



South Bend

# Redevelopment Commission

227 West Jefferson Boulevard, Room 1308, South Bend, Indiana

## Agenda

Regular Meeting, September 28, 2017 9:30 a.m.

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1. **Roll Call**
2. **Approval of Minutes**
  - A. Minutes of the Regular Meeting of Thursday, September 14, 2017
3. **Approval of Claims**
  - A. Claims Submitted September 28, 2017
4. **Old Business**
5. **New Business**
  - A. Receipt of Bids (126 N. Niles Avenue)
  - B. River West Development Area
    1. Resolution No. 3414 (2018 Parks Bond)
    2. Resolution No. 3413 (LWE Property Acceptance)
    3. Budget Request (Hull Contract Amendment)
  - C. Other
    1. Budget Request (Big Box Retail Appraisal Services)
6. **Progress Reports**
  - A. Tax Abatement
  - B. Common Council
  - C. Other
7. **Next Commission Meeting:**

Thursday, October 12, 2017, 9:30 a.m.

## 8. Adjournment

### **NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS**

Auxiliary Aid or Other Services are Available upon Request at No Charge.  
Please Give Reasonable Advance Request when Possible.



South Bend

# Redevelopment Commission

227 West Jefferson Boulevard, Room 1308, South Bend, Indiana

ITEM: 2A

## SOUTH BEND REDEVELOPMENT COMMISSION REGULAR MEETING

September 14, 2017

9:30 a.m.

Presiding: Marcia Jones, President

227 West Jefferson Boulevard

South Bend, Indiana

The meeting was called to order at 9:36 a.m.

### 1. ROLL CALL

Members Present:

Marcia Jones, President  
Don Inks, Secretary  
Gavin Ferlic, Commissioner  
Kintae Lark, Commissioner  
John Anella, Commissioner

Members Absent:

Dave Varner, Vice-President

Legal Counsel:

Benjamin Dougherty, Esq.

Redevelopment Staff:

David Relos, Associate  
Mary Brazinsky, Recording Secretary

Others Present:

James Mueller DCI  
Dan Buckenmeyer DCI  
Angelina Billo DCI  
Elizabeth Leonard Inks DCI  
Rich Estes DCI  
Bryan Glendening IngenAE  
Oliver Davis SBCC  
Ginny Garner-Kupsa 55212 Sundown Road  
Richard Collins 55478 Moss Road  
Marty Wolfson 809 Park Avenue  
Sue Kesin 4022 Kennedy  
Marie Clark 24333 Ardmore Trail  
Kathy Enders 23037 Grove Street

**2. Approval of Minutes**

**A. Approval of Minutes of the Regular Meeting of Thursday, August 24, 2017**

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the minutes of the regular meeting of Thursday, August 24, 2017.

**3. Approval of Claims**

**A. Claims Submitted September 14, 2017**

	Claims submitted	Explanation of Project	Items added after Agenda Distributed
<b>REDEVELOPMENT COMMISSION</b>			
Redevelopment Commission Claims Sept 14, 2017 for approval			
<u>324 RIVER WEST DEVELOPMENT AREA</u>			
US Bank	196,500.00	Refunding Bonds, Series 2013 Century Center Project	
Hull & Associates	7,632.39	GW Assessment & Remedy Evaluation Ignition Pk.	
IDEM	93.75	Remediation	
Botkin & Hall, LLP	283.40	Assessor Meijer's - Portage Rd	
Tri County News	57.39	Legal Notice	
Kolata Enterprises LLC	562.50	Professional Services	
C & E Excavating, Inc.	103,872.05	Olive Street Metronet Conduit	
<u>429 FUND RIVER EAST DEVELOPMENT TIF</u>			
Abonmarche Consultants of Inc.	18,925.56	Perley Primary Center Safe Routes to School Const.	
SmithGroup JJR	7,640.00	SB Riverfront Pks and Trails Master Plan	
Total	335,567.04		

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the claims submitted on Thursday, September 14, 2017.

**4. Old Business**

**5. New Business**

**A. River West Development Area**

**1. First Amendment to Economic Development Agreement (Norres North America Inc)**

Ms. Billo presented First Amendment to Economic Development Agreement (Norres North America Inc). On July 28, 2014 the Commission and Norres North America Inc. entered in to an Economic Development Agreement and an Equipment Lease Agreement, where the Commission acquired and leased certain equipment to Norres North America.

The Agreement, in part, called for a total investment of \$1,866,000 in South Bend for capital improvements to the production and warehouse facility. This investment is also projected to create 6 new jobs during 2014 and a minimum of 25 new jobs by 2018. Today's action is to execute the First Amendment to Economic Development Agreement.

