

The Agenda Review Session of the Board of Public Works was convened at 2:30 p.m. on June 7, 2024, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar (absent), and Board Members Gary Gilot, Murray Miller, Briana Micou (absent), and City Attorney Jenna Throw filled in for Board Attorney Michael Schmidt who was absent. 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.

AGENDA REVIEW SESSION ACTION ITEMS

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
Deed of Dedication	Modway Homes (Owner) & Wightman (Surveyor)	Additional Right-of-Way at 3216 Fellows St. Project No. DP24-032	N/A	Miller /Gilot

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

RESCIND QUOTATION AWARD

Mr. Gilot was present to ask a question about item 5. A.: 2024 Tree and Stump Removal – District 3 with American Tree and Lawn Care. Mr. Gilot wanted to note for the record that he read the memo of the explanation for the rescinded award and stated that normally we hold a contractor’s feet to the fire with their bid bond and make them pay the difference when there are math errors in their bid submission, but the explanation here was that this is a small company and it was the first time they had ever quoted on a South Bend project and they made a math mistake. Although he agreed that in this case there should be a bit of leniency, he noted we don’t want to set a precedent for future bids and clarified that this is based on the merits of this particular case.

REJECTION OF BIDS/QUOTATIONS

Mr. Gilot wanted to clarify whether item 7. A.: 2024 Lead Service Line Replacement NW & SW zones would be re-bid. Clerk Heffner stated she would follow up with the engineer for clarification.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 2:36 p.m.

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS

Elizabeth A. Maradik, President

Joseph R. Molnar, Vice President

Gary A. Gilot, Member

Briana Micou, Member

Murray L. Miller, Member

Attest: Theresa M. Heffner, Clerk

Date: June 25, 2024

REGULAR MEETING

JUNE 11, 2024

The Regular Meeting of the Board of Public Works was convened at 9:33 a.m. on Tuesday, June 11, 2024, 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, Murray Miller, Briana Micou, and Board Attorney Michael Schmidt (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 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 May 23, and May 28, 2024, were approved.

OPENING OF BIDS – WASTEWATER TREATMENT PLANT CNG COMPRESSOR UPGRADE – PROJECT NO. 119-109R (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:

KOONTZ-WAGNER SERVICES LLC

3801 Voorde Dr., Suite B

South Bend, IN 46628

kwaldschmidt@kwservices.com

Bid was signed by Mr. Anthony J. Maloney

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:

Base Bid Total	\$1,545,000.00
Alternate #1 Total	\$78,388.84

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

OPENING OF BIDS – DOWNTOWN SOUTH BEND TO NOTRE DAME TRAIL WAYFINDING SIGNS – PROJECT NO. 122-040C (PR-00033300)

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:

US SIGN CRAFTERS

216 Lincolnway East

Osceola, IN 46561

steven@ussigncrafters.com

Bid was signed by Mr. Steven Tucker

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

Five percent (5%) Bid Bond was NOT submitted.

Three (3) Forms MWBE-1.0, 2.0, 2.1 NOT were NOT completed.

BASE BID TOTAL: \$66,420.00

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 BIDS – GRAND TRUNK WESTERN RAILROAD WATER MAIN REPLACEMENT AT GREENLAWN AVE. AND S. 30TH. ST. – PROJECT NO. 122-041 (PR-00033297)

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:

HRP CONSTRUCTION, INC.

5777 Cleveland Road P.O Box 266

South Bend, IN 46624

jeredb@hrpconstruction.com; cindyv@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.

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

BID:

Division 1 Total	\$667,257.00
Division 2 Total	\$844,867.00
Alternate #1	\$278,000.00
Alternate #2	\$217,500.00

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

OPENING OF BIDS – CSO 22 CONTROL VALVE REPLACEMENT – PROJECT NO. 123-032 (PR-00033373)

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:

HRP CONSTRUCTION, INC.

5777 Cleveland Road P.O Box 266

South Bend, IN 46624

jeredb@hrpconstruction.com; cindyv@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.

Two (2) of Two (2) Addendum(s) Acknowledgement received.

BID:

Base Bid Total	\$5,570,000.00
Alternate #1 Total	\$0

SELGE CONSTRUCTION CO., INC.

