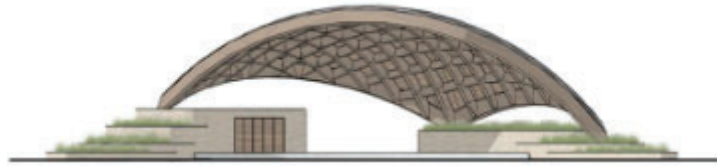




BUILD.

ZIOLKOWSKI CONSTRUCTION, INC.

Building Strong Relationships Since 1974



HOWARD PARK BANDSHELL

Project No. 125-052

PROPOSAL FOR CONSTRUCTION MANAGER as CONSTRUCTOR (CMc) SERVICES

Submitted to:

City of South Bend
Board of Public Works
215 S. Dr. Martin Luther King Jr. Blvd.
Suite 400
South Bend, Indiana

Primary Contact:

Jason Watts
574.287.1811 x270
jwatts@zbuild.com

Submitted by:

Ziolkowski Construction
4050 Ralph Jones Drive
South Bend, Indiana 46628

Secondary Contact:

Sean Denison
574.287.1811 x269
sdenison@zbuild.com

Date: August 11, 2026

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A. EXECUTIVE SUMMARY

The Howard Park Bandshell project is an exciting exclamation point to the redevelopment happening at Howard Park. The new bandshell will complement the existing park and ice rink and provide even more opportunities for the residents of South Bend to enjoy the outdoors and experience unique cultural exchange in our city. As outlined in the RFP, the Bandshell project will include an outdoor, open-air pavilion, with a performance stage, restroom, Green Room, A/V control/ electrical room, storage & utility room, perimeter fencing, and general site improvements.

Ziolkowski Construction is privileged to submit this proposal to serve as Construction Manager as Constructor (CMc) for this important project. We recognize the significance of this investment to the City of South Bend and share the City's vision of creating a durable, sustainable, and iconic community gathering space that will serve residents and visitors for generations.

With extensive experience delivering complex public and private construction projects throughout Indiana, Ziolkowski Construction brings a collaborative, transparent, and solutions-oriented approach to every phase of project delivery. Our team is committed to becoming an active partner with the City, Project Stakeholders, and the Design Team from the earliest stages of Preconstruction through Project Closeout and Post-Occupancy support. We believe that early involvement, rigorous cost management, proactive scheduling, and open communication are essential to achieving project success.

Ziolkowski Construction understands the unique requirements of the Howard Park Bandshell Project, including the importance of maintaining a fair and competitive bidding environment, maximizing opportunities for local contractors and workforce participation, supporting Minority, Women, and Veteran Business Enterprise (XBE) goals, and ensuring full compliance with all state and local regulations. We are equally committed to helping the City evaluate sustainable materials, systems, and construction methodologies that minimize long-term maintenance costs while maximizing the facility's service life and operational efficiency.

Our approach to establishing a Guaranteed Maximum Price (GMP) is grounded in transparency, market-based pricing, and detailed cost analysis. By engaging trade partners early, conducting thorough constructability reviews, and leveraging our extensive pre-construction expertise, we can provide reliable budget information and help the City make informed decisions throughout the design's development. Our goal is to provide cost certainty while preserving flexibility and quality.

Throughout construction, Ziolkowski Construction will focus on safety, quality, schedule adherence, and stakeholder communication. Our experienced project team will provide hands-on leadership and coordination while implementing proven quality control, risk management, and project tracking processes. Upon project completion, we will continue to support the City through commissioning, training, documentation, warranty services, and long-term maintenance planning.

We are excited about the opportunity to partner with the City of South Bend and contribute to the successful delivery of a landmark project that will enhance Howard Park and serve as a valued community asset for decades to come.



B. FIRM QUALIFICATIONS

COMPANY OVERVIEW

Organization

Ziolkowski Construction, Inc.
4050 Ralph Jones Drive
South Bend, IN 46628

Mission:

To deliver high-quality construction solutions through professionalism, craftsmanship, and exceptional service. We strive to earn the trust of our clients, invest in the success of our employees, and strengthen the communities that we serve.

Core Line of Business:

Professional Construction Management and General Contracting Services

History

In 1974, Ben Ziolkowski founded Ziolkowski Construction, Inc. in South Bend, Indiana as a commercial contracting business. Today, under the leadership of Jason Watts, Adam Bradley, and Robert Bash, we continue the tradition of quality and relationship-building that Ben initiated over 50 years ago. Over the years, Ziolkowski Construction has emerged as a major regional commercial contractor in Michiana, employing from 200 - 300 skilled tradespeople in six divisions: General Contracting, Concrete, Masonry, Masonry Restoration, Painting, and Design-Build.

Company Structure

Subchapter S Corporation / Established in 1974 (50+ years)

- | | |
|---|------------------|
| • President: | Jason Watts |
| • Vice President: | Adam Bradley |
| • Vice President of Finance: | Jennifer Alwine |
| • General Division Manager: | Sean Denison |
| • Masonry Division Manager: | Chris Siebenhaar |
| • Masonry Restoration Division Manager: | Cory Kring |
| • Paint Division Manager: | Greg Smith |
| • Safety Director: | James Keldsen |

Employees

- Office Employees: 40 staff members
- Field Employees: 200 - 250

Company Volume

- Current Work under contract: \$107M

Certifications

- OSHA 30 Certified Staff
- Indiana-qualified Public Works Contractor



B. FIRM QUALIFICATIONS

PROJECT TEAM

With extensive experience in Municipal, State, Institutional, Healthcare, Commercial, and Industrial projects, our team brings a deep understanding of the unique challenges and opportunities involved in building community-focused facilities.