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the First Amendment to Economic Development Agreement (Norres North America Inc.) submitted on September 14, 2017.

**2. First Amendment to Equipment Lease Agreement (Norres North America Inc)**

Ms. Billo presented the First Amendment to Equipment Lease Agreement (Norres North America Inc). The First Amendment to Equipment Lease Agreement details the equipment list as set forth in the Exhibit A of the Development Agreement and in Schedule A of the Equipment Lease Agreement. Also the term "2018" for creating 25 new jobs is replaced by the term "2020".

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the First Amendment to Equipment Lease Agreement (Norres North America Inc) submitted on Thursday, September 14, 2017.

**3. First Amendment to Economic Development Agreement (Noble Americas)**

Ms. Billo presented the First Amendment to Economic Development Agreement (Noble Americas). On July 17, 2014 the Commission and Noble Americas South Bend Ethanol LLC entered in to an Economic Development Memorandum of Understanding and an Equipment Lease Agreement, where the Commission acquired and leased certain equipment to Noble Americas South Bend Ethanol. The Agreement, in part, called for a total investment of \$31,175,000 by 2018. They have invested \$81.5 Million. This investment was also projected to generate 50 new jobs and they have 70 people employed today. Today's action is to execute the First Amendment to Economic Development Agreement.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the First Amendment to Economic Development Agreement (Noble Americas) submitted on Thursday, September 14, 2017.

**4. First Amendment to Equipment Lease Agreement (Noble Americas)**

Ms. Billo presented the First Amendment to Equipment Lease Agreement (Noble Americas). The First Amendment to Equipment Lease Agreement details the equipment list as set forth in the Exhibit A of the Development Agreement and in the Schedule A of the Equipment Lease Agreement.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the First Amendment to Equipment Lease Agreement (Noble Americas) submitted on Thursday,

**5. Fourth Amendment to Development Agreement (Patel Hotel at HOF)**

Mr. Estes presented the Fourth Amendment to Development Agreement (Patel Hotel at HOF). Mr. Estes presented a budget increase for the final phase of the Marriott Hotel project, which came in with a bid that exceeded the remaining amount as approved in the Development Agreement for this project. The developer, Anant Patel, agreed to pay for the overage amount via a direct reimbursement to the City. This final phase covers work including pavement, landscaping, sidewalk, and other general site improvements that the project required to be completed.

A budget increase in the amount of \$151,064.19 is requested, which is to be reimbursed by the developer within 10 days of the approval of this Amendment.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved Fourth Amendment to Development Agreement (Patel Hotel at HOF) submitted on Thursday, September 14, 2017.

**6. Real Estate Purchase Agreement (Fat Daddy's)**

Mr. Relos presented the Real Estate Purchase Agreement (Fat Daddy's). This Real Estate Purchase Agreement (Agreement) is for what is commonly known as the Fat Daddy's block, in the 500 block of S. Michigan St. This property was recently taken through the disposition process, with bids due July 27, 2017. One bid was received, from Commonwealth Development Corp. that met the minimum offering price of \$45,000. On August 10 the Commission accepted Commonwealth's bid amount and authorized staff to proceed with an Agreement.

DCI Staff and the City Attorney have been working with Commonwealth on this Agreement, which will attempt to save these building's historic facades via a Commission commitment of up to \$1.7m to stabilize, brace, and repair the east and north facades, followed by the clearing of the structures behind. Commonwealth will then tie in to these two facades and build a new senior housing four story structure behind. The Agreement includes a purchase price of \$45,000; is contingent on the awarding (the end of February) and placement of State low income housing tax credits; the writing and coordination of bid specs for the façade and demo work; City approval of the new building; mutually acceptable façade preservation agreement; bids coming in on budget and within completion time line; and Commonwealth building completion within three years. Commission approval of this Real Estate Purchase Agreement is requested.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the Real Estate Purchase Agreement (Fat Daddy's) submitted on Thursday, September 14, 2017.

## **B. Administration**

### **1. Resolution No. 3401 (Setting Public Hearing for TIF Revenues)**

Ms. Leonard Inks presented Resolution No. 3401 (Setting Public Hearing for TIF Revenues). This sets the public hearing for October 12, 2017 to appropriate the TIF funds for 2018. Commission approval is requested.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved Resolution No. 3401 (Setting Public Hearing for TIF Revenues) submitted on Thursday, September 14, 2017.

## **C. Ratifications**

### **1. License Agreement For Temporary Use of Redevelopment Commission Property (Hall of Fame Gridiron )**

Mr. Relos presented the Temporary Use Agreement of Redevelopment Commission Property for the Hall of Fame Gridiron. This Ratification is for the use of the Gridiron by the University of Notre Dame. Commission approval is requested.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the License Agreement For Temporary Use Redevelopment Commission Property (Hall of Fame Gridiron) submitted on Thursday, September 14, 2017.

