

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

**Common Council Chambers**

**9:00 A.M., Tuesday, December 3, 2024**

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

Meeting Number (access code): 2310 719 9790 Meeting password: BOW24

Join by phone: 1-415-655-0001

**I. Roll Call**

**II. Approve Agenda**

**III. Open Bids**

- Bid #24-21 Elkhart City Hall HVAC Improvements
- Bid #24-23 Council Chambers Audio Video Upgrades

**IV. Claims & Allowance Docket**

**V. Minutes Regular Meeting November 19, 2024**

**VI. Engineering**

a.) Administration

- Oakland Tank Phase B- Michael Kleinpeter Labor Standards Agreement
- Acceptance of Plat and Right of Way Dedication: Elkhart East Area A
- PSA with Lochmueller Group for the Lexington Avenue River Bank Stabilization and Vehicle Safety Improvement Study
- PSA with DLZ Indiana, LLC for the Lerner Theatre Roof Replacement Design

b.) Utility

- Change Order #7 for Bid #21-13 Elkhart WWTP Capacity Upgrades Phase II- QA7634 (tabled)
- Ratify Partial Payment SRF #76 to Donohue & Associates: Elkhart WWTP Capacity Upgrades Phase 2 QA 7634
- Ratify Partial Payment SRF #43 to DLZ Indiana, LLC: Oakland Avenue Project D CSO 6&7 Connection
- Ratify Partial Payment SRF #44 to DLZ Indiana, LLC: Oakland Avenue Project D CSO 6&7 Connection
- Ratify Partial Payment SRF #45 to DLZ Indiana, LLC: Oakland Avenue Project D CSO 6&7 Connection
- Ratify Partial Payment SRF #46 to DLZ Indiana, LLC: Oakland Avenue Project D CSO 6&7 Connection
- Ratify Partial Payment SRF #42 to American Structurepoint: Oakland Avenue Project C Harrison Street

**VII.****Utilities**

## a.) Administration

- Wastewater MRO October 2024
- Closing Document for Sale of Property at 28864 W CR 16

## b.) Pretreatment

- Elkhart County Landfill Permit #92-04 Modification
- Five-year Industrial Wastewater Discharge Permit Renewal Continental Industries Permit #2003-01
- Five-year Industrial Wastewater Discharge Permit Renewal Winona Powder Permit #2003-02
- Notice of Violation Norfolk Southern Permit #85-27
- Notice of Violation Norfolk Southern Permit #85-27
- Notice of Violation Norfolk Southern Permit #85-27
- Notice of Violation Elkhart Environmental Processing Permit #2002-02
- Notice of Violation JBS Prepared Foods Permit #2002-01
- Notice of Violation JBS Prepared Foods Permit #2002-01
- Notice of Violation Bimbo Bakeries Permit #2006-03
- Notice of Violation Simonton Lake Conservancy District
- Notice of Violation Bonnell Aluminum Permit #91-01
- Notice of Violation Bonnell Aluminum Permit #91-01
- Notice of Violation Elkhart County Landfill Permit #92-04
- Notice of Violation Liftco Permit #2005-01
- Notice of Violation Anderson Silver Plating Permit #85-07
- Notice of Violation Voyant Beauty West Permit #98-01
- Notice of Violation MOR/Ryde International Permit #2017-01
- Notice of Violation Lippert Components Plant #83 Permit #92-05
- Notice of Violation Hydro Extrusion USA LLC Permit #97-04

**VIII.****New Business**

- IU Environmental Resilience Institute- McKinney Climate Fellow

**IX.****Public Participation****X.****Adjournment**

FOR BID OPENING ONLY ON  
DECEMBER 3, 2024. TO BE  
AWARDED AT THE DECEMBER  
17, 2024 BOARD MEETING.



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## MEMORANDUM

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**DATE:** December 17, 2024  
**TO:** Board of Public Works  
**FROM:** Jeffrey Schaffer, Engineering  
**RE:** Award Bid #24-21, City Hall – HVAC Improvements

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At the December 3, 2024, Board of Public Works meeting, bids were opened for Bid #24-21, City Hall – HVAC Improvements. The results are as follows:

Contractor	Bid

The project is funded by an appropriation by the Common Council of American Rescue Act funds.

The action requested by the Board of Public Works is as follows:

**Award Bid #24-21, City Hall – HVAC Improvements, to \_\_\_\_\_,**  
**who submitted the lowest responsive bid, with a contract price in the amount of**  
**\$\_\_\_\_\_.**

FOR BID OPENING ONLY ON  
DECEMBER 3, 2024. TO BE  
AWARDED AT THE DECEMBER  
17, 2024 BOARD MEETING.



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**MEMORANDUM**

---

**DATE:** December 17, 2024

**TO:** Board of Public Works

**FROM:** James Gerald, IT Director  
Jeffrey Schaffer, Engineering

**RE:** **Award Bid #24-23, Council Chambers Audio Video Upgrades**

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At the December 3, 2024, Board of Public Works meeting, bids were opened for Bid #24-23, Council Chambers Audio Video Upgrades. The results are as follows:

<b>Contractor</b>	<b>Bid</b>

The project is funded by an appropriation by the Common Council of American Rescue Act funds.

The action requested by the Board of Public Works is as follows:

**Award Bid #24-23, Council Chambers Audio Video Upgrades, to \_\_\_\_\_, who submitted the lowest responsive bid, with a contract price in the amount of \$\_\_\_\_\_.**

# 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.

November 26

,2024



JAMIE ARCE - CITY CONTROLLER

IN RELIANCE ON THE ABOVE CERTIFICATION, CLAIMS IN THE TOTAL AMOUNT OF \$5,279,782.04 AS LISTED ON THE REGISTER ATTACHED HERETO CONSISTING OF 29 PAGES, ARE HEREBY APPROVED EXCLUDING ANY CLAIMS WITHHELD AS SHOWN ON THE SEPARATE SUMMARY OF PENDING CLAIMS.

EXECUTED THIS 3RD DAY OF DECEMBER 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 12.3.24

**Individual Claims Over \$25,000 each:**

Fund	Vendor	Description	Amount
6108	DLZ INDIANA, LLC	BENHAM WATER TOWER PAINT INSPECTIONS	\$ 27,031.22
6101	BAKER TILLY MUNICIPAL ADVISORS, LLC	WATER RATE STUDY	\$ 30,990.00
4450	PREMIUM CONCRETE SERVICES, INC.	Cassopolis Street Improvements	\$ 31,425.00
2503	PIONEER LINES, INC fka PIONEER RAIL CORP	CR 1 RR CROSSING	\$ 37,735.91
1101	HOMER II LLC dba CUT-RITE SERVICES, LLC	52 trees removed including stump grinding	\$ 38,832.00
1101	R & B SALES	EQUIPMENT FOR 3 NEW SQUADS	\$ 45,169.45
2503	PIONEER LINES, INC fka PIONEER RAIL CORP	CR 1 RR CROSSING	\$ 53,164.09
1101	HOMER II LLC dba CUT-RITE SERVICES, LLC	52 trees removed including stump grinding	\$ 62,917.00
4445	PIONEER LINES, INC fka PIONEER RAIL CORP	CASSOPOLIS ST RR CROSSING REPAIR	\$ 70,846.23
4451	PIONEER LINES, INC fka PIONEER RAIL CORP	OAK ST RR CROSSING REPAIR	\$ 72,633.40
4451	PIONEER LINES, INC fka PIONEER RAIL CORP	MICHIGAN ST RR CROSSING REPAIR	\$ 74,136.76
6203	GRIFFEN PLUMBING & HEATING INC	DEWATERING MAKE UP AIR REPLACEMENT	\$ 84,535.00
1101	R & B SALES	EQUIPMENT FOR NEW SQUADS	\$ 91,991.08
4451	PIONEER LINES, INC fka PIONEER RAIL CORP	EDWARDSBURG AVE RR CROSSING REPAIR	\$ 96,810.30
4650	SRTV HOLDINGS dba MICHIGAN SOUTHERN RR CO	River District Project	\$ 162,160.57
4425	BCICAPITAL, INC	2025 Principal Lease payment - Rescue 1	\$ 171,460.97
4453	LANDMARK ROOFING LLC	Woodland Cr Roof Replace 138 W Hively Ste 9-12	\$ 176,841.20
6203	SELGE CONSTRUCTION CO INC	CSO 39 SEWER SEPARATIONS PROJECT BID #23-14	\$ 637,649.96
Total Claims over \$25,000			\$ 1,966,330.14
Regular Claims under \$25,000:			\$ 637,832.46
<b>Total Regular Departmental Claims:</b>			<b>\$ 2,604,162.60</b>

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

7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - PHARMACY	\$ 28,179.84
6201	INDIANA MICHIGAN POWER COMPANY	04656645704 1201 S NAPPANEE ST	\$ 29,347.23
6106	IN DEPARTMENT OF REVENUE	Sales Tax for October 2024	\$ 36,815.80
7704	ANTHEM INSURANCE COMPANIES INC	ADMINISTRATION FEES - MEDICAL	\$ 40,254.33
7704	ANTHEM INSURANCE COMPANIES INC	SPECIFIC STOP LOSS MEDICAL	\$ 88,764.54
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - MEDICAL	\$ 169,164.76
Total Pre-Approved over \$25,000:			\$ 392,526.50
Total Pre-Approved Claims under \$25,000:			\$ 129,961.26
<b>Total Pre-Approved Claims:</b>			<b>\$ 522,487.76</b>

**American Rescue Plan Claims:**

2474	HEART CITY HEALTH CENTER INC	Elkhart Thrive Neighborhood Hub Initiative	\$ 8,076.92
2474	HRP CONSTRUCTION COMPANY	Benham Ave Water & Sewer	\$ 120,802.38
<b>Total American Resuce Plan Claims:</b>			<b>\$ 128,879.30</b>

**UTILITY REFUNDS**

\$ -

**Payroll and Pension Payments:**

Police & Fire Clothing Allowance			
Police & Fire Pension			
Bi-weekly Payroll			\$ 2,024,252.38
<b>Total Payroll:</b>			<b>\$ 2,024,252.38</b>

**Total All Claims, Internal Payments, and Payroll: \$ 5,279,782.04**

*(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, November 19, 2024

President Mike Machlan called a regular meeting of the Board of Public Works to order at 9:00 a.m., Tuesday, November 19, 2024. Clerk of the Board Nancy Wilson called the roll. Andy Jones, Rose Rivera, Ron Davis, Jamie Arce and Mike Machlan attended in person.

1. Approve Agenda

A motion was made by Jamie Arce and seconded by Ron Davis to approve the agenda. On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the agenda was amended by adding the Use and Event permit for the Woodland Crossing Pop-up Market on December 14-15, 2024. The amended agenda carried 5-0.

2. 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 \$6,811,668.20, consisting of 32 pages as prepared on October 29, 2024 at 11:30 a.m.

3. Minutes Regular Meeting November 6, 2024

On motion by Ron Davis, seconded by Jamie Arce and carried 5-0, the Board approved the Minutes of the Regular Meeting November 6, 2024.

4. Utilities

(A.) Summary

On motion by Jamie Arce, seconded by Rose Rivera and carried 5-0, the Board ratified the following permits:

Water Assessment: Caden Real Estate, LLC  
P.O. Box 376  
Goshen, IN. 46527  
Property: 4351 Pine Creek Rd.  
Paid in full, \$3531.60

Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1601 Autumn Ridge Ct.  
Paid in Full, \$1020.00

Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1604 Autumn Ridge Ct.  
Paid in Full, \$1020.00

Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1607 Autumn Ridge Ct.  
Paid in Full, \$4300.00

BOARD OF PUBLIC WORKS  
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Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1610 Autumn Ridge Ct.  
Paid in Full, \$1020.00

Sundown Investments, LLC  
26154 May St.  
Edwardsburg, MI. 49112  
Property: 1201 D.I. Drive  
Paid in Full, \$4828.80

Eduardo G. Cermeno Zerpa  
1825 Dover St.  
Elkhart, IN. 46516  
Property: 1825 Dover  
Paid in Full, \$1496.10

ABC Excavating  
15440 C.R. 4  
Bristol, IN. 46507  
Property: 30801 Cynthia Dr.  
Paid in Full, \$1371.90

Sewer Assessment:

Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1601 Autumn Ridge Ct.  
Paid in Full, \$4300.00

Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1604 Autumn Ridge Ct.  
Paid in Full, \$4300.00

Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1607 Autumn Ridge Ct.  
Paid in Full, \$1020.00

Allen Edwin Homes  
2186 E. Centre Ave.  
Portage, MI. 49002  
Property: 1610 Autumn Ridge Ct.



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Paid in Full, \$4300.00

Revocable Permit:

#6590, Placed by: First Presbyterian Church  
Property: 200 E. Beardsley  
Permit Holder: First Presbyterian Church  
Description: Yard signs in Parkway @ Beardsley Ave.

#6591, Placed by: First Presbyterian Church  
Property: 200 E. Beardsley  
Permit Holder: First Presbyterian Church  
Description: Yard signs in Parkway @ Beardsley Ave.

#6592, Placed by: Cusebio Pantova  
Property: 505 S. Main St.  
Permit Holder: Gto Masonry LLC  
Description: 3 parking spaces, plus sidewalk

Driveway Permit:

#5142, Owner: Jose Cervantes  
Property: 211 Fremont  
Contractor: N/A  
\$400 Cash bond

#5116, Placed by: Infinite Creations  
Property: 4019 Timber Ct.  
Contractor: Infinite Creations  
\$600 Cash bond

#5152, Placed by: Brad Neely Construction  
Property: 2579 Timberstone Dr.  
Contractor: Brad Neely Construction  
\$600 Cash bond

Release of Bond:

#5142, Jose Cervantes  
Property: 211 Fremont  
\$400.00 cash bond

#5116, Infinite Creations  
Property: 4019 Timber Court  
\$600.00 cash bond

#5152, Brad Neely Construction  
Property: 2579 Timberstone Dr.  
\$600.00 cash bond

BOARD OF PUBLIC WORKS  
Tuesday, November 19, 2024

5. Engineering

(A.) Utility

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

No action was taken.

Ratify Partial Payment #74 to Donohue & Associates Elkhart WWTP Capacity Upgrades Phase 2 QA 7634

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request SRF #74 of SRF Loan WW18262004 in the amount of \$49,099.00 to Donohue & Associates, Inc. for professional services on the Elkhart WWTP Capacity Upgrades Phase 2 project.

Ratify Partial Payment #75 to Donohue & Associates Elkhart WWTP Capacity Upgrades Phase 2 QA 7634

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request SRF #75 of SRF Loan WW18262004 in the amount of \$24,965.00 to Donohue & Associates, Inc. for professional services on the Elkhart WWTP Capacity Upgrades Phase 2 project.

Change Order #2 CSO 39 Sewer Separation SA 7913/ WA 7914

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved Change Order #2 for the CSO 39 Sewer Separation Project for an increase of \$87,753.70, bringing the current Contract price to \$5,249,661.15.

6. New Business

Request Bid #24-24 Walker Park Bathroom Building Construction

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved bid documents and granted permission to advertise Bid #24-24 Walker Park Bathroom Building Construction.

Disposal of Fixed Assets

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board granted the Central Garage Department permission to dispose of three old wrecked units that served their purpose and are being sent to scrap.

7. Use & Event Permits

On motion by Jamie Arce, seconded by Andy Jones and carried 5-0, the following permits were approved:

- Hear the Beat March/Parade 11/19- ESS, Parade & Public Assembly, EPD, Special Exception from Noise
- St Vincent Our Lady of Guadalupe Procession 12/7- ESS, EPD, Parade & Public Assembly, Special Exception from Noise
- Compassion Week 11/19- City Plaza, EPD, Public Assembly, Special Exception from Noise, Electricity
- Thanksgiving Food Distribution 11/21- Old Sears parking lot, EPD, Public Assembly
- Elkhart County Right to Life Prayer Walk 1/18/25- ESS, Public Assembly, Plaza Sign
- Woodland Crossing Pop-up Market 12/14-12/15- Public Assembly, Temporary Street Closure, Plaza Sign

BOARD OF PUBLIC WORKS  
Tuesday, November 19, 2024

8. Public Participation

Mike Machlan acknowledged that a friend of the Board and a member of the Board of Works during Mayor Moore's Administration, Mrs. Frances O'Hara passed away. She was a good board member and did a lot of good work for us, and we will miss seeing her around.

