

REGULAR MEETING

DECEMBER 14, 2021

The Regular Meeting of the Board of Public Works was convened at 9:31 a.m. on Tuesday, December 14, 2021, by Board Member Gary Gilot in the 13<sup>th</sup> Floor Conference Room of the County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana. The meeting was also streamed live to the public via Microsoft Teams. Acting Board Clerk Laura Hensley confirmed the presence of Board Members Gary Gilot, Joseph Molnar, Murray Miller, and Board Attorney Clara McDaniels (virtual), with a roll call. Board President, Elizabeth Maradik was not present. Board Member Jordan Gathers was absent for the start of the meeting. Mr. Gilot reminded virtual attendees to mute their microphones and turn off their cameras when not speaking, and to save their questions and comments for the Privilege of the Floor.

APPROVE MINUTES OF PREVIOUS MEETING

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the minutes of the Regular Meeting of the Board held on November 23, 2021, were approved.

OPENING OF BIDS – MORRIS PERFORMING ARTS CENTER - MAIN LEVEL SLAB REPLACEMENT – PROJECT NO. 121-029A (PR-00011932)

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. The following bids were opened and publicly read:

**LARSON-DANIELSON CONSTRUCTION CO., INC.**

302 Tyler St.

LaPorte, IN 46350

[mcd@ldconstruction.com](mailto:mcd@ldconstruction.com)

Bid was signed by Mr. Timothy F. Larson

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

Five percent (5%) Bid Bond was submitted.

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

One of One Addendum(s) Acknowledgement received.

BASE BID TOTAL: 876,374.00

**THE ROBERT HENRY CORPORATION**

404 S. Frances St.

South Bend, IN 46617

[jcallan@roberthencycorp.com](mailto:jcallan@roberthencycorp.com)

Bid was signed by Mr. Brian S. Henry

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

Five percent (5%) Bid Bond was submitted.

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

One of One Addendum(s) Acknowledgement received.

BASE BID TOTAL: \$1,372,188.00

Board Attorney Clara McDaniels requested confirmation whether the Robert Henry Corporation hand delivered bid was received prior to the official start of the meeting. Board member, Joseph Molnar, stated it was received at 9:32 a.m. prior to the start of the meeting. Subsequently, it was determined that the bid specifications required that bids be received by 9:00 a.m., on the date of opening and Board Member Gary Gilot indicated the bid must be rejected. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above bids were referred to Engineering and Venues Parks & Arts for review and recommendation.

OPENING OF BIDS – ONE (1) OR MORE, 2021 OR NEWER, SIX (6) WHEELED MOTOR GRADER – SPEC F (PR-00012866)

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. The following bids were opened and publicly read:

**MCCANN INDUSTRIES, INC.**

543 S. Rohlwind Rd.

Addison, IL 60101

[mgency@mccannonline.com](mailto:mgency@mccannonline.com)

Bid was signed by: Mr. Steve Roggeman  
 Non-Collusion, Non-Discrimination Affidavit Form was completed  
 Ten percent (10%) Bid Bond was submitted  
 Indiana Local Business Preference Claim **Not** completed.

BID:

Description	Year/Make/Model	Unit Price
Motor Grader	2022 – Case 836C	\$194,758.00

Year	Make/Model – Trade In	Unit Price
		N/A

Alternate #	Description	Cost	Total
1	All-wheel drive	\$11,939.00	\$11,939.00
2	Dead engine steering – Standard Equipment	\$0	\$0
3	Front mounted v-bar scarifier	\$2,732.00	\$2,732.00
4	8’ front blade – 7’ 7”	\$3,271.00	\$3,271.00
5	5-year traction drive and hydraulic system warranty	\$5,100.00	\$5,100.00
6	Cold weather engine package– Standard Equipment	\$0	\$0

\*\*Additional Alternate #7 Optional RSAQ Ripper w/ Steeth \$4,900.00

<b>Estimated number of days for delivery from award date.</b>	300 Days
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Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above bids were referred to Public Works and Central Services for review and recommendation.

