



# CITY OF SOUTH BEND

## BOARD OF PUBLIC WORKS

January 13, 2026

Mr. Bryan Slott  
C&E Excavating, Inc.  
53767 CR 9  
Elkhart, IN 46514  
[bslott@candeexcavating.com](mailto:bslott@candeexcavating.com)

RE: Award Bid – O'Brien Splashpad and Restroom – Project No. 125-025

Dear Mr. Slott:

At its January 13, 2026 meeting, the Board of Public Works awarded the above referenced bid to you in the amount of \$1,542,423; Base Bid. Enclosed please find a signed Bid/Proposal form.

Please forward the following documents **in one submittal by January 27, 2026** to my attention for Board of Public Works approval at [hhorvath@southbendin.gov](mailto:hhorvath@southbendin.gov):

- 1) One (1) signed original of the Public Works Contract (enclosed)
- 2) Labor & Material Payment Bond
- 3) Performance Bond (125% of Bid Amount)
- 4) Certificate of Insurance naming the City of South Bend as an additional insured
- 5) Item #4 for all subcontractors that you use

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

Sincerely,

/s/ Hillary Horvath

Hillary Horvath, Clerk

BOARD OF PUBLIC WORKS  
CITY OF SOUTH BEND, INDIANA  
PUBLIC WORKS CONTRACT

This Agreement is made and entered into this 13<sup>th</sup> Day of January, 2026, by and between C&E Excavating Inc., (the "Contractor"), and the Board of Public Works (the "Board").

The Contractor covenants and agrees to make the following improvement, as fully set out in the Request for Quotations, Standard Specifications, Special Provisions, Plans, and Bid Proposals, all of which are set forth as a part of this Contract, for:

<u>PROJECT NO.</u>	<u>1525-025</u>
<u>DESCRIPTION:</u>	<u>O'BRIEN SPLASHPAD AND RESTROOM</u>
<u>COMPLETION DATE:</u>	<u>SEE SPECIFICATIONS</u>
<u>AMOUNT:</u>	<u>\$1,542,423; BASE BID</u>
<u>FUNDING:</u>	<u>PR-00045243</u>

The unit prices for this improvement were those prices as received and accepted by the Board on the 13<sup>th</sup> Day of January, 2026.

The Contractor further agrees to notify the assigned Engineer when this improvement is completed. This notification shall be in the form of a Project Completion Affidavit, signed by the Contractor. Upon final acceptance of the improvement by the Engineer, the Contractor's final estimate will be presented to the Board for final Payment with one (1) copy of the Project Completion Affidavit and one (1) copy of a Waiver of Lien.

Each of the Parties, by signing below, represents and warrants to the other Party that he/she/it has the authority to bind the named person or entity to this Agreement.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Murray L. Miller, Member



Abigail E. Magas, Member



Joseph R. Molnar, Vice President



Breana N. Micou, Member



Attest: Hillary R. Horvath, Clerk

Date: January 13, 2026

C&E EXCAVATING INC.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature



# CITY OF SOUTH BEND

## BOARD OF PUBLIC WORKS

January 13, 2026

Mr. Matthew D. Cain  
HRP Construction inc.  
5777 Cleveland Rd., PO Box 266  
South Bend, IN 46624  
[mattc@hrpconstruction.com](mailto:mattc@hrpconstruction.com)

RE: Bid Award – O’Brien Splashpad and Restroom – Project No. 125-025

Dear Mr. Cain:

At its January 13, 2026, meeting, the Board of Public Works awarded the above referenced bid to C&E Excavating Inc. in the amount of \$1,542,423 for the Base Bid.

Thank you for bidding, and we hope you bid with us in the future.

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

Sincerely,

/s/ Hillary Horvath

Hillary Horvath, Clerk



# CITY OF SOUTH BEND

## BOARD OF PUBLIC WORKS

January 13, 2026

Mr. Brian S. Henry  
The Robert Henry Corporation  
404 Frances St.  
South Bend, IN 46617  
[bids@roberthenrycorp.com](mailto:bids@roberthenrycorp.com)

RE: Bid Award – O’Brien Splashpad and Restroom – Project No. 125-025

Dear Mr. Henry:

At its January 13, 2026, meeting, the Board of Public Works awarded the above referenced bid to C&E Excavating Inc. in the amount of \$1,542,423 for the Base Bid.