9. Adjournment

On motion by Jamie Arce, seconded by Rose Rivera and carried 5-0, the Board of Works adjourned at 9:17 a.m.

\_\_\_\_\_ Mike Machlan, President

Attest: \_\_\_\_\_ Nancy Wilson, Clerk of the Board



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## M E M O R A N D U M

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**DATE:** November 21, 2024

**TO:** Board of Public Works

**FROM:** Tory Irwin, Director of Public Works *TI*

**RE:** **Oakland Tank Phase B – Michael Kleinpeter - Labor Standards Agreement**

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Per the City's CSO Consent Decree, the Oakland Tank Phase B project is underway. Phase B has been bid, and the SRF loan just closed recently.

As the project is an IFA/SRF funded project, Davis Bacon Wage Rates are used and labor standards compliance is required.

Similar to the previous two CSO projects, we are contracting with Kleinpeter Consulting Group LLC to handle all compliance and paperwork related to the labor standards.

Kleinpeter assistance on the previous CSO projects has been instrumental, and we seek to continue that.

This PSA has been reviewed and approved by Legal. It will be funded through the bond with IFA/SRF.

It is requested the Board of Public Works:

**approve the Professional Services Agreement with Kleinpeter Consulting Group LLC for the Oakland Avenue Project B: CSO Storage project for an amount not to exceed \$53,300.**

**AGREEMENT FOR PROFESSIONAL  
LABOR STANDARDS SERVICES**

**CITY OF ELKHART  
OAKLAND AVENUE CSO STORAGE TANK PROJECT  
FOR STATE REVOLVING LOAN FUND (SRF)**

THIS AGREEMENT ("this Agreement") is made and entered into effective as of the date of the last signature affixed to this Agreement, by and between the City of Elkhart, acting by and through its proper officials, and Kleinpeter Consulting Group LLC, a limited liability company.

**RECITALS**

**WHEREAS**, the City of Elkhart has received an SRF loan for the purpose of making improvements and that the City of Elkhart, desires to have professional assistance with the labor standards of said project; and

**WHEREAS**, Kleinpeter Consulting Group, LLC has extensive experience, knowledge and expertise delivering such professional labor standards services;

**NOW, THEREFORE**, in consideration of the following mutual covenants, the parties hereto mutually covenant and agree as follows:

**SECTION 1 – SCOPE OF WORK:**

The following is a description of the services to be provided by Kleinpeter Consulting Group LLC, for this project.

- 1.1 Designation of Labor Standards Officer: Kleinpeter Consulting Group, LLC shall be responsible for labor standards of this project and shall provide services for the following:
  - a. **OBTAIN WEEKLY PAYROLL AND STATEMENT OF COMPLIANCE FOR PROJECT:**  
Certified payrolls are to be submitted for (104) weeks by the prime contractor. The prime contractor is responsible to collect and submit the subcontractor payrolls and statement of compliance weekly to Kleinpeter Consulting Group, LLC.
  - b. **VERIFY JOB SITE POSTINGS ARE IN PLACE**  
Kleinpeter Consulting Group, LLC is responsible to ensure the contractor has posted the "Notice to All Employees" poster, the required federal Poster (WH 1321) at the construction site.
  - c. **VERIFY COMPLIANCE WITH PREVAILING WAGE REQUIREMENTS**  
Kleinpeter Consulting Group, LLC will check weekly payrolls, verify fringe benefits, and conduct employee interviews to ensure that the contractor/subcontractor is complying with requirements and paying the appropriate wage rates.

Kleinpeter Consulting Group, LLC will conduct immediate interviews in response to an alleged violation of the prevailing wage requirements.

Conduct employee interviews in confidence utilizing Form 1445 or equivalent document for the interviews is required to memorialize interviews.

Verify evidence of fringe benefit plans and payments of these plans by contractors and subcontractors who claim credit for fringe benefit contributions.

Review contractors and subcontractors use of apprentices and trainees. Verify registration and certification of apprentices and trainees with respect to apprenticeship and training programs approved by US Dept. of Labor or a state program; that contractors and subcontractors are not using a disproportionate number of laborers, trainees, and apprentices. Conduct these reviews in accordance with the payroll and employee interviews.

Maintain all labor standards records, including information on any restitutions (underpayments to laborers), on file. NOTE: Employees home address and social security number should not be on the certified payrolls.

Submit a final federal labor standard report to the City of Elkhart at the project completion.

Maintain labor standards records (certified payrolls, employee interviews, records of wage incidents, correspondence, debarment, search results, etc.) with the project files at Kleinpeter Consulting Group LLC's office for a period of three years after construction completion. Such records shall be available on request of the City of Elkhart or SRF.

**SECTION 2 – CITY OF ELKHART RESPONSIBILITIES:**

- 2.1 City of Elkhart shall designate a contact with respect to the work to be performed under this Agreement and to coordinate with the designated labor standards officer as it relates to SRF labor standards

<u>Tory Irwin</u>	<u>(574) 293-2572 ext. 2287</u>
Name	Phone Number

- 2.2 The City of Elkhart shall be informed of all SRF project milestones in the implementation of the grant and shall work with the Labor Standards Officer to ensure mandated SRF deadlines are met and a timely project scope when such change is an apparent possibility.
- 2.3 The City of Elkhart shall immediately inform Kleinpeter Consulting Group LLC of any potential change in the project scope when such change is an apparent possibility.

**SECTION 3 – COMPENSATION:**

- 3.1 The City of Elkhart shall pay Kleinpeter Consulting Group LLC Fifty-Three Thousand Three Hundred Dollars (\$53,300). The project will be billed quarterly for services outlines in section 1.1a.

## SECTION 4 – TIME FOR PERFORMANCE

- 4.1 The term of this Agreement shall be from the date of the last signature affixed to the Agreement until the completion of the project

## SECTION 5 – GENERAL PROVISIONS:

- 5.1 No Investment in Iran: As required by IC 522-16.5-13, Kleinpeter Consulting Group LLC, LLC Certifies that Kleinpeter Consulting Group LLC, LLC is not engaged in investment activities in Iran. Providing false certification may results in the consequences listed in IC 5-22-16.5-14, including termination of this Agreement and denial of future state contracts, as well as imposition of a civil penalty.
- 5.2 Changes in Scope of Work: Upon any change in the scope of the project, differing from the approved SRF project agreement, the Kleinpeter Consulting Group LLC, Labor Standards Officer shall be informed promptly.
- 5.3 Waiver of Modification Ineffective Unless in Writing: No waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless signed by a duly authorized representative of The City of Elkhart and a duly authorized representative of Kleinpeter Consulting Group LLC.
- 5.4 Employment Eligibility Verification: Kleinpeter Consulting Group LLC affirms under penalties of perjury that he/she/it does not knowingly employ unauthorized alien
- a. Kleinpeter Consulting Group LLC shall enroll in and verify the work eligibility status of all his/hers/its newly hired employees through the E-Verify program as defined in IC 22-5-1.7-3. Kleinpeter Consulting Group LLC is not required to participate should E-Verify program cease to exist.
  - b. Kleinpeter Consulting Group LLC shall not knowingly employ or contract with an unauthorized alien. Kleinpeter Consulting Group LLC shall not retain an employee or contract with a person that Kleinpeter Consulting Group LLC, subsequently learns is an unauthorized alien.
- 5.5 Independent Contractor: Both parties hereto, in the performance of this Agreement, shall act in an individual capacity and not as agents, employees, partners, joint ventures, or associates of one another. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purposes whatsoever. Neither party will assume liability for any injury (including death) to any persons, or damage to any property, arising out of the acts or omissions of the agents or employees of the other party, Kleinpeter Consulting Group LLC
- 5.6 Termination: Either party may terminate this Agreement, in whole or in part, whenever, for any reason, it determines that such termination is in its best interests. Termination or partial termination of the Agreement shall be affected by delivering the other party a Termination Notice thirty (30) days prior to termination. Such notice should be delivered in the manner described in Section 5, Paragraph 5.7 of this Agreement. Termination may be made effective immediately by mutual written consent of both parties.

5.7 Notice to Parties: Any notice, request, consent or communication (collectively a "Notice") under this Agreement shall be effective only if it is in writing and (a) personally delivered; (b) sent by certified or registered mail, return receipt requested, postage prepaid; or (c) sent by a nationally recognized overnight delivery service, with delivery confirmed and costs of delivery being prepaid as follows:

Notices to the City of Elkhart shall be sent to:

Attn: Rod Roberson, Mayor  
229 S. Second Street  
Elkhart, IN 46516

Notices to Kleinpeter Consulting Group LLC shall be sent to:

Attn: Michael Kleinpeter  
Kleinpeter Consulting Group LLC  
1381 W. Smokey Row Road  
Greenwood, IN 46143

or to such other address or addresses as shall be finished in writing by any party to the other party. Unless the sending party has actual knowledge that a Notice was not received by the intended receipt, a Notice shall be deemed to have been given as of the date (i) when personally delivered; (ii) three (3) days after the date deposited with the United States mail properly addressed; or (iii) the next day when delivered during business hours to overnight delivery service, properly addressed, and prior to such delivery service's cut off time for next day delivery. The parties acknowledge that notices delivered by facsimile or by email shall not be effective.

## SECTION 6 – AGREEMENT

This Agreement, together with other documents as enumerated below, form the Agreement between the parties hereto:

### 6.1 Employment of Unauthorized Aliens Affidavit (Appendix I)

In witness whereof, the City of Elkhart and Kleinpeter Consulting Group LLC, have, through duly authorized representatives, enter into this Agreement. The parties having read and understand the forgoing terms of this Agreement do by their respective signatures dated below hereby agree to the terms thereof.

The City of Elkhart

Kleinpeter Consulting Group LLC

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Michael Kleinpeter  
Signature

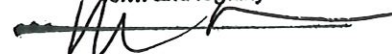
11/10/2024  
Date

Michael Machlan, Board of Works President  
(Name and Title)

Michael Kleinpeter, President  
(Name and Title)

### Appendix I

Approved as to  
form and legality



## EMPLOYMENT OF UNAUTHORIZED ALIENS AFFIDAVIT



I hereby affirm that I am duly authorized officer/director of the Kleinpeter Consulting Group LLC, LLC and I hereby certify that as of the date of this Affidavit, Kleinpeter Consulting Group LLC, LLC does not employ any "unauthorized aliens" as that term is defined in 8 U.S.C. 1234a(h)(3).

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FORGOING REPRESENTATIONS ARE TRUE.

11/10/2024  
Date

Michael Kleinpeter  
Signature

Michael Kleinpeter, President  
Name and Title




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## MEMORANDUM

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**DATE:** December 3, 2024

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering 

**RE:** **Acceptance of Plat and Right-of-Way Dedication for Elkhart East Area A**

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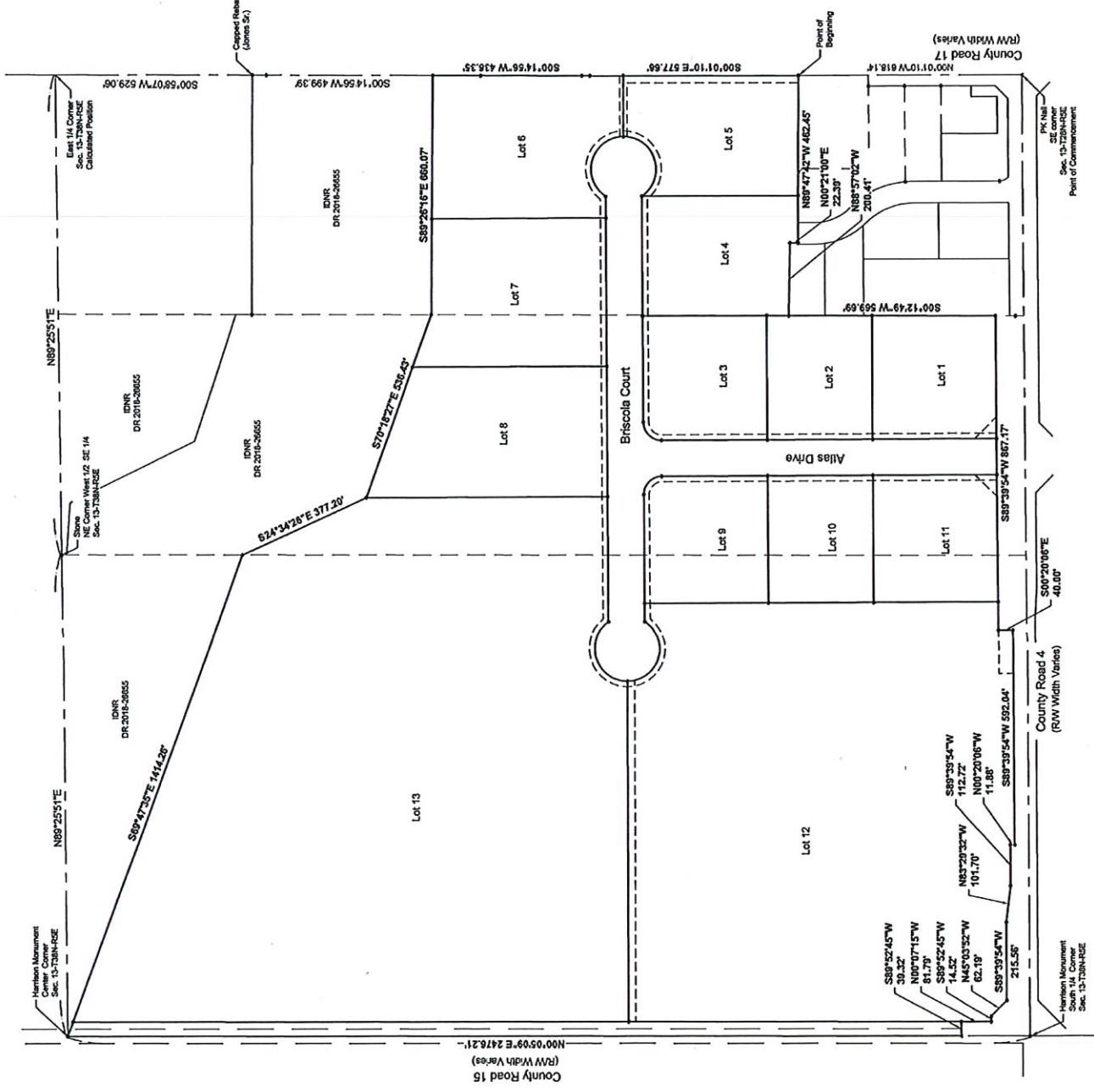
The developer of Elkhart East Area A has prepared the recorded plat for the industrial park subdivision. This plat includes dedication of two city streets (Atlas Drive and Briscola Court). This plat has been approved by the Plat Committee.

