



CITY OF SOUTH BEND

BOARD OF PUBLIC WORKS

January 27, 2026

Ms. Arielle Bisoglio
AEC, LLC
8500 Georgetown Rd.
Indianapolis, IN 46268
abisoglio@aecindy.com

RE: Authorization Entry for Environmental Remediation

Dear Ms. Bisoglio:

At its January 22, 2026 meeting, the Board of Public Works approved the above referenced agreement for authorization entry upon public property/right of way for drilling and environmental remediation.

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

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 JAMES MUELLER, MAYOR

BOARD OF PUBLIC WORKS

SOUTH BEND CITY HALL
215 S. DR. MARTIN LUTHER KING, JR. BLVD. SUITE #400
SOUTH BEND, INDIANA 46601
PHONE 574/ 235-9251

AGREEMENT AUTHORIZING ENTRY UPON PUBLIC PROPERTY FOR DRILLING PURPOSES AND REVOCABLE PERMIT FOR ENVIRONMENTAL REMEDIATION PURPOSES

THIS AGREEMENT, is made effective the 22nd day of January 2026, by and between the City of South Bend Board of Public Works having its offices located at 215 S. Dr. Martin Luther King, Jr. Blvd. Suite 400, South Bend, Indiana 46601 and AEC, LLC and is in the business of performing environmental assessments and remediation of polluted sites for its clients; and

WHEREAS, AEC, LLC desires access to public property located within the public right-of-way at East Mishawaka Avenue (south side) to the north of address 1104 East Mishawaka Avenue for the purpose of drilling one boring for a probe of soil and/or water samples and installation of a monitoring well and the City is agreeable to such additional environmental remediation activities ("the Work"); and

WHEREAS, the care, custody and control of City-owned property and the supervision of streets, public ways and sidewalks is vested in its Board of Public Works pursuant to I.C. 36-9-6, *et seq.*; and

WHEREAS, the City, acting by and through its Board of Public Works, is willing to permit AEC, LLC and its respective agents and consultants to gain access to the property identified herein subject to the following terms and conditions.

NOW THEREFORE, in consideration of the mutual covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties restate and amend the Permit in its entirety as follows:

1. The City, acting by and through its Board of Public Works ("City") hereby grants to AEC, LLC, its agents, contractors, employees and successors and assigns, a temporary, non-exclusive right on, in, across and under the property located within the public right-of-way of East Mishawaka Avenue (south side) to the north of address 1104 East Mishawaka Avenue ("Property") for the purposes of the investigation, surveying and sampling of soils and improvements including drilling borings for a probe of soil and/or water samples and installation of monitoring wells. The City understands and acknowledges that the number of borings and/or monitoring wells reasonably necessary to accomplish the remediation activities may change over the term of this agreement and are further subject to direction from the Indiana Department of

Environmental Management ("IDEM").

2. AEC, LLC will drill and install the wells in a professional manner in accordance with state laws and regulations, and shall keep interference with the surrounding property and transportation to a minimum, as is consistent with such standards.

3. If any improved or paved property is disturbed by the drilling or installation of the wells, AEC, LLC shall restore said property to its original state or better as soon as practical upon the completion of the installation of the wells;

4. The work to be performed shall not interfere with any existing easement without the consent of the owner of said easement;

5. In consideration for the approval of this agreement by the City, AEC, LLC agrees and undertakes to hold the Civil City of South Bend, Indiana, Board of Public Works, their agents and employees, free and harmless from any liability, loss, costs, damages or expenses, including attorney's fees caused by the Work, which the Civil City of South Bend or the Board of Public Works may suffer or occurs as the result of any claims or actions that may be brought by a person arising out of the approval of this request by the Board of Public Works.

6. AEC, LLC shall abide by all other laws of the United States, State of Indiana, and the City of South Bend in performing the work in the City of South Bend. AEC, LLC shall submit for prior approval a traffic control plan prior to obstructing any public street in the City of South Bend.

