

The Agenda Review Session of the Board of Public Works was convened at 10:30 a.m. on July 18, 2024, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar (absent), and Board Members Gary Gilot, Murray Miller, Briana Micou, 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 11. E.: Amendment No. 1 AIA A133 CMC Construction Contract with Larson Danielson Construction Company, Inc. He explained that we received bids for all the bid packages on June 7, 2024 as part of the CMC contract. Many of the packages came in exactly how we expected them, but there were a number of them that came in significantly over what we expected. So, because this project is very schedule dependent because of the Cubs and how we want to get this work completed, we are going to do an early release package. This will include packages that are necessary to proceed and where we thought the budget would be, so that we can guarantee those costs and those bid packages. We are now working with our consultants and our CMC to rescope those packages that did not come in at the expected budget to simplify them. They will be rebid during phase III which includes the event building. Phase II is the splash pad and the kid's zone. We're really trying to ensure that we can get all the scope that we want, including the event building within our budget. The budget is a maximum defined by the bond that we did for the project. In order to reduce our risk of not being able to do scope later, with those other packages, we are going to rebuild them, but we did want to make sure that we get things like steel, roofing and other items moving, so that we can stay on our schedule to make sure we are guaranteeing those prices. There is a contract for the early release, these prices and these packages are guaranteed and then we will do an amendment for the later packages to add them in and have the full Guaranteed Maximum Price.

Mr. Gilot asked if we would be keeping the sleeves and coring, so we're not covering things later at a greater work expense. Project Manager Sherman advised that he is working with the consultant to ensure that it won't be an issue. The primary goal is to get all the steel up, the roof and then the concrete deck to ensure that we can get into a condition that they'll be able to do their season next year.

Mr. Gilot noted that penetrating the concrete deck for plumbing and electrical conduits allows you to have sleeves in the right place.

Mr. Miller asked how this affects the overall CMC Guaranteed Maximum Price because now it seems there will be two (2) Guaranteed Maximum Prices. Project Manager Sherman advised that this will all be added up into a full GMP and these packages will be part of that. They guarantee the price and all these packages. We're just rescoping packages that were over budget and we're going to build those later.

Director of Public Works Eric Horvath stated that as Patrick mentioned, with them being in three (3) phases. When we get the splash pad stuff back, we will add to this and have that be part of the GMP and then once we get the phase III bids, we'll add to the GMP again. Alternately you know we know we've got a budget we're going to stay within. That's why we're trying really hard to find creative ways to make sure we do and we don't see any path forward to get all this stuff done that we want to do without having part of this. Part of it's being reengineered quite honestly, so that we can make sure we stay within budget and there are some small elements we've taken out to find a way to simplify the design so we can stay within budget. Project Manager Sherman added that the city is taking not only out of the first phase but out of the third phase in anticipation of trying to meet our budget with all three (3).

Mr. Miller stated that wasn't the purpose of using the CMC so you have a set and guaranteed price not to exceed. Project Manager Sherman explained that you can set your GMP at different times and we likely could have said that GMP earlier, but I think we probably have been millions over budget. If we would have tried to do that, because of all the contingency that they would have had to work into it, you wouldn't have the same scope. We feel confident that this is our best path in order to achieve all the scope that we will.

Mr. Gilot asked when they have the GMP for phase II and phase III, will they not be allowed to adjust the GMP on phase II. Project Manager Sherman answered no, those positions are set.

Mr. Miller asked what items were being awarded with the early release. Attorney Schmidt advised that it includes items that will be included and also the items that will not be included. Project Manager Sherman explained that there is a page in the contract that talks about all of the bid packages that are included as well as the ones that are not included.

Mr. Miller asked if the bids that were already bid out were put on the City's website. Project Manager Sherman advised that Larson Danielson has their own system for the bids, but we did put a link to their site on our website under doing business with the city. The link take you to their site where you can see all of the different bid packages.

AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

Attorney Schmidt noted a correction for item 11. C.: South Bend Police Department Towing Contract. He noted that an RFP was sent out for this and the next step is to authorize the City's legal department to negotiate pricing in response to the RFP submittals, and contract will come to the Board later for approval.

CHANGE ORDERS

Attorney Schmidt noted the twenty percent (20%) increase for item 7.B.: WWTP Compressor Building Masonry Improvements. He added that there was not a clear expectation of why this went over the twenty percent (20%) threshold and that he would get more information to the Board before Tuesday's meeting.

AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

Mr. Gilot noted for the Board that the design services for item 11. B.: Amendment No. 2 to Owner-Engineering Agreement with HWC Engineering, Inc. for Additional Design Services for Signage and Wayfinding at Walker Field and Rum Village would only cost \$4,000. He was under the assumption that it was \$308,000. He thought that was a lot of money to design signs.

OPENING OF QUOTATIONS

President Maradik noted that that item 3. A.: Jefferson Alley Repair would be removed from the agenda for Tuesday's meeting. Assistant City Engineer Rebecca Plantz advised that more review would be needed.

TITLE SHEETS

Mr. Gilot was present to inquire about item 8. A.: Smilax Pump Station Replacement; SR2 Pump Station. He asked if it would be funded by the count since it is far outside the city. City Engineer Kara Boyles advised that the cost would be covered by St. Joseph county.

AWARD BIDS AND APPROVE CONTRACTS

President Maradik noted for the Board that item 4. A.: 2024 Curb and Sidewalk Program that the low bidder on two (2) divisions did not meet the MBE goals or provide good faith effort documents, so they are not being awarded to Owl Creek. It was for division three (3) and four (4). They are a WBE and they are out of Evansville.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board President Maradik adjourned the meeting at 10:48 a.m.

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: August 13, 2024

REGULAR MEETING

JULY 23, 2024

The Regular Meeting of the Board of Public Works was convened at 9:30 a.m. on Tuesday, July 23, 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, 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 July 3, and July 9, 2024, were approved.

OPENING OF BIDS – DREWRY’S BREWERY CLEANUP, PHASE II - BOTTLING HOUSE DEMOLITION – PROJECT NO. 119-031D (PR-00034202)

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:

WOOLDRIDGE CONSTRUCTION GROUP

15002 Railroad St.
 Memphis, IN 47173
allison@wooldridgeconstructiongroup.com; jason@wooldridgeconstructiongroup.com
 Bid was signed by Mr. Jason Wooldridge
 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) Addendum Acknowledgement **NOT** received.

BID:

Base Bid	\$559,335.00
Alternate #1	\$84,000.00
Base Bid Plus Alternate Total	\$643,335.00

INDIANA EARTH, INC.

10343 McKinley Hwy.
 Osceola, IN 46561
earth92inc@sbcglobal.net; estimatorindianaeearth@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.
 One (1) of One (1) Addendum Acknowledgement received.

BID:

Base Bid	\$1,644,130.00
Alternate #1	\$23,000.00
Alternate #2	(\$364,000.00)

ADAMO DEMOLITION CO.

320 E. 7 Mile Rd.

Detroit, MI 48203

eswirsky@ADAMOGROUP.COM; dbaker@ADAMOGROUP.COM

Bid was signed by Mr. Richard M. Adamo

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 Acknowledgement received.

BID:

Base Bid	\$2,027,500.00
Alternate #1	\$53,500.00
Alternate #2	(\$200,000.00)

C&E EXCAVATING INC.

53767 County Road 9

Elkhart, IN 46514

TimB@candeexcavating.com

Bid was signed by Mr. Thad Bessinger

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 Acknowledgement received.

BID:

Base Bid	\$1,436,452.00
Alternate #1	\$11,108.00
Alternate #2	(\$130,000.00)

GREEN DEMOLITION CONTRACTORS, INC.

315 Brighton Street, Suite 1

LaPorte, IN 46350

estimating@greendemolitioninc.com; kim@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.

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

BID:

Base Bid	\$948,800.00
Alternate #1	\$82,800.00
Alternate #2	(\$68,000.00)

THE MRD GROUP, INC.

4777 W. Lincoln Ave.

West Milwaukee, WI 53219

gozelski@themrdgroup.net; blomberg@themrdgroup.net

Bid was signed by Mr. Gerald Blomberg

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 Acknowledgement received.

BID:

Base Bid	\$1,590,500.00
Alternate #1	\$80,000.00
Alternate #2	(\$140,000.00)

RENASCENT INC.

6235 Digital Way, Suite 300

Indianapolis, IN 46278

sfray@renascentinc.com

Bid was signed by Mr. Luke Fray

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 Acknowledgement received.

BID:

Base Bid	\$1,350,000.00
Alternate #1	\$113,500.00
Alternate #2	(\$76,500.00)

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.

AWARD BID AND APPROVE CONTRACT – 2024 CURB AND SIDEWALK PROGRAM – PROJECT NO. 124-009 (PR-33969, 34020, 34021, 33022, 34029)

Ms. Gemma Stanton, Engineering, advised the Board that on July 9, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Ms. Stanton recommended that the Board award the contract to the lowest responsive and responsible bidders, Selge Construction, in amounts not to exceed \$192,698.60 - Division 1, \$200,780.20 - Division 2, 157,024.25 - Division 3, \$287,278 - Division 5 and Rieth-Riley Construction in an amount not to exceed \$68,745.30 - Division 4. 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 SEWER AND MANHOLE REHABILITATION – PROJECT NO. 122-019 (PR-00033672)

Ms. Sarah Barber, Engineering, advised the Board that on July 9, 2024, bids were received and opened for the above referenced project. After reviewing those bids, Ms. Barber recommended that the Board award the contract to the lowest responsive and responsible bidder, Visu-Sewer, LLC, in the amount of \$1,529,590.50. 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 QUOTATION AND APPROVE CONTRACT – 2024 CONTRACTED MICROSURFACING – PROJECT NO. 124-049 (PR-00034558)

Mr. Scott Kreeger, Engineering, advised the Board that on July 9, 2024, quotations were received and opened for the above referenced project. After reviewing those quotations, Mr. Kreeger recommended that the Board award the contract to the lowest responsive and responsible quoter, Asphalt Restoration Services, LLC, in the amount of \$106,804.65; Base Quote Plus Alternate 1. 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 – SEWER REPAIR - BENDIX AND WESTMOOR INTERSECTION – PROJECT NO. 124-045 (PR-00034555)

In a memorandum to the Board, Mr. Jacob Klosinski, Engineering, requested permission to reject all bids for the above referenced project due to quote exceeded budget. 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. 1 – CLEVELAND ROAD & AMERITECH DR. INTERSECTION IMPROVEMENTS – PROJECT NO. 122-049 (PO-0026602)

President Maradik advised that Mr. Scott Kreeger, Engineering, has submitted change order number 1 on behalf of Milestone Contractors North, Inc., indicating the contract amount be increased by \$150,781.90 for a new contract sum, including this change order, in the amount of \$1,431,781.90. 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. 1 (FINAL) – WASTEWATER TREATMENT PLANT COMPRESSOR BUILDING MASONRY IMPROVEMENTS – PROJECT NO. 121-046 (PO-0020775)

President Maradik advised that Mr. Jacob Klosinski, Engineering, has submitted change order number 1 (Final) on behalf of Slatile Roofing and Sheet Metal Co., Inc., indicating the contract amount be increased by \$95,170 for a new contract sum, including this change order, in the amount of \$550,770 with a new completion date of June 30, 2024. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the change order was approved.

APPROVE TITLE SHEETS – SMILAX PUMP STATION REPLACEMENT; SR2 PUMP STATION (ST. JOSEPH COUNTY)

Mr. Jacob Klosinski, Engineering, advised that two (2) title sheets for the above referenced project was being presented at this time for execution. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the above referenced title sheets were approved and signed.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE SHEET – WALKER FIELD PARK CONNECTIVITY – PROJECT NO. 123-058 (PR-00034877)

In a memorandum to the Board, Ms. Rebecca Plantz, 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.

ADOPT RESOLUTION NO. 20-2024 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS FOR THE DISPOSAL OF SURPLUS PROPERTY

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. 20-2024
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 ANTHONY PEARSON retired effective July 15th, 2024 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. NDT0919, 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 23rd day of July 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	United Consulting	Design, Bidding, and Construction Services for Edison Water Treatment Plant Project No. 123-067	\$1,004,700; New Adjusted Total \$1,101,000 (PR-00034790)	Molnar / Miller
Amendment No. 2 to Owner-Engineer Agreement	HWC Engineering, Inc.	Additional Design Services for Signage and Wayfinding at Walker Field and Rum Village Project No. 123-058	NTE \$4,000 (Hourly); New Adjusted Total \$308,000 (PO-0026221)	Molnar / Miller
South Bend Police Department Towing Contract	ASAP Towing and Hamilton's Towing	Authorize Legal to Negotiate the Contract with Two (2) Companies Selected for Towing Services for Three (3) Years Starting August 1, 2024 to July 31, 2027	N/A	Molnar / Miller *See Comments
Amendment No. 2 to Owner-Engineer Agreement	Donohue & Associates, Inc.	Engineering Services for Fellows Booster Pump Station Project No. 121-070	NTE \$419,500 (Hourly); New Adjusted Total \$738,400 (State Revolving Loan Fund PO-0012147)	Molnar / Miller
Amendment No. 1 to the AIA A133 CMc Construction Contract	Larson Danielson Construction Company, Inc.	Early Release of Approval Work for Four Winds Field Renovation and Expansion, Phase I Project No. 123-046	\$11,196,499 (PR-00034856)	Molnar / Miller **See Comments
Professional Services Agreement	Hanson Professional Services Inc.	Design Services for Portage and Elwood Avenues Intersections Improvements Project No. 123-064	\$407,000 (PR-00034917)	Molnar / Miller