The action requested by the Board of Public Works is as follows:

**Accept the Plat and Right-of-Way Dedication for Elkhart East Area A.**

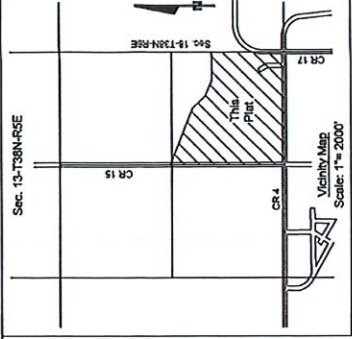
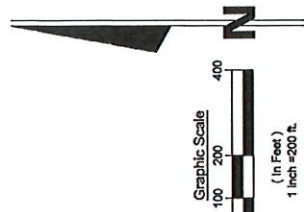
# ELKHART EAST AREA 'A'

A Part of the Southeast Quarter of Section 13 Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana



**Note**  
Refer to pages 2 thru 5 for details related to Lot geometry.

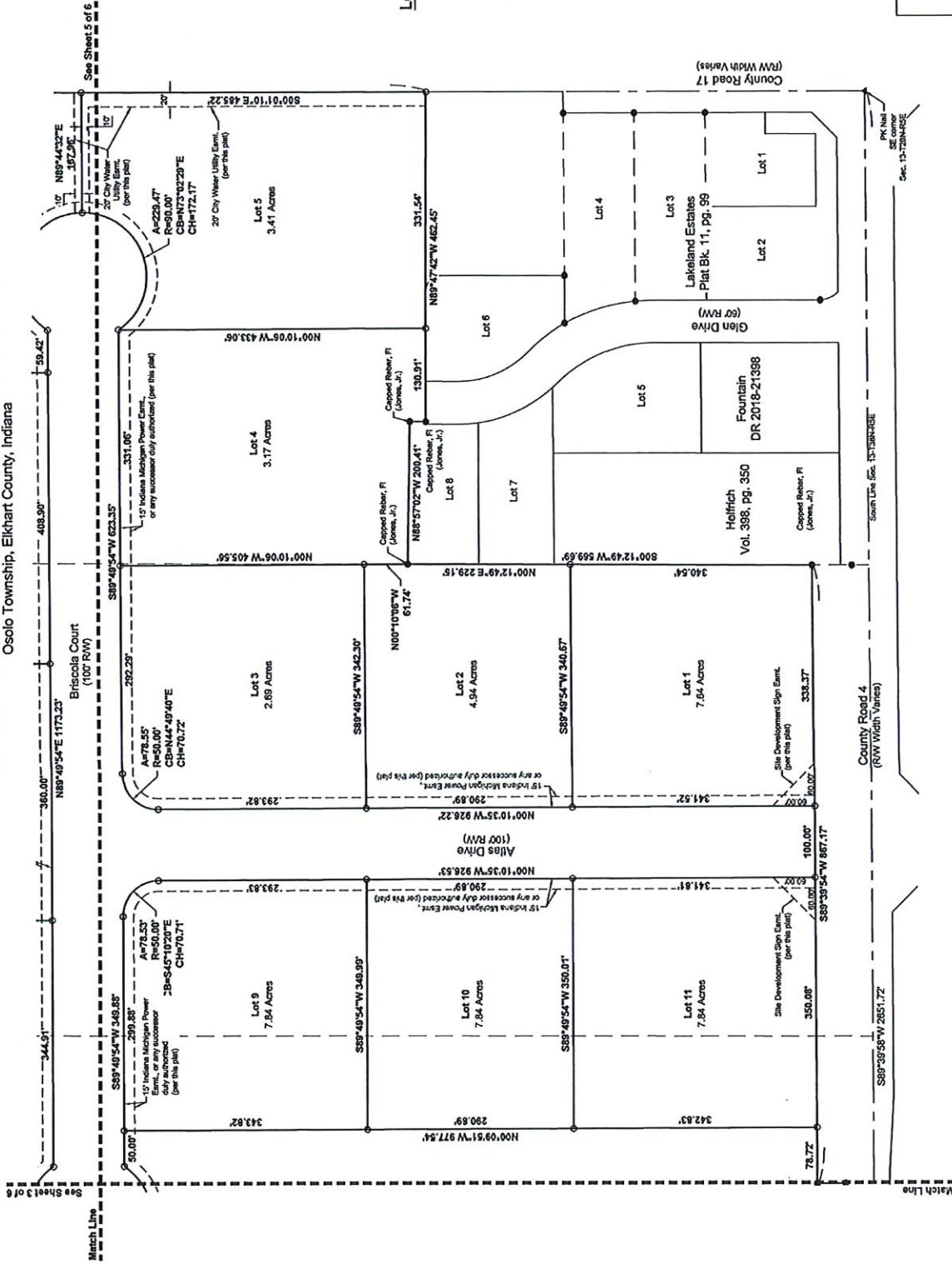
- Legend**
- ◆ Harrison Monument
  - Existing Monument (Origin Unknown Unless Otherwise Noted)
  - ▲ 5/8" Capped Rebar Set (Barnea 20200084)
  - PK Nail Found
  - Mon. Flush with Ground
  - Elev. of Mon. above Ground (Typ.)
  - 0.1'



	South West, IN Elkhart, IN 46516 Phone: (317) 291-1111 Fax: (317) 291-1111
	Northland Corporation 3414 County Road 6E Elkhart, IN 46514
OWNER	Almac Inc. P.O. Box 1322 Elkhart, IN 46516
© 2024, PLS, All Rights Reserved. SCALE: 1" = 200' DATE: 11/11/2024	PLOT NO.: DRAWN BY: JPR CHECKED BY: JOB NO.: 2024-00013
PROJECT	Elkhart East Area A
DESIGN	Final Plat
LOC.	SE 1/4 Sec. 13-138N-R5E, Osolo Twp.

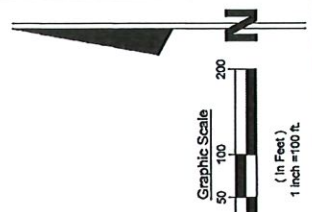
# ELKHART EAST AREA 'A'

A Part of the Southeast Quarter of Section 13 Township 38 North, Range 5 East,  
Osolo Township, Elkhart County, Indiana



### Legend

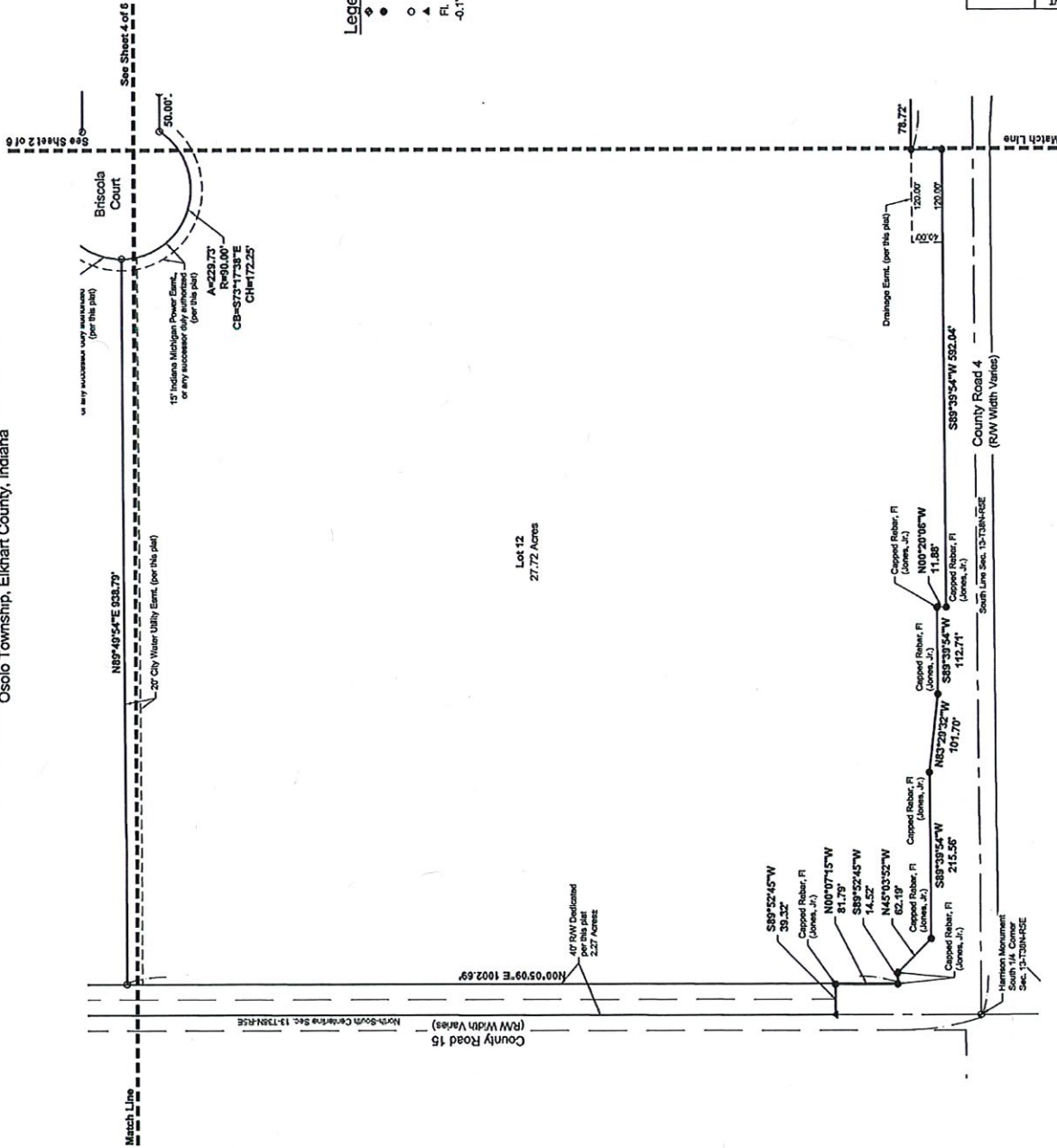
- ◆ Harrison Monument
- Existing Monument (Origin Unknown Unless Otherwise Noted)
- 5/8" Capped Rebar Set (Barnes 20200094)
- ▲ PK Nail Found
- FL Mon. Flush with Ground
- 0.1' Elev. of Mon. above Ground (Typ.)



		Jones P. TRIC Rafinski	
		Northland Corporation 3414 County Road 6E Elkhart, IN 46514	
CLIENT		OWNER	
6/25/24, 11/14/2024, 11/14/2024, 11/14/2024 11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024 11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024		Sec. 13-38N-05E 38N 05E 38N 05E 38N 05E	
11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024 11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024 11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024		Elkhart East Area A Plat # 13-38N-05E-0013	
11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024 11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024 11/14/2024, 11/14/2024, 11/14/2024, 11/14/2024		C-1719 Loc: SE 1/4 Sec. 13-38N-05E, Osolo Twp.	

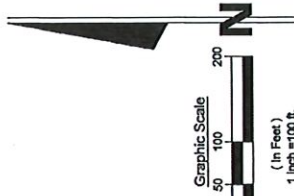
# ELKHART EAST AREA 'A'


A Part of the Southeast Quarter of Section 13 Township 38 North, Range 5 East,  
Osolo Township, Elkhart County, Indiana



### Legend

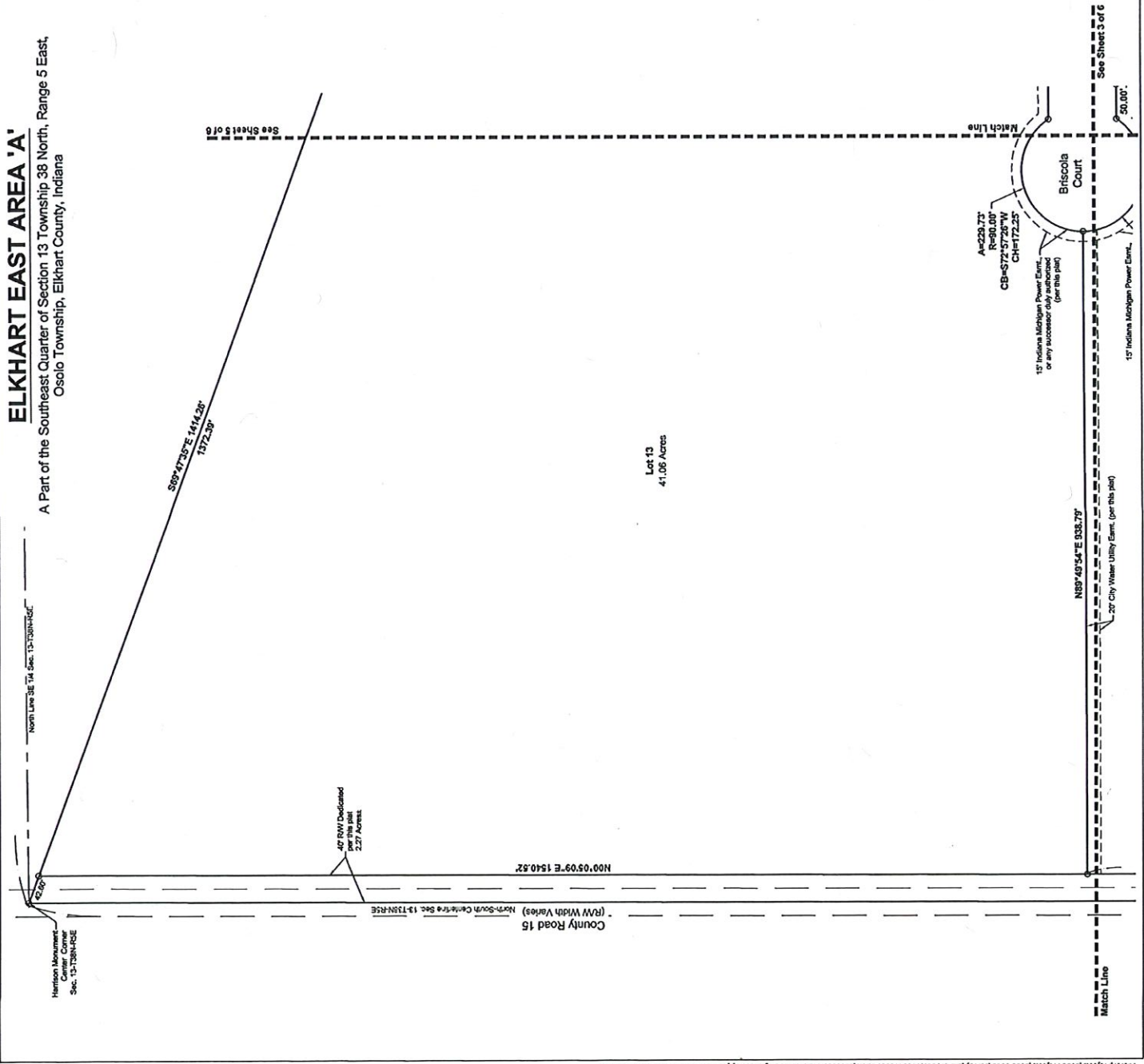
- ◆ Harrison Monument
- Existing Monument (Chain Unknown Unless Otherwise Noted)
- 5/8" Capped Rebar Set (Barnes 20200084)
- ▲ PK Nail Found
- FL Mon. Flush with Ground
- 0.1 Elev. of Mon. above Ground (Typ.)



 <b>JONES</b> <b>P. TRIC</b> <b>RAFINSKI</b>	P.O. Box 1322 Elkhart, IN 46515
	Northland Corporation 3414 County Road 6E Elkhart, IN 46514
OWNER	Almac Inc. P.O. Box 1322 Elkhart, IN 46515
CLIENT	6286L APP. AS Bldg. Plans DATE: 11/12/2024 DRAWN BY: JPB CHECKED BY: JPB DATE: 11/12/2024 PROJECT: Elkhart East Area A SHEET: Final Plat LOC: SE 1/4 Sec. 13-T38N-R5E, Osolo Twp.

# ELKHART EAST AREA 'A'

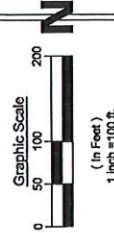
A Part of the Southeast Quarter of Section 13 Township 38 North, Range 5 East,  
Osolo Township, Elkhart County, Indiana



### Legend

- ◆ Harrison Monument
- Existing Monument (Origin Unknown Unless Otherwise Noted)
- 5/8" Capped Rebar Set (Barms 20200084)
- ▲ PK Nail Found
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- Elev. of Mon. above Ground (Typ.)