Pre-Construction Services Team

Our Preconstruction Team will be engaged during the design process to develop & refine a project construction budget, to collaborate with the Design Team to define material & systems selections, to provide constructability review for the design documents, and to provide general feedback and direction for the design as it relates to budget and construction schedule.

We propose the following Pre-Construction Team to guide this project:

- **Jason Watts** President & Project Advisor
- **Sean Denison** General Division Leader & Project Executive
- **Terry Allsop** Preconstruction Manager
- **Marcelo Suvelza** Lead Estimator
- **Lesley Annis** Architectural Designer

Jason Watts • Project Advisor

- New Kankakee Valley Middle School, \$17M
- Hanover Middle School, \$11M
- UND Law Building Concrete, \$4M
- UND Raclin Hall Concrete, \$3.5M
- Elkhart Courthouse Building Concrete, Site Concrete, General Trades & Millwork, \$10.5M
- Purdue University, BS Building Construction Technology
- Union Mason, BAC Local 4
- Jason has extensive experience across both General Construction and Masonry projects; his background in masonry, concrete, and the General Trades provides deep knowledge and expertise to lead the Z Team

Sean Denison • Project Executive

- IBEW Local #153 Renovation and Site Improvements, \$6.0M
- UND South Quad Women Residence Hall, Millwork, \$1.3M
- North American Signs, Director of Regional Services, 12 years
- Timberline Rack, President and Owner, 14 years
- National Store Fixtures, Estimator / Project Manager, 2 years
- Lock Haven University, BA Political Science
- University of Notre Dame, Supervisor Development Program
- Pfeil Innovation Center, Innovation Leadership Immersion
- A former Mayor of Buchanan, Michigan, Sean also served on the Planning Commission and Zoning Board of Appeals prior to joining the Z Team
- 6 years of CMc experience



B. FIRM QUALIFICATIONS

Preconstruction Services Team

Terry Allsop • Preconstruction Manager

- Highland Public Safety Facility, \$20M
- Marquette Park Restoration, \$30M
- Department of Public Works Facility, \$10M
- Indiana University, BS Business Administration
- Terry brings over 30+ years of construction management acumen to the Z Team with a wide range of public projects across the region

Marcelo Suvelza • Lead Estimator

- ZCI General Division Estimator responsible for Public Bids, Negotiated Bids, and for budgets for our clients
- CMc Budgets for IBEW Local #153 -South Bend, \$6.0M
- CMc Budget for Sisters of the Holy Cross Heritage Archive Research Center (HARC) on Saint Mary's Campus, \$7.0M
- Budget for General Contractor on the Reins of Life Addition, \$2.0M
- Blending strong project management and estimating expertise, Marcelo has successfully delivered projects in the Design/Build, Commercial, K-12 Schools, Industrial, and INDOT sectors

Lesley Annis • Architectural Designer

- Architectural Designer & Project Manager with over 25+ years working experience
- Local Firm Experience: Kil Architecture, 12+ years, & Arkos Design, 3 years
 - 15+ years of designing & managing local, community-focused projects
 - While at Arkos Design, served as Lead Designer & Project Manager for the Mishawaka Central Park Bandshell
 - Acquired understanding of grant funding pathways and processes (IHCDA & FHLBI grants, LIHTC)
- University of Notre Dame, M.Arch, & Clemson University, BS Design

Upon transition from Design to Bidding & Construction Phase, the Pre-Construction Team's involvement will wind down, while the Construction Team will ramp up their activity and efforts. The Project Executive will serve between both teams to provide consistency and clarity throughout the entire process.



B. FIRM QUALIFICATIONS

Construction & Safety Team

The Construction Team will execute the build, focusing on the positive communication of goals and expectations with our team of employees & subcontractors.

- **Sean Denison** Project Executive
- **Scott Quinn** Project Manager
- **Matt Manikowski** Field Operations Superintendent
- **Steve Prout** Field Superintendent - Onsite
- **James Keldsen** Safety Director

Scott Quinn • Project Manager

- Goshen Stamping, \$1.5M
- Urey Middle School, \$650K
- Concord High School - Jake Field, \$942K
- Bremen High School, \$6.2M

Matt Manikowski • Field Operations Superintendent

- Experienced ZCI Project Supervisor
- Union Journeyman Carpenter Local 413
- Coordinates manpower assignments between projects
- Supports Project Supervisors & Project Managers
- Coordinates Pre-Construction Conferences for major work scopes

Steve Prout • Field Superintendent

- IBEW Local #153 Renovation & Site Improvements, \$6M
- UND Morris Rohrs Restaurant Renovation, \$3.5M
- UND Main Building, Provost Office Renovation, \$2M
- UND Main Building, President's Office Renovations, \$1M
- Camp Millhouse New Lodge, \$2M

Safety Team

James Keldsen • Safety Director

- Full-time Safety Director for all company operations
- Provides Safety Training for ZCI Supervisors & Foremen
- Consultant to Project Managers & Estimators for Safety Planning



B. FIRM QUALIFICATIONS

SAFETY FOCUS

Safety Commitment

Safety is our highest operational priority, and our safety record is exemplary. Ziolkowski Construction, Inc. employs a full-time safety director trained in OSHA, VERO, UND VP Safety, Aerial Lifts, Cranes, Scaffolding, CPR, and First Aid. Our Safety Director prepares site specific safety plans and visits project sites weekly. Our field superintendents prepare job hazard analysis reports at the start of each day to prepare crews for safe working conditions.

