

CITY HALL
215 S. MARTIN LUTHER KING JR. BLVD.,
SUITE 400
SOUTH BEND, INDIANA 46601-1830



PHONE 574/235-9251
FAX 574/235-9171

**CITY OF SOUTH BEND JAMES MUELLER, MAYOR
BOARD OF PUBLIC WORKS**

November 12, 2025

Mr. Gregory A. Kil
Kil Architecture and Planning
1126 Lincolnway East
South Bend, IN 46601
gkil@kilarchitecture.com

RE: Amendment No. 1 to Owner-Engineer Agreement

Dear Mr. Kil:

At its November 12, 2025 meeting, the Board of Public Works approved the above referenced amendment for the design and construction plans for the restroom building at Walker Field Park in the amount of \$30,000.

Enclosed please find a copy of the amendment for your records.

If you have any further questions, please call this office at (574) 235-9251.

Sincerely,

/s/ Hillary Horvath

Hillary Horvath, Clerk

Enclosures
HH

This is **EXHIBIT K**, consisting of _____ pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated March 25, 2025.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 01

1. Background Data:

- a. Effective Date of Owner-Engineer Agreement: March 25th, 2025
- b. Owner: Board of Public Works, City of South Bend, Indiana
- c. Engineer: Kil Architecture/Planning
- d. Project: Proposed Study of the Existing Field Walker Field house and the Addition of a Predesigned Restroom Structure

2. Description of Modifications:

[NOTE TO USER: Include the following paragraphs that are appropriate and delete those not applicable to this amendment. Refer to paragraph numbers used in the Agreement or a previous amendment for clarity with respect to the modifications to be made. Use paragraph numbers in this document for ease of reference herein and in future correspondence or amendments.]

a. Engineer shall perform or furnish the following Additional Services:

See Exhibit B: Kil Architecture/Planning Agreement for Preliminary Architectural Design and Planning Services for the Walker Field House Amendment 1 dated October 21, 2025.

b. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows:

A. **DETAILED BIDDING, PERMIT and CONSTRUCTION DOCUMENTS:**

Based upon the approved Schematic Design drawings, the Architect will prepare detailed bidding, permit and construction documents for the project.

B. **DELIVERABLES FOR BIDDING, PERMIT, AND CONSTRUCTION DOCUMENTS:**

- 1. Site Plan
- 2. Utility Locates
- 3. Fieldhouse Floor Plan
- 4. Field House Elevations
- 5. Restroom Kit Foundation Plans
- 6. Restroom Kit Plans and Elevations (Provided by Others)
- 7. Building Sections (2 through building sections) with dimensions and notes
- 8. Details
- 9. Specifications provided as notes on drawings
- 10. Specifications for Alternate #1 – Removal and regrading of Existing Tennis Courts (Time and Material for this Specification if not provided by Owner)

11. Specifications for Alternate #2 – Seal & Stripe existing parking lot (Provided by Owner)

C. BIDDING AND CONSTRUCTION ADMINISTRATION PHASE:

As requested by Owner, Architect is available to bid the project with contractors and provide construction administration for the project. The Architect requests a minimum of 3 site visit during construction to confirm the building is being built in accordance to the approved drawings.

- c. The responsibilities of Owner are modified as follows:

1. Provide Restroom Kit Plans and Elevations (Provided by Others)
2. Specifications for Alternate #1 – Removal and regrading of Existing Tennis Courts (May be Provided by Owner, otherwise developed by Architect on a Time and Materials Basis beyond the Based Phase II fee.)
3. Specifications for Alternate #2 – Seal & Stripe existing parking lot (Provided by Owner)

- d. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation: Hourly Rate or Fee Per Scope

- e. The schedule for rendering services is modified as follows: To Be Determined per review with Owner and Architect.

- f. Other portions of the Agreement (including previous amendments, if any) are modified as follows:

See Exhibit B: Kil Architecture/Planning Agreement for Preliminary Architectural Design and Planning Services for the Walker Field House Amendment 1 dated October 21, 2025

5. Agreement Summary (Reference only)

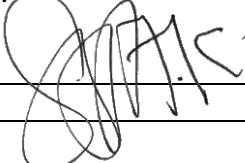
a. Original Agreement amount:	\$ <u>8,250.00</u>
b. Net change for prior amendments:	\$ _____
c. This amendment amount:	\$ <u>30,000.00</u>
d. Adjusted Agreement amount:	\$ <u>38,250.00</u>

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is October 22, 2025.

OWNER:

ENGINEER:



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



Breana Micou, Member



Attest: Hillary R. Horvath, Clerk

Date: November 12, 2025

By: Gregory A Kil, NCARB, AIA, Architect

Title: President

Date Signed: 10/22/2025

SUPPLEMENTARY AMENDMENT #1 TO THE AGREEMENT BETWEEN THE CITY OF
SOUTH BEND AND GREGORY A. KIL & ASSOCIATES INC. FOR ARCHITECTURAL
SERVICES

CITY OF SOUTH BEND

AND

GREGORY A. KIL & ASSOCIATES, INC. (d/b/a Kil Architecture/Planning)

Architectural Design and Planning Services for the Proposed Study of the Existing Walker Field
House and Addition of a Predesigned Restroom Structure
Original Agreement Dated 03/19/2025

**Section II. DETAILED BIDDING, PERMIT AND CONSTRUCTION DOCUMENTS (PHASE II):
REPLACE WITH THE FOLLOWING:**

- A. DETAILED BIDDING, PERMIT and CONSTRUCTION DOCUMENTS:
Based upon the approved Schematic Design drawings, the Architect will prepare detailed bidding, permit and construction documents for the project.
- B. DELIVERABLES FOR BIDDING, PERMIT, AND CONSTRUCTION DOCUMENTS:
 - 1. Site Plan
 - 2. Utility Locates
 - 3. Fieldhouse Floor Plan
 - 4. Field House Elevations
 - 5. Restroom Kit Foundation Plans
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 - 9. Specifications provided as notes on drawings
 - 10. Specifications for Alternate #1 – Removal and regrading of Existing Tennis Courts (Provided by Owner)
 - 11. Specifications for Alternate #2 – Seal & Stripe existing parking lot (Provided by Owner)
- C. BIDDING AND CONSTRUCTION ADMINISTRATION PHASE:
As requested by Owner, Architect is available to bid the project with contractors and provide construction administration for the project. The Architect requests a minimum of 3 site visit during construction to confirm the building is being built in accordance to the approved drawings.