*President Maradik stated that this was a proposal that was received and reviewed by an internal team, and it's being recommended that ASAP Towing and Hamilton's Towing be selected. This is authorizing City Legal to negotiate the contract with those two (2) companies selecting their towing services for three (3) years starting August 1, 2024 through July 31, 2027.

Attorney Schmidt advised that the statutory process implies when you bring an RFP to the board that there's the first step to determine the responsible offers based on the proposals submitted. Then you authorize the city or its representatives to go and bring back a final offer then make the award. He advised that the Board is being asked to authorize the city to bring you back a contract for the next BPW meeting. The contract will be retroactive to August 1, 2024.

Mr. Gilot noted that there were three (3) proposals submitted and wanted to know if the Board needed to authorize the city to move to the third proposal if the first two (2) were not successful.

Attorney Schmidt noted that if that situation presents itself, we'll move forward with one (1) at a time and if we need to seek another RFP, we will. At this time, SBPD is asking for permission to go and negotiate with the top two (2) candidates.

**Mr. Miller asked about the goals for the project since he did not see anything in the file. He also did not see anything regarding the good faith efforts. President Maradik noted that the goals are tied into the totality of the project and this is just a portion of the project. Attorney Schmidt advised that for contract compliance they're hopefully working toward their goals on every step, but how they get there is measured at the end of the project. Each subcontractor's bids doesn't have to meet the goals, it is Larson Danielson's contract that has to meet the goals.

Mr. Miller stated that he was looking at Larson Danielson and was wondering because he didn't see anything regarding goals. Director of Public Works Eric Horvath noted if the first phase had zero (0) participation then there will have to have more on the other two (2) phases. They will have to make a good-faith effort to meet those goals.

Mr. Gilot asked if we should request a technical memo to report their progress toward meeting the goals. Attorney Schmidt advised that he can deliver some informal reporting to the Board as to what he is seeing in the compliance software as the money starts moving hands and work is being done.

APPROVAL OF LICENSE AND PERMIT APPLICATIONS

The following license and permit applications were presented for approval:

Applicant	Description	Date/Time	Location	Motion Carried
E. Monroe Block Party	Street Closure for Special Event	August 3, 2024; 2:30 p.m. to 7:30 p.m.	E. Monroe St. between Twyckenham Dr. & S. Sunnyside Ave.	Molnar / Miller
Lake Reunion 2024	Street Closure for Special Event	August 3, 2024; 10:00 a.m. to 6:00 p.m.	W. Washington St. between S. Falcon St. & Dundee St.	Molnar / Miller
Riley Homecoming Parade	Street Closure for Special Event	September 6, 2024; 5:30 p.m. to 6:45 p.m.	Rolling Closures along E. Ireland Rd., to Miami St. to Jackson Field	Molnar / Miller

APPROVAL OF REVOCABLE PERMIT FOR ENCROACHMENT - 1923 LINCOLNWAY WEST

President Maradik stated an application for an encroachment and revocable permit has been received from Greater New Vision Missionary Baptist Church Inc. for the purpose of allowing the installation of canvas awnings to be placed in the right-of-way at 1923 Lincolnway West . The encroachment shall remain in the right of way until the time as the Board of Public Works of the City of South Bend shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and same flow of traffic. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the encroachment and revocable permit was approved.

APPROVAL OF REVOCABLE PERMIT FOR ENCROACHMENT - 2625 S. MICHIGAN ST.