Site Safety Measures include:

- Daily “Toolbox Talks”
- Weekly inspections
- Job Hazard Analysis reporting
- Incident reporting
- Subcontractor accountability

PROJECT EXPERIENCE

The following projects illustrate our relevant project experience. Ziolkowski Construction has built many park structures, from showcase bandshell pavilions down to utilitarian restroom buildings. We are proud to show several here:

- **Mishawaka Central Park Bandshell**
- **Seitz Park Reconstruction and Bandshell**
- **Brookview Montessori School**



Mishawaka Central Park Bandshell



Location: Mishawaka, Indiana

Construction Cost: \$888,000

Project Scope: New Construction Bandshell, featuring:
Open-air Performance Stage with exposed laminated roof decking
Site Development (including site ramps, site stairs, underground utilities and drainage)
Specialty lighting and A/V systems

Challenges: Complex site logistics, access and drainage
Public accessibility to the stage required substantial site walls and grading
Space frame design and coordination
Accelerated schedule

Results: Completed on schedule
Finished under budget
Successful community activation
City destination for music, arts, and culture

Reference: Ken Prince, City of Mishawaka, Planning and Community Development
kprince@mishawaka.in.gov
574.258.1625



Mishawaka Central Park Bandshell



Seitz Park Reconstruction with Bandshell



Location: South Bend, Indiana

Construction Cost: \$7.2M

Project Scope: New Construction Bandshell and Restroom
Remediation of retaining wall
Site Development (including hardscape, underground utilities and drainage)
New sidewalks and planters

Challenges: The project site and work area is on an island in the St. Joseph River, which presented coordination challenges for staging, deliveries, and general work
The proximity to the river resulted in the ground moving and vibrating from the natural river currents and the adjacent hydroelectric plant
The project was bid and started in 2020, where many unknowns resulted in a volatile construction environment

Results: Successfully delivered the project per plans and specifications
Upon completion of Phase 2 work, Seitz Park will become a City destination for music, arts, and culture

Reference: Patrick Sherman, City of South Bend, Department of Public Works
psherman@southbendin.gov
574.233.0311



Brookview Montessori School



Location: Benton Harbor, Michigan
Construction Cost: \$1.5M

Project Scope: This project involved the repair and replacement of existing structural Glu-Lam beams and columns that had failed at an existing Montessori school. The Z team worked with a structural engineer and the building owner to bring the structure up to code and permit occupancy again.

Challenges: The logistics of beam and column removal proved difficult. Temporary shoring of the existing exterior deck was required to allow for the installation of scaffolding to perform the repairs.

Results: Upon completion of these repairs, a new roof was installed, allowing the school to once again reoccupy the space.



Brookview Montessori School



C. PROJECT APPROACH

OVERVIEW

Our team will approach the Howard Park Bandshell project as a collaborative Construction Manager as Constructor (CMc) focused on transparency, schedule certainty, cost control, long-term sustainability, and local economic participation. We recognize that this project will become a highly visible public asset and gathering place for the City of South Bend. Our role will be to provide proactive leadership during the preconstruction, procurement, construction, commissioning, and warranty phases while ensuring that the City receives the greatest value from its investment.

Local Labor and Subcontractor Prequalification

We are committed to maximizing opportunities for qualified local and regional contractors, suppliers, and tradespeople. During preconstruction, we will conduct targeted outreach to local firms and organize bid package reviews to ensure local businesses can effectively participate.

Our subcontractor prequalification process includes evaluation of:

- Financial stability and bonding capacity
- Relevant project experience
- Safety performance and EMR history
- Workforce availability
- References from comparable public projects
- Schedule performance history
- Quality control procedures
- E-Verify compliance
- MBE/ WBE/ VBE participation history
- Ability to comply with City of South Bend requirements

Prequalified contractors will be maintained in a project bidder database and invited to participate in competitive bidding events. All bid packages will be structured to encourage broad participation while maintaining project quality and schedule requirements.

BIDDING SERVICES APPROACH

Competitive Bid Packaging

Working closely with the Architect and City, we will divide the construction documents into clearly defined bid packages that maximize competition and provide flexibility for local participation. Potential bid packages may include:

- Sitework and Utilities
- Concrete Foundations
- Structural Steel
- Glu-Lam Structure Fabrication and Erection
- Roofing Systems
- Architectural Woodwork
- Electrical Systems
- Audio/Visual and Performance Systems



C. PROJECT APPROACH

Competitive Bid Packaging (con't)

- Mechanical Systems
- Landscape and Irrigation
- General Trades

Fair and Transparent Procurement

All bid packages will be publicly solicited and competitively procured. We will:

- Maintain complete bid logs
- Conduct public bid openings when appropriate
- Document all bidder communications
- Prepare bid tabulations and recommendations
- Provide copies of bids, reports, and procurement records upon request
- Support City reporting requirements under Indiana law

Self-Performance

We recognize the City's preference for reduced self-performance and will prioritize competitive subcontract bidding.

