



CITY OF SOUTH BEND

BOARD OF PUBLIC WORKS

February 10, 2026

Mr. Mark Osler
Indiana Earth, Inc.
10343 McKinley Hwy.
Osceola, IN 46561
estimatorindianaearth@yahoo.com

RE: Award Bid – Portage and Elwood Demolition – Project No. 124-065B

Dear Mr. Osler:

At its February 10, 2026 meeting, the Board of Public Works awarded the above referenced bid to you in the amount of \$775,706.50. Enclosed please find a signed Bid/Proposal form.

Please forward the following documents **in one submittal by February 24, 2026** to my attention for Board of Public Works approval at 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 10th Day of February, 2026, by and between Indiana Earth, 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>124-065B</u>
<u>DESCRIPTION:</u>	<u>PORTAGE AND ELWOOD DEMOLITION</u>
<u>COMPLETION DATE:</u>	<u>SEE SPECIFICATIONS</u>
<u>AMOUNT:</u>	<u>\$775,706.50</u>
<u>FUNDING:</u>	<u>PR-00045648</u>

The unit prices for this improvement were those prices as received and accepted by the Board on the 10th Day of February, 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: February 10, 2026

INDIANA EARTH, INC.

Printed Name

Signature



CITY OF SOUTH BEND

BOARD OF PUBLIC WORKS

February 10, 2026

Mr. Adam DeJonge
Melching, Inc.
3662 Airline Rd.
Muskegon, MI 49444
adamdejonge@melchingdemo.com

RE: Bid Award – Portage and Elwood Demolition – Project No. 124-065B

Dear Mr. DeJonge:

At its February 10, 2026, meeting, the Board of Public Works awarded the above referenced bid to Indiana Earth, Inc. in the amount of \$775,706.50.

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

February 10, 2026

Mr. Thad Bessinger
C&E Excavating, Inc.
2831 Dexter Drive
Elkhart, IN 46514
TBessinger@candeexcavating.com

RE: Bid Award – Portage and Elwood Demolition – Project No. 124-065B

Dear Mr. Bessinger:

At its February 10, 2026, meeting, the Board of Public Works awarded the above referenced bid to Indiana Earth, Inc. in the amount of 775,706.50.

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

February 10, 2026

Mr. Jason C. Dore
Dore & Associates, Inc.
P.O. Box 338, Washington Ave.
Bay City, MI 48707
est@doreassoc.com

RE: Bid Award – Portage and Elwood Demolition – Project No. 124-065B

Dear Mr. Dore:

At its February 10, 2026, meeting, the Board of Public Works awarded the above referenced bid to Indiana Earth, Inc. in the amount of \$775,706.50.

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

February 10, 2026

Ms. Rachelle L. Dolniak
Ritschard Bros, Inc.
1204 W. Sample Street
South Bend, IN 46619
Rit1204@datacruz.com

RE: Bid Award – Portage and Elwood Demolition – Project No. 124-065B

Dear Ms. Dolniack:

At its February 10, 2026, meeting, the Board of Public Works awarded the above referenced bid to Indiana Earth, Inc. in the amount of \$775,706.50.

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

February 10, 2026

Mr. Michael J. Brough
Green Demolition Contractors, Inc.
315 Brighton Street
LaPorte, IN 46350
mike@greendemolitioninc.com; ray@greendemolitioninc.com

RE: Bid Award – Portage and Elwood Demolition – Project No. 124-065B

Dear Mr. Brough:

At its February 10, 2026, meeting, the Board of Public Works awarded the above referenced bid to Indiana Earth, Inc. in the amount of \$775,706.50.

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

February 10, 2026

Mr. William Loudin
R&R Excavating, Inc.
2010 Went Avenue
Mishawaka, IN 46544
jamie@rrexavating.com

RE: Bid Award – Portage and Elwood Demolition – Project No. 124-065B

Dear Mr. Loudin:

At its February 10, 2026, meeting, the Board of Public Works awarded the above referenced bid to Indiana Earth, Inc. in the amount of \$775,706.50.

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 1335 Portage Avenue and 1302 Elwood Avenue – Site Demolition
 Project No. 124-065B
 For Bids Due Tuesday, January 27, 2026

PART I

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

Date: 1-27-2026 Bidder (Firm): Indiana Earth, INC
 Address: 10343 McKinley HWY
 City/State/Zip: Osceola, IN 46501 Telephone Number: (574) 674-6488
 Email Address: estimatorindianearth@yahoo.com
 Agent of Bidder (if Applicable): Zyne Myers
 Pursuant to notices given, the undersigned offers to furnish labor and/or material necessary to complete the public works project of:

1335 Portage Ave # 1302 Elwood Ave - Site Demo

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

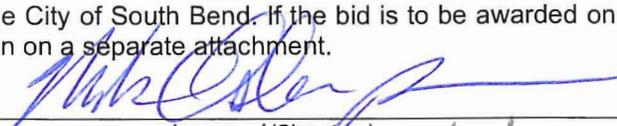
Abonmarche

and dated 12-8-2025 for the sum of (enter the Total Bid as shown on the Proposal)

Seven hundred eighty two thousand and no/100ths \$ 782,000.00 (Numerical)
 (Enter sum of Total Base Bid plus Alternates shown on Proposal)

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 _____



Mark Osler, 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: February 10, 2026



INTER-OFFICE MEMORANDUM

DEPARTMENT OF PUBLIC WORKS DIVISION OF ENGINEERING

TO: Hillary Horvath, Clerk
Board of Public Works

FROM: Gemma Stanton, P.E.
Project Engineer, Division of Engineering

SUBJECT: Award: 124-065B Portage Elwood Demo

DATE: February 2nd, 2026

On January 27th, 2026 the Board of Public Works opened and read quotes for the above project. Seven quotes were received and the totals for the base bid and alternate bids are shown below:

	<u>Base Bid</u>
Melching, Inc	\$759,239.60
Indiana Earth, Inc	\$775,706.50
C&E Excavating	\$838,460.00
Dore & Associates	\$994,473.00
Ritschard Bros., Inc	\$1,081,467.00
Green Demolition Contractors, Inc	\$1,243,279.66
R&R Excavating	\$1,476,695

The apparent low bidder, Melching, Inc., did not provide Indiana Secretary of State's business verification nor evidence of participation in apprenticeship and training programs with their bid. These documents were requested after bid opening but Melching could not provide evidence of participation in apprenticeship and training programs. I recommend award of this bid to the lowest responsive and responsible bidder, Indiana Earth, Inc for \$775,706.50. The Department of Community Investment has appropriated sufficient funds available from 324-10-102-121-439018.

