

RESOLUTION NO. 2015- 15

A Resolution to Provide for Responsible Bidding in Certain Construction Projects Receiving Economic Incentives from the City of Hobart

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") previously adopted Resolution 99-79 which, in part, allowed the Council to require "clawback" agreements between the City and the recipient of industrial and commercial real property tax abatement or personal property tax abatement, such agreement to be executed prior to the Council's final action on tax abatement approval and containing terms and conditions under which the City may recover from the recipient any real property and personal property taxes which were abated during the tax abatement deduction period; and

WHEREAS, the Council subsequently adopted Ordinance No. 2015 - 26 which requires Responsible Bidding for all public works construction, alteration and repair projects on City owned property; and

WHEREAS, the Council has determined that it is in the best interest of the City's economic health and welfare to allow for Responsible Bidding for certain new construction projects performed on property granted tax abatements; and

WHEREAS, the Council desires to declare the policy of the City to allow for such Responsible Bidding under the circumstances outlined below, and to make such policy effective through this Resolution.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: Commencing with projects described in Section Five below, the Common Council may require the contractor performing new construction for the recipient of industrial and commercial real property tax abatement or personal property tax abatement to complete the requirements for Responsible Bidding in the same way as though they were bidding on a City project as specified in Ordinance No. 2015 - 26. If required by the Council, the Responsible Bidding requirements shall be completed after final Council action on tax abatement approval. The requirement for Responsible Bidding will be noted under item "G" ("Other limitations or conditions (specify)") of page two of State Form SB-1 (Statement of Benefits Personal Property or Statement of Benefits Real Estate Improvements).

SECTION TWO: In determining whether to require Responsible Bidding in each case, the Council will consider, among any other factors it deems relevant, whether Responsible Bidding would be helpful in assuring an adequate supply of skilled labor for the project, whether requiring Responsible Bidding is necessary in view of a recipient's prior history of cooperation with the City or labor organizations, and whether requiring Responsible Bidding will have a positive or negative effect on the economic viability of the project. The Council may exempt certain requirements from the required Responsible Bidding in its sound discretion.

SECTION THREE: The Council shall direct the Clerk-Treasurer to give reasonable

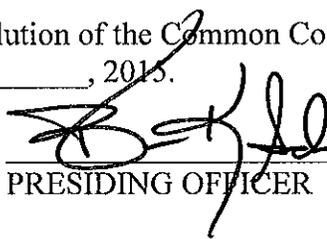
written or e-mailed notice of the public hearing on a pending real or personal property tax abatement for industrial and commercial applications to the Northwest Indiana Building and Construction Trades Council.

SECTION FOUR: For those projects in which the Council has required the completion of Responsible Bidding by the project contractor, the Building Commissioner of the City shall not issue any building permit for the project if the completed required Responsible Bidding documents have not been filed with the City. The process for managing, tracking and verifying submitted Responsible Bidding documents shall be established by the Clerk-Treasurer and the Building Commissioner.

SECTION FIVE: The policy declared herein shall apply to all projects for which an abatement application has not yet been filed as of the date of this Resolution's adoption.

SECTION SIX: Nothing in this Resolution shall be interpreted as amending and repealing any provision of Resolution 99-79 or of Ordinance Number 2003-11. All other resolutions in effect prior to the effective date and in conflict with the provisions of this Resolution are hereby repealed.

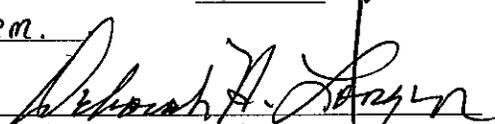
ALL OF WHICH is ADOPTED as the resolution of the Common Council of the City of Hobart, Indiana on this 7th day of October, 2015.


PRESIDING OFFICER

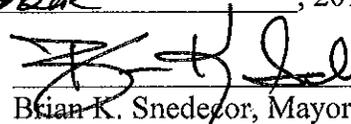
ATTEST:


Deborah A. Longer, Clerk-Treasurer

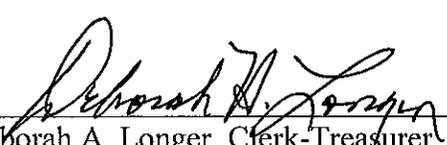
PRESENTED by me to the Mayor of the City of Hobart on the 7th day of October, 2015 at the hour of 7:00 p.m.


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 7th day of October, 2015.


Brian K. Snedecor, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer