

CITY OF ELKHART
BOARD OF PUBLIC WORKS MEETING
AGENDA

Common Council Chambers

9:00 A.M., Tuesday, January 4, 2022

<https://coei.webex.com/coei/j.php?MTID=md181e8da5d297a95c018a4566617f037>

Join by phone: 1-415-655-0001

Meeting Number (access code): 2301 033 7722 Meeting password: BOW22

- I. Roll Call**
- II. Approve Agenda**
- III. Elect 2022 Officers**
- IV. Minutes** Regular Meeting December 28, 2021
- V. Utilities**
 - a.) Administration
 - Appropriation Requests
 - Wastewater Treatment Plant MRO November 2021
 - b.) Environmental Compliance
 - FOG Variance Request Twisted Cow 105 CR 6 West
 - Communication: Grease Blockage Swift Prepared Foods
 - Permit Renewal: Elkhart Plating Corp. Permit #86-02
 - Notice of Violation with Compliance Order: Ontwa Township Sewer District
 - Notice of Violation with Compliance Order: Cobus Green Mobile Home Park
 - Notice of Violation with Compliance Order: Simonton Lake Conservancy District
 - Notice of Violation with Compliance Order: McDowell Enterprises, Inc. Permit #85-01
- VI. Engineering**
 - a.) Administration
 - Change Order #1 Elkhart Riverwalk Boardwalk Bid #21-15
 - b.) Utility
 - Payment #39 to Donohue & Associates: Elkhart WWTP Plant Capacity Upgrades Phase II
 - c.) Right of Way
 - Change Order #3 South Main Street Streetscape Lusher to Hively Bid #21-14
 - Change Order #4 South Main Street Streetscape Lusher to Hively Bid #21-14

- Change Order #3 & Final: Benham Ave. Reconstruction Project
Bid #20-23

VII. Public Participation

VIII. Adjournment

BOARD OF PUBLIC WORKS
Tuesday, December 28, 2021

President Mike Machlan called a regular meeting of the Board of Public Works to order at 10:00 a.m., Tuesday, December 28, 2021. The Clerk of the Board Nancy Wilson called the roll. Mike Machlan, Chad Crabtree, Ron Davis, Rose Rivera and Jamie Arce attended in person.

1. Approve Agenda

On motion by Chad Crabtree seconded by Rose Rivera and carried 5-0 the agenda was approved as presented.

2. Claims

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved the Claim and Allowance Docket in the amount of \$8,756,121.65 consisting of 55 pages as prepared on December 23, 2021 at 4:46 p.m.

3. Minutes Regular Meeting December 21, 2021

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the minutes from December 21, 2021 were adopted.

4. Utilities

(A.) Finance

Approval of 2021 Monthly Transfers

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved and authorized the 2021 monthly Utility transfer schedule as presented.

5. New Business

2022 The Horton Group Fee Agreement

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board approved the 2022 Fee Agreement between the City of Elkhart and The Horton Group for \$66,000.00 for one year.

2022 Anthem Administrative Fee Agreement

On motion by Jamie Arce, seconded by Chad Crabtree and carried 5-0, the Board approved the 2022 Anthem Administrative Fee Agreement.

2022 Berkley Life and Health Insurance Company Stop Loss Application

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved the 2022 Berkley Life and Health Insurance Company Stop Loss Insurance Application.

2022 Worker's Compensation with JWF Specialty

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved the 2022 Agreement with JWF Specialty for Excess Workers Compensation and selected Option 1.

Economic Development Incentive Agreement with Stantec for the Downtown Initiative

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board authorized the Department of Law to negotiate acceptable terms and conditions through which the City may enter into an agreement with Stantec not to exceed \$117,000.00.

Economic Development Incentive Agreement with Stantec for the South Central Master Plan

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the

BOARD OF PUBLIC WORKS
Tuesday, December 28, 2021

Board authorized the Department of Law to negotiate acceptable terms and conditions through which the City may enter into an agreement with Stantec not to exceed \$75,000.00 for the South Central Master Plan.

BOW Resolution 21-R-17 Recognizing the RDC Managing the Elkhart West Business Park Initiative

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved BOW Resolution 21-R-17, a Resolution of the Elkhart Board of Public Works recognizing the Elkhart Redevelopment Commission as the City Board managing the Elkhart West Business Park Initiative.

BOW Resolution 21-R-18 Recognizing the RDC Managing the Workforce Housing Initiative

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved BOW Resolution 21-R-18, a Resolution of the Elkhart Board of Public Works recognizing the Elkhart Redevelopment Commission as the City Board managing the Workforce Housing Initiatives program.

BOW Resolution 21-R-19 Heart City Health Covid Communication Plan

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved BOW Resolution 21-R-19, a Resolution of the Elkhart Board of Public Works authorizing a fifty-thousand dollar (\$50,000.00) sub-award of American Rescue Plan Local Fiscal Recovery Funds to the Heart City Health Center as a sub-recipient, and authorizing the Department of Law to prepare a sub-recipient agreement for execution by the Board of Public Works and Heart City Health Center to assist the City to promote accurate public health information surrounding Covid-19.

Property, Casualty, and Liability Insurance with USI Insurance Services, LLC

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board accepted the proposal from USI Insurance Services, LLC and authorized USI to bind coverage as currently proposed unless more-favorable terms are developed prior to binding coverage.

Covid Communication Campaign Contracts with The Elkhart Truth, La Raza Radio, Burkhart Advertising, & Federated Media

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board accepted the proposal from the Elkhart Truth for \$51,065.00, La Raza for \$35,000.00, Burkhart for \$40,000.00, and Federated Media for \$29,952.00 for the use of ARP funds for the 2022 marketing and communication plans for the fight against Covid 19.

6. Adjournment

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board of Works adjourned at 11:03 a.m.

Mike Machlan, President

Attest: _____ Nancy Wilson, Clerk of the Board.



M E M O R A N D U M

Date January 4, 2022
To Mike Machlan, Board of Works President
From Laura Kolo, Utility Services Manager *LK*
RE Appropriation Request

Elkhart Public Works is respectfully requesting an appropriation and a transfer to fund a new full time Laborer – Janitorial position.

In the first eleven months of 2021, Public Works spent \$22,004.25 for cleaning services. Upon being informed of the retirement of our current cleaning service provider, quotes were solicited. Because an increase was anticipated, \$30,000 was budgeted in the wastewater and \$15,000 was budgeted in the water maintenance contractual lines in the 2022 operating budget. One quote was received at an annual cost of \$124,165.50. After receiving this information, Public Works elected to not request the contract be awarded and to reevaluate how to most effectively and efficiently meet these needs. Alternate options were discussed and evaluated. As a result, Public Works is requesting to add a full time Laborer position which will focus on janitorial type duties of all typically occupied buildings as well as the remaining treatment and process buildings which are not commonly occupied, but are in need of occasional janitorial and light maintenance type activities.

Elkhart Public Works is respectfully requesting an appropriation for a full time Laborer – Janitorial position as follows:

606-5-814-411.0130	Full Time	\$18,355	(+\$30,000 transfer (see request below) = \$48,355 = PG 4)
606-5-814-413.0100	Social Security	\$3,139	
606-5-814-413.0200	Medicare	\$734	
606-5-814-413.0300	PERF	\$7,189	
606-5-814-413.0500	Group Insurance	\$24,030	
606-5-814-413.1200	Sick Incentive Pay	\$780	

To offset the appropriation request to completely fund this full time position, Public Works is requesting to transfer \$30,000 from 606-5-814-736.0200 to 606-5-814-411.0130. This \$30,000 was originally appropriated as part of the 2022 wastewater maintenance operating budget for cleaning services, but with the addition of this full-time position, the need for contractual services will be eliminated.



Date: December 27, 2021

Memo To: Michael Machlan, Board President

Memo From: Laura Kolo, Utility Services Manager *lk*

RE: Wastewater Treatment Plant Monthly Report – November 2021

The monthly Wastewater Treatment Plant NetDMR, CSO MRO, and Marketing and Distribution reports were all submitted electronically for the month of November. The wastewater treatment plant treated and released 566 million gallons to the St Joseph River.

CSO Events: One wet weather CSO event occurred in November.

Violations: Four incident reports were filed in November; one due to a pump controller blowing a fuse, and three due to grease. The pump controller was replaced within 2 working days of the event and on Monday, December 27th, 86 letters and informational pamphlets on proper grease disposal were mailed to residents in basins where recent grease obstructions occurred.



City of Elkhart
Public Works & Utilities

To: Members of the Board of Public Works
From: Lynn Brabec, Environmental Compliance Manager *LB*
Date: December 21, 2021
Re: FOG Variance Request for Twisted Cow (105 CR 6 West)

Twisted Cow, recently changed ownership on November 1, 2021. The previous owners of Twisted Cow received a variance from grease trap sizing requirements and were allowed to install a 50 GPM grease trap. The new owners are requesting a one to three-year variance from Category B sizing requirements and are requesting to use the existing grease trap until a smaller 3 compartment sink can be obtained.

Based on the information submitted in the FOG Certificate Application, this facility received 18 points for the type of operation, equipment and hours of operation. Any facility that receives 23 or less points is considered a Category B facility and is required to install a properly sized grease trap. Based on the size of the 3 compartment sink connected to the grease trap, Twisted Cow is required to install at minimum a 53 GPM grease trap. Twisted Cow would like to continue to use the existing 50 GPM grease trap until they can install a smaller 3 compartment sink that would be compliant with a 50 GPM grease trap.

Pretreatment staff reviewed with Twisted Cow that if the variance is approved, the establishment would be required to verify compliance with the variance. There is not an existing control manhole on site to conduct routine sampling. Additionally, Twisted Cow shares a lateral with the adjoining tenant (Wings Etc.). As a result of visual monitoring for compliance for the previous owners of Twisted Cow, grease has been found in this shared lateral, however, verification of the source could not be determined. As a result, **Pretreatment Staff does not support the approval of this variance.** If the Board does approve the variance request, **Pretreatment staff recommends annual visual monitoring.** In summary, **Pretreatment Staff does not support the approval of the variance request, however, if approved recommends annual visual monitoring at the expense of the establishment by February 15 annually.**

Board of Works Actions:

Variance Request from Category Sizing A Requirements
If approved, required to:

Approved Denied
 Annual Visual Monitoring.

Approved this _____ of _____ 2021.

Michael Machlan

Chad Crabtree

Jamie Arce

Ronnie Davis

Rose Rivera

Date

Date

Date

Date

Date

FATS, OILS AND GREASE APPLICATION FOR VARIANCE

PLEASE FILL OUT COMPLETELY & PRINT CLEARLY!
(Incomplete forms will be denied.)

Name of FSE: TWISTED COW FROZEN TREATS
Name of Owner of FSE: JUSTIN WADE
Physical Address: 105 CR 10 W STE #2
City: ELKHART State: IN Zip Code: 46514
Mailing Address: 2417 STEVENS AVE.
City: ELKHART State: IN Zip Code: 46517
Telephone Number: (574) 903-9553
Email Address: JPWADE01@GMAIL.COM
Is there a control manhole on site? Yes * No
*If yes, please attach a map indicating the location.
Current FSE Category: A B C
Is this variance renewal request? Yes No

Detailed reason for applying. (Please attach additional sheets if necessary.)

A 53 GPM GREASE TRAP IS REQUIRED FOR OUR 3-BASIN SINK. THERE IS CURRENTLY A 50 GPM GREASE TRAP. THE 3-BASIN SINK IS A LOT BIGGER THAN WHAT WE NEED AND IS NEVER FILLED MORE THAN HALF-WAY. WE ARE REQUESTING A VARIANCE TO GIVE US THE TIME NEEDED TO ACQUIRE A SMALLER SINK AND HAVE IT INSTALLED.

I certify that the information submitted is true, accurate and complete to the best of my knowledge.

Signature: [Signature] Date: 10/9/2021
Printed Name: JUSTIN WADE
Title: OWNER

VARIANCE REQUEST: Approved Not Approved

Required: Annual Sampling
 Annual Visual Monitoring (to be completed between Jan. 15 and Feb. 15)
 Other: _____

Please Return This Form & Associated Documents To:
Elkhart Public Works & Utilities
Pretreatment Division
1201 S. Nappanee St.
Elkhart, IN 46516



City of Elkhart
Public Works & Utilities

To: Members of the Board of Public Works
From: Lynn Brabec, Environmental Compliance Manager
Date: December 30, 2021
Re: Communication to the BOW: Grease Blockage Caused by Swift Prepared Foods

On November 12, 2021 a blockage was located in the sewer main along Polo Avenue (between Shaffer Avenue and Kulp Avenue). The Collections Division sent a crew to jet vacuum this blockage and also found a blockage in the sewer main on Kulp Avenue (between Polo Avenue and South Main St). The Pretreatment group was also deployed to investigate the source of the grease. Pretreatment staff traced grease upstream and checked the grease interceptors of any food service establishment connected to the sewer. In addition to the grease found on Polo and Kulp Avenues, grease was found in two sewer manholes South Main St. which connect to the force main of Swift Prepared Foods.

Pretreatment staff then checked the lift station at Swift and found the lift station full of fats, oils and grease. Pretreatment staff contacted Swift Prepared Foods to notify them of the issue. They admitted they have had some issues and acknowledged they are the source of the problem. An invoice for the time, materials and labor was sent to Swift Prepared Foods (attached).

Approved this _____ of _____, 2021.

Michael Machlan

Date

Chad Crabtree

Date

Jamie Arce

Date

Ronnie Davis

Date

Rose Rivera

Date

Additional notes or requirements from the Board of Public Works:

Elkart Public Works and Utilities
Water Utility Job Order

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Bill To: Swift Prepared Foods C/O Lindateen Williams
PO Box 2437
Elkhart, In 46515

Job Location:
Polo and Kulp Avenues

Job Description: Cleaning blockage

Materials

Date	Qty	Description	Part No.	Unit Cost	Cost*
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
Total Material Cost					\$0.00

Outside Purchases

Date	Qty	Description	Part/Inv. No.	Unit Cost	Cost*
					\$0.00
					\$0.00
Total Outside Purchase Cost					\$0.00

Labor

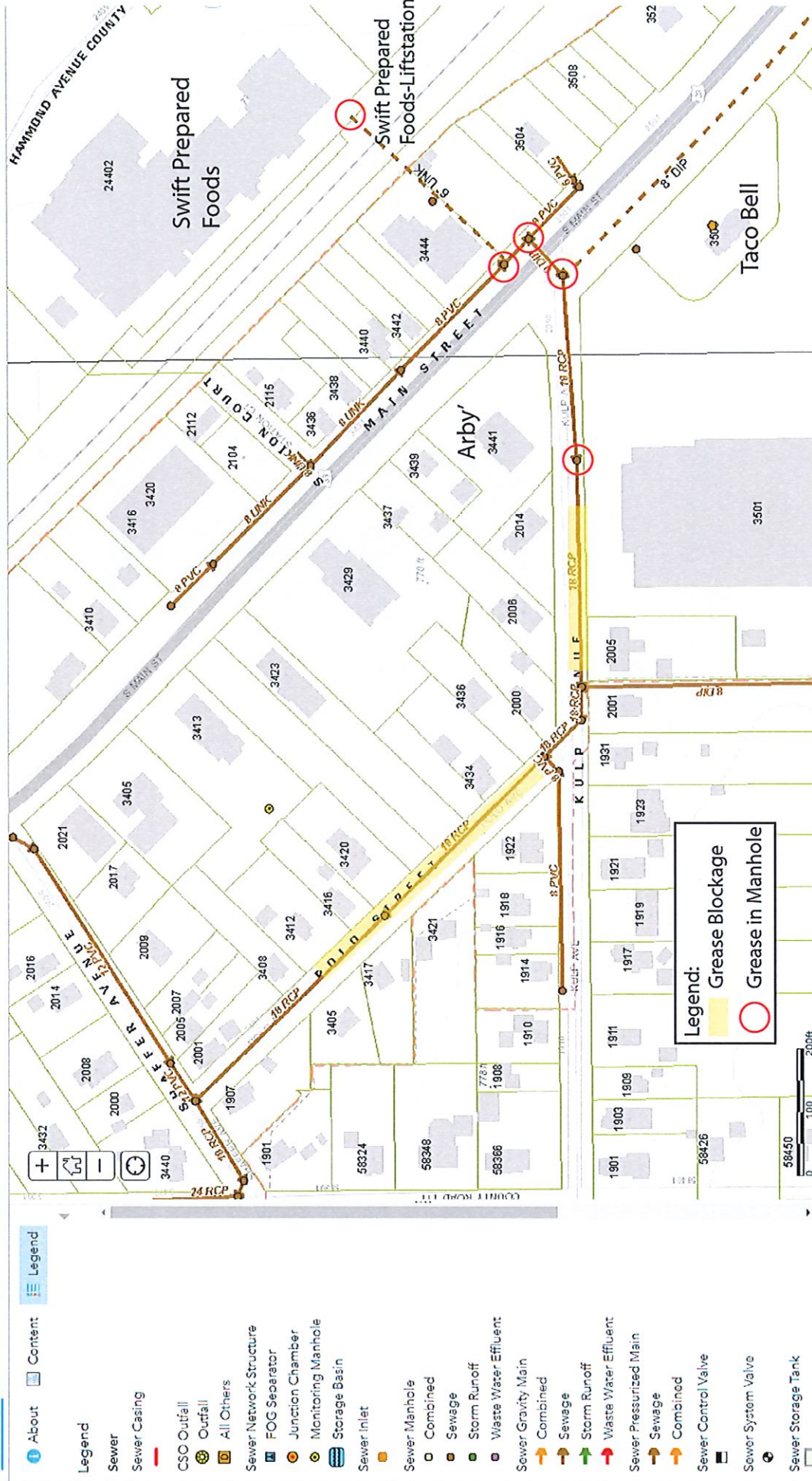
Employee Name		Dates Worked					Total Hours	Cost
		11/12/21	11/15/21	11/16/21	11/17/21	11/18/21		
Overtime	\$37.50	Martin R-2 Hr					4	\$150.00
Overtime	\$37.50	Norman A.-2 hr					4	\$150.00
Straight Time	\$25.00	Martin R-2 Hr	Kenny D.-8 hr	Kenny D.-8 hr			18	\$450.00
Straight Time	\$25.00	Norman A.-2 hr	Martin R-8 hr.	Martin R-8 hr.			18	\$450.00
Straight Time	\$25.00						0	\$0.00
PRTRMT INSP.	\$25.00			Megan K. 1 Hr	Megan K.-1 hr	Megan K. -2 Hr	4	\$100.00
PRTRMT INSP.	\$25.00			Don R-5.75 Hr	Don R.-1.75 Hr	Perry M- 2 Hr	9.5	\$237.50
PRTRMT INSP.	\$25.00	Lynn B-1 hr		Lynn B-1 hr		Lynn B-1 hr	3	\$75.00
Total Labor Cost								\$1,612.50

Equipment	Use rate / hour	Dates					Total Hours	Total Cost
Comb Vac/Jetter	\$270.00	11/12/2021					2	\$540.00
Comb Vac/Jetter	\$270.00	11/15/2021					8	\$2,160.00
Comb Vac/Jetter	\$270.00	11/16/2021					8	\$2,160.00
FROG Van	\$8.50	11/16/2021					5.75	\$48.88
FROG Van	\$8.50	11/17/2021					1.75	\$14.88
FROG Van	\$8.50	11/18/2021					2	\$17.00
Escape	\$8.50	11/16/2021					1	\$8.50
								\$0.00
Total Equipment Cost								\$4,949.25

Total Material Cost	\$0.00
Outside Purchases	\$0.00
7% Sales Tax (Matl./outsd purch.)	\$0.00
* 20% OH Chg-Mat'l & Outsd. Purch.	\$0.00
Total Labor Cost	\$1,612.50
Total Equipment Cost	\$4,949.25
Total Project Cost	\$6,561.75

Project Start Date 11/12/2021

Project End Date 11/18/2021



Legend

- Sewer
- Sewer Casing
- CSO Outfall
- Outfall
- All Others
- Sewer Network Structure
- FOG Separator
- Junction Chamber
- Monitoring Manhole
- Storage Basin
- Sewer Inlet
- Sewer Manhole
- Combined
- Sewage
- Storm Runoff
- Waste Water Effluent
- Sewer Gravity Main
- Combined
- Sewage
- Storm Runoff
- Waste Water Effluent
- Sewer Pressurized Main
- Sewage
- Combined
- Sewer Control Valve
- Sewer System Valve
- Sewer Storage Tank

Legend:

- Grease Blockage
- Grease in Manhole





To: Members of the Board of Public Works
From: Lynn Brabec, Environmental Compliance Manager
Date: January 4, 2022
Re: Permit Renewal: Elkhart Plating, Corp., Permit #86-02

The Pretreatment group requests the renewal of Permit #86-02 for Elkhart Plating, Corp., located at 1913 South 14th Street, Elkhart, Indiana. Elkhart Plating, Corp. manufacturing process consists of the electroplating of zinc deposits onto a variety of customer parts, which may be machined or formed, including fasteners. The principal processes with resultant wastewater streams are metal parts cleaning, pickling, zinc electroplating, and chromating.

Elkhart Plating, Corp. has been a very cooperative and compliant facility; the Pretreatment group recommends this renewal.

Approved this 4th of January 2022.

Michael Machlan

Date

Chad Crabtree

Date

Jamie Arce

Date

Ronnie Davis

Date

Rose Rivera

Date



City of Elkhart
Public Works and Utilities

To: **Members of the Elkhart Board of Public Works**
From: **Lynn Brabec, Environmental Compliance Manager**
Date: **January 4, 2022**
Re: **Notice of Violation with Compliance Order:
Ontwa Township Sewer District**

Ontwa Township Sewer District was issued a Notice of Violation with Compliance Order (NOV) for violation of the City of Elkhart's Wastewater Utility Use Ordinance, No. 5746, as amended.

The violations are as follows:

5.2.1 General Prohibitions

5.2.20 Any Wastewater that causes the average concentration of hydrogen sulfide (H₂S) gas in the POTW to exceed 5 ppm or the maximum concentration of 50 ppm at any time.

5.2.2 Specific Prohibitions

(f) Any Pollutant which would either singly or by interaction with other Pollutants result in the presence of noxious or toxic gases, vapors, or fumes within the POTW in a quantity sufficient to create a public Nuisance or hazard to human health or to prevent entry into the Sewers for maintenance, repairs, inspections, or monitoring;

(n) Any Pollutant, which either alone or by interaction with other Pollutants, causes a hazard to human health, creates a public Nuisance, or is detrimental to the POTW.

The violations occurred during 48-hour monitoring event on September 28-30, 2021. The graphical representations of the hydrogen sulfide readings are attached.

Penalties are determined using the Enforcement Response Plan Penalty Matrix. In this case the following sections apply:

Section 9.1.4 (a) "Discharging a toxic pollutant when there is no damage". **\$200.00**