GLU-LAM CONSTRUCTION APPROACH

The Glu-Lam structure represents a critical and highly specialized component of the Bandshell. Our approach will focus on early engagement and risk mitigation.

Early Contractor and Fabricator Engagement

We recommend early prequalification of firms with proven:

- Glu-Lam fabrication experience
- Timber erection experience
- Public venue and performance structure experience
- Complex structural connection detailing expertise

Early Release Packages

Early procurement can significantly reduce schedule risk and material escalation exposure while allowing fabrication activities to occur in parallel with completion of final construction documents.

To protect the project schedule, we would expedite early release packages for:

- Glu-Lam Fabrication
- Long-lead Structural Connectors
- Specialty Hardware
- Structural Steel Supporting Components



C. PROJECT APPROACH

Quality Assurance

For the Glu-Lam package, we would implement:

- Fabrication shop reviews
- Material certification verification
- Factory inspection visits
- Moisture control inspections
- Erection sequencing reviews
- Connection detail verification

Sustainability

We will support sustainability objectives by evaluating:

- Durable materials
- Reduced maintenance systems
- Energy-efficient equipment
- Lifecycle cost impacts
- Sustainable procurement opportunities

GUARANTEED MAXIMUM PRICE (GMP)

Our GMP process is structured as follows:

1. Evaluate the Opportunity

- Complete a Go/ No-Go audit
- Confirm the project fit, schedule, client, and available resources
- Identify major risks before committing

2. Review the Request for Proposal (RFP)

- Review all drawings, specifications, addenda, and contract requirements
- Identify scope gaps, assumptions, allowances, alternates, and long-lead items
- Document questions and clarifications

3. Develop the Estimate

- Break the project into trade packages
- Solicit competitive bids from qualified subcontractors
- Prepare a complete estimate, including direct costs, general conditions, general requirements, and contingency
- Ensure all subcontractor quotes are compared on an equal basis



C. PROJECT APPROACH

4. Review and Validate

- Conduct an internal estimate review with our Z estimating, operations, and management teams
- Verify scope coverage, pricing, schedule, assumptions, risks, and contingency
- Obtain management approval prior to issuing the GMP

5. Prepare the GMP Proposal

We then assemble the proposal, addressing the following items:

- Cost Summary
- Clarifications & Assumptions
- Allowances & Alternates
- Preliminary Schedule
- Exclusions

6. Submit & Transition

- Submit the proposal on time and confirm receipt
- Upon award, conduct a formal handoff to the Ziolkowski Project Management Team, transferring the estimate, subcontractor information, assumptions, schedule, and identified risks

SCHEDULE

BANDSHELL CONCEPTUAL PRELIMINARY SCHEDULE

CMc Selection	August 2026
Preconstruction Begins	September 2026
Design Approval	January 2027
GMP Approval	February 2027
Glu-Lam Procurement	February 2027
Construction Start	March 2027
Substantial Completion	November 2027
Owner Training & Closeout	December 2027



D. XBE PARTICIPATION

The Howard Park Bandshell project will be required to conform to the State of Indiana goals for XBE participation.

While Ziolkowski Construction, Inc. is not a registered minority- or woman-owned business enterprise at this time, we do actively partner with local and regional subcontractors who are registered members of the following:

- Minority Business Enterprises
- Women's Business Enterprises
- Veteran-Owned Business

The following is a list of XBE firms that have participated and or bid on several of our past projects:

DIVISION		MINORITY	COMPANY	CITY	STATE
1	TESTING - Concrete, Soils	MBE	K&S Engineering, Inc.	Highland	IN
5	STRUCTURAL STEEL - ERECTOR	IVBE	Smith Erectors, Inc.	Markle	IN
7	WATER PROOFING - caulking, waterproofing, coatings	MBE	Robert Haines Co.	Indianapolis	IN
7	ROOFING	WBE	Dudeck Roofing & Sheet Metal	South Bend	IN
10	FOLDING PARTITIONS	WBE	Space Management, Inc. - for C.I.H.	Indianapolis	IN
12	WINDOW SHADES	WBE & MBE	Lapsley, Inc.	Fort Wayne	IN
22	PLUMBING & HVAC	MBE	D. A. Dodd, Inc.	Rolling Prairie	IN
31	EARTHWORK - Sheet piling, concrete, excavation	WBE	LaPorte Construction Co.	LaPorte	IN
31	EARTHWORK & SITE UTILITIES	WBE	RITSCHARD BROS	South Bend	IN
31	EARTHWORK - HAULING	MBE	1st Class Logistics, LLC	South Bend	IN
31	EARTHWORK - HAULING	MBE & WBE	V&R Trucking	South Bend	IN
33	LANDSCAPING	WBE	Hubinger Landscaping Corp.	Crown Point	IN
33	LANDSCAPING - Seeding, Erosion Ctrl., Irrigation	WBE	Slusser's Green Thumb	Logansport	IN

XBE participation may include material suppliers as well as subcontracting opportunities.

Although building construction projects located in the Michiana geographical area do not achieve as high of XBE participation as building construction projects in other urban areas of the State, we do have several XBE firms that participate in our projects. In today's market, it is infrequent that XBEs from other regions of Indiana are interested in traveling to our Region to perform work.

We will notify XBE firms as soon as potential scopes are identified, to share the opportunity to participate in this RFP. Ziolkowski Construction will contact potential XBE firms directly to solicit their interest in participation and will document such efforts.



