

CITY OF HOBART BOARD OF PUBLIC WORKS AND SAFETY

Resolution No. 2017-08

**A Resolution Evaluating Responses to Request for Proposals
for Replacement of City Communications Tower with a Newly Constructed Tower
to be Owned by Proposing Entity on City Real Estate to be Leased**

WHEREAS, the Board of Public Works and Safety (“Board”) of the City of Hobart, Indiana (“City”), by action taken at a public meeting of the Board on June 7, 2017, issued and authorized for publication in the manner required by law of “Notice of Request for Proposals (“RFP” or “Notice of RFP”) to replace the City Communications Tower with a Newly Constructed Tower to be Owned by the Proposing Entity on City Real Estate to be leased;” and

WHEREAS, said RFP was duly published in two (2) newspapers of general circulation in Lake County in the manner required by law as follows: *The Times* and *Post-Tribune* both on June 15, 2017 and June 22, 2017; and

WHEREAS, the Clerk-Treasurer of the City received in her office, prior to the deadline of 3:00 p.m. CST on June 30, 2017, proposals responding to said RFP by the following proposers:

Lendlease Corporation Limited f/k/a Parallel Infrastructure
909 Lake Carolyn Parkway
Irving, Texas 75039-4842

MidAmerica Towers, Inc.
8440 Glen Lake Drive
Cumming, Georgia 30028

;and

WHEREAS, each proposal was analyzed by the Mayor, City Engineer, City Attorney and Chief of Police for conformance to the terms and conditions of the Notice of RFP, including the required elements for inclusion in proposals and the Evaluation Factors specified therein which included the following:

- A. The reputation and ability of the proposing entity, the location of and experience of the contractors to be used and the owner and operator of the tower.
- B. The proposed rental fee to be paid.
- C. The proposed royalty fee to be paid.
- D. The anticipated schedule for demolition, construction and operation.

E. Provision of insurance coverage covering the City as well as the proposer against the liabilities specified above.

F. The attractiveness and esthetic appearance of the tower.

WHEREAS, said evaluation factors were weighted, in the Notice of RFP, as follows: Very Important Factors: A, B, and C; Important Factors: D and E; Less Important Factors: F; and

WHEREAS, said review was conducted by and under the direction of the City Engineer with the participation of the other officials identified above; and

WHEREAS, the City Engineer has advised the Board that the reviewing officials determined that the award of the project should go to Lendlease Corporation Limited based on its proposal. The reviewing officials found that the Lendlease proposal was the strongest proposal based on factors A, B and C noted above, and that the Lendlease proposal to construct the new tower before dismantling the existing tower gave that proposal an advantage as to factor D. Both proposals were adjudged equal as to factors E & F, although the drawings submitted by Lendlease depicting the tower and equipment were more complete; and

WHEREAS, comparisons of the salient features of the two proposals may be summarized as follows:

| | <u>Lendlease</u> | <u>MidAmerica</u> |
|--|---|------------------------------------|
| <i>Proposed rental Fee to be paid:</i> | \$14,400 annually + 5% per year | 20% of gross after first \$120,000 |
| <i>Royalty on New Co-locations:</i> | 10% of gross after first carrier | (see above) |
| <i>Design:</i> | 120 foot monopole | 120 foot monopole |
| <i>Lease Term:</i> | 30 years (5 year initial plus Five-5 year renewals) | None specified; and |

WHEREAS, the Board has determined that the evaluation of each proposal has been properly conducted by said officials, and the Board desires to adopt same as its findings on the evaluation of the responses to the Notice of RFP; and

WHEREAS, the Board desires to award lease agreements for the project to Lendlease based on the foregoing facts.

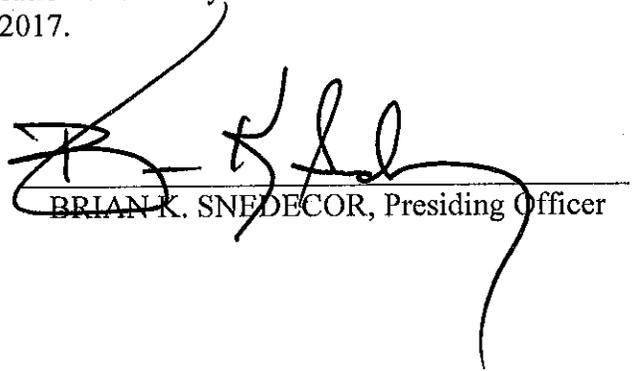
THEREFORE, BE IT RESOLVED by the City of Hobart Board of Public Works and Safety as follows:

1. The Board hereby approves and adopts the recommendations for award of the communications tower project to Lendlease Corporation Limited of Irving Texas under the terms of the RFP and its proposal submitted to the Board. The Board further specifically adopts as its findings the facts and conclusions stated in the foregoing prefatory paragraphs of this Resolution.

2. Said award is made expressly contingent upon the conclusion of a ground lease with Lendlease for the space occupied by the tower together with rights of ingress and egress under the terms stated in the Lendlease proposal and the RFP, and the conclusion of a sub-lease between the City of Hobart and Lendlease governing the City's occupancy of the tower for its municipal communications equipment, also subject to the terms of the Lendlease proposal and the RFP. The City shall submit forms of agreement for the ground lease and sub-lease to Lendlease within thirty (30) days of the adoption of this Resolution. The Ground Lease and Sub-lease shall be subject to the approval of the Hobart City Council pursuant to I.C. §36-1-11-10 (f).

3. The Clerk-Treasurer is requested to provide a copy of this resolution to each unsuccessful proposer, and to thank them for their participation.

ALL OF WHICH is Adopted as the Resolution of the City of Hobart Board of Public Works and Safety on this 6th day of September, 2017.


BRIAN K. SNEDECOR, Presiding Officer

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer