

**CITY OF HOBART BOARD OF PUBLIC WORKS & SAFETY  
Resolution No. 2018-11**

**A Resolution Determining the Lowest Responsible and Responsive Bidder  
and Awarding Contract for Disposal of Municipal Solid Waste  
and Post Consumer Recyclables**

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 laws of the State of Indiana governing purchasing under I.C. §5-22; and

WHEREAS, the City’s current solid waste disposal agreement with Republic Services of Indiana, L.P. is to expire on December 31, 2018, and the Board, by Motion adopted on December 5, 2018 authorized and directed that a new agreement be awarded pursuant to sealed public bid as required by I.C. §36-9-30-5 under the process for public works bidding in I.C. §36-1-12-4; and

WHEREAS, the Board authorized solicitation for bids for a contract to dispose of the City’s municipal solid waste and comingled post-consumer recyclables, based on a single price per ton, for an eighteen-month period commencing January 1, 2019, and during two (2), one-year option periods commencing on July 1, 2020 and July 1, 2021

WHEREAS, the Board, by said Motion, also approved the form of solicitation for bids and Notice to Bidders and authorized the publication of such Notice to Bidders for said contract 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 December 6 and December 13, 2018; and

WHEREAS, Pursuant to said Notice, bids were due to be deposited in the Office of the City Clerk-Treasurer not later than 10:00 a.m. CST on December 17, 2018 and such bids were to be opened and read aloud and thereafter presented to the Board for award at the Board’s December 19, 2018 meeting which commenced at 3:30 p.m. CST; and

WHEREAS, a single bid was timely received by the Clerk-Treasurer and duly opened and read aloud and transmitted to the Board as follows:

<u>Bidder Name and Address</u>	<u>Per Ton Rates</u>		
	<u>Jan 1, 2019 to June 30, 2020</u>	<u>July 1, 2020 to June 30, 2021</u>	<u>July 1, 2021 to June 30, 2022</u>
Republic Services of Indiana, LP d/b/a Illiana Disposal Partnership 1525 Clay Street Lake Station, Indiana 46405; and	\$ 56.32	\$ 58.85	\$ 60.62

WHEREAS, the bid was submitted for technical review to the City Director of Public Works, John Dubach, and the City Engineer Phil Gralik, P.E. They were then forwarded to Anthony DeBonis, Jr., Hobart City Attorney, for legal review and the rendition of his opinion as to the City's compliance with the bid process required by law and the award of the contract; and

WHEREAS, the Board has received the comments of the Director of Public Works and the City Engineer, and the 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, 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 reviewed the report and opinion noted above, desires to make its findings as to the lowest responsible and responsive bidder, to award the purchase 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 sole bidder, Republic Services of Indiana, L.P. d/b/a Illiana Disposal Partnership ("Illiana"), is the current solid waste and post-consumer recyclables disposal company under contract to the City of Hobart. Because it is the sole bidder, no analysis need be done of the relative costs of the bid in terms of the City's labor and transportation costs to transfer stations in different locations.

2. The bid of Illiana is substantially higher than the current composite rate under the contract now in effect. This is primarily the result of the embargo on the acceptance of recyclable material imposed by the People's Republic of China earlier this year. The effect has been to increase considerably the cost of disposal for recyclables in the United States. The City has reviewed the effects on disposal costs experienced by other municipalities in the area. The bid received from Republic is consistent with those effects.

3. The Board, having found that the bid of Republic Services of Indiana, Inc. d/b/a/ Illiana Disposal Partnership is the putative low bid, now also finds, based on the advice of counsel, that Illiana's bid conforms in all material respects to the specifications of the bid solicitation and notice to bidders, and that Illiana has complied with all applicable statutes, ordinances, resolutions, or rules pertaining to the award of a public contract of this type.

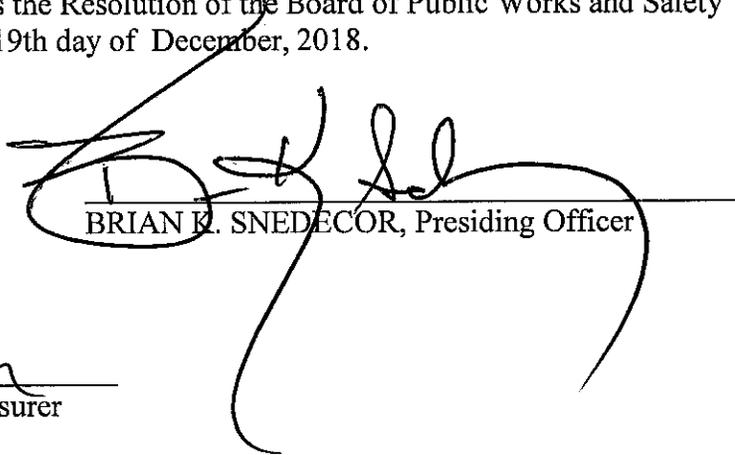
4. The Board also finds and concludes that Republic Services of Indiana, Inc. d/b/a/ Illiana Disposal Partnership has the financial means and experience to carry out the proposed contract, that it has supplied certificate of

liability insurance and bid and performance bonds in the required amounts, and is otherwise qualified to assume the rights and obligations of the contract.

5. Based upon said findings, the Board now determines and concludes that Republic Services of Indiana, Inc. d/b/a/ Illiana Disposal Partnership of Lake Station, Indiana is the lowest responsible and responsive bidder and awards that company the solid waste disposal contract consisting of the bid documents submitted by Illiana together with and including the solicitation for bids, and notice to bidders. The City Attorney is directed to conclude the negotiation and preparation of a definitive written agreement with Illiana for presentation to and approval by the Board within forty-five (45) days from the date hereof.

6. The Clerk-Treasurer is requested to notify the bidder of the Board's action, 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 19th day of December, 2018.



BRIAN K. SNEDECOR, Presiding Officer

ATTEST:



DEBORAH A. LONGLER, Clerk-Treasurer