

BP-1, Bid Alternate 1-3 Total	\$39,000.00
BP-1, Bid Alternate 1-4 Total	\$19,000.00
BP-1, Bid Alternate 1-5 Total	\$16,000.00
BP-1, Bid Alternate 1-6 Total	\$6,200.00
BP-1, Bid Alternate 1-7 Total	\$5,800.00
Bid Package 2 – Base Bid Total	\$5,000.00
BP-2, Bid Alternate 2-1 Total	N/A
BP-2, Bid Alternate 2-2 Total	N/A
BP-2, Bid Alternate 2-3 Total	N/A
Total Base Bids + Alternates	\$1,044,000.00

ZIOLKOWSKI CONSTRUCTION, INC.

4050 Ralph Jones Dr.
 South Bend, IN 46628
kkromer@zbuild.com

Bid was signed by Mr. Bill Favors

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Five percent (5%) Bid Bond was submitted.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

Two (2) Addendum Acknowledgements received.

BID:

Bid Package 1 – Base Bid Total	\$112,767.00
BP-1, Bid Alternate 1-1 Total	\$174,410.00
BP-1, Bid Alternate 1-2 Total	\$62,292.00
BP-1, Bid Alternate 1-3 Total	\$66,708.00
BP-1, Bid Alternate 1-4 Total	\$2,977.00
BP-1, Bid Alternate 1-5 Total	\$5,249.00
BP-1, Bid Alternate 1-6 Total	\$3,695.00
BP-1, Bid Alternate 1-7 Total	\$3,762.00
Bid Package 2 – Base Bid Total	
BP-2, Bid Alternate 2-1 Total	
BP-2, Bid Alternate 2-2 Total	
BP-2, Bid Alternate 2-3 Total	
Total Base Bids + Alternates	\$107,767.00

Ms. Maradik noted for the record that a couple of bid packages had multiple alternates, and that staff would be reviewing all of those carefully. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above bids were referred to DCI and Engineering for review and recommendation.

OPENING OF BIDS – TRAFFIC SIGNAL DETECTION IMPROVEMENTS – PROJECT NO. 120-046 (PR-00011593)

This was the date set for receiving and opening of sealed bids for the above referenced project. The Clerk tendered proof of publication of Notice in the South Bend Tribune, which was found to be sufficient. At this time, Board Member Jordan Gathers joined the meeting virtually. The following bids were opened and publicly read:

MARTELL ELECTRIC, LLC

4601 Cleveland Rd.
 South Bend, IN 46628
awest@martellelectric.com

Bid was signed by Ms. Jennifer Martell

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Five percent (5%) Bid Bond was submitted.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

One (1) Addendum Acknowledgement received.

BID:

Division 1: Hickory Rd. at W. Catalpa Dr. Total	\$31,613.00
Division 2: Hickory at Miracle Ln. Total	\$45,706.00
Division 3: S. Ironwood Dr. at E. Calvert St. Total	\$40,806.00
Division 4: S. Ironwood Dr. at Ewing Ave. Total	\$30,143.00
Division 5: E. Ireland Rd. at S. St. Joseph St. Total	\$24,980.00
Grand Total Base Bid, All Divisions	\$173,248.00

TGB UNLIMITED, INC.

25020 State Road 2

South Bend, In 46619

lynn@thebancroftcompanies.com

Bid was signed by Mr. Gene Mann.

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Five percent (5%) Bid Bond was submitted.

Form MWBE-2.0 Evidence of Good Faith Efforts was not included.

No Addendum Acknowledgement received.

BID:

Division 1: Hickory Rd. at W. Catalpa Dr. Total	\$48,204.00
Division 2: Hickory at Miracle Ln. Total	\$68,287.00
Division 3: S. Ironwood Dr. at E. Calvert St. Total	\$59,638.00
Division 4: S. Ironwood Dr. at Ewing Ave. Total	\$41,620.00
Division 5: E. Ireland Rd. at S. St. Joseph St. Total	\$24,712.00
Grand Total Base Bid, All Divisions	\$242,452.00

HAWK ENTERPRISES, INC.

1850 E. North St.

Crown Point, IN 46307

caylee@hawk-inc.com

Bid was signed by Ms. Johanna Plank

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Five percent (5%) Bid Bond was submitted.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

One (1) Addendum Acknowledgement received.

BID:

Division 1: Hickory Rd. at W. Catalpa Dr. Total	\$41,180.00
Division 2: Hickory at Miracle Ln. Total	\$44,070.00
Division 3: S. Ironwood Dr. at E. Calvert St. Total	\$38,370.00
Division 4: S. Ironwood Dr. at Ewing Ave. Total	\$31,000.00
Division 5: E. Ireland Rd. at S. St. Joseph St. Total	\$17,295.00
Grand Total Base Bid, All Divisions	\$171,915.00

JBL SIGNALS AND LIGHTING

4316 Technology Dr.

South Bend, IN 46628

tannerl@jblsignalsandlighting.com

Bid was signed by Mr. Tanner Leibovitz

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Five percent (5%) Bid Bond was submitted.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

One (1) Addendum Acknowledgement received.

