

**CITY OF HOBART BOARD OF PUBLIC WORKS AND SAFETY
Resolution No. 2013- 02**

**A Resolution Determining the Lowest Responsible and Responsive Bidder
and Awarding Contract for CDBG Ramp Initiative 2012-2013**

WHEREAS, the Board of Public Works and Safety (“Board”) of the City of Hobart, Indiana (“City”) previously authorized the preparation of specifications and notice to bidders for labor and materials for the CDBG Ramp Initiative 2012-2013 (“Project”); and

WHEREAS, the Project consists of the construction and replacement of ADA compliant ramps on City-owned sidewalks and streets, and is funded by Community Development Block Grant funds of the United States Government administered by Lake County; and

WHEREAS, the Board, by its action at a duly noticed public meeting on February 20, 2013, authorized the publication of Notice to Bidders for said Project in the manner required by law; and

WHEREAS, such Notice in the proper form was published as required by I.C. 5-3-1 in two (2) newspapers of general circulation in Lake County, Indiana as follows: *The Times* and *The Post-Tribune* on February 27, 2013 and March 6, 2013; and

WHEREAS, pursuant to said Notice, bids were due to be deposited in the Office of the City Clerk-Treasurer not later than 3:00 p.m., March 20, 2013, and such bids were to be opened and read aloud at the Board’s March 20, 2013 duly-noticed public meeting which commenced at 4:00 p.m.; and

WHEREAS, four (4) bids were timely received by the Clerk-Treasurer and duly opened by the Board and read aloud at said meeting, the bidders identified as follows:

<u>Name and address of Bidder</u>	<u>Amount of Base Bid plus All Alternates</u>
Hook’s Concrete & Construction Co., Inc. 20301 Cottage Grove Avenue Chicago, Illinois 60411	\$ 113,446.01
Walsh & Kelly, Inc.. 1700 East Main Street Griffith, Indiana 46319	134,133.85
J&J Newell Concrete Contractors, Inc. P.O. Box 329 Calumet City, Illinois 60409	173,549.02
Rieth-Riley Construction Co., Inc. 7500 West 5 th Avenue Gary, Indiana 46406	296,296.78

and

WHEREAS, by order of the Board at such meeting, the bids were submitted for technical review to Butler, Fairman & Seufert, Inc. (BF&S), the City's consulting engineers for the project. They were then forwarded to Anthony DeBonis, Jr., Hobart City Attorney, for legal review and the rendition of his official opinion as to the City's compliance with the bid process required by law and the award of the contracts; and

WHEREAS, the Board has received the report on the technical review of the bids by Christopher W. Wheatley, P.E. of BF&S, and the oral opinion of the City Attorney as to the award of the contract and compliance of the City with the bid process required by law; and

WHEREAS, the Board, in evaluating said bids, is required to determine the lowest responsible and responsive bidder as required by I.C. §36-1-12-4 (b)(8), and must do so taking those factors into account specified in I.C. §36-1-12-4 (b)(10) and (11); and

WHEREAS, the bid documents for this project featured three (3) alternates. The Board desires to authorize the acceptance of all three alternates; and

WHEREAS, the Board, having reviewed the report and opinions noted above, desires to make its finding as to the lowest responsible and responsive bidder, to award the project contract to such bidder, and 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 bid of Hook's Concrete & Construction Co., Inc. is the putative low bid in the total amount of \$ 113,446.01 (base plus Alternates Nos. 1, 2 &3). The Board has been advised by BF & S and the City Attorney that the Hook's bid contained two (2) mathematical errors, the first being a multiplication error in the unit price for Item No. 11, Concrete Curb Ramp which was given in the bid document as \$29,094.48, but which should read, with the estimated quantity given in the bid specifications at the bid unit price of \$108.20, \$39,076.43. Secondly, the total base bid had a mathematical error in addition. The Hook's bid document read \$98,899.25, but the actual base bid totaled \$97,881.10. Article 14, Division 100 of the Bid Conditions provides that total bid figures may be adjusted to correct for mathematical errors with the consent of the bidder. Hook's has consented to the adjusted bid total of \$112,427.86. The Board now finds that Hook's bid, in the revised total sum of \$112,427.86 conforms in all material respects to the specifications for the project, that the bid complies specifically with the Notice to Bidders and the instructions to bidders, and that Hook's has complied with all applicable statutes, ordinances, resolutions, and rules pertaining to the award of a public contract.

2. The Board further finds that, in connection with said bid, Hook's Concrete & Construction Co., Inc. has the ability and capacity to perform the work, and that said bidder also possesses the integrity, character, reputation, competence and experience to support the award of the project contract.

3. Further, the Board hereby accepts the Hook's bid for Alternates Nos. 1, 2 & 3 and authorizes their inclusion in the contract for the project, finding that, with the addition of the Alternate bids, Hook's remains the low bidder.

4. Based upon said findings, the Board now determines and concludes that Hook's Concrete & Construction Co., Inc. of Chicago, Illinois is the lowest responsible and responsive bidder and awards that corporation the project contract in the amount of \$ 112,427.86 consisting of the bid documents submitted by Hook's together with and including the plans, specifications, conditions, form of agreement, and instructions to bidders.

5. The Board hereby authorizes the City Executive to execute any agreements or other documents necessary to make the contract for the project with all Alternates effective, and also to execute any grant-related documents required for this project as well, not inconsistent with the terms of this resolution..

6. The Clerk-Treasurer is requested to notify all bidders of the Board's action, to return the bid bonds or other bid security posted by the unsuccessful bidders, and to thank them for their participation in the bid process.

ALL OF WHICH is adopted as the Resolution of the Board of Public Works and Safety of the City of Hobart, Indiana on this 3rd day of April, 2013.

BRIAN K. SNEDECOR, Presiding Officer

ATTEST:

DEBORAH A. LONGER, Clerk-Treasurer