

**CITY OF ELKHART
BOARD OF PUBLIC WORKS MEETING
AGENDA**

Common Council Chambers

9:00 A.M., Tuesday, September 3, 2024

<https://signin.webex.com/join>

Meeting Number (access code): 2318 724 9610 Meeting password: BOW24

Join by phone: 1-415-655-0001

I. Roll Call

II. Approve Agenda

III. Open Quotes

- Quote #24-26 Tree Removal Southwest

IV. Claims & Allowance Docket

V. Minutes Regular Meeting August 20, 2024

VI. Utilities

a.) Administration

- Wastewater MRO for July 2024

b.) Water Quality

- BOW Resolution 24-R-27 Appropriation

c.) Summary

- Water Assessment
- Sewer Assessment
- Revocable
- Driveway
- Release of Bond

VII. Engineering

a.) Utility

- Ratify Partial Payment #32 to DLZ: Oakland Ave. Project B Storage Tank Design
- Ratify Partial Payment #33 to DLZ: Oakland Ave. Project B Storage Tank Design
- Ratify Partial Payment #73 to Donohue & Associates: Elkhart WWTP Capacity Upgrades Phase 2 QA7634
- BOW Resolution 24-R-25 Appropriation: Change Order #2 Oakland Avenue Project A
- Ratify Partial Payment #30 to American Structurepoint: Oakland Ave. Project C Harrison St. Design
- Ratify Partial Payment #31 to American Structurepoint: Oakland Ave. Project C Harrison St. Design

VIII.

New Business

- Request Quote #24-27 Tree Removal Project Central
- PSA with DLZ Indiana LLC for City Hall HVAC Improvements
- Request Proposals/ Professional Services- HUD Five-Year Consolidated Plan
- Contract with Conway Entertainment Group, Inc.
- Request to Purchase 2015 Newmar Bay Star RV from RETA, Inc

IX.

Award Quote #24-26 Tree Removal Southwest

X.

Public Participation

XI.

Adjournment



FORESTRY

MEMORANDUM

Date: 27AUG, 2024
To: Board of Public Works
From: Chip Tallman, City Forester
Re: Awarding of Quote #24-26 TREE REMOVAL SOUTHWEST

CONTRACTOR	QUOTE TOTAL
Chapmans Tree Care	
K C Tree Service	
Williams A-1 Tree Service	
Hartwood Tree Care	
Cut-Rite Tree Services	

After reviewing the quotes for Tree Removal Southwest, the Forestry Division of the Public Buildings & Grounds Department recommends that the Board of Public Works grants a contract to:

_____ and requests that they authorize such to be administered and monitored by the City Forester.

Funding for this project will come from Buildings & Grounds under contract services.

Board of Public Works
CLAIM AND ALLOWANCE DOCKET

I HEREBY CERTIFY THAT EACH OF THE ABOVE LISTED VOUCHERS AND INVOICES OR BILLS ATTACHED THERETO ARE TRUE AND CORRECT AND I HAVE AUDITED SAME IN ACCORDANCE WITH IC 5-11-10-1.6. I ALSO HEREBY CERTIFY THAT THESE VOUCHERS AND INVOICES REPRESENT GOODS AND/OR SERVICES THAT ARE FOR THE BENEFIT OF THE CITY OF ELKHART AND THAT APPROPRIATIONS FOR THESE EXPENDITURES HAVE BEEN DULY MADE OR OTHERWISE AUTHORIZED BY THE CITY COUNCIL AND OTHER APPROPRIATE AUTHORITY.

August 28th, 2024


ERIN KOONS - DEPUTY CITY CONTROLLER

IN RELIANCE ON THE ABOVE CERTIFICATION, CLAIMS IN THE TOTAL AMOUNT OF \$8,561,288.64 AS LISTED ON THE REGISTER ATTACHED HERETO CONSISTING OF 28 PAGES, ARE HEREBY APPROVED EXCLUDING ANY CLAIMS WITHHELD AS SHOWN ON THE SEPARATE SUMMARY OF PENDING CLAIMS.

EXECUTED THIS 3RD DAY OF SEPTEMBER 2024 BY:

PRESIDENT

MICHAEL C. MACHLAN

VICE PRESIDENT

JAMIE ARCE

MEMBER

RON DAVIS

MEMBER

ROSE RIVERA

MEMBER

ANDY JONES

ORIGINAL COPY MUST BE RETAINED IN THE CONTROLLER'S OFFICE

Board of Public Works

Accounts Payable Summary 9.3.24

Individual Claims Over \$25,000 each:

Fund	Vendor	Description	Amount
2201	ADVANTAGE HIGHWAY COMPANY	TEMPORARY CURB/ TRAFFIC SEPERATORS	\$ 30,804.00
2226	LACASA OF GOSHEN, INC	Res Rehab 209 N. 2nd Street Claim 8	\$ 32,342.83
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt- 511.31 for Riverview Park & Riverview Ave	\$ 34,513.52
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt- 597.30 tons for Joyce Ct	\$ 40,317.86
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 47,100.00
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 48,100.00
1101	BLOOMINGTON FORD INC	2023 FORD EXPLORERS	\$ 48,372.25
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 49,100.00
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 49,100.00
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 49,100.00
4445	ELKHART FESTIVALS, INC	Downtown After Dark	\$ 50,000.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 50,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 50,300.00
1101	KIESLER POLICE SUPPLY, INC.	AMMO	\$ 50,370.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 51,500.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	CROSS EXCAVATING & DEMOLITION, LLC	culvert replacement	\$ 60,000.00
2503	NIBLOCK EXCAVATING INC	GAUSE LOT REPAIRS	\$ 103,691.50
1101	PREMIUM CONCRETE SERVICES, INC.	BENHAM AND MISHAWAKA PATH	\$ 161,717.41
1101	PREMIUM CONCRETE SERVICES, INC.	BENHAM AND MISHAWAKA PATH	\$ 273,619.61
4450	PREMIUM CONCRETE SERVICES, INC.	Cassopolis St Improvements	\$ 334,388.69
Total Claims over \$25,000			\$1,193,917.21
Regular Claims under \$25,000:			\$ 1,263,513.64
Total Regular Departmental Claims:			\$2,457,430.85

Pre-Approved Claims Over \$25,000 each: (a)

6106	IN DEPARTMENT OF REVENUE	July 2024 EPU Sales Tax	\$ 33,417.97
7704	ANTHEM INSURANCE COMPANIES INC	ADMINISTRATIVE FEES- MEDICAL	\$ 40,768.36
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - PHARMACY	\$ 51,208.11
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - MEDICAL	\$ 75,541.50
7704	ANTHEM INSURANCE COMPANIES INC	SPECIFIC STOP LOSS - MEDICAL	\$ 89,898.00
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - MEDICAL	\$ 97,207.60
8806	INDIANA PUBLIC RETIREMENT SYSTEM-FIRE	INPRS- Fire 8.02.2024 Payroll	\$ 106,513.65
4445	MERIDIAN TITLE CORPORATION	Purchase of 420 S. Second St.	\$ 147,486.61
8806	INDIANA PUBLIC RETIREMENT SYSTEM	INPRS-CivilCity8.02.24RegularWage and Contribution	\$ 147,582.80
4436	MERIDIAN TITLE CORPORATION	Purchase of 121 W. Franklin	\$ 3,119,814.32
Total Pre-Approved over \$25,000:			\$ 3,521,397.38
Total Pre-Approved Claims under \$25,000:			\$ 559,956.86
Total Pre-Approved Claims:			\$ 4,081,354.24

American Rescue Plan Claims:

2474	HEART CITY HEALTH CENTER INC	Elkhart Thrive Neighborhood Hub Initiative	\$ 24,230.76
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Total American Resuce Plan Claims: \$ 24,230.76

UTILITY REFUNDS

\$ 385.42

Payroll and Pension Payments:

Police & Fire Clothing Allowance
Police & Fire Pension
Bi-weekly Payroll

\$ 1,997,887.37
Total Payroll: \$ 1,997,887.37

Total All Claims, Internal Payments, and Payroll: \$ 8,561,288.64

(a) Claims with rigid payment deadlines. As provided for in the Elkhart Municipal Code §33.415, certain payments may be made prior to review and approval by the Board of Public Works. Typically such payments include utility bills, credit card bills, central services, association dues, employer-paid benefits, training, and employee reimbursements. Unusual items in excess of \$25,000 are noted in detail.