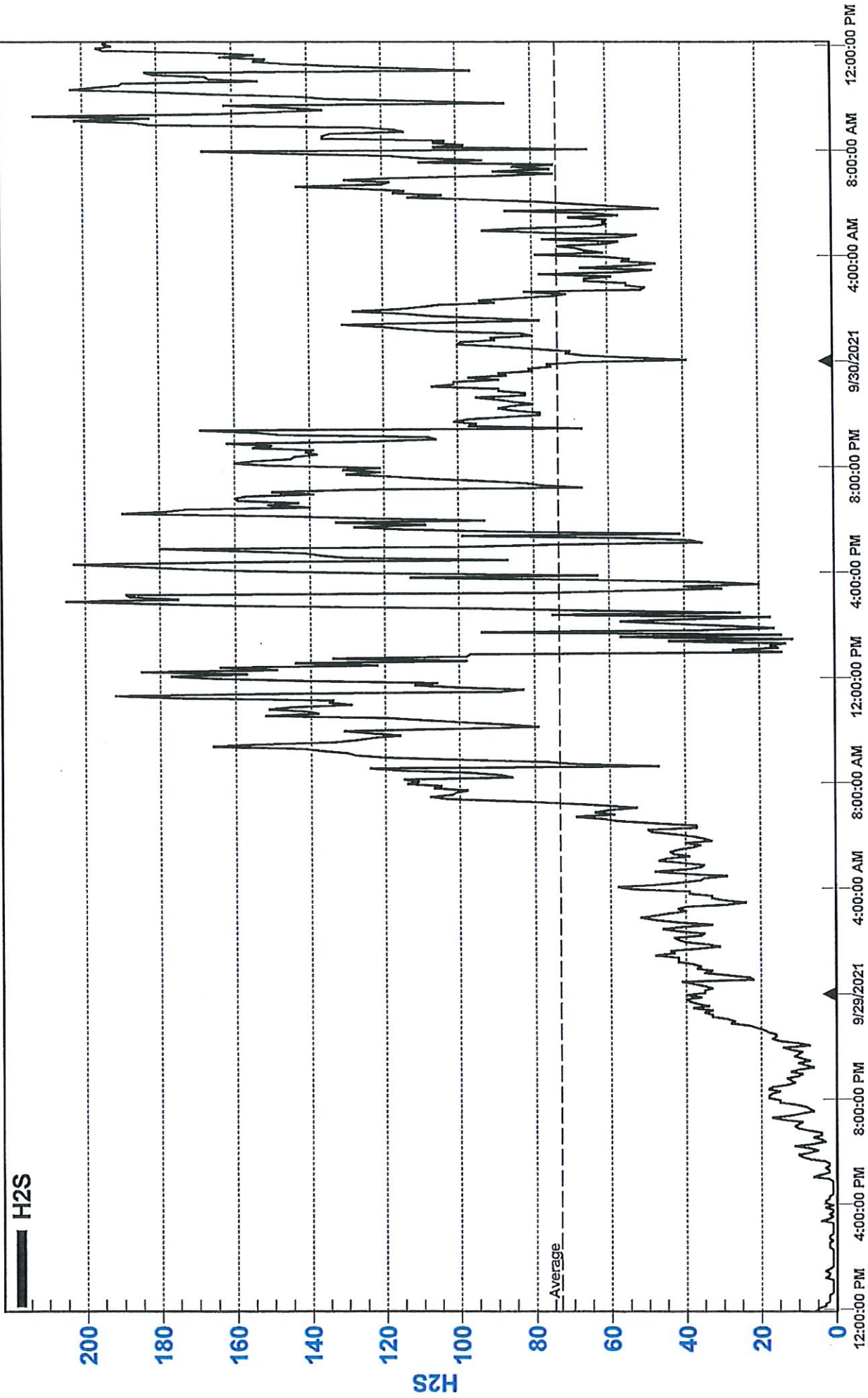
Section 9.1.11 "Discharging wastewater containing parameters in excess of established limits per parameter when there is no damage." **\$100.00**

Total Recommended Penalty **\$ 300.00**

Penalty Assessed _____

C.R. 6 @ MH# 21-20: Confluence

09_28_2021 to 09_30_2021 C.R. 6 @ MH# 21-20: Confluence



Period Displayed: 9/28/2021 - 9/30/2021 (Oda File: 20210930_01304635_01.oda - Serial Number: OdaLog Type L2-RTx 01304635 Instrument Range 0-0PPM)

Legend: Average 73 Month Transition Min 1 Max 213 (Use Screen Data Only)



City of Elkhart
Public Works and Utilities

To: Members of the Elkhart Board of Public Works
From: Lynn Brabec, Environmental Compliance Manager
Date: January 4, 2022
Re: Notice of Violation with Compliance Order:
Cobus Green Mobile Home Park

Cobus Green Mobile Home Park was issued a Notice of Violation with Compliance Order (NOV) for violation of the City of Elkhart's Wastewater Utility Use Ordinance, No. 5746, as amended.

The violations are as follows:

5.2.1 General Prohibitions

5.2.20 Any Wastewater that causes the average concentration of hydrogen sulfide (H₂S) gas in the POTW to exceed 5 ppm or the maximum concentration of 50 ppm at any time.

5.2.2 Specific Prohibitions

(f) Any Pollutant which would either singly or by interaction with other Pollutants result in the presence of noxious or toxic gases, vapors, or fumes within the POTW in a quantity sufficient to create a public Nuisance or hazard to human health or to prevent entry into the Sewers for maintenance, repairs, inspections, or monitoring;

(n) Any Pollutant, which either alone or by interaction with other Pollutants, causes a hazard to human health, creates a public Nuisance, or is detrimental to the POTW.

The violations occurred during 48-hour monitoring event on September 27-30, 2021. The graphical representations of the hydrogen sulfide readings are attached.

Penalties are determined using the Enforcement Response Plan Penalty Matrix. In this case the following sections apply:

Section 9.1.4 (a) "Discharging a toxic pollutant when there is no damage". **\$200.00**

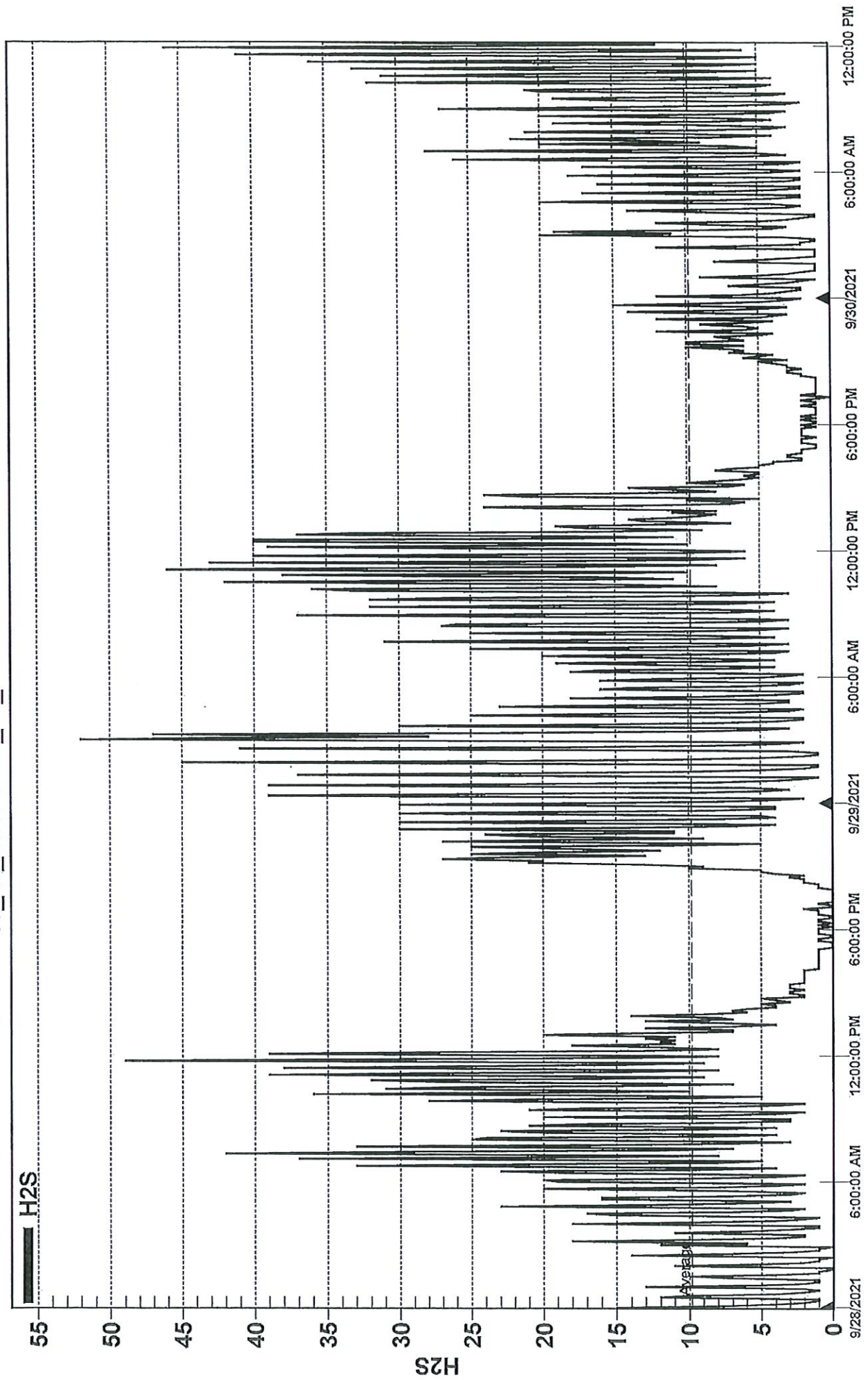
Section 9.1.11 "Discharging wastewater containing parameters in excess of established limits per parameter when there is no damage." **\$100.00**

Total Recommended Penalty \$ 300.00

Penalty Assessed _____

MH# 83-4: Cobus

09_28_2021 to 09_30_2021 MH# 83-4: Cobus



Period Displayed: 9/27/2021 - 9/30/2021 (Oda File: 20210930_09609158_01.oda -- Serial Number: Odalog Type L2-RTx 09609158 Instrument Range 0-0PPM)

Legend: **Average 10** ▲ **Month Transition Min 0 Max 52 (Use Screen Data Only)**



City of Elkhart
Public Works and Utilities

To: **Members of the Elkhart Board of Public Works**
From: **Lynn Brabec, Environmental Compliance Manager**
Date: **January 4, 2022**
Re: **Notice of Violation with Compliance Order:
Simonton Lake Conservancy District**

Simonton Lake Conservancy District was issued a Notice of Violation with Compliance Order (NOV) for violation of the City of Elkhart's Wastewater Utility Use Ordinance, No. 5746, as amended.