Please respond with any questions (EXT 9083).

Enc. Bid Tabulation, Design Engineer's Bid Award Recommendation

**Portage and Elwood Avenue - Site Demolition
City Project No. 124-065B
City of South Bend**

Bid Tabulation

Base Bid

				Engineer's Estimate		Melching, Inc.		Indiana Earth, Inc.		C&E Excavating		Dore & Associates		Ritchard Bros., Inc.		Green Demolition Contractors, Inc.		R&R Excavating	
Item No.	Description	Quantity	Unit	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization/Demobilization	1	LS	\$79,060.00	\$79,060.00	\$12,000.00	\$12,000.00	\$30,000.00	\$30,000.00	\$20,645.00	\$20,645.00	\$40,000.00	\$40,000.00	\$10,000.00	\$10,000.00	\$30,000.00	\$30,000.00	\$53,250.00	\$53,250.00
2.	Maintenance of Traffic	1	LS	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$6,000.00	\$6,000.00	\$1,035.08	\$1,035.08	\$4,500.00	\$4,500.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00
3.	Temporary Erosion Control	1	LS	\$23,220.00	\$23,220.00	\$6,000.00	\$6,000.00	\$12,500.00	\$12,500.00	\$25,753.00	\$25,753.00	\$13,300.00	\$13,300.00	\$11,000.00	\$11,000.00	\$20,000.00	\$20,000.00	\$13,900.00	\$13,900.00
4.	Borrow	3,000	CYD	\$40.00	\$120,000.00	\$10.00	\$30,000.00	\$17.00	\$51,000.00	\$20.50	\$61,500.00	\$14.00	\$42,000.00	\$22.00	\$66,000.00	\$30.00	\$90,000.00	\$22.50	\$67,500.00
5.	Demolition	1	LS	\$1,265,000.00	\$1,265,000.00	\$514,075.00	\$514,075.00	\$452,200.00	\$452,200.00	\$504,735.00	\$504,735.00	\$737,300.00	\$737,300.00	\$723,655.00	\$723,655.00	\$783,100.00	\$783,100.00	\$1,030,465.00	\$1,030,465.00
6.	Temporary Fence	3,081	LFT	\$10.00	\$30,810.00	\$17.85	\$54,995.85 *	\$6.50	\$20,026.50	\$3.63	\$11,184.03	\$8.00	\$24,648.00	\$10.00	\$30,810.00	\$4.86	\$14,973.66	\$15.00	\$46,215.00
7.	Fence, Chain link	700	LFT	\$40.00	\$28,000.00	\$12.00	\$8,400.00	\$33.00	\$23,100.00 *	\$35.01	\$24,507.00	\$65.00	\$45,500.00 *	\$29.50	\$20,650.00	\$44.74	\$31,318.00 *	\$22.50	\$15,750.00
8.	Surface Restoration	1	LS	\$88,000.00	\$88,000.00	\$108,650.00	\$108,650.00	\$150,000.00	\$150,000.00	\$170,738.00	\$170,738.00	\$74,300.00	\$74,300.00	\$191,812.00	\$191,812.00	\$240,000.00	\$240,000.00 *	\$200,765.00	\$200,765.00
9.	Turf Reinforcement Mat	95	SYD	\$40.00	\$3,800.00	\$1.25	\$118.75 *	\$24.00	\$2,280.00	\$46.63	\$4,429.85	\$55.00	\$5,225.00	\$52.00	\$4,940.00	\$100.00	\$9,500.00	\$100.00	\$9,500.00
10.	Bollard	22	EA	\$500.00	\$11,000.00	\$1,000.00	\$22,000.00	\$1,300.00	\$28,600.00	\$633.32	\$13,933.04	\$350.00	\$7,700.00	\$800.00	\$17,600.00	\$654.00	\$14,388.00	\$1,675.00	\$36,850.00
Total				\$1,653,890.00		\$759,239.60 *		\$775,706.50 *		\$838,460.00		\$994,473.00 *		\$1,081,467.00		\$1,243,279.66 *		\$1,476,695.00	
Acknowledge Addendum No. 1						Yes		Yes		Yes		Yes		Yes		Yes		Yes	

*Denotes Correction by Engineer

I hereby certify that the above truly and accurately represents bids received for this project on January 27, 2026


Chad Knip, P.E.
Abonmarche Consultants, Inc.

January 29, 2026



January 30, 2026

Ms. Gemma Stanton
Project Engineer, Division of Engineering
City of South Bend
215 S. Dr. Martin Luther King Jr. Blvd.
South Bend, IN 46601

Re: **Portage Avenue and Elwood Avenue – Site Demolition**
City Project No. 124-065B
Bid Tabulation and Letter of Recommendation

Dear Ms. Stanton,

We have reviewed the bids received for the above-referenced project and have prepared the attached bid tabulation for your consideration.

An addendum to the bid documents was issued on January 21, 2026, and all bidders acknowledged receipt of the addendum. As part of the addendum, the length of fence to be replaced was revised from 894 linear feet to 700 linear feet; however, a revised Bid Form/Proposal was not issued. Four of the seven bidders, including the apparent low bidder (Melching, Inc.), adjusted their Bid Form/Proposal to reflect this revision. Three of the seven bidders, including the apparent second low bidder (Indiana Earth), submitted bids using the original Bid Form/Proposal quantities without incorporating this change. Correcting Indiana Earth's bid to reflect the revised fence quantity reduces their total bid amount by \$6,402.00.