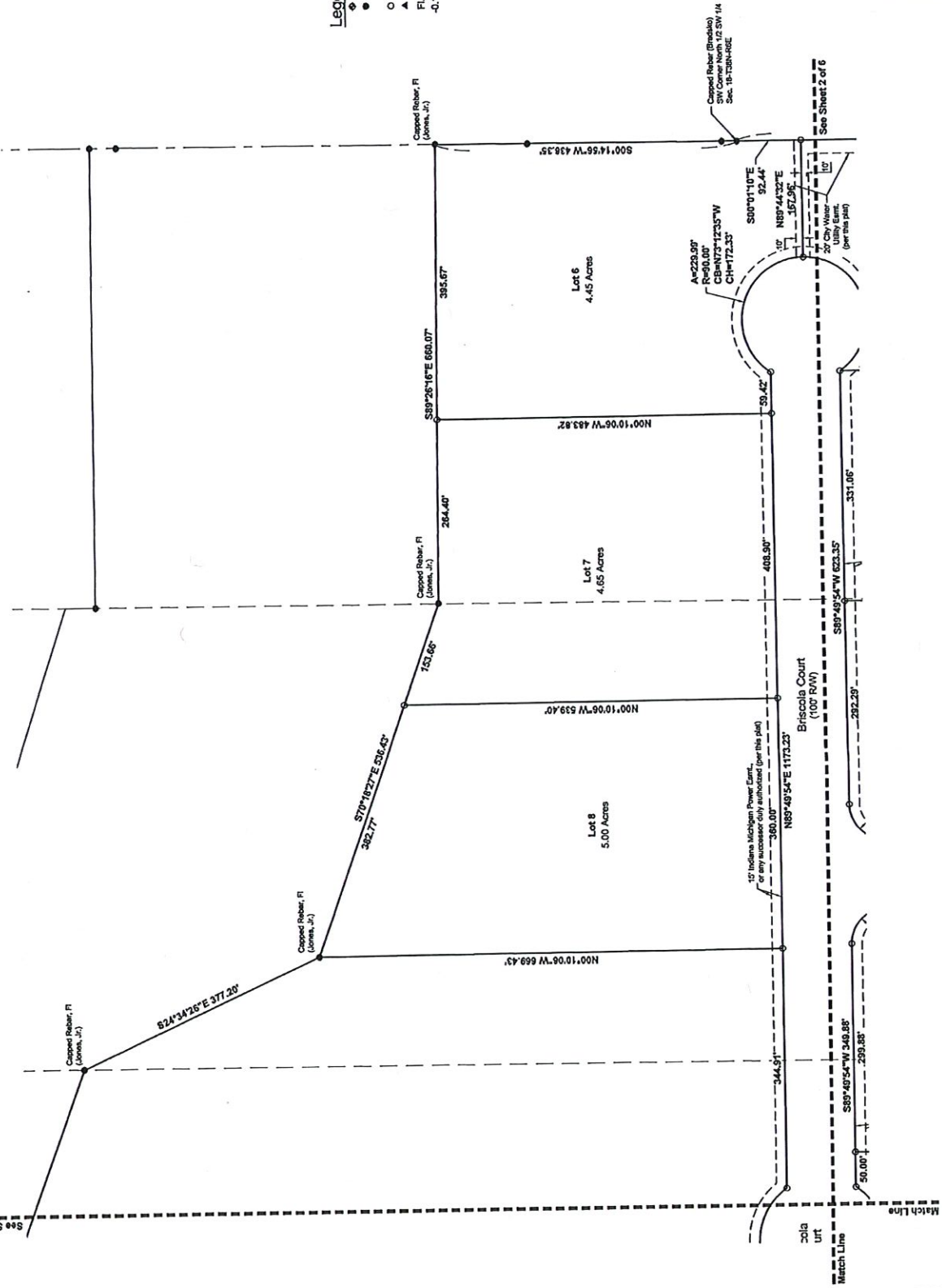
Lot 13  
41.06 Acres



	Northland Corporation 3414 County Road 6E Elkhart, IN 46514	
	Almac Inc. P.O. Box 1322 Elkhart, IN 46515	
CLIENT	Elkhart East Area A Final Plat	
OWNER	Almac Inc. P.O. Box 1322 Elkhart, IN 46515	
DATE	11/15/2024	DATE PLOTTED
TIME	10:00:00 AM	TIME PLOTTED
USER	JPR	USER PLOTTED
PROJECT	SE 1/4 Sec. 13-T38N-R5E, Osolo Twp.	PROJECT PLOTTED
SCALE	1" = 100'	SCALE PLOTTED
PLAT NO.	2024-00013	PLAT NO. PLOTTED
FILE NO.	2024-00013	FILE NO. PLOTTED
DATE	11/15/2024	DATE PLOTTED
TIME	10:00:00 AM	TIME PLOTTED
USER	JPR	USER PLOTTED
PROJECT	SE 1/4 Sec. 13-T38N-R5E, Osolo Twp.	PROJECT PLOTTED

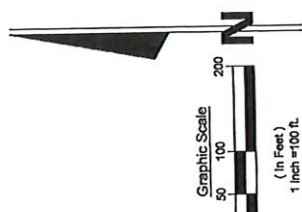
# ELKHART EAST AREA 'A'

A Part of the Southeast Quarter of Section 13 Township 38 North, Range 5 East,  
Osolo Township, Elkhart County, Indiana



**Legend**

- Harrison Monument
- Existing Monument (Origin Unknown Unless Otherwise Noted)
- 5/8" Capped Rebar Set (Barnes 20200904)
- ▲ PK Nail Found
- FL Mon. Flush with Ground
- 0.1' Elev. of Mon. above Ground (Typ.)



	JONES P. PETRIE ENGINEERS & SURVEYORS, INC. 11111 11th St Elkhart, IN 46514 P: 317.237.0388 F: 317.237.0389	Client Northland Corporation 3414 County Road SE Elkhart, IN 46514
	Owner Almac Inc. P.O. Box 1322 Elkhart, IN 46515	Date 11/11/2024
Scale 1" = 100'	Drawn By JAB	Checked By JAB
Date 11/11/2024	Surveyed July, 2024	State Drawing REF. DOC. NO. SURVEYED JOB NO.
Project Elkhart East Area A Final Plat	Description SE 1/4 Sec. 13-T38N-R5E, Osolo Twp.	Sheet C-1719 Sheet 5 of 6








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## MEMORANDUM

---

**DATE:** December 3, 2024

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering 

**RE:** **Professional Services Agreement with Lochmueller Group for the Lexington Avenue River Bank Stabilization and Vehicle Safety Improvement Study**

---

The river bank on the south side of Lexington Avenue, east of Vine Street, appears to be have settled over time. This has resulting in the lowering of the guardrail. Before the guardrail is address, the Engineering Staff believes that it should first be determined if the river bank has settled, if the settlement requires action, and how to best replace the guardrail with a similar or different vehicle safety device. This contract will study the river bank, determine if action is needed, and propose the proper solution for both the river bank and the vehicle safety device.

This work will be funded by a Common Council appropriation for the river bank that was approved in June 2024.

The action requested by the Board of Public Works is as follows:

**Authorized the Board President to execute the Professional Services Agreement with Lochmueller Group for the Lexington Avenue River Bank Stabilization and Vehicle Safety Improvement Study with a fee not to exceed of \$67,000.00.**




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## MEMORANDUM

---

**DATE:** December 3, 2024

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering 

**RE:** **Professional Services Agreement with DLZ Indiana LLC for the Lerner Theatre Roof Replacement Design**

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The roof of the Lerner Theatre is nearing the end of its useful life. This contract with DLZ will design a replacement for the roof system.

This work will be funded by a Common Council appropriation approved on December 2, 2024, for the project.

The action requested by the Board of Public Works is as follows:

**Authorized the Board President to execute the Professional Services Agreement with DLZ Indiana LLC for the Lerner Theatre Roof Replacement Design with a fee not to exceed of \$51,000.00.**



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## M E M O R A N D U M

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**DATE:** November 21, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE:** **Elkhart WWTP Capacity Upgrades – Phase 2 – QA7634: Ratify Partial Payment Request SRF#76 to Donohue & Associates, Inc.**

---

Please see the attached Donohue invoice #74, 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 November 16, 2024. This payment of \$6,090.00 has been rounded as required by SRF and represents the 76<sup>th</sup> cost incurred from the SRF loan.

To date, including this payment, we have paid \$4,434,823.00 or 99.995% of the contract.

It is requested that the BOW:

**ratify partial payment request SRF #76 of Loan WW18262004 in the amount of \$6,090.00 to Donohue & Associates, Inc. for professional services on the Elkhart WWTP Capacity Upgrades – Phase 2 project.**



Donohue & Associates, Inc.  
209 N. Main Street, Suite 206 | South Bend, IN 46601  
574.288.4580 | donohue-associates.com

November 22, 2024

Tory Irwin, PE  
Director of Public Works & City Engineer  
City of Elkhart  
1201 S. Nappanee Street  
Elkhart, Indiana 46516



Re: WWTP Capacity Upgrade Project – Phase II  
Donohue Project No. 13476 - Invoice No. 74

Please find attached Invoice No. 74 for the WWTP Capacity Upgrade Project – Phase II project. This invoice covers the services rendered from October 20, 2024 through November 16, 2024.

Donohue’s construction related efforts during this period of time included:

- Project communication and coordination regarding Owner/Contractor discussions
- Punch List coordination
- Continued Application Engineering Services

Donohue’s anticipated efforts on the project over the course of the next month include:

- Continued project coordination, communication and management
- Punch List closeout
- Additional assistance to the City, as directed
- Continued Application Engineering Services

Please note that this invoice also includes a credit of \$1,205.00 as reimbursement to the City for the gate modification work performed by J&J Repair, LLC.

Thank you again for your continued confidence in Donohue and the opportunity to work with you and the City of Elkhart on this project. Should you have any questions regarding this invoice, the work completed, or any other aspect of this (or another) project, please do not hesitate to contact me at (574) 213-6124 or by email at [jroschyk@donohue-associates.com](mailto:jroschyk@donohue-associates.com).

Sincerely,

Jeremy Roschyk, P.E.  
Project Manager

Enclosures: As noted

# INVOICE



209 N. Main Street, Suite 206  
South Bend, IN 46601  
Phone: 574-288-4580  
Fax: 574-288-0195



**Invoice To:**  
City of Elkhart  
Wastewater Utility  
Attn: Tory S. Irwin, PE, City Engineer  
1201 S. Nappanee Street  
Elkhart, IN 46516

**Invoice Date:** November 22, 2024  
**Donohue Project No.:** 13476  
**Invoice No:** 13476-74  
**Project Manager:** Jeremy Roschyk  
**Terms:** Net 40 Days  
**Billing Period:** 10/20/24 - 11/16/24

**Project Description:** WWTP Capacity Upgrade Project - Phase II

**Your Authorization:** Agreement, Effective 08/21/18  
Amendment No. 1, Signed 07/07/20  
Amendment No. 2, Signed 12/29/20  
Amendment No. 3, Signed 07/06/21  
Amendment No. 4, Signed 01/16/24

<b>Approved by the city of Elkhart</b>
<b>Board of Works</b>

<b>Compensation:</b>	Per Diem NTE	\$ 1,328,000.00
	Per Diem NTE	\$ 388,000.00
	Per Diem NTE	\$ 30,700.00
	Per Diem NTE	\$ 2,115,500.00
	Per Diem NTE	\$ 572,825.00
		<hr/>
		\$ 4,435,025.00

<b>Billing Summary:</b>	Project Charges to Date	\$ 4,433,820.17
	Project Charges Previously Billed	\$ 4,427,730.17
	Project Current Charges Billed	\$ 6,090.00

**Topographic Survey**

Total Billed to Date	\$ 29,411.22
Charges Previously Billed	\$ 29,411.22

**Geotechnical Engineering**

Total Billed to Date	\$ 14,212.00
Charges Previously Billed	\$ 14,212.00

**Design Services**

Total Billed to Date	\$ 1,436,338.79
Charges Previously Billed	\$ 1,436,338.79



**Alternative Evaluation**

Total Billed to Date \$ 238,492.84  
 Charges Previously Billed \$ 238,492.84

**Bidding Services**

Total Billed to Date \$ 44,637.93  
 Charges Previously Billed \$ 44,637.93

**Constructon Related Services**

Total Billed to Date \$ 1,400,927.55  
 Charges Previously Billed \$ 1,396,972.55  
 Labor (23.5 hours) \$ 3,955.00  
 Reimbursable Expenses \$ -  
**Total** **\$ 3,955.00**

**Resident Project Representative (RPR) Services**

Total Billed to Date \$ 1,015,870.94  
 Charges Previously Billed \$ 1,015,395.94  
 Labor (2.5 hours) \$ 475.00  
 Reimbursable Expenses \$ -  
**Total** **\$ 475.00**

**Applications Engineering Services**

Total Billed to Date \$ 255,133.90  
 Charges Previously Billed \$ 252,268.90  
 Labor (16.0 hours) \$ 2,865.00  
 Reimbursable Expenses \$ -  
**Total** **\$ 2,865.00**

**INVOICE SUBTOTAL** **\$ 7,295.00**

**Adjustment:**

Credit for Welding Gate Extensions \$ (1,205.00)

**Current Charges Due** **\$ 6,090.00**

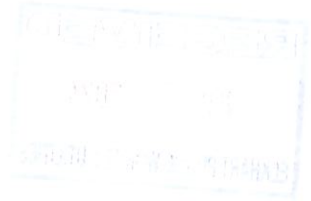
APPROVED FOR PAYMENT

DATE:  
 DESCRIPTION:  
 ACCOUNT LINE:  
 PO NO:  
 APPROVED BY:

Please Remit to:

Donohue & Associates, Inc.  
 3311 Weeden Creek Road  
 Sheboygan, WI 53081  
 Phone: 920-208-0296

<u>Aged Receivables</u>				
<u>Current</u>	<u>31 - 60 Days</u>	<u>61 - 90 Days</u>	<u>91 - 120 days</u>	<u>&gt;120 days</u>
\$6,090.00	\$24,965.44	\$49,098.86	\$0.00	\$0.00



City of Elkhart  
 Attn: Tory S. Irwin, PE, City Engineer  
 1201 S. Nappanee Street  
 Elkhart, IN 46516

Invoice Date: November 22, 2024  
 Invoice No.: 13476-74  
 Billing Period: 10/20/24 - 11/16/24  
 Project Manager: Jeremy Roschyk

**DETAIL OF CURRENT CHARGES**

**LABOR**

Name	Hours	Rate	Cost
Jeremy Roschyk	4.0	\$ 240.00	\$ 960.00
Chase Benton	1.0	\$ 190.00	\$ 190.00
Katherine Merkle	8.0	\$ 190.00	\$ 1,520.00
Jim Miller	2.5	\$ 190.00	\$ 475.00
Cody Johnson	15.0	\$ 175.00	\$ 2,625.00
Chelsie Smith	11.0	\$ 135.00	\$ 1,485.00
Amanda Brunner	0.5	\$ 80.00	\$ 40.00
<b>TOTAL LABOR</b>	<b>42.0</b>		<b>\$ 7,295.00</b>

**REIMBURSABLE EXPENSES**

None this period

<b>TOTAL REIMBURSABLE EXPENSES</b>	<b>\$ -</b>
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**SUBCONSULTANT**

None this period

<b>TOTAL SUBCONSULTANT</b>	<b>\$ -</b>
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<b>INVOICE SUBTOTAL</b>	<b>\$ 7,295.00</b>
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**ADJUSTMENTS**

Credit for Welding Gate Extensions	\$ (1,205.00)
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<b>INVOICE TOTAL</b>	<b>\$ 6,090.00</b>
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# 340 - Labor Detail

Monday, November 18, 2024

4:23:33 PM

Donohue & Associates, Inc.

Transactions for 10/20/24 through 11/06/24

		Date	Hours	Total Billing
<b>Project Number: 13476 Elkhart-WWTP Capacity Upgrade -Phase II</b>				
<b>Billing Group Number: 07 Construction Services (700-799)</b>				
<b>Phase Number: 700 Project Management</b>				
1330	Roschyk, Jeremy	10/21/24	2.00	480.00
1470	Brunner, Amanda	10/22/24	.50	40.00
<b>Total for 700</b>			<b>2.50</b>	<b>520.00</b>
<b>Phase Number: 709 O&amp;M Manuals, Test Reports</b>				
1307	Merkle, Katherine	10/21/24	2.00	380.00
1307	Merkle, Katherine	10/23/24	1.00	190.00
<b>Total for 709</b>			<b>3.00</b>	<b>570.00</b>
<b>Phase Number: 712 Startup/Training</b>				
1307	Merkle, Katherine	11/04/24	1.00	190.00
1307	Merkle, Katherine	11/05/24	1.00	190.00
<b>Total for 712</b>			<b>2.00</b>	<b>380.00</b>
<b>Phase Number: 713 Record Drawings</b>				
1307	Merkle, Katherine	10/28/24	2.00	380.00
1307	Merkle, Katherine	11/04/24	1.00	190.00
1330	Roschyk, Jeremy	11/05/24	1.00	240.00
1415	Benton, Chase	11/05/24	1.00	190.00
1500	Smith, Chelsie	11/05/24	7.00	945.00
1500	Smith, Chelsie	11/06/24	4.00	540.00
<b>Total for 713</b>			<b>16.00</b>	<b>2,485.00</b>
<b>Total for 07</b>			<b>23.50</b>	<b>3,955.00</b>
<b>Billing Group Number: 08 Resident Representation (800-801)</b>				
<b>Phase Number: 800 Resident Project Representative</b>				
1038	Miller, James	10/21/24	2.50	475.00
<b>Total for 800</b>			<b>2.50</b>	<b>475.00</b>
<b>Total for 08</b>			<b>2.50</b>	<b>475.00</b>
<b>Billing Group Number: 09 Applications Engineering (900-919)</b>				
<b>Phase Number: 900 AE Project Management</b>				
1330	Roschyk, Jeremy	10/25/24	1.00	240.00
<b>Total for 900</b>			<b>1.00</b>	<b>240.00</b>
<b>Phase Number: 907 SCADA Programming</b>				
1443	Johnson, Cody	10/22/24	4.00	700.00
1443	Server licensing updates and Sludge pump testing Johnson, Cody	10/24/24	4.00	700.00
1443	Server licensing updates and Sludge pump testing Johnson, Cody	10/25/24	7.00	1,225.00
<b>Total for 907</b>			<b>15.00</b>	<b>2,625.00</b>
<b>Total for 09</b>			<b>16.00</b>	<b>2,865.00</b>
<b>Total for 13476</b>			<b>42.00</b>	<b>7,295.00</b>
<b>Final Totals</b>			<b>42.00</b>	<b>7,295.00</b>





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M E M O R A N D U M

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**DATE:** November 21, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE: Oakland Avenue: Project D – CSO 6 & 7 Connection**  
**Approval of Partial Payment Request SRF#43 to DLZ**

---

Please see the attached invoice #602457 from DLZ for professional services provided for the Oakland Avenue Project D Design for work performed between July 6, 2024 and August 2, 2024. This payment of \$62,730.00 has been rounded as required by the SRF and represents the 43<sup>rd</sup> cost incurred from the SRF loan.