BID:

Division 1: Hickory Rd. at W. Catalpa Dr. Total	\$29,200.00
Division 2: Hickory at Miracle Ln. Total	\$41,280.00
Division 3: S. Ironwood Dr. at E. Calvert St. Total	\$34,150.00
Division 4: S. Ironwood Dr. at Ewing Ave. Total	\$40,424.00

Division 5: E. Ireland Rd. at S. St. Joseph St. Total	\$21,200.00
Grand Total Base Bid, All Divisions	\$166,254.00

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above bids were referred to Engineering for review and recommendation.

OPENING OF QUOTATIONS – 2021 CONCRETE SPEED HUMP INSTALLATIONS – PROJECT NO. 121-076 (PR-00012623)

Ms. Maradik advised that this was the date set for the receiving and opening of sealed quotations for the above referenced project. The following quotations were opened and read:

MILESTONE CONTRACTORS NORTH, INC.

24358 State Road 23

South Bend, IN 46614

akrueger@milestonelp.com

Bid was signed by Mr. Dustin Hilary.

Non-Collusion, Non-Discrimination Affidavit Form was completed.

QUOTATION: \$67,060

PREMIUM CONCRETE SERVICES, INC.

712 Richmond St.

Elkhart, IN 46516

rbecker@premiumconcreteonline.com

Quotation was submitted by Mr. Max Yeakey.

Non-Collusion, Non-Discrimination Affidavit Form was completed.

QUOTATION: \$40,200

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above quotations were referred to Engineering for review and recommendation.

OPENING AND AWARD OF QUOTATIONS – APPROVE CONTRACT – COVELESKI STADIUM FIELD LIGHTING INSTALLATION (PR-00012574)

Mr. Patrick Sherman, Venues Parks & Arts, advised that this was the date set for the receiving and opening of sealed Quotations for the above referenced project. The following Quotations were opened and read:

MARTELL ELECTRIC, LLC

4601 Cleveland Rd.

South Bend, IN 46628

awest@martellelectric.com

Quotation was submitted by Ms. Jennifer Martell.

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

QUOTATION: \$576,103

ALL PURPOSE ERECTORS, INC. - AWARDEE

1112 Starlifter Dr.

Lebanon, IL 62254

rrobertson@allpurposeerectors.com

Quotation was submitted by Mr. Maurice Rakers.

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

QUOTATION: \$149,900

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried, the above Quotations were referred to Mr. Sherman, VPA and Mr. Hurst, Engineering for review and recommendation. After reviewing those quotations, Mr. Sherman recommended that the Board award the contract to the lowest responsive and responsible bidder, All Purpose Erectors, INC, 1112 Starlifter Dr.,

Lebanon, IL 62254, in the amount of \$149,900. Therefore, Mr. Molnar made a motion that the recommendation be accepted, and the quotation be awarded as outlined above. Mr. Miller seconded the motion, which carried by roll call.

OPENING OF QUOTATIONS – 100 S. MICHIGAN TREE GRATES – PROJECT NO. 121-037 (PR-00012634)

Ms. Maradik advised that this was the date set for the receiving and opening of sealed quotations for the above referenced project. The following quotations were opened and read:

THE ROBERT HENRY CORPORATION

404 S. Frances St.

South Bend, IN 46617

jcallan@roberthenrycorp.com

Quotation was submitted by Mr. Brian S. Henry.

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

QUOTATION: \$75,724

ACORN LANDSCAPING LLC

3680 W. Sample St.

South Bend, IN 46619

rebecca.matthys03@gmail.com

Quotation was submitted by Mr. Jeff Ritschard.

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Form MWBE-2.0 Evidence of Good Faith Efforts was completed.

QUOTATION: \$101,244.36

FUERBRINGER LANDSCAPING & DESIGN, INC.

22530 Brick Rd.

South Bend, IN 46628

Alice@fuerbringerlandscaping.com

Quotation was submitted by Mr. Dan Fuerbringer.

Non-Collusion, Non-Discrimination Affidavit Form was **NOT** completed.

Form MWBE-2.0 Evidence of Good Faith Efforts was **NOT** completed.

QUOTATION: \$4,050 (EXCLUDES TOPSOIL)

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above quotations were referred to Engineering for review and recommendation.

OPENING OF PROPOSALS – COAL LINE TRAIL PHASE II – PROJECT NO. 115-064 (RWDA TIF)

Ms. Maradik advised that this was the date set for the receiving and opening of sealed proposals for the above referenced project. Ms. Maradik stated the proposals will be reviewed and scored based on a matrix system, by a team made up of City representatives. She read the names of the following companies submitting proposals:

DLZ INDIANA, LLC

2211 E. Jefferson Blvd.

South Bend, IN 46615

nhover@dlz.com

Proposal submitted by Mr. Andrew C. Lemberis.

CHRISTOPHER B. BURKE ENGINEERING, LLC

220 W. Colfax Ave., Suite 700

South Bend, IN 46601

jdurr@cbbel-in.com

Proposal submitted by Mr. John D. Stolz.

LOCHMUELLER GROUP, INC.