BOARD OF PUBLIC WORKS
Tuesday, August 20, 2024

President Michael Machlan called a regular meeting of the Board of Public Works to order at 9:00 a.m., Tuesday, August 20, 2024. Clerk of the Board Nancy Wilson called the roll. Michael Machlan, Andy Jones, Rose Rivera, Jamie Arce, and Ronnie Davis attended in person. Mike noted the time was after 9:00 a.m. and no more quotes would be accepted.

1. Approve Agenda

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the agenda was approved as presented.

2. Open Quotes

Quote #24-25 SR 19 Access Management Phase 1- Temporary Plan

No quotes were received.

3. Claims & Allowance Docket

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved the claims and allowance docket in the amount of \$8,616,749.07, consisting of 37 pages as prepared on August 14, 2024 at 8:36 a.m.

4. Minutes Regular Meeting August 6, 2024

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved the minutes from the regular meeting on August 6, 2024.

5. Utilities

(A.) Administration

Water Utility MRO for July 2024

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board accepted and placed on file the Water Utility MRO for July 2024.

(B.) Pretreatment

FOG Violation Chubby Trout 3421 Plaza Court

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board found Chubby Trout in violation of the 25% Rule and assigned a revised penalty of \$100.00 per the City of Elkhart Enforcement Response Plan. Steve Brown explained the reason to revise the violation to the Board.

FOG Violation Smokin Fatty's BBQ 3241 Plaza Court

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board found Smokin Fatty's BBQ in violation of the 25% Rule and assigned a revised penalty of \$100.00 per the City of Elkhart Enforcement Response Plan. Steve Brown explained the reason to revise the violation to the Board.

Industrial Wastewater Discharge Permit Delisting for Dynamic Metals Permit #85-22

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board delisted the Dynamic Metals Permit #85-22 Industrial Wastewater Discharge Permit.

Industrial Wastewater Discharge Permit Delisting for American Electronic Components Permit #85-24

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board delisted the American Electronic Components, Permit #85-24 Industrial Wastewater Discharge Permit.

Bimbo Bakeries Industrial Wastewater Discharge Permit #2006-03

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board

BOARD OF PUBLIC WORKS
Tuesday, August 20, 2024

renewed Bimbo Bakeries five-year Industrial Wastewater Discharge Permit #2006-03.

JBS Prepared Foods Industrial Wastewater Discharge Permit #2002-01

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board renewed JBS Prepared Foods five-year Industrial Wastewater Discharge Permit #2002-01. Ben Nuss of JBS Prepared Foods Plant Manager gave the Board an update on their progress for the Administrative Order Manhole Project. There has been some back and forth because it looks like the cost is going to exceed \$200,000.00 to put the manhole cover in. The deadline is September 30, 2024. It is not feasible for a few reasons. One is the fact that once we determine the depth of the pipe and everything we are looking at a 16-week lead-time just on the pre-manufactured manhole components. We are working with surveying and mapping with an Engineering firm here in Elkhart. The point of contact is Debra Hughes. They are collecting all the data, verifying all of the easements and everything. It is also alongside a State Highway, which makes it more difficult. We are going to prepare a preliminary sanitary sewer plan and a profile drawing of the areas of the proposed work. Then we need to submit that for client review. We are going to prepare a final sanitary sewer construction drawing. We have also got to complete a land survey to determine the path and depth of the sewer line, and we are going to work with the City of Elkhart of course to make sure the position of the manhole on that property meets the needs and requirements set forth. We also need to coordinate with Contractors to install electrical service to the manhole. I'm not asking for an extension today. I'm here to provide an update so we have clear communication moving forward. I understand the deadline is September 30, 2024. It will be longer than that. We don't have any real dates to give anyone yet because there are a lot of moving pieces to this. Ben said he will be present to update the Board and the Public works and Utilities department. Ben said he has to present all of this to the people he works for at JBS. This is a considerable amount of money. He said if he asks for information; please regard that as part of the process. He is trying to make sure they are responsible corporate citizens. He said late next week he should have answers from all of the contractors. They will probably ask for a 25-week extension for this manhole. The only date he knows so far is, once they know the depth of the manhole, they have a 16-week lead-time on that prefabricated unit. They still have to have everything determined as far as the measurements and surveying before they can start excavation or ordering parts. They also want to be extra careful about this. Before they order the manhole, they will run everything by Steve Brown. They want to make sure they are all on the same page with what they are putting in. He thanked the Board for their time. Mike thanked him for the update.

6. Engineering

(A.) Administration

Change Order #1 & Final for Quote #24-17 Gause Lot Repairs

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved Change Order #1 & Final for Quote #24-17, Gause Lot Repairs, increasing the contract value by \$7,600.00, resulting in a contract price of \$103,691.50.

BOARD OF PUBLIC WORKS
Tuesday, August 20, 2024

Amendment #1 to Professional Services Agreement with DLZ Indiana, LLC for ADA Transition Plan Updates- Buildings

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board authorized the Board President to execute Amendment #1 to Professional Services Agreement with DLZ Indiana LLC for ADA Transition Plan Update- Buildings, adding the Lerner to the contract, for a revised fee not to exceed \$43,000.00.

(B.) Utility

Change Order #7 for Bid #21-13 Elkhart WWTP Capacity Upgrades Phase II QA7634 (Tabled)

No action was taken.

Request Bid #24-13 Oakland Avenue Project B: CSO Storage

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved plans and specifications and granted permission to advertise Bid #24-13 Oakland Avenue Project B: CSO Storage Project.

Ratify Partial Payment #14 to C&E Excavating- Oakland Avenue Forcemain Phase A- SA7878

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request #14 in the amount of \$477,113.00 to C&E Excavating from SRF loan WW22162005 and \$7,690.00 from loan DW22232001 for construction on the Oakland Avenue Forcemain Phase A Project.

7. New Business

BOW Resolution 24-R-20 Transfer of Tax Parcels to the City of Elkhart from the Department of Redevelopment

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved BOW Resolution 24-R-20 approving the Transfer of Real Estate to the City from the Department of Redevelopment.

Award Bid #24-12 HVAC Service Maintenance

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board awarded Bid #24-12 HVAC Service Maintenance to Johnson Controls who was the lowest, responsive bidder in the amount of \$269,249.00.