Melching, Inc.'s bid included several line items in which extended totals appeared to be rounded values. For purposes of the attached bid tabulation, these totals were corrected to reflect the unit price multiplied by the bid quantity. In addition, Item No. 9, Turf Reinforcement Mat, contains a multiplication error. The unit price submitted for this item is significantly lower than that of the other bidders. We recommend requesting a written clarification from Melching, Inc. to confirm that the unit price shown in the Bid Form/Proposal is correct and was intended.

Based on the corrected bid tabulation and assuming Melching, Inc. confirms the unit price for Item No. 9 as submitted, Melching, Inc. is the apparent lowest bidder. Subject to verification that Melching, Inc. meets the City's requirements for a responsible bidder, we recommend award of the project to Melching, Inc.

Sincerely,
Abonmarche Consultants, Inc



Chad Knip
Project Manager



**BID/PROPOSAL
CITY OF SOUTH BEND**

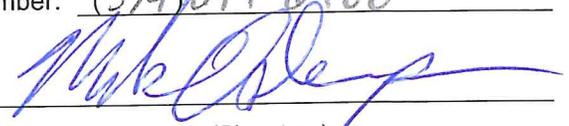
Project Name: Portage and Elwood Avenue – Site Demolition
Project Number: 124-065B
For Bids Due: Tuesday, January 27, 2026
Contractor Name: _____

BASE BID

Item No.	Description	Quantity	Unit	Unit Price	Total Amount
1	Mobilization and Demobilization	1	LS	30,000.-	30,000.-
2	Maintenance of Traffic	1	LS	6,000.-	6,000.-
3	Temporary Erosion Control	1	LS	12,500.-	12,500.-
4	Borrow	3000	CYD	17.-	51,000.-
5	Demolition	1	LS	452,200.-	452,200.-
6	Temporary Fence	3,081	LFT	6.50	20,026.50
7	Fence, Chain Link	894	LFT	33.-	29,502.-
8	Surface Restoration	1	LS	150,000.-	150,000.-
9	Turf Reinforcement Mat	95	SYD	24.-	2,280.-
10	Bollard	22	EA	130.-	2,860.-

BASE BID TOTAL 782,108.50

Bidder (Firm): Indiana Earth, INC
Address: 10343 McKinley Hwy
City/State/Zip: Oscola, IN 46561 **Telephone Number:** (574) 674-6488

By 
(Signature)
Mark Osler, 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:
St. Joseph 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.

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 _____ day of _____, 20__

Indiana Earth, INC
Contractor/Bidder (Firm)

[Signature]
Signature of Contractor/Bidder or Its Agent

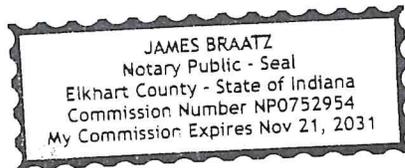
Mark Osler, President
Printed Name and Title

Subscribed and sworn to before me this 27th day of Jan, 20 26

My Commission Expires 11-21-2031

[Signature]
Notary Public

County of Residence Elkhart



AIA[®] Document A310[™] – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)
Indiana Earth, Inc.

10343 McKinley Highway
Osceola, IN 46561

OWNER:

(Name, legal status and address)

City of South Bend
227 West Jefferson Boulevard
South Bend, IN 46601

BOND AMOUNT: *FIVE PERCENT OF AMOUNT BID*****

SURETY:

(Name, legal status and principal place
of business)

Swiss Re Corporate Solutions America Insurance Corporation
1200 Main Street, Suite 800
Kansas City, MO 64105

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

PROJECT:

(Name, location or address, and Project number, if any)

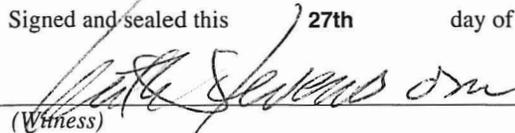
1335 Portage Ave & 1302 Elwood Ave - Demo, Project No. 124-065B

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 27th day of January 2026
Indiana Earth, Inc.


(Witness)


(Principal) (Seal)

(Title)


(Witness)

Swiss Re Corporate Solutions America Insurance Corporation
(Surety) (Seal)


(Title) Thomas O. Chambers, Attorney-in-Fact

Init.

SWISS RE CORPORATE SOLUTIONS

SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE CORPORATION ("SRCSAIC")
SWISS RE CORPORATE SOLUTIONS PREMIER INSURANCE CORPORATION ("SRCSPIC")
WESTPORT INSURANCE CORPORATION ("WIC")

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT SRCSAIC, a corporation duly organized and existing under laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, and SRCSPIC, a corporation organized and existing under the laws of the State of Missouri and having its principal office in the City of Kansas City, Missouri, and WIC, organized under the laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, each does hereby make, constitute and appoint:

THOMAS O. CHAMBERS, TODD SCHAAP, KIMBERLY S. RASCH, and PAUL JACOBSEN

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

UNLIMITED

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both SRCSAIC and SRCSPIC at meetings duly called and held on the 18th of November 2021 and WIC by written consent of its Executive Committee dated July 18, 2011.

"RESOLVED, that any two of the President, any Managing Director, any Senior Vice President, any Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is, authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Corporation bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Corporation; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Corporation may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By Erik Janssens, Senior Vice President of SRCSAIC & Senior Vice President of SRCSPIC & Senior Vice President of WIC

By Gerald Jagrowski, Vice President of SRCSAIC & Vice President of SRCSPIC & Vice President of WIC

IN WITNESS WHEREOF, SRCSAIC, SRCSPIC, and WIC have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers

this 10 day of NOVEMBER, 20 22

State of Illinois
County of Cook

Swiss Re Corporate Solutions America Insurance Corporation
Swiss Re Corporate Solutions Premier Insurance Corporation
Westport Insurance Corporation

On this 10 day of NOVEMBER, 20 22, before me, a Notary Public personally appeared Erik Janssens, Senior Vice President of SRCSAIC and Senior Vice President of SRCSPIC and Senior Vice President of WIC and Gerald Jagrowski, Vice President of SRCSAIC and Vice President of SRCSPIC and Vice President of WIC, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



Christina Manisco, Notary

I, Jeffrey Goldberg, the duly elected Senior Vice President and Assistant Secretary of SRCSAIC and SRCSPIC and WIC, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said SRCSAIC and SRCSPIC and WIC, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 27th day of January, 2026.

