

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

will put the water main in before any other construction and this will be added later. Mr. Gilot suggested that there may be an opportunity when they add the potential impact to groundwater from a salt storage facility that the City ensures that INDOT is responsible for their own environmental issues rather than the City.

INFOSEND MASTER SERVICE AGREEMENT – INFOSEND INC.

VP Molnar asked if item 6.B. was a new agreement or a renewal. Director Schmidt noted that there was a previous contract with InfoSend, so this is a renewal.

OPENING OF BID – BECK’S LAKE LASALLE PARK EPA MASTER PLAN

Mr. Gilot asked if there was a change in the goals by addendum for item 3.A. President Maradik noted that the addendum was related to the disposal of the soil.

PERMITS – SIDEWALK CAFÉ PERMITS

President Maradik asked if the fencing was permanent for item 7.C. City Engineer Boyles added that this is beyond the sidewalk café because it is part of the DTSB activation grant. President Maradik stated that she saw that it was part of the grant, but because the packet included engineering drawings, she wanted to understand what the Board would be approving. City Engineer Boyles added that she would get additional information from Project Engineer Zach Hurst.

REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – STUDEBAKER NATIONAL MUSEUM ROOF RESTORATION AND REPLACEMENT

Mr. Gilot asked about item 4.E. He noted that in the original design was for a black roof and asked if the specs had been changed to a white roof. City Engineer Boyles responded that it is a white roof.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 10:58 a.m.

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Gary A. Gilot, Member

Jordan V. Gathers, Member



Murray L. Miller, Member



Attest: Theresa M. Heffner, Clerk

Date: June 14, 2022

REGULAR MEETING

MAY 24, 2022

The Regular Meeting of the Board of Public Works was convened at 9:30 a.m. on Tuesday, May 24, 2022, by Board President Elizabeth A. Maradik in the 13th 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. Board Clerk Theresa Heffner confirmed the presence of Board President Elizabeth A. Maradik, Vice President Joseph Molnar, and Board Members Gary Gilot, Jordan Gathers (arrived at 9:33 a.m.), Murray Miller, and Board Attorney

Clara McDaniels (virtual), with a roll call. President Maradik 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 Murray Miller, seconded by Gary Gilot and carried by roll call, the minutes for the Agenda Review Session and Regular Meetings of the Board held on May 5, and May 10, 2022, were approved.

OPENING OF BIDS – BECK’S LAKE LASALLE PARK EPA MASTER PLAN – PROJECT NO. 120-053 (PR-00015473)

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:

GREEN DEMOLITION CONTRACTORS, INC.

523 Northbrook Dr.
Michigan City, IN 46360
laura@greendemolitioninc.com
Bid was signed by Mr. Michael Brough
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.
Three of Three Addendum(s) Acknowledgement received.

BID:

Base Bid	\$3,373,315.00
Alternate #1	\$47,952.00

HRP CONSTRUCTION, INC.

5777 Cleveland Rd., P.O. Box 266
South Bend, IN 46624-0266
johnk@hrpconstruction.com
Bid was signed by Mr. Matthew D. Cain
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.
Three of Three Addendum(s) Acknowledgement received.

BID:

Base Bid	\$2,198,945.00
Alternate #1	\$28,260.00

INDIANA EARTH, INC.

10343 McKinley Hwy.
Osceola, IN 46561
jimmyindianaeearth@yahoo.com
Bid was signed by Mr. Mark Osler
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.
Three of Three Addendum(s) Acknowledgement received.

BID:

Base Bid	\$5,494,573.90
Alternate #1	\$79,488.00

Upon a motion made by VP Joseph Molnar, seconded by Murray Miller and carried by roll call, the above bids were referred to Public Works and Venues Parks and Arts for review and recommendation.

