



Department of
Community Investment

Memorandum

Monday, March 23, 2015

TO: Redevelopment Commission
FROM: Jitin Kain *JK*
SUBJECT: Amendment to Addendum for Ignition Park Infrastructure Phase 1B

Attached to this memorandum is Resolution 3283 and *Amendment to the Addendum to the Master Agency Agreement (Ignition Park Phase 1B Infrastructure - Supplement #3)*. The Amendment sets a construction budget for Ignition Park infrastructure improvements that includes utilities, lighting, new street, resurfacing streets, landscaping, new curbs, sidewalks and signage.

Construction will also include work on Sample Street to create a left turn lane into the new Ignition Drive South as well as the reconstruction of Franklin St. to support the new Turbo Machinery project at Ignition Park.

The project budget is set at \$5,900,000 from the River West Development Area (RWDA).

Staff requests approval of the attached Resolution and Amendment to the Addendum to the Master Agency Agreement.



RESOLUTION NO. 3283

**RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION
APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT
TO THE ADDENDUM TO THE MASTER AGENCY AGREEMENT
(Ignition Park Phase 1B Infrastructure - Supplement #3)**

WHEREAS, effective January 1, 2011, 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 2011; and

WHEREAS, effective January 1, 2011, 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 Ignition Park Phase 1B Infrastructure Project to the Master Agency Agreement by way of an Addendum on December 13, 2011; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Ignition Park Phase 1B Infrastructure Project- Supplement #1 to the Master Agency Agreement by way of an Amendment to the Addendum on December 19, 2013; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Ignition Park Phase 1B Infrastructure Project- Supplement #2 to the Master Agency Agreement by way of an Amendment to the Addendum on September 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 (Ignition Park Phase 1B Infrastructure 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 26, 2015, at 9:30 a.m., in Room 1308, County-City Building, South Bend, Indiana 46601.

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

South Bend Redevelopment Commission

ATTEST:

South Bend Redevelopment Commission

**AMENDMENT TO THE ADDENDUM TO THE
MASTER AGENCY AGREEMENT
(Ignition Park Phase 1B Infrastructure - Supplement #3)
(2970-11, 3190-13, 3249-14, 3283-14)**

This Amendment to the Addendum to the Master Agency Agreement (this “Amendment”), made and entered into as of the 26th day of March, 2014, 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 Ignition Park Phase 1B Infrastructure - Supplement #3 (the “Project”) and set a construction budget.

WHEREAS, effective January 1, 2011, 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 2011; and

WHEREAS, effective January 1, 2011, 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 Ignition Park Phase 1B Infrastructure Project to the Master Agency Agreement by way of an Addendum on December 13, 2011; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Ignition Park Phase 1B Infrastructure Project- Supplement #1 to the Master Agency Agreement by way of an Amendment to the Addendum on December 19, 2013; and

WHEREAS, pursuant to the Master Agency Agreement, the Commission added the Ignition Park Phase 1B Infrastructure Project- Supplement #2 to the Master Agency Agreement by way of an Amendment to the Addendum on 25th September, 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 in Supplement #1 as described in "Exhibit B", amended in Supplement #2 as described in "Exhibit C", and now amended by Supplement #3 as described in "Exhibit D", 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"

IGNITION PARK INFRASTRUCTURE PHASE 1B PROJECT

See attached Proposal from BSA LifeStructures dated October 4, 2011,
approved by the Redevelopment Commission on December 13, 2011
and approved by the Board of Public Works on December 22, 2011

Exhibit "B"

**IGNITION PARK INFRASTRUCTURE PHASE 1B PROJECT
SUPPLEMENT #1**

See attached Proposal Budget

Exhibit "C"

**IGNITION PARK INFRASTRUCTURE PHASE 1B PROJECT
SUPPLEMENT #2**

See attached scope of work by Abonmarche

Exhibit "D"

**IGNITION PARK INFRASTRUCTURE PHASE 1B PROJECT
SUPPLEMENT #3**

Project Construction Budget: \$5,900,000

Construction includes: Utilities, lighting, new street, resurfacing streets, landscaping, new curbs, sidewalks and signage.