Jeffrey Goldberg, Senior Vice President & Assistant Secretary of SRCSAIC and SRCSPIC and WIC

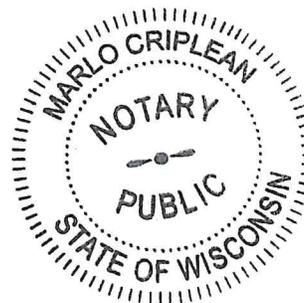
STATE OF WISCONSIN)

COUNTY OF **Racine**)

ON THIS 27th day of January, 2026,
before me, a notary public, within and for said County and State, personally appeared ___
Thomas O. Chambers to me personally known, who being duly sworn,
upon oath did say that he is the Attorney-in-Fact of and for the _____
Swiss Re Corporate Solutions America Insurance Corporation, a corporation
of Missouri, created, organized and existing under and
by virtue of the laws of the State of Missouri; that the corporate seal
affixed to the foregoing within instrument is the seal of the said Company; that the seal
was affixed and the said instrument was executed by authority of its Board of Directors;
and the said Thomas O. Chambers did acknowledge that he/she
executed the said instrument as the free act and deed of said Company.



Marlo Criblean
Notary Public, **Racine** County, Wisconsin
My Commission Expires **6/13/2028**





**CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN
FORM MBE-1.0
MBE UTILIZATION PLAN**

This completed form should be supplied with Bids that pertain to City of South Bend Public Works Projects involving MBE participation. It is the bidder's sole responsibility to verify whether any listed minority-owned business meets the MBE qualifications.

*****Goals should be calculated based on the Base Bid only.*****

Project Number: 124-065B Project Name: Portage and Elwood Avenue – Site Demolition
 Bidder: Indiana Earth, INC Total Bid Amount: 282,103.50 MBE Goal: 1.40%
 Page 1 of 1

Name & Address of MBE	Primary Contact Person (Name/Telephone)	Scope of Work to be Performed (Attach scope/schedule if you need additional space)	Dollar Amount of MBE Component	Percentage of Total Bid/Proposal
Kennedy Trucking	Marcus 574-876-8881	Trucking	10,850.-	1.4%

Submitted by: Ryne Myers Ryne Myers 1-27-2026
 Print Name Signature Date

*****Goals should be calculated based on the Base Bid only.*****



**CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN
FORM WBE-1.0
WBE UTILIZATION PLAN**

This completed form should be supplied with Bids that pertain to City of South Bend Public Works Projects involving WBE participation. It is the bidder's sole responsibility to verify whether any listed woman-owned business meets the WBE qualifications.

*****Goals should be calculated based on the Base Bid only.*****

Project Number: 124-065B Project Name: Portage and Elwood Avenue – Site Demolition
 Bidder: Indiana Earth, INC Total Bid Amount: 782,108.5 **WBE Goal:** 4.70%
 Page 1 of 1

Name & Address of WBE	Primary Contact Person (Name/Telephone)	Scope of Work to be Performed (Attach scope/schedule if you need additional space)	Dollar Amount of WBE Component	Percentage of Total Bid/Proposal
<u>Montgomery Trucking</u>	<u>Karen 260-312-2632</u>	<u>Trucking</u>	<u>36,759.10</u>	<u>4.7%</u>

Submitted by: Ryne Myers Ryne Myers 1-27-2026
 Print Name Signature Date

*****Goals should be calculated based on the Base Bid only.*****

**CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN**



**FORM MBE-2.0
EVIDENCE OF GOOD FAITH EFFORTS**

This completed form should be included as part of the Bids documents related to City of South Bend Public Works Projects requiring Good Faith Efforts to obtain MBE participation.

Project Number: 124-065B Date: 1-27-2026
 Project Name: Portage and Elwood Avenue – Site Demolition
 Bidder: Indiana Earth, INC
 Contact Person: Ryne Myers Telephone: 574-674-6488
 Address: 10343 McKinley Hwy
 City: Osceola State: Indiana Zip: 46561
 Email: estimatorindianearth@yahoo.com

To determine whether a bidder has demonstrated good faith efforts to reach the MBE utilization goals set forth in the City of South Bend Public Works Project Specifications, the City and its agencies, boards, or commissions, **REQUIRE ALL** of the following Good Faith Efforts as listed in the table below*:

EVIDENCE OF GOOD FAITH EFFORTS	
MBE LIST(S): The bidder reviewed 1) the City of South Bend's Minority and Women Business Enterprise Inclusion Program Plan; 2) the list of certified MWBEs provided by the City; and 3) the Indiana Department of Administration list of Minority and Women Owned Businesses (both certified and non-certified) found at: http://www.in.gov/idoa/ .	
GOOD FAITH EFFORTS TO OBTAIN MBE PARTICIPATION	
The bidder shall initial each item below, as evidence of its good faith efforts to obtain MBE participation in the awarded contract.	
RM	I affirm that I reviewed the City of South Bend's Minority and Women Business Enterprise Inclusion Program Plan and the Indiana Department of Administration's certified list of Indiana Minority and Women Business Enterprises, found on their website (http://www.in.gov/idoa/).
RM	I affirm that I have made good faith efforts to select portions of the contract work to be performed by MWBEs, including, where appropriate, breaking out contract work items into economically feasible units to facilitate MBE participation.
RM	I affirm that I have made good faith efforts to solicit through all reasonable and available means the interest of all MBEs in the scopes of work of the contract.
RM	I affirm that I attended all pre-bid meetings scheduled by the City of South Bend to inform MBEs of contracting and subcontracting opportunities.
RM	I affirm that I advertised in general circulation and/or trade association publications concerning subcontract opportunities and allowed MBEs reasonable time to respond to such advertisements.
RM	I affirm that I performed any and all necessary steps to provide written notices in a manner reasonably calculated to inform MBEs of subcontracting opportunities and allowed sufficient time for MBEs to participate effectively.
RM	I affirm that I followed up on initial solicitations with interested MBEs.
RM	I affirm that I negotiated with interested MBEs in good faith, including providing such MBEs with adequate information about the plans, specifications and other requirements of the subcontract.
RM	I affirm that I have made good faith efforts to assist interested MBEs in obtaining bonding, lines of credit, or insurance as required by the City or the bidder, where appropriate.

**CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN**



**FORM MBE-2.0
EVIDENCE OF GOOD FAITH EFFORTS**

	RM	I affirm that I have made good faith efforts to assist interested MBEs in obtaining necessary equipment, supplies, materials, or related assistances or services, where appropriate.
	RM	I affirm that I did not reject any MBEs as unqualified without sound business reasons based on a thorough investigation of their capabilities.
<p>CONTRACT RECORDS: The bidder has maintained the following records for each MBE that has bid on the subcontracting opportunity:</p> <ol style="list-style-type: none"> 1. Name, address, and telephone number; 2. A description of information provided by the bidder or subcontractor; and 3. A statement of whether an agreement was reached, and if not, why not, including any reasons for concluding that the MBE was unqualified to perform the job. 		

***Proper demonstration of Good Faith Efforts requires your initials next to all of the above boxes. Any omissions shall be considered grounds for rejection of the bid by the Board of Public Works. The City of South Bend reserves the right to request additional information.**

**CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN**



**FORM WBE-2.0
EVIDENCE OF GOOD FAITH EFFORTS**

This completed form should be included as part of the Bids documents related to City of South Bend Public Works Projects requiring Good Faith Efforts to obtain MWBE participation.

Project Number: 124-065B Date: 1-27-2026
 Project Name: Portage and Elwood Avenue – Site Demolition
 Bidder: Indiana Earth, INC
 Contact Person: Kyne Myers Telephone: 574-674-1488
 Address: 10343 McKinley Hwy
 City: Dscola State: IN Zip: 46561
 Email: estimator@indianaeearth@yahoo.com

To determine whether a bidder has demonstrated good faith efforts to reach the WBE utilization goals set forth in the City of South Bend Public Works Project Specifications, the City and its agencies, boards, or commissions, **REQUIRE ALL** of the following Good Faith Efforts as listed in the table below*:

EVIDENCE OF GOOD FAITH EFFORTS	
<p>WBE LIST(S): The bidder reviewed 1) the City of South Bend's Minority and Women Business Enterprise Inclusion Program Plan; 2) the list of certified MWBEs provided by the City; and 3) the Indiana Department of Administration list of Minority and Women Owned Businesses (both certified and non-certified) found at: http://www.in.gov/idoa/.</p>	
GOOD FAITH EFFORTS TO OBTAIN WBE PARTICIPATION	
<p>The bidder shall initial each item below, as evidence of its good faith efforts to obtain WBE participation in the awarded contract.</p>	
RM	<p>I affirm that I reviewed the City of South Bend's Minority and Women Business Enterprise Inclusion Program Plan and the Indiana Department of Administration's certified list of Indiana Minority and Women Business Enterprises, found on their website (http://www.in.gov/idoa/).</p>
RM	<p>I affirm that I have made good faith efforts to select portions of the contract work to be performed by WBEs, including, where appropriate, breaking out contract work items into economically feasible units to facilitate WBE participation.</p>
RM	<p>I affirm that I have made good faith efforts to solicit through all reasonable and available means the interest of all WBEs in the scopes of work of the contract.</p>
RM	<p>I affirm that I attended all pre-bid meetings scheduled by the City of South Bend to inform WBEs of contracting and subcontracting opportunities.</p>
RM	<p>I affirm that I advertised in general circulation and/or trade association publications concerning subcontract opportunities and allowed WBEs reasonable time to respond to such advertisements.</p>
RM	<p>I affirm that I performed any and all necessary steps to provide written notices in a manner reasonably calculated to inform WBEs of subcontracting opportunities and allowed sufficient time for WBEs to participate effectively.</p>
RM	<p>I affirm that I followed up on initial solicitations with interested WBEs.</p>
RM	<p>I affirm that I negotiated with interested WBEs in good faith, including providing such WBEs with adequate information about the plans, specifications and other requirements of the subcontract.</p>
RM	<p>I affirm that I have made good faith efforts to assist interested WBEs in obtaining bonding, lines of credit, or insurance as required by the City or the bidder, where appropriate.</p>

**CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN**



**FORM WBE-2.0
EVIDENCE OF GOOD FAITH EFFORTS**

RM	I affirm that I have made good faith efforts to assist interested WBEs in obtaining necessary equipment, supplies, materials, or related assistances or services, where appropriate.
RM	I affirm that I did not reject any WBEs as unqualified without sound business reasons based on a thorough investigation of their capabilities.
<p>CONTRACT RECORDS: The bidder has maintained the following records for each WBE that has bid on the subcontracting opportunity:</p> <ol style="list-style-type: none"> 1. Name, address, and telephone number; 2. A description of information provided by the bidder or subcontractor; and 3. A statement of whether an agreement was reached, and if not, why not, including any reasons for concluding that the MWBE was unqualified to perform the job. 	

***Proper demonstration of Good Faith Efforts requires your initials next to all of the above boxes. Any omissions shall be considered grounds for rejection of the bid by the Board of Public Works. The City of South Bend reserves the right to request additional information.**

CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN



FORM MBE-2.1
MBE CONTACTED

This completed form should be supplied with Bids that pertain to City of South Bend Public Works Projects requiring Good Faith Efforts to contact MBEs. It is the bidder's sole responsibility to verify whether any listed minority-owned business meets the MBE qualifications. Attach additional pages if necessary.