E. SERVICES, FEES & PROJECT COSTS

Ziolkowski Construction understands that the project is currently in the conceptual design phase and that the estimated project value is approximately \$6,000,000. The following budget is intended to illustrate our proposed compensation structure and the anticipated allocation of project costs. As the design progresses, we will continuously refine the budget through estimating, constructability reviews, and value engineering to assist the Owner as they maintain the project within budget.

BANDSHELL PROJECT COSTS	
Preconstruction Services	\$ 15,000
CMc Fee (%)	\$ 120,000 (2%)
General Conditions	\$ 180,000 (3%)
Staffing	Included in General Conditions
Bonds	\$ 60,000 (Approx. 1%)
Builders Risk	\$ 18,000 (May vary based on coverage)
Construction Contingency	\$ 180,000 (3%)
Owner Contingency	\$ 300,000 (5%)

CONSTRUCTION MANAGEMENT FEES

Pre-Construction Services

Pre-Construction Services are anticipated to span approximately six months beginning in September 2026. Services will include cost estimating, constructability reviews, value engineering, schedule development, design coordination, procurement planning, bid package preparation, and ongoing budget updates.

Estimated Fee: \$15,000

CMc Fee

The Construction Manager as Constructor (CMc) fee covers corporate overhead, project management, contract administration, procurement, financial management, quality assurance, and project closeout.

Proposed CMc Fee: 2% of Construction Cost (\$120,000)

General Conditions

General Conditions include the field management and project-specific support necessary to successfully complete the scope of work, including supervision, temporary facilities, temporary utilities, site safety, mobilization, cleanup, quality control, temporary protection, project signage, and other project support costs.



E. SERVICES, FEES & PROJECT COSTS

Construction Contingency

The 3% Construction Contingency included within the GMP is for minor scopes of work not covered by the Bid Packages and for minor modifications to Design that are not Changes in Scope. Any unused contingency monies remaining at the end of the project will be returned to the Owner.

Owner Contingency

Costs typically paid directly by the Owner to fund owner-requested scope changes, design evolution, and unforeseen conditions. Any unused contingency monies remaining at the end of the project will be returned to the Owner.

Cost Control Approach

- Open-book accounting
- Real-time budget tracking
- Monthly forecasting
- Early issue identification
- Formal change management procedures

Notes

- The CMc Fee is based on the estimated Construction Cost and is subject to refinement as the project scope develops
- General Conditions will be finalized based on the approved construction schedule, staffing plan, and project logistics
- Bond and Builder's Risk costs are preliminary estimates and will be adjusted based on market conditions and final contract requirements.
- Construction and Owner Contingencies are included to address unforeseen conditions and design development and will be refined as the project advances.



F. NON-COLLUSION NON-DEBARMENT AFFIDAVIT

Refer to **Attachment A - Non-Collusion Non-Debarment Affidavit Non-Iran Form** at the end of this submittal.

G. CERTIFICATE OF INSURANCE AND BONDING

Ziolkowski Construction maintains insurance coverage which exceeds the minimum requirements outlined in the RFP.

Bonding Capacity

- Single Project: \$30,000,000
- Aggregate: \$75,000,000

Surety: Liberty Mutual

Refer to **Attachment B - Certificate of Insurance and Bonding** at the end of this submittal.

H. CONCLUSION

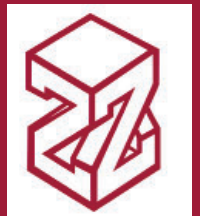
Ziolkowski Construction appreciates the opportunity to be considered for the Howard Park Bandshell Project and is confident in our ability to successfully deliver the City's vision. Our team brings the experience, resources, and commitment necessary to manage this project from pre-construction through final closeout while maintaining the highest standards of safety, quality, and fiscal responsibility.

We understand that the success of this project will be measured not only by completing construction on time and within budget, but also by creating a facility that reflects the City's goals for sustainability, community impact, long-term value, and public stewardship. Our commitment is to serve as a trusted partner, providing transparent communication, proactive leadership, and innovative solutions throughout every stage of the project.

Ziolkowski Construction looks forward to the opportunity to work collaboratively with the City of South Bend, its consultants, and community stakeholders to deliver a high-quality bandshell that exceeds expectations and becomes a lasting centerpiece of Howard Park. We appreciate your consideration and welcome the opportunity to further discuss our qualifications, approach, and commitment to the success of this important project.



I. ATTACHMENTS



Note about transcribed forms: this format exists to remove accessibility barriers, but some recipients prefer the original printed format. If you'd like help moving your entries into the original form, please use the live assistance options in the sidebar or contact the author.

Contractor's Non-Collusion and Non-Debarment Affidavit, Certification Regarding Investment with Iran, Employment Eligibility Verification, Non-Discrimination Commitment and Certification of Use of United States Steel Products or Foundry Products

When the prospective Contractor is unable to certify to any of the statements below, it shall attach an explanation to this Affidavit.