## **6. Progress Reports**

### **A. Tax Abatement**

#### **1. Common Council**

##### **Resolution No. 4666-17**

Mr. Ferlic noted that Resolution No. 4666-17 was approved by the Common Council on Monday, September 11, 2017 with a vote 7 – 0.

Mr. Oliver Davis, a South Bend Common Council member, presented Resolution No. 4666-17 to the South Bend Redevelopment Commission for reading. This Resolution is addressed to the City of South Bend Redevelopment Commission regarding its use of River West TIF funding in the amount of \$25m, to help finance the relocation of the South-Shore Line, and with respect to the people who live in the Ardmore neighborhood. Mr. Davis stated that members of the Ardmore community are present today, along with Dr. James Mueller. Mr. Davis stated that while writing the Resolution he enlisted the help of Jeff Rea, to ensure that it was both pro transit and pro neighborhood with a faster way to get to Chicago, at the same time respecting the homes and the routing that we need to look at.

Mr. Mueller stated we came together on the language of this Resolution. This is a 50 year decision, and we want to make sure we look into all the answers before we have to go through 80 properties to take this commute down to 90 minutes. The 90 minute commute is a priority for the region, it gets it down to a Chicago commuter market. We think this will have huge economic impacts. One of the things that was added late to the Resolution was trying to get a sense of what those economic impacts are. This will go through Federal funds, which means it will go through the National Environmental Acts process, an environmental process. During this you have to prove that doing this is more important than not doing it at all. Even though it's called the Environmental Protection Act, it's really about human impact, noise and economic impact. If you look at the studies, they're thick. If you have input now is the time because they put it all in the appendix.

Mr. Oliver Davis states that Council has weighed in, the neighbors have weighed in. There has to be some funds to be put out for studies. The re-routing of the tracks that preserves the Ardmore neighborhoods to the maximum feasible way, and that's what we are looking at in terms of re-routing and having input regarding that. If a property is caused a great burden (this was proposed by both Jeff Rea and Jo Broden), that the property be available in the federal assistance relocation programs. Also requested is the City of South Bend to work hard to make sure the TIF funds spent be returned within a 5 year period.

Resolution No. 4666-17 has been received and presented to the Redevelopment Commission on Thursday, September 14, 2017.

B. Other

**7. Next Commission Meeting:**

Thursday, September 28, 2017, 9:30 a.m.

**8. Adjournment**

Thursday, September 14, 2017, 9:56 a.m.

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David Relos, Economic Resources

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Marcia I. Jones, President



# ITEM: 3A

	Claims submitted	Explanation of Project
REDEVELOPMENT COMMISSION		
Redevelopment Commission Claims September 28, 2017 for ratified and approval		
<u>324 RIVER WEST DEVELOPMENT AREA</u>		
Transpro	100,000.00	Semi-Annual pymt for Main & Colfax Garage Lease
Premium Concrete Services, Inc.	86,133.65	Main St. at Washington St Roadside Improv.
Hull & Associates	6,258.39	GW Assess & Remedy Ign Pk./Groundwater Oliver Ind Pk
Earth Exploration	2,979.70	Coal Line Trail - PH I & II
The Lincoln Electric Company	171,124.89	PH XVI Equipment Purchase for Nello
Seleg Construction Co., Inc.	573,946.15	Western Ave & Olive St. Intersection Improvement
Abonmarche	16,930.00	Western & Olive, Lincoln & Charles Martin & Portage Prairie Study
HGR Group, Inc.	115,229.49	JMS Façade Work
Lawson-Fisher Associates	29,691.75	West Bank Improvements/Fellow St. Raised Crosswalk at Riley High
Jones Petrie Rafinski	35.00	Monroe Parking Lot & Street Improvements
Jones Petrie Rafinski	47,814.04	Leighton Plaza, Field Survey for Colfax
Botkin & Hall, LLP	9,229.96	Legal Services
<u>422 FUND WEST WASHINGTON DEVELOPMENT TIF</u>		
DLZ	65,778.00	Design of Cemetery Entrance Colfax
<u>429 FUND RIVER EAST DEVELOPMENT TIF</u>		
Smithgroup JJR	6,425.81	Riverfront Parks and Trails Master Plan Amendment 1
Walsh & Kelly Inc.,	65,745.51	East Bank Sewer Separation Ph. V
Abonmarche	32,609.87	Perly Primary Center Safe Routes to School Construction Inspection Srv.
Abonmarche	4,323.75	Howard St Traffic Study
<u>430 FUND SOUTH SIDE TIF AREA #1</u>		
McCormick Engineering, LLC	41,848.75	Bowen St. Improvements
American Structurepoint, Inc.	1,470.00	Menards Traffic Impact Study
Southgate Church	13,000.00	Signage Replacement
<u>436 FUND TIF NORTHEAST RESIDENTIAL</u>		
City of South Bend	186,218.00	Eddy Street Commons
Total	1,576,792.71	