Thank you for bidding, and we hope you bid with us in the future.

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

Sincerely,

/s/ Hillary Horvath

Hillary Horvath, Clerk



**CITY OF SOUTH BEND, INDIANA  
CONTRACTOR'S BID FOR PUBLIC WORK**

**Project Name** O'Brien Park Splashpad & Restroom Installation

**Project No.** 125-025

**For Bids Due** 9am local time December 9, 2025 Sealed Electronic bids are to be submitted by email to BPWbids@southbendin.gov

**PART I**

(Must be completed for all bids. Please type or print)

**Date:** 12-8-25 **Bidder (Firm):** C&E Excavating, Inc

**Address:** 53767 CR 9

**City/State/Zip:** Elkhart, IN 46514 **Telephone Number:** ( 574 )262-4346

**Email Address:** BSlott@Candeexcavating.com

**Agent of Bidder (if Applicable):** \_\_\_\_\_

Pursuant to notices given, the undersigned offers to furnish labor and/or material necessary to complete the public works project of:

125-025 O'Brien Park Splashpad & Restroom Installation

the City of South Bend, Indiana, in accordance with plans and specifications prepared by:

Abonmarche Consultants, Inc

and dated 11-12-2025 for the sum of (enter the Total Bid as shown on the Proposal)

one million five hundred eighty-five thousand three hundred sixty-three (\$1,585,363.00 )  
(Enter sum of Total Base Bid plus Alternates shown on Proposal) (Numerical)

The undersigned further agrees to furnish a bond or certified check with this bid for an amount specified in the notice of the letting. If alternative bids apply, the undersigned submits a proposal for each in accordance with the notice. Any addendums attached will be specifically referenced at the applicable page.

If additional units of material included in the contract are needed, the cost of units must be the same as that shown in the original contract if accepted by the City of South Bend. If the bid is to be awarded on a unit basis, the itemization of the units shall be shown on a separate attachment.

By \_\_\_\_\_



(Signature)

Bryan Slott, Vice President

(Printed Name of Person Signing)

**ACCEPTANCE**

The above bid is accepted this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Subject to the following conditions: \_\_\_\_\_

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Murray L. Miller, Member



Abigail E. Magas, Member



Joseph R. Molnar, Vice President



Breana N. Micou, Member



Attest: Hillary R. Horvath, Clerk

Date: January 13, 2026



## INTER-OFFICE MEMORANDUM

### DEPARTMENT OF PUBLIC WORKS DIVISION OF ENGINEERING

**TO:** Hillary Horvath, Clerk  
Board of Public Works  
**FROM:** Zak Tebell, Project Engineer  
**SUBJECT:** AWARD Bid – Project No. 125-025  
O'Brien Splashpad and Restroom Building  
**DATE:** 1/5/2026

On December 9, 2025, the Board of Public Works Opened and read bids for the above project.

The scope of work is the removal and replacement of a splashpad, restroom, and playground along with the installation of sidewalk and parking spaces at O'Brien Park.

Three Bids were received:

Contractor	Base Bid	Alternate 1	Total
Robert Henry Corp	\$1,581,012.36	\$32,995.00	\$1,614,007.36
HRP Construction Inc	\$2,050,000.00	\$36,086.77	\$2,086,086.77
C & E Excavating	\$1,542,423.00	\$41,500.00	\$1,583,923.00

\*\*Note C&E excavating's Base Bid total did not match the sum of its line items. A sum of the line items will be used as the total for their Base bid. C&E remains the lowest bidder.

The low bid from C and E Excavating is complete and responsive. They received Good Faith Effort approval for MBE and WBE goals, are prequalified as Responsible Bidder with the City, and Acknowledged the addenda.

