

The Agenda Review Session of the Board of Public Works was convened at 10:31 a.m. on May 19, 2022, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar, and Board Members Gary Gilot, Jordan Gathers (absent), Murray Miller, and Board Attorney Clara McDaniels (virtual) were present. Board of Public Works Clerk, Theresa Heffner, presented the Board with a proposed agenda of items presented by the public and by City Staff.

Board members discussed the following item(s) from the agenda.

AMENDMENT NO. 1 TO PROFESSIONAL SERVICE AGREEMENT – AMERICAN STRUCTUREPOINT, INC.

The Director of Long-Term Control Plan, Kieran Fahey, and Jordan McCormack from American Structurepoint, Inc. were present to answer questions about item 6.H. Gary Gilot asked if the project went through the bidding assistance, construction phase engineering, or if they were just doing the design phase Mr. Fahey responded that it is a long project with a deadline of December 2025 so they broke the project down into smaller pieces. Mr. Fahey continued to explain the details of the project and noted that it is the first major, long-term control project. Mr. Gilot asked if a document outlining the CSO plan could be shared with the Board and Mr. Fahey stated that he would share the document.

MEMORANDUM OF UNDERSTANDING – TEAMSTERS LOCAL UNION NO. 364

City Attorney Jenna Throw was present to answer questions about items, 6.F. and 6.G. the MOU is the first step to reflect the agreement with the Teamsters and then when the Board passes the MOU, the next step would be a salary ordinance to reflect the change. Mr. Miller asked if the agreements applied to new employees or all employees. President Maradik noted that depending on how long an employee works for the City and/or lives in the city, it would be a prorated amount.

RESOLUTION NO. 25-2022 – TRANSFER OF REAL PROPERTY TO THE CITY OF SOUTH BEND REDEVELOPMENT COMMISSION

VP Molnar explained that Item 5.A involves the parking lot on Lafayette that is currently being used by City employees for parking. He noted that if a Request for Proposal (RFP) goes out for the Lafayette building, they would like to include the parking lot with it. This resolution would only be valid if City employees move to the South Bend Community Schools administration building next year.

EMERGENCY CLEANING AND CLOSED-CIRCUIT TV INSPECTION OF SEWERS

Mr. Miller asked if there were any local contractors available for item 6.C. It stated the work took nine (9) days, yet it was considered an emergency. Seeking clarification, Mr. Gilot asked if the work was beyond the ability of the City’s own cameras. City Engineer Kara Boyles stated that, National Power Rodding is utilized by the Combined Sewer Overflow (CSO) crews in order to address much larger diameter pipes. The Director of Purchasing, Michael Schmidt, explained that when the damage was done, it was originally an emergency purchase order, so he issued the emergency purchase order with an estimate of \$20,000. After reviewing the damage, National Power Rodding identified more significant damage than on their initial review which resulted in a price increase. Due to the price increase, it was determined that it would be a good time to bring the item to the Board for retroactive approval also noting the price increase for the work. City Engineer Boyles noted that the collapse has happened two times and AEP running their duct line near the CSO has caused failures of the road. Mr. Gilot advised that differing site conditions can cause a doubling of the scope from initial cost estimates.

Mr. Gilot asked that everybody circle back to Mr. Miller’s initial question about local contractors for the work. Director of Public Works Eric Horvath stated there are no local contractors because this was a large diameter pipe involving cleaning and televising. City Engineer Boyles advised that HRP does not do cleaning and televising; the repair work has not been done yet but is coming.

INTERLOCAL COOPERATIVE AGREEMENT - INDOT

Mr. Gilot asked if the indemnification clause could exclude environmental hazards from the indemnification for item 6.A. Board Attorney Clara McDaniels said she would look into it but noted that there is not a lot of room for negotiating in INDOT agreements. City Engineer Boyles added that this is also an Indiana Department of Administration (IDOA) project so there were a lot of challenges establishing the language in the agreement. Director Horvath stated that INDOT













EXQH□