2833 South 11TH St.

Niles, MI 49120

aswinehart@selgeconstruction.com

Bid was signed by Mr. Justin Butler

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.

Two (2) of Two (2) Addendum(s) Acknowledgement received.

BID:

Base Bid Total	\$3,510,520.50
Alternate #1 Total	\$0

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

OPENING OF BIDS – RACLIN MURPHY ENCORE CENTER – PROJECT NO. 123-056 (PR-00032431)

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:

ZIOLKOWSKI CONSTRUCTION, INC.

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

Bid was signed by Mr. Jason Watts
 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 (3) of Three (3) Addendum(s) Acknowledgement received.

BID:

Base Bid Total	\$15,217,000.00
Alternate #1 Total	\$434,000.00
Allowances Total	\$0
Unsuitable Soil	\$25 per cubic yard

LARSON DANIELSON CONSTRUCTION CO., INC.

302 Tyler St.
 LaPorte, IN 46350
mcd@ldconstruction.com

Bid was signed by Mr. Brian T. 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.
 Three (3) of Three (3) Addendum(s) Acknowledgement received.

BID:

Base Bid Total	\$15,202,000.00
Alternate #1 Total - Deduct	\$275,000.00
Allowances Total	\$0
Unsuitable Soil	\$47 per cubic yard

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.

AWARD BID AND APPROVE CONTRACT – 2024-2025 WATER TREATMENT WASTEWATER CHEMICALS (641-06-605-514-422012)

Mr. Jacob Klosinski, Engineering, advised the Board that on May 14, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Mr. Klosinski recommended that the Board award the contract to the lowest responsive and responsible bidder, Alexander Chemical Corporation, in the amount of Unit Prices: \$1,624 Per Ton Chlorine; Total \$243,600, \$979 Per Ton Sulfur Dioxide; Total \$97,900 for One (1) Year Contract – May 14, 2024 through May 13, 2025. Therefore, VP 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 – 2024-2025 WATER TREATMENT WASTEWATER CHEMICALS (641-06-605-514-422012)

Mr. Jacob Klosinski, Engineering, advised the Board that on May 14, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Mr. Klosinski recommended that the Board award the contract to the lowest responsive and responsible bidder, Kemira Water Solutions, Inc., in the amount of Unit Price: \$2.28 per Gallon Ferric Chloride; Total \$205,000 for One (1) Year Contract – May 14, 2024 through May 13, 2025. Therefore, VP 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 – 2024-2025 WATER TREATMENT WASTEWATER CHEMICALS (641-06-605-514-422012)

Mr. Jacob Klosinski, Engineering, advised the Board that on May 14, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Mr. Klosinski recommended that the Board award the contract to the lowest responsive and responsible bidder, Polydyne Inc., in the amount of Unit Price: \$2.03 per Pound Dry Polymer Flocculent; Total \$81,200 for One (1) Year Contract – May 14, 2024 through May 13, 2025. Therefore, VP 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 – FELLOWS BOOSTER PUMP STATION IMPROVEMENTS - CONTRACT A – PROJECT NO. 121-070A (STATE REVOLVING FUND)

Mr. Jacob Klosinski, Engineering, advised the Board that on April 9, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Mr. Klosinski recommended that the Board award the contract to the lowest responsive and responsible bidder, EFI Solutions, Inc., in the amount of \$2,529,025; The loan was approved on on June 4, 2024, and the financing was confirmed with the Indiana Finance Authority. Therefore, VP 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 – FELLOWS BOOSTER PUMP STATION IMPROVEMENTS - CONTRACT B – PROJECT NO. 121-070B (STATE REVOLVING FUND)

Mr. Jacob Klosinski, Engineering, advised the Board that on April 9, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Mr. Klosinski recommended that the Board award the contract to the lowest responsive and responsible bidder, Selge Construction Co., Inc., in the amount of \$3,724,000; Base Bid Only - The loan was approved on June 4, 2024 and the financing was confired with the Indiana Finance Authority. Therefore, VP 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 – 2024 LEAD SERVICE LINE & MAIN REPLACEMENTS WEST ZONE – PROJECT NO. 123-069A (STATE REVOLVING FUND)