OPENING OF BIDS – ONE (1) OR MORE, 2021 OR NEWER, TANDEM AXLE STAINLESS STEEL MULTI-USE DUMP TRUCKS – SPEC H (PR-00012871)

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. The following bids were opened and publicly read:

**TRUCK CENTERS, INC.**

4145 Ameritech Dr.  
 South Bend, IN 46628  
[rstopczynski@truckcentersinc.com](mailto:rstopczynski@truckcentersinc.com)

Bid was signed by Mr. Rich Stopczynski  
 Non-Collusion, Non-Discrimination Affidavit Form was completed.  
 Ten percent (10%) Bid Bond was submitted.  
 Indiana Local Business Preference Claim was completed.

BID:

Description	Year/Make/Model	Unit Price
Complete Unit	2023 Freightliner Model 114 SD	\$222,630.00

Alternate #	Description	Cost	Total
1	Front Snow Plow	\$11,893.00	\$11,893.00
2	CNG Fuel System	\$46,140.00	\$46,140.00
3	Electric Plow Controls	\$4,982.00	\$4,982.00

<b>Estimated number of days for delivery from award date.</b>	350-420 Days
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**SELKING INTERNATIONAL TRUCKS**

4849 W. Western Ave.

South Bend, IN 46619

[kenwaite@selkinginternational.com](mailto:kenwaite@selkinginternational.com)

Bid was signed by Kenneth A. Waite

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

Ten percent (10%) Bid Bond was submitted.

Indiana Local Business Preference Claim was completed.

BID:

<b>Description</b>	<b>Year/Make/Model</b>	<b>Unit Price</b>
	2024 International HV607	\$219,498.00

<b>Alternate #</b>	<b>Description</b>	<b>Cost</b>	<b>Total</b>
1	Front Snow Plow	\$11,893.00	\$11,893.00
2	CNG Fuel System	No Bid	No Bid
3	Electric Plow Controls	\$4,982.00	\$4,982.00

<b>Estimated number of days for delivery from award date.</b>	1 <sup>st</sup> . Quarter 2023
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Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above bids were referred to Central Services and Engineering for review and recommendation.

**OPENING OF BIDS – 2021 OR NEWER, SINGLE AXLE STAINLESS STEEL MULTI-USE DUMP TRUCK – SPEC I (PR-00012904)**

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. The following bids were opened and publicly read:

**TRUCK CENTERS, INC.**

4145 Ameritech Dr.

South Bend, IN 46628

[rstopczynski@truckcentersinc.com](mailto:rstopczynski@truckcentersinc.com)

Bid was signed by Mr. Rich Stopczynski

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

Ten percent (10%) Bid Bond was submitted.

Indiana Local Business Preference Claim was completed.

BID:

<b>Description</b>	<b>Year/Make/Model</b>	<b>Unit Price</b>
Complete Unit	2023 Freightliner Model 114SD	\$208,614.00

<b>Alternate #</b>	<b>Description</b>	<b>Cost</b>	<b>Total</b>
1	Front Snow Plow WA Jones	\$11,893.00	\$11,893.00
2	CNG Fuel System	\$46,140.00	\$46,140.00
3	Electric Plow Controls	\$4,982.00	\$4,982.00

<b>Estimated number of days for delivery from award date.</b>	350-420 Days
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**SELKING INTERNATIONAL TRUCKS**

4849 W. Western Ave.

South Bend, IN 46619  
[kenwaite@selkinginternational.com](mailto:kenwaite@selkinginternational.com)  
 Bid was signed by Mr. Kenneth A. Waite  
 Non-Collusion, Non-Discrimination Affidavit Form was completed.  
 Ten percent (10%) Bid Bond was submitted.  
 Indiana Local Business Preference Claim was completed.

BID:

Description	Year/Make/Model	Unit Price
	2024 International HV607	*\$201,455.00

Alternate #	Description	Cost	Total
1	Front Snow Plow	\$11,893.00	\$11,893.00
2	CNG Fuel System	No Bid	No Bid
3	Electric Plow Controls	\$4,982.00	\$4,982.00

<b>Estimated number of days for delivery from award date.</b>	1 <sup>st</sup> . Quarter 2023
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\*Discrepancy noted; Mr. Molnar read \$201,435.00; Clerk Laura Hensley called Mr. Kenneth Waite to confirm Unit Price is \$201,455.00.