Award Bid #24-15 Woodland Crossing Roofing Project

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board awarded Bid #24-15 Woodland Crossing Roofing Project to Landmark Roofing who was the lowest, responsive bidder in the amount of \$398,878.06.

Request Quote #24-26 Tree Removal Southwest

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board granted permission to Quote #24-26 Tree Removal Southwest.

Award Quote #24-24 Purchase of Ford F550 Truck

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board awarded Quote #24-24 for a Ford F550 Truck to Fox Ford who was the lowest responsive quote in the amount of \$149,990.00 with a trade in of \$6,000.00 for a net purchase price of \$143,999.00.

8. Use & Event Permits

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved the following Use & Event permits:

BOARD OF PUBLIC WORKS

Tuesday, August 20, 2024

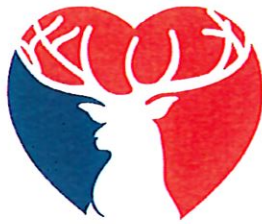
- Elkhart County Health Department Block Party 8/27- EMS Fire Truck and Smoke House, EPD, Public Assembly, Special Exception from Noise, Temporary Street Closure, Plaza Sign
- 26th Annual Riding to Remember Fallen Police, Firefighter, and Veteran Charity Ride 9/8- Stage (9/7), Fencing, ESS, EMS, EPD, Public Assembly, Special Exception from Noise, Temporary Street Closure, Plaza Sign
- Sarah Strong Run 5k and Kids Fun Run 9/28- ESS, EMS, Temporary Street Closure, Public Assembly, Special Exception from Noise
- Robinson Family Gathering 9/7- Special Exception from Noise, Temporary Street Closure
- Ratify-Pierre Moran Neighborhood Picnic 8/17- Temporary Street Closure, EFD, EPD
- Salas Baby Shower 8/31- Special Exception from Noise
- Labor Day Parade 9/2- Stage/Platform, Microphone, Speakers, ESS, EPD, EFD, Temporary Street Closures, Parade and Public Assembly, Special Exception from Noise, Plaza Sign
- Trunk or Treat 10/19- ESS, EFD, Fencing, EPD, Plaza Sign, Public Assembly
- Pine Not-so Haunted Woods Walk 10/26- ESS, EFD, EPD, Plaza Sign, Public Assembly

9. Adjournment

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board of Works adjourned at 9:39 a.m.

_____ Mike Machlan, President

Attest: _____ Nancy Wilson, Clerk of the Board



City of Elkhart
Public Works and Utilities

Date Aug 26, 2024
Memo To Board of Public Works
Memo From Laura Kolo, Utility Services Manager *LK*
Subject Wastewater Utility Monthly Report of Operations
for the month of July, 2024

Wastewater MRO Highlights

Parameter	Monthly Avg	Permit Limit
Suspended Solids mg/L	4	30
cBOD5 mg/L	2	25
Phosphorus mg/L	0.69	1.0
Ammonia mg/L	0.14	4.4 (Dec-Apr) 4.2 (May-Nov)
Avg Daily Flow MGD	21.73	Design - 20
Total Monthly Flow MGD	674	Report

Incident Reports Filed

Date	Location	Volume (gal)	Cause
None			

Wet Weather Overflows

Number of Events	Total Overflow Volume (MG)
11	23.9775

M E M O R A N D U M

DATE: August 15, 2024
TO: Board of Public Works
FROM: Daragh Deegan, Water Quality Manager
RE: **Appropriation Request – Lab Analysis**

With EPA adoption of new regulations for PFAS in drinking water in 2024, water quality staff has initiated monitoring of wells at the wellfields. We are requesting an appropriation for \$25,500 to cover outside lab expenses for PFAS analysis.

The following is requested from the Board of Public Works:

Approve an appropriation request in the amount of \$25,500 for laboratory costs associated with PFAS monitoring.

Resolution 24-R-27

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE
CITY OF ELKHART, INDIANA, APPROPRIATING FUNDS FOR THE
ADDITIONAL LAB TESTING FOR PFAS ANALYSIS**

WHEREAS, the City of Elkhart, Indiana, is a municipal corporation; and

WHEREAS, the Board of Public Works ("Board") is the body authorized to manage the municipal utilities; and

WHEREAS, the Environmental Protection Agency ("EPA") has recently adopted new regulations with regard to PFAS in drinking water; and

WHEREAS, those regulations require additional testing of the drinking water; and

WHEREAS, the City of Elkhart Water Utility does not have the funding necessary to have said testing performed; and

WHEREAS, the Water Utility Lab is requesting additional funds to pay for the outside lab expenses associated with the PFAS testing; and

WHEREAS, the Water Utility is requesting an appropriation in the following amount in order to pay for the additional testing for the local limits study: 6101-5-732-6360000 in the amount of \$25,500.00; and

WHEREAS, the Board deems it proper and in the best interests of the City of Elkhart and its citizens to appropriate the funds necessary to cover the cost of the testing necessary for PFAS analysis.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF ELKHART, INDIANA:

1. The Board approves the funding request in order pay the cost of the lab

testing for PFAS analysis.

2. The Board appropriates the following appropriations:

6101-5-732-6360000 in the amount of \$25,500.00 to the Contractual Service - other.

RESOLVED September 3, 2024.

Michael Machlan, President

Jamie Arce, Vice President

Andy Jones, Member

Ronnie Davis, Member

ATTEST:

Rose Rivera, Member

Nancy Wilson, Clerk



City of Elkhart
Public Works and Utilities

BOW Public Works Appropriation & Transfer Request Form

Date: 08/15/2024 BOW Meeting Date: 09/03/2024

Requesting Division:

Engineering: Operations: Maintenance: Administration: Lab: Aquatics:
Distribution: Collections: Service:

Requesting Manager: Daragh Deegan

Important: Completed form due to the Controller's Office NO LATER THAN Noon on Monday the week prior to the Board of Public Works meeting.

Fund Information:

Which fund is this appropriation being requested from?

Wastewater: Water: Stormwater: Aquatics: Other: Specify: _____

Description: Appropriation to fund outside lab costs for PFAS monitoring

Line # 6101-5-732-6360000 Line Name: Contractual Services - other Amount: \$ 25,500.00

Line # _____ Line Name: _____ Amount: \$ _____

Line # _____ Line Name: _____ Amount: \$ _____

Transfer Details:

Does request include a budget transfer? (Y/N)

For transfer requests, enter affected account lines and amounts below:

Transfer #1: From Line # _____ From Line Name: _____ Amount \$ _____
To Line # _____ To Line Name: _____

Transfer #2: From Line # _____ From Line Name: _____ Amount \$ _____
To Line # _____ To Line Name: _____

Transfer #3: From Line # _____ From Line Name: _____ Amount \$ _____
To Line # _____ To Line Name: _____

Controller's Office Reassignment of Account if Necessary:

Fund # _____ Fund Name _____
Acct # _____ Acct Name _____ Amount \$ _____

Fund # _____ Fund Name _____
Acct # _____ Acct Name _____ Amount \$ _____

Approval: *E. Lyons*
Controller

Date: 8/26/24

B.O.W. SUMMARY

September 3, 2024

Water Assessment:

MB Construction, LLC
2809 A. Ferndale Rd
Elkhart, IN. 46517
Property: 30783 Cynthia Dr.
Paid in full, \$1337.40