To date, including this payment, we have paid \$129,290.00 or 8.74% of the original contract price of \$1,479,000.00.

It is requested that the BOW:

**ratify partial payment request SRF #43 of SRF loan WW22162005 in the amount of \$62,730.00 to DLZ from the allocated SRF loan for professional services on the Oakland Avenue: Project D – CSO 6 & 7 Connection Design.**



Attention: PE Tory Irwin  
 City of Elkhart, IN\*  
 1201 South Nappanee Street  
 Elkhart, IN 46516  
 United States

Invoice : 000602457  
 Invoice Date : 8/23/2024  
 Project : 2461503350  
 Project Name : Elkhart: LTCP Project D  
 Bill Term : \*\*

For Professional Services Rendered For 7/6/2024 Through 8/2/2024

	Fee	% Complete	Billings		
			To Date	Previous	Current
A100 - Project Management	30,000.00	25.00	7,500.00	5,100.00	2,400.00
0002 - Utility Coordination	30,000.00	10.00	3,000.00	1,500.00	1,500.00
0003 - Environmental Investigation	30,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0004 - Pick-Up Field Survey (Allowance)	10,000.00	9,640.00	790.00	360.00	430.00
Rate Labor		430.00			
			Billings		
	Fee	% Complete	To Date	Previous	Current
0005 - Preliminary Engineering Reports	40,000.00	3.00	1,200.00	1,200.00	0.00
0006 - Design	1,168,000.00	10.00	116,800.00	58,400.00	58,400.00
0007 - Geotechnical Investigation	35,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0008 - Subsurface Utility Engineering (Allowance)	65,000.00	65,000.00	0.00	0.00	0.00
			Billings		
	Fee	% Complete	To Date	Previous	Current
0009 - Permitting	16,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0010 - Community Outreach (Hrly)	30,000.00	30,000.00	0.00	0.00	0.00
			Billings		
	Fee	% Complete	To Date	Previous	Current
0011 - Bid Phase Services	25,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0012 - Construction Admin Services	20,000.00	20,000.00	0.00	0.00	0.00
0013 - Part Time Construction Observation Services	200,000.00	200,000.00	0.00	0.00	0.00

Current Billings	<u>62,730.00</u>
Amount Due This Bill	<u><u>62,730.00</u></u>

Total Fee :	1,699,000.00
To Date Billings :	<u>129,290.00</u>
Total Remaining :	1,569,710.00

Outstanding Receivables	Invoice Number	Date	Amount	Balance Due
	000601900	7/22/2024	66,560.00	<u>66,560.00</u>
				66,560.00

0004 - Pick-Up Field Survey (Allowance)

<b>Rate Labor</b> <i>Class / Employee</i>	<i>Date</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
<b>Director</b>				
Steven A Jones	8/2/2024	1.000	280.000	280.00
<b>Survey/Mapping Assistant</b>				
Alyssa L. Bracy	7/30/2024	1.250	120.000	150.00
<b>Total Rate Labor</b>				<b>430.00</b>
<b>Total Bill Task: 0004 - Pick-Up Field Survey (Allowance)</b>				<b>430.00</b>

Total Project: 2461503350 - Elkhart: LTCP Project D

430.00



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

August 7, 2024

Tory S. Irwin  
Director of Public Works  
Department of Public Works & Utilities  
1201 S. Nappanee Street  
Elkhart, IN 46516

Re: Progress Report #3  
Oakland LTCP – Project D  
DLZ Account # 2261-5033-50

Dear Mr. Irwin:

This letter serves as our progress report through August 2, 2024.

- **Progress performed by DLZ on the design:**
  - Continued design of 3<sup>rd</sup> Street and Jackson Blvd and preparation of the preliminary plan set.
  - Continued with Utility Coordination.
  - Continued looking at the requirements of the PER.
  - Continued working on the lift station memo.
- **Upcoming tasks for next month performed by DLZ:**
  - Continue the design of both corridors.
  - Continue with Utility Coordination.
- **Questions or clarifications requested from the City of Elkhart:**
  - N/A
- **Potential project risks:**
  - N/A

If you have any questions or require additional information, please contact our office at your convenience.

Sincerely,

DLZ INDIANA, LLC

  
Anthony Glenn, PE  
Project Manager

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## M E M O R A N D U M

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**DATE:** November 21, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE:** **Oakland Avenue: Project D – CSO 6 & 7 Connection**  
**Approval of Partial Payment Request SRF#44 to DLZ**

---

Please see the attached invoice #602556 from DLZ for professional services provided for the Oakland Avenue Project D Design for work performed between August 3, 2024 and September 6, 2024. This payment of \$243,441.00 has been rounded as required by the SRF and represents the 44<sup>th</sup> cost incurred from the SRF loan.

To date, including this payment, we have paid \$372,731.00 or 25.20% of the original contract price of \$1,479,000.00.

It is requested that the BOW:

**ratify partial payment request SRF #44 of SRF loan WW22162005 in the amount of \$243,441.00 to DLZ from the allocated SRF loan for professional services on the Oakland Avenue: Project D – CSO 6 & 7 Connection Design.**



ARCHITECTURE • ENGINEERING • PLANNING  
SURVEYING • CONSTRUCTION SERVICES



**Attention:** PE Tory Irwin  
**City of Elkhart, IN\***  
**1201 South Nappanee Street**  
**Elkhart, IN 46516**  
**United States**

**Invoice :** 000602556  
**Invoice Date :** 9/13/2024  
**Project :** 2461503350  
**Project Name :** Elkhart: LTCP Project D  
**Bill Term :** \*\*

**For Professional Services Rendered For 8/3/2024 Through 9/6/2024**

	Fee	% Complete	Billings		
			To Date	Previous	Current
A100 - Project Management	30,000.00	35.00	10,500.00	7,500.00	3,000.00
0002 - Utility Coordination	30,000.00	15.00	4,500.00	3,000.00	1,500.00
0003 - Environmental Investigation	30,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0004 - Pick-Up Field Survey (Allowance)	10,000.00	9,210.00	5,331.25	790.00	4,541.25
<i>Rate Labor</i>		4,041.25			
<i>Expenses</i>		500.00			
			Billings		
	Fee	% Complete	To Date	Previous	Current
0005 - Preliminary Engineering Reports	40,000.00	5.00	2,000.00	1,200.00	800.00
0006 - Design	1,168,000.00	30.00	350,400.00	116,800.00	233,600.00
0007 - Geotechnical Investigation	35,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0008 - Subsurface Utility Engineering (Allowance)	65,000.00	65,000.00	0.00	0.00	0.00
			Billings		
	Fee	% Complete	To Date	Previous	Current
0009 - Permitting	16,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0010 - Community Outreach (Hrly)	30,000.00	30,000.00	0.00	0.00	0.00
			Billings		
	Fee	% Complete	To Date	Previous	Current
0011 - Bid Phase Services	25,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0012 - Construction Admin Services	20,000.00	20,000.00	0.00	0.00	0.00

0013 - Part Time Construction Observation Services	200,000.00	200,000.00	0.00	0.00	0.00
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<b>Current Billings</b>	<u>243,441.25</u>
<b>Amount Due This Bill</b>	<u><u>243,441.25</u></u>

<b>Total Fee :</b>	1,699,000.00
<b>To Date Billings :</b>	<u>372,731.25</u>
<b>Total Remaining :</b>	1,326,268.75

<b>Outstanding Receivables</b>	<u>Invoice Number</u>	<u>Date</u>	<u>Amount</u>	<u>Balance Due</u>
	000601900	7/22/2024	66,560.00	66,560.00
	000602457	8/23/2024	62,730.00	62,730.00
				<u>129,290.00</u>



0004 - Pick-Up Field Survey (Allowance)

<b>Rate Labor</b>					
<i>Class / Employee</i>	<i>Date</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>	
<b>Director</b>					
Steven A Jones	8/8/2024	0.500	280.000	140.00	
<b>Party Chief</b>					
Brian J Todd	9/3/2024	8.000	170.000	1,360.00	
	9/3/2024	1.500	237.500	356.25	
	9/4/2024	1.000	170.000	170.00	
	9/6/2024	0.500	170.000	85.00	
	9/6/2024	5.000	170.000	850.00	
		-----		-----	
<b>Total Brian J Todd</b>		16.000		2,821.25	
<b>Total Party Chief</b>		-----		-----	
		16.000		2,821.25	
<b>Survey/Mapping Assistant</b>					
Alyssa L. Bracy	9/6/2024	4.250	120.000	510.00	
Bradley W.Smith	9/6/2024	4.750	120.000	570.00	
		-----		-----	
<b>Total Survey/Mapping Assistant</b>		9.000		1,080.00	
<b>Total Rate Labor</b>				<b>4,041.25</b>	
<b>Expenses</b>					
<i>Account / Vendor</i>	<i>Doc Number</i>	<i>Date</i>	<i>Cost</i>	<i>Multiplier</i>	<i>Amount</i>
<b>Recording/Filing Fees</b>					
Norfolk Southern Corporation	0600061982	8/9/2024	500.00	1.000	500.00
<b>Total Expenses</b>					<b>500.00</b>
<b>Total Bill Task: 0004 - Pick-Up Field Survey (Allowance)</b>					<b>4,541.25</b>

Total Project: 2461503350 - Elkhart: LTCP Project D

4,541.25



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

September 11, 2024

Tory S. Irwin  
Director of Public Works  
Department of Public Works & Utilities  
1201 S. Nappanee Street  
Elkhart, IN 46516

Re: Progress Report #4  
Oakland LTCP – Project D  
DLZ Account # 2261-5033-50

Dear Mr. Irwin:

This letter serves as our progress report through September 6, 2024.

- **Progress performed by DLZ on the design:**
  - Continued design of 3<sup>rd</sup> Street and Jackson Blvd and preparation of the 60% Plan Set.
  - Continued with Utility Coordination.
  - Continued looking at the requirements of the PER.
  - Continued working on the lift station memo.
- **Upcoming tasks for next month performed by DLZ:**
  - Continue the design of both corridors.
  - Continue with Utility Coordination.
- **Questions or clarifications requested from the City of Elkhart:**
  - N/A
- **Potential project risks:**
  - N/A

If you have any questions or require additional information, please contact our office at your convenience.

Sincerely,

DLZ INDIANA, LLC

  
Anthony Glenn, PE  
Project Manager

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M E M O R A N D U M

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**DATE:** November 21, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE: Oakland Avenue: Project D – CSO 6 & 7 Connection**  
**Approval of Partial Payment Request SRF#45 to DLZ**

---

Please see the attached invoice #603231 from DLZ for professional services provided for the Oakland Avenue Project D Design for work performed between September 7, 2024 and October 4, 2024. This payment of \$242,551.00 has been rounded as required by the SRF and represents the 45<sup>th</sup> cost incurred from the SRF loan.

To date, including this payment, we have paid \$615,282.00 or 41.60% of the original contract price of \$1,479,000.00.

It is requested that the BOW:

**ratify partial payment request SRF #45 of SRF loan WW22162005 in the amount of \$242,551.00 to DLZ from the allocated SRF loan for professional services on the Oakland Avenue: Project D – CSO 6 & 7 Connection Design.**



**APPROVED FOR PAYMENT**

DATE:

DESCRIPTION:

ACCOUNT LINE:

PO NO:

APPROVED BY:

Attention: PE Tory Irwin  
 City of Elkhart, IN\*  
 1201 South Nappanee Street  
 Elkhart, IN 46516  
 United States

Invoice : 000603231  
 Invoice Date : 10/25/2024  
 Project : 2461503350  
 Project Name : Elkhart: LTCP Project D  
 Bill Term : \*\*

**For Professional Services Rendered For 9/7/2024 Through 10/4/2024**

	Fee	% Complete	Billings		
			To Date	Previous	Current
A100 - Project Management	30,000.00	50.00	15,000.00	10,500.00	4,500.00
0002 - Utility Coordination	30,000.00	16.22	4,866.00	4,500.00	366.00
0003 - Environmental Investigation	30,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0004 - Pick-Up Field Survey (Allowance)	10,000.00	4,668.75	5,416.25	5,331.25	85.00
Rate Labor		85.00			
			Billings		
	Fee	% Complete	To Date	Previous	Current
0005 - Preliminary Engineering Reports	40,000.00	15.00	6,000.00	2,000.00	4,000.00
0006 - Design	1,168,000.00	50.00	584,000.00	350,400.00	233,600.00
0007 - Geotechnical Investigation	35,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0008 - Subsurface Utility Engineering (Allowance)	65,000.00	65,000.00	0.00	0.00	0.00
			Billings		
	Fee	% Complete	To Date	Previous	Current
0009 - Permitting	16,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0010 - Community Outreach (Hrly)	30,000.00	30,000.00	0.00	0.00	0.00
			Billings		
	Fee	% Complete	To Date	Previous	Current
0011 - Bid Phase Services	25,000.00	0.00	0.00	0.00	0.00
			Billings		
	Fee	Available	To Date	Previous	Current
0012 - Construction Admin Services	20,000.00	20,000.00	0.00	0.00	0.00
0013 - Part Time Construction Observation Services	200,000.00	200,000.00	0.00	0.00	0.00

Current Billings	<u>242,551.00</u>
Amount Due This Bill	<u><u>242,551.00</u></u>

Total Fee :	1,699,000.00
To Date Billings :	<u>615,282.25</u>
Total Remaining :	1,083,717.75

0004 - Pick-Up Field Survey (Allowance)

Rate Labor

Class / Employee

Date

Hours

Rate

Amount

Party Chief

Brian J Todd

9/10/2024

0.500

170.000

85.00

**Total Rate Labor**

**85.00**

Total Project: 2461503350 - Elkhart: LTCP Project D

85.00



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

October 21, 2024

Jason Simnick  
Project Manager  
Department of Public Works & Utilities  
1201 S. Nappanee Street  
Elkhart, IN 46516

Re: Progress Report #5  
Oakland LTCP – Project D  
DLZ Account # 2261-5033-50

Dear Mr. Irwin:

This letter serves as our progress report through October 4, 2024.

- **Progress performed by DLZ on the design:**
  - Continued design of 3<sup>rd</sup> Street and Jackson Blvd and preparation of the 60% Plan Set.
  - Continued with Utility Coordination.
  - Continued looking at the requirements of the PER.
  - Continued working on the lift station memo.
- **Upcoming tasks for next month performed by DLZ:**
  - Continue the design of both corridors.
  - Continue with Utility Coordination.
- **Questions or clarifications requested from the City of Elkhart:**
  - N/A
- **Potential project risks:**
  - N/A

If you have any questions or require additional information, please contact our office at your convenience.

