

RESOLUTION NO. 3280

**RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION
APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT
TO THE ADDENDUM TO THE MASTER AGENCY AGREEMENT
(Hill & Colfax Drainage Improvement Project - Supplement #3)**

WHEREAS, effective January 1, 2013, the South Bend Department of Redevelopment, acting by and through its Redevelopment Commission (the “Commission”) and the South Bend Board of Public Works (the “BPW”) entered into a Master Agency Agreement which authorized the BPW to act as agent for and on behalf of the Commission for certain projects during 2013; and

WHEREAS, effective January 1, 2013, the Commission and the BPW entered into a Master Agency Agreement which authorized the BPW to act as agent for and on behalf of the Commission for the limited purpose of contracting for and managing the completion of existing Projects; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Hill & Colfax Drainage Improvement Project to the Master Agency Agreement by way of an Addendum on August 15, 2013; and

WHEREAS, the Commission amended the Master Agency agreement (Hill Colfax Drainage Improvement Project- Supplement #1) by way of an amendment on January 30, 2014; and

WHEREAS, the Commission amended the Master Agency agreement (Hill Colfax Drainage Improvement Project- Supplement #2) by way of an amendment on July 24, 2014; and

WHEREAS, the Commission desires to amend the Addendum by way of this Amendment.

NOW, THEREFORE, BE IT RESOLVED by the South Bend Redevelopment Commission as follows:

Section 1. The Commission hereby approves the Amendment to the Addendum to the Master Agency Agreement (Hill & Colfax Drainage Improvement Project - Supplement #3) and hereby authorizes its execution in substantially the form attached hereto with such changes as the Commission may deem necessary or appropriate upon the advice of counsel, said execution thereof to be conclusive evidence of the Commission's approval of such changes. The Clerk is hereby directed to file a copy of this Amendment to the Addendum with the BPW.

Section 2. This Resolution shall be in full force and effect after its adoption by the Commission.

Section 3. Commission staff members are authorized to execute on behalf of the Commission any documents necessary to carry out the intent of this resolution.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on March 12, 2015, at 9:30 a.m., in Room 1308, County-City Building, South Bend, Indiana 46601.

**CITY OF SOUTH BEND,
DEPARTMENT OF
REDEVELOPMENT**



Marcia I. Jones, President
South Bend Redevelopment Commission

ATTEST:



Donald E. Inks, Secretary
South Bend Redevelopment Commission

**AMENDMENT TO THE ADDENDUM TO THE
MASTER AGENCY AGREEMENT
(Hill & Colfax Drainage Improvement Project - Supplement #3)**

This Amendment to the Addendum to the Master Agency Agreement (this “Amendment”), made and entered into as of the 12th day of March, 2015, by and between the South Bend Department of Redevelopment, acting by and through its Redevelopment Commission (the “Commission”) and the City of South Bend, Indiana, a municipal corporation duly organized and existing pursuant to the laws of the State of Indiana, acting by and through its Board of Public Works (the “BPW”) for purposes of the Commission designating the BPW to act as the Commission’s agent to undertake the Hill & Colfax Drainage Improvement Project - Supplement #3(the “Project”).

WHEREAS, effective January 1, 2013, the Commission and the BPW entered into a Master Agency Agreement which authorized the BPW to act as agent for and on behalf of the Commission for certain projects during 2013; and

WHEREAS, effective January 1, 2013, the Commission and the BPW entered into a Master Agency Agreement which authorized the BPW to act as agent for and on behalf of the Commission for the limited purpose of contracting for and managing the completion of existing Projects; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Hill & Colfax Drainage Improvement Project to the Master Agency Agreement by way of an Addendum on August 15, 2013; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Hill & Colfax Drainage Improvement Project – Supplement #1 to the Master Agency Agreement by way of an Addendum on January 30, 2014; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Hill & Colfax Drainage Improvement Project – Supplement #2 to the Master Agency Agreement by way of an Addendum on July 24, 2014; and

WHEREAS, the Commission desires to amend the Addendum by way of this Amendment, adding Supplement #3.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the BPW and the Commission agree as follows:

1. The Commission hereby empowers and appoints the BPW, pursuant to the Master Agency Agreement, to act as the Commission's agent for the limited purpose of contracting for and managing the completion of the Project, the scope of said Project being originally described in "Exhibit A", amended as described in "Exhibit B" and now amended as described in "Exhibit C", attached hereto and made a part hereof.

2. All of the terms and conditions of the Master Agency Agreement shall control this appointment and this Addendum shall be attached to the Master Agency Agreement.

3. Commission staff members are authorized to execute on behalf of the Commission any documents necessary to carry out the intent of this resolution.

IN WITNESS WHEREOF, the undersigned execute this Addendum to Master Agency Agreement to be effective as of the date first written above.

(Signature Page Follows)

**CITY OF SOUTH BEND,
DEPARTMENT OF
REDEVELOPMENT**

South Bend Redevelopment Commission

ATTEST:

South Bend Redevelopment Commission

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

Gary Gilot, President

Kathryn Roos, Member

Brian Pawlowski, Member

David Relos, Member

Patrick Henthorn, Member

ATTEST:

Linda Martin, Clerk

Exhibit "A"

HILL & COLFAX DRAINAGE IMPROVEMENT PROJECT

See attached Proposal from Abonmarche dated August 5, 2013

Consulting Services Amount: \$8,200

Exhibit "B"

**HILL & COLFAX DRAINAGE IMPROVEMENT PROJECT
- SUPPLEMENT #1**

See attached proposal from Abonmarche dated January 22, 2014

Project Budget: \$204,750

Item	Cost
Consulting Services for Amended Scope	\$19,750
On-Site Improvements	\$110,000
Off-Site Improvements	\$75,000
TOTAL	\$204,750

Exhibit "C"

HILL & COLFAX DRAINAGE IMPROVEMENT PROJECT

Establishing New Construction Budget for Off-Site Improvements at \$140,000