

CITY OF HOBART BOARD OF PUBLIC WORKS & SAFETY

Resolution No. 2018-01

A Resolution Determining the Lowest Responsible and Responsive Bidder and Award of Contract for the Acquisition by Lease-Purchase of One (1) Fire Department Ambulance Unit

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 and acts pursuant to the authority of I.C. §5-22-4-5a); 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 Board previously authorized the preparation of specifications and notice to bidders for the acquisition by purchase or lease of one (1) 2017 or 2018 New or Demonstrator Fire Department ambulance unit at its meeting of February 7, 2018; and

WHEREAS, the Board authorized the publication of Notice to Bidders for said equipment in the manner required by law and said notice was duly published as required by I.C. 5-3-1 in *The Times* and *Post-Tribune* both on February 13 and February 20, 2018. Pursuant to said Notice bids were due to be deposited in the Office of the City Clerk-Treasurer not later than 3:30 p.m., February 28, 2018 whereupon such bids were opened and read aloud; and

WHEREAS, The Board received the bid packages from the Office of the Clerk-Treasurer; and

WHEREAS, four (4) bids were timely received by the Clerk-Treasurer and duly opened and read aloud as follows (presented in order of receipt):

Bidder	Unit Description	Price
Penn Care, Inc. 1317 North Road <u>Niles, Ohio 44446</u>	New 2018 Braun Chief XL E-450 Type III Demo Braun Chief XL E-450 Type III	\$ 188,055.00 175,759.00
Horton Emerg. Vehicles 2118 Linden Avenue Mishawaka, IN 46544	2018 or 2019 Horton Model 553	195,157.00
North Central Emergency Vehicles Suite No. 4 12249 South Rhea Drive Plainfield, IL 60585	New 2018 Osage E-450 Super Warrior Demo Osage E-450 Super Warrior Osage E-450 Super Warrior Alternate Demo	178,950.00 160,790.00 171,490.00

Fire Service, Inc. Demo Road Rescue/Ford 168 “ \$ 169,098.00
9545 Industrial Drive North
St. John, Indiana 46373;

and

WHEREAS, the bids were submitted for technical review to the City Fire Department to determine which of the bid units most closely met the City’s specifications in the bid documents. The bids were also forwarded to Anthony DeBonis, Jr., Hobart City Attorney, for legal review and the rendition of his considered opinion as to the City’s compliance with the bid process required by law in the award of the contract; and

WHEREAS, the Board has received the letter of Robert Scott, Director of Emergency Medical Services of the Hobart Fire Department, indicating that extent to which said bids conform to the specifications and recommending the unit most closely meeting such specifications; and

WHEREAS, the oral opinion of the City Attorney was delivered at the public meeting of the Board on March 7, 2018 indicating that said recommended bid and the award of the contract complies 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. §5-22-7-8, and must do so taking those factors into account specified in I.C. §36-1-12-4(b)(10), and (11); and

WHEREAS, the Board, having obtained the foregoing information, and desiring to authorize said lease-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 specifications for bid issued by the City for the acquisition of the ambulance unit contained a detailed questionnaire as to the specified features preferred by the City. The bidders were required to check whether their proposed units conformed to each of these 194 items, and to explain how their proposed units differed from any item to which they took exception. Review of the four bid submissions reveals the following number of exceptions for each proposed unit as follows:

Penn Care, Inc.	Braun Chief XL-40 E-450 Type III	1 exception
Horton Emergency Vehicles	Horton Model 553	6 exceptions
North Central Emer. Vehicles	Osage E-450 Super Warrior	27 exceptions
Fire Service, Inc.	Road Rescue/Ford 168”	71 exceptions

The Board notes that both the units proposed by North Central Emergency Vehicles and Horton Emergency Vehicles had a significant number of exceptions, the North Central unit failing to conform to almost 14% of the specified features, and the Fire Service, Inc. unit more than 36%. In addition, the Fire Department advises that these two vehicles are not

equipped with two significant features, a sliding side door, and oxygen tank lift, both of which had been specified. The Board concludes, based on these facts, that the units proposed by these two bidders were not responsive to the bid specifications, and the Board rejects these bids.