# ITEM: 5B1

## RESOLUTION NO. 3414

### **A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION PRELIMINARILY DETERMINING TO ISSUE BONDS OF THE REDEVELOPMENT DISTRICT OF THE CITY OF SOUTH BEND, INDIANA**

WHEREAS, the South Bend Redevelopment Commission (the “Commission”), the governing body of the South Bend Department of Redevelopment and the Redevelopment District of the City of South Bend, Indiana (the “District”), exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the “Act”); and

WHEREAS, the Commission previously established the River West Development Area as an economic development area and as an allocation area pursuant to Section 39 of the Act (the “Area”); and

WHEREAS, the Commission desires to finance the cost of certain local public improvements in or serving the Area, including without limitation (i) renovations and upgrades at Pulaski, Leeper and Seitz Parks and improvements to the mixed use riverfront trail; (ii) other infrastructure improvements to park and recreation areas in or serving the Area, all of which will enhance the cultural attractiveness of the Area and the City; and (iii) any and all improvements related to any of the improvements described in clauses (i) or (ii) (clauses (i) through and including (iii), collectively, the “Projects”); and

WHEREAS, the Commission reasonably expects to reimburse expenditures for the Projects with proceeds of bonds issued by or on behalf of the Commission (the “Bonds”), in the maximum principal amount of Twelve Million Two Hundred Thousand Dollars (\$12,200,000) for the purpose of financing the Projects; and

WHEREAS, the Commission desires to establish its intent, pursuant to Treas. Reg. §1.150-2 and Indiana Code 5-1-14-6(c), that costs of the Projects are to be reimbursed from the proceeds of the Bonds; and

WHEREAS, the Commission anticipates that sufficient funds will be available to the Commission to make the payments of the principal of and interest on the Bonds with such funds being derived from tax increment revenues collected in the Area (the “TIF Revenues”) without such TIF Revenues being formally pledged; however, if such funds, including the TIF Revenues, are insufficient for such purpose, the Commission will levy a special tax upon the taxable property of the District, which is coterminous with the City, pursuant to Section 27 of the Act (the “Special Tax”); and

WHEREAS, Indiana Code 6-1.1-20-1 provides that a project is not a “controlled project” for the purpose of the Indiana Code 6-1.1-20 if a political subdivision reasonably expects to pay debt service from funds exempt from the levy limitations of Indiana Code 6-1.1-18.5, even though the political subdivision pledges to levy a property tax for the payments of such debt service to the extent such other funds are insufficient; and

WHEREAS, the TIF Revenues are exempt from the levy limitations of Indiana Code 6-1.1-18.5, and the Commission reasonably expects that the TIF Revenues will be sufficient to pay debt service on the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH BEND REDEVELOPMENT COMMISSION, AS FOLLOWS:

Section 1. The Commission hereby makes a preliminary determination to issue the Bonds in one or more series for the purpose of financing the Projects and paying related costs. The Bonds shall be in the maximum principal amount of Twelve Million Two Hundred Thousand Dollars (\$12,200,000), with a final maturity not later than January 15, 2033, and shall bear a per annum interest rate not to exceed five percent (5.0%). The Bonds shall be payable from the TIF Revenues, and, if the TIF Revenues are ever insufficient for such purpose, from the Special Tax.

Section 2. The Commission hereby finds that the Projects do not constitute a “controlled project” for purposes Indiana Code 6-1.1-20 as the Commission reasonably expects to pay the principal of and interest on the Bonds from the TIF Revenues.

Section 3. The Commission hereby declares its intent, pursuant to Treas. Reg. §1.105-2 and Indiana Code 5-1-14-6(c), that any costs incurred by or on behalf of the Commission in completing the Projects be reimbursed from the proceeds of the Bonds.

Section 4. The Commission hereby authorizes the publication of a notice of public hearing on the appropriation of the proceeds of the Bonds pursuant to Indiana Code 5-3-1.

Section 5. The President, Vice President, Secretary or any other officer or member of the Commission is authorized to take all such actions and to execute all such instruments as are desirable to carry out the transactions contemplated by this Resolution, in such forms as such officer or member executing the same shall deem proper, to be conclusively evidenced by the execution thereof.

Section 6. This Resolution shall be in full force and effect immediately from and after its passage.

