

CITY OF HOBART BOARD OF PUBLIC WORKS & SAFETY

Resolution No. 2021- 03

**A Resolution Authorizing the Acquisition of (4) Labrie Automizer Helping Hands, (2) Leach 2R-III Rear Loader Freightliners, and a Stellar Hooklift Freightliner as a “Special Purchase”**

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 I.C. §5-22; and

WHEREAS, the Board has been informed by the Department of Public Works of the City (“DPW”) that it requires the urgent acquisition of compressed natural gas replacement trucks, caused by the wear and tear on the DPW’s current outdated and environmentally harmful diesel trucks which are the cause of increased maintenance costs and unreliability; and

WHEREAS, the City of Hobart is committed to a safe and healthy environment for citizens through projects that improve air quality, waste reduction, energy efficiency, and promote municipal operational savings. Hobart’s ongoing efforts to shift their fleet to compressed natural gas (CNG) has led to the award of a grant funding from Northern Indiana Regional Planning Commission (NIRPC) which will subsidize 80% of the City’s costs to purchase the compressed natural gas trucks to replace the diesel trucks that are nearing the end of their useful life; and

WHEREAS, a conventional solicitation for sealed bids is not feasible since a thirty to forty-five day period is required to conduct such a bid, and because the DPW is not in a position to secure the purchase of the units at a later date as the lead time for the availability of the needed units is approximately one year (2022) and to prolong the commitment to purchase could more than double the lead time for the City’s access to the needed units from 2022 to 2023; and

WHEREAS, the Department of Public Works engaged in a search for the availability of the needed compressed natural gas trucks. As part of this effort, the DPW obtained a quote through Sourcewell, an intergovernmental organization organized under Minnesota law which negotiates and competitively bids contracts for the supply of vehicles and equipment available to governmental agencies throughout the United States. Sourcewell is a cooperative purchasing organization pursuant to I.C. §5-22-4-7. The organization is the purchasing agency for a governmental body with respect to the purchases made for the governmental body by the cooperative purchasing organization. An individual designated by the cooperative purchasing organization is a purchasing agent for the governmental body with respect to the purchases made for the governmental body by the cooperative purchasing organization. Under Indiana law, purchasing through such entities as Sourcewell presents a purchasing governmental entity with a unique opportunity to obtain supplies or services at a substantial savings to the governmental

47 body obviating the need for a competitive bid pursuant to I.C. §5-22-10-5, and also because the  
48 market structure is based on price but the governmental body is able to receive a dollar or  
49 percentage discount off the established price pursuant to I.C. §5-22-10-12, and  
50

51 WHEREAS, Sourcewell quoted the following units and price through its Member  
52 Number 43085, Best Equipment Company, Inc. of Indianapolis, Indiana under Sourcewell  
53 Contract No. 091219-LEG, Payment due on delivery and acceptance, FOB, Hobart, Indiana:  
54

55 Four (4) Labrie Automizer Helping Hand Mounted on 2022 Model Year Conventional  
56 Chassis, Purchase Price \$1,359,404.80; and  
57

58 Two (2) Leach 2R-III Rear Loaders Freightliner Model No. M2-112, Purchase  
59 Price \$558,421.60; and  
60

61 One (1) Stellar Hooklift on 2022 Freightliner 114SD Conventional Chassis,  
62 Sourcewell Quote Id. No. HD-1582BR, Purchase Price \$226,449.50; and  
63

64 WHEREAS, the Department of Public Works has requested that the Board authorize  
65 immediately the commitment to purchase the compressed natural gas trucks identified above,  
66 which will be available to the City in Spring of 2022, and the Board through this resolution,  
67 desires to authorize said immediate commitment to purchase; and  
68

69 WHEREAS, under the foregoing circumstances, the Board has been advised that  
70 acquisition of the quoted vehicle also constitutes a “special purchase” pursuant to I.C. §5-22-10-  
71 9 in that purchase of the required equipment under another purchasing method would seriously  
72 impair the functioning of the using agency; and  
73

74 WHEREAS, the Board, having obtained the foregoing information, and desiring to  
75 authorize said special purchase now makes the following findings of fact, enters the orders  
76 below, and desires to spread same upon the public record.  
77

78 THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City  
79 of Hobart, Indiana, that:  
80

81 1. The Board now finds and determines that all facts stated in the above prefatory  
82 paragraphs of this Resolution are true.  
83

84 2. The Board further finds and concludes that the acquisition of the vehicles  
85 described above under the terms set forth herein constitutes a “special purchase” pursuant to I.C.  
86 §5-22-10-9 in that purchase of the required equipment under another purchasing method article  
87 would seriously impair the functioning of the DPW. In addition, the Board determines that the  
88 proposed purchase constitutes a unique opportunity to obtain supplies or services at a substantial  
89 savings to the City pursuant to I.C. §5-22-10-5. Accordingly, such vehicle may be purchased  
90 without soliciting bids or proposals pursuant to the meaning and intent of I.C. §5-22-10-1.  
91

92 3. Based on the foregoing findings, the Board now orders and directs that Four (4)  
93 Labrie Automizer Helping Hand Mounted on 2022 Model Year Conventional Chassis, Purchase  
94 Price \$1,359,404.80; Two (2) Leach 2R-III Rear Loaders Freightliner Model No. M2-112,  
95 Purchase Price \$558, 421.60; and One (1) Stellar Hooklift on 2022 Freightliner 114SD  
96 Conventional Chassis, Purchase Price \$226,449.50; under Sourcewell Contract No. 091219-LEG  
97 be purchased at the prices stated above totaling \$2,144,275.90, payment due on delivery and  
98 acceptance, FOB, Hobart, Indiana; and  
99

100 4. Further, the Board authorizes the Executive and Clerk-Treasurer to execute and  
101 deliver all documents necessary for the immediate acquisition of said vehicle and equipment  
102 upon the terms stated above.  
103

104 5. The Board directs the officials of the City to document said transaction in the  
105 manner required by law. In particular, pursuant to the provisions of I.C. §5-22-10 the staff of the  
106 Clerk-Treasurer shall maintain all pertinent contract records for the special purchase authorized  
107 by this Resolution in a separate file. This Resolution, and the findings and conclusions stated  
108 therein, shall constitute the written determination of the purchasing agency of the City for this  
109 special purchase and the selection of a particular supplier. In addition, the acquisition authorized  
110 herein shall be included in the City's record listing of all contracts made as special purchases  
111 under I.C. §5-22-10 for a minimum of five (5) years. Such record must contain each contractor's  
112 name, the amount and type of each contract, and a description of the equipment purchased under  
113 each.  
114

115 ALL OF WHICH IS ADOPTED as the Resolution of the City of Hobart Board of Public  
116 Works & Safety on this 7<sup>th</sup> day of April, 2021.  
117  
118  
119

120  
121   
122 \_\_\_\_\_  
123 BRIAN K. SNEDECOR, Presiding Officer

124 ATTEST:

125  
126   
127 \_\_\_\_\_  
128 DEBORAH A. LONGER, Clerk-Treasurer  
129