CONTRACTOR'S NON-COLLUSION AND NON-DEBARMENT AFFIDAVIT, CERTIFICATION REGARDING INVESTMENT WITH IRAN, EMPLOYMENT ELIGIBILITY VERIFICATION, NON-DISCRIMINATION COMMITMENT AND CERTIFICATION OF USE OF UNITED STATES STEEL PRODUCTS OR FOUNDRY PRODUCTS

(Must be completed for all quotes and bids. Please type or print)

STATE OF

Indiana

)

) ss:

COUNTY

St. Joseph

)

The undersigned Contractor, being duly sworn upon his/her/its oath, affirms under the penalties of perjury that:

1. Contractor has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. Contractor further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale; and
2. Contractor certifies by submission of this proposal that neither contractor nor any of its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency; and
3. Contractor has not, nor has any successor to, nor an affiliate of, Contractor, engaged in investment activities in Iran.
 - a. For purposes of this Certification, "Iran" means the government of Iran and any agency or instrumentality of Iran, or as otherwise defined at Ind. Code § 5-22-16.5-5, as amended from time-to-time.
 - b. As provided by Ind. Code § 5-22-16.5-8, as amended from time-to-time, a Contractor is engaged in investment activities in Iran if either:
 - i. Contractor, its successor or its affiliate, provides goods or services of twenty million dollars (\$20,000,000) or more in value in the energy sector of Iran; or
 - ii. Contractor, its successor or its affiliate, is a financial institution that extends twenty million dollars (\$20,000,000) or more in credit to another person for forty-five (45) days or more, if that person will (i) use the credit to provides goods and services in

Non-Collusion Non-Debarment Affidavit Non Iran Form

the energy sector in Iran; and (ii) at the time the financial institution extends credit, is a person identified on list published by the Indiana Department of Administration.

4. Contractor does not knowingly employ or contract with an unauthorized alien, nor retain any employee or contract with a person that the Contractor subsequently learns is an unauthorized alien. Contractor agrees that he/she/it shall enroll in and verify the work eligibility status of all of Contractor's newly hired employees through the E-Verify Program as defined by I.C. 22-5-1.7-3. Contractor's documentation of enrollment and participation in the E-Verify Program is included and attached as part of this bid/quote; and

Attachment A - Non-Collusion Non-Debarment Affidavit Non-Iran Form

5. Contractor shall require his/her/its subcontractors performing work under this public contract to certify that the subcontractors do not knowingly employ or contract with an unauthorized alien, nor retain any employee or contract with a person that the subcontractor subsequently learns is an unauthorized alien, and that the subcontractor has enrolled in and is participating in the E-Verify Program. The Contractor agrees to maintain this certification throughout the term of the contract with the City of South Bend, and understands that the City may terminate the contract for default if the Contractor fails to cure a breach of this provision no later than thirty (30) days after being notified by the City.

6. Persons, partnerships, corporations, associations, or joint venturers awarded a contract by the City of South Bend through its agencies, boards, or commissions shall not discriminate against any employee or applicant for employment in the performance of a City contract with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of race, sex, religion, color, national origin, ancestry, age, gender expression, gender identity, sexual orientation or disability that does not affect that person's ability to perform the work.

In awarding contracts for the purchase of work, labor, services, supplies, equipment, materials, or any combination of the foregoing including, but not limited to, public works contracts awarded under public bidding laws or other contracts in which public bids are not required by law, the City, its agencies, boards, or commissions may consider the Contractor's good faith efforts to obtain participation by those Contractors certified by the State of Indiana as a Minority Business ("MBE") or as a Women's Business Enterprise ("WBE") as a factor in determining the lowest, responsible, responsive bidder.

In no event shall persons or entities seeking the award of a City contract be required to award a subcontract to an MBE/WBE; however, it may not unlawfully discriminate against said WBE/MBE. A finding of a discriminatory practice by the City's MBE/WBE Utilization Board shall prohibit that person or entity from being awarded a City contract for a period of one (1) year from the date of such determination, and such determination may also be grounds for terminating the contract for which the discriminatory practice or noncompliance pertains.

7. The undersigned contractor agrees that the following nondiscrimination commitment shall be made a part of any contract which it may henceforth enter into with the City of South Bend, Indiana or any of its agencies, boards or commissions.

Non-Collusion Non-Debarment Affidavit Non Iran Form

Contractor agrees not to discriminate against or intimidate any employee or applicant for employment in the performance of this contract with privileges of employment, or any matter directly or indirectly related to employment, because of race, religion, color, sex, gender expression, gender identity, sexual orientation, handicap, national origin or ancestry. Breach of this provision may be regarded as material breach of contract.

I, the undersigned bidder or agent as contractor on a public works project, understand my statutory obligations to the use of steel products or foundry products made in the United States (I.C. 5-16-8-1). I hereby certify that I and all subcontractors employed by me for this project will use steel products or foundry products made in the United States on this project if awarded. I understand I have an affirmative duty to notify the City in my bid that my proposal does not include the use of steel products or foundry products made in the United States. I understand it is my sole obligation and responsibility to provide a justification to the City, subject to review and approval, why the cost of United States made steel or foundry products is unreasonable. Prior to award and upon submission of bid which does not use steel products or foundry products made in the United States, the City, through its director of public works, shall make a determination if the price of United States made steel or foundry is unreasonable. I understand that violations hereunder may result in forfeiture of contractual payments.

I hereby affirm under the penalties of perjury that the facts and information contained in the foregoing bid for public works are true and correct.