*[Signature Page Follows]*

ADOPTED at a meeting of the South Bend Redevelopment Commission held on September 28, 2017, in Room 1308, County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND  
REDEVELOPMENT COMMISSION

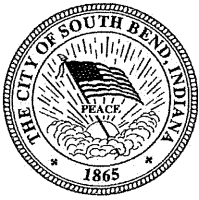
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Marcia I. Jones, President

ATTEST:

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Donald E. Inks, Secretary



Department of  
**Community Investment**

**Redevelopment Commission Agenda Item**

DATE: September 28, 2017  
FROM: David Relos, Economic Resources *DR*  
SUBJECT: Resolution No. 3413 (Accepting 1036 LWE from BPW)

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Resolution No. 3413 accepts from the Board of Public Works (BPW) the transfer of 1036 Lincoln Way East. This is a vacant lot that once housed Fire Station # 10, and is situated on the south side of Lincoln Way next to Bowman Creek. This lot will then be taken through the Commission's disposition process.

A matching Resolution was approved by BPW on September 26, subject to the Commission's approval of this Resolution.

Staff requests approval of Resolution No. 3413, accepting the transfer from BPW of 1036 Lincoln Way East.

INTERNAL USE ONLY: Project Code: \_\_N/A\_\_\_\_\_  
Total Amount new in budget: \_\_N/A\_\_\_\_\_; broken down by:  
Acct # \_\_\_\_\_  
Going to BPW for Contracting? No Is this item ready to encumber now? N/A  
Existing PO# \_\_\_\_\_ Inc/Dec \$ \_\_\_\_\_



**RESOLUTION NO. 3413**

**A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION  
ACCEPTING THE TRANSFER OF REAL PROPERTY FROM THE BOARD OF  
PUBLIC WORKS OF THE CITY OF SOUTH BEND**

WHEREAS, the South Bend Redevelopment Commission, the governing body of the City of South Bend, Indiana, Department of Redevelopment (the “Commission”), exists and operates pursuant to Ind. Code 36-7-14 (the “Act”); and

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the “Board”) has custody of real property owned by the City of South Bend, Indiana (the “City”) pursuant to Ind. Code 36-9-6-3; and

WHEREAS, the Board holds certain real property located in the City, commonly known as 1036 Lincoln Way East and bearing Tax Key Number 018-7017-067801 (the “Property”); and

WHEREAS, the Board desires to convey the Property to the Commission pursuant to Ind. Code 36-1-11-8 for the purpose of making the Property available for re-use and redevelopment in accordance with the Commission’s purposes and powers under the Act; and

WHEREAS, the Board adopted its Resolution No. 41-2017 on September 26, 2017, approving the conveyance of the Property to the Commission; and

WHEREAS, the Commission desires to accept the Property from the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH BEND REDEVELOPMENT COMMISSION AS FOLLOWS:

1. The Commission approves and accepts the Board’s conveyance of the Property to the Commission.
2. The Commission authorizes David Relos of the City’s Department of Community Investment to accept and present for recordation in the Office of the Recorder of St. Joseph County any deed for the Property received from the Board.
3. This Resolution will be in full force and effect upon its adoption.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on September 28, 2017, at 227 West Jefferson Boulevard, Room 1308, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT  
COMMISSION

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Marcia I. Jones, President

ATTEST:

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Donald E. Inks, Secretary

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Department of  
**Community Investment**

**Redevelopment Commission Agenda Item**

DATE: September 26, 2017  
FROM: Chris Dressel, Staff  
SUBJECT: Contract for Environmental Services – Hull & Associates

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PURPOSE OF REQUEST:

Staff is seeking approval of the attached contract from Hull & Associates, Inc. in the amount of \$61,500 for professional engineering/environmental services to address activities south of Indiana Avenue and adjacent to Area A (the former Studebaker/current Ignition Park site) as a continuation of ongoing activities consistent with enrollment in the IDEM Voluntary Remediation Program (VRP). Following approval, work is expected to start within a week of approval. The specific components of the proposal are summarized as follows:

- Task 1: Conduct Passive Gas Sampler Installation/Retrieval/Sampling & Indoor Air Sampling
  - Collection of 28 soil gas samples at approx. 3 ft. depth below surface across on City owned properties at 712-716 W. Indiana Ave. for 7-10 days
  - Collection of Indoor Air sampling at 718 W. Indiana Ave. as permitted
- Task 2: Conduct Quarterly Groundwater Sampling
  - 4 quarters through June 2018 using existing monitoring wells
- Task 3: Prepare two letter reports
- Task 4: Project Management, Meetings, Correspondence

Staff requests your approval of this service contract amendment. Please contact me at 235-5847 or [cdressel@southbendin.gov](mailto:cdressel@southbendin.gov) if you have any questions.

