

The Agenda Review Session of the Board of Public Works was convened at 10:30 a.m. on October 19, 2023, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar (absent), and Board Members Gary Gilot, Alexandra Dolz-Lane (arrived at 10:33 a.m.), Murray Miller, and Board Attorney Michael Schmidt present. The 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.

AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

Project Manager Patrick Sherman was present to discuss item 9. D: Amendment to MLK Dream Center GMP – C.H. Garmong & Sons, Inc. He explained that the City previously had a contract for construction services with Garmong and then went through the bidding process with them and received all the bids. We have worked through all the bids to determine what is responsive, responsible, and the lowest and have come up with a full construction package. This amendment is to amend the previous agreement which had the terms we were going to abide by to include the full construction package. He noted that the final number on the agenda was incorrect and stated that the whole Guaranteed Maximum Price (GMP) will be \$24,497,855. To give an idea of what it includes, the project will include the building, the grounds and includes seven (7) of the nine (9) alternates such as the outdoor restroom, the garage building, the splash pad, and the park pavilion. We are eliminating two (2) of the alternates, the solar panels and the ninja warrior style course (second playground). The solar panels will still be included eventually, but we are working with Sustainability to approach it in a different way. VPA could potentially raise funds to get a second playground added at some point. Mr. Sherman added that the MWBE goals for the project included seven percent (7%) for the MBE goal which the project will exceed at over fourteen percent (14%). The WBE goal is set at five percent (5%). Unfortunately, we did not have any participation from any veteran-owned businesses. Garmong did significant outreach and made a good-faith effort with ads, outreach events, calls, emails and they have it very well documented in their package. There is a contingency of four percent (4%) which is normal and any of those funds that are not spent will come back to the City.

Mr. Miller asked about documentation and whether or not it is Garmong's own documentation. He also asked if the documentation included the information from everybody that bid or just the ones that Garmong is going to use.

Mr. Sherman noted that Garmong was making the final tweaks on the GMP packet and he should have it later that day to share. He added that the documentation includes all the outreach and good-faith efforts that they made on the project and including advertisements, details about who they called and when, and who they emailed and when.

Attorney Michael Schmidt added that it would show which first-tier contractor was awarded and whether or not those first-tier subcontractors are utilizing a sub.

Mr. Gilot asked with the construction management contract, once we've done the contractor-at-risk online, should the design services be tweaked to the final scope be reporting to the CMc rather than to the City. He asked who will direct the effort to meet the GMP. He clarified that everybody reports to the City as the owner but questioned if the design contract under this set up should be with the contractor, not the City.

Mr. Sherman explained that the role for the designer going forward is really to accept and approve submittals and help with the construction admin.

Director of Public Works Eric Horvath advised that the CMc will run the project, they will be the general contractor of it, and they will be responsible for making sure we meet the GMP. METICULOUS Design Architecture, LLC will still do RFIs and submittals. Director Horvath gave the example where we say we expect a certain type of HVAC, and maybe it was a name brand even or equal and they provide an "or equal" substitution, that will go to METICULOUS and they will make sure the substitution is truly an "or equal" and approve that. It is mostly submittals and there will be very few things beyond that.

Attorney Schmidt advised that nothing will be value engineered at this point.

Mr. Sherman added that there has already been about a million dollars' worth of value engineering done on this project and most of the RFIs have already been answered through the pre-construction process with the CMc.

Attorney Schmidt noted that the goal for future CMc projects is that we can get the construction manager connected with the designer sooner.

Mr. Miller asked what the total number of the project was.

Director of Public Works Eric Horvath added that the cost also includes the Linden Streetscape project as well.

Mr. Sherman stated the total amount for the entire project is about twenty-seven million dollars.

REJECT BIDS AND QUOTATIONS

President Maradik asked if there should be a request to readvertise for item 5. A.: Liberty Tower TIF Project. Senior Engineer Zach Hurst replied that yes, there is a request to readvertise.

PROJECT COMPLETION AFFIDAVITS

Attorney Schmidt provided the results of the MWBE goals for item 7. A. Nexus Center Roof Replacement. He noted that the goals were exceeded on this project.