Affirmation and signature

Dated this

July

day of

23

, 20Year

2026

Contractor/Bidder (Firm)

Ziolkowski Construction

Signature of Contractor/Bidder or Its Agent

Terry Allsop

Printed Name and Title

Terry Allsop

Notary

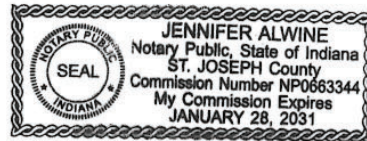
Subscribed and sworn to before me this Subscribed and sworn to before me this

Attachment A - Non-Collusion Non-Debarment Affidavit Non-Iran Form

23rd
day of day of
June 2026
, 20 Year
1-28-2031
My Commission Expires
Jennifer Alwine
Notary Public
Jennifer Alwine
County of Residence
St. Joseph

Non-Collusion Non-Debarment Affidavit Non Iran Form

This document was transcribed by AI and may contain mistakes that seem believable. To overcome this limitation, we offer 30 minutes of free Aira visual interpreting. Open the Aira app on your phone, or call 1-800-835-1934 for support. When prompted for an access offer, say "DocAccess" and share this document locator code with your interpreter: FA60-DAEC. Your interpreter can view the document on their end at docaccess.com/go. All users agree to the [terms of use](#) by using this product.





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/29/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Horton Group 10320 Orland Parkway Orland Park IL 60467		CONTACT NAME: PHONE (A/C, No, Ext): 708-545-3000 FAX (A/C, No): E-MAIL ADDRESS: certificates@thehortongroup.com	
INSURED Ziolkowski Construction, Inc. 4050 Ralph Jones Drive South Bend IN 46628		INSURER(S) AFFORDING COVERAGE	
		INSURER A : Amerisure Insurance Company	
		INSURER B : Berkley Assurance Company	
		INSURER C : Great American Insurance	
		INSURER D :	
		INSURER E :	

COVERAGES CERTIFICATE NUMBER: 1245762378 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDC INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☐ OCCUR ☒ XCU Included ☒ Contractual Liab GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC ☐ OTHER:	Y	Y	CPP21233970205	6/1/2026	6/1/2027	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMPROP AGG \$ 4,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☒ Hired AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY	Y	Y	CA 21233950201	6/1/2026	6/1/2027	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☒ OCCUR ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0	Y	Y	CU 21233960201	6/1/2026	6/1/2027	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? (Mandatory in IN) If yes, describe under DESCRIPTION OF OPERATIONS below	Y	N/A	WC 21233980201	6/1/2026	6/1/2027	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A B C	Leased/Rented Equipment Professional/Pollution Liability Crime			CPP21233970205 PCXB-5028022-0626 DPLE322809	6/1/2026 6/1/2026 6/1/2026	6/1/2027 6/1/2027 6/1/2027	Limit Occurrence/Aggregate Limit \$275,000 \$2M/\$2M \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Installation Floater - Policy# CPP21233970205; Policy Period: 6/1/2026-6/1/20267; Jobsite Limit: \$5,000,000; Storage Locations: \$550,000 Carrier: Amerisure Insurance Company

Additional insured on a primary and non-contributory basis with respect to the general liability and auto liability coverage only when required by written contract. Waivers of subrogation apply to the general liability, auto liability, and workers compensation in favor of the stated additional insureds only when required by written contract. Umbrella follows form. Proof of Insurance

CERTIFICATE HOLDER Ziolkowski Construction, Inc. 4050 Ralph Jones Drive South Bend IN 46628-0408	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

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BUILD.

ZIOLKOWSKI CONSTRUCTION, INC.

Building Strong Relationships Since 1974

Ziolkowski Construction
4050 Ralph Jones Dr.
South Bend, IN 46628
Tel: 574-287-1811 Fax: 574-208-1991

Fax

To: 15742359171

From: receptionist

Fax: 1-574-235-9171

Date: Aug 03, 2026 01:14 PM

Subject: Addendum 1 Howard Bandshell RFP

Megan Hughes
Contract Administrator

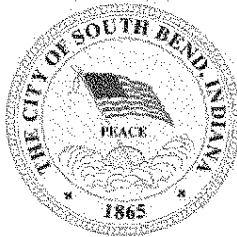


Ziolkowski
Construction
logo

Ziolkowski Construction, Inc.
4050 Ralph Jones Drive
South Bend, Indiana 46628
P (574) 287-1811 x-271
F (574) 234-0151
Employee Owned Since 2024

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215 S. DR. MARTIN LUTHER
KING JR., BLVD, SUITE 400
SOUTH BEND, INDIANA 46601



PHONE 574/235-9251
FAX 574/235-9171
TDD 574/235-5567

CITY OF SOUTH BEND JAMES MUELLER, MAYOR

BOARD OF PUBLIC WORKS

Date: July 31, 2026
To: All Planholders
From: Hillary Horvath, Clerk, Board of Public Works
Subject: Addendum Number: 1
Project Name: Howard Park Bandshell CMC RFP
Project No.: 125-052

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDUM

Date Received: August 3, 2026

This addendum is being forwarded to you for the above referenced project.

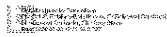
Please sign below and acknowledge receipt of this Addendum by faxing this sheet to the Board of Public Works at (574) 235-9171 within 48 hours of receipt. A copy MUST also be included with your bid package upon submittal.

THIS ADDENDUM MAY AFFECT YOUR BID.

Notes:

The attached documents are hereby added to the Specifications and Contract Documents and become a part of herein.