INTERNAL USE ONLY: Project Code: \_\_\_\_\_  
 Total Amount new/change (inc/dec) in budget: \_\_\_\_\_; broken down by:  
 Acct # \_\_\_\_\_ Amt: \_\_\_\_\_; Acct # \_\_\_\_\_ Amt: \_\_\_\_\_;  
 Acct # \_\_\_\_\_ Amt: \_\_\_\_\_; Acct # \_\_\_\_\_ Amt: \_\_\_\_\_;  
 Going to BPW for Contracting? Y/N Is this item ready to encumber now? \_\_\_\_\_  
 Existing PO# \_\_\_\_\_ Inc/Dec \$ \_\_\_\_\_







September 21, 2017

Mr. Chris Dressel  
Brownfield Coordinator  
City of South Bend Department of Community Investment  
227 West Jefferson Blvd., Suite 1400 S  
South Bend, Indiana 46601

RE: Proposal to Conduct Soil Gas and Indoor Air Sampling; Groundwater Sampling; and to Prepare Two Letter Reports Documenting Results at Ignition Park (the Former Studebaker Complex), South Bend, Indiana (the Site); SBI076.300.0001.

Dear Mr. Dressel:

Hull & Associates, Inc. (Hull) is pleased to present the City of South Bend Redevelopment Commission (Client) the following proposal to provide professional engineering services for the above referenced project. The purpose of this document is to establish the Scope of Work as we understand it and to provide a fee schedule for the project.

The Site, known as Ignition Park, and formerly known as the Studebaker Complex, is enrolled in the Indiana Department of Environmental Management (IDEM) Voluntary Remediation Program (VRP). The Scope of Work entails sampling soil gas and indoor air in the vicinity of off-Site structures and preparing a summary report; continued groundwater monitoring efforts on a quarterly basis for one year; and preparing two letter reports documenting results at the Site.

#### **Task 1 Passive Soil Gas Sampler Installation/Retrieval/Sampling and Indoor Air Sampling**

Recent groundwater, soil gas, and indoor air sampling completed upgradient of the Site identified that groundwater exhibiting concentrations of chlorinated VOCs at concentrations exceeding groundwater to indoor air screening levels is present in the vicinity of occupied structures south of Indiana Avenue. To evaluate the extent to which a complete exposure pathway exists in this vicinity, and in an attempt to better identify a source of the impacts, Hull recommends additional soil gas sampling at a higher density at City-owned property in the immediate vicinity of the occupied structures south of Indiana Avenue.

A total of twenty-eight soil gas samples will be collected from points located on an evenly-spaced grid at the three vacant City-owned properties located between 702 W. Indiana Avenue and 718 W. Indiana Avenue. The soil gas sampling point installation will be performed using a hammer drill, and the samplers will be installed at approximate depths of three feet below ground surface (bgs). Soil gas samplers will be placed in sampling locations for seven to ten days, then recovered and submitted to Amplified Geochemical Imaging, LLC (AGI) in Newark, Delaware for analysis.

A brief summary report will be prepared by AGI and Hull with the intent that the results will be shared with IDEM following internal discussions between the City, Hull, and outside counsel.

This task also includes costs to sample sub-slab vapor and indoor air at the Hoosier Tap & Grille structure should the owners agree to provide access for such sampling.

#### **Task 2 Quarterly Groundwater Sampling Events**

On a quarterly basis beginning in September 2017, groundwater samples will be collected from monitoring wells AMW-1S (shallow screened depth), AMW-1I (intermediate screened depth), AMW-1D (deep screened depth), AMW-2S/I/D, AMW-3S/I/D, AMW-5S/I/D, AMW-6S/I, AMW-7S/I, AMW-9S/I, AMW-10S/I, AMW-12S/I, AMW-14S/I, AMW-15S/I, AMW-16S, AMW-17S, and AMW-18S and submitted to the laboratory for VOC analysis using U.S. EPA Method 8260. Duplicate samples will be collected at randomly selected monitoring well locations. Field/equipment blanks will also be collected and submitted along with a trip blank for analysis as part of QA/QC of field procedures. Purge and decontamination waters will be collected and

stored in U.S. DOT-approved 55-gallon drums. Costs to remove, transport, and dispose of eight 55-gallon drums of containerized groundwater (hazardous) and drill cuttings from previous monitoring well installation (which are presumed to be non-hazardous) are included in this task.