I recommend award of the bid for the **Base bid only for O'Brien Splash pad and Restroom** to C and E Excavating, in the amount of \$1,542,423.00. Funding is available through PR-00045243.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS

Elizabeth A. Maradik, President

Murray L. Miller, Member

Abigail E. Magas, Member

Joseph R. Molnar, Vice President

Breana N. Micou, Member

Attest: Hillary R. Horvath, Clerk

Date: January 13, 2026

BID TABULATION  
O'Brien Splashpad and Restroom  
Project No: 125-025

				Robert Henry Corp		HRP Construction Inc		C&E Excavating	
Due: Decem	Description	Quantity	Unit	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	Construction Engineering	1	LS	\$ 23,734.00	\$ 23,734.00	\$ 21,034.50	\$ 21,034.50	\$ 11,047.00	\$ 11,047.00
2	Mobilization/Demobilization	1	LS	\$ 39,323.00	\$ 39,323.00	\$ 102,000.00	\$ 102,000.00	\$ 33,756.00	\$ 33,756.00
3	CPM Schedule	1	LS	\$ 4,320.00	\$ 4,320.00	\$ 2,500.00	\$ 2,500.00	\$ 1,000.00	\$ 1,000.00
4	CPM Monthly Update	6	MO	\$ 1,418.00	\$ 8,508.00	\$ 500.00	\$ 3,000.00	\$ 50.00	\$ 300.00
5	Maintenance of Traffic	1	LS	\$ 9,169.00	\$ 9,169.00	\$ 29,000.00	\$ 29,000.00	\$ 4,100.00	\$ 4,100.00
6	Erosion Control	1	LS	\$ 17,711.00	\$ 17,711.00	\$ 35,000.00	\$ 35,000.00	\$ 22,400.00	\$ 22,400.00
7	Clearing and Removals	1	LS	\$ 43,073.00	\$ 43,073.00	\$ 71,000.00	\$ 71,000.00	\$ 22,050.00	\$ 22,050.00
8	Common Excavation	287	CYD	\$ 105.62	\$ 30,312.94	\$ 750.00	\$ 215,250.00	\$ 25.00	\$ 7,175.00
9	Borrow	407	CYD	\$ 32.08	\$ 13,056.56	\$ 22.00	\$ 8,954.00	\$ 24.00	\$ 9,768.00
10	Compacted Aggregate, No. 53	262	TON	\$ 45.27	\$ 11,860.74	\$ 75.00	\$ 19,650.00	\$ 52.00	\$ 13,624.00
11	HMA Surface	40	TON	\$ 212.10	\$ 8,484.00	\$ 264.00	\$ 10,560.00	\$ 272.00	\$ 10,880.00
12	HMA Intermediate	65	TON	\$ 213.11	\$ 13,852.15	\$ 183.00	\$ 11,895.00	\$ 287.00	\$ 18,655.00
13	HMA Patching	65	SY	\$ 155.00	\$ 10,075.00	\$ 93.50	\$ 6,077.50	\$ 136.00	\$ 8,840.00
14	PCCP for Approaches, 6"	27	SYD	\$ 149.26	\$ 4,030.02	\$ 138.00	\$ 3,726.00	\$ 133.00	\$ 3,591.00
15	Concrete Curb	145	LFT	\$ 50.55	\$ 7,329.75	\$ 41.75	\$ 6,053.75	\$ 109.00	\$ 15,805.00
16	Concrete Sidewalk, 4"	1355	SYD	\$ 76.78	\$ 104,036.90	\$ 64.50	\$ 87,397.50	\$ 94.00	\$ 127,370.00
17	Concrete Sidewalk, 6"	103	SYD	\$ 76.81	\$ 7,911.43	\$ 98.50	\$ 10,145.50	\$ 101.00	\$ 10,403.00
18	Storm Sewer Pipe, 12"	30	LFT	\$ 85.90	\$ 2,577.00	\$ 125.00	\$ 3,750.00	\$ 77.00	\$ 2,310.00
19	Pipe End Section with RipRap	2	EA	\$ 2,136.15	\$ 4,272.30	\$ 4,500.00	\$ 9,000.00	\$ 1,514.00	\$ 3,028.00
20	Sanitary Sewer Service, 6"	83	LFT	\$ 170.26	\$ 14,131.58	\$ 175.00	\$ 14,525.00	\$ 137.00	\$ 11,371.00