Ms. Rebecca Plantz, Engineering, advised the Board that on May 14, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Ms. Plantz recommended that the Board award the contract to the lowest responsive and responsible bidder, Selge Construction Co., Inc., in the amount of \$1,721,949.75, all divisions plus alternates. Therefore, VP 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 – 2024 LEAD SERVICE LINE & MAIN REPLACEMENTS SOUTHEAST ZONE – PROJECT NO. 123-069B (STATE REVOLVING FUND)

Ms. Rebecca Plantz, Engineering, advised the Board that on May 14, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Ms. Plantz recommended that the Board award the contract to the lowest responsive and responsible bidder, Selge Construction Co., Inc., in the amount of \$6,193,283.50, all divisions plus alternates. Therefore, VP 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.

APPROVAL OF REQUEST TO RESCIND QUOTATIONS AWARD – 2024 TREE AND STUMP REMOVAL – PROJECT NO. 124-010B (PR-00032850)

In a memorandum to the Board, Ms. Gemma Stanton, Engineering, requested permission to rescind the bid for the above referenced project due to errors were made in the quote calculations by American Tree and Lawn Care. Therefore, upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

AWARD QUOTATION AND APPROVE CONTRACT – 2024 BRICK SPOT REPAIR – PROJECT NO. 124-041 (PR-00033529)

Ms. Lidya Abreha, Engineering, advised the Board that on May 28, 2024, quotations were received and opened for the above referenced project. After reviewing those quotations, Ms. Abreha recommended that the Board award the contract to the lowest responsive and responsible quoter, Acorn Landscaping, LLC, in the amount of \$123,596 for the base quote only. 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.

AWARD QUOTATION AND APPROVE CONTRACT – 2024 TREE AND STUMP REMOVAL – PROJECT NO. 124-010B (PR-00032850)

Ms. Gemma Stanton, Engineering, advised the Board that on May 14, 2024, quotations were received and opened for the above referenced project. After reviewing those quotations, Ms. Stanton recommended that the Board award the contract to the lowest responsive and responsible quoter, K&R Tree Service, in the amount of \$22,708. 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 – 2024 LEAD SERVICE LINE REPLACEMENTS NW & SW ZONES – PROJECT NO. 123-069C (STATE REVOLVING FUND)

In a memorandum to the Board, Ms. Rebecca Plantz, Engineering, requested permission to reject all bids for the above referenced project due to the bids being overbudget. Therefore, upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO REJECT BIDS/QUOTATIONS – SOUTH BEND - SBCSC ADMINISTRATION BUILDING RENOVATION - ELEVATOR REPLACEMENT – PROJECT NOS. 124-001A & 124-001AR (PR-00033640)

In a memorandum to the Board, Ms. Rebecca Plantz, Engineering, requested permission to reject all bids for the above referenced project due to the bids being overbudget and requests to re-advertise. 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. 6 (FINAL) – COAL LINE TRAIL PHASE IIB – PROJECT NO. 122-035 (PO-0025244)

President Maradik advised that Ms. Gemma Stanton, Engineering, has submitted change order number 6 (Final) on behalf of Indiana Department of Transportation & Milestone Contractors, indicating the contract amount be decreased by \$102,370.40 for a new contract sum, including this change order, in the amount of \$3,406,165.11. 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 – NORTHWEST ELEVATED TANK SITE RESTORATION – PROJECT NO. 122-018A (PO-0029006)

President Maradik advised that Ms. Rebecca Plantz, Engineering, has submitted the project completion affidavit on behalf of Acorn Landscaping, LLC, for the above referenced project, indicating a final cost of \$31,759. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the project completion affidavit was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – DUBAIL STREET SIDEWALK – PROJECT NO. 124-009B (PO-0030605)

President Maradik advised that Ms. Gemma Stanton, Engineering, has submitted the project completion affidavit on behalf of Ortiz Construction, for the above referenced project, indicating a final cost of \$13,676. 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 AND TITLE SHEET – 2024 CURB AND SIDEWALK PROGRAM – PROJECT NO. 124-009 (DIVISION 1 - PR-00033969, DIVISION 2 - PR-00034020, DIVISION 3 - PR-00034021, DIVISION 4 - PR-00034022, DIVISION 5 - PR-00034029)

In a memorandum to the Board, Ms. Gemma Stanton, 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 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 PROPOSALS – TOWING SERVICES FOR SOUTH BEND POLICE DEPARTMENT (NO COST TO CITY)

In a memorandum to the Board, Sergeant Aaron Knepper, South Bend Police Department, requested permission to advertise for the receipt of proposals 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.