For the proposed sampling events, in lieu of traditional low-flow sampling methods that were formerly employed at the Site, Hull will continue to deploy passive diffusion bag (PDB) samplers in all monitoring wells, which are a significantly more cost-effective sampling methodology that has been accepted by IDEM. PDBs are polyethylene bags filled with analyte-free water that are hung in monitoring wells for approximately 14 days. Field personnel return to the monitoring well, retrieve the sampler, and collect the sample by filling sampling vials in the same manner as traditional methods. Significant savings are realized by reducing mobilization, purging, and sampling time; by minimizing the volume (and thereby cost and environmental footprint) of field materials such as low-flow tubing; and by eliminating most equipment rental costs. Laboratory analytical subcontractor costs for this Task include the cost of PDBs for each well, and for Level IV QA/QC reporting by the laboratory.

**Task 3 Two Summary Letter Reports**

This task assumes that two letter reports will be prepared to document the results of the passive soil gas sampling and groundwater sampling events. A draft report will be prepared and submitted to the Client and its outside counsel for review. Once the draft letter report is reviewed by the Client and finalized by Hull, a copy will be submitted to the IDEM VRP.

**Task 4 Project Management, Meetings, and Correspondence**

This task will be reserved for project management activities such as updating health & safety plans, email and telephone correspondence with all stakeholders, and attending one meeting in Indianapolis with IDEM.

**SCHEDULE**

Hull will begin groundwater sampling activities in September 2017, and will schedule the passive soil gas sampler installation and retrieval as soon as practicable, which we estimate to be in mid-October 2017.

**COMPENSATION**

A breakdown of costs is attached in the Task Order below. The fees have been developed based on our estimate of hours for each labor category expected to be involved in the project. The project will be billed on a four-week basis with payment due to Hull within thirty days after receipt of an invoice.

**ADDITIONAL WORK**

Additional work beyond the Scope of Work defined herein shall not be performed until such time as an amendment to this proposal, including the scope of the additional work and associated costs, has been prepared in writing to address the additional work and said amendment has been approved by the Client in writing.

Specific items not within the Scope of Work on this project include, but are not limited to the following:

1. Installation, retrieval, and laboratory analysis of more than twenty-eight (28) passive soil gas samplers at the Site;
2. collection of more than 136 groundwater samples (including QA/QC samples), during the four quarterly sampling events, to be analyzed for VOCs in accordance with U.S. EPA Method 8260; and
3. disposal of additional drums of groundwater or soil cuttings that are determined to be hazardous.

Mr. Chris Dressel  
September 21, 2017  
SBI075.300.0001  
Page 3

No amendment to this proposal shall be required in situations where additional work may be necessary, as a result of unanticipated or unidentified conditions including, but not limited to, the presence of unidentified or mislocated buried utilities, structures, or objects and unanticipated hazardous materials and/or hazardous or dangerous circumstances, to complete previously identified tasks. Hull shall be compensated for the actual time spent performing this additional work and other direct expenses and subcontractor fees at the billing rates outlined in Table 1.

#### **STANDARD OF CARE AND LIMITATIONS**

Hull shall perform its services using that degree of care and skill ordinarily exercised under similar conditions by reputable members of its profession practicing in the same or similar locality at the time of service. No other warranty, expressed or implied, is made or intended by our proposal or by our oral or written reports. The work will not attempt to evaluate past or present compliance with federal, state, or local environmental or land use laws or regulations. Conclusions presented by Hull regarding the Site to be investigated shall be consistent with the Scope of Work, level of effort specified, and investigative techniques employed. Reports, opinions, letters and other documents will not evaluate the presence or absence of any compound or parameter not specifically analyzed and reported. The presence of radiation, radon, lead, electromagnetic fields, and indoor air pollution will not be investigated, unless specifically stated in the scope of work. Hull makes no guarantees regarding the completeness or accuracy of any information obtained from public or private files or information provided by subcontractors.

Again, thank you for the opportunity to conduct additional Phase II ESA activities at Ignition Park and at additional off-Site locations. Please call me at (800) 241-7173 if you have any questions. If you approve of this proposal, please sign the attached Task Order form and return it to my attention.

Sincerely,



Douglas G. Stuart, CHMM  
Senior Project Manager

ct: File

**TASK ORDER FORM**

**TASK ORDER  
TO  
PROPOSAL FOR PROFESSIONAL SERVICES**

**HULL & ASSOCIATES, INC.**

<b>TASK ORDER NO:</b>	<u>001</u>
<b>HULL PROJECT CODE:</b>	<u>SBI075</u>
<b>PROPOSAL NUMBER:</b>	<u>SBI075.300.0001</u>

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Subject to the terms and conditions of the above referenced Contract, the Consultant agrees to perform the following Scope of Work as follows:

Install permanent, nested monitoring wells to evaluate the on-Site plume of chlorinated VOCs at the Ignition Park Property located near Sample Street and Prairie Avenue, South Bend, Indiana; collect and analyze samples; and prepare a VRP RWP; as further described in Hull document number SBI068.400.0001 dated May 4, 2012.