Company: Ziolkowski Construction

Authorized Signature: Terry Allsop 

Date: August 3, 2026

**Howard Park Bandshell CMC RFP
125-052
Addendum No. 1**

Date: July 31, 2026

To: All Planholders

From: Lidya Abreha, Project Engineer

You must acknowledge a receipt of this addendum by signing the first page and returning a copy with your proposal.

The items in this addendum are to become part of the original documents as if included therein. Only the noted items are affected, and the remainder of the original RFP document is to remain in its entirety.

This Addendum modifies the RFP document as follows:

This addendum consists of a total 6 pages

MEETING AGENDA

Topic: Howard Park Bandshell CMc Pre-Proposal Conference

Meeting Time: 7/28/2026 @ 1:00 pm EST

Location: Teams (online), Room 401: South Bend City Hall

Purpose:

The purpose of this Pre-Proposal Conference is to discuss the Request for Proposals (RFP), issued on July 17th, 2026 , for Construction Manager as Constructor (CMc) Services for the Howard Park Bandshell Project under Indiana Code 5-32. The goal of this Conference is to give a general overview of the project at hand and answer any questions regarding the RFP.

A copy of the meeting minutes will be made available to all firms that have registered for this project on the southbendin.gov website. The notes are not intended to reiterate everything discussed in the meeting but identify those points that may affect an offerors' understanding of the solicitation. Please be aware that no oral statement made by City representatives during the conference will have the effect of amending the solicitation. In the event that discussions during the conference indicate a need to change the solicitation, an amendment to the RFP will be issued in writing to all registered firms.

Meeting Agenda:

Primary Stakeholders:

- Introductions/ Primary Stakeholders
 - Eric Horvath – Director of Public Works
 - Jitin Kain – Director of Public Works
 - Abigail Magas – City Engineer
 - Patrick Sherman – Director of Project Manager: Public Works
 - Lidya Abreha – Project Engineer; Public Works
 - Kevin Allebach –Architect/Prime consultant
 - Brian Wolff - Architect/Prime consultant
 - Robert Docter- Architect/Prime consultant

General Project Information:

- Potential Scope
- Project Schedule

Request for Proposal General Information:

- Submittal due date is **August 11th by 9:00am EST**
- Proposals must be delivered to the Department of Public Works on the 4th floor of City Hall at 215 S. Dr. Martin Luther King Jr. Blvd, Suite 400.
- Proposal packet must include five (5) hard copies and 1 digital copy on a thumb drive.
- Response package should be labeled "Proposal For Construction Manager As Constructor (CMc) Services: Howard Park Bandshell, Project Number 125-052"
- Any questions concerning the RFP must be sent to labreha@southbendin.gov by **August 4th by 5:00pm EST.**
- Any amendments, answers, or other correspondence will be sent to registered firms.
- Proposal should be limited to 25 pages not including the cover page, insurance documents, and signed affidavit.

Other Questions from participants

- Please see the questions and answers below.

Sign in Sheet:

- See the attached.

Pre-Proposal Conference Q&A Summary

Q1: Will the City's Responsible Bidder Ordinance be included in the bid documents when the project is advertised for construction?

A: Yes. The City's Responsible Bidder Ordinance (RBO) applies to bids where the contractor's work exceeds \$250,000.

Q2: What is the total estimate for the project?

A: ~ \$6M (including design fees).

Q3: What are the City's expectations regarding XBE involvement?

A: As part of providing access to all qualified businesses, the City would like the CMc to discuss their history in engaging with XBE firms on previous projects, as well as the ways in which they will engage XBE contractors in this project. The CMc will not be required to use XBE status as an element in awarding bid packages to 1st tier bidders, though the CMc's approach to engaging with XBE firms may impact the scoring on Response to City/Owner Project Specific Goals as part of this RFP to choose the best partner for the City.

Q: Are the entities mentioned in the RFP that the City collaborates with (such as the University of Notre Dame) involved in the construction phase?

A: No. The selected CMc will only be required to coordinate with the City and the Architect/Design team during construction. External partners, such as the University of Notre Dame, are involved in project programming and stakeholder engagement efforts and will not have a role in construction management or oversight.

MEETING SIGN-IN SHEET

Project: Howard Park Bandshell CMC RFP pre-proposal conference

Meeting Date: 7/26/2026

Facilitator: Lidya Abreha

Place/Room: Online on Teams and 4th Floor, City Hall

Name	Company	Phone	E-Mail
Lidya Abreha	City of South Bend	574-235-5691	labreha@southbendin.gov
Jitin Kain	City of South Bend		jkain@southbendin.gov
Patrick Sherman	City of South Bend		psherman@southbendin.gov
Abigail Magas	City of South Bend		amagas@southbendin.gov
Eric Horvath	City of South Bend		ehorvath@southbendin.gov
Summer Stetzik	HGA		sstetzik@hga.com
Robert Docter	HGA		RDocter@hga.com
Brian Wolff	HGA		BWolff@hga.com
Kevin Allebach	HGA		KAllebach@hga.com
Mike Schmuhl	Sheil Sexton		mschmuhl@shielsexton.com
Anthony Lara	Larson Danielson		ABL@LDconstruction.com
Terry Allsop	Ziolkowski		tallsop@zbuild.com
Chris Metzger	Sheil Sexton		cmetzger@shielsexton.com
Doug Delio	Central Midwest Carpenters Union		ddelio@cmrcc.com