Sincerely,

DLZ INDIANA, LLC

  
Anthony Glenn, PE  
Project Manager

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## M E M O R A N D U M

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**DATE:** November 21, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE:** **Oakland Avenue: Project D – CSO 6 & 7 Connection**  
**Approval of Partial Payment Request SRF#46 to DLZ**

---

Please see the attached invoice #603401 from DLZ for professional services provided for the Oakland Avenue Project D Design for work performed between October 5, 2024 and November 1, 2024. This payment of \$130,234.00 has been rounded as required by the SRF and represents the 46<sup>th</sup> cost incurred from the SRF loan.

To date, including this payment, we have paid \$745,516.00 or 50.41% of the original contract price of \$1,479,000.00.

It is requested that the BOW:

**ratify partial payment request SRF #46 of SRF loan WW22162005 in the amount of \$130,234.00 to DLZ from the allocated SRF loan for professional services on the Oakland Avenue: Project D – CSO 6 & 7 Connection Design.**





**Attention:** PE Tory Irwin  
**City of Elkhart, IN\***  
**1201 South Nappanee Street**  
**Elkhart, IN 46516**  
**United States**

**Invoice :** 000603401  
**Invoice Date :** 11/13/2024  
**Project :** 2461503350  
**Project Name :** Elkhart: LTCP Project D  
**Bill Term :** \*\*

**For Professional Services Rendered For 10/5/2024 Through 11/1/2024**

	<b>Billings</b>				
	<b>Fee</b>	<b>% Complete</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
A100 - Project Management	30,000.00	66.00	19,800.00	15,000.00	4,800.00
0002 - Utility Coordination	30,000.00	25.00	7,500.00	4,866.00	2,634.00
0003 - Environmental Investigation	30,000.00	0.00	0.00	0.00	0.00
	<b>Billings</b>				
	<b>Fee</b>	<b>Available</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
0004 - Pick-Up Field Survey (Allowance)	10,000.00	4,583.75	5,416.25	5,416.25	0.00
	<b>Billings</b>				
	<b>Fee</b>	<b>% Complete</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
0005 - Preliminary Engineering Reports	40,000.00	30.00	12,000.00	6,000.00	6,000.00
0006 - Design	1,168,000.00	60.00	700,800.00	584,000.00	116,800.00
0007 - Geotechnical Investigation	35,000.00	0.00	0.00	0.00	0.00
	<b>Billings</b>				
	<b>Fee</b>	<b>Available</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
0008 - Subsurface Utility Engineering (Allowance)	65,000.00	65,000.00	0.00	0.00	0.00
	<b>Billings</b>				
	<b>Fee</b>	<b>% Complete</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
0009 - Permitting	16,000.00	0.00	0.00	0.00	0.00
	<b>Billings</b>				
	<b>Fee</b>	<b>Available</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
0010 - Community Outreach (Hrly)	30,000.00	30,000.00	0.00	0.00	0.00
	<b>Billings</b>				
	<b>Fee</b>	<b>% Complete</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
0011 - Bid Phase Services	25,000.00	0.00	0.00	0.00	0.00
	<b>Billings</b>				
	<b>Fee</b>	<b>Available</b>	<b>To Date</b>	<b>Previous</b>	<b>Current</b>
0012 - Construction Admin Services	20,000.00	20,000.00	0.00	0.00	0.00
0013 - Part Time Construction Observation Services	200,000.00	200,000.00	0.00	0.00	0.00

Current Billings	130,234.00
Amount Due This Bill	<u>130,234.00</u>

Total Fee :	1,699,000.00
To Date Billings :	<u>745,516.25</u>
Total Remaining :	953,483.75

Outstanding Receivables	Invoice Number	Date	Amount	Balance Due
	000602457	8/23/2024	62,730.00	62,730.00
	000602556	9/13/2024	243,441.25	243,441.25
	000603231	10/25/2024	242,551.00	<u>242,551.00</u>
				548,722.25



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

November 12, 2024

Jason Simnick  
Project Manager  
Department of Public Works & Utilities  
1201 S. Nappanee Street  
Elkhart, IN 46516

Re: Progress Report #6  
Oakland Avenue – Project D: 3<sup>rd</sup> and Jackson  
DLZ Account # 2261-5033-50

Dear Mr. Irwin:

This letter serves as our progress report through November 1, 2024.

- **Progress performed by DLZ on the design:**
  - Continued design of 3<sup>rd</sup> Street and Jackson Blvd and preparation of the 60% Plan Set.
  - Continued with Utility Coordination.
  - Continued looking at the requirements of the PER.
  - Continued working on the lift station memo.
- **Upcoming tasks for next month performed by DLZ:**
  - Continue the design of both corridors.
  - Continue with Utility Coordination.
- **Questions or clarifications requested from the City of Elkhart:**
  - N/A
- **Potential project risks:**
  - N/A

If you have any questions or require additional information, please contact our office at your convenience.

Sincerely,

DLZ INDIANA, LLC

  
Anthony Glenn, PE  
Project Manager

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## M E M O R A N D U M

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**DATE:** November 15, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE:** **Oakland Avenue: Project C – Harrison Street**  
**Ratify Partial Payment Request SRF#42 to American Structurepoint**

---

Please see the attached invoice #182538 from American Structurepoint for professional services provided for the Oakland Avenue Project C Design for work performed between September 1, 2024 and October 31, 2024. This payment of \$115,587.00 has been rounded as required by the SRF and represents the 42<sup>nd</sup> cost incurred from the SRF loan.

To date, including this payment, we have paid \$231,206.00 or 28.78% of the original contract price of \$803,400.00.

It is requested that the BOW:

**ratify partial payment request SRF #42 of SRF loan WW22162005 in the amount of \$115,587.00 to American Structurepoint from the allocated SRF loan for professional services on the Oakland Avenue: Project C – Harrison Street Design.**



AMERICAN  
**STRUCTUREPOINT**  
INC.

Remit to:  
9025 River Road Suite 200  
Indianapolis, IN 46240-6443  
TEL 317.547.5580 FAX 317.543.0270  
www.structurepoint.com  
Federal Tax ID: 35-1127317

November 8, 2024  
Invoice No: 182538



Tory Irwin, PE  
City of Elkhart  
1201 S. Nappanee Street  
Elkhart, IN 46516

**Total Due This Invoice (see breakdown below): \$115,586.78**

Project 0002023.00468.0001 City of Elkhart, Oakland Avenue LTCP Harrison Street Separation (Project C)  
Services from September 1, 2024 through October 31, 2024

Phase	10000	Preliminary Engineering Report		
<b>Professional Services</b>				
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Staff Engineer		24.25	145.00	3,516.25
Totals		24.25		3,516.25
<b>Professional Services Total</b>				<b>3,516.25</b>
<b>Reimbursable Expenses</b>				
Postage & Shipping				90.14
<b>Reimbursables Total</b>				<b>90.14</b>
<b>Billing Limits</b>		<b>Current</b>	<b>Previous</b>	<b>Total</b>
Total Billings		3,606.39	2,573.75	6,180.14
Maximum				64,600.00
Under Maximum				58,419.86
<b>TOTAL THIS PHASE:</b>				<b>\$3,606.39</b>

Phase	20000	Preliminary Design		
<b>Professional Services</b>				
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Senior Engineer		4.75	290.00	1,377.50
Project Manager		126.50	270.00	34,155.00
Staff Engineer		75.00	145.00	10,875.00
Senior Technician		186.75	175.00	32,681.25
Landscape Architect		4.00	165.00	660.00
Senior Registered Land Surveyor		23.00	250.00	5,750.00
Senior Survey Crew Chief		24.00	190.00	4,560.00
Survey Crew Chief		65.00	175.00	11,375.00
Survey Crew Member		41.00	100.00	4,100.00

Full payment of this invoice is due within 30 days from invoice date.  
Interest at the rate of 1.5% per month (\$25.00/month minimum) plus any/all collection costs/attorney costs may be charged if payment is not received within 60 days from the invoice date.

Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Har		Invoice	182538
Technician		28.50	135.00	3,847.50	
	Totals	578.50		109,381.25	
	<b>Professional Services Total</b>				<b>109,381.25</b>
<b>Reimbursable Expenses</b>					
	Mileage			631.14	
	Meals			990.54	
	Lodging			977.46	
	<b>Reimbursables Total</b>			<b>2,599.14</b>	<b>2,599.14</b>
<b>Billing Limits</b>					
		<b>Current</b>	<b>Previous</b>	<b>Total</b>	
	Labor	109,381.25	107,996.25	217,377.50	
	Maximum			459,152.30	
	Under Maximum			241,774.80	
	Consultants	0.00	0.00	0.00	
	Maximum			34,799.00	
	Under Maximum			34,799.00	
	Expenses	2,599.14	5,049.56	7,648.70	
	Maximum			7,648.70	
			<b>TOTAL THIS PHASE:</b>		<b>\$111,980.39</b>
			<b>TOTAL DUE THIS INVOICE</b>		<b>\$115,586.78</b>

Very truly yours,

Bryan Hood

Full payment of this invoice is due within 30 days from invoice date.  
Interest at the rate of 1.5% per month (\$25.00/month minimum) plus any/all collection costs/attorney costs may be charged if payment is not received within 60 days from the invoice date.

# Billing Backup

Friday, November 8, 2024

American Structurepoint, Inc.

Invoice 182538 Dated 11/8/2024

2:49:37 PM

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Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Harrison Street Separation (Project C)		
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Phase	10000	Preliminary Engineering Report		
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**Professional Services**

	Hours	Rate	Amount	
Staff Engineer				
Staff Engineer				
Isakson, Michael	9/4/2024	1.00	145.00	145.00
PER drafting				
Isakson, Michael	9/5/2024	1.00	145.00	145.00
PER work				
Isakson, Michael	9/6/2024	1.00	145.00	145.00
PER work				
Isakson, Michael	9/11/2024	3.00	145.00	435.00
PER drafting				
Isakson, Michael	9/12/2024	1.00	145.00	145.00
PER edits				
Isakson, Michael	10/23/2024	5.25	145.00	761.25
PER and cost estimating				
Isakson, Michael	10/24/2024	4.00	145.00	580.00
PER and PER figures				
Isakson, Michael	10/29/2024	4.00	145.00	580.00
cost estimating				
Isakson, Michael	10/31/2024	4.00	145.00	580.00
PER work				
Totals	24.25			3,516.25
<b>Professional Services Total</b>				<b>3,516.25</b>

**Reimbursable Expenses**

Postage & Shipping				
120163	9/18/2024	UNITED PARCEL SERVICE / 091324 Keith, Greenwood Sanitation Field Office / Invoice: 0000439080374, 9/14/2024	67.47	
120327	9/25/2024	UNITED PARCEL SERVICE / Adjustment / Invoice: 0000439080384, 9/21/2024	22.67	
<b>Reimbursables Total</b>			<b>90.14</b>	<b>90.14</b>
<b>TOTAL THIS PHASE:</b>				<b>\$3,606.39</b>

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Phase	20000	Preliminary Design		
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**Professional Services**

	Hours	Rate	Amount	
Senior Engineer				
Senior Engineer				
McCormack, Jordan	9/19/2024	1.00	290.00	290.00
Meeting with the City				
McCormack, Jordan	9/30/2024	1.00	290.00	290.00
Progress discussion				
McCormack, Jordan	10/2/2024	1.00	290.00	290.00
Progress review with the City				

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costs/attorney costs may be charged if payment is not received within 60 days from the invoice date.

Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Har			Invoice	182538
McCormack, Jordan		10/7/2024	1.00	290.00	290.00	
	Coordination call with Tory					
Sparks, Rachel		10/30/2024	.75	290.00	217.50	
	storm sewer model					
Project Manager						
	Project Manager					
Hood, Bryan		9/3/2024	2.50	270.00	675.00	
	Design layout; review GIS data					
Hood, Bryan		9/4/2024	2.50	270.00	675.00	
	Design layout; spec/cost layout					
Hood, Bryan		9/5/2024	1.00	270.00	270.00	
	Utility reviews					
Hood, Bryan		9/9/2024	1.00	270.00	270.00	
	Utility coordination and design layout					
Hood, Bryan		9/11/2024	1.50	270.00	405.00	
	Survey Coordination; Sub coordination; internal team meeting					
Hood, Bryan		9/12/2024	1.00	270.00	270.00	
	Utility Drawing Review					
Hood, Bryan		9/16/2024	1.50	270.00	405.00	
	Design Layout					
Hood, Bryan		9/17/2024	3.50	270.00	945.00	
	Utility Layout / design					
Hood, Bryan		9/18/2024	3.50	270.00	945.00	
	Design Layout					
Hood, Bryan		9/19/2024	2.00	270.00	540.00	
	Design Layout					
Hood, Bryan		9/20/2024	3.50	270.00	945.00	
	Design Layout					
Hood, Bryan		9/23/2024	6.00	270.00	1,620.00	
	Design Layout					
Hood, Bryan		9/24/2024	6.00	270.00	1,620.00	
	Design Layout					
Hood, Bryan		9/25/2024	5.00	270.00	1,350.00	
	Design Layoiut					
Hood, Bryan		9/26/2024	4.00	270.00	1,080.00	
	Design Layout					
Hood, Bryan		9/27/2024	5.50	270.00	1,485.00	
	Design Layout					
Hood, Bryan		9/30/2024	8.00	270.00	2,160.00	
	Client Progress Mtg.; field checks					
Hood, Bryan		10/1/2024	8.00	270.00	2,160.00	
	Design Layout ; follow up comments from progress mtg.					
Hood, Bryan		10/4/2024	6.00	270.00	1,620.00	
	Stormwater Modeling, component sizing					
Hood, Bryan		10/7/2024	5.00	270.00	1,350.00	
	Stormwater Modeling, component sizing					
Hood, Bryan		10/8/2024	5.50	270.00	1,485.00	
	Sanitary/storm design					
Hood, Bryan		10/9/2024	3.50	270.00	945.00	
	coordinate for additional survey; Coordinate with DLZ for progress Mtg.; design plan review					
Hood, Bryan		10/10/2024	1.00	270.00	270.00	
	Project invoicing					
Hood, Bryan		10/11/2024	4.50	270.00	1,215.00	
	Design Layout					

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Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Har	Invoice	182538	
Hood, Bryan		10/15/2024	8.00	270.00	2,160.00
		Progress Meeting, field checks			
Hood, Bryan		10/16/2024	2.50	270.00	675.00
		Utility Design			
Hood, Bryan		10/17/2024	2.00	270.00	540.00
		General Project Management / Team coordination			
Hood, Bryan		10/18/2024	1.50	270.00	405.00
		Set up Geotechnical/Environmental sub agreement; coordinate Geo work.			
Hood, Bryan		10/21/2024	4.00	270.00	1,080.00
		Storm sewer modeling; sanitary sizing			
Hood, Bryan		10/23/2024	1.00	270.00	270.00
		soil boring sub coordination and schedule			
Hood, Bryan		10/25/2024	4.00	270.00	1,080.00
		Review storm and sanitary sewer profiles, inlet profiles, team mtg.			
Hood, Bryan		10/28/2024	.50	270.00	135.00
		Sewer profile reviews			
Hood, Bryan		10/29/2024	5.50	270.00	1,485.00
		Project managment, team check in, Review CAD changes and next steps; Coordinate with Planning group.			
Hood, Bryan		10/30/2024	3.00	270.00	810.00
		Route street scape planning coordination; water man layout			
Hood, Bryan		10/31/2024	2.50	270.00	675.00
		Team coordiination, watermain layout.			
Underwood, Mark		10/29/2024	.50	270.00	135.00
		Discuss next steps with Brian Hood and budget cuts			
Staff Engineer					
Staff Engineer					
Isakson, Michael		9/3/2024	1.00	145.00	145.00
		Downloading permits, reviewing construction standards			
Isakson, Michael		9/5/2024	2.50	145.00	362.50
		Cost, Permits, Spec set up			
Isakson, Michael		9/6/2024	4.50	145.00	652.50
		Confirming Utility locations on Plan Sets			
Isakson, Michael		9/9/2024	2.50	145.00	362.50
		Initial utility coordination and survey review			
Isakson, Michael		9/10/2024	2.00	145.00	290.00
		Utility work			
Isakson, Michael		9/11/2024	1.00	145.00	145.00
		Utility work in plans			
Isakson, Michael		9/13/2024	.50	145.00	72.50
		10572 Eagle Drive (eagle village lot 3) sewer connection request			
Isakson, Michael		9/17/2024	.50	145.00	72.50
		Internal Design Discussion			
Isakson, Michael		9/19/2024	.50	145.00	72.50
		utility coordination reminders			
Isakson, Michael		9/20/2024	3.50	145.00	507.50
		Plan set review, utility verification requests			
Isakson, Michael		9/30/2024	1.00	145.00	145.00
		Utility verificaiton			
Isakson, Michael		10/7/2024	.50	145.00	72.50
		Utility coordination			
Isakson, Michael		10/10/2024	.25	145.00	36.25
		Plan sheet review			
Isakson, Michael		10/14/2024	1.00	145.00	145.00
		Document prep for Client meeting			