112 W. Jefferson Blvd., Suite 500
South Bend, IN 46601
JClark@lochgroup.com
Proposal submitted by Mr. Marc Oakley.

HWC ENGINEERING

135 N. Pennsylvania St., Suite 2800
Indianapolis, IN 46204
tseveryn@hwcengineering.com
Proposal submitted by Mr. James Rice.

LAWSON-FISHER ASSOCIATES P.C.

525 W. Washington Ave.
South Bend, IN 46601
cszalajko@lawson-fisher.com
Proposal submitted by Mr. Paul A. Hummel.

AP ENGINEERING & CONSULTING, INC.

6135 West 400 North
Greenfield, IN 46140
rballard@apecindy.com
Proposal submitted by Mr. Richard Ballard.

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above proposals were referred to the Engineering team and Community Investment for review and recommendation.

AWARD BID – ONE (1) OR MORE, 2021 OR NEWER, TRACK DRIVEN TROMMEL SCREEN – SPEC E (PR-00011389)

Mr. Jeff Hudak, Central Services, advised the Board that on September 28, 2021, bids were received and opened for the above referenced contract. After reviewing those bids, Mr. Hudak recommended that the Board award the contract to the lowest responsive and responsible bidder Modern Tech Equipment, LLC, 18609 US Hwy. 66, Pacific, MO 63069, in the amount of \$387,822. Ms. Maradik noted for the record that the lowest bidder for this project was deemed nonresponsive. Therefore, Mr. Molnar made a motion that the recommendation be accepted, and the bid be awarded as outlined above. Mr. Miller seconded the motion, which carried by roll call.

AWARD BID AND APPROVE CONTRACT – POLICE DEPARTMENT HEADQUARTERS ROOF REHABILITATION & REPLACEMENT – PROJECT NO. 119-080 (PR-00010330)

Ms. Leslie Biek, Engineering, advised the Board that on August 10, 2021, bids were received and opened for the above referenced project. After reviewing those bids, Ms. Biek recommended that the Board award the contract to the lowest responsive and responsible bidder, Midland Engineering Company, Inc., 52369 State Road 933 North, South Bend, IN 46637, in the amount of \$1,268,400. Therefore, Mr. Molnar made a motion that the recommendation be accepted, and the bid be awarded, and the contract approved as outlined above. Mr. Miller seconded the motion, which carried by roll call.

AWARD QUOTATION AND APPROVE CONTRACT – O'BRIEN LOBBY ELECTRICAL WORK (PR-00012560)

Mr. Patrick Sherman, Venues Parks & Arts, advised the Board that on October 18, 2021, quotations were received and opened for the above referenced project. After reviewing those quotations, Mr. Sherman recommended that the Board award the contract to the lowest responsive and responsible quoter, Martell Electric, LLC, 4601 Cleveland Rd., South Bend, IN 46628, in the amount of \$6,950. Therefore, Mr. Molnar made a motion that the recommendation be accepted, and the quotation be awarded, and the contract approved as outlined above. Mr. Miller seconded the motion, which carried by roll call.

APPROVE CHANGE ORDER NO. 2 – CITY OF SOUTH BEND WAYFINDING SIGNAGE PROGRAM - PHASE II – PROJECT NO. 120-020 (PO-0007174)

Ms. Maradik advised that Ms. Leslie Biek, Engineering, has submitted Change Order No. 2 on behalf of Geograph Industries, Inc., 475 Industrial Dr., Harrison, OH 45030, indicating the contract amount be decreased by \$2,900 for a new contract sum, including this Change Order, in the amount of \$146,411. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Change Order was approved.

APPROVE CHANGE ORDER NO. 1 – BRICK PAVEMENT SPOT REPAIR – PROJECT NO. 121-019 (PO-0010848)

Ms. Maradik advised that Mr. Finnian Cavanaugh, Engineering, has submitted Change Order No. 1 on behalf of Acorn Landscaping LLC, 3680 W. Sample St., South Bend, IN 46619, indicating the contract amount be increased by \$26,627 for a new contract sum, including this Change Order, in the amount of \$161,321. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Change Order was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE SHEET – SEITZ PARK RECONSTRUCTION PHASE II – PROJECT NO. 117-093B (PR-00011742)

In a memorandum to the Board, Ms. Sue Ellen Doudrick, Engineering, requested permission to advertise for the receipt of bids for the above referenced project. Also presented at this time for approval and execution was the Title Sheet. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above request to advertise was approved, and the Title Sheet was approved and signed.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – SALE OF CITY-OWNED PROPERTY – 205 S. ILLINOIS ST.

In a memorandum to the Board, Mr. Andrew Netter, Community Investment, requested permission to advertise for the receipt of bids for the above referenced project. Therefore, upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – SALE OF CITY-OWNED PROPERTY – 411 COTTAGE GROVE AVE.

In a memorandum to the Board, Mr. Andrew Netter, Community Investment, requested permission to advertise for the receipt of bids for the above referenced project. Therefore, upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – SALE OF CITY-OWNED PROPERTY – 422 S. BROOKFIELD ST.

