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

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**RESOLUTION**  
**NO. \_\_\_\_\_**

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**A RESOLUTION WAIVING THE COMPETITIVE BIDDING REQUIREMENTS  
AND AUTHORIZING THE PURCHASE OF ONE (1) USED 2009  
FREIGHTLINER CLASSIC SEMI-TRUCK FROM STEWART FARMS  
PARTNERSHIP**

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**JOHN BEARROWS, Mayor**  
**SUE MESSER, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**DON BURKE**  
**City Council**

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**CITY OF ROCHELLE**  
Ogle County, Illinois

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE PURCHASE OF ONE (1) USED 2009 FREIGHTLINER CLASSIC SEMI-TRUCK FROM STEWART FARMS PARTNERSHIP**

**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 (“Rochelle”) desires to purchase one (1) used 2009 Freightliner Classic semi-truck in an amount not to exceed \$25,000; and

**WHEREAS**, said Truck will be utilized by the City’s Street Department; 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 the competitive bidding requirements and approve the purchase of said Truck; and

**BE IT RESOLVED 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 Resolution 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 and/or his designee to execute all documents memorializing the purchase of one (1) used 2009 Freightliner Classic Semi-Truck in an amount not to exceed \$25,000, 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 \_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2020.

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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 Resolution No. \_\_\_\_\_, “A RESOLUTION WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE PURCHASE OF ONE (1) USED 2009 FREIGHTLINER CLASSIC SEMI-TRUCK FROM STEWART FARMS PARTNERSHIP”, which was adopted by the Mayor and City Council of the City of Rochelle on \_\_\_\_\_, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
CITY CLERK