The violations are as follows:

5.2.1 General Prohibitions

5.2.20 Any Wastewater that causes the average concentration of hydrogen sulfide (H₂S) gas in the POTW to exceed 5 ppm or the maximum concentration of 50 ppm at any time.

5.2.2 Specific Prohibitions

(f) Any Pollutant which would either singly or by interaction with other Pollutants result in the presence of noxious or toxic gases, vapors, or fumes within the POTW in a quantity sufficient to create a public Nuisance or hazard to human health or to prevent entry into the Sewers for maintenance, repairs, inspections, or monitoring;

(n) Any Pollutant, which either alone or by interaction with other Pollutants, causes a hazard to human health, creates a public Nuisance, or is detrimental to the POTW.

The violations occurred during 48-hour monitoring event on September 28 -30, 2021. The graphical representations of the hydrogen sulfide are attached.

Penalties are determined using the Enforcement Response Plan Penalty Matrix. In this case the following sections apply:

Section 9.1.4 (a) "Discharging a toxic pollutant when there is no damage". **\$200.00**

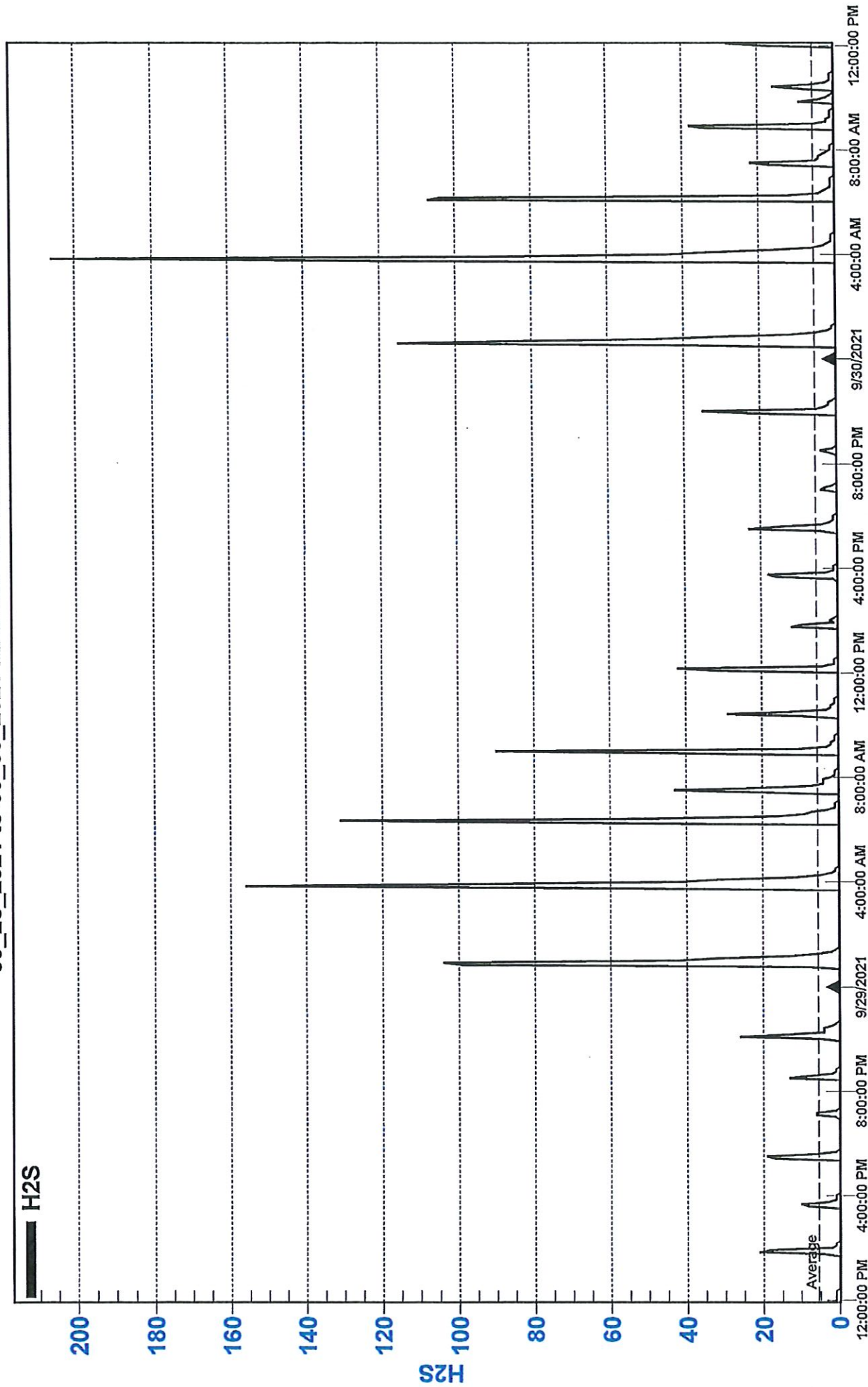
Section 9.1.11 "Discharging wastewater containing parameters in excess of established limits per parameter when there is no damage." **\$100.00**

Total Recommended Penalty **\$ 300.00**

Penalty Assessed _____

MH# 358-18: Simonton

09_28_2021 to 09_30_2021 MH# 358-18: Simonton



Period Displayed: 9/28/2021 - 9/30/2021 (Oda File: 20210930_09305521_01.oda -- Serial Number: Odalog Type L2-RTx 09305521 Instrument Range 0-0PPM)

Average 5 Month Transition Min 0 Max 206 (Use Screen Data Only)



Midwest Contract Operations

October 13,2021

To: Lynn Brabec, Elkhart Public Works & Utilities

From: Steven Grubb, Operator for the Simonton Lake Conservancy District

I have been looking into our system to see what might have caused the H2S violation on September 28 to the 30th.

One problem we had, during the time of your testing, was we had a failure in our H2S monitor at the lift station and I am not sure what our reading were at that time.

It was repaired and calibrated and put back in service on September 30th.

In June of this year, we installed an aerated mixer in our wet well to help with some FOG type of issues we have had over the years. This mixer was also said to help with H2S, as well as keeping the wet well clean. I have been monitoring our H2S levels in the wet well, and the monthly averages were below 0.2PPM, so I had lowered the feed rate at the Bioxide feed stations.

Since the notification of the violation, I have increased the chemical feed rate at the Bioxide feed stations.

We have been looking into the possibility that part of our issue is downstream of our lift station in our force main. The force main is 1300 feet of 6-inch HDPE pipe with a few turns in the line, and we have a maximum pumping rate of 200 GPM, our engineers said that we are probably not getting a good enough scour of the pipe, and this could be causing some of the issues.

To see if cleaning the force main would help with these issues we have contracted C & E Excavating, Inc. to install several cleanouts in the line so we can have contractor come in and jet our line regularly.

As of this week, C&E has all the materials in house and are getting the required permits and locates before they assign a crew to start the project. They say this project should only take a few days to complete, and then we can have the line cleaned.

I will contact you when this has been completed.

Steven Grubb/MCO/SLCD

574-596-0043

sgrubb2255@outlook.com



City of Elkhart
Public Works and Utilities

To: Members of the Elkhart Board of Public Works
From: Lynn Brabec, Environmental Compliance Manager *LB*
Date: January 4, 2022
Re: Notice of Violation with Compliance Order:
Permit #85-01 McDowell Enterprises, Incorporated

McDowell Enterprises, 2010 Superior Street, Elkhart, IN is an Electroplating job shop.

Between January 1, 2019, and September 1, 2021, twenty-three unresolved daily maximum violations and fourteen 4-day average violations were identified by IDEM. Due to on-going and changing consent orders the Board of Works requested all violations be dealt with at one time once all changes and upgrades were complete. IDEM has stated that these violations must be addressed without delay. The attached spreadsheet summarizes the details of all violations that occurred during this time period.