PAGE 1 OF 1

Project Number: 124-065B MBE Participation Goal 1.40%

Project Name: Portage and Elwood Avenue - Site Demolition

Bidder: Indiana Earth, INC

By: Ryan Meyer Estimator 1-27-2026
(Signature) (Title) (Date)

MBE Firm Kennedy Trucking

Owner or Contact at MBE Firm o Marcus

Telephone: 574-876-8881 Fax: _____ Email: _____

TYPE OF WORK SOLICITED FOR THIS PROJECT:

Trucking

RESULTS OF CONTACT WITH THE MBE FIRM:

Received Rates

MBE Firm _____

Owner or Contact at MBE Firm _____

Telephone: _____ Fax: _____ Email: _____

TYPE OF WORK SOLICITED FOR THIS PROJECT:

RESULTS OF CONTACT WITH THE MBE FIRM:

CITY OF SOUTH BEND
MINORITY AND WOMEN BUSINESS ENTERPRISE INCLUSION PROGRAM PLAN



FORM MBE-2.1
WBE CONTACTED

This completed form should be supplied with Bids that pertain to City of South Bend Public Works Projects requiring Good Faith Efforts to contact WBEs. It is the bidder's sole responsibility to verify whether any listed woman-owned business meets the WBE qualifications. Attach additional pages if necessary.

PAGE 1 OF 1

Project Number: 124-065B WBE Participation Goal 4.70%

Project Name: Portage and Elwood Avenue – Site Demolition

Bidder: Indiana Earth, INC

By: [Signature] Estimator 1-27-2026
(Signature) (Title) (Date)

WBE Firm Montgomery Trucking

Owner or Contact at WBE Firm Karen

Telephone: 260-312-2632 Fax: _____ Email: _____

TYPE OF WORK SOLICITED FOR THIS PROJECT:

Trucking

RESULTS OF CONTACT WITH THE WBE FIRM:

Received Rates

WBE Firm _____

Owner or Contact at WBE Firm _____

Telephone: _____ Fax: _____ Email: _____

TYPE OF WORK SOLICITED FOR THIS PROJECT:

RESULTS OF CONTACT WITH THE WBE FIRM:



1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830

PHONE 574/ 235-9251
FAX 574/ 235-9171
TDD 574/ 235-5567

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

Date: January 20, 2026
To: All Bidders
From: Hillary R. Horvath, Clerk, Board of Public Works
Subject Addendum Number: 1
Project Name: 1335 Portage Avenue and 1302 Elwood Avenue Site Demolition
Project
Number: 124-065B

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDUM

Date Received: _____

This addendum is being forwarded to you for the above referenced project.

Please sign below and acknowledge receipt of this Addendum by faxing this sheet to the Board of Public Works at (574) 235-9171. A copy MUST also be included with your bid package upon submittal. THIS ADDENDUM MAY AFFECT YOUR BID.

Note: _____

The attached documents are hereby Add to the Specifications and Contract Documents and become a part of herein.

Company: Indiana Earth, INC
Authorized Signature: [Signature]
Date: 1-23-2026

CITY OF SOUTH BEND, INDIANA
CONTRACTOR'S BID FOR PUBLIC WORK
RESPONSIBLE BIDDER CHECKLIST

Project Name	1335 Portage Avenue and 1302 Elwood Avenue – Site Demolition
Project No.	124-065B
For Bids Due	Tuesday, January 27, 2026 @ 9:00 A.M. (E.D.T.) via email to BPWbids@southbendin.gov
Contractor Name:	<u>Indiana Earth, INC</u>

The City seeks to enhance its ability to identify responsive and responsible bidders on all City public works projects by institution of comprehensive submission requirements in compliance with State law. Quality workmanship, efficient operation, safety, and timely completion of projects requires that all bidders meet certain minimum requirements to be responsive and responsible bidders.

THIS FORM MUST BE SUBMITTED WITH YOUR BID.

****THIS FORM ONLY APPLIES TO BIDS GREATER THAN \$250,000. ****

INSTRUCTIONS:

If you are a pre-qualified bidder, complete Section I only.

If you are not a pre-qualified bidder, complete Section II only.

Section II acts as an application for pre-qualification. Submission of Section II will allow the bidder to be considered for pre-qualification for bids with the City of South Bend Department of Public Works. Pre-qualified bidders will then be exempt from a portion of the submission requirements outlined in Section 6-71 of The Responsible Bidding **Ordinance No. 10975-23** (hereinafter, "Responsible Bidding Ordinance") for a period of twelve (12) months.

Thereafter, contractors who are pre-qualified must submit a complete application for continuation of "pre-qualified" standing, on a form provided by the City ("Responsible Bidder Checklist (1) Pre-Qualified Bidders") within twelve (12) months of obtaining pre-qualified standing. If the status of any item changes within the twelve (12) months, it is the responsibility of the contractor to notify the City. Failure by any pre-qualified contractor to submit its complete application for continuation of "pre-qualified" standing within the time prescribed above shall result in automatic removal of the designation, effective immediately following the twelve (12) months of pre-qualified standing.

However, the "removed" contractor or subcontractor shall still be permitted to bid on City public works projects, though the contractor must submit all required documents under 6-71 until "pre-qualified" status is re-established.

Please Note: The City reserves the right to request supplemental information from the bidder, additional verification of any information provided by the bidder, and may also conduct random inquiries of the bidder's current and previous customers regardless of pre-qualified standing.

It is the sole responsibility of the potential bidder to comply with all submission requirements applicable to the bidder in Section 6-71 of the Responsible Bidding Ordinance no later than the date of the public bid opening.