President Maradik stated an application for an encroachment and revocable permit has been received from Real Services Housing LLC for the purpose of allowing the installation of a sign to be placed in the right-of-way at 2625 S. Michigan St. Community Investments would prefer the sign to be installed on the building itself. The encroachment shall remain in the right of way until the time as the Board of Public Works of the City of South Bend shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and same flow of traffic. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the encroachment and revocable permit was approved.

APPROVAL OF REVOCABLE PERMIT FOR ENCROACHMENT - 111 W. JEFFERSON BLVD.

President Maradik stated an application for an encroachment and revocable permit has been received from YMCA of Michiana for the purpose of allowing the installation of a blade sign mounted to the side of the YMCA building to be placed in the right-of-way at 111 W. Jefferson Blvd. The encroachment shall remain in the right of way until the time as the Board of Public Works of the City of South Bend shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and same flow of traffic. Upon a motion to table made by VP Molnar, seconded by Mr. Miller and carried by roll call.

FAVORABLE RECOMMENDATION - PETITION TO VACATE THE NORTH/SOUTH ALLEY EAST OF MAIN ST. BETWEEN LASALLE AVE. AND MADISON ST.

President Maradik indicated that Memorial Health Systems c/o Danch, Harner & Associates, has submitted a request to vacate the above referenced alley at the block bound by the N. Main St., N. Dr. Martin Luther King Jr. Blvd., W. Madison St. and W. LaSalle Ave. for preparations for future development. 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 to send a favorable recommendation to the Common Council, seconded by Mr. Miller which carried by roll call.

UNFAVORABLE RECOMMENDATION - PETITION TO VACATE THE ALLEY 1022 N. JOHNSON ST.

President Maradik indicated that Ms. Angela Arcineda, has submitted a request to vacate the above referenced alley. President Maradik advised the Board is in receipt of unfavorable recommendations concerning this vacation petition from the Public Works Department, Fire Department, Police Department, and Community Investment who all state the request does not meet the criteria of I.C. 36-7-3-13. Therefore, VP Molnar made a motion to send an unfavorable recommendation to the Common Council, seconded by Mr. Miller which carried by roll call.

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. Christopher G. Sherbahn, 1133 Woodland Xing, Fort Wayne, IN 46825
 - 1. 25530 Den Trail – Water/Sewer (Key No.71-02-24-301-097.000-029)

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
GTO Masonry LLC	Contractor	Approved	06/13/2024
Keith’s Lawns, Inc. d/b/a A1 Backhoe Service	Excavation	Approved	07/02/2024
Arborcare, Inc.	Occupancy	Approved	07/15/2024
CNT Property Maintenance LLC	Occupancy	Approved	07/17/2024

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-82648	06/25/2024	\$2,501,590.23
City of South Bend Claims GBLN-82849, GBLN-82901	06/28/2024	\$35,637.52
City of South Bend Claims GBLN-82958	07/02/2024	\$2,253,371.52
City of South Bend Claims GBLN-83149, GBLN-83198	07/03/2024	\$104,092.77
City of South Bend Claims GBLN-83363, GBLN-83364, GBLN-83365	07/08/2024	\$1,244,498.73
City of South Bend Claims GBLN-83366, GBLN-83541	07/09/2024	\$1,485,068.67
City of South Bend Claims GBLN-83868, GBLN-83965, GBLN-84152	07/15/2024	\$71,276.55

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

Rodney Boettcher of ASAP Towing asked if the city would be in contact with them and would they still start of August 1, 2024. Attorney Schmidt advised that the city would be in contact with the two (2) companies that were approved for moving forward with negotiations to work through the contract and it is anticipated that, as long as we reach a favorable agreement that you would start on August 1, 2024. He added that they can expect to hear from Officer Aaron Knepper or Mark Dollinger of the Police Department.

Board Member Gary Gilot noted that for item 5.A.: Sewer Repair of Bendix and Westmore Intersection that even though it was rejected the sewer still needs repair. He asked if permission should be given to re-advertise.

President Maradik advised that it was a quote and we don't approve advertising for quotes. It was also rejected because it exceeded the budget.

Attorney Schmidt advised that it not only came in above budget but above the bid range. He added that engineering is reevaluating what it needs to do because it was intended to be at the quote range.

Assistant City Engineer Jacob Klosinski noted that they are reevaluating a few things with the internal sewer crew to do some of the work required. They also ran into a few issues that they are trying work through, but they will be reaching out to outside companies to do general repairs.

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 10:06 a.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: August 13, 2024