Board Member Jordan Gathers joined the meeting. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above bids were referred to Central Services and Engineering for review and recommendation.

OPENING OF BIDS – SEITZ PARK RECONSTRUCTION, PHASE II – PROJECT NO. 117-093B (PR-00011742)

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. The following bids were opened and publicly read:

NO BIDS SUBMITTED

OPENING OF BIDS – WARD BAKERY EXTERIOR IMPROVEMENTS – PROJECT NO. 121-061R (PR-00013370)

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. The following bids were opened and publicly read:

**R. YODER CONSTRUCTION, INC.**

27453 County Road 150, PO Box 69  
 Nappanee, IN 46550  
[brian@ryoderconstruction.com](mailto:brian@ryoderconstruction.com)  
 Bid was signed by Mr. Jason Yoder  
 Non-Collusion, Non-Discrimination Affidavit Form was completed.  
 Five percent (5%) Bid Bond was submitted.  
 Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.  
 One of One Addendum(s) Acknowledgement received.

BID:

<b>Bid Package 1 – Base Bid Total</b>	N/A
<b>BP-1, Bid Alternate 1-1 Total</b>	N/A
<b>BP-1, Bid Alternate 1-2 Total</b>	N/A
<b>BP-1, Bid Alternate 1-3 Total</b>	N/A
<b>Bid Package 2 – Base Bid Total</b>	\$149,700.00
<b>BP-2, Bid Alternate 2-1 Total</b>	\$81,500.00
<b>BP-2, Bid Alternate 2-2 Total</b>	\$111,000.00

**J.W. WERTZ & SON, INC.**

1002 Kerr St.

South Bend, IN 46601

[kirk@werntzsupply.com](mailto:kirk@werntzsupply.com)

Bid was signed by Mr. Patrick Werntz

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

Ten percent (10%) Bid Bond was submitted.

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

One of One Addendum(s) Acknowledgement received.

BID:

<b>Bid Package 1 – Base Bid Total</b>	N/A
<b>BP-1, Bid Alternate 1-1 Total</b>	N/A
<b>BP-1, Bid Alternate 1-2 Total</b>	N/A
<b>BP-1, Bid Alternate 1-3 Total</b>	N/A
<b>Bid Package 2 – Base Bid Total</b>	\$73,000.00
<b>BP-2, Bid Alternate 2-1 Total</b>	\$48,000.00
<b>BP-2, Bid Alternate 2-2 Total</b>	\$62,000.00

**C & S MASONRY RESTORATION LLC**

3725 N. Foundation Ct., Suite AB

South Bend, IN 46628

[stevecands@outlook.com](mailto:stevecands@outlook.com)

Bid was signed by Mr. Steve Fields

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

Five percent (5%) Bid Bond was submitted.

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

One of One Addendum(s) Acknowledgement received.

BID:

<b>Bid Package 1 – Base Bid Total</b>	\$160,000.00
<b>BP-1, Bid Alternate 1-1 Total</b>	\$108,000.00
<b>BP-1, Bid Alternate 1-2 Total</b>	\$5,000.00
<b>BP-1, Bid Alternate 1-3 Total</b>	\$4,000.00
<b>Bid Package 2 – Base Bid Total</b>	N/A
<b>BP-2, Bid Alternate 2-1 Total</b>	N/A
<b>BP-2, Bid Alternate 2-2 Total</b>	N/A

Board Member Joseph Molnar clarified that three (3) bids total were received and a bid bond was sent as a separate document. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the above bids were referred to Engineering and Community Investments for review and recommendation.

**OPENING OF QUOTATIONS – SOLID WASTE PARKING LOT DRAINAGE IMPROVEMENTS – PROJECT NO. 121-010 (PR-00013806)**

Mr. Gilot 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](mailto:akrueger@milestonelp.com)

Quotation was submitted by Mr. Dustin P. Hilary

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

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

QUOTATION: \$191,400.00

**HRP CONSTRUCTION INC.**

5777 Cleveland Rd., PO Box 266

South Bend, IN 46624

[mattc@hrpconstruction.com](mailto:mattc@hrpconstruction.com)

