

MAR 25 2025

## RESOLUTION NO. 9, 2025

CITY CLERK

**A RESOLUTION OF THE COMMON COUNCIL OF TERRE HAUTE  
ADOPTING THE PROVISIONS OF IND. CODE § 5-23**

This resolution is adopted by the Common Council of Terre Haute, the legislative and fiscal body for Terre Haute, Indiana, which is located in Vigo County.

WHEREAS, Ind. Code § 5-23-1-1 allows political subdivisions to utilize the statutes governing public-private agreements where the legislative body of the political subdivision or if the political subdivision does not have a legislative body, the fiscal body of the political subdivision has adopted the provisions of the statute by resolution or ordinance, and

WHEREAS, Ind. Code § 36-1-2-6 defines the “fiscal body” as the governing body or budget approval body for any other political subdivision that has a governing body or budget approval body, and

WHEREAS, the Common Council of the City of Terre Haute (“Governing Board”) is the fiscal and legislative body of Terre Haute, Indiana (“Unit”), and

WHEREAS, the Unit desires to adopt and utilize the provisions of Ind. Code § 5-23.

BE IT THEREBY RESOLVED by the Common Council of Terre Haute, Indiana that:

1. It is hereby determined that public-private agreements authorized by and executed pursuant to Ind. Code § 5-23 are a desirable alternative procurement method for the Unit under certain circumstances.
2. All of the provisions of Ind. Code § 5-23 are hereby adopted for purposes of utilizing public-private agreements.
3. The provisions hereby adopted shall be available for any project deemed appropriate by the Common Council of Terre Haute, IN.
4. This Resolution will be available for public inspection at the office of the Unit from, and after, the date of its adoption.
5. This Resolution is in full force and effect upon adoption.
6. All prior actions taken by any officer, employee, or instrumentality of the Unit in connection with or furtherance of any project subject to Ind. Code § 5-23 are hereby approved, ratified, and affirmed in all respects.

Introduced by: Cheryl Loudermilk Cheryl Loudermilk, Councilperson.

Passed in open Council this 10<sup>th</sup> day of April, 2025.

Todd Nation Todd Nation, President

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 10<sup>th</sup> day of April, 2025  
at 8:50pm o'clock.

Michelle L. Edwards Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 10<sup>th</sup> day of April, 2025.

Brandon C. Sakbun Brandon C. Sakbun, Mayor

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk



## Alternative Project Procurement Information

### General Information – Initial Steps and Thoughts

- Verify that, either by resolution or by ordinance, you have adopted the BOT statute.
  - Upon doing so, all contracting authorities within the governmental body will be able to utilize this method. This includes boards of public works, park boards, redevelopment commissions and the like.
  - This step is completed one time to provide the local unit this new authority.
- Develop a set of criteria characterizing the goals of the project. What do you want to accomplish? This will become the basis for your RFP/Q.
  - Typically, the RFP/Q will establish at minimum a set of selection criteria, selection committee, a project timeline, and perhaps an investment total.
- Selection Committee will review and engage with proposers in a fair and equal manner, providing opportunity to all for revisions and adjustments to final proposals.
- Scoping efforts can then begin with one or more of the final proposers.
  - This step could also be integrated with one final proposer into the last step below.
- Upon selection of a proposer, the local will negotiate a contract to deliver the project.
  - This could include an entire 'design to doorknob' approach or could be a phased, multi-contracted approach.

General Timeframes for Alternative Delivery - *the complexity of the project will dictate where in the below spectrum a schedule is generated.*

- RFP/Q advertisement to LOI submission – 20 to 45 days
- LOI Evaluations by Owner – 1 to 3 weeks
- Scoping with Project Owner and Selected team/s – 1 to 3 months
- Project Design/Engineering – 3 to 9 months
- Utility Coordination – 1 to 6 months (dependent upon relocations/conflicts)
- Construction – 6 months to multiple years

Some items above can run concurrently and can be accelerated based upon the needs of the Owner.



#### Potential Schedule for new alignment between S Hunt Road and US 40/46

The following assumes a scope, cross sections, and other general guidelines for the desired deliverable are provided.

Assume a June 3rd, 2024 date. *(Things can move faster then outlined below or can be moved up into May to allow for more time.)*

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- RFP/Q Advertised – 6/12/2024 - the project is released for teams to respond
    - After a week of being advertised a Q & A session is suggested to be held for proposers
  - Letters of Interest (LOI) due to the City 7/3/2024
  - LOI Evaluation by Owner
    - Week of July 8<sup>th</sup> – interviews with proposers if desired/necessary
    - 7/19/2024 the winning proposer is selected
  - Scoping with Project Owner and Selected proposer – Begins 7/22/2024
    - Scope and expected price are established week of 8/12/2024
    - Project Price is accepted and contract signed the week of 8/19/2024
  - Project Design/Engineering – Starts 8/26/2024 (about 6 months)
    - Design and Utility coordination delivered through the winter months
  - Construction – Starts 3/1/2025 with substantial completion date of 12/31/2025

#### Items to consider during project development

- Utilities – water, sanitary, and storm sewers
- Storm water storage, capacity, direction of water flow
- Pedestrian features – sidewalks, trails, etc.
- Aesthetic features – light poles, art, landscaping, etc.
- Guaranteed maximum investment\*

\*If the City is able to define a preliminary budget it can help to speed up project timeline. A preliminary budget, or guaranteed maximum price, can also create helpful best value type conversations that often lead to great project solutions.