21	Water Tap with Tee and Gate Valve With Box	1	LS	\$ 8,375.22	\$ 8,375.22	\$ 6,500.00	\$ 6,500.00	\$ 6,615.00	\$ 6,615.00
22	Water Service, 4"	105	LFT	\$ 279.37	\$ 29,333.85	\$ 225.00	\$ 23,625.00	\$ 133.00	\$ 13,965.00
23	Conduit 2", Directionally Drilled	270	LFT	\$ 21.98	\$ 5,934.60	\$ 70.00	\$ 18,900.00	\$ 11.00	\$ 2,970.00
24	Line, Painted, Solid, White, 4"	340	LFT	\$ 1.67	\$ 567.80	\$ 1.25	\$ 425.00	\$ 0.30	\$ 102.00
25	Line, Painted, Solid, Blue, 4"	60	LFT	\$ 3.52	\$ 211.20	\$ 1.75	\$ 105.00	\$ 0.30	\$ 18.00
26	Line, Painted, Solid, White, 6"	88	LFT	\$ 3.57	\$ 314.16	\$ 2.25	\$ 198.00	\$ 0.50	\$ 44.00
27	Pav't Message marking, Painted, Handicap Space	2	EA	\$ 89.92	\$ 179.84	\$ 525.00	\$ 1,050.00	\$ 26.00	\$ 52.00
28	Handicap Sheet Sign with Metal Post	2	EA	\$ 608.91	\$ 1,217.82	\$ 525.00	\$ 1,050.00	\$ 393.00	\$ 786.00
29	Concrete Parking Bumpers	14	EA	\$ 254.46	\$ 3,562.44	\$ 225.00	\$ 3,150.00	\$ 162.00	\$ 2,268.00
30	Reset Mailbox	1	EA	\$ 345.62	\$ 345.62	\$ 250.00	\$ 250.00	\$ 217.00	\$ 217.00
31	Tree, 2.5" Caliper	10	EA	\$ 720.79	\$ 7,207.90	\$ 695.00	\$ 6,950.00	\$ 670.00	\$ 6,700.00
32	Shrubs	5	EA	\$ 89.41	\$ 447.05	\$ 185.00	\$ 925.00	\$ 66.00	\$ 330.00
33	Ornamental grasses, 1 gal	31	EA	\$ 27.81	\$ 862.11	\$ 40.00	\$ 1,240.00	\$ 23.00	\$ 713.00
34	Perennial	76	EA	\$ 22.61	\$ 1,718.36	\$ 25.00	\$ 1,900.00	\$ 21.00	\$ 1,596.00
35	Seeding	1125	SY	\$ 3.85	\$ 4,331.25	\$ 2.75	\$ 3,093.75	\$ 3.00	\$ 3,375.00
36	Sodding	2690	SY	\$ 9.91	\$ 26,657.90	\$ 8.75	\$ 23,537.50	\$ 8.50	\$ 22,865.00
37	Landscape Edging, Steel	60	LFT	\$ 17.74	\$ 1,064.40	\$ 25.95	\$ 1,557.00	\$ 15.00	\$ 900.00
38	Landscape Mulch	10	SY	\$ 128.05	\$ 1,280.50	\$ 130.00	\$ 1,300.00	\$ 113.00	\$ 1,130.00
39	Playground with Engineered Mulch	1	LS	\$ 422,697.46	\$ 422,697.46	\$ 422,500.00	\$ 422,500.00	\$ 406,500.00	\$ 406,500.00
40	Concrete Standard Header for Playground	305	LFT	\$ 55.73	\$ 16,997.65	\$ 50.00	\$ 15,250.00	\$ 60.00	\$ 18,300.00
41	Splash Pad	1	LS	\$ 315,638.00	\$ 315,638.00	\$ 350,000.00	\$ 350,000.00	\$ 336,200.00	\$ 336,200.00
42	Restroom with Pavilion Building	1	LS	\$ 336,576.00	\$ 336,576.00	\$ 479,000.00	\$ 479,000.00	\$ 365,480.00	\$ 365,480.00
43	Water Fountain	1	LS	\$ 5,842.06	\$ 5,842.06	\$ 5,500.00	\$ 5,500.00	\$ 5,750.00	\$ 5,750.00
44	Bike Hoops	13	EA	\$ 426.94	\$ 5,550.22	\$ 600.00	\$ 7,800.00	\$ 330.00	\$ 4,290.00
45	Water Service 1"	35	LFT	\$ 142.54	\$ 4,988.90	\$ 75.00	\$ 2,625.00	\$ 56.00	\$ 1,960.00
46	Metal Sign Post	2	EA	\$ 670.84	\$ 1,341.68	\$ 525.00	\$ 1,050.00	\$ 912.00	\$ 1,824.00
BASE BID TOTAL					\$ 1,581,012.36		\$ 2,050,000.00		\$ 1,542,423.00