POST BID SUBMISSIONS:

Post-bid submissions must be submitted in accordance with Section 6-72 of the Responsible Bidding Ordinance. The post-bid submission requirements are as follows:

1. All bidders shall collect, maintain, and provide upon request, a current written list that discloses the name, address, licensing status, and type of work for any subcontractor from whom the bidder has accepted a bid and/or intends to hire on any part of the public work project, including individuals performing work as independent contractors.
2. Each subcontractor, whose portion of the project is estimated to be at least two-hundred fifty thousand dollars (\$250,000.00), shall be required to adhere to the requirements of Section I of the Responsible Bidder Ordinance as though it were bidding directly to the City, except that the subcontractor shall submit the required information (including the name, address, and type of work) to the successful bidder prior to the commencement of work.
3. Failure of a subcontractor to submit the required information shall not disqualify the successful bidder from performing work on the project and shall not constitute a contractual default and/or breach by the successful bidder. However, the City may withhold all payment otherwise due for work performed by a subcontractor, until the subcontractor submits the required information and the City approves such information.
4. The disclosure of a subcontractor list ("Disclosed Subcontractor(s)") to the City by a bidder shall not create any rights in the Disclosed Subcontractor(s). Thus, a bidder may substitute another subcontractor for a Disclosed Subcontractor by giving the City, upon request, written notice of the name, address, licensing status, and type of work of the substitute subcontractor.
5. The successful bidder for projects greater than \$250,000 and all subcontractors performing work greater than \$250,000 on a public works project are required to submit certified payroll utilizing the federal form known as WH-347 or a similar form on a bi-weekly basis, submitted within 10 days after the end of each bi-weekly payroll period. Certified payrolls shall identify the job title and craft for each employee. **Certified payrolls shall be submitted electronically.**

Please Note: Submissions deemed inadequate, incomplete, or untimely by the City may result in the automatic disqualification of the bid.

The City, after review of complete and timely submissions, shall, in its sole discretion, after taking into account all information in the submission requirements, determine whether a bidder is responsive and responsible, and provide a Pre-Qualification Verification Letter. The City specifically reserves the right to utilize all information provided in the contractor's submission and any information obtained by the City through its own independent verification of the information provided by the contractor.

I. PRE-QUALIFIED BIDDER CHECKLIST

(a) Acknowledgements:

- (i) By checking this box, I hereby acknowledge that I am a pre-qualified bidder with the City of South Bend and that I have met the pre-qualification requirements within the last twelve (12) months. **A copy of my Pre-Qualification verification letter is attached.**
- (ii) By checking this box, I hereby acknowledge that the City reserves the right to request supplemental information, additional verification of any information provided by me, and may also conduct random inquiries of my current and prior customers.
- (iii) By checking this box, I hereby acknowledge that apprenticeship and training programs that I participate in have graduated at least five (5) apprentices in each of the past five (5) years.
- (iv) By checking this box, I hereby acknowledge that all subcontractors performing work greater than \$250,000 also meet the qualifications of the Responsible Bidder Ordinance.

(b) Attachments:

- (i) Indiana Secretary of State's on-line records (ie. Business verification) dated within sixty (60) days of the submission of said document showing that business is in existence, current with the Indiana Secretary of State's Business Entity Report, and eligible for a certificate of good standing. (Not applicable to individuals, sole proprietors or partnerships).
- (ii) Statement on staffing capabilities, including labor sources. This statement indicates and ensures I have sufficient employees on staff to complete the work. It outlines how I intend to meet the staffing needs of the work.
- (iii) List of projects of similar size and scope of work performed in all areas, including the State of Indiana, within the last three (3) years.
- (iv) For every project, submit evidence of participation in apprenticeship and training programs, applicable to the work to be performed on the project, which are approved by and registered with the United States Department of Labor's Office of Apprenticeship, or its successor organization. This includes, but may not be limited to, letters from apprenticeship coordinators detailing the bidder's association with the program, and the United States Department of Labor Office of Apprenticeship Certificates of Registration of Apprenticeship Programs for each type of work to be performed on the project.

II. PRE-QUALIFICATION CHECKLIST (FOR BIDDERS THAT ARE NOT PRE-QUALIFIED)

(a) Acknowledgements:

- (i) By checking this box, I hereby acknowledge that I am not a pre-qualified bidder with the City of South Bend.
- (ii) By checking this box, I hereby acknowledge that the City reserves the right to request supplemental information, additional verification of any information provided, and may also conduct random inquiries of my current and prior customers. The City reserves the right to utilize all information provided in this submission and all information obtained in inquiries or requests to determine if a bidder is responsive and responsible. Additionally, I acknowledge that all information provided to the City shall be regarded as public records.
- (iii) By checking this box, I hereby acknowledge that copies of all Applicable apprenticeship certificates or standards for training programs applicable to the work performed on the project may be requested at any time and shall be furnished upon request.
- (iv) By checking this box, I hereby acknowledge and ensure that I and all sub-contractors from whom I have accepted a bid and/or intend to hire to perform work on the public work project are properly licensed. Furthermore, I acknowledge my understanding that it is my responsibility to ensure that all sub-contractors have the necessary licenses to undertake the work called for in this bid. If a sub-contractor loses their license at any point, it is the responsibility of that sub-contractor to notify the City.
- (v) By checking this box, I hereby acknowledge that apprenticeship and training programs that I participate in have graduated at least five (5) apprentices in each of the past five (5) years.
- (vi) By checking this box, I hereby acknowledge that all subcontractors performing work greater than \$250,000 also meet the qualifications of the Responsible Bidder Ordinance.

(b) Attachments

- (i) Indiana Secretary of State's on-line records (ie. Business verification) dated within sixty (60) days of the submission of said document showing that business is in existence, current with the Indiana Secretary of State's Business Entity Report, and eligible for a certificate of good standing. (Not applicable to individuals, sole proprietors or partnerships)
- (ii) List identifying all former business names.
- (iii) Any determinations from court or governmental agency any violations of federal, state, or local laws including, but not limited to, violations of contracting or antitrust laws, tax or licensing laws, environmental laws, Occupational Safety and Health Act (OSHA), or federal laws-Bacon and related Acts, within the preceding five (5) years.
- (iv) Statement about staffing capabilities, including labor sources. This statement indicates and ensures I have sufficient employees on staff to complete the work I am bidding on OR outlines how I intend to meet the staffing needs of the work.
- (v) Statement that individuals who will perform work on the public work project on my behalf will be properly classified as an employee or as an independent contractor under all applicable state and federal laws and local ordinances.
- (vi) For every project, submit evidence of participation in apprenticeship and training programs applicable to the work to be performed on the project, which are approved by and registered with the United States Department of Labor's Office of Apprenticeship, or its successor organization. This includes, but may not be limited to, letters from apprenticeship coordinators detailing the bidder's association with