AWARD QUOTATION AND APPROVE CONTRACT – MORRIS PERFORMING ARTS CENTER CARPET REPLACEMENT – PROJECT NO. 121-029B (PR-00016539)

Ms. Rebecca Plantz, Engineering, advised the Board that on May 10, 2022, quotations were received and opened for the above referenced project. After reviewing those quotations, Ms. Plantz recommended that the Board award the contract to the lowest responsive and responsible quoter, Carpet Service Outlet, Inc., 1514 Mishawaka Ave., South Bend, IN 46615, in the amount of \$173,000. President Maradik noted that the quote was over the \$150,000 threshold; however, because the Public Works estimate was below the threshold, the Board is able to award it. VP Joseph Molnar made a motion that the recommendation be accepted, and the quotation be awarded, and the contract approved as outlined above. Murray Miller seconded the motion, which carried by roll call.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – COVELESKI PLAYER FACILITIES IMPROVEMENTS – PROJECT NO. 122-021 (PR-00016880)

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 VP Joseph Molnar, seconded by Murray Miller and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – MIAMI HILLS TIF PROJECT – PROJECT NO. 122-027 (PR-00016923)

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 VP Joseph Molnar, seconded by Murray Miller and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – 2022 CONTRACTOR PAVING, ROUND II – PROJECT NO. 122-032 (PR-00017017)

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

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE SHEET – 2022 ROAD REHABILITATION – PROJECT NO. 122-024 (PR-00016955)

In a memorandum to the Board, Ms. Leslie Biek, 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 VP Joseph Molnar, seconded by Murray 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 – STUDEBAKER NATIONAL MUSEUM ROOF RESTORATION AND REPLACEMENT – PROJECT NO. 122-030 (PR-00016907)

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 VP Joseph Molnar, seconded by Murray Miller and carried by roll call, the above request was approved.

ADOPT RESOLUTION NO. 25.2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS AUTHORIZING THE TRANSFER OF REAL PROPERTY TO THE CITY OF SOUTH BEND REDEVELOPMENT COMMISSION

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

RESOLUTION NO. 25-2022**A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC WORKS AUTHORIZING THE TRANSFER OF REAL PROPERTY TO THE CITY OF SOUTH BEND REDEVELOPMENT COMMISSION**

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the “Board”) exists pursuant to Indiana Code Section 36-4-9-5, holds real property owned by the City of South Bend, Indiana (the “City”) pursuant to Indiana Code Section 36-9-6-3, and is authorized to transfer such property to another governmental entity pursuant to Indiana Code Section 36-1-11-8; and

WHEREAS, the South Bend Redevelopment Commission, the governing body of the City of South Bend, Indiana, Department of Redevelopment (the “Commission”), exists and operates pursuant to Indiana Code Section 36-7-14 (the “Act”); and

WHEREAS, the Board owns one (1) parcel of real property in the City, on Lafayette Street, more particularly described on Exhibit A (the "Property"); and

WHEREAS, the Board desires to convey the Property to the Commission pursuant to Ind. Code 36-1-11-8 for the purpose of making the Property available for re-use and redevelopment in accordance with the Commission's purposes and powers under the Act; and

WHEREAS, it is anticipated that the Commission will adopt a resolution accepting the Board's conveyance of the Property to the Commission and appointing a representative to accept and record the deed received from the Board.

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

1. The Board hereby approves the conveyance of the Property to the Commission in accordance with Indiana Code Section 36-1-11-8.
2. The President and Clerk of the Board are authorized and instructed to execute and attest, respectively, a quit claim deed in substantially the form attached hereto as Exhibit B, conveying all of the Board's right, title, and interest in the Property to the Commission.
3. The Board authorizes Joseph Molnar or Andrew Netter of the City’s Department of Community Investment to present for recordation in the Office of the Recorder of St. Joseph County, Indiana, the deed conveying the Property to the Commission, as well as to execute any other document necessary to affect the Board’s conveyance to the Commission.
4. This Resolution will be in full force and effect upon its adoption by the Board.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on May 24, 2022, 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/ Joseph R. Molnar
s/ Gary A. Gilot
s/ Jordan V. Gathers
s/ Murray L. Miller

ATTEST:
s/ Theresa Heffner, 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
Interlocal Cooperative Agreement	Indiana Department of Transportation	Development of Real Property in Renewable Energy Drive Subdivision Section One for its	N/A	Joseph Molnar/ Murray Miller