2. The units offered by the two remaining bidders, Penn Care, Inc. and Horton Emergency Vehicles, displayed only 1 and 6 exceptions respectively, which the Board finds to be minor. Both of these units are equipped with the sliding side door and oxygen tank lift. Accordingly, the Board concludes that both of these bidders are responsive. The Horton unit is priced at \$195,157.00, \$19,398.00 more than the Penn Care, Inc. unit at \$175,759.00. The Penn Care vehicle is a demonstrator, but the Horton unit is new. Horton did not bid a demonstrator. It should be noted that Penn Care did bid a new unit at \$188,055.00 which is \$7,102.00 less than the new Horton vehicle.

3. The Board now finds that the bid of Penn Care, Inc., of Niles, Ohio substantially conforms in all material respects to the specifications for the equipment, that the bid complies specifically with the Notice to Bidders and the instructions to bidders, and that Penn Care, Inc. has complied with all applicable statutes, ordinances, resolutions or rules pertaining to the award of a public purchasing contract.

4. Based upon said findings, the Board now determines and concludes that Penn Care, Inc., of Niles, Ohio is the lowest responsible and responsive bidder and awards that corporation the purchase contract for One (1) Demonstrator Braun Chief XL E-450 Type III Ambulance at the purchase price of \$175,759.00. Said contract shall consist of the bid documents submitted by Penn Care, Inc. together with and including the specification, instructions and notice to bidders. The Board now specifically authorizes the acquisition of said vehicle.

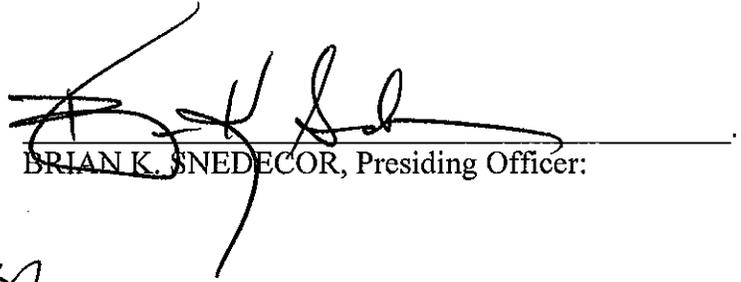
5. The Board has been informed by the City Administration that it recommends that the vehicle be acquired by a lease-purchase arrangement of four annual payments commencing with the first payment upon delivery in 2018, and subsequent payments due in the same month in 2019, 2020 and the final payment to be made in 2021. Two (2) lease proposals have been received by the Board, one submitted by the low bidder, Penn Care, Inc. from Republic First National Bank Corporation, which is at 3.95% per annum with total of payments of \$189,778.2 on the purchase amount noted above. The second proposal was obtained by the Office of Clerk Treasurer from U.S. Bancorp Government Leasing and Finance, Inc. ("USBGLF") at 3.170% with estimated sum of payments being \$185,929.44. At the conclusion of the lease term under both proposals, the vehicle would be purchased by the City for the sum of One and no/100 Dollar (\$1.00).

6. The terms of the lease proposed by USBGLF for the acquisition of the ambulance over four years at the above-stated interest rate 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 USBGLF is the lowest and best lease proposal received and should be accepted. Accordingly, the Board authorizes

said lease for the acquisition of the vehicle. At the end of said lease, upon payment of the sum of \$1.00, the City will assume ownership of same.

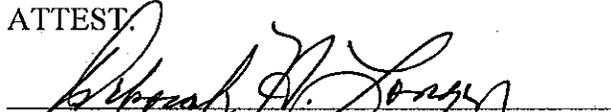
7. The Clerk-Treasurer is requested to notify Penn Care, Inc. and the other bidders of the Board's action and to thank them for their participation.

ALL OF WHICH IS ADOPTED as the Resolution of the City of Hobart Board of Public Works & Safety on this 7th day of March, 2018



BRIAN K. SNEDECOR, Presiding Officer:

ATTEST.



DEBORAH A. LONGER, Clerk-Treasurer