Quotation was submitted by Mr. Matthew D. Cain

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

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

QUOTATION: \$194,659.42

**RIETH-RILEY CONSTRUCTION CO., INC.**

25200 State Road 23

South Bend, IN 46614

[ralvarado@rieth-riley.com](mailto:ralvarado@rieth-riley.com)

Quotation was submitted by Mr. Ruben Alvarado

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

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

QUOTATION: \$160,338.18

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

**AWARD BID AND APPROVE CONTRACT – TRAFFIC SIGNAL DETECTION IMPROVEMENTS – PROJECT NO. 120-046 (PR-00011593)**

Ms. Leslie Biek, Engineering, advised the Board that on October 26, 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, JBL Signals and Lighting LLC, 4316 Technology Dr., South Bend, IN 46628, in the amount of \$166,254. 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 BID AND APPROVE CONTRACT – PRAIRIE AVENUE WATER MAIN LOOP – PROJECT NO. 117-068 (PR-00012245)**

Ms. Sue Ellen Doudrick, Engineering, advised the Board that on November 9, 2021, bids were received and opened for the above referenced project. After reviewing those bids, Ms. Doudrick recommended that the Board award the contract to the lowest responsive and responsible bidder, HRP Construction Inc., 5777 Cleveland Rod, PO Box 266, South Bend, IN 46624-0266, in the amount of \$1,671,500. 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.

**APPROVE CHANGE ORDER NO. 2 (FINAL) – SHERIDAN ST. AND SAMPLE ST. SIGNAL IMPROVEMENTS – PROJECT NO. 116-127 (PO-0006099)**

Mr. Gilot advised that Ms. Leslie Biek, Engineering, has submitted Change Order No. 2 (final) on behalf of Rieth-Riley Construction Co., Inc., 25200 State Road 23, South Bend, IN 46614, indicating the contract amount be increased by \$2,160.13 with an additional fourteen (14) days for a new contract sum, including this Change Order, in the amount of \$440,804.91 with a new completion date of July 14, 2021. 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 – SOUTHEAST NEIGHBORHOOD CENTER (UNITED WAY) – PROJECT NO. 119-093R (PO-0010837)**

Mr. Gilot advised that Mr. Zach Hurst, Engineering, has submitted Change Order No. 1 on behalf of The Robert Henry Corporation, 404 S. Frances St., South Bend, IN 46617, indicating the contract amount be increased by \$6,985 for a new contract sum, including this Change Order, in the amount of \$1,174,990. 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. 4 – O'BRIEN RECREATIONAL CENTER RENOVATIONS – PROJECT NO. 118-091 (PO-0005039)**

Mr. Gilot advised that Ms. Charlotte Brach, Engineering, has submitted Change Order No. 4 on behalf of R. Yoder Construction, Inc., 27453 County Road 150, Nappanee, IN 46550, indicating the contract amount be decreased by \$25,000 with an additional forty (40) days for a new contract sum, including this Change Order, in the amount of \$471,163 with a new completion



date of July 28, 2021. 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 – GUARDRAIL REPLACEMENT AND INSTALLATION – PROJECT NO. 118-084 (PO-0006554)