E.W. Marine Inc.
115 Parkway Ave
Elkhart, IN. 46514
Property: 1115 Parkway Ave (Lot 15)
Paid in Full, \$4843.80

Aurora Capital Management, LLC
694 Nels Adams Rd
Dickson, TN. 37055
Property: 3214 Burr Oak
Paid in Full, \$1227.00

McCullough Scholten Construction
P.O. Box 2807
Elkhart, IN. 46515
Property: 1333 Beardsley Ave
Paid in Full, \$2760.00

Maria I. Arroya
922 Concord Ave
Elkhart, IN. 46516
Property: 922 Concord Ave
Paid in Full, \$1213.20

Jon Brown
24137 Roadster
Elkhart, IN. 46516
Property: 714 Markel
Paid in full, \$1365.00

Sewer Assessment:

Aurora Capital Management, LLC
694 Nels Adams Rd
Dickson, TN. 37055
Property: 3214 Burr Oak
Paid in Full, \$5455.00

McCollough Scholten Construction
P.O. Box 2807
Elkhart, IN. 46515
Property: 1333 W. Beardsley Ave
Paid in Full, \$12,000.00

Jon Brown
24137 Rodster
Elkhart, IN. 46516
Property: 714 Markel
Paid in full, \$7300.00

Revocable Permit:

#6584, Placed by: Mackiel Johnson
Property: 613 Dr. Martin Luther King Dr.
Permit Holder: (ER)
Description: Close sidewalk on Wagner, both ends

Driveway Permit:

#5140, Owner: JDBM, LLC
Property: 1210 W. CR 6
Contractor: J.A. Wagner Construction
\$2000 Cash bond

#5138, Owner: Pat Johnson
Property: 1235 Roman Ave
Contractor: JL Denlinger Concrete
\$600 Cash Bond

Release of Bond:

#5140, J.A. Wagner Construction
Property: 1210 W. CR 6
\$2000.00 bond

#5138, Contractor: JL Denlinger Concrete
Property: 1235 Romain Ave
\$600.00 bond



M E M O R A N D U M

DATE: August 27, 2024
TO: Board of Public Works
FROM: Paul Wunderlich, Utility Engineer *PW*
RE: **Oakland Avenue: Project B Storage Tank Design**
Ratify of Partial Payment Request SRF#32 to DLZ Consulting

Please see the attached invoice #7 from DLZ Consulting for professional services provided for the Oakland Avenue Project B Design for work performed between March 9, 2024 and May 3, 2024. This payment of \$667,890.00 has been rounded as required by the SRF and represents the 32nd cost incurred from the SRF loan.

To date, including this payment, we have paid \$2,147,561.00 or 82.27% of the contract original contract price of \$2,610,500.

It is requested that the BOW:

ratify partial payment request SRF #32 of SRF loan WW22162005 in the amount of \$667,890.00 to DLZ Consulting from the allocated SRF loan for professional services on the Oakland Avenue: Project B Storage Tank Design.



M E M O R A N D U M

DATE: August 27, 2024
TO: Board of Public Works
FROM: Paul Wunderlich, Utility Engineer *PW*
RE: **Oakland Avenue: Project B Storage Tank Design**
Ratify Partial Payment Request SRF#33 to DLZ Consulting

Please see the attached invoice #8 from DLZ Consulting for professional services provided for the Oakland Avenue Project B Design for work performed between May 4, 2024 and July 5, 2024. This payment of \$143,102.00 has been rounded as required by the SRF and represents the 33rd cost incurred from the SRF loan.

To date, including this payment, we have paid \$2,290,663.00 or 87.75% of the contract original contract price of \$2,610,500.

It is requested that the BOW:
ratify partial payment request SRF #33 of SRF loan WW22162005 in the amount of \$143,102.00.00 to DLZ Consulting from the allocated SRF loan for professional services on the Oakland Avenue: Project B Storage Tank Design.



M E M O R A N D U M

DATE: August 29, 2024
TO: Board of Public Works
FROM: Paul Wunderlich, Utility Engineer
RE: **Elkhart WWTP Capacity Upgrades – Phase 2 – QA7634: Ratify Partial Payment Request SRF#73 to Donohue & Associates, Inc.**

Please see the attached Donohue invoice #71, to be paid from SRF loan number WW18262004. This invoice from Donohue & Associates, Inc. is for professional services provided for the Elkhart WWTP Capacity Upgrades – Phase 2 project for work performed through August 17, 2024. This payment of \$54,281.00 has been rounded as required by SRF and represents the 73rd cost incurred from the SRF loan.

To date, including this payment, we have paid \$4,354,669.00 or 98.19% of the contract.

It is requested that the BOW:

ratify partial payment request SRF #73 of Loan WW18262004 in the amount of \$54,281.00 to Donohue & Associates, Inc. for professional services on the Elkhart WWTP Capacity Upgrades – Phase 2 project.



M E M O R A N D U M

DATE: July 31, 2024

TO: Board of Public Works

FROM: Jason Simnick, Project Manager

BOW Resolution 24-R-25

RE: **Oakland Avenue Project A – Change Order #2 - Appropriation Request**

The Oakland Avenue Project A contract is being paid for through multiple IFA funds. During the project, we determined that we needed to do additional work on our combined sewer system running down Indiana Ave. to prepare for a future project to eliminate the infiltration we discovered during construction.

The Board approved Change Order #2 for \$410,925.00 at the May 21st meeting. When the payapp and change order from that meeting were submitted to IFA for payment, we were informed that the change order was rejected because it wasn't in the scope of the PER, the work was done, and they did not have a chance to review the brick manhole being replaced to see if it was "historical" or not. The IFA told us this change order would need to be paid out of local funds.

Since only one structure of the two had been replaced, we amended our PER and allowed it to go through the proper vetting. The cost of the second structure, \$183,000.00, has been approved to be submitted to IFA.

The funds to cover the costs of the rejected portion of Change Order #2 by the IFA must be appropriated.

This appropriation request has been approved by the Controller's Office and the Assistant PW Director.

It is requested the Board of Public Works:

appropriate \$227,925.00 to the Sewer Project Coordination Fund 6203-5-999-7999999 for the Oakland Avenue Project A – Change Order #2



City of Elkhart
Public Works and Utilities

BOW Public Works Appropriation & Transfer Request Form

Date: 07/30/2024

BOW Meeting Date: 08/20/2024

Requesting Division:

Engineering: Operations: Maintenance: Administration: Lab: Aquatics:

Distribution: Collections: Service:

Requesting Manager: Tory Irwin

Important: Completed form due to the Controller's Office NO LATER THAN Noon on Monday the week prior to the Board of Public Works meeting.

Fund Information:

Which fund is this appropriation being requested from?