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Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Har			Invoice	182538
Isakson, Michael		10/15/2024	8.50	145.00	1,232.50	
		meeting with city and site visit				
Isakson, Michael		10/16/2024	4.00	145.00	580.00	
		Markups, Profile Design				
Isakson, Michael		10/17/2024	4.50	145.00	652.50	
		Sewer Design and utility verification				
Isakson, Michael		10/18/2024	7.50	145.00	1,087.50	
		storm and sanitary sewer profile				
Isakson, Michael		10/21/2024	4.50	145.00	652.50	
		Markups and profiles				
Isakson, Michael		10/22/2024	5.25	145.00	761.25	
		Markups and profiles				
Isakson, Michael		10/24/2024	2.00	145.00	290.00	
		cost estimate				
Isakson, Michael		10/25/2024	3.25	145.00	471.25	
		Meeting with Bryan, profiles, markups				
Isakson, Michael		10/28/2024	4.00	145.00	580.00	
		markups				
Isakson, Michael		10/29/2024	2.00	145.00	290.00	
		Specs				
Isakson, Michael		10/30/2024	5.50	145.00	797.50	
		Sanitary Permit and Modeling Discussion				
Isakson, Michael		10/31/2024	2.75	145.00	398.75	
		Model set up				
		Senior Technician				
		Senior Technician				
Trawinski, Pawel		9/3/2024	6.00	175.00	1,050.00	
		road design				
Trawinski, Pawel		9/4/2024	8.50	175.00	1,487.50	
		road design				
Trawinski, Pawel		9/5/2024	8.00	175.00	1,400.00	
		road design				
Trawinski, Pawel		9/6/2024	2.50	175.00	437.50	
		road design				
Trawinski, Pawel		9/9/2024	4.50	175.00	787.50	
		project coordination / utility coordination				
Trawinski, Pawel		9/10/2024	5.25	175.00	918.75	
		road design				
Trawinski, Pawel		9/11/2024	8.25	175.00	1,443.75	
		pavement marking / sign design				
Trawinski, Pawel		9/12/2024	8.00	175.00	1,400.00	
		utility coordination / planting design / pavement marking / sign design				
Trawinski, Pawel		9/13/2024	7.00	175.00	1,225.00	
		plat no. 1 / road development				
Trawinski, Pawel		9/16/2024	8.25	175.00	1,443.75	
		project meeting / utility design				
Trawinski, Pawel		9/17/2024	8.00	175.00	1,400.00	
		utility design				
Trawinski, Pawel		9/18/2024	7.75	175.00	1,356.25	
		utility design				
Trawinski, Pawel		9/19/2024	6.00	175.00	1,050.00	
		utility design				
Trawinski, Pawel		9/20/2024	1.25	175.00	218.75	
		utility design				

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Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Har	Invoice	182538	
Trawinski, Pawel		9/23/2024	6.00	175.00	1,050.00
plan development					
Trawinski, Pawel		9/24/2024	7.25	175.00	1,268.75
plan development					
Trawinski, Pawel		9/25/2024	10.00	175.00	1,750.00
plan development					
Trawinski, Pawel		9/26/2024	7.00	175.00	1,225.00
plan development					
Trawinski, Pawel		10/1/2024	4.00	175.00	700.00
plan development / design					
Trawinski, Pawel		10/2/2024	6.50	175.00	1,137.50
plan development / design					
Trawinski, Pawel		10/3/2024	8.00	175.00	1,400.00
plan development / design					
Trawinski, Pawel		10/4/2024	7.50	175.00	1,312.50
plan development / design					
Trawinski, Pawel		10/7/2024	6.50	175.00	1,137.50
plan development / design					
Trawinski, Pawel		10/8/2024	8.00	175.00	1,400.00
plan development / design					
Trawinski, Pawel		10/28/2024	4.25	175.00	743.75
utility - water design					
Trawinski, Pawel		10/29/2024	6.00	175.00	1,050.00
utility - water design					
Trawinski, Pawel		10/30/2024	8.00	175.00	1,400.00
utility - water design					
Trawinski, Pawel		10/31/2024	8.00	175.00	1,400.00
utility - water design					
Wurster, Stephan		10/22/2024	.50	175.00	87.50
Scan Download and check control					
Landscape Architect					
Landscape Architect					
Kessler, Luke		9/6/2024	.25	165.00	41.25
review preliminary landscape plan					
Kessler, Luke		10/3/2024	3.00	165.00	495.00
landscape plans					
Kessler, Luke		10/4/2024	.50	165.00	82.50
landscape plans					
Kessler, Luke		10/7/2024	.25	165.00	41.25
landscape plans					
Senior Registered Land Surveyor					
Senior Registered Land Surveyor					
Douglass, Jeffrey		10/7/2024	.50	250.00	125.00
Field Coord					
Hood, John		10/7/2024	1.00	250.00	250.00
Field Pack					
Hood, John		10/11/2024	.50	250.00	125.00
Per Diem					
Hood, John		10/18/2024	.50	250.00	125.00
Per Diem					
Stapleton, Jessica		9/3/2024	1.00	250.00	250.00
property lines					
Stapleton, Jessica		9/4/2024	6.00	250.00	1,500.00
property lines					

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Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Har			Invoice	182538
Stapleton, Jessica		9/5/2024	5.00	250.00	1,250.00	
property lines						
Stapleton, Jessica		9/6/2024	4.00	250.00	1,000.00	
property lines						
Stapleton, Jessica		9/9/2024	4.00	250.00	1,000.00	
property lines						
Stapleton, Jessica		9/10/2024	.50	250.00	125.00	
route plat						
Senior Survey Crew Chief						
Senior Survey Crew Chief						
Parks, Jordan		10/8/2024	8.00	190.00	1,520.00	
Addtl Topo						
Parks, Jordan		10/9/2024	8.00	190.00	1,520.00	
Addtl Topo						
Parks, Jordan		10/10/2024	8.00	190.00	1,520.00	
Addtl Topo						
Survey Crew Chief						
Survey Crew Chief						
Dant, Darin		10/8/2024	8.00	175.00	1,400.00	
topo						
Dant, Darin		10/9/2024	8.00	175.00	1,400.00	
topo						
Dant, Darin		10/10/2024	5.00	175.00	875.00	
topo						
Speth, Aaron		10/15/2024	4.00	175.00	700.00	
as						
Speth, Aaron		10/16/2024	8.00	175.00	1,400.00	
as						
Speth, Aaron		10/17/2024	8.00	175.00	1,400.00	
as						
Speth, Aaron		10/18/2024	8.00	175.00	1,400.00	
as						
Tornes, Sean		10/9/2024	8.00	175.00	1,400.00	
topo						
Tornes, Sean		10/10/2024	8.00	175.00	1,400.00	
topo						
Survey Crew Member						
Survey Crew Member						
Craney, Maxwell		10/15/2024	4.00	100.00	400.00	
Topo						
Craney, Maxwell		10/16/2024	8.00	100.00	800.00	
Topo						
Craney, Maxwell		10/17/2024	8.00	100.00	800.00	
Topo						
Craney, Maxwell		10/18/2024	8.00	100.00	800.00	
Topo						
Wheeler, Micah		10/9/2024	8.00	100.00	800.00	
Work on Oakland Ave. at Harrison Street.						
Wheeler, Micah		10/10/2024	5.00	100.00	500.00	
Work on Oakland Ave. at Harrison Street.						
Technician						
Technician						
Pfiester, Mark		9/9/2024	3.00	135.00	405.00	

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Project	0002023.00468.0001	City of Elkhart, Oakland Avenue LTCP Har	Invoice	182538
	Route Plat			
Pfiester, Mark		9/11/2024	7.00	135.00
	LCRSP			
Pfiester, Mark		9/12/2024	8.00	135.00
	Route Plat			
Pfiester, Mark		9/13/2024	4.50	135.00
	Route Plat			
Pfiester, Mark		9/16/2024	5.00	135.00
	LCRSP			
Pfiester, Mark		9/17/2024	1.00	135.00
	LCRSP			
	Totals		578.50	109,381.25
	<b>Professional Services Total</b>			<b>109,381.25</b>

**Reimbursable Expenses**

**Mileage**

000000081182	10/9/2024	Wheeler, Micah / Elkhart Oakland Ave Travel	74.37
000000081182	10/10/2024	Wheeler, Micah / Elkhart Travel	132.66
000000080854	9/30/2024	Hood, Bryan / Travel	115.24
000000081236	10/15/2024	Hood, Bryan / Travel	114.57
000000081378	10/15/2024	Isakson, Michael / Elkhart site visit	194.30

**Meals**

000000081184	10/9/2024	Wheeler, Micah / Per diem	55.00
000000081184	10/10/2024	Wheeler, Micah / Per diem	55.00
000000081572	10/16/2024	Speth, Aaron / Per Diem	55.00
000000081572	10/17/2024	Speth, Aaron / Per Diem	55.00
000000081572	10/18/2024	Speth, Aaron / Per Diem	55.00
000000081236	9/30/2024	Hood, Bryan / Lunch	73.51
000000081236	10/15/2024	Hood, Bryan / Lunch	37.03
000000081277	10/8/2024	Dant, Darin / Per diem	55.00
000000081277	10/9/2024	Dant, Darin / Per diem	55.00
000000081277	10/10/2024	Dant, Darin / Per diem	55.00
000000081341	10/8/2024	Parks, Jordan / Per diem	55.00
000000081341	10/9/2024	Parks, Jordan / Per diem	55.00
000000081341	10/10/2024	Parks, Jordan / Per diem	55.00
000000081714	10/16/2024	Craney, Maxwell / Per Diem	55.00
000000081714	10/17/2024	Craney, Maxwell / Per Diem	55.00
000000081714	10/18/2024	Craney, Maxwell / Per Diem	55.00
000000081460	10/9/2024	Tornes, Sean / Per diem	55.00
000000081460	10/10/2024	Tornes, Sean / Per diem	55.00

**Lodging**

000000081571	10/15/2024	Speth, Aaron / Portage	172.74
000000081571	10/15/2024	Speth, Aaron / Portage	172.74
000000081571	10/18/2024	Speth, Aaron / Elkhart	315.99
000000081571	10/18/2024	Speth, Aaron / Elkhart	315.99

Reimbursables Total

2,599.14      2,599.14

**APPROVED FOR PAYMENT**

**TOTAL THIS PHASE: \$111,980.39**

DATE:

**TOTAL THIS SUB-PROJECT: \$115,586.78**

DESCRIPTION:

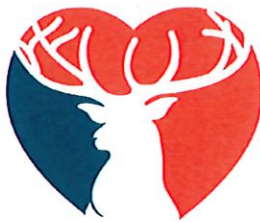
**Total this Report \$115,586.78**

ACCOUNT LINE:

PO NO:

APPROVED BY:

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City of Elkhart  
*Public Works and Utilities*

Date Nov 18, 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 October, 2024

**Wastewater MRO Highlights**

Parameter	Monthly Avg	Permit Limit
Suspended Solids mg/L	9	30
cBOD5 mg/L	3	25
Phosphorus mg/L	0.83	1.0
Ammonia mg/L	0.12	4.4 (Dec-Apr) 4.2 (May-Nov)
Avg Daily Flow MGD	10.65	Design - 20
Total Monthly Flow MGD	330	Report

**Incident Reports Filed**

Date	Location	Volume (gal)	Cause
None			

**Wet Weather Overflows**

Number of Events	Total Overflow Volume (MG)
None	



City of Elkhart  
Public Works and Utilities

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## M E M O R A N D U M

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Date November 15, 2024  
To Board of Public Works  
From Bryan Cress, Regulatory Compliance Manager *BCC*  
RE Closing Document for Sale of Property at 28864 W County Road 16

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**Public Works respectfully requests that the Board of Public Works accept and place on file the closing documents associated with the sale of City of Elkhart owned property at Property at 28864 W County Road 16.**

Pursuant to Board of Public Works resolution 24-R-17, Bryan Cress negotiated and signed for the sale of the property with gross proceeds of \$195,000. After commissions and other associated closing cost as described in the closing documents, the City of Elkhart received \$183,556.93. This money will be returned to the fund which originally purchased the property.

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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Elkhart County Landfill – Permit # 92-04

The Pretreatment group requests the Board of Public Works approval of the Industrial Wastewater Discharge Permit modification for Elkhart County Landfill Permit # 92-04, located at 59530 County Road 7 south, Elkhart, Indiana.

Elkhart County Landfill receives municipal solid waste and discharges leachate to the City's sewer system.

Elkhart County Landfill has been a very cooperative and compliant facility; the Pretreatment group recommends this Permit renewal.

**Please approve the Industrial Wastewater Discharge Permit modification for Elkhart County Landfill.**



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Continental Industries – Permit # 2003-01

The Pretreatment group requests the Board of Public Works approval of the Industrial Wastewater Discharge Permit for Continental Industries Permit # 2003-01, located at 100 W. Windsor Ave., Elkhart, Indiana.

Continental Industries has a metal finishing process for heating, ventilation and air conditioning registers.

Continental Industries has been a very cooperative and compliant facility; the Pretreatment group recommends this Permit renewal.

**Please issue Continental Industries its five-year Industrial Wastewater Discharge Permit Renewal.**



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager, *SB*  
RE Winona Powder – Permit # 2003-02

The Pretreatment group requests the Board of Public Works approval of the Industrial Wastewater Discharge Permit for Winona Powder Permit # 2003-02, located at 800 Summa Dr., Elkhart, Indiana.

Winona Powder has a metal finishing process for various parts.

Winona Powder has been a very cooperative and compliant facility; the Pretreatment group recommends this Permit renewal.

**Please issue Winona Powder its five-year Industrial Wastewater Discharge Permit Renewal.**



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager *SB*  
RE Norfolk Southern – Permit # 85-27

Norfolk Southern had a self-monitoring requirement to monitor pH, TSS, cBOD5, COD, TPH on a monthly frequency at their end of pipe with their previous Industrial Wastewater Discharge Permit.

Norfolk Southern failed to self-monitor the above parameters for the month of July 2024. Elkhart Public Works and Utilities Wastewater Utility Enforcement Response Plan recommends a penalty of \$100 for each limit that is violated.

The total recommended penalty for this offense is \$500.

Please find Norfolk Southern in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$500 to Norfolk Southern - Permit # 85-27 is recommended.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager SB  
RE Norfolk Southern – Permit # 85-27

Pretreatment Staff received Norfolk Southern Self-Monitoring Report (SMR) on October 28, 2024. Within this SMR it is noted that the samples were collected on September 4, 2024. This SMR was due to be received by Pretreatment Staff on or before October 25, 2024. This SMR was 3 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Norfolk Southern in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Norfolk Southern – Permit # 85-27 is recommended.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Norfolk Southern – Permit # 85-27

Pretreatment Staff received Norfolk Southern Self-Monitoring Report (SMR) on September 26, 2024. Within this SMR it is noted that the samples were collected on August 18, 2024. This SMR was due to be received by Pretreatment Staff on or before September 25, 2024. This SMR was 1 day late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Norfolk Southern in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Norfolk Southern – Permit # 85-27 is recommended.



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## M E M O R A N D U M

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Date November 23, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager SB  
RE Elkhart Environmental Processing – Permit # 2002-02

Elkhart Environmental Processing (EEP) was issued a renewed Industrial Wastewater Discharge Permit on August 6, 2024. Their new self-monitoring requirement is to monitor Elkhart's Local Limits at their end of pipe monthly.

For the month of September 2024, EEP failed to self-monitor pH, Arsenic, Cadmium, Copper, Cyanide, FOG, TPH, Lead, Mercury, Nickel, Phenol, Silver, Chromium, and Zinc.

Elkhart Public Works and Utilities Wastewater Utility Enforcement Response Plan recommends a penalty of \$100 for each parameter that is not sampled.

The total recommended penalty for this offense is \$1,400.