Task 1: Passive Soil Gas and Indoor Air Sampling	\$21,045
Task 2: Quarterly Groundwater Sampling	26,575
Task 3: Prepare Two Letter Reports	10,040
Task 4: Project Mgmt., Meetings, Correspondence	<u>3,840</u>
Subtotal	\$61,500

NUMBER OF COPIES OF DELIVERABLE: as required for IDEM and Client needs

ESTIMATED TOTAL COST: \$61,500

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HULL & ASSOCIATES, INC. PROJECT CONTACT: Doug Stuart

CLIENT PROJECT CONTACT: Mr. Chris Dressel

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CLIENT AUTHORIZATION: \_\_\_\_\_ DATE: \_\_\_\_\_

(Please return one signed original to Hull & Associates, Inc.'s Project Contact and retain one signed original for Client's records).

## **TABLES**



# 2017 BILLING RATE SCHEDULE

## MANAGEMENT STAFF

Senior Principal .....	\$250
Principal.....	\$180
Senior Project Manager .....	\$150
Project Manager .....	\$130
Government & Community Relations .....	\$110

## ENGINEERS

Principal Engineer .....	\$150
Senior Engineer .....	\$130
Project Engineer .....	\$115
Engineer 2 .....	\$98
Engineer 1 .....	\$85
Senior Designer .....	\$95
Designer.....	\$75

## HYDROGEOLOGISTS

Principal Hydrogeologist .....	\$150
Senior Hydrogeologist.....	\$130
Project Hydrogeologist.....	\$110
Hydrogeologist 2.....	\$95
Hydrogeologist 1 .....	\$80

## SCIENTISTS

Principal Scientist .....	\$150
Senior Scientist.....	\$130
Project Scientist.....	\$110
Scientist 2.....	\$95
Scientist 1 .....	\$80

## SUPPORT STAFF

Senior GIS Specialist.....	\$100
GIS Specialist .....	\$75
Senior Technician.....	\$70
Technician 2.....	\$60
Technician 1 .....	\$50
Project Administrative Assistant.....	\$50

## NOTES:

- Hourly billing rates for personnel apply to actual time spent in meetings concerning the project, preparing for such meetings, project coordination time, design activities, field and office investigations, and travel time when job-related.
- If personal vehicles are utilized, travel mileage is billed at the federal mileage reimbursement rate. If company-owned vehicles are utilized, rental rates of \$120/day, \$350/week, or \$1,000/month are used in lieu of travel mileage. If rental vehicles are utilized, the actual cost of the rental and gasoline will be billed directly with no mark-up.
- Air transportation fees are billed directly with no mark-up. Travel time is typically billed only for that time actually spent flying to/from the project location and does not include layovers, delays, etc.
- Project reimbursable expenses such as reproduction by vendors, overnight shipping, meals, and lodging associated with travel or extended field activities, etc. are billed directly with no mark-up.
- Field equipment rented from outside vendors is billed directly with no mark-up. Field equipment owned by Hull, including individual equipment items or groupings of equipment such as sampling kits, are billed at competitive market-equivalent rates for daily or weekly rental.
- Subcontractors' fees are billed to the Client at a rate equal to the subcontractor fee multiplied by 1.1 to recover Hull's contractual liability risk and associated operational expense.
- Higher hourly billing rates may apply for certain services on a project-specific basis (e.g., Ohio Certified Professional, expert witness services, rapid response consulting).



Department of  
**Community Investment**

**Memorandum**

September 28, 2017

TO: South Bend Redevelopment Commission  
FROM: David Relos, Economic Resources  
SUBJECT: Budget Request (Big Box Retail Appraisal Services)

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As part of the City's efforts to validate the assessments of big box retail stores for multiple years, the hiring of appraisers and related services is needed. These stores are in the Ireland and Portage Road retail areas, being in the South Side Development Area (SSDA) and River West Development Area (RWDA) respectively.

Commission approval for a \$50,000 budget allocation from the RWDA and \$20,000 from the SSDA is requested.

INTERNAL USE ONLY: Project Code: \_\_JOTHER\_\_  
Total Amount new in budget: \_\_\$70,000\_\_; broken down by:  
Acct # \_324-1050-460-31.05 (\$50,000) and 430-1050-460-31.05 (\$20,000)  
Going to BPW for Contracting? \_\_No\_\_ Is this item ready to encumber now? Yes  
Existing PO# \_\_\_\_(no)\_\_\_\_\_ Inc/Dec \$ \_\_n/a\_\_