Wastewater: Water: Stormwater: Aquatics: Other: Specify: _____

Description: MH Replacement not covered by the IFA/SRF, already approved by BOW in Change Order #2

Line # _____ Line Name: _____ Amount: \$ _____

Line # _____ Line Name: _____ Amount: \$ _____

Line # _____ Line Name: _____ Amount: \$ _____

Transfer Details:

Does request include a budget transfer? N (Y/N)

For transfer requests, enter affected account lines and amounts below:

Transfer #1: From Line # _____ From Line Name: _____ Amount \$ 227,925.00

To Line # 6203-5-999-7999999 To Line Name: Sewer Project Coordinatic

Transfer #2: From Line # _____ From Line Name: _____ Amount \$ _____

To Line # _____ To Line Name: _____

Transfer #3: From Line # _____ From Line Name: _____ Amount \$ _____

To Line # _____ To Line Name: _____

Controller's Office Reassignment of Account if Necessary:

Fund # _____ Fund Name _____

Acct # _____ Acct Name _____ Amount \$ _____

Fund # _____ Fund Name _____

Acct # _____ Acct Name _____ Amount \$ _____

Approval: Ei Koo
Controller _____

Date: 8/1/24

Resolution 24-R- 25

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE
CITY OF ELKHART, INDIANA, APPROPRIATING FUNDS DUE TO AN
UNFUNDED CHANGE ORDER**

WHEREAS, the City of Elkhart, Indiana, is a municipal corporation; and

WHEREAS, the Board of Public Works ("Board") is the body authorized to manage the municipal utilities; and

WHEREAS, the Wastewater Utility ("Utility") has used funds available from Indiana Financing Authority ("IFA") to fund certain Utility projects, including the Oakland Avenue Project; and

WHEREAS, any change orders on said projects must be approved by the Board;

WHEREAS, on May 21, 2024, the Board approved Change Order #2 for Oakland Avenue Project A; and

WHEREAS, IFA did not approve part of the funding for Change Order #2; and

WHEREAS, Wastewater Utility is requesting an appropriation in the amount of \$227,925.00 to Line #6203-5-999-7999999 to pay for the rejected portion of Change Order #2; and

WHEREAS, the Board deems it proper and in the best interests of the City of Elkhart and its citizens to transfer the funds necessary to cover the cost of this project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF ELKHART, INDIANA:

1. The Board approves the appropriation request in order pay for unanticipated expenses.
2. The Board appropriates \$227,925.000 to Line #6203-5-999-7999999

Sewer Project Coordination.

RESOLVED September 3, 2024.

Michael Machlan, President

Jamie Arce, Vice President

Andy Jones, Member

Ronnie Davis, Member

ATTEST:

Rose Rivera, Member

Nancy Wilson, Clerk



M E M O R A N D U M

DATE: August 16, 2024
TO: Board of Public Works
FROM: Jason Simnick, Project Manager JS
RE: **Oakland Avenue: Project C – Harrison Street**
Approval of Partial Payment Request SRF#30 to American Structurepoint

Please see the attached invoice #178315 from American Structurepoint for professional services provided for the Oakland Avenue Project C Design for work performed between June 1, 2024 and June 30, 2024. This payment of \$43,765.00 has been rounded as required by the SRF and represents the 30th cost incurred from the SRF loan.

To date, including this payment, we have paid \$43,765.00 or 5.45% of the contract original contract price of \$803,400.00.

It is requested that the BOW:

ratify partial payment request SRF #30 of SRF loan WW22162005 in the amount of \$43,765.00 to American Structurepoint from the allocated SRF loan for professional services on the Oakland Avenue: Project C – Harrison Street Design.



M E M O R A N D U M

DATE: August 16, 2024
TO: Board of Public Works
FROM: Jason Simnick, Project Manager JS
RE: **Oakland Avenue: Project C – Harrison Street**
Approval of Partial Payment Request SRF#31 to American Structurepoint

Please see the attached invoice #179166 from American Structurepoint for professional services provided for the Oakland Avenue Project C Design for work performed between July 1, 2024 and July 31, 2024. This payment of \$28,124.00 has been rounded as required by the SRF and represents the 31st cost incurred from the SRF loan.

To date, including this payment, we have paid \$71,889.00 or 8.95% of the contract original contract price of \$803,400.00.

It is requested that the BOW:

ratify partial payment request SRF #31 of SRF loan WW22162005 in the amount of \$28,124.00 to American Structurepoint from the allocated SRF loan for professional services on the Oakland Avenue: Project C – Harrison Street Design.



FORESTRY

MEMORANDUM

Date: 27AUG2024

To: Board of Public Works

From: Chip Tallman, City Forester

Re: Permission to Quote Tree Removal Central- Quote # 24-27

The Forestry Division of the Buildings & Grounds Department is requesting permission to quote and contract the project Tree Removal Central.

The project will consist of the removal of 32 street trees deemed hazardous due to structural insufficiency and/or declining health. The trees are located in an area bordered by the Norfolk Southern Railroad which runs parallel to W. Indiana Av. on the south, W. Lexington Av. on the north, Prairie St. on the east and S. Nappanee St. on the west. See attached list for specific locations.

Funding for this project will come out of the Buildings & Grounds budget under Contract Services.

It is requested that the Board of Works grant permission to quote:

Contract Tree Removal Central Project Quote #24-27



MEMORANDUM

Date: August 28, 2024

To: Board of Public Works

From: Ric Powers, Buildings and Grounds Department

Re: Permission to Approve Standard Form of Agreement for Professional Services with DLZ for City Hall HVAC Improvements

The Buildings and Grounds departments seeks approval for professional services from DLZ for City Hall HVAC improvements. DLZ has already conducted a site assessment in June of 2023 which identified areas in need of improvement. The proposed scope of services will include:

1. Project Management and Coordination
2. Design Phases:
 - a. Schematic Phase
 - b. Design Development Phase
 - c. Construction Document Phase
 - d. Bidding
 - e. Construction Administration
3. Part-time project representation during construction

The total cost for DLZ's services shall not exceed \$101,900.00.



City of Elkhart
Development Services

M E M O R A N D U M

DATE: August 19, 2024

TO: Board of Public Works

FROM: Mary K. Kaczka, Assistant Director, Community Development, Development Services *MK*

RE: Request to Release Request for Proposals/Professional Services – HUD Five Year Consolidated Plan Services – September 3, 2024 BOW Meeting

As a U.S. Housing and Urban Development entitlement city, the City of Elkhart is required to complete a Consolidated Plan for 2025-2030 (Five Year Con Plan) which includes the Program Year 2025 Annual Action Plan, the 2025-2030 Neighborhood Revitalization Strategy Area Plan (NRSA) and 2025 Analysis of Impediments to Fair Housing Choice.

The Five Year Con Plan will guide the general allocation of Community Development Block Grant funds (CDBG) and is expected to coordinate strategies and goals that will compliment several transformative projects currently in the planning phase such as in-fill housing and the restoration of the Benham West Neighborhood, new mixed-use development in the South Main Street Corridor and the development of the Woodland Crossing Neighborhood Opportunity Hub.

This contract will be funded by Department of Development Services professional services allocation.

The draft plan will be available for public comment, March 15 to April 15, 2025.



City of Elkhart

Development Services

**City of Elkhart
Department of Community Development
Request for Proposals: HUD Five Year
Consolidated Plan Services**

- 2025-2030 Five-Year Consolidated Plan
- 2025-2030 Neighborhood Revitalization Strategy Area Plan
- 2025 Annual Action Plan
- 2025 Analysis of Impediments to Fair Housing Choice

Deadline for Proposal Submission: Monday, September 30, 2024 at 5:00 PM

Contact:

Mary K. Kaczka
Assistant Director, Community Development
City of Elkhart
201 S Second Street
Elkhart, IN 46516
(574) 294-5471 x1062
mary.kaczka@coei.org

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Section 1: Background

The City of Elkhart is in its final year of the current five-year 2020-2025 Consolidated Plan. The City is requesting proposals from qualified and experienced consultant firms or individual consultants to assist in the development of the next five-year 2025-2030 Consolidated Plan. Also included in the scope of work is to assist with the development of the 2025-2030 Neighborhood Revitalization Strategy Area Plan, 2025 Annual Action Plan, and 2025 Analysis of Impediments to Fair Housing Choice.