- the program and the United States Department of Labor Office of Apprenticeship Certificates of Registration for Apprenticeship Programs for each type of work to be performed on the project.
- (vi) Copy of a written plan for employee drug testing that covers all of my employees who will perform work on the public work project and meets or exceeds the requirements set forth in IC 4-13-18-5 or IC 4-13-18-6.
 - (vii) Evidence that I am bonded by a surety company which is on the Bureau of Fiscal Service "Department of Treasury's Listing of Approved Sureties" as required in the bid specifications or project.
 - (viii) Written statement of all federal, state or local tax liens or tax delinquencies owed to any federal, state or local taxing body in the preceding three years.
 - (ix) List of projects of similar size and scope of work performed in all areas, including the State of Indiana, within three (3) years prior to the date on which the bid is due.

Date: _____



(Sign Here) _____

MARK OSLER, PRESIDENT
 (Print Name Here) _____

INDIANA EARTH, INC
 (Name of Company) _____

10343 MCKINLEY HWY
 (Address of Company) _____

OSCEOLA
 (City) _____

IN
 (State) _____

574-674-6488
 (Telephone Number) _____



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

Project Name 1335 Portage Avenue and 1302 Elwood Avenue – Site Demolition

Project No. 124-065B

For Bids Due Tuesday, January 27, 2026

From time to time the South Bend Board of Public Works finds it necessary to reject a bid because it does not comply with statutory requirements. In preparing your bid, please use the following checklist in order to make sure that your bid is done in the proper manner.

___ Proper bid security included. The bidder has the option of providing either a Certified Check or Bid Bond.

___ Bid prepared on the City of South Bend Contractor's Bid for Public Work Form, completely executed.

___ Contractor's Non-Collusion and Non-Debarment Affidavit, Certification Regarding Investments with Iran, Employment Eligibility Verification, Non-Discrimination Commitment, and Certification of use of United States Steel Products or Foundry Products.

___ Proof of M/WBE Utilization Plans [MBE-1.0 and WBE-1.0]. Also provide Evidence of Good Faith Efforts Forms [MBE-2.0 and WBE-2.0] and M/WBE Contacted Forms [MBE-2.1 and WBE-2.1].

___ Acknowledge Receipt of ___ Addendum(s) included with the bid.

___ All required additional information is included with the bid.

___ Proposal statements and other affidavits all signed by the proper party with name either printed or typed underneath signature.

___ This checklist submitted with the Bid.

This checklist is provided for bidder's use in assuring compliance with required documentation; however, it does not include all specifications requirements and does not relieve the bidder of the need to read and comply with the specifications.

Bidder: Indiana Earth, INC Date: 1-27-2026

By Authorized Representative:

Signature:

Print Name & Title:

Mark Osler, President

PART II

(For projects of \$100,000 or more – IC 36-1-12-4)

These statements to be submitted under oath by each bidder with and as part of his/her/its bid.

Attach additional pages for each section as needed.

SECTION I EXPERIENCE QUESTIONNAIRE

1. Attach information regarding projects your organization has completed for the period of one (1) year prior to the date of the current bid.
2. Attach a listing of public works projects currently in process of construction by your organization.
3. Attach information regarding any failure to complete any work awarded to you and the location thereof.
4. Attach references from private firms for which you have performed work.

SECTION II PLAN AND EQUIPMENT QUESTIONNAIRE

1. Attach an explanation of your plan or layout for performing proposed work. (Examples could include a narrative of when you could begin work, complete the project, number of workers, etc. and any other information which you believe would enable the City of South Bend to consider your bid.)
2. Attach a listing of the names and addresses of all subcontractors (i.e. persons or firms outside your own firm who have performed part of the work) that you have used on public works projects during the past five (5) years along with a brief description of the work done by each subcontractor.
3. If you intend to sublet any portion of the work, attach the name and address of each subcontractor, equipment to be used by the subcontractor, and whether you will require a bond. However, if you are unable to currently provide a listing, please understand a listing must be provided prior to contract approval. Until the completion of the proposed project, you are under a continuing obligation to immediately notify the City of South Bend in the event that you subsequently determine that you will use a subcontractor on the proposed project.
4. Attach a listing of equipment you have available to use for the proposed project.
5. Have you entered into contracts or received offers for all materials which substantiate the prices used in preparing your proposal? If not, attach an explanation for the rationale used which would corroborate the prices listed.

SECTION III CONTRACTOR'S FINANCIAL STATEMENT

Attachment of bidder's financial statement is mandatory. Any bid submitted without said financial statement as required by statute shall thereby be rendered invalid. The financial statement provided hereunder to the City of South Bend awarding the contract must be specific

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

Date: 2/2/2026
 Name: Gemma Stanton Department of Public Works – Engineering Division
 BPW Date: 2/10/2026 Phone Extension: 9083

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 checked="" 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 Indiana Earth
 New Vendor Yes If Yes, Approved by Purchasing
 No
 MBE/WBE Contractor MBE WBE Completed E-Verify Form Attached Yes No
 Project Name Portage and Elwood Demo
 Project Number 124-065B
 Funding Source PR-45648
 Account No. 324-10-102-121-439018
 Amount \$775,706.50
 Terms of Contract Unit price
 Special Contract Provisions _____
 Purpose/Description Demolition of buildings at 1302 Elwood Ave and 1335 Portage Ave

For Change Orders Only

Amount of Increase \$ _____
 Decrease (\$ _____)
 Previous Amount \$ _____
 Increase _____ %
 Decrease _____ %
 Current Percent of Change: _____ %
 New Amount \$ _____
 Increase _____ %
 Decrease _____ %
 Total Percent of Change: _____ %
 Time Extension Amount: _____
 New Completion Date: _____