

**CITY OF HOBART BOARD OF PUBLIC WORKS & SAFETY
Resolution No. 2014-06**

**A Resolution Authorizing Special Purchase of Digital Radio Equipment
for the Hobart Police and Fire Departments**

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 City of Hobart has previously authorized participation in the county-wide consolidation of Public Safety Answering Points (PSAPs) mandated by Indiana law which will require the City of Hobart to conform its public safety communications equipment with the new system to be installed by Lake County in its centralized dispatch facility; and

WHEREAS, the equipment now in use by the City Police and Fire Departments are not compatible with the specifications for the new County system, and it is necessary to acquire new digital individual radio communications units with accessory and supporting equipment for all of the City’s Police and Fire personnel on duty; and

WHEREAS, the Board has been informed that there is only one manufacturer of said equipment, Motorola Solutions, whose equipment has been fully tested and is guaranteed to work on the new Lake County radio system. Both Harris Corporation and E.F. Johnson Technologies manufacture comparable radios, but they have not been tested on the system, nor are they guaranteed to work; and

WHEREAS, after issuing a Request for Proposals for such equipment and receiving responses and proposals from three (3) manufacturers, Motorola, Harris and Johnson, the Technology Committee of the Lake County Public Safety Communications Commission designated the radios manufactured by Motorola Solutions for purchase by the Lake County Sheriff and EMA Departments and Township Fire Departments; and

WHEREAS, the Motorola Solutions equipment is sold through a single supplier for the State of Indiana, Motorola Solutions of 224 South Michigan Avenue, Chicago, Illinois 60604; and

WHEREAS, Motorola has quoted said equipment and accessories for the City of Hobart Police and Fire Departments separately at the total price of \$611,980.32, consisting of Motorola’s proposal of \$359,353.12 for the Police Department, and \$252,627.20 for the Fire Department, said proposals contained in the Exhibits which are attached hereto and made a part hereof; and

WHEREAS, said quotes constitute a special price quoted previously only until June 30, 2014, but extended to August 31, 2014; and

WHEREAS, because there is a single source for the Motorola equipment, because the purchase of this digital communications equipment at this time affords the City a unique opportunity to acquire this equipment at substantial savings, and because only the Motorola models proposed are fully compatible with and guaranteed to work over the new County system, the Board has been advised that the purchase of the receptacles under the above described conditions constitutes a special purchase, not subject to bid, pursuant to I.C. §§5-22-10-5, 8, 13 and 14(2); and

WHEREAS, the City Executive has determined that said receptacles be acquired through a lease-purchase arrangement of five (5) annual payments, first payment in advance, commencing with the first payment in August, 2014 or upon delivery, 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 Main Source Bank has an annual interest rate of 1.70% with the sum of the lease payments amounting to \$632,780.00. 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 Radio Equipment, accessories and supporting equipment described above and specified in the exhibits 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;
 - b. that the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase of the radios and accessories and supporting equipment and only one (1) source meets the City's reasonable requirements pursuant to I.C. §5-22-10-8; and
 - d. that the purchase of the radios, accessories and supporting equipment as outlined above is advantageous to the Board's interest in efficiency and economy pursuant to I.C. §5-22-10-14(2).

Accordingly, the Board concludes that the acquisition of said radios, accessories and supporting equipment under such terms constitute a qualified special purchase and that such radios, accessories and supporting equipment may be purchased without soliciting bids or proposals pursuant to the meaning and intent of I.C. §5-22-10-1, *et seq.*

3. The Board further finds that the terms of the lease proposed by Main Source bank for the acquisition of the radios, accessories and supporting equipment over five (5) years provides for an interest rate of 1.70% *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 Main Source Bank 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 digital radios, accessories and supporting equipment specified on the two (2) proposals attached as Exhibits hereto be purchased at the total price stated above, \$611,980.32, from Motorola Solutions of 224 South Michigan Avenue, Chicago, Illinois 60604.

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 Main Source Bank 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 20th day of August, 2014.

BRIAN K. SNEDECOR, Presiding Officer:

ATTEST:

DEBORAH A. LONGER, Clerk-Treasurer