Please find Elkhart Environmental Processing in violation of the Enforcement Response Plan and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$1,400 to Elkhart Environmental Processing - Permit # 2002-02 is recommended.



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## M E M O R A N D U M

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Date November 19, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager SB  
RE JBS Prepared Foods – Permit # 2002-01

JBS Prepared Foods has a monthly self-monitoring requirement for Total Fats, Oils and Grease (FOG); collect three individual grab samples over a production day at equally spaced intervals and analyze them separately.

Pretreatment Staff received JBS Prepared Foods Self-Monitoring Report (SMR) on November 6, 2024. Within this SMR it is noted that two FOG grab samples collected on October 17 & 18, 2024, exceeded the 200 mg/L Local Limit for FOG.

1. FOG grab sample collected on October 17, 2024 at 4:00pm with the result of 205mg/L. For a recommended penalty \$250.
2. FOG grab sample collected on October 18, 2024 at 12:00am with the result of 218mg/L. For a recommended penalty \$250.

**NOTE:**

The sample type for FOG grab samples are to be collected over production day at equally spaced intervals analyzed separately. The collections at 9:00am, 4:00pm and 12:00am are not equally spaced intervals over a production day.

Please find JBS Prepared Foods in violation of the Enforcement Response Plan and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$500 to JBS Prepared Foods - Permit # 2002-01 is recommended.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE JBS Prepared Foods – Permit # 2002-01

Pretreatment Staff attempted to conduct a 24-hour routine monitoring event at JBS Prepared Foods on August 6, 2024. On the following day, August 7, 2024, this event was unsuccessful due to raw meat obstructing the monitoring equipment's strainer, please see figures below. Pretreatment Staff reset our monitoring equipment for another 24-hour attempt and the second round of monitoring was successful.

### Elkhart Ordinance section 52.11 Specific Prohibitions

No person shall introduce or cause to be introduced, directly or indirectly, into the POTW the following pollutants, substances, or wastewater.

(B) A solid or viscous pollutant, or other substances, which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to:

(1) Grease, garbage with particles greater than ½ inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gasoline, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes;

Please see Figures #1 and #2 on the back page for review.

Please find JBS Prepared Foods in violation of the Sewer Use Ordinance and assign penalties. Board of Public Works to recommend the penalty amount for JBS Prepared Foods – Permit # 2002-01.







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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager<sup>SB</sup>  
RE Bimbo Bakeries – Permit # 2006-03

Bimbo Bakeries has a monthly self-monitoring requirement for Total Fats, Oils and Grease (FOG); collect three individual grab samples over a production day at equally spaced intervals and analyze them separately.

Pretreatment Staff received Bimbo Bakeries Self-Monitoring Report (SMR) on October 8, 2024. Within this SMR it is noted that three FOG grab samples collected on September 5, 2024, exceeded Elkhart's Local Limit of 200 mg/L.

The Enforcement Response Plan recommends "Violation more than 20% above established limits shall be assessed an additional \$250 penalty..."

1. FOG grab sample collected at 7:00am with the result of 907mg/L, also exceeds 20% above established limits with the result of (353.5%) shall be assessed an additional \$250 penalty. For a recommended penalty \$500.
2. FOG grab sample collected at 11:00am with the result of 640mg/L, also exceeds 20% above established limits with the result of (220%) shall be assessed an additional \$250 penalty. For a recommended penalty \$500.
3. FOG grab sample collected at 1:00pm with the result of 612mg/L, also exceeds 20% above established limits with the result of (206%) shall be assessed an additional \$250 penalty. For a recommended penalty \$500.

**NOTE:**

The sample type for FOG grab samples are to be collected over production day at equally spaced intervals analyzed separately. The collections of 7:00am, 11:00am and 1:00pm are not equally spaced intervals.

Please find Bimbo Bakeries in violation of the Enforcement Response Plan and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$1,500 to Bimbo Bakeries - Permit # 2006-03 is recommended.



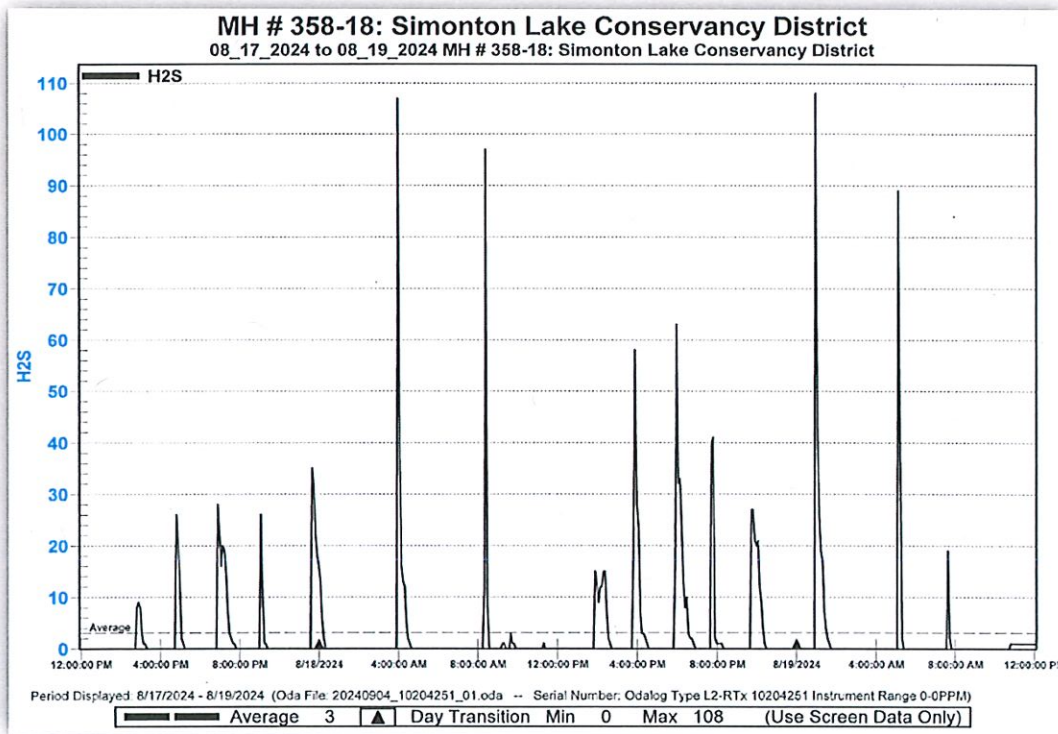
## MEMORANDUM

Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager<sup>SB</sup>  
RE Simonton Lake Conservancy District

Pretreatment Staff conducted monthly H<sub>2</sub>S monitoring for Simonton Lake Conservancy District on August 17-19, 2024. The H<sub>2</sub>S result of 105 ppm exceeded the maximum limit of 50 ppm set by the Wastewater Use Ordinance.

The Enforcement Response Plan recommends a penalty of \$250 for "Discharging wastewater containing parameters in excess of established limits" and an additional \$250 penalty "Violation more than 20% above established limits..."

This violation has a 116% above the established limit for a **total recommended penalty of \$500.**



Please find Simonton Lake Conservancy District in violation of the Wastewater Use Ordinance and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$500 to Simonton Lake Conservancy District is recommended.



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## M E M O R A N D U M

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Date November 23, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager *SB*  
RE Bonnell Aluminum – Permit # 91-01

Pretreatment Staff conducted routine monitoring at Bonnell Aluminum's end of process on September 9-10, 2024. The analytical result for nickel from this composite sample 3.1mg/L exceeds the permitted end of process monthly average limit of 2.38mg/L.

Enforcement Response plan recommends a penalty of \$250 for this offense.

Violation more than 20% above established limits shall be assessed an additional \$250 penalty

Please find Bonnell Aluminum in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$500 to Bonnell Aluminum - Permit # 91-01 is recommended.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Bonnell Aluminum – Permit # 91-01

Pretreatment Staff received Bonnell Aluminum Self-Monitoring Report (SMR) on August 7, 2024. Within this SMR it is noted that the samples were collected on June 3-4, 2024. This SMR was due to be received by Pretreatment Staff on or before July 25, 2024. This SMR was 13 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Bonnell Aluminum in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Bonnell Aluminum – Permit # 91-01 is recommended.



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## M E M O R A N D U M

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Date November 23, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager SB  
RE Elkhart County Landfill – Permit # 92-04

Pretreatment Staff received Elkhart County Landfill Self-Monitoring Report (SMR) on October 2, 2024. Within this SMR it is noted that the samples were collected during the month of August 2024. This SMR was due to be received by Pretreatment Staff on or before September 25, 2024. This SMR was 7 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Elkhart County Landfill in violation of the Enforcement Response Plan.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager *SB*  
RE Liftco – Permit # 2005-01

Pretreatment Staff received a Self-Monitoring Report (SMR) for Liftco on September 26, 2024. Within this SMR it is noted that the samples were collected on August 26, 2024. This SMR was due to be received by Pretreatment Staff on or before September 25, 2024. This SMR was 1 day late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Liftco in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Liftco – Permit # 2005-01 is recommended.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager *SB*  
RE Anderson Silver Plating – Permit # 85-07

Pretreatment Staff received Anderson Silver Plating Self-Monitoring Report (SMR) on August 29, 2024. Within this SMR it is noted that the samples were collected on July 31, 2024. This SMR was due to be received by Pretreatment Staff on or before August 25, 2024. This SMR was 4 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Anderson Silver Plating in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Anderson Silver Plating – Permit # 85-07 is recommended.





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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager<sub>SB</sub>  
RE Voyant Beauty West – Permit # 98-01

Pretreatment Staff received Voyant Beauty West Self-Monitoring Report (SMR) on July 30, 2024. Within this SMR it is noted that the samples were collected on June 12-13, 2024. This SMR was due to be received by Pretreatment Staff on or before July 25, 2024. This SMR was 5 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Voyant Beauty West in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Voyant Beauty West – Permit # 98-01 is recommended.

Pretreatment Staff received Voyant Beauty West Self-Monitoring Report (SMR) on July 30, 2024.

Within this SMR it is noted that the samples were collected on June 12-13, 2024.

This SMR was due to be received by Pretreatment Staff on or before July 25, 2024.

This SMR was 5 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

The Enforcement Response Plan recommends a penalty of \$250 for this offense.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE MOR/ryde International – Permit # 2017-01

Pretreatment Staff received MOR/ryde International Self-Monitoring Report (SMR) on July 8, 2024. Within this SMR it is noted that the samples were collected on May 30-31, 2024. This SMR was due to be received by Pretreatment Staff on or before June 25, 2024. This SMR was 13 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find MOR/ryde International in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to MOR/ryde International – Permit # 2017-01 is recommended.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager <sup>SB</sup>  
RE Lippert Components, Plant #83 – Permit #92-05

Pretreatment Staff received Lippert Components, Plant #83 Self-Monitoring Report (SMR) on July 1, 2024. Within this SMR it is noted that the samples were collected on May 28, 2024. This SMR was due to be received by Pretreatment Staff on or before June 25, 2024. This SMR was 6 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Lippert Components, Plant #83 in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Lippert Components, Plant #83 – Permit #92-05 is recommended.



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## M E M O R A N D U M

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Date November 25, 2024  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager *SB*  
RE Hydro Extrusion USA, LLC – Permit #97-04

Pretreatment Staff received Hydro Extrusion's Self-Monitoring Report (SMR) on June 27, 2024. Within this SMR it is noted that a grab sample was collected on May 29, 2024, and a composite sample was collected on May 29-30, 2024. This SMR was due to be received by Pretreatment Staff on or before June 25, 2024. This SMR was 2 days late.

All Significant Industrial Users have the requirement as stated within their Industrial Wastewater Discharge Permits to submit their SMR by the **25<sup>th</sup> of the following month** in which the sample(s) were collected.

Please find Hydro Extrusion USA, LLC in violation of its Industrial Wastewater Discharge Permit and assign penalties. Per the City of Elkhart Enforcement Response Plan, a total penalty of \$250 to Hydro Extrusion USA, LLC – Permit #97-04 is recommended.



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## MEMORANDUM

Date November 14, 2024  
To Mike Machlan, Board of Works President  
From Jeff Zavatsky, Elkhart Environmental Center, Director  
Re Contract Approval for IU Environmental Resilience Institute – McKinney Climate Fellow

The Elkhart Environmental Center was awarded a climate fellow through Indiana University, Environmental Resilience Institute. The Urban Green Infrastructure cohort comes with a summer fellow that will work with a professional tree service to development a tree canopy assessment, work with an equity coach and identify and work with community stakeholders to identify priority tree planting areas. A community wide tree planting plan will be developed for the city.

This cohort also includes up to 100 trees to be planted in disadvantaged areas that will be maintained for 3 years by a private service. Davey Resource Group was the contractor that was awarded by Indiana University. Estimated total value for this program is \$142,000.

The original plan was to include the \$3,200 cost for this program in the federal grant awarded to the city by the USDA Forestry Initiative Reimbursement Grant. However, it was recently decided by the grant managers, that this would not be approved since it took place before we were officially “funded” and asked that we remove it from the federal grant request. I am respectfully asking the Board of Works to approve this contract and give me permission to sign online. The \$3,200 will be paid out of the 2024 Budget for the Environmental Center.



## HOST OFFER LETTER

The IU Environmental Resilience Institute's **McKinney Climate Fellows program** ("MCF") is pleased to offer City of Elkhart, Elkhart Env. Center ("Organization") a Fellow for Summer 2024. MCF and Organization have decided to establish a cooperative professional and educational program and agree as follows:

### I. RESPONSIBILITIES OF THE ORGANIZATION

1. The organization and assigned supervisor understand that as an educational program operated by IU, MCF staff will select the candidates and make final offers to place Fellows with your organization.
2. ERI MCF will invoice the organization for the amount agreed upon.
3. The organization and assigned supervisor must follow all policies and procedures outlined in the MCF Handbook provided.
4. Fellows agree to abide by the same Handbook as well as all policies and procedures of the organization—it is the supervisor's responsibility to onboard the Fellow and provide organizational guidance/orientation to avoid potential conflicts.
5. Fellows are students and they are not to be considered substitute staff. Fellows should be assigned meaningful work appropriate to this entry-level professional development experience.
6. Maintain an open line of communication with your Fellow. We recommend creating a weekly recurring 1:1 meeting at the beginning of the summer, to regularly check in and provide meaningful feedback and direction.
7. Assign a back-up supervisor in case of vacations or unexpected absences. Communicate in writing to MCF staff any changes in management/supervisor/project.
8. Fellows commit to working 400 hours over 10-12 weeks between May-August. While most of those hours are dedicated to your organization and tasks, students are to be excused for approximately 1.5 hours per week to attend mandatory MCF programming such as:
  - a. Start of summer: Climate Camp and workplan development
  - b. Weekly: Climate Connections, Lunch & Learn professional development, and progress report submission on Canvas
  - c. Mid-placement: check in with ERI staff, site visit with supervisor and ERI staff, publicity requests as applicable
  - d. Post-program: assessment.
9. If you have concerns about your Fellow, please bring them to the attention of MCF staff immediately for assistance in course correction. Main contacts are Elspeth Hayden ([haydene@iu.edu](mailto:haydene@iu.edu)) and Anagha Gore ([anagore@iu.edu](mailto:anagore@iu.edu)).

II. RESPONSIBILITIES OF MCF

1. Recruit, vet, and match Fellows with an organization and facilitate the placement process.
2. Maintain consistent communication to ensure supervisors and Fellows are aware of upcoming events and action items.
3. Orient supervisor and Fellow at the start of the placement to outline policies and procedures, expectations, and best practices.
4. Provide professional development opportunities for Fellows.
5. Serve as a resource for Fellows and supervisors if questions or concerns arise about the program or experience.
6. Continuously evaluate MCF activities, programs, and policies to ensure successful experiences for both Fellows and supervisors.
7. Provide fellowship stipends to the students directly through their IU bursar account.

III. INVOICE ESTIMATE

**\$2,200** - Standard *Nonprofit/Government* Fellowship Contribution **OR**

**\$5,200** (undergrad) or  **\$6,400** (grad) - Standard *Business* Fellowship Contribution **OR**

\$ \_\_\_\_\_ - Alternative Fellowship Contribution

**\$1,000** - Resilience Cohort Program

*I accept the offer of student support via the MCF program for Summer 2024.*

SUPERVISOR NAME \_\_\_\_\_

SUPERVISOR SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_