The City of Elkhart is located in north central Indiana at the confluence of the St. Joseph and Elkhart Rivers. With a population of 53,354 (2020 Census) the City of Elkhart is the largest city in Elkhart County, with a population of 206,409 (2023 Census Estimate).

The City of Elkhart is a Community Development Block Grant (CDBG) entitlement community, but not a recipient of HOME or HOPWA from the US Department of Housing and Urban Development. In program year 2024, the City of Elkhart received \$743,721 in Community Development Block Grant entitlement funds. Additionally, the City of Elkhart estimated \$24,000 in program income to be received in program year 2024, for a total of \$767,721.

The City of Elkhart along with other partners including the Greater Elkhart Chamber of Commerce is currently engaged in the planning of several transformative projects that will impact the current NRSA. We expect the next five year 2025-2030 Consolidated Plan to coordinate strategies and goals that will compliment these efforts resulting in increased positive outcomes for CDBG beneficiaries. The projects include in-fill housing and the restoration of the Benham West Neighborhood, new mixed-use development in the South Main Street Corridor and the development of the Woodland Crossing Neighborhood Opportunity Hub.

Benham Neighborhood experienced “urban renewal interventions” resulting in the elimination of single family homes. The City of Elkhart and the Greater Elkhart Chamber of Commerce engaged the University of Notre Dame School of Architecture’s Housing and Community Regeneration Initiative to identify strategies to restore infrastructure and housing in the Benham West neighborhood. The plan calls for stabilizing existing homes and infilling homes on vacant lots. A blighted corridor which connects the Benham area to downtown will be restored allowing for new residential and commercial opportunities.

Two new mixed-use development projects have been proposed in the South Main Street Corridor on shovel ready sites created by the city’s investment in acquisition, demolition and environmental remediation. The site will create an anchor for the primary Main Street gateway into downtown Elkhart. The City intends to invest up to \$ 10 million for a new infrastructure and streetscape project along this portion of Main Street. The proposed development will include significant investments in public open space as part of the development.

Woodland Crossing Neighborhood Opportunity Hub (NOH) - an underperforming retail plaza in an area adjacent to the Benham neighborhood whose demographics are disadvantaged, below average in both income and high school graduation rates in comparison to the City of Elkhart in its entirety. The site has been identified through multiple plans as a location for the development of a Neighborhood Opportunity Hub. The City acquired the retail plaza in early 2024. The vacant 100K square foot Sears building

within the plaza has provided an opportunity for Heart City Health, a Federally Qualified Health Center and Goodwill to consolidate and expanded need services in the NOH bringing job training and supportive services and first class urgent care center to an undeserved area of Elkhart.

The NOH will be redeveloped to provide to provide a community gathering space and to conveniently access economic and social opportunities serving the residents and small businesses in the Benham neighborhood. Underutilized retail space in the plaza will be reimagined to better suit the needs of local small business project. For sale and rental workforce housing will be introduced to transform the “sea of asphalt” in a thriving mixed use neighborhood.

Section 2: Project Deliverables

1. 2025-2030 Consolidated Plan

The selected consultant will work with City staff on the development of the 2025-2030 Consolidated Plan pursuant to 24 CFR Part 91 and the IDIS Consolidated Template. The 2025-2030 Consolidated Plan must be submitted to the US Department of Housing and Urban Development no later than May 15, 2025. The period of this Consolidated Plan is July 1, 2025 to June 30, 2030. The Consolidated Plan will be a document that helps direct CDBG expenditures annually. The Consolidated Plan must meet all federal regulations and follow the HUD guidance for the eCon Planning Suite, including but not limited to 24 CFR Part 91, and HUD CPD Notice 12-009, Consolidated in IDIS Desk Guide, etc.

2. 2025-2030 Neighborhood Revitalization Strategy Area (NRSA) Plan

The Neighborhood Revitalization Area Strategy (NRSA) Plan is adopted and submitted along with the five-year consolidated plan to HUD in accordance with 24 CFR 91.315(e) of the Consolidated Plan regulations (as amended on October 22, 1996). This regulation authorizes jurisdictions to adopt and implement Neighborhood Revitalization Area Strategy Plans. The NRSA Plan provides the City with substantial flexibility in designing an approach that meets the needs of the community. Preparation of the NRSA Plan is within the scope of service for this RFP and shall coincide with the submittal of the Consolidated Plan.

3. 2025 Annual Action Plan

The 2025 Annual Action Plan is adopted prior to the beginning of each program year and identifies the projects and programs the City plans to fund and implement, in conformance with the Consolidated Plan. Entitlement program funds are appropriated in the Annual Action Plan to

programs and activities that meet the Consolidated Plan goals. There are five Annual Action Plans that will be administered under the 2025-2030 Consolidated Plan.

The 2025 Annual Action Plan must be developed in accordance with 24 CFR 91.220 and other HUD requirements and guidance. Preparation of the 2025 Annual Action Plan is within the scope of services under this RFP and shall coincide with the submittal of the Consolidated Plan.

4. 2020 Analysis of Impediments to Fair Housing Choice

The Consolidated Plan regulations (24 CFR 91) require each state and local government to submit a certification that it is affirmatively furthering Fair Housing. As discussed in the Fair Housing Planning Guide from HUD, the purpose of the Analysis of Impediments to Fair Housing Choice (AI) is broad and covers the full array of public and private policies, practice and procedures affecting housing choice. The AI:

- Serves as the substantive, logical basis for the Fair Housing Plan
- Provides essential and detail information to policymakers, administrative staff, housing providers, lenders, and fair housing advocates
- Assists in building public support for fair housing efforts within the jurisdiction's boundaries and beyond

The Consultant will develop the AI in accordance with 24 CFR 91, the HUD Fair Housing Guide, and other HUD guidance. Preparation of the 2025 AI is within the scope of services under this RFP and shall coincide with the submittal of the Consolidated Plan.

Section 3: Scope of Work

The selected consultant will be responsible for assisting the Community Development staff with the development of the five-year 2025-2030 Consolidated Plan, 2025-2030, Neighborhood Revitalization Strategy Area Plan, 2025 Annual Action Plan, and the 2025 Analysis of Impediments to Fair Housing Choice, including all narratives, data tables, and other plan elements.

All project deliverables must be prepared and meet federal regulations and guidance provided by HUD. The planning process shall be led by the consultant, with assistance from Community Department staff. The planning process shall be led by the consultant, with assistance from City staff, and include the following components:

1. Data Collection, Research and Analysis

Data collection, research and analysis to understand and communicate the demographic, economic, and housing conditions of the community for each of the project deliverables, as applicable. The consultant must use data from a variety of sources and present it in the tables required by the eCon Planning Suite required by HUD. Additional tabulations and maps needed to assess and present a comprehensive assessment of community needs and market conditions must also be included. When appropriate, comparisons with national and state data that assists in

developing the recommended projects and activities in all project deliverables should be included. The consultant should provide a summary of all data used in the various plan deliverables.