A Base Bid total of \$1,543,863.00 was recorded for C&E. This is not equal to the sum of the line items. A sum of the line items will be used as the Base Bid total.

				Robert Henry Corp		HRP Construction Inc		C&E Excavating	
Item No.	Description	Quantity	Unit	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	Change 36" of Building Siding to Stone Veneer	1	LS	\$ 32,995.00	\$ 32,995.00	\$ 36,086.77	\$ 36,086.77	\$ 41,500.00	\$ 41,500.00
ALTERNATE TOTAL					\$ 32,995.00		\$ 36,086.77		\$ 41,500.00

TOTAL	\$	1,614,007.36	\$	2,086,086.77	\$	1,583,923.00
Non-Collusion Affidavit		Y		Y		Y
Acknowledged Addendum		Y		Y		Y

I hereby certify that the above truly and accurately represents quotes received for this project on August 26th, 2025

*Zachary Tebell*  
Zachary Tebell, Project Engineer



**BID/PROPOSAL  
CITY OF SOUTH BEND**

**Project Name:** O'Brien Park Splashpad & Restroom Installation

**Project Number:** 125-025

**For Bids Due:** 9am local time December 9, 2025 Sealed electronic bids are to be submitted to BPWbid@southbendin.gov

**Contractor Name:** C+E Excavating, Inc.

**Base Bid**

Item No.	Description	Quantity	Unit	Unit Price	Total Amount
1.	Construction Engineering	1	LS	11,047.00	11,047.00
2.	Mobilization/Demobilization	1	LS	33,756.00	33,756.00
3.	CPM Schedule	1	LS	1,000.00	1,000.00
4.	CPM Monthly Update	6	MO	50.00	300.00
5.	Maintenance of Traffic	1	LS	4,100.00	4,100.00
6.	Erosion Control	1	LS	22,400.00	22,400.00
7.	Clearing & Removals	1	LS	22,050.00	22,050.00
8.	Common Excavation	287	CYD	25.00	7,175.00
9.	Borrow	407	CYD	24.00	9,768.00
10.	Compacted Aggregate, No. 53	262	TON	52.00	13,624.00
11.	HMA Surface	40	TON	272.00	10,880.00
12.	HMA Intermediate	65	TON	287.00	18,655.00
13.	HMA Patching	65	SY	136.00	8,840.00
14.	PCCP for Approaches, 6"	27	SYD	133.00	3,591.00
15.	Concrete Curb	145	LFT	109.00	15,805
16.	Concrete Sidewalk, 4"	1,355	SYD	94.00	127,370.00
17.	Concrete Sidewalk, 6"	103	SYD	101.00	10,403.00
18.	Storm Sewer Pipe, 12"	30	LFT	77.00	2,310.00
19.	Pipe End Section with Rip Rap	2	EA	1,514.00	3,028.00
20.	Sanitary Sewer Service 6"	83	LFT	137.00	11,371.00
21.	Water Tap with Tee and Gate Valve with Box	1	LS	6,615.00	6,615.00
22.	Water Service 4"	105	LFT	133.00	13,965.00