Mr. Gilot advised that Mr. Finnian Cavanaugh, Engineering, has submitted Change Order No. 1 on behalf of Northern Indiana Construction Co., Inc., PO Box 1333, Mishawaka, IN 46546, indicating the contract amount be increased by \$45,061.58 with an additional two hundred thirteen (213) days for a new contract sum, including this Change Order, in the amount of \$349,306.78 with a new completion date of December 31, 2021. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Change Order was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – RIVER WALK FROM BEYER ST. TO HOWARD PARK – PROJECT NO. 117-083A (PO-0001784-1, 0001785-1, 0001786-1)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of Milestone Contractors North, Inc., 24358 State Road 23, South Bend, IN 46614, for the above referenced project, indicating a final cost of \$3,329,034.78. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Project Completion Affidavit was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – 2021 BRICK PAVEMENT SPOT REPAIRS – PROJECT NO. 121-019 (PO-0010848)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of Acorn Landscaping LLC, 3680 W. Sample St., South Bend, IN 46619, for the above referenced project, indicating a final cost of \$161,321. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Project Completion Affidavit was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – EL CAMPITO FENCING – PROJECT NO. 121-043 (PR-00010211)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of Custom Fence Michiana, 2265 Reum Rd., Niles, MI, 49120, for the above referenced project, indicating a final cost of \$23,944. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Project Completion Affidavit was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – 2021 CRACK SEALING – PROJECT NO. 121-020 (PO-0010107)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of Asphalt Restoration Services, LLC, PO Box 2484, South Bend, IN 46680, for the above referenced project, indicating a final cost of \$103,500. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Project Completion Affidavit was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – 2021 MICROSURFACING – PROJECT NO. 121-035 (PO-0010112)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of Asphalt Restoration Services, LLC, PO Box 2484, South Bend, IN 46680, for the above referenced project, indicating a final cost of \$149,137.50. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Project Completion Affidavit was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – 2021 TREE & STRUMP REMOVAL – PROJECT NO. 121-002 (PO-0010119)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of K & R Tree Service LLC, 1724 S. Grant St., South Bend, IN 46613, for the above referenced project, indicating a final cost of \$29,276. Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the Project Completion Affidavit was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – SIBLEY CENTER EXTERIOR RENOVATIONS – PROJECT NO. 121-021 (PR-00013644)

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.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – COVELESKI STADIUM FIELD LIGHTING INSTALLATION (PR-00012574)

In a memorandum to the Board, Mr. Patrick Sherman, Venues, Parks & Arts, 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. 38-2021 – 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. 38-2021  
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 ERIK SCHLEGELMILCH retired effective November 29th, 2021, from the South Bend Police Department after twenty (20) 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. NDT0957, 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 14TH Day of DECEMBER, 2021.

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

ATTEST:

s/Laura Hensley, Acting 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
Emergency Sewer Repair	Selge Construction Co., Inc.	Emergency Repair of Brick Elliptical 48" x 54" Sewer at W. Washington	\$98,386 (PO-0011161)	Molnar/Miller



		and Former Chapel Lane, Project No. 121-058		
Emergency Sewer Repair	Selge Construction Co., Inc.	Emergency Repair of an 18" Sewer at Dubail Ave. under Bowman Creek, Project No. 121-060	\$38,969.85 (PO-0011385)	Molnar/Miller
Amendment No. 2 to Owner-Engineer Agreement	Black & Veatch Corporation	Cover Modeling of Outages for Fellows Improvements, Project No. 119-033 for Water Hydraulic Modeling Assistance	NTE \$55,320 Hourly; New Total Amount: \$127,493 (PO-0005255)	Molnar/Miller
Contract	Indiana Department of Transportation – Local Public Agency	Local Roads & Bridges Matching Grant Agreement for 2021 Community Crossings Round II, Project No. 121-052	Up to \$350,100; 50/50 Cost Share with INDOT	Molnar/Miller
Amendment and Restate Agreement	Board of Public Works, Venues Parks & Arts, Redevelopment, and Commission Center for Civic Innovation	Community Native Tree Nursery Collaboration for Additional Lots	N/A	Molnar/Miller
Professional Services Agreement	Brite Electric, Inc.	City Electrical Services Contract for Various Departments	TBD; Two (2) Years (Department Maintenance Budgets)	Molnar/Miller TABLED
Professional Services Agreement	Christopher B. Burke Engineering, LLC	Technical Assistance for 2022 DSSMR South Bend Dam, Project No. 122-019	NTE \$8,500 (Hourly) (PR-00013646)	Molnar/Miller
Professional Services Agreement	Jones Petrie Rafinski Corporation	Design Services for LaSalle and Colfax Streetscapes, Project No. 122-013	\$426,480 (PR-00013587)	Molnar/Miller
Agreements	Northern Indiana Commuter Transportation District (NICTD)	Action #1 - License Agreement for Concrete Curb and Channelization Median at Grandview Ave. Action #2 - Permit and Indemnification Agreement Concrete Curb and Channelization Median at Grandview Ave.	N/A	Molnar/Miller
Memorandum of Understanding	Michiana Area Council of Government	Traffic Data Collection, July 1, 2021 to June 30, 2022	\$28,000 (PR-00013679)	Molnar/Miller
Professional Services Agreement	Lochmueller Group, Inc,	Develop 2022 Traffic Calming Plan and Priority List and Prepare Bid Documents for 2022 Neighborhood Traffic Calming, Project No. 122-014	\$116,565 (PR-00013576)	Molnar/Miller
Amendment No. 1 to	Christopher B. Burke	Provide As Needed, On Call Support to Implement	NTE \$23,010.76	Molnar/Miller RECALLED