As part of the project scope, the selected consultant must review and consider the following in the development of the project deliverables:

- Past and present Community Development Block Grant plans, including past Consolidated Plans, Annual Action Plans, Neighborhood Revitalization Plans, Housing Needs Assessments, and Analysis of Impediments Assessments
- Other City Plans and Projects, including the Comprehensive Plan, Tax Increment Financing (TIF) Plans, Neighborhood and Area Plans, Benham Plan etc.
- Information on past and current Community Development programs, policies and related materials, including but not limited to residential rehabilitation, purchase assistance, parks projects, etc.
- Copies of Zoning, Subdivision and other land use regulations

2. Community Outreach and Public Hearings

- The consultant will be required to plan and coordinate all public meetings and public hearings associated with all project deliverables
- The consultant will be responsible for conducting meaningful community outreach and engagement, as required by HUD, with stakeholders for all project deliverables, including outreach to and engagement with citizens, city staff members from various departments, the Elkhart Housing Authority, nonprofit and other agencies, neighborhood leaders, elected officials, etc.
- Regular (weekly, bi-weekly) meeting with City staff expected for the duration of the project

3. Goal Development and Strategic Planning Outcomes

The consultant will be responsible for establishing the strategic vision of the Consolidated Plan, NRSA Plan, Annual Action Plan, and AI based on data collection, research, and analysis, and public feedback. Additionally, the consultant will be responsible for developing the following for all project deliverables:

- Development and definition of goals to address community needs and gaps
- Development and definition of projects and activities to meet the needs of the community
- Priorities for the allocation of funding resources
- Define the City's Neighborhood Revitalization Strategy Area (NRSA) geographic boundaries and establish priorities for the plan

In addition to defining the geographic boundaries and establishing priorities for the NRSA, as part of the Consolidated Plan and the NRSA Plan development, the consultant will also be responsible for recommending target neighborhoods within the NRSA for Annual Action Plans under the 2025-2030 Consolidated Plan.

4. Additional Requirements

- All deliverables, processes, and planning methods must be developed in accordance with HUD rules and regulations;
- Consultant will assist with any modifications required by HUD if any of the final deliverables are not approved upon initial submission;
- Consultant must respond to all requests from city staff in a timely manner

All project deliverables, including the 2025-2030 Consolidated Plan, 2025-2030 NRSA Plan, 2025 Annual Action Plan, and 2025 Analysis of Impediments to Fair Housing Choice must be consistent in the overall vision, goals and objectives. Additionally, the Consolidated Plan, NRSA Plan, and Annual Plan should reflect the Analysis of Impediments to Fair Housing.

Section 4: Timeline

All project deliverables, including the 2025-2030 Consolidated Plan, 2025-2030 NRSA Plan, 2025 Annual Action Plan, and 2025 Analysis of Impediments to Fair Housing Choice must be completed and available for public comment no later than March 15, 2025 and submitted to HUD no later than May 15, 2025. A tentative schedule with key milestones is as follows:

Item	Date
Release Request for Proposals (RFP)	September 3, 2024
Proposals Due	September 30, 2024 5:00 PM
Proposals Opened at BOW Meeting	October 1, 2024 at 9:00 AM
Select Consultant	October 15, 2024
Consultant Commences Work	October 29, 2024
Data Collection, Research and Analysis	October 29 to December 31, 2024
Community Outreach and Public Meetings	January 1 to March 1, 2025
Draft Plan Due from Consultant	March 15, 2025
Plan Released for Public Comment (30 days minimum)	March 15 to April 15, 2025
Presentation to City Council	April 21, 2025
Final Consolidated Plan and Other Deliverables Submitted to HUD	May 15, 2025

Section 5: City Staff Participation

While the consultant will work under the general direction of the Assistant Director for Community Development the City has limited professional staff capacity to support the project and will rely on the consultant's experience to ensure that all necessary components of the project are completed in a timely manner and submitted to HUD by the necessary deadlines.

The City will provide a list and contact information for local nonprofits, other agencies and neighborhood organizations. Additionally, City staff will assist with room reservations for public meetings.

Section 6: Proposal Requirements

In order to be considered a complete proposal by the City of Elkhart Board of Public Works, the following contents must be included in the proposal:

1. Cover Letter

Cover letter on the firm's letterhead signed by an authorized representative to contractually bind the firm to the proposal, highlighting the firm's qualifications and experiences, detailing the Consultant's ability to respond to all requirements outlined in the document.

Minority, women, or disadvantaged business enterprises are encouraged to apply. Please indicate if your organization is one of these types of businesses.

2. Firm Information

Provide a description of your firm, including but not limited to:

- Name
- DUNS Number
- Address(es) of the offices of the firm
- Name of the principal(s) of the firm
- Contact information of a representative of the firm authorized to discuss the proposal
- Statement of whether there are any ongoing, pending, or potential legal actions against the firm

3. Consultant Qualifications

- Description of your firm and its capabilities
- Background of your firm's direct experience in providing consulting services for HUD plans, including five-year Consolidated Plans, Analysis of Impediments to Fair Housing Assessments, NRSA Plans, and Annual Action Plans. Include your experience with HUD's Consolidated Planning tool and eCon Planning Suite within IDIS
- List of principal(s) and other consulting team members, including an organizational chart showing staff involved in the project and their respective assignments. Provide appropriate background information for each person and identify his or her responsibilities.
- Provide Resumes of principal(s) and other consulting team members
- Provide a detailed list of a minimum of three (3) references including a contact name, email address, and telephone number for organizations or businesses for whom you have performed similar work
- A breakdown of the percentage of work to be performed by each consultant/sub-consultant team member as part of this contract
- Identify any conflict of interest that may arise as a result of business activities or ventures by your firm and associates of your firm, employees, or subcontractors as a result of this project

4. Project Approach

- Narrative that includes the consultant's understanding of the purpose of the various project deliverables in this RFP
- Discussion of previous experience with Consolidated Plans, NRSA Plans, Annual Action Plans, and AI Assessments, and other housing analysis efforts and how lessons learned through those projects will be used in this project

- Detailed discussion of the items listed in the “Consultant Qualifications” above with elaboration on how the consulting team meets those qualifications
- In addition to the public meetings required by HUD, description of proposed elements for public outreach and engagement, including but not limited to stakeholder interviews, focus groups, surveys and other methods for obtaining public input
- Specific project task descriptions, associated outcomes/deliverables and corresponding budget
- A separate allocation of travel, supplies, and any contingency costs per project task item
- Ability to complete the work within the anticipated schedule and budget. All project deliverables must be completed and submitted to HUD by May 15, 2025

5. Fees

The cost of services is one of the factors that will be considered in awarding this contract. Please provide a detailed breakdown of your proposed fees for this engagement. Provide an estimated for each task described in the scope of work for all project deliverables.

Section 7: Proposal Evaluation Process/Criteria

A selection committee will be established to review the proposals. The following criteria will be used to evaluate the proposals:

Criteria	Percent
The Consultant’s project approach and overall understanding of City’s needs and HUD requirements for the project deliverables, presented in a comprehensive but straightforward manner	45%
Experience with HUD’s eCon Planning Suite and the requirements for building a Plan with HUD’s Integrated Disbursement and Information System (IDIS)	15%
Qualifications of the firm and experience in providing the HUD required project deliverables, as exemplified by past projects	15%
Experience and qualifications of the principal(s) and other personnel assigned to the project	10%
Cost of Services	10%
References	5%

Schedule is not included in the evaluation criteria, as it is expected that the selected consultant will work within the timeline established in Section 4: Timeline.