**BID/PROPOSAL  
CITY OF SOUTH BEND**

**Project Name:** O'Brien Park Splashpad & Restroom Installation

**Project Number:** 125-025

**For Bids Due:** 9am local time December 9, 2025 Sealed electronic bids are to be submitted to BPWbid@southbendin.gov

**Contractor Name:** C&E Excavating, Inc

23.	Conduit 2", Directionally Drilled	270	LFT	11.00	2,970.00
24.	Line, Painted, Solid, White, 4"	340	LFT	0.30	102.00
25.	Line, Painted, Solid, Blue, 4"	60	LFT	0.30	18.00
26.	Line, Painted, Solid, White, 6"	88	LFT	0.50	44.00
27.	Pav't Message Marking, Painted, Handicap Space	2	EA	26.00	52.00
28.	Handicap Sheet Sign with Metal Post	2	EA	393.00	786.00
29.	Concrete Parking Bumpers	14	EA	162.00	2,268.00
30.	Reset Mailbox	1	EA	217.00	217.00
31.	Trec, 2.5" caliper	10	EA	670.00	6,700.00
32.	Shrubs	5	EA	66.00	330.00
33.	Ornamental Grasses, 1 Gal.	31	EA	23.00	713.00
34.	Perennial	76	EA	21.00	1,596.00
35.	Seeding	1,125	SY	3.00	3,375.00
36.	Sodding	2,690	SY	8.50	22,865.00
37.	Landscape Edging, Steel	60	LFT	15.00	900.00
38.	Landscape Mulch	10	SY	113.00	1,130.00
39.	Playground with Engineered Mulch	1	LS	406,500.00	406,500.00
40.	Concrete Standard Header for Playground	305	LFT	60.00	18,300.00
41.	Splash Pad	1	LS	336,200.00	336,200.00
42.	Restrooms with Pavilion Building	1	LS	365,480.00	365,480.00
43.	Water Fountain	1	LS	5,750.00	5,750.00
44.	Bike Hoops	13	EA	330.00	4,290.00
45.	Water Service 1"	35	LFT	56.00	1,960.00
46.	Metal Sign Post	2	EA	912.00	1,824.00



**BID/PROPOSAL  
CITY OF SOUTH BEND**

**Project Name:** O'Brien Park Splashpad & Restroom Installation  
**Project Number:** 125-025  
**For Bids Due:** 9am local time December 9, 2025 Sealed electronic bids are to be submitted to BPWbid@southbendin.gov  
**Contractor Name:** C&E Excavating, Inc

**Base Bid  
Total** 1,543,863.00

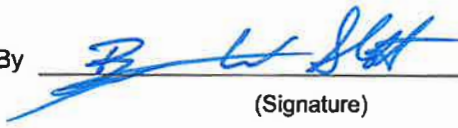
**Alternate No.1-Building Stone Veneer**

Item No.	Description	Quantity	Unit	Unit Price	Total Amount
A1.	Change 36" of Building Siding to Stone Veneer	1	LS	41,500.00	41,500.00

**Alternate  
A Total** 41,500.00

**Base Bid and Alternate A  
Total** 1,585,363.00

**Bidder (Firm):** C&E Excavating, Inc  
**Address:** 53767 CR 9  
**City/State/Zip:** Elkhart, IN 46514 **Telephone Number:** (574 )264-4346

By   
(Signature)  
Bryan Slott, Vice President  
(Printed Name of Person Signing)

*When the prospective Contractor is unable to certify to any of the statements below, it shall attach an explanation to this Affidavit.*

**CONTRACTOR'S NON-COLLUSION AND NON-DEBARMENT AFFIDAVIT, CERTIFICATION  
REGARDING INVESTMENT WITH IRAN, EMPLOYMENT ELIGIBILITY VERIFICATION, NON-  
DISCRIMINATION COMMITMENT AND CERTIFICATION OF USE OF UNITED STATES STEEL  
PRODUCTS OR FOUNDRY PRODUCTS**