Owner-Engineer Agreement	Engineering, LLC	Impervious Cover-Based Stormwater Utility	(Hourly) (PO-0000355)	and TABLED
Professional Services Agreement	VS Engineering, Inc.	Design and Construction Inspection Services for Sewer & Manhole Repair & Rehab and Sewer Cleaning, Project No. 122-019	NTE \$240,000 (Hourly) (PR-00013665)	Molnar/Miller
Professional Services Agreement	HWC Engineering, Inc	Design Services for Preliminary Phase (10%) from Walnut St. to Taylor St., Project No. 121-009 Western Ave. Streetscape, Phase IV	\$139,765 (PR-00013636)	Molnar/Miller
Agreement for Goods and Services	Recreation Insites LLC	Special OMNIA Purchase for Shade Structures and Playground Equipment for Southeast Neighborhood Center (United Way), Project No. 119-093	\$101,246.60 Playground Equipment; \$81,119.55 Shades; Total \$182,366.15 (PR-00013639)	Molnar/Miller
Professional Services Agreement	Lawson-Fisher Associates P.C.	Preliminary Design Services Phase (10%) from Eddy St. Ramps (Belmont) to Louise St., Mishawaka Ave. Streetscape, Project No. 121-072	\$106,000 (PR-00013654)	Molnar/Miller

Regarding the Professional Services Agreement with Brite Electric, Inc., the item was tabled so that the board could look further into whether this contract for a vendor to provide on-call emergency electric repair services was competitively solicited. There was also a question about contract cost because the Agenda Request listed them as TBD. However, Director of Public Works, Mr. Eric Horvath clarified the agreement would allow Brite Electric Inc. to be the company on standby for when the city has buildings with electrical needs. Mr. Horvath stated that there was a non-emergency hourly rate of \$98 per hour; an emergency hourly rate of \$138 per hour 4 p.m. to Midnight Monday through Friday and all-day Saturday; \$178 per hour Midnight to 7 a.m. Monday through Friday and all-day Sunday and holidays. It was also noted there was an addition that material markup would not exceed 10%.

Mr. Molnar motioned to recall the approval of Amendment No.1 to Owner-Engineer Agreement – Christopher B. Burke Engineering LLC and Mr. Gilot motioned to null the award due to some unreadiness

#### APPROVAL OF PERMIT AND LICENSE APPLICATIONS

The following permit and license applications were presented for approval:

<b>Applicant</b>	<b>Description</b>	<b>Date/Time</b>	<b>Location</b>	<b>Motion Carried</b>
AEP Indiana Michigan Transmission Co., Inc.	Long Term Occupancy of City Right-of-Way	December 7, 2021 to January 31, 2022	400 E. LaSalle Ave.	Molnar/Miller
Walk MS South Bend	Street Closure for Special Event	May 14, 2022; 8:00 a.m. to 3:00 p.m.	Northside Blvd. Between IUSB Campus and Farmer's Market	Molnar/Miller
Winter Walk St. Margaret's House	Street Closure for Special Event	February 20, 2022; 2:00 p.m. to 4:00 p.m.	CCB-W. Jefferson Blvd. to Lafayette Blvd. to LaSalle Ave. to Main St., Western Ave. to Lafayette	Molnar/Miller

			Blvd., Wayne St. to N. Lafayette Blvd.	
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UNFAVORABLE RECOMMENDATION - PETITION TO VACATE THE N/W ALLEY BETWEEN RIVERSIDE AND CULVER PLACE FROM GOOD PLACE TO FIRST E/W ALLEY PART WAY THROUGH TO BLYLER PLACE

Mr. Gilot indicated that Mr. Christopher Boardman, 1015 Good Place, South Bend, IN 46616, has submitted a request to vacate the above referenced alley. Mr. Gilot advised the Board is in receipt of unfavorable recommendations concerning this Vacation Petition from the Street Department, Fire Department, Police Department Community Investment, and Engineering. Community Investments and, Public Works states it violates two (2) of the I.C. 36-7-3-13 Criteria. Therefore, Mr. Molnar made a motion recommending approval of the request for vacation to Common Council. Mr. Miller seconded the motion which carried by roll call.

