing wage rates included			-	-
16				-	-
17				-	-
18				-	-
19				-	-
20				-	-
<b>Total Project Proposal</b>					<b>\$ 38,730.00</b>

**Dated:** April 15, 2026

**By:**

Ross Griffin

Ross Griffin  
Project Manager  
Municipal Well & Pump

P.O. Box 311, Waupun, WI 53963 – Office: 920-324-3400 – Toll-Free: 800-383-7412 – Fax: 920-324-3431

[www.municipalwellandpump.com](http://www.municipalwellandpump.com)

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 AN EMERGENCY REPAIR TO WELL 12,” which was adopted by the Mayor and City Council of the City of Rochelle on April 27, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 27<sup>th</sup> day of April 2026.

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CITY CLERK