In a memorandum to the Board, Mr. Andrew Netter, Community Investment, requested permission to advertise for the receipt of bids for the above referenced project. Therefore, upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – 2021 DEMOLITIONS – PROJECT NO. 121-036 (PR-00012665)

In a memorandum to the Board, Mr. Zach Hurst, Engineering, requested permission to advertise for the receipt of bids for the above referenced project. Therefore, upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

ADOPT RESOLUTION NO. 32-2021 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS FOR THE DISPOSAL OF SURPLUS PROPERTY

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the following Resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 32-2021
A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS FOR THE
DISPOSAL OF SURPLUS PROPERTY**

WHEREAS, I.C. 36-9-6-1 gives the Board of Public Works of the City of South Bend the right and duty to have custody of, control of, use of, and dispose of in accordance with Indiana statutes, all real and personal property owned by the City of South Bend; and

WHEREAS, the Common Council of the City of South Bend passed as amended on January 11, 1988, Ordinance No. 7847-88 which mandates the Board of Public Works of the City of South Bend to determine that the sidearm of a police officer who retires in good standing is surplus property and no longer useful to the City of South Bend; and

WHEREAS, **PATROLMAN FIRST CLASS KEITH VERGON** retired effective October 3, 2021, from the South Bend Police Department after twenty-four (24) years of service, and the Board of Public Safety of the City of South Bend has determined that he retired in good standing; and

WHEREAS, I.C. 5-22-22-1 permits and establishes procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend that handgun Serial No. NDT6842, a Smith and Wesson M&P Handgun, is no longer needed by the City and is unfit for the purpose for which it was intended and has an estimated fair market value of less than Five Hundred Dollars (\$500.00).

BE IT FURTHER RESOLVED that said property be disposed of and removed from the City inventory.

ADOPTED this 26TH Day of OCTOBER, 2021.

CITY OF SOUTH BEND
BOARD OF PUBLIC WORKS
s/ Elizabeth A. Maradik
s/ Gary A. Gilot
s/ Jordan V. Gathers
s/ Joseph R. Molnar
s/ Murray L. Miller

ATTEST:
s/Anne Fuchs, Clerk

ADOPT RESOLUTION NO. 33-2021 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ACCEPTING TRANSFER OF REAL PROPERTY FROM THE BOARD OF DIRECTORS OF THE URBAN ENTERPRISE ASSOCIATION OF THE SOUTH BEND, INC.

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 33-2021

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA ACCEPTING TRANSFER OF REAL PROPERTY FROM THE BOARD OF DIRECTORS OF THE URBAN ENTERPRISE ASSOCIATION OF SOUTH BEND, INC.

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the “Board”) exists pursuant to Indiana Code Section 36-4-9-5, and may have custody of and maintain real property owned by the City of South Bend, Indiana (the “City”) pursuant to Indiana Code Section 36-9-6-3; and

WHEREAS, the Urban Enterprise Association of South Bend, Inc. (the “UEA”) is a non-profit formed, existing, and operating under the laws of the State of Indiana; and

WHEREAS, the UEA and the Board, on behalf of the City of South Bend, Indiana Department of Community Investment (“DCI”), entered into that certain agreement, dated September 12, 2014, with the Indiana Housing and Community Development Authority Blight Elimination Program (“IHCD”), wherein IHCD granted an award to the City through DCI to work with the UEA to acquire and demolish blighted residential structures and facilitate an end use for the newly vacant lots (“the Agreement”); and

WHEREAS, the UEA agreed to work with the City under the terms of the Agreement, so long as the City took ownership of any properties acquired thereunder and still owned by the UEA upon termination of the Agreement; and

WHEREAS, in accordance with the Agreement, the UEA acquired and continues to own certain real property described in Exhibit A ("the Property"); and

WHEREAS, due to the termination of the Agreement, the UEA desires to transfer the Property to the City and has passed a matching resolution on September 16, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA AS FOLLOWS:

1. The Board, on behalf of the City, accepts the conveyance of the Property from the UEA pursuant to Ind. Code 36-7-14-12.2.
2. The Board authorizes Andrew Netter, Senior Planner and Property Development Analyst in DCI, to act on behalf of the Board to execute any documents or take any action on the Board's behalf relevant to the acquisition of the Property, including but not limited to signing any closing documentation and presenting the deed for recordation.
3. This Resolution shall be in full force and effect upon its adoption by the Board.

ADOPTED at a meeting of the Board of Public Works of the City of South Bend, Indiana held on October 26, 2021, at 1308 County City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND
 BOARD OF PUBLIC WORKS
 s/ Elizabeth A. Maradik
 s/ Gary A. Gilot
 s/ Jordan V. Gathers
 s/ Joseph R. Molnar
 s/ Murray L. Miller

ATTEST:
 s/Anne Fuchs, Clerk

ADOPT RESOLUTION NO. 34-2021 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the following Resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 34-2021
 A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA
 BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT
 AND/OR OBSOLETE PROPERTY**

FIREFIGHTER FIRE HELMET AND BOOTS

WHEREAS, pursuant to I.C. 36-9-6-1 *et. seq.*, the Board of Public Works ("Board") has the duty and authority to have custody, control, use, and to dispose of real and personal property owned by the City of South Bend, Indiana; and