Section 8: Proposal Submission

A minimum of three (3) hard copy proposals must be submitted and an electronic copy should be emailed to Nancy Wilson, 229 S. Second St., Elkhart, IN 46516 (nancy.wilson@coei.org), Administrative Assistant to the Board of Works, no later than Monday, **September 30, 2024 at 5:00 PM.**

The proposals will be opened on October 1, 2024 at 9:00 AM at the Board of Public Works meeting. Consultants are encouraged to make their submission prior to the September 30, 2024 5:00 PM deadline to avoid last minute technical difficulties that could result in a late submission that is rejected.

Section 9: Project Budget

This Request for Proposals is being solicited under a fixed-firm price. The total maximum budget for this project and all deliverables is \$100,000.

Section 10: Amendments

The City of Elkhart reserves the right to amend this Request for Proposals by an addendum at any time, prior to the date set for receipt of proposals. Addendums will be posted on the City of Elkhart's website as soon as they are available and shall be the responsibility of the consultant to obtain all addenda.

Section 11: Consultant Acceptance of the Request for Proposals

By submitting a proposal in response to this Request for Proposals, the Consultant accepts all of the conditions described in this Request for Proposals, including the Professional Services Agreement and agrees to abide by all final decisions made by the City.

Section 12: RFP Disclosures

The City of Elkhart is releasing this Request for Proposals with the intention to award a contract to prepare all project deliverables. Consultants responding to this RFP are doing so with full disclosure, understanding and acceptance of the following:

- Submissions not conforming to the standards outlined in this RFP will be rejected
- The City of Elkhart reserves the right to reject any or all submissions, in whole or part, for any reason
- City of Elkhart may change the scope of work or selection process at its discretion at any time, following the process established in Section 10 Amendments
- The City of Elkhart may cancel or postpone any aspect of this project within the bounds of the Consultant contract
- The City of Elkhart is not responsible for any costs incurred by Consultants in the preparation, submission, or subsequent discussion of this RFP
- Recommendations made by the review committee or approvals made by the Elkhart Board of Public Works with respect to this project are final.
- Following award of the contract by the City of Elkhart Board of Public Works, all RFP submissions are considered public records

Section 13: Staff Contact

All questions regarding the RFP should be directed to:
Mary K. Kaczka , Assistant Director for Community Development
(574) 294-5471 X1062 mary.kaczka@coei.org

M E M O R A N D U M

DATE: AUGUST 29, 2024
TO: Board of Public Works
FROM: Bradley Tracy, Chief of Staff
RE: **Conway Entertainment Group Inc., (CEG)**

The Administration is seeking approval of this contract between Conwy Entertainment Group Inc., and the City of Elkhart. This contract will allow the City to work with CEG for the purposes of recruiting and hiring of a new General Manager at The Lerner Theater. In July, Michelle Weir, former General Manager, resigned to pursue new opportunities.

The Administration seeks to have a national search for a new General Manager with an experienced professional who has current experience managing a theater such as The Lerner. CEG will recruit locally and nationally in this effort.

The Administration is seeking approval from the BOW for a timely initiation of this contract. By ordinance, the BOW has the authority to take action on this request. The Administration will also share this agreement with the LGB at its next scheduled board meeting.

As we begin the 100-year anniversary celebration of The Lerner Theater, the Administration is excited about the next 100 years and looks forward to showcasing our gem facility.

Funds for this contract will come from current 2024 budget funds.

Your support is very much appreciated.

r

1.5 Cooperation; Compliance with Law: CEG and the City agree to exert their best efforts in connection with the services herein, and all persons or entities under City's control will cooperate with CEG to enable it to provide its services herein, including, without limitation, with respect to vetting, interviewing, and training. The City and CEG will each be responsible for their own compliance with all local, state, and federal laws and regulations related to the retention, employment, and hiring of the GM. For the avoidance of doubt, CEG will not be considered an employer or joint employer of the GM.

2. COMPENSATION

2.1 Fees: The City agrees to pay CEG a total amount of \$30,000 for the services described herein.

2.2 Payment Schedule:

- \$15,000 payable upon execution of this Agreement.
- \$15,000 payable upon the successful hiring of a candidate who accepts the General Manager position at the Lerner Theatre.

2.3 Expenses: CEG shall be reimbursed for any expenses approved by the City in writing.

3. TERM AND TERMINATION

3.1 Term: This Agreement will commence on the Effective Date and will continue until the services are completed or terminated in accordance with the provisions herein.

3.2 Termination for Convenience: Either party may terminate this Agreement for any reason by providing at least 30 days written notice to the other party.

3.3 Termination for Cause: Either party may terminate this Agreement immediately if the other party fails to comply with any material term or condition of this Agreement.

4. CONFIDENTIALITY

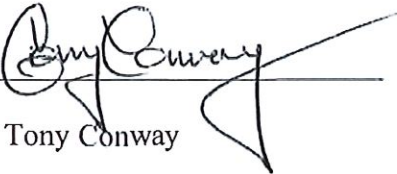
4.1 Confidential Information: Both parties agree to keep confidential all information obtained from the other party that is designated as confidential or that should reasonably be understood to be confidential ("Confidential Information"). Confidential Information shall not include: (i) information that is or becomes public domain other than as a result of a violation of this Agreement; (ii) information rightfully in the possession of the receiving party prior to the Effective Date; (iii) information lawfully and independently derived from or created without reference to or use of any Confidential Information; (iv) information legally obtained from third parties; and (v) information that falls within the scope of the Indiana Access to Public Records Act.

4.2 Non-Disclosure: Neither party will disclose any Confidential Information to third parties without prior written consent from the disclosing party other than as required to perform services for the receiving party.

7.6 **Relationship of Parties.** Nothing in this Agreement or the parties' course of dealing shall be construed to create a partnership or joint venture between City and CEG.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CEG

By: 

Name: Tony Conway

Title: Owner Conway Entertainment Group

CITY OF ELKHART
By its BOARD OF PUBLIC WORKS

Michael C. Machlan, President

C. Jamie Arce, Vice President

Ronnie Davis, Member

Andy Jones, Member

Rose Rivera, Member

ATTEST:

Nancy Wilson, Clerk



From: Josh Holt, City of Elkhart Fleet Manager

Date: August 28th, 2024

To: City of Elkhart Board of Public Safety

Subject: Request for Permission to Purchase 2015 Newmar Bay-Star RV for Mobile Emergency Response Unit

I am requesting the Board's permission to purchase a 2015 Newmar Bay-Star RV from RETA Inc. for \$12,000, as-is. This unit will be upfitted by the Fire Department and utilized as a "Mobile Emergency Response Unit."

The City of Elkhart, through its legal department, will review any contract entered into with RETA Inc. and shall recommend their requirements upon entering into an agreement with RETA Inc. for this purchase, also funding will be approved according to the City of Elkhart's guidelines once passed by the Board. This unit will be purchased by the Fire Department of the City of Elkhart and has the support and recommendation of I, the Fleet Manager.

Once the purchase is finalized and ownership is transferred, the Fire Department will complete the necessary upfitting to equip the unit for emergency response use.

I respectfully request the Board's approval to proceed with this purchase.

Thank you for your attention to this matter.

Sincerely,

Josh Holt
City of Elkhart Fleet Manager