

RESOLUTION NO.: 1-2016

A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF VALPARAISO, INDIANA, APPROVING RIDE RIGHT, LLC'S REQUEST TO SUBSTITUTE A DISADVANTAGED BUSINESS ENTERPRISE SUBCONTRACTOR

WHEREAS, on August 22, 2014, the City of Valparaiso, Indiana, by and through its Board of Public Works and Safety ("City"), entered into a Contract for V-Line Transit Service and Support ("Contract") with Ride Right, LLC ("RR"); and

WHEREAS, pursuant to Section 12.6 of the Contract, RR was required to carry out the applicable requirements of 49 CFR Part 2 in the award and administration of DOT assisted contracts; and

WHEREAS, in submitting its Proposal for Transit Service and Support to the City, RR identified First Choice Supply, Inc. ("First Choice"), as a one of RR's Disadvantaged Business Enterprise ("DBE") subcontractors. The terms of RR's Proposal for Transit Service were incorporated by reference into the Contract with the City; and

WHEREAS, RR has alleged that it has experienced issues with purchasing supplies from First Choice and has requested that the City grant RR written permission to utilize the services of substitute DBE subcontractors; and

WHEREAS, First Choice has disputed RR's claims with regard to the quality of its services and made other claims in opposition to RR's request to utilize the services of a substitute DBE subcontractors; and

WHEREAS, City Staff has reviewed and considered RR's above-referenced request, First Choice's response to same, the applicable laws and regulations together with the other information and documentation provided to the City by both RR and First Choice; and

WHEREAS, after carefully considering the matter and the claims of both RR and First Choice, City Staff recommends that the City approve RR's request; and

WHEREAS, the City is desirous of adopting this Resolution in order to formally approve and consent to RR's request to utilize the services of substitute DBE subcontractors in the place of First Choice.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF VALPARAISO, INDIANA, AS FOLLOWS:

1. The Board of Public Works and Safety of the City of Valparaiso, Indiana, hereby formally approves RR's request to utilize the services of JCM and Associates, Inc., and Khall Safety Environmental and Janitorial as substitute DBE subcontractors for First Choice Supply, Inc. RR shall timely file all quarterly reports with the City and the Northwestern Indiana Regional Planning Commission in order accurately track its spending with the substitute DBE

subcontractors in order to ensure compliance with RR's DBE purchasing requirements. RR shall match or exceed the \$5,520.00 purchasing amount initially allocated to First Choice.

2. RR shall not seek to utilize the services of a substitute DBE contractor(s) for JCM and Associates, Inc., and Khall Safety Environmental and Janitorial without having first obtained the written consent of the City.

3. This Resolution shall be in full force and effect after passage.

6/24/16

BOARD OF PUBLIC WORKS AND SAFETY OF THE
CITY OF VALPARAISO, INDIANA

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ATTEST:


Clerk-Treasurer