ADOPT RESOLUTION NO. 17-2024 – A REVISED RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS FOR THE SEWER LATERAL REIMBURSEMENT PROGRAM POLICY

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

RESOLUTION NO. 17-2024

**THE BOARD OF PUBLIC WORKS
OF THE CITY OF SOUTH BEND, INDIANA
SEWER LATERAL REIMBURSEMENT PROGRAM POLICY**

AUTHORITY

The Board of Public Works (the “Board”) of the City of South Bend (the “City”) adopts this statement of policy (this “Policy”) pursuant to the Board’s authority for supervision of streets, alleys and City property under Indiana Code Section 36-9-6-2 and South Bend Municipal Code Chapter 17.

STATEMENT OF PURPOSE AND INTENT

The cost associated with new sewer lateral connections, including pavement replacement, act as a barrier to reinvestment in our existing urban neighborhoods. To support efficient infill development and reinvestment into our community, the City of South Bend has developed a new program to assist with these costs.

The Sewer Lateral Reimbursement Program assists property owners with the complete replacement *or lining* of a sewer lateral from the house to the City’s main sewer line. The program only applies to new residential infill construction.

PROGRAM GUIDELINES

Section 1: Eligibility

Through the Sewer Lateral Reimbursement Program, the City will reimburse property owners for qualifying expenses of new sewer lateral connections *or lining of existing sewer laterals*. To be eligible for participation, an applicant must have plans to construct a new residential or neighborhood scaled multifamily residential structure with total construction costs below the median home price, as a per housing unit, for the Midwest Region within a qualifying zoning district.

Section 2: Property Qualifications

Properties must meet the following qualifications:

- (i) **Location:** Property must be located in areas zoned under the South Bend Zoning Ordinance as U1 Urban Neighborhood 1, U2 Urban Neighborhood 2, U3 Urban Neighborhood 3 as well as residential uses within UF Urban Flex and NC Neighborhood Center.
- (ii) **Building Type:** The new infill construction must be for a residential development up to five (5) dwelling units. Infill development is construction on land that has been vacant, unused, or underutilized within current City limits where municipal water and sewer services are already available. The residential structure can be home owner occupied or rental. The policy also covers residential infill developments consisting of five (5) units or more, whether developed at one time or over a period of time, for infill residential housing units constructed by not-for-profit development companies or supported by low-income housing tax credits.
- (iii) **Residential structure valuation:** To target the program for low and moderate income housing, applicants will have to show proof that their project meets certain thresholds:
 - The unit construction cost must fall at or below the *Median Sale Price of Houses Sold for the Midwest Census Region (determined by the US Census Bureau and the US Department of Housing & Urban Development)*.
 - By way of example, if an applicant intends to construct a three (3) unit multifamily residential structure, and the Median Sale Price in the Midwest for a new single family residential structure is \$200,000 (true number will be based on the applicable census data at the time of the application), the City will permit a reimbursement for a sewer lateral expense if the construction cost of the new three (3) unit multifamily residential structure is at or below \$600,000 (3 X \$200,000).
- (iv) **Ineligible locations:** A greenfield site (i.e. land previously undeveloped), is not eligible for participation.

Section 3: Reimbursement Amount

The City will reimburse the applicant up to \$20,000 *per lateral* for qualifying expenses. The property owner may be responsible for a portion of the project expenses and such cost share shall be outlined in the program application.

Section 4: Qualified Expenses: Funding for the replacement of new sewer laterals will be provided as reimbursement to applicants who meet all the qualifications of the program. Funding may be used towards the cost of the entire sewer lateral (from the main line to the residential structure). Qualifying costs for reimbursement include labor and materials for the sewer lateral work, pavement restoration, sidewalks, curbs, and traffic control. Engineering and permitting costs are not eligible for reimbursement.

In certain circumstances, existing sewer laterals can be lined as part of this program. To be considered for lining, the existing lateral must be a minimum of 6", and it must be inspected to verify that it is in a condition suitable for lining. The applicant will be responsible for providing video of the existing lateral for Engineering review. Lateral lining will need to be approved by Engineering prior to approval of the reimbursement application. Sewer laterals not suitable for lining will need to be fully replaced.