WHEREAS, IC 5-22-22-6 permits and establishes the procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended; and

WHEREAS, on October 11, 2021, *Captain Paul Applegate* retired from the South Bend, Indiana, Fire Department after thirty (30) years of service, and the Board of Public Safety of the City of South Bend, Indiana has determined that he has retired in good standing; and

WHEREAS, Chief Carl Buchanon has advised the Board that this Firefighter's fire helmet and boots ("Property") are of no further use to the Department, are of no practical value, and have an estimated market value of less than one-thousand dollars (\$1,000.00); and

WHEREAS, the Board has determined that the Property is worthless as that term is defined in I.C. 5-22-22-8(b); and

WHEREAS, I.C. 5-22-22 permits and establishes procedures for the disposal of personal property which is either unfit for the purpose for which it was intended, no longer needed by the City, or property which is deemed worthless.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend, Indiana, as follows:

1. The Property is no longer needed by the City of South Bend, is unfit for the purposes for which was intended, and has an estimated value of less than one-thousand dollars (\$1,000.00).
2. The Property may be demolished, junked or otherwise disposed in a manner determined by the Fire Chief, including donation to the Firefighter as a token for his years of service to the City of South Bend.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on October 26, 2021, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND
BOARD OF PUBLIC WORKS
s/ Elizabeth A. Maradik
s/ Gary A. Gilot
s/ Jordan V. Gathers
s/ Joseph R. Molnar
s/ Murray L. Miller

ATTEST:
s/Anne Fuchs, Clerk

ADOPT RESOLUTION NO. 35-2021 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS CONFIRMING COMPLIANCE WITH IC 36-1-12.5-1 ET. SEQ, AND RECOMMENDING APPROVAL OF AMERESCO, INC. AS A QUALIFIED PROVIDER AND APPROVAL OF A GUARANTEED ENERGY SAVINGS CONTRACT RELATING TO THE MORRIS PERFORMING ARTS CENTER AND PALAIS ROYALE

Mr. Gilot voiced a concern to the Board about the Guaranteed Energy Savings contract due to the complexity of the contract. Mr. Gilot stated that he would like to see measurement and verification standards for the first year to confirm that the contract is performing like it is supposed to before waiving the measurement and verification standards. City Attorney Aladean DeRose was present to answer legal questions for the Board. She agreed that the Guaranteed Savings Contract is complex in nature, but what it provides will allow the city to recover their installation expenses over the length of the twenty (20) year contract. Ms. DeRose reminded the Board that the purpose of the resolution was to inform Common Council, who has the ultimate power to approve the contract, that the contractor (Ameresco, Inc.) is qualified under law and that they meet all the terms and requirements of the contract and Indiana law.

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 35-2021**A RESOLUTION OF THE CITY OF SOUTH BEND BOARD OF PUBLIC WORKS
CONFIRMING COMPLIANCE WITH IC 36-1-12.5-1 ET. SEQ, AND
RECOMMENDING APPROVAL OF AMERESCO, INC. AS A QUALIFIED
PROVIDER AND APPROVAL OF A GUARANTEED ENERGY SAVINGS
CONTRACT RELATING TO THE MORRIS PERFORMING ARTS CENTER AND
PALAIS ROYALE**

WHEREAS, on December 18, 2017, the Common Council of the City of South Bend, Indiana (“the Common Council”) designated the City’s Board of Public Works and Department of Public Works to be the Common Council’s authorized agents: “for purposes of meeting the provisions required of Indiana Code §36-1-12.5 and other Indiana laws leading up to the final review of and the execution by the South Bend Common Council of a Guaranteed Energy Savings Contract for implementing a program to replace old or failing equipment across many facilities in the Department of Venues Parks and Arts.” (Common Council Resolution No. 4690-17, Section 1 (1)); and

WHEREAS, in that same Resolution No. 4690-17, the Common Council also requested the City’s Board of Public Works and the Department of Public Works to “make an advisory recommendation to the Common Council concerning the selection of a company to contract with for a Guaranteed Energy Savings Contract.” (*Id.*, Section 1 (2)); and

WHEREAS, in compliance with the notice and publication requirements of Ind. Code 36-1-12.5-5 (b) and (c), the City Department of Public Works and Board of Public Works sought proposals from qualified providers to propose conservation measures through a guaranteed energy savings contract and received, a proposal, among others that it fully evaluated, from Ameresco, Inc. (the “Qualified Provider”) to evaluate, recommend, and then undertake certain energy conservation measures at the Morris Performing Arts and the Palais Royale (each located within one integrated building structure hereafter designated as “the Morris facility”);

WHEREAS, Ameresco Inc., is a corporation with its principal place of business in Framingham, Massachusetts, experienced in the design, implementation, and installation of energy conservation measures. It provides engineering services with respect to conservation measures by a professional engineer licensed under IC 25-31 who is under Ameresco’s direct employment and supervision. Therefore, Ameresco is a “Qualified Provider” within the scope and meaning of Ind. Code 36-1-12.5-3; and

