



CITY OF SOUTH BEND

BOARD OF PUBLIC WORKS

April 14, 2026

Ms. Emily McKinnon
SmithGroup Inc.
201 Depot St., Second Floor
Ann Arbor, MI 48104
Emily.mckinnon@smithgroup.com

RE: Amendment No. 11 to Professional Services

Dear Ms. Mckinnon:

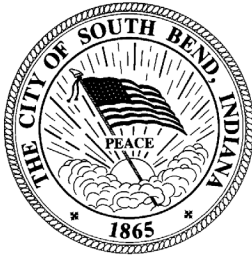
At its April 14, 2026 meeting, the Board of Public Works approved the above referenced amendment for Seitz Park South Riverwalk Phase II, Project No. 125-041 in the amount of \$122,905.

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

Sincerely,

/s/ Hillary Horvath

Hillary Horvath, Clerk



INTER-OFFICE MEMORANDUM

DEPARTMENT OF PUBLIC WORKS DIVISION OF ENGINEERING

TO: Hillary Horvath, Clerk
Board of Public Works

FROM: Patrick Sherman

SUBJECT: Smithgroup Amendment 11:
Seitz Park Phase 2: Riverwalk from Seitz to Howard

DATE: April 14th, 2026

This is a continuation of a contract with Smithgroup that included design services for Seitz Park along with Phase 2, which is the riverwalk that connects Seitz Park to Howard Park. This amendment will cover the last design changes and the construction administration support for during construction of Phase 2.

Engineering recommends approval of the amendment for **\$122,905.00** for Smithgroup. This brings the entire agreement to \$1,572,100.00.

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated Dec 12, 2017.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 11

1. *Background Data:*

- a. Effective Date of Owner-Engineer Agreement: Dec 12, 2017
- b. Owner: Board of Public Works, City of South Bend, Indiana
- c. Engineer: SmithGroup Inc. (Formerly SmithGroupJJR Inc.)
- d. Project: Seitz Park Reconstruction, South Bend Project No. 117-093 and 125-041

2. *Description of Modifications:*

- a. Engineer shall perform or furnish the following Additional Services:
 - 1) The scope of services is for updating and finalizing Phase II construction bid documents (drawings and specifications) (Task 5) based on an updated bid date of January 2026 (documents completion), permitting, and bid and award services. Construction Phase Services to begin after bid and award and extend to December 31, 2026 for completion of Phase II.
- b. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows:
 - 1) Task 5 modification: Perform client requested design and engineering changes during bi-weekly review meetings post-validation of the previous scope of work in June 2025 (based on the October 2021 bid documents) for Phase II as follows:
 - a) Layout Updates: All updates described included requested changes to grading/drainage, detailing, quality review, specifications, landscape modifications, and preparation of graphic materials per client request for review during biweekly meetings as noted for discussion: 1) Per request during a bi-weekly meetings layout and landscape updates to study parking and access changes for the East Race Plaza space and incorporation into the documents; 2) Per request during a bi-weekly meeting to change of exposed aggregate concrete and integral colored concrete on the main walking pathway of the river walk.
 - b) Metal Stair at-Grade Screening Element: Per the client request, the exploration and the addition of the screen element below the metal stair.
 - c) Engineer's Cost Estimate: the estimate base scope updates were included with amendment 9 when restarting this project but in consideration with the updated items above and including the effort of contacting shoreline contractors to validate unit costs.

- 2) Task 7 Construction Phase Services: This task includes the following services for work prepared in accordance with the Construction Documents (plans and specifications) issued by SmithGroup, as issued for Bids, January 2026.
 - a) Attend the pre-construction meeting (one (1) meeting).
 - b) Review shop drawings and submittals with input from the city of South Bend as required.
 - c) Review and answer RFI's (Request for Information) with input from the city of South Bend as required.
 - d) Issue Bulletins as required based on RFI's and submittals for the current plans and specifications.
 - e) Attend and participate in Owner Architect Contractor (OAC) led meetings anticipated to be one (1) time every two (2) weeks for one (1) hour duration. Meeting notes to be recorded and distributed by others. Meetings are expected to be virtual unless otherwise coordinated with an on-site visit by SmithGroup representatives.
 - f) Coordinate directly with owner's representative and the assigned city inspector.
 - g) Monitor and observe the construction methods used during construction. Anticipated visits for this purpose total fifteen (15) visits including Substantial Completion review on site.
 - h) Develop a preliminary punch list for Substantial Completion.
 - i) Provide City of South Bend close-out and record documentation requirements after project completion.
- a. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation on an hourly not-to-exceed basis:
 - 1) Task 5 modification: Twenty-five thousand one hundred sixty-three dollars (\$25,163.00) for additional labor and expenses.
 - 2) Task 7: Construction Phase Services: Ninety-seven thousand seven hundred forty-two dollars (\$97,742.00) for additional labor and expenses.
 - b. The schedule for rendering services is modified as follows:
 - 1) Extends Phase II completion date to December 31, 2026 (at the conclusion of Construction Phase Services).

5. Agreement Summary (Reference only)

a. Original Agreement amount:	\$ <u> </u> 186,400
b. Net change for prior amendments:	\$ <u> 1,449,195 </u>
c. This amendment amount (hourly):	\$ <u> 122,905 </u>
d. Adjusted Agreement amount:	\$ <u> 1,572,100 </u>

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is April 14th, 2026.

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



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Murray L. Miller, Member



Breana M. Micou, Member



Abigail E. Magas, Member

Attest:



Hillary R. Horvath, Clerk

Date: April 14, 2026

ENGINEER:



By: Emily S McKinnon, PE
Vice President | Midwest Region
Title: Practice Director

Date Signed: February 3, 2026

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

Date: 04/09/2026
 Name: **Patrick Sherman** Department of Public Works – Engineering Division
 BPW Date: 04/14/2026 Phone Extension: 5601

Required Prior to Submittal to Board

BPW Attorney	<input checked="" type="checkbox"/>	Attorney Name	
Dept. Attorney	<input checked="" type="checkbox"/>	Attorney Name	<u>Michael Schmidt</u>
Purchasing	<input type="checkbox"/>		

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 checked="" type="checkbox"/> Amendment/Addendum	<input type="checkbox"/> Special Purchase, QPA
<input type="checkbox"/> Bid Opening	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Req. to Advertise <input 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	<u>SmithGroup JJR</u>
New Vendor	<input type="checkbox"/> Yes <input type="checkbox"/> If Yes, Approved by Purchasing <input checked="" type="checkbox"/> No
MBE/WBE Contractor	<input type="checkbox"/> MBE <input type="checkbox"/> WBE <u>Completed E-Verify Form Attached</u> <input type="checkbox"/> Yes <input type="checkbox"/> No
Project Name	<u>Seitz Park South Riverwalk Phase 2</u>
Project Number	<u>125-041</u>
Funding Source	<u>PO-0039160</u>
Account No.	<u>436-10-102-121-444000--PROJ00000646</u>
Amount	<u>\$122,905.00</u>
Terms of Contract	<u>EJCDC Amendment 11</u>
Special Contract Provisions	
Purpose/Description	<u>Construction administration for Seitz Phase 2 river walk work.</u>

For Change Orders Only

Amount of	<input type="checkbox"/> Increase	\$ _____
	<input type="checkbox"/> Decrease	(\$ _____)
Previous Amount		\$ _____
	Increase	_____ %
Current Percent of Change:	Decrease	(_____ %)
New Amount		\$ _____
	Increase	_____ %
Total Percent of Change:	Decrease	(_____ %)
Time Extension Amount:		_____
New Completion Date:		_____