OPENING OF QUOTATIONS

Mr. Gilot asked if the five (5) different quotations for 542 N. Scott Street and 430 Cottage Grove Ave. are separate jobs to try to get smaller contractors to bid.

Senior Engineer Zach Hurst advised that these are all small quotes between \$15,000 - \$25,000 at each at two (2) locations and the goal is to work with more small minority-owned contractors to do work for the City on a smaller scale.

Mr. Miller asked if these are City owned properties or privately owned.

Senior Engineer Zach Hurst stated that these are privately-owned properties, and this is funded by the Redevelopment Commission. They have allotted some money to rehab existing multi-family units at these two (2) locations.

Mr. Gilot asked if there is a blanket right-of-entry or easement for the construction.

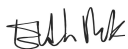
Mr. Hurst replied that when a development agreement is approved through the Redevelopment Commission, part of the agreement includes the easement allowing the City access onto the property for the purpose of construction.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 10:44 a.m.

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Gary A. Gilot, Member

Alexandra Dolz-Lane, Member



Murray L. Miller, Member



Attest: Theresa M. Heffner, Clerk

Date: November 14, 2023

REGULAR MEETINGOCTOBER 24, 2023

The Regular Meeting of the Board of Public Works was convened at 9:31 a.m. on Tuesday, October 24, 2023, 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, Alexandra Dolz-Lane, Murray Miller, and Board Attorney Michael Schmidt, 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 VP Molnar, seconded by Mr. Miller and carried by roll call, the minutes for the Agenda Review Session and Regular Meetings of the Board held on October 5, and October 10, 2023, were approved.

PUBLIC HEARING - COUNCIL OAK SPA

President Maradik advised that this was the date set for the Board's Public Hearing concerning and license application for Council Oak Spa at 3302 Portage Ave., Suite A. It was noted favorable recommendations were received from the Police, Fire and Community Investment Departments. There being no one else present wishing to address the Board concerning this matter, the Public Hearing was closed. Therefore, upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

Business owner Ying Na Cai was present to answer questions during the public hearing.

PUBLIC HEARING – A HEALING OASIS

President Maradik advised that this was the date set for the Board's Public Hearing concerning and license application for A Healing Oasis at 714 E. Jefferson Blvd. It was noted favorable recommendations were received from the Police, Fire and Community Investment Departments. There being no one else present wishing to address the Board concerning this matter, the Public Hearing was closed. Therefore, upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

Business owner Debra Barton was present to answer questions during the public hearing.

OPENING OF BIDS – WASTEWATER CNG COMPRESSOR UPGRADE – PROJECT NO. 119-109 (PR-00027076)

This was the date set for receiving and opening sealed bids for the above referenced project. The Clerk tendered proof of publication of the Notice in the South Bend Tribune, which was found to be sufficient. The following bids were opened and publicly read:

It was requested by staff that the item be tabled.

Upon a motion to table made by VP Molnar, seconded by Mr. Miller and carried by roll call, the above bid opening was tabled.

OPENING OF BIDS – ANGELA BLVD. ROADWAY IMPROVEMENTS – PROJECT NO. 122-059R (PR-00020234)

This was the date set for receiving and opening sealed bids for the above referenced project. The Clerk tendered proof of publication of the Notice in the South Bend Tribune, which was found to be sufficient. The following Bids were opened and publicly read:

MILESTONE CONTRACTORS NORTH, INC.

24358 State Road 23

South Bend, IN 46614

akrueger@milestonelp.com, dhilary@milestonelp.com

Bid was signed by Mr. Dustin Hilary

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 (1) of One (1) Addendum(s) Acknowledgement received.

BID:

Division 1	\$978,000.00
Division 2	\$2,263,000.00
Total	\$3,241,000.00

RIETH-RILEY CONSTRUCTION CO., INC.

25200 State Road 23
South Bend, IN 46614
ralvarado@rieth-riley.com; dsauer@rieth-riley.com

Bid was signed by Mr. Ruben Alvarado
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 (1) of One (1) Addendum(s) Acknowledgement received.