Section III. COMPENSATION SECTION A.c: Replace with the Following:

A.c. The phase II Detailed Bidding, Permit and Construction Documents Phase (Scope Items A, and B above will be developed at a fee of \$21,000.00* (twenty-one thousand dollars)

*This includes an allowance of \$3,000.00 for MEP Engineering depending on the Restroom Kit selected.

Section III. COMPENSATION SECTION: Add the Following:

A.d. Bidding and Construction Administration (Scope Item C as noted under Article II above) will be performed on an hourly rate basis as requested by the Owner.

Section V. Work Scope Qualifications: Replace with the Following:

- e. Civil Engineering is not included in the scope of this agreement and is not anticipated but can be provided as an addition service if requested by Owner.
- f. Structural Engineering is limited to the foundation for the restroom kit (proposed reinforced concrete trench foundation/integral slab on grade). Additional Structural engineering is not anticipated nor included in the scope of this agreement. If additional Structural Engineering is requested by the Owner it can be provided as an additional service. MEP Engineering is

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SUPPLEMENTARY AMENDMENT #1 TO THE AGREEMENT BETWEEN THE CITY OF
SOUTH BEND AND GREGORY A. KIL & ASSOCIATES INC. FOR ARCHITECTURAL
SERVICES

CITY OF SOUTH BEND

AND

GREGORY A. KIL & ASSOCIATES, INC. (d/b/a Kil Architecture/Planning)

Architectural Design and Planning Services for the Proposed Study of the Existing Walker Field
House and Addition of a Predesigned Restroom Structure
Original Agreement Dated 03/19/2025

not included beyond site utilities location and Mechanical and Electrical tie-ins for the restroom kit. It is understood that MEP design for the restroom will be part of the Restroom Kit Plans and MEP design for the remodeling is not anticipated or included in the Scope of Work

All other sections of the agreement dated 03/19/2025 remain in full effect.

If Owner Approves this Amendment Agreement as state above, please countersign below and we can begin our study.

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



Breana Micou, Member



Attest: Hillary R. Horvath, Clerk

Date: November 12, 2025



Architect (Signature)

Gregory A Kil, Architect

Printed name and title

October 21, 2025

date

O 03/19/2025 AGREEMENT

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BOARD OF PUBLIC WORKS
AGENDA ITEM REVIEW REQUEST FORM

Date: 11/06/2025
Name: Patrick Sherman Department of Public Works – Engineering Division
BPW Date: 11/12/2025 Phone Extension: 5601

Required Prior to Submittal to Board			
BPW Attorney	<input checked="" type="checkbox"/>	Attorney Name	Michael Schmidt
Dept. Attorney	<input type="checkbox"/>	Attorney Name	_____
Purchasing	<input type="checkbox"/>	_____	
Check the Appropriate Item Type – <i>Required for All Submissions</i>			
<input type="checkbox"/> Professional Services Agreement	<input type="checkbox"/> Contract	<input type="checkbox"/> Proposal	
<input type="checkbox"/> Open Market Contract	<input checked="" type="checkbox"/> Amendment/Addendum	<input type="checkbox"/> Special Purchase, QPA	
<input type="checkbox"/> Bid Opening	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Req. to Advertise	<input type="checkbox"/> Title Sheet
<input type="checkbox"/> Quote Opening	<input type="checkbox"/> Quote Award	<input type="checkbox"/> Reject Bids/Quotes	
<input type="checkbox"/> Proposal Opening	<input type="checkbox"/> C/O & PCA No. _____	<input type="checkbox"/> PCA	
<input type="checkbox"/> Chg. Order, No. _____	<input type="checkbox"/> Traffic Control	<input type="checkbox"/> Resolution	
<input type="checkbox"/> Other: _____		<input type="checkbox"/> Ease./Encroach	

Required Information			
Company or Vendor Name	KIL Architecture and Planning		
New Vendor	<input type="checkbox"/> Yes	<input type="checkbox"/> If Yes, Approved by Purchasing	
MBE/WBE Contractor	<input checked="" type="checkbox"/> No	<input type="checkbox"/> MBE	<input type="checkbox"/> Completed E-Verify Form Attached
	<input type="checkbox"/> WBE		<input type="checkbox"/> Yes
Project Name	Walker Field Restroom Building		
Project Number	125-024		
Funding Source	456-10-101-121-444000		
Account No.	PO # 0037287		
Amount	\$30,000.00		
Terms of Contract	EJCDC – Amendment #1		
Special Contract Provisions			
Purpose/Description	Design development and construction plans for restroom building at Walker Field Park.		

For Change Orders Only			
Amount of	<input type="checkbox"/>	Increase	\$ _____
	<input type="checkbox"/>	Decrease	(\$ _____)
Previous Amount		\$ _____	
Current Percent of Change:		Increase _____ %	
New Amount		Decrease (_____ %)	
Total Percent of Change:		Increase _____ %	
Time Extension Amount:		Decrease (_____ %)	
New Completion Date:	_____		