WHEREAS, the City through the Common Council and by recommendation of this Board previously approved on April 13, 2015 a Guaranteed Savings Contract between the City and Ameresco, Inc. regarding energy savings at Century Center in Ordinance No. 10357-15 which to date has delivered effective guaranteed savings to the City; and

WHEREAS, attached hereto and incorporated herein as Exhibit 1 is a proposed contract between the City and Qualified Provider Ameresco (Exhibit 1) which includes as attachments all

of Ameresco’s recommendations for energy conservation measures and the details required by Indiana law under 36-1-12.5 for such energy savings. Specifically, the energy conservation measures recommended by Ameresco and described in the Scope of Services Attachment B to Exhibit 1 include but are not limited to the following: (a) LED lighting upgrades; (b) replacement and/or renovation of the heat and air conditioning equipment (boiler, pump, heat pump controls, replacement of roof top units (RTU) and MAU); (d) plumbing fixture replacement; (e) fire alarm system replacement; (f) roofing replacement for the facility; and (g) any projects related to any of the foregoing projects (clauses (a) through and including (f) collectively, the “Conservation Measure Projects”); and

WHEREAS, Ameresco’s evaluation and recommendation is supported by detailed cost estimates pursuant to IC 36-1-12.5-6 for the design, engineering, installation, maintenance, repair, and the amounts by which energy or water consumption, wastewater costs, and operating costs will be reduced, the amounts by which billable revenues will be increased. (Attachment C-Savings Guarantee; Attachment G-Measurement and Verification Plan;

Methodology and Calculation of Savings). Ameresco itself will be the contractor for the guaranteed energy savings services; and

WHEREAS, this Board recommends to the Common Council that it approve Ameresco, Inc. as the Qualified Provider for the Conservation Measure Projects to be implemented at the Morris facility and further, that it approve Exhibit 1 together with all of the Attachments to Exhibit 1 as a Guaranteed Energy Savings Contract in compliance with IC 36-1-12.5.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Public Works of the City of South Bend, as follows:

SECTION I. The recitals contained in this Resolution are true and correct and are incorporated in this Resolution by reference.

SECTION II. Ameresco Inc. is a Qualified Provider within the meaning and scope of Ind. Code §36-1-12.5-3 and the Common Council should approve it as such because among other reasons, Ameresco, Inc. has performed similar services for the City of South Bend in the past which have resulted in guaranteed energy savings as promised, and because Ameresco, Inc. has considerable experience performing such services throughout Indiana and the nation.

SECTION III. Exhibit 1 together with its incorporated attachments constitutes a Guaranteed Energy Savings contract in compliance with Indiana law requirements and it should be confirmed, ratified, and approved by the Common Council for the Conservation Measure Projects at the Morris facility.

SECTION IV. To the extent not expressly included in Common Council Resolution No. 4690-17, the Common Council should designate the Mayor, the City Clerk, the Controller, and all members of the Board of Public Works to execute and deliver on behalf of the City any and all documents and instruments necessary or proper, and further to do and cause to be done any and all other acts necessary or proper to carry out the transactions contemplated by Exhibit 1 or by law.

Adopted the 26th day of October 2021.

CITY OF SOUTH BEND
BOARD OF PUBLIC WORKS
s/ Elizabeth A. Maradik
s/ Gary A. Gilot
s/ Jordan V. Gathers
s/ Joseph R. Molnar
s/ Murray L. Miller

ATTEST:
s/Anne Fuchs, Clerk

ADOPT RESOLUTION NO. 36-2021 – A RESOLUTION OF THE CITY OF SOUTH BEND,
INDIANA BOARD OF PUBLIC WORKS ADOPTING REVISED CONSTRUCTION
STANDARDS AND SPECIFICATIONS

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the following Resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 36-2021
A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF
SOUTH BEND, INDIANA ADOPTING REVISED CONSTRUCTION STANDARDS AND
SPECIFICATIONS**

WHEREAS, pursuant to Ind. Code § 36-1-12 et seq. as amended from time to time, the City of South Bend, Indiana Board of Public Works (“Board”) has authority over construction of “public works” as defined by IC 36-1-12-2; and

WHEREAS, the Board’s duties include but are not limited to establishing the

Specifications and Construction standards to be used by all firms or companies entering into an agreement or contract with the City of South Bend Board for design and construction of Public Works projects; and

WHEREAS, the Board last approved a revision of the Construction Standards and Specifications to be used for City of South Bend Public Works Projects at its meeting held on October 13, 2020.

WHEREAS, the Engineering Division of the City of South Bend (the City) Department of Public works has recently undertaken the review and revision of the Construction Standards & Specifications governing Public Works projects within the City and has made and recommended changes to gate valve, hydrant, and structure casting standards and specifications for equal products, a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA, AS FOLLOWS:

Section I. Section 5-2.5(a) Gate Valve, Section 5-2.6 Fire Hydrant Assembly, Standard 5-8 Typical Gate Valve and Box, of the Construction Standards and Specifications is deleted in its entirety and replaced by Exhibit A, attached hereto and incorporated herein by reference. The amended sections and standards of the Construction Standards and Specifications is hereby adopted and approved and shall be used by all firms or companies entering into an agreement or contract with the City of South Bend Board of Public Works.