7. This authority is limited to the scope of work described on EXHIBIT 1 attached hereto and incorporated herein.

8. The monitoring wells shall be properly abandoned not later than December 31, 2032 unless otherwise agreed by the City in writing or as otherwise directed by IDEM. After abandonment of the wells, AEC, LLC shall cause the property in the right-of-way to be restored to its original state or better within thirty (30) days.

9. Prior to any entry on the land, AEC, LLC shall deliver to the Clerk of the Board of Public Works a Certificate of Insurance listing the City of South Bend as an additional insured, which insurance shall be in the amount of Five Million Dollars (\$5,000,000) aggregate and Seven Hundred Thousand dollars (\$700,000) per occurrence. AEC, LLC has heretofore posted a \$5,000 excavation bond.

10. When AEC, LLC notifies the Board of Public Works that the monitoring wells have been removed, South Bend will inspect the work and, if satisfied that there has been compliance with Paragraph 8 of this document, the bond and insurance may be cancelled.


11. In further consideration for the approval by the Board of Public Works of the City of South Bend of this Agreement Authorizing Entry Upon Public Property for Drilling

Purposes, AEC, LLC shall provide the City with an annual fact sheet summarizing the testing performed and the resulting findings including, but not limited to, a listing of contaminants of concern, the extent of such contaminants and the direction of any contamination that is determined to be migrating to or away from the testing area. Such annual summary shall be submitted on or before December 1st of each year during the life of this agreement and delivered to the Director of Public Works, 227 West Jefferson, 13th Floor, County-City Building, South Bend, Indiana 46601. Further, AEC, LLC agrees that upon the request of the City, AEC, LLC shall make available to the City the results of the testing. Such access shall be granted at a reasonable place and time.

12. It is also agreed that AEC, LLC shall apply to the City of South Bend's Engineering Office for an excavation permit and shall pay the appropriate fee for said permit.

13. This agreement shall be governed by the laws of the State of Indiana. [SIGNATURE PAGE ATTACHED]

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS



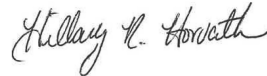
Elizabeth A. Maradik, President

Joseph R. Molnar, Vice President



Murray L. Miller, Member

Breana N. Micou, Member



Abigail E. Magas, Member

Attest: Hillary R. Horvath, Clerk

Date: January 22, 2026

The undersigned person represents that he/she has authority on behalf of AEC, LLC, to execute this agreement on its behalf and acknowledges its obligations to indemnify and hold harmless the Civil City of South Bend as set forth in this agreement.

AEC, LLC


Signature

Arielle Bisoglio, Project Manager
Printed Name and Title

WITNESS:


Signature

Audrey Smith Kortz, Senior Project Manager
Printed Name and Title

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

Date: 1/14/2026
 Name: Gemma Stanton Department of Public Works – Engineering Division
 BPW Date: 1/22/2026 Agenda Review Meeting 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

Professional Services Agreement Contract Proposal
 Open Market Contract Amendment/Addendum Special Purchase, QPA
 Bid Opening Bid Award Req. to Advertise Title Sheet
 Quote Opening Quote Award Reject Bids/Quotes
 Proposal Opening C/O & PCA No. _____ PCA
 Chg. Order, No. _____ Traffic Control Resolution
 Other: **Authorization for Entry for Environmental Remediation** Ease./Encroach

Required Information

Company or Vendor Name American Environmental Corporation
 New Vendor Yes If Yes, Approved by Purchasing
 No
 MBE/WBE Contractor MBE Completed E-Verify Form Attached Yes
 WBE No
 Project Name N/A
 Project Number N/A
 Funding Source N/A
 Account No. N/A
 Amount N/A
 Terms of Contract _____
Special Contract Provisions
 Purpose/Description Agreement authorization entry upon public property/right of way for drilling and environmental remediation purposes at 1104 Mishawaka 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: _____