Section 5: Program Application

Interested property owners will apply for the program prior to starting any construction on the sewer lateral. The application will be available on the City of South Bend's website and will be reviewed by City staff.

Once a completed application is submitted and approved by City staff, the applicant may begin work on their sewer lateral project. The work must be performed by private, bonded, licensed contractors and in accordance with the City's Standard Specifications. *The work will need to be inspected by a City representative.* After completion of *all work, including proper street patching*, and approval by the City, the applicant may seek reimbursement.

Construction work on the sewer lateral shall be completed no more than one year after approval of the application.

This resolution shall be in full force and effect as of the date of its adoption by the board.

Adopted at a meeting of the Board of Public Works of the City of South Bend, Indiana held on June 11, 2024.

CITY OF SOUTH BEND
BOARD OF PUBLIC WORKS
s/ Elizabeth A. Maradik
s/ Joseph R. Molnar
s/ Gary A. Gilot
s/ Murray L. Miller
s/ Brena N. Micou

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
Amendment No. 1 to Owner-Engineer Agreement	M/E Design Services	Design Services for Studebaker Museum for HVAC Replacement Project No. 124-020	\$9,300; New Adjusted Amount \$11,300 (PO-0030281)	Molnar / Miller
INDOT Recommendation for Acceptance	Lawson-Fisher Associates	Approve Report of Contract Final Inspection and Recommendation for Acceptance for Coal Line Trail Phase IIA Project No. 115-064	N/A	Molnar / Miller
Deed of Dedication	Barnes Development Co. (Owner) & Woolpert (Surveyor)	Additional Right-of-Way at 4401 S. Michigan St. Project No. DP23-058	N/A	Molnar / Miller
Amendment No. 1 to Owner-Engineer Agreement	Abonmarche Consultants, Inc.	Additional Design, Bidding & Construction Phase Work for Lead Service Line Replacement Program Project No. 123-069	\$409,000; New Adjusted Amount NTE \$450,590 (Hourly) (PO-0027071)	Molnar / Miller

APPROVAL OF LICENSE AND PERMIT APPLICATIONS

The following license and permit applications were presented for approval:

Applicant	Description	Date/Time	Location	Motion Carried
Clark Run 5K	Street Closure for Special Event	October 5, 2024; 10:00 a.m. to 11:00 a.m.	Miami St. at Donmoyer Ave. and Miami St. at Ridgedale Rd.	Molnar / Miller
East Race Waterway 40 th . Celebration	Street Closure for Special Event	June 29, 2024; 10:00 a.m. to 8:00 p.m.	S Niles Ave. from E. Washington St. to E. Jefferson Blvd.	Molnar / Miller
Ellsworth Block Party	Street Closure for Special Event	July 3, 2024; 5:00 p.m. to 10:00 p.m.	S. Ellsworth Pl. from Wilson Ave. to E. Washington St.	Molnar / Miller

Kids Triathlon	Street Closure for Special Event	July 20, 2024; 8:00 a.m. to 12:00 p.m. (Rain Date July 21, 2024)	Fellow St. to Portage Ave; North on S. St. Joseph; East on Dubail; South on Marietta St; West on Dayton St; South on Rush St. to Parking Lot (Rolling Closures)	Molnar / Miller
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FAVORABLE RECOMMENDATION - PETITION TO VACATE THE ALLEY FIRST NORTH-SOUTH ALLEY NORTH OF MARION ST. BETWEEN LAFAYETTE BLVD. AND MAIN ST.; AND THE PORTION OF MAIN ST. LOCATED BETWEEN THE NORTH LINE OF THE EAST-WEST ALLEY NORTH OF MARION ST. AND VACATED NAVARRE ST.

President Maradik indicated that Danch, Harner & Associates, has submitted a request to vacate the above referenced alley to allow additional parking for Beacon Hospital. Ms. Maradik advised the Board is in receipt of favorable recommendations concerning this vacation petition from the Public Works Department, Fire Department, Police Department, and Community Investment who all state the request does meet the criteria of I.C. 36-7-3-13. Therefore, VP Molnar made a motion recommending approval of the request for vacation. Mr. Miller seconded the motion which carried by roll call.