Section II. Standard 4-6 Typical Manhole Casting & Adjusting Rings, Standard 3-5 Typical Structure Castings & Adjusting Rings, 3-6, 3-7, 3-9, of the Construction Standards and Specifications is deleted in its entirety and replaced by Exhibit A, attached hereto and incorporated herein by reference. The amended sections and standards of the Construction Standards and Specifications is hereby adopted and approved and shall be used by all firms or companies entering into an agreement or contract with the City of South Bend Board of Public Works.

Section III. This Resolution shall be in full force and effect as of the date of its adoption by the Board.

Adopted the 26th day of October 2021.

CITY OF SOUTH BEND
BOARD OF PUBLIC WORKS
s/ Elizabeth A. Maradik
s/ Gary A. Gilot
s/ Jordan V. Gathers
s/ Joseph R. Molnar
s/ Murray L. Miller

ATTEST:
s/Anne Fuchs, Clerk

APPROVAL OF AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

The following Agreements/Contracts/Proposals/Addenda were submitted to the Board for approval:

Type	Business	Description	Amount/ Funding	Motion/ Second
Professional Services Agreement	American Structurepoint, Inc.	Study Phase to Design Wastewater Treatment Plant CSO Storage Tank	\$203,735 (PR-00012418)	Molnar/Miller
License Agreement for Temporary Use and Memorandum of License	Our Lady of the Road, Inc.	Easement for Long Term Temporary Use and Enclosure of Adjacent East/West Alley at 744 S. Main St. to Reduce Crime	N/A	Molnar/Miller

Agreement				
Natural Gas Purchase Contract*	Interstate Gas Supply, Inc.	Participate in Hedging Program Run by IGA to Supply the City's Natural Gas Needs for One (1) Year Extension, April 2023-March 2024; Agreement Will Auto-Renew Unless Cancelled by City		Molnar/Miller
Amendment No. 2 to Owner-Engineer Agreement	Frost Engineering & Consulting	Design of Replacement Floor Slab of Orchestra Level of Morris Performing Arts Center Project No. 121-029	\$0; Adjusted Agreement Total \$163,350 (PO-0009375)	Molnar/Miller
Energy Services Agreement	Ameresco, Inc.	Guaranteed Energy Savings Contract for MPAC and Palais Royale Project No. 121-030	\$5,361,000 (PROJ 297)	Molnar/Miller
Local Public Agency - Consulting Contract	Shrewsbury & Associates, LLC	Construction Inspection Agreement for Installation of School Zone Flashing Beacons	NTE \$20,212 (PR-00012664)	Molnar/Miller

APPROVAL OF PERMIT AND LICENSE APPLICATIONS

The following permit and license applications were presented for approval:

Applicant	Description	Date/Time	Location	Motion Carried
Oakwood Village Trunk-or-Treat	Street Closure for Special Event	October 23, 2021; 1:00 p.m. to 4:30 p.m.	Oakwood Park Dr. between Corpus Christi Dr. and Bent Oak Ln.	
Trick-or-Treat	Street Closure for Special Event	October 26, 2021; 3:30 p.m. to 9:00 p.m.	Eddy St. Commons between Angela Blvd. and Napoleon St.	

APPROVAL OF REVOCABLE PERMIT FOR ENCROACHMENT - SIGNAGE

Ms. Maradik stated an application for an Encroachment and Revocable Permit has been received from The Exchange for the purpose of allowing signage to be placed in the right-of-way at 112 W. Jefferson Blvd. Community Investment has noted a specific suggestion not to attach the sign through the terra cotta surface and instead use the brick surface on the East facing wall. The encroachment shall remain in the right of way until the time as the Board of Public Works of the City of South Bend shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and same flow of traffic. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Revocable Permit was approved.

APPROVAL OF REVOCABLE PERMIT FOR ENCROACHMENT – RETRACTABLE AWNING

Ms. Maradik stated an application for an Encroachment and Revocable Permit has been received from The General Deli LLC for the purpose of allowing a retractable awning to be placed in the right-of-way at 609 E. Jefferson Blvd. The encroachment shall remain in the right of way until the time as the Board of Public Works of the City of South Bend shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and same flow of traffic. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Revocable Permit was approved.

APPROVE CONSENTS TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE

Ms. Maradik stated that the Board is in receipt of the following Consents to Annexation and Waivers of Right to Remonstrate. The Consents indicate that in consideration for permission to

tap into public water/sanitary sewer system of the City, to provide water/sanitary sewer service to the below referenced properties, the applicants waive and release any and all rights to remonstrate against or oppose any pending or future annexations of the properties by the City of South Bend:

- A. Mr. Bryan E. Keve, 3640 Edison Lakes Pkwy., Mishawaka, IN 46545
 1. 18294 Forest Glade Dr. – Water/Sewer (Key No.71-04-18-200-142.000-003)

Upon a motion by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Consents to Annexation and Waivers of Right to Remonstrate were approved as submitted.