The Enforcement Response Plan, Section 9.1.1 (a) *"Discharging wastewater containing metals in excess of established limits per parameter."* Additionally, the Wastewater Utility Use Ordinance No. 5746, as amended states in Section 9.1 Effluent Limitation Penalties: *"Any User, who is found to have violated any Effluent Limitation set forth in this Ordinance, contained in the User's Industrial Wastewater Discharge Permit or found to have caused the POTW to violate any Effluent Limitation in the POTW's permit shall be fined no more than \$2,500.00 for each offense "*. The written response from McDowell Enterprises is attached for your review.

Each day on which a violation occurs or continues to occur may be deemed as a separate and distinct offense. In accordance with the Enforcement Response Plan Penalty Matrix the penalties may be assessed as listed in the attached spreadsheet.

Total Recommended Penalty

\$15,950.00

Penalty Assessed _____

Approved this 4th day of January, 2022

Michael Machlan, President

Date

Jamie Arce, Vice-President

Date

Chad Crabtree

Date

Ronnie Davis

Date

Rosa Rivera

Date

Parameter: Total Metals

Daily Limit Penalties

Monitoring Point	Sampled by	Parameter	Start Date Sampled	End Date Sampled	Conc Numeric Result	Conc Units	Daily Limit	Result Type	Recommended Penalty
Process	McDowell	Total metals	5/22/2019	5/22/2019	35.39	mg/L	10.2	DAILY	\$100.00
Process	McDowell	Total metals	8/21/2019	8/21/2019	58.495	mg/L	10.2	DAILY	\$200.00
Process	McDowell	Total metals	3/31/2020	3/31/2020	27.87	mg/L	10.2	DAILY	\$300.00
Process	McDowell	Total metals	4/22/2021	4/22/2021	32.18	mg/L	10.2	DAILY	\$200.00

Group Total: \$800.00

Parameter: Metals

Daily Limit Penalties

Monitoring Point	Sampled by	Parameter	Start Date Sampled	End Date Sampled	Conc Numeric Result	Conc Units	Daily Limit	Result Type	Recommended Penalty
Process	McDowell	Zinc, Total	5/22/2019	5/22/2019	32.2	mg/L	4.2	DAILY	\$100.00
Process	City	Zinc, Total	6/26/2019	6/26/2019	5.26	mg/L	4.2	DAILY	\$200.00
Process	McDowell	Nickel, Total	8/21/2019	8/21/2019	6.26	mg/L	4.1	DAILY	\$300.00
Process	McDowell	Zinc, Total	8/21/2019	8/21/2019	51.4	mg/L	4.2	DAILY	\$300.00
Process	City	Zinc, Total	3/11/2020	3/11/2020	10.5	mg/L	4.2	DAILY	\$300.00
Process	McDowell	Chromium, Total	3/31/2020	3/31/2020	21.7	mg/L	7	DAILY	\$300.00
Process	City	Chromium, Total	10/7/2020	10/7/2020	400	mg/L	7	DAILY	\$300.00
Process	City	Copper, Total	10/7/2020	10/7/2020	149	mg/L	4.5	DAILY	\$300.00
Process	City	Lead, Total	10/7/2020	10/7/2020	2.14	mg/L	0.6	DAILY	\$300.00
Process	City	Nickel, Total	10/7/2020	10/7/2020	538	mg/L	4.1	DAILY	\$300.00
Process	City	Zinc, Total	10/7/2020	10/7/2020	1950	mg/L	4.2	DAILY	\$300.00
Process	McDowell	Chromium, Total	4/22/2021	4/22/2021	25.8	mg/L	7	DAILY	\$300.00

Group Total: \$3,300.00

Parameter: pH

Daily Limit Penalties

Monitoring Point	Sampled by	Parameter	Start Date Sampled	End Date Sampled	Conc Numeric Result	Conc Units	Daily Limit	Result Type	Recommended Penalty
Pipe	City	pH	6/26/2019	6/26/2019	2.3	pH Units	5.0-10.0	DAILY	\$100.00
Process	City	pH	11/20/2019	11/20/2019	10.2	pH Units	5.0-10.0	DAILY	\$100.00
Process	McDowell	pH	12/22/2020	12/22/2020	10.04	pH Units	5.0-10.0	DAILY	\$100.00
Process	McDowell	pH	2/24/2021	2/24/2021	10.04	pH Units	5.0-10.0	DAILY	\$150.00
Process	McDowell	pH	8/26/2021	8/26/2021	10.04	pH Units	5.0-10.0	DAILY	\$200.00

Group Total: \$650.00

All Parameters
4 Day Average Penalties

Metals

Monitoring Point	Sampled by	Parameter	Start Date Sampled	End Date Sampled	Conc Numeric Result	Conc Units	4 Day Average	4 Day Average Limit	Result Type	Recommended Penalty
Process	McDowell	Zinc, Total	12/5/2018	12/5/2018	1.95	mg/L		2.6	DAILY	N/A
Process	McDowell	Zinc, Total	2/26/2019	2/26/2019	0.657	mg/L		2.6	DAILY	N/A
Process	McDowell	Zinc, Total	5/22/2019	5/22/2019	32.2	mg/L		2.6	DAILY	N/A
Process	City	Zinc, Total	6/26/2019	6/26/2019	5.26	mg/L		2.6	DAILY	N/A
Process		Zinc, Total	6/1/2019	6/30/2019		mg/L	10.01675	2.6	4 DAY	\$400.00
Process	McDowell	Nickel, Total	5/22/2019	5/22/2019	2.96	mg/L		2.6	DAILY	N/A
Process	City	Nickel, Total	6/26/2019	6/26/2019	1.34	mg/L		2.6	DAILY	N/A
Process	McDowell	Nickel, Total	8/21/2019	8/21/2019	6.26	mg/L		2.6	DAILY	N/A
Process	McDowell	Nickel, Total	11/12/2019	11/12/2019	0.879	mg/L		2.6	DAILY	N/A
Process		Nickel, Total	11/1/2019	11/30/2019		mg/L	2.85975	2.6	4 DAY	\$800.00
Process	McDowell	Zinc, Total	8/21/2019	8/21/2019	51.4	mg/L		2.6	DAILY	N/A
Process	McDowell	Zinc, Total	11/12/2019	11/12/2019	1.11	mg/L		2.6	DAILY	N/A
Process	City	Zinc, Total	11/20/2019	11/20/2019	4.16	mg/L		2.6	DAILY	N/A
Process	City	Zinc, Total	3/11/2020	3/11/2020	10.5	mg/L		2.6	DAILY	N/A
Process		Zinc, Total	3/1/2020	3/31/2020		mg/L	16.7925	2.6	4 DAY	\$1,200.00
Process	City	Nickel, Total	11/20/2019	11/20/2019	1.08	mg/L		2.6	DAILY	N/A
Process	City	Nickel, Total	3/11/2020	3/11/2020	2.32	mg/L		2.6	DAILY	N/A
Process	McDowell	Nickel, Total	3/31/2020	3/31/2020	2.42	mg/L		2.6	DAILY	N/A
Process	City	Nickel, Total	10/7/2020	10/7/2020	538	mg/L		2.6	DAILY	N/A
Process		Nickel, Total	10/1/2020	10/31/2020		mg/L	135.955	2.6	4 DAY	\$1,200.00
Process	City	Chromium, Total	3/11/2020	3/11/2020	1.16	mg/L		4	DAILY	N/A
Process	McDowell	Chromium, Total	3/31/2020	3/31/2020	21.7	mg/L		4	DAILY	N/A
Process	City	Chromium, Total	10/7/2020	10/7/2020	400	mg/L		4	DAILY	N/A
Process	McDowell	Chromium, Total	12/22/2020	12/22/2020	0.512	mg/L		4	DAILY	N/A
Process		Chromium, Total	12/1/2020	12/31/2020		mg/L	105.843	4	4 DAY	\$1,200.00
Process	City	Copper, Total	3/11/2020	3/11/2020	1.53	mg/L		2.7	DAILY	N/A
Process	McDowell	Copper, Total	3/31/2020	3/31/2020	1.22	mg/L		2.7	DAILY	N/A
Process	City	Copper, Total	10/7/2020	10/7/2020	149	mg/L		2.7	DAILY	N/A
Process	McDowell	Copper, Total	12/22/2020	12/22/2020	0.607	mg/L		2.7	DAILY	N/A
Process		Copper, Total	12/1/2020	12/31/2020		mg/L	38.08925	2.7	4 DAY	\$1,200.00
Process	City	Lead, Total	3/11/2020	3/11/2020	0.016	mg/L		0.4	DAILY	N/A
Process	McDowell	Lead, Total	3/31/2020	3/31/2020	0	mg/L		0.4	DAILY	N/A
Process	City	Lead, Total	10/7/2020	10/7/2020	2.14	mg/L		0.4	DAILY	N/A
Process	McDowell	Lead, Total	12/22/2020	12/22/2020	0	mg/L		0.4	DAILY	N/A
Process		Lead, Total	12/1/2020	12/31/2020		mg/L	0.539	0.4	4 DAY	\$1,200.00
Process	McDowell	Zinc, Total	3/31/2020	3/31/2020	2.53	mg/L		2.6	DAILY	N/A
Process	City	Zinc, Total	10/7/2020	10/7/2020	1950	mg/L		2.6	DAILY	N/A
Process	McDowell	Zinc, Total	12/22/2020	12/22/2020	0.42	mg/L		2.6	DAILY	N/A
Process	McDowell	Zinc, Total	2/24/2021	2/24/2021	4.18	mg/L		2.6	DAILY	N/A
Process		Zinc, Total	2/1/2021	2/28/2021		mg/L	489.2825	2.6	4 DAY	\$1,200.00
Process	McDowell	Chromium, Total	2/24/2021	2/24/2021	4.65	mg/L		4	DAILY	N/A
Process	McDowell	Chromium, Total	4/22/2021	4/22/2021	25.8	mg/L		4	DAILY	N/A
Process	McDowell	Chromium, Total	5/21/2021	5/21/2021	6.68	mg/L		4	DAILY	N/A
Process	McDowell	Chromium, Total	6/16/2021	6/16/2021	0	mg/L		4	DAILY	N/A
Process		Chromium, Total	6/1/2021	6/30/2021		mg/L	9.2825	4	4 DAY	\$1,200.00

