

**CITY OF HOBART BOARD OF PUBLIC WORKS & SAFETY
Resolution No. 2014-12**

**A Resolution Authorizing Special Purchase of Demonstrator
Aerial "Quint" Fire Truck for the Hobart Fire Department**

WHEREAS, the Board of Public Works and Safety ("Board") of the City of Hobart, Indiana ("City") is the purchasing agency for the City pursuant to §31.004(A) of the Municipal Code of the City of Hobart enacted pursuant to the authority of I.C. §5-22-4-5(a); and

WHEREAS, the Board, as the City's purchasing agency, has all of the powers and duties authorized under the laws of the State of Indiana governing purchasing under I.C. §5-22; and

WHEREAS, the Hobart Fire Department has informed the Board that its sole operating Aerial Pumper Truck (also known as a "Quint") is no longer safe for front line firefighting leaving the City with no reliable aerial truck in service; and

WHEREAS, the Fire Department has further informed the Board that the current Quint in service is a 1996 HME 75 foot aerial pumper which has experienced repeated mechanical failures during the past three years including, most recently the need to replace the vehicle's transmission and, after numerous other repairs since 2012, now requires a complete rebuild of the unit's main hydraulic cylinders; and

WHEREAS, the City of Hobart has expended \$36,036.65 in repairs on the 1996 unit since 2012 which has been declared to be unsafe for frontline firefighting by the Fire Chief; and

WHEREAS, the Department has no other operable unit of like type available and a serviceable replacement must be obtained on an emergency basis; and

WHEREAS, National Fire Protection Association guidelines, Section 1901, Annex D, recommends replacement of this type of apparatus every fifteen (15) years provided it has been maintained and is fully serviceable. The current Hobart Quint is 18 years old; and

WHEREAS, the Fire Department has searched for a used or demonstrator Quint which is both serviceable and immediately available since the purchase of a new unit is not only much more costly but will require eight (8) to (10) months from order to delivery; and

WHEREAS, the lowest cost alternative for replacement of the Hobart Fire Department's 1996 unit is a 2014 Marion 75 foot Aerial Quint type fire apparatus on a Spartan Chassis with 2000 gallon per minute Waterous pump and 500 gallon water tank demonstrator unit immediately available at a price of \$590,000.00 including trade-in of the Fire Department's 1994 Pierce Pumper which is no longer in service; and

WHEREAS, a new unit of this type carries a purchase price ranging from \$700,000 to \$830,000 depending on manufacturer and equipment included; and

WHEREAS, said quote was issued by NWI Fleet Maintenance, Inc. of Merrillville, Indiana and constitutes a special price quoted on November 21, 2014 and good for 45 days from said date; and

WHEREAS, the purchase of this equipment at this time affords the City a unique opportunity to acquire this equipment at substantial savings, and because an emergency exists requiring the Fire Department to obtain an aerial truck as soon as possible, the Board has been advised that the purchase of the Quint under the above described conditions is necessary to prevent the Department's efficiency from being impaired were another purchasing method to be followed, so that the acquisition of the Quint under these conditions constitutes a special purchase, not subject to bid, pursuant to I.C. §§5-22-10-5 and 9; and

WHEREAS, the City Executive has determined that said Quint be acquired through a lease-purchase arrangement of five (5) annual payments, first payment in advance, commencing with the first payment in on delivery in December, 2014, and subsequent payments due annually thereafter through 2018. Lease proposals were obtained from U.S. Bancorp Government Leasing and Finance, Inc. (USBGLF), Horizon Bank, and Main Source Bank Equipment Finance. The proposal of USBGLF has an annual interest rate of 1.632 % with the sum of the lease payments amounting to \$ 606,249.15. Both the interest rate and sum of the payments is lowest among all of the proposals received; and

WHEREAS, the Board, having obtained the foregoing information, and desiring to authorize said special purchase now makes the following findings of fact, enters the orders below, and desires to spread same upon the public record.

THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City of Hobart, Indiana, that:

1. The Board now finds and determines that all facts stated in the above prefatory paragraphs of this Resolution are true.
2. The Board further finds that:
 - a. the acquisition of the 2014 Marion 75 foot Aerial Quint type fire apparatus on a Spartan Chassis with 2000 gallon per minute Waterous pump and 500 gallon water tank demonstrator described above and specified in the exhibit attached, under the terms set forth therein, constitutes a unique opportunity to obtain said equipment at a substantial savings to the City pursuant to I.C. §5-22-10-5; and
 - b. that purchase of the above-described required equipment under another purchasing method under law would seriously impair the functioning of the Fire Department within the meaning and intent of I.C. §5-22-10-9; and
3. Accordingly, the Board concludes that the acquisition of said vehicle under such terms constitute a qualified special purchase and that such vehicle may be purchased without soliciting bids or proposals pursuant to the meaning and intent of I.C. §5-22-10-1, *et seq.*

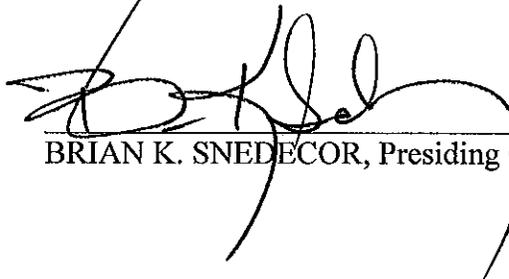
4. The Board further finds that the terms of the lease proposed by U.S. Bancorp Government Leasing and Finance, Inc. for the acquisition of the Quint over five (5) years provides for an interest rate of 1.632% *per annum* which is within a reasonable range for municipal borrowing for equipment of this type, and the Board accepts the terms of said lease as an addition to the proposed contract for the purchase pursuant to I.C. §5-22-7.3-12, it being the determination of the Board that the addition of such lease to the contract of acquisition of this equipment is not prejudicial to the interest of the City or to fair competition and concludes that the lease arrangement proposed by USBGLF should be accepted. Accordingly, the Board authorizes said lease for the acquisition of the receptacles. At the end of said lease, upon payment of the sum of \$1.00, the City will assume ownership of same.

4. Based on the foregoing findings, the Board now orders and directs that the Quint be purchased at the total price stated above, \$590,000.00 plus the Department's 1994 Pierce Pumper from NWI Fleet Maintenance, Inc., 8765 Louisiana Street, Merrillville, Indiana 46410.

5. Further, the Board authorizes the City Executive and Clerk-Treasurer to execute and deliver a lease for the acquisition of said receptacles upon the terms stated above with USBGLF as lessor, and to sign all other documents necessary to carry out said lease-purchase.

6. The Board directs the officials of the City to document said transaction in the manner required by law. In particular, pursuant to the provisions of I.C. §5-22-10-1, *et seq.*, the staff of the Clerk-Treasurer shall maintain all pertinent contract records for the special purchase authorized by this Resolution in a separate file. This Resolution, and the findings and conclusions stated therein, shall constitute the written determination of the purchasing agency of the City for this special purchase and the selection of a particular seller. In addition, the acquisition and lease authorized herein shall be included in the City's record listing of all contracts made as special purchases under I.C. §5-22-10 for a minimum of five (5) years. Such record must contain each contractor's name, the amount and type of each contract, and a description of the equipment purchased under each.

ALL OF WHICH IS ADOPTED as the Resolution of the City of Hobart Board of Public Works & Safety on this 3rd day of December, 2014.


BRIAN K. SNEDECOR, Presiding Officer:

ATTEST:


DEBORAH A. LONGNER, Clerk-Treasurer