BID:

Division 1	\$1,258,917.83
Division 2	\$2,935,850.17
Total	\$4,194,768.00

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

OPENING OF QUOTATIONS – 542 N. SCOTT ST. TIF - PAINTING & SIDING – PROJECT NO. 123-062A (PR-00028437)

President 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:

STAHL PAINTING COMPANY

13645 McKinley Hwy, Unit F
Mishawaka, IN 46545
jordan@propertybrosllc.com; stahlpaintingcompany@gmail.com

Quotation was submitted by Mr. Satori Stahl
Non-Collusion, Non-Discrimination Affidavit Form was **NOT** completed.

QUOTATION: \$11,000.00

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

OPENING OF QUOTATIONS – 542 N. SCOTT ST. TIF - ROOF REPAIRS – PROJECT NO. 123-062B (PR-00028439)

President 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:

TRCC, LLC

837 Garden Ln.
South Bend, IN 46619
tonyruizlll3@gmail.com

Quotation was submitted by Mr. Antonio Ruiz
Non-Collusion, Non-Discrimination Affidavit Form was completed.

QUOTATION: \$4,500.00

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

OPENING OF QUOTATIONS – 542 N. SCOTT ST. TIF - WINDOWS & DOORS – PROJECT NO. 123-062C (PR-00028440)

President 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:

TRCC, LLC

837 Garden Ln.

South Bend, IN 46619

tonyruizlll3@gmail.com

Quotation was submitted by Mr. Antonio Ruiz

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

QUOTATION: \$6,000.00

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

OPENING OF QUOTATIONS – 430 COTTAGE GROVE AVE. TIF - ROOF REPAIRS – PROJECT NO. 123-062D (PR-00028441)

President 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:

TRCC, LLC

837 Garden Ln.

South Bend, IN 46619

tonyruizlll3@gmail.com

Quotation was submitted by Mr. Antonio Ruiz

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

QUOTATION: \$7,500.00

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

OPENING OF QUOTATIONS – 430 COTTAGE GROVE AVE. TIF - WINDOWS & DOORS – PROJECT NO. 123-062E (PR-00028442)

President 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:

TRCC, LLC

837 Garden Ln.

South Bend, IN 46619

tonyruizlll3@gmail.com

Quotation was submitted by Mr. Antonio Ruiz

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

QUOTATION: \$4,500.00

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

*An email was received from Kodey Maxwell with Spotlight Renovations, LLC. The subject line referenced 430 Cottage Grove and 542 N Scott Street but no project numbers were referenced and no bids were attached to the email.

AWARD QUOTATION AND APPROVE CONTRACT – OLIVE STREET WEST ENTRANCE SIDEWALK REPLACEMENT (PR-00028486)

Mr. Matt Bussell, Water Works, advised the Board that on October 16, 2023, quotations were received and opened for the above referenced project. After reviewing those quotations, Mr. Bussell recommended that the Board award the contract to the lowest responsive and responsible

quoter, John Ward Concrete, Inc., in an amount not to exceed \$13,480. Therefore, VP 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.

APPROVAL OF REQUEST TO REJECT BIDS/QUOTATIONS – LIBERTY TOWER TIF PROJECT - PARKING GARAGE – PROJECT NO. 123-054 (PR-00027141)

In a memorandum to the Board, Mr. Zach Hurst, Engineering, requested permission to reject all bids for the above-referenced project due to irregularities across the bids received. Will re-advertise and rebid the project at a later date. Therefore, upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

APPROVE CHANGE ORDER NO. 16 (FINAL) – COAL LINE TRAIL, PHASE I – PROJECT NO. 115-063 (PO-0025244)

President Maradik advised that Ms. Gemma Stanton, Engineering, has submitted change order number 16 (final) on behalf of Indiana Department of Transportation and Selge Construction, indicating the contract amount be increased by \$21,087.15 (City) with a total increase: \$105,435.72 for a new contract sum, including this change order, in the amount of \$1,976,698.51. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the change order was approved.