Total Metals

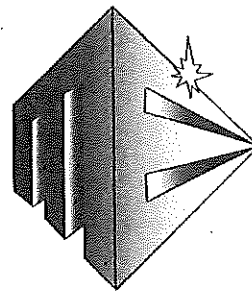
Process	McDowell	Total metals	2/26/2019	2/26/2019	2.888	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	5/22/2019	5/22/2019	35.39	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	8/21/2019	8/21/2019	58.495	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	11/12/2019	11/12/2019	3.862	mg/L		6.6	DAILY	N/A
Process		Total metals	11/13/2019	11/13/2019		mg/L	25.15875	6.6	4 DAY	\$400.00
Process	McDowell	Total metals	3/31/2020	3/31/2020	27.87	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	5/22/2020	5/22/2020	6.997	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	12/22/2020	12/22/2020	1.765	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	2/24/2021	2/24/2021	9.274	mg/L		6.6	DAILY	N/A
Process		Total metals	2/25/2021	2/25/2021		mg/L	11.4765	6.6	4 DAY	\$400.00
Process	McDowell	Total metals	4/22/2021	4/22/2021	32.18	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	6/16/2021	6/16/2021	1.878	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	8/26/2021	8/26/2021	6.997	mg/L		6.6	DAILY	N/A
Process	McDowell	Total metals	9/15/2021	9/15/2021	3.66	mg/L		6.6	DAILY	N/A
Process		Total metals	9/16/2021	9/16/2021		mg/L	11.17875	6.6	4 DAY	\$800.00

Group Total: \$11,200.00

Grand Total: \$15,950.00

McDowell Enterprises, Inc.

Finishing first for our customers



City of Elkhart

Board of Works 1201 S. Nappanee Street

Elkhart, Indiana 46516

December 16, 2021

McDowell Enterprises, Inc. takes environmental compliance very seriously. As such, an environmental operator has always been hired and trained to monitor and control the onsite waste water treatment facility. Over the last two years, we have had three operators, all of whom were trained by an outside consultant and advised on a daily basis what to watch. Despite all of these efforts, we have had unusual circumstances where drugs, laziness, or simply not caring have caused major issues.

McDowell attempted to address these resource issues by making the system as automatic as possible to avoid upsets and non-compliance. These efforts have not been totally successful as the numbers indicate. In every instance, there has been communication and discussion with the City Waste Treatment personnel.

The decision to reclassify an in-place system nineteen years after the system's installation has further confused the issues and presented unique problems of its own. Exactly when and how to make the needed changes was delayed as the CoVid 19 pandemic shut down most activity. Again, there was constant communication with the Waste Treatment personnel during this time, but no



M E M O R A N D U M

DATE: January 4th, 2022

TO: Board of Public Works

FROM: Danielle Garlington, Graduate Engineer EIT

RE: **Change Order #1 Elkhart Riverwalk Boardwalk– Bid #21-15**

Attached is a change order request for the Elkhart Riverwalk Boardwalk project. This change order is for additional work, predominately on the pedestrian bridge over Elkhart river.

Changes in work were a result of changing field conditions. The nature of the additional work is described below:

- Clean and prime stringers (beams): grind edges of metal- \$6,400.00
- Bridge stringer repair: full penetration weld along the full length of crack- \$80.00
- Drill stringer drain holes- \$560.00
- Reset timber decking- \$28,160.00
- CRAFCO expansion joint: north and south approach of boardwalk- \$1,800.00

This entire change order is for the additional unplanned work for the Elkhart Riverwalk Boardwalk project. This change order request is for an increase of \$37,000.00 from the original contract price of \$322,760.00. Approval of this change order would increase the contract price to \$359,760.00, resulting in a 11.5% increase from the original contract price.

This change order will keep the project under the current budget.

It is requested the Board of Public Works approve Change Order #1 for the Elkhart Riverwalk Boardwalk project, Bid #21-15, for an increase of \$37,000.00 bringing the current contract price to \$359,760.00

CITY OF ELKHART

PUBLIC WORKS & UTILITIES

Change Order No. One
Dated 12/15/2021

Project: **Elkhart Riverwalk Boardwalk** Contract No. 21-15

To: LaPorte Construction
Contractor

You are required to make the changes noted below in the subject Contract:

City of Elkhart

By _____
President, Board of Public Works

Dated _____

Nature of Changes

Bridge Stringer Repair	\$	80.00
Install Stringer Drain Holes	\$	560.00
Reset Timber Decking	\$	28,160.00
Clean and Prime Stringers	\$	6,400.00
CRAFCO Expansion Joint, 11" Wide	\$	1,800.00
TOTAL	\$	37,000.00

These changes result in the following adjustment of Contract Price and Contract Time:

Original Contract Price	\$	<u>322,760.00</u>
Contract Price Prior to this Change Order	\$	<u>322,760.00</u>
Net change resulting from this Change Order	\$	<u>37,000.00</u>
Current Contract Price including this Change Order	\$	<u>359,760.00</u>
Current Contract Price % Change from Original Price		<u>11.5%</u>
Contract Time prior to this Change Order		<u>10/29/2021</u>
		(Days or Time)
Net Time change resulting from this Change Order		<u>40</u>
		(Days)
Current Contract Time including this Change Order		<u>12/10/2021</u>
		(Days or Time)

The above changes are approved:

Public Works & Utilities

BY: 
Engineer

12/16/21
DATE

The above changes are accepted:

By: 
Contractor Lori Schrad, President

12/16/2021
DATE



M E M O R A N D U M

DATE: December 23, 2021
TO: Board of Public Works
FROM: Edgar Moreno, Utility Engineer *EM*
RE: **Elkhart WWTP Capacity Upgrades – Phase 2 – QA7634: Approval of Partial Payment Request #39 to Donohue & Associates, Inc.**

Please see the attached invoice #39 from Donohue & Associates, Inc. for professional services provided for the Elkhart WWTP Capacity Upgrades – Phase 2 project for work performed through December 18, 2021. The invoice totals \$33,539.00 as required by SRF.

To date, including this payment, we have paid \$1,854,166.00 or 48.01% of the contract.

It is requested that the BOW:

approve partial payment request #39 in the amount of \$33,539.00 to Donohue & Associates, Inc. from the allocated SRF loan for professional services on the Elkhart WWTP Capacity Upgrades – Phase 2 project.