UNFAVORABLE RECOMMENDATION - PETITION TO VACATE THE FIRST N/S ALLEY WEST OF PLEASANT ST. FROM 27<sup>TH</sup>. ST. TO FIRST E/W ALLEY

Mr. Gilot indicated that Katherine & Matthew Kent, 1222, 1217 & 1213 S. 27<sup>th</sup> St., South Bend, IN 46615, has submitted a request to vacate the above referenced alley. Mr. Gilot advised the Board is in receipt of unfavorable recommendations concerning this Vacation Petition from the Street Department, Fire Department, Police Department Community Investment, and Engineering. Community Investments and, Public Works states it violates two (2) of the I.C. 36-7-3-13 Criteria. Therefore, Mr. Molnar made a motion recommending approval of the request for vacation to Common Council. Mr. Miller seconded the motion which carried by roll call.

Mr. Molnar asked if the Board ever hears back from the clerk or Common Council when recommendations are sent to them and if the vacation has gone through the whole process to become an Ordinance. Acting Clerk Laura Hensley informed Mr. Molnar that she follows up with the recommendations herself to see if they become ordinances or not. Mr. Molnar asked that an email be sent out to the Board with a follow up on what happened to recommendations that were sent to the Common Council.

APPROVE/DENY TRAFFIC CONTROL DEVICES

Upon a motion made by Mr. Molnar, seconded by Mr. Miller and carried by roll call, the following traffic control device request was approved:

NEW INSTALLATION:	Renewal of Reserved Handicapped Parking Space Sign Permit
LOCATION:	East Side of Lafayette Blvd., North of Jefferson Blvd. No. 1
REMARKS:	All Criteria Met

APPROVE CONSENTS TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE

Mr. Gilot 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. Steve Cooreman, 4404 Technology Dr., South Bend, IN 46628
  - 1. 26590 Boulder Crest. Ct. – Sewer (Key No.71-02-23-300-046.000-029)
- B. Mr. Steve Cooreman, 4404 Technology Dr., South Bend, IN 46628
  - 1. 52520 Scent Trail – Water/Sewer (Key No. 71-02-24-301-062.000-029)
- C. Mr. Steve Cooreman, 4404 Technology Dr., South Bend, IN 46628
  - 1. 25535 Scent Trail – Water/Sewer (Key No. 71-02-24-301-061.000.029)

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, Serena Lozano-Shane, Division of Wastewater, submitted the following Wastewater Discharge Permit(s) for renewal and recommended approval:

Tri-Pac, Inc., 3333 N. Kenmore 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 APPROVAL AND/OR RELEASE CONTRACTOR, EXCAVATION, AND OCCUPANCY BONDS

The Division of Engineering Permit Department recommended that the following bonds be ratified pursuant to Resolution 100-2000 and/or released as follows:

<b>Business</b>	<b>Bond Type</b>	<b>Approved/Released</b>	<b>Effective Date</b>
Beach House LLC	Excavation	Released	11/17/2021

Mr. Molnar made a motion that the bond’s approval and/or release as outlined above be ratified. Mr. Miller seconded the motion, which carried by roll call.

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:

<b>Name</b>	<b>Date</b>	<b>Amount of Claim</b>
City of South Bend Claims GBLN-27156, GBLN-27236, GBLN-27246	11/22/2021	\$1,818,728.51
City of South Bend Claims GBLN-27357, GBLN-27436	12/01/2021	\$6,941,565.19
City of South Bend Claims GBLN-27322, GBLN-27323	12/01/2021	\$1,623,053.99
City of South Bend Claims GBLN-27782, GBLN-27811, GBLN-27857	12/09/2021	\$1,563,216.86
City of South Bend Claims GBLN-27671, GBLN-27789, GBLN-27786	12/09/2021	\$1,608,222.01

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.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board, Mr. Gilot adjourned the meeting at 10:25 a.m.