

**RESOLUTION NO. RB-22-24**

**A RESOLUTION APPROVING THE ENTERING INTO BY THE CITY OF  
A SCOPING AGREEMENT WITH THIENEMAN CONSTRUCTION, INC. FOR THE  
CITY'S SLUDGE PROCESS IMPROVEMENT PROJECT**

WHEREAS, the City of Noblesville, Indiana (the "City") issued a Request for Proposals and Qualifications to design, build, operate, and maintain a sludge process improvements project in the City (the "RFPQ") which RFPQ was issued on March 12, 2024;

WHEREAS, pursuant to the RFPQ, the City sought offers to design, build, operate, and transfer to the City improvements to the City's wastewater treatment plant, North Sludge Building, Sludge Storage Barn and the City's Headworks all located at 197 Washington Street in the City (collectively, the "Project"), pursuant to a public-private agreement between the City and the selected offeror in accordance with Indiana Code 5-23 *et seq.* (the "Act");

WHEREAS, Thieneman Construction, Inc. (the "Offeror"), prepared and provided its proposal and statement of qualifications (the "PSOQ") to design, develop, build, operate, transfer, and maintain the Project on April 9, 2024;

WHEREAS, the City determined that the Offeror is reasonably susceptible of being selected for a Build Operate Transfer Agreement for the Project (the "BOT Agreement") in accordance with the Act;

WHEREAS, the RFPQ Selection Committee (the "Committee"), having reviewed the PSOQ and along with other responses to the RFPQ, has recommended to the City's Board of Public Works and Safety (the "Board") that it accept the Offeror as the party selected for continued negotiation, scoping, and eventually completing the Project;

WHEREAS, the Board, having held a public hearing on the date hereof and having considered the information presented to it, hereby accepts that recommendation;

WHEREAS, consistent with and pursuant to the RFPQ and the Act, the City and the Offeror desire to have prepared and enter into a scoping agreement for the Offeror to cause to be completed the scoping services related to the Project (the "Scoping Agreement");

WHEREAS, the purpose of the Scoping Agreement is to enable the Offeror to complete the next steps of design for the Project so as to take the plans from concept designs to final construction plans including a guaranteed maximum price, to set the expected milestones for the Project and to further refine the Project so that the City and Offeror can enter into a BOT Agreement;

WHEREAS, the Board, having considered the information provided to it by the Committee, the City administration and others, finds that the City should cause to have prepared and enter into a Scoping Agreement with Thieneman Construction, Inc. for the Project.

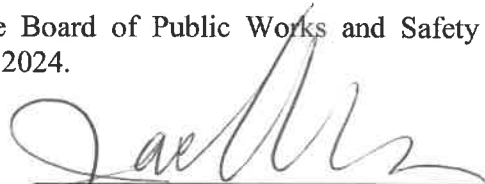
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA, AS FOLLOWS:

Section 1. The Mayor and/or Deputy Mayor of the City are each hereby authorized to negotiate and, with the advice of counsel, execute a Scoping Agreement for the Project on behalf of the City consistent with the provisions of the RFPQ and this resolution.

Section 2. The Mayor, the Deputy Mayor, the Controller and the Clerk of the City, and such other staff members, service providers and firms as they may direct are hereby authorized and directed to take any and all other actions on behalf of the City as may be necessary or appropriate to carry out the purposes of this resolution and/or the Scoping Agreement.

Section 3. This resolution shall be in full force and effect after its passage and execution as provided by law.

All of which is approved by the Board of Public Works and Safety of the City of Noblesville, Indiana this 14<sup>th</sup> day of May, 2024.



JACK MARTIN, PRESIDENT



JOHN DITSLEAR, MEMBER



LAURIE DYER, MEMBER

ROBERT J. ELMER, MEMBER



RICK L. TAYLOR, MEMBER

ATTEST:



EVELYN L. LEES, CLERK