APPROVE CHANGE ORDER NO. 2 (FINAL) – MONROE CIRCLE DEMOLITION – PROJECT NO. 123-048 (PO-0024348)

President Maradik advised that Mr. Zach Hurst, Engineering, has submitted change order number 2 (Final) on behalf of Green Demolition Contractors, indicating the contract amount be increased by \$182,800 with an additional fifty-six (56) days for a new contract sum, including this change order, in the amount of \$1,489,400 with a new completion date of November 15, 2023. President Maradik noted for the record that this change order and the first change order for this project was due to unforeseen asbestos remediation and debris found under the foundation. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the change order was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – NEXUS CENTER ROOF REPLACEMENT – PROJECT NO. 121-064A (PO-0021162)

President Maradik advised that Mr. Kyle Ludlow, Engineering, has submitted the project completion affidavit on behalf of Slatile Roofing & Sheet Metal Co., Inc., for the above referenced project, indicating a final cost of \$196,981. Upon a motion made by VP 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 – 2023 RESIDENTIAL DEMOLITIONS – PROJECT NO. 123-068 (PR-00028089)

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 Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

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
Amendment No. 2 to Professional Services Agreement	METICULOUS Design Architecture, LLC	Design Services for MLK Dream Center for Additional Effort with Design Adjustments, Value Engineering, and Working with CMC	\$183,584 (PO-0017421)	VP Molnar / Mr. Miller
Amendment No. 2 to Professional Services Agreement	Lochmueller Group	Additional Inspection Services for Seitz Park Renovation, Phase I Project No. 117-093A	\$96,200 (PO-0007779)	VP Molnar / Mr. Miller
Professional Services	Abonmarche Consultants,	Design and Development of Bid Specifications for	\$41,590 (PR-00028449)	VP Molnar / Mr. Miller

Agreement	Inc.	2023 Lead Service Line Replacements Project No. 123-069		
Amendment to MLK Dream Center GMP	C.H. Garmong & Sons, Inc.	Finalize Guaranteed Maximum Price for Construction Project Based on Bids from September 26, 2023 Meeting	\$24,497,885 (PR-00023681)	VP Molnar / Mr. Miller
Amendment No. 2 to Professional Services Agreement	Abonmarche Consultants, Inc.	Increased Amount for Construction Inspection Services Performed by Consultant for Monroe Circle Demolition Project No. 123-048	\$9,500; New Adjusted Amount \$50,800 (PO-0024349)	VP Molnar / Mr. Miller
Authorization Access Indemnification Agreement	Vision Realty Int’l, LLC	116 Northshore Version 3 for Access and Indemnification to Repair Outfall and Bank of CSO 26	N/A	VP Molnar / Mr. Miller

APPROVE/DENY TRAFFIC CONTROL DEVICES

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

- NEW INSTALLATION:

LOCATION:

REMARKS:
- Handicapped Accessible Parking Space Sign
603 Kosciuszko St.
All Criteria Met
- NEW INSTALLATION:

LOCATION:

REMARKS:
- Two (2) Stop Signs
North/South Travel Lanes on Lafayette Blvd at Madison St.
All Criteria Met

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
Simply Kole Remodeling	Contractor	Approved	10/13/2023
Martinez Sons Construction LLC	Contractor	Released	09/27/2023
Simply Kole Remodeling	Occupancy	Approved	10/13/2023

VP 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

VP 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-64752, GBLN-64753, GBLN-65462	10/09/2023	\$1,518,460.85
City of South Bend Claims GBLN-65077	10/10/2023	\$1,901,880.53
City of South Bend Claims GBLN-65520	10/17/2023	\$3,489,566.75

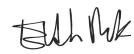
Each claim is fully supported by an invoice; the person receiving the goods or services has approved the claims; and the claims have been filed with the City Fiscal Officer and certified for accuracy. Therefore, upon a motion by VP Molnar, seconded by Mr. Miller, and carried by roll call, the Board ratified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

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 9:59 a.m.

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Gary A. Gilot, Member

Alexandra Dolz-Lane, Member



Murray L. Miller, Member



Attest: Theresa M. Heffner, Clerk

Date: November 14, 2023