		Connection to City’s Water Main		
InfoSend Master Service Agreement	InfoSend, Inc.	Utility Bill Printing and Mailing Services including the Mayor’s Newsletter, Three (3) Year Contract	Approximately \$250,000 Annually (PR-00015188)	Joseph Molnar/ Murray Miller
Emergency Cleaning and Closed-Circuit TV Inspection of Sewers	National Power Rodding Corporation	Sewer Line Work and Change Order	\$20,000; Increasing \$21,606.25; New Total \$41,606.25 (PO-0015890)	Joseph Molnar/ Murray Miller
Professional Services Agreement	Shive-Hattery Architecture and Engineering	Engineering Services for Morris Performing Arts Center Box Office Renovation Project No. 121-029C	NTE \$24,400 (Hourly) (PR-00016436)	Joseph Molnar/ Murray Miller
LPA/Utility Reimbursement Agreement	St. Joseph County Board of Commissioners	City to Reimburse County for Relocating Five (5) Hydrants at Auten Road Trail Project No. 122-036	\$19,410 (PR-00016939)	Joseph Molnar/ Murray Miller
Memorandum of Understanding	Teamsters Local Union No. 364	Amend Master Agreement for 11 th City Holiday - Juneteenth	N/A	Joseph Molnar/ Murray Miller
Memorandum of Understanding	Teamsters Local Union No. 364	Amend Salary Ordinance for Permanent Residency Incentive for Full-Time City Employees of \$1,000 in the Year 2022	N/A	Joseph Molnar/ Murray Miller
Amendment No. 1 to Professional Services Agreement	American Structurepoint, Inc.	Adding Full CSO Storage Tank Design Services to Wastewater Treatment Plant Project No. 121-071	\$1,917,975 (PR-00012418)	Joseph Molnar/ Murray Miller *An engineer asked to table the item, so a motion was made to table

APPROVAL OF PERMIT AND LICENSE APPLICATIONS

The following permit and license applications were presented for approval:

Applicant	Description	Date/Time	Location	Motion Carried
Clover St. Block Party	Street Closure for Special Event	June 25, 2022; 8:00 a.m. to 7:00 p.m.	Clover St. between Ruskin St. to Hildreth St.	Joseph Molnar/ Murray Miller
St. Joseph Grade School Field Day	Street Closure for Special Event	June 3, 2022; 8:00 a.m. to 3:00 p.m.	St. Louis St. between LaSalle Ave. to Colfax Ave.	Joseph Molnar/ Murray Miller
St. Joseph County 4-H Fair	Transient Merchant License	July 1, 2022 to July 9, 2022; Friday to Saturday 6:00 a.m. to 11:00 p.m.	5117 Ironwood Dr.	Joseph Molnar/ Murray Miller
PEGGS of South Bend	Sidewalk Café Permit	Sunday 7:00 a.m. to 3:00 p.m.; Monday 7:00 a.m. to 2:00 p.m.; Thursday 7:00	127 S. Michigan St.	Joseph Molnar/ Murray Miller

		a.m. to 2:00 p.m.; Friday and Saturday 7:00 a.m. to 8:00 p.m.		
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APPROVE CONSENTS TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE

President 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. Ms. Sara Matthews, 112 Concept Dr., Apt 101, Granger IN 46530
 - 1. 18504 Fontana Dr. – Water/Sewer (Key No.71-04-18-200-147.000-003 & 002-1014-027402)
- B. Ms. Salima Rockwell, 108 N. Main St., Apt. 508, South Bend, IN 46601
 - 1. 18436 Forest Glade Dr. – Water/Sewer (Key No. 71-04-18-200-136.000-003)

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

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:

Business	Bond Type	Approved/ Released	Effective Date
TS Concrete Creations LLC	Contractor	Approved	05/06/2022
Rocky Top Property Maintenance	Contractor	Released	06/04/2022
Rocky Top Property Maintenance	Contractor	Released	06/04/2022
Chorba Construction & Excavating	Excavation	Released	06/06/2022
Rocky Top Property Maintenance	Excavation	Released	06/04/2022
TS Concrete Creations LLC	Occupancy	Approved	05/06/2022

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

RATIFY PREAPPROVED CLAIMS PAYMENTS

VP Joseph 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-36220, GBLN-36243	05/10/2022	\$1,070,205.83
City of South Bend Claims GBLN-36597	05/17/2022	\$1,464,587.76
City of South Bend Claims GBLN-36308, GBLN-36337, GBLN-37061	05/19/2022	\$1,559,772.83

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 VP Joseph Molnar, seconded by Murray 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, President Maradik adjourned the meeting at 9:46 a.m.

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President




Joseph R. Molnar, Vice President



Gary A. Gilot, Member

Jordan V. Gathers, Member



Murray L. Miller, Member



Attest: Theresa M. Heffner, Clerk

Date: June 14, 2022