APPROVE RENEWAL OF WASTEWATER DISCHARGE PERMIT(S)

In a Memorandum to the Board, Ms. Serena Lozano-Shane, Division of Wastewater, submitted the following Wastewater Discharge Permit(s) for renewal and recommended approval:

Honeywell International Inc., 3520 Westmoor St.

There being no further discussion, upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the renewal of the permits was approved.

RATIFY PREAPPROVED CLAIMS PAYMENTS

Mr. Molnar stated the Board received notices of the following preapproved claim payments from the City's Department of Administration and Finance:

Name	Date	Amount of Claim
City of South Bend Claims GBLN-24614	10/12/2021	\$1,134,743.16
City of South Bend Claims GBLN-24287	10/12/2021	\$1,274,397.89
City of South Bend Claims GBLN-24620, GBLN-24645	10/14/2021	\$131,755
City of South Bend Claims GBLN-25160, GBLN-25161	10/19/2021	\$633,315.33
City of South Bend Claims GBLN-25174, GBLN-25183	10/19/2021	\$2,173,495.39
City of South Bend Claims GBLN-25266, GBLN-25093	10/21/2021	\$4,855.10

Each claim is fully supported by an invoice; the person receiving the goods or services has approved the claims; and the claims have been filed with the City Fiscal Officer and certified for accuracy. Therefore, upon a motion by Mr. Molnar, seconded by Mr. Miller, and carried by roll call, the Board ratified the preapproved claims payments.

*Mr. Gilot noted that the Interstate Gas Supply contract (Item 10.C.) had an auto-renewal unless cancelled by the City and he stated that it is his understanding that Board of Public Works can only approve contracts for up to a 5 year contract so, asking if Legal could confirm that the auto-renewal wouldn't extend past the five (5) years.

PRIVILEGE OF THE FLOOR

Mr. Huey Schoby, 3415 Riverside Drive, addressed the Board regarding his 2019 letter about the relocation of Dr. Martin Luther King Jr. Blvd. and the renaming of Charles Martin Sr. Drive. He asked the Board to re-review his requests, expressing that he wants Dr. Martin Luther King Jr. Blvd. to be extended throughout the City thoroughfare from Route 20 up to Angela Blvd. and that he would like it to happen before the end of the year so that it can be dedicated on Dr. Martin Luther King Jr.'s birthday and celebrated at the Dr. Martin Luther King breakfast and luncheon in January. He said that he has proof that the community wanted this done and that the count was in his favor for this decision.

He also raised issues with the location of Charles Martin Sr. Drive, stating that it should be moved to Cottage Groves where the street runs north past the Charles Martin Building. He called for justice and expressed his dissatisfaction with the previous review and resolution of this matter. Ms. Maradik responded that she recalled this issue from her time on the Board and recalled the rationale that was expressed in the October 2019 letter from Mr. Gilot regarding the

renamings. However, Ms. Maradik stated she would refer the matter back to staff and make them aware that Mr. Schoby had resubmitted his letter. .

Ms. Maradik raised the topic of the 2022 BPW Meeting schedule, inquiring about Agenda Review meetings in 2022, and expressing her desire to have the most well-informed Board while also being respectful of everyone's time. **Mr. Gilot** expressed that although the Board is operating efficiently with its record-keeping and document review procedures, he would like to add a more personal touch via Agenda Review sessions. He would like the chance to ask staff more specific questions and would like the public to have that opportunity, too. He also advocated for maintaining a regular meeting schedule and just to cancel those that are not needed. **Mr. Miller** expressed that prior to joining the Board, he attended Agenda Review meetings and found them helpful. **Mr. Molnar** expressed that he likes receiving full documentation prior to the Regular Meetings and that there has been less to review in the past, so he is agnostic regarding Agenda Review sessions. He feels that his questions are answered very quickly by staff and is open to having the meetings if other Board members want them. **Mr. Gathers and Ms. Maradik** acknowledged the helpful electronic advances made to make the Board more efficient and stated there are less questions and items overall; however, but both supported a path forward with agenda review meetings, at least occasionally.

Clerk Fuchs discussed logistics of releasing the Agenda Review session agenda and compliance with Open Door Law. Acting Board Attorney Jenna Throw clarified that the 2022 meeting schedule would be sufficient to meet requirements and that the Agenda Review Session agenda could be released any time prior to the meeting. Clerk Fuchs asked the Board whether they would like to continue in the hybrid meeting format, and Board Members responded that they thought a hybrid format would not be too burdensome and would make it easier for City staff to be available. The Board also agreed that items could be added to the Agenda Review Session during the meeting. Finally, the Board agreed that the Agenda Review meetings would resume in January 2022.

Ms. Maradik informed the Board and the public that this is **Clerk Fuchs'** last meeting with the Board and expressed her enjoyment working with Anne and thanked her for her efforts to build a stronger South Bend. On behalf of the Board, she wished Clerk Fuchs the best in her future endeavors. Clerk Anne Fuchs thanked the Board, Eric Horvath, and the staff of Legal and Engineering for six wonderful years with the City in jobs that she has loved.

ADJOURNMENT

There being no further business to come before the Board, Ms. Maradik adjourned the meeting at 10:38 a.m.

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