FAVORABLE RECOMMENDATION - PETITION TO VACATE THE ALLEY PARALLEL WITH THE NORTHERN WALL OF THE MORRIS PERFORMING ARTS CENTER; ABANDON STARTING AT NORTH-SOUTH ALLEY LIMITS GOING EAST TO SIDEWALK

President Maradik indicated that Ms. Rebecca Plantz, Engineering, has submitted a request to vacate the above referenced alley to allow access for the expansion of the Raclin-Murphy Encore Center. President Maradik advised the Board is in receipt of favorable recommendations concerning this vacation petition from the Public Works Department, Fire Department, Police Department, and Community Investment who all state the request does meet the criteria of I.C. 36-7-3-13. Therefore, VP Molnar made a motion recommending approval of the request for vacation. Mr. Miller seconded the motion which carried by roll call.

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: Change Speed Limit Signs Three (3) Replaced, Four (4) New, Seven (7) Total to 30MPH
- LOCATION: E. Mishawaka Ave. between Ironwood Dr. & Logan St.
- REMARKS: All Criteria Met

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 rights 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 all rights to remonstrate against or oppose any pending or future annexations of the properties by the City of South Bend:

- A. Mr. Mark and Suzanne Tobey, 134 Wenatchee Pl., Hebron, IN 46341
 - 1. 26917 McArthur Ct. – Sewer (Key No.021-1038-062650/71-02-26-351-009.000-029)
- B. Ms. Josephine Sarpong Akosa, 53593 Erne Ct., South Bend, IN 46628
 - 1. 53593 Erne Ct. – Sewer (Key No. 71-02-26-326-049.000-029)

Upon a motion by VP Molnar, seconded by Mr. Miller and carried by roll call, the consents to annexation and waivers of rights 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
1 Stop Property Solutions	Contractor	Approved	06/03/2024
Walter Siematkowski	Excavation	Approved	05/28/2024
1 Stop Property Solutions	Occupancy	Approved	06/03/2024
Boldyn Networks US LLC	Occupancy	Approved	05/16/2024
Hayes Design Company LLC	Occupancy	Approved	06/03/2024
Walter Siematkowski	Occupancy	Approved	05/28/2024

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-80037, GBLN-80149, GBLN-80265	05/21/2024	\$2,145,275.41
City of South Bend Claims GBLN-80520	05/28/2024	\$1,593,776.58
City of South Bend Claims GBLN-81232	06/04/2024	\$1,602,639.74
City of South Bend Claims GBLN-80886, GBLN-81250, GBLN-81310	06/05/2024	\$2,966,837.11

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

Board Member Murray Miller asked why item 6 A.: Rejection of Bids for the 2024 Service Line Replacements for the NW & SW Zones would not be readvertised.

Director of Public Works Eric Horvath advised that it was over budget, but that doesn't mean that it won't be readvertised in the future. The City had a certain amount of free money from the State Revolving fund that they wanted to utilize and that covered the other two (2) areas.

Board Member Gary Gilot asked about a policy related question due to bids coming in at shocking amounts without much competition. He asked if the City ever considered going to the Common Council for Advanced Design money, so that all the design plans for construction fees are ready in March/April because we see more competition in numbers than when we are in the midst of construction season. He asked if it would be worth paying engineers a premium to design to hit that bid time frame. He noted the extraordinary bidding climate and asked if the Board supports a more aggressive design schedule to help get better numbers and more bidders.

Director of Public Works Eric Horvath advised that the problem is that we don't have enough bidders in certain areas, so once they're full, they're full. It would be possible to beat other communities to the table, but a lot of this work that they filled up their plate with is our stuff, so if we bid them all at once, they'd have to pick which ones they did. Having only one (1) bidder is also a significant issue.

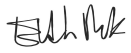
Mr. Gilot asked the City and the Board to employ a different strategy, similar to the different delivery methods rather than Design Bid Build, which has helped.

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 10:09 a.m.

REGULAR MEETING

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Gary A. Gilot, Member



Murray L. Miller, Member



Joseph R. Molnar, Vice President



Briana Micou, Member



Attest: Theresa M. Heffner, Clerk

Date: June 25, 2024