(Must be completed for all quotes and bids. Please type or print)

STATE OF Indiana )  
 ) SS:  
Elkhart )  
COUNTY )

The undersigned Contractor, being duly sworn upon his/her/its oath, affirms under the penalties of perjury that:

1. Contractor has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. Contractor further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale; and
2. Contractor certifies by submission of this proposal that neither contractor nor any of its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency; and
3. Contractor has not, nor has any successor to, nor an affiliate of, Contractor, engaged in investment activities in Iran.
  - a. For purposes of this Certification, "Iran" means the government of Iran and any agency or instrumentality of Iran, or as otherwise defined at Ind. Code § 5-22-16.5-5, as amended from time-to-time.
  - b. As provided by Ind. Code § 5-22-16.5-8, as amended from time-to-time, a Contractor is engaged in investment activities in Iran if either:
    - i. Contractor, its successor or its affiliate, provides goods or services of twenty million dollars (\$20,000,000) or more in value in the energy sector of Iran; or
    - ii. Contractor, its successor or its affiliate, is a financial institution that extends twenty million dollars (\$20,000,000) or more in credit to another person for forty-five (45) days or more, if that person will (i) use the credit to provides goods and services in the energy sector in Iran; and (ii) at the time the financial institution extends credit, is a person identified on list published by the Indiana Department of Administration.
4. Contractor does not knowingly employ or contract with an unauthorized alien, nor retain any employee or contract with a person that the Contractor subsequently learns is an unauthorized alien.



Contractor agrees that he/she/it shall enroll in and verify the work eligibility status of all of Contractor's newly hired employees through the E-Verify Program as defined by I.C. 22-5-1.7-3. Contractor's documentation of enrollment and participation in the E-Verify Program is included and attached as part of this bid/quote; and

5. Contractor shall require his/her/its subcontractors performing work under this public contract to certify that the subcontractors do not knowingly employ or contract with an unauthorized alien, nor retain any employee or contract with a person that the subcontractor subsequently learns is an unauthorized alien, and that the subcontractor has enrolled in and is participating in the E-Verify Program. The Contractor agrees to maintain this certification throughout the term of the contract with the City of South Bend, and understands that the City may terminate the contract for default if the Contractor fails to cure a breach of this provision no later than thirty (30) days after being notified by the City.

6. Persons, firms, partnerships, corporations, associations, or joint venturers awarded a contract by the City of South Bend through its agencies, boards, or commissions shall not discriminate against any employee or applicant for employment in the performance of a City contract with respect to hire, tenure, terms, conditions, or privileges of contract or employment, or any matter directly or indirectly related to contracting or employment because of race, sex, religion, color, national origin, ancestry, gender expression, gender identity, sexual orientation, or due to age or disability that does not affect that person's ability to perform the work.

In awarding contracts for the purchase of work, labor, services, supplies, equipment, materials, or any combination of the foregoing including, but not limited to, public works contracts awarded under public bidding laws or other contracts in which public bids are not required by law, the City, its agencies, boards, or commissions will consider the Contractor's good faith efforts to obtain participation by those subcontractors certified by the State of Indiana as a Minority Business ("MBE") or as a Women's Business Enterprise ("WBE") as a factor in determining the lowest, responsible, responsive bidder.

Contractors seeking the award of a City contract cannot be required to award a subcontract to an MWBE; however, they may not unlawfully discriminate against said MBE/WBE. On goal-eligible contracts, Contractors are required to either meet both MBE and WBE utilization goals or demonstrate that the Contractor has made good faith efforts to obtain participation from MBE and WBE subcontractors. A finding of noncompliance or a discriminatory practice shall prohibit that Contractor from being awarded a City contract for a period of one (1) year from the date of such determination, and such determination may also be grounds for terminating the contract to which the discriminatory practice or noncompliance pertains.