M E M O R A N D U M

DATE: December 23, 2021

TO: Board of Public Works

FROM: Ryan Clussman, Right-of-Way Engineer *RC*

RE: **Change Order Request #3: South Main Street Streetscape Lusher to Hively project – Bid #21-14**

Attached is change order request #3 for the South Main Street Streetscape Reconstruction project. This change order is for additional work by Selge Construction.

This change order is for additional work and pay items pertaining to an additional stormwater sewer connection along Beveridge Avenue.

This change order request is for an increase of \$58,136.50 to the current contract price of \$2,717,597.25. Approval of change order #3 would increase the current contract price to \$2,775,733.75, resulting in a 8.2% increase from the original contract price of \$2,564,408.75.

It is requested the Board of Public Works:
approve Change Order #3 for the South Main Street Streetscape Reconstruction project, Bid #21-14, for an increase of \$58,136.50, bringing the current Contract price to \$2,717,597.25.

CITY OF ELKHART

PUBLIC WORKS & UTILITIES

Change Order No. Three
 Dated 12/7/2021

Project: **SOUTH MAIN STREET STREETScape LUSHER TO HIVEL** Contract No. 21-14

To: SELGE CONSTRUCTION
 Contractor

You are required to make the changes noted below in the subject Contract:

City of Elkhart

By _____
 President, Board of Public Works

Dated _____

Nature of Changes

ADDITIONAL STORM SEWER CONNECTION ON BEVERIDGE AVE.

CO4. Additional Pavement Removal - 430 SYS	\$3,246.50
CO5. Additional Clearing and Grubbing - 1 LS	\$14,000.00
CO6. Storm Pipe, Type 2, 24" RCP - 306 LF	\$29,070.00
CO7. HMA Surface, 1.5 IN - 430 SYS	\$2,408.00
CO8. HMA Intermediate, 3 IN - 430 SYS	\$3,827.00
CO9. HMA Base, 3 IN - 430 SYS	\$4,085.00
CO10. Structure Modification, Core 24"	\$1,500.00
TOTAL	\$ 58,136.50

These changes result in the following adjustment of Contract Price and Contract Time:

Original Contract Price	\$	2,807,446.50	2,564,408.75
Contract Price Prior to this Change Order	\$	2,868,305.00	2,717,597.25
Net change resulting from this Change Order	\$	58,136.50	
Current Contract Price including this Change Order	\$	2,948,441.50	2,775,733.75
Current Contract Price % Change from Original Price		7.5%	
Contract Time prior to this Change Order		NO CHANGE	
		(Days or Time)	
Net Time change resulting from this Change Order		NO CHANGE	
		(Days)	
Current Contract Time including this Change Order		NO CHANGE	
		(Days or Time)	

The above changes are approved:

Public Works & Utilities
 BY: Ryan W. Clausen
 Engineer
12/16/21
 DATE

The above changes are accepted:

BY: [Signature]
 Contractor
12/16/21
 DATE





M E M O R A N D U M

DATE: December 23, 2021

TO: Board of Public Works

FROM: Ryan Clussman, Right-of-Way Engineer *RC*

RE: **Change Order Request #4: South Main Street Streetscape Lusher to Hively project – Bid #21-14**

Attached is change order request #4 for the South Main Street Streetscape Reconstruction project. This change order is for additional work by Selge Construction.

This change order is for additional work and pay items pertaining to an additional stormwater sewer connection along Beveridge Avenue.

This change order request is for an increase of \$30,601.00 to the current contract price of \$2,775,733.75. Approval of change order #4 would increase the current contract price to \$2,806,334.75, resulting in a 9.4% increase from the original contract price of \$2,564,408.75.

It is requested the Board of Public Works:

approve Change Order #4 for the South Main Street Streetscape Reconstruction project, Bid #21-14, for an increase of \$30,601.00, bringing the current Contract price to \$2,806,334.75.

CITY OF ELKHART

PUBLIC WORKS & UTILITIES

Change Order No. Four
Dated 12/13/2021

Project: SOUTH MAIN STREET STREETSCAPE LUSHER TO HIVEL Contract No. 21-14

To: SELGE CONSTRUCTION
Contractor

You are required to make the changes noted below in the subject Contract:

City of Elkhart

By _____
President, Board of Public Works

Dated _____

Nature of Changes

ADDITIONAL STORM SEWER CONNECTION ON BEVERIDGE AVE.

CO11. Additional Maintenance of Traffic	\$1,925.00
CO12. Storm Manhole	\$4,300.00
CO13. Storm Pipe, Type 2, Circular, 12 - IN, RCP	\$2,880.00
CO14. Additional Construction Engineering	\$1,930.00
CO15. Watermain, Lower 12"	\$6,220.00
CO16. Temporary Striping Mobilization	\$1,150.00
CO17. Temp, Paint, Solid, Yellow, 4"	\$2,040.00
CO18. Temp, Paint, Skip, Yellow, 4"	\$2,540.00
CO19. Temp, Paint, Solid, White, 4"	\$262.00
CO20. Temp, Paint, Skip, White, 4"	\$164.00
CO21. Winter Concrete Charges	\$5,000.00
CO22. Remove and Replace Sanitary Castings	\$2,190.00

TOTAL \$30,601.00

These changes result in the following adjustment of Contract Price and Contract Time:

Original Contract Price	<u>\$ 2,564,408.75</u>
Contract Price Prior to this Change Order	<u>\$ 2,775,733.75</u>
Net change resulting from this Change Order	<u>\$ 30,601.00</u>
Current Contract Price including this Change Order	<u>\$ 2,806,334.75</u>
Current Contract Price % Change from Original Price	<u>9.4%</u>
Contract Time prior to this Change Order	<u>NO CHANGE</u> (Days or Time)
Net Time change resulting from this Change Order	<u>NO CHANGE</u> (Days)
Current Contract Time including this Change Order	<u>NO CHANGE</u> (Days or Time)

The above changes are approved:

Public Works & Utilities
BY: Angela W. Olyson
Engineer
12/16/21
DATE

The above changes are accepted:

BY: Justin Little
Contractor
12/16/21
DATE





M E M O R A N D U M

DATE: December 28, 2021

TO: Board of Public Works

FROM: Ryan Clussman, Right-of-Way Engineer *RC*

RE: **Change Order Request #3 and Final: Benham Avenue Reconstruction project – Bid #20-23**

Attached is change order request #3 and final for the Benham Avenue Reconstruction project. This change order is for a reduction in the work by Milestone (Walsh & Kelly, Inc).

This change order is for a reduction in the quantities in the work done at the intersection of Benham and Lusher.

This change order request is for a decrease of \$18,889.84 to the current contract price of \$3,096,340.03. Approval of change order #3 and final would decrease the current contract price to \$3,077,450.19, resulting in a 11.9% increase from the original contract price of \$2,749,780.00.

It is requested the Board of Public Works:
approve Change Order #3 and final for the Benham Avenue Reconstruction project, Bid #20-23, for a decrease of \$18,889.84, bringing the current Contract price to \$3,077,450.19.

CITY OF ELKHART

PUBLIC WORKS & UTILITIES

Change Order No. Three/Final
Dated 12/15/2021

Project: Benham Avenue Reconstructon - Indiana Avenue to Lushe Contract No. 20-23

To: Walsh & Kelly, Inc.
Contractor

You are required to make the changes noted below in the subject Contract:

City of Elkhart

By _____
President, Board of Public Works

Dated _____

Nature of Changes

Adjustment to Final Quantities (\$18,889.84)

TOTAL \$ (18,889.84)

These changes result in the following adjustment of Contract Price and Contract Time:

Original Contract Price	<u>\$ 2,749,780.00</u>
Contract Price Prior to this Change Order	<u>\$ 3,096,340.03</u>
Net change resulting from this Change Order	<u>\$ (18,889.84)</u>
Current Contract Price including this Change Order	<u>\$ 3,077,450.19</u>
Current Contract Price % Change from Original Price	<u>11.9%</u>
Contract Time prior to this Change Order	<u>NO CHANGE</u> (Days or Time)
Net Time change resulting from this Change Order	<u>NO CHANGE</u> (Days)
Current Contract Time including this Change Order	<u>NO CHANGE</u> (Days or Time)

The above changes are approved:

Public Works & Utilities
BY: Ryan W. Censen
Engineer
12/28/21
DATE

The above changes are accepted:

BY: E. J. Pulipon
Contractor
Dec 27, 2021
DATE