7. The undersigned Contractor agrees that the following nondiscrimination commitment shall be made a part of any contract which it may henceforth enter into with the City of South Bend, Indiana or any of its agencies, boards or commissions.

Contractor agrees not to discriminate against or intimidate any employee or applicant for employment in the performance of this contract with privileges of employment, or any matter directly or indirectly related to employment, because of race, religion, color, sex, gender expression, gender identity, sexual orientation, handicap, national origin or ancestry. Breach of this provision may be regarded as material breach of contract.

I, the undersigned bidder or agent as contractor on a public works project, understand my statutory obligations to the use of steel products or foundry products made in the United States (I.C. 5-16-8-1). I hereby certify that I and all subcontractors employed by me for this project will use steel products or foundry products made in the United States on this project if awarded. I understand I have an affirmative duty to notify the City in my bid that my proposal does not include the use of steel products or foundry products made in the United States. I understand it is my sole obligation and responsibility to provide a justification to the City, subject to review and approval, why the cost of United States made steel or foundry products is unreasonable. Prior to award and upon submission of bid which does not use steel products or foundry products made in the United States, the City, through its director of public works, shall make a determination if the price of United States made steel or foundry is unreasonable. I understand that violations hereunder



may result in forfeiture of contractual payments.

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I hereby affirm under the penalties of perjury that the facts and information contained in the foregoing bid for public works are true and correct.

Dated this 8<sup>th</sup> day of December, 2025

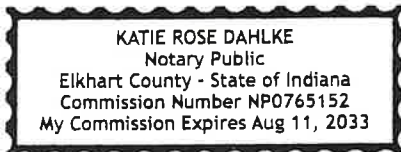
C&E Excavating, Inc

Contractor/Bidder (Firm)

  
Signature of Contractor/Bidder or Its Agent

Bryan Slott, Vice President

Printed Name and Title



Subscribed and sworn to before me this 8<sup>th</sup> day of December, 2025

My Commission Expires 8/11/33

  
Notary Public

County of Residence Elkhart

**BOARD OF PUBLIC WORKS  
AGENDA ITEM REVIEW REQUEST FORM**

Date: 12/22/2025  
Name: **Zak Tebell** Department of Public Works – Engineering Division  
BPW Date: 1/13/2026 Phone Extension: 9358

**Required Prior to Submittal to Board**

BPW Attorney ☒ Attorney Name \_\_\_\_\_  
Dept. Attorney ☐ Attorney Name \_\_\_\_\_  
Purchasing ☐ \_\_\_\_\_

**Check the Appropriate Item Type – Required for All Submissions**

<input type="checkbox"/> Professional Services Agreement	<input type="checkbox"/> Contract	<input type="checkbox"/> Proposal
<input type="checkbox"/> Open Market Contract	<input type="checkbox"/> Amendment/Addendum	<input type="checkbox"/> Special Purchase, QPA
<input type="checkbox"/> Bid Opening	<input checked="" 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: Ratify Emergency		<input type="checkbox"/> Ease./Encroach

Contract \_\_\_\_\_

**Required Information**

Company or Vendor Name	<u>C&amp;E Excavating</u>
New Vendor	<input type="checkbox"/> Yes <input type="checkbox"/> If Yes, Approved by Purchasing
	<input checked="" type="checkbox"/> No
MBE/WBE Contractor	<input type="checkbox"/> MBE <input type="checkbox"/> WBE
	<input type="checkbox"/> Completed E-Verify Form Attached <input type="checkbox"/> Yes <input type="checkbox"/> No
Project Name	<u>O'Brien Splashpad and Restroom</u>
Project Number	<u>125-025</u>
Funding Source	<u>PR-00045243</u>
Account No.	<u>430-10-102-121-431002--PROJ00000623</u>
Amount	<u>\$1,542,423.00</u>
Terms of Contract	<u>Lump Sum</u>
<b>Special Contract Provisions</b>	<u>N/A</u>
Purpose/Description	<u>Request to award bid to remove and replace a splashpad restroom and playground at O'Brien Park</u>

**For Change Orders Only**

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