

**AGENDA
ELKHART CITY PLAN COMMISSION
MONDAY, JULY 1, 2024 AT 1:45 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

THIS MEETING WILL BE HELD ELECTRONICALLY VIA WEBEX.

This meeting can also be accessed via WebEx. To join, go to <https://signin.webex.com/join>, enter **2305 333 9624** as the meeting number, and "**Plan2024**" as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted via the WebEx app during the meeting, or may be submitted to Carla.Lipsey@coei.org prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF PROOFS OF PUBLICATION**

4. **NEW BUSINESS**

24-PUDA-03 PETITIONER IS GKC Indiana Theatres Inc. AMC Theatres (American Multi-Cinema, Inc.)

PROPERTY IS LOCATED AT Vacant land – Mishawaka Road (C R 20), Parcel 06-22-451-003.000-011; 1.56-acre parcel

To add 1.56 acres of land to the amended Concord Mall PUD (23-PUDA-04) to have the same development standards as the 2023 case; which read Per Section 20.10.B.3, of the City of Elkhart Zoning Ordinance, a Major Amendment to the Concord Mall Planned Unit Development District, Ordinance 5029, approved by the Common Council of the City of Elkhart. The proposed amendment would remove the B-4, Regional Business District from the list of permitted uses, and add R-4, Multi-Family Residential District, B-2, Community Business District, and M-1, Limited Manufacturing District to the list of permitted uses, with some M-1 uses omitted (complete list available in the Planning and Zoning Office). To also allow for limited, screened outside storage.

Staff Item

24-SI-02- ADDRESSING

Approval of proposed addresses for the City of Elkhart.

5. **ADJOURNMENT**

**PLEASE REMEMBER TO USE YOUR MICROPHONE WHEN SPEAKING.
ERRORS IN THE MINUTES MAY RESULT DUE TO VOICES BEING INAUDIBLE.**



Staff Report

Planning & Zoning

Petition: 24-PUDA-03

Petition Type: Major Amendment to PUD

Date: July 1, 2024

Petitioner: GKC Indiana Theaters INC. AMC Theatres (American Multi-Cinema) INC.

Site Location: Vacant Land CR 20 – parcel 06-22-451-003

Request: To add 1.56 acres of land to the amended Concord Mall PUD (23-PUDA-04) to have the same development standards as the 2023 case; which read Per Section 20.10.B.3, of the City of Elkhart Zoning Ordinance, a Major Amendment to the Concord Mall Planned Unit Development District, Ordinance 5029, approved by the Common Council of the City of Elkhart. The proposed amendment would remove the B-4, Regional Business District from the list of permitted uses, and add R-4, Multi-Family Residential District, B-2, Community Business District, and M-1, Limited Manufacturing District to the list of permitted uses, with some M-1 uses omitted (complete list available in the Planning and Zoning Office). To also allow for limited, screened outside storage.

Existing Zoning: PUD – Planned Unit Development

Size: +/- 1.56 Acres

Thoroughfares: Mishawaka Road

School District: Concord Community Schools

Utilities: Available and provided to site.

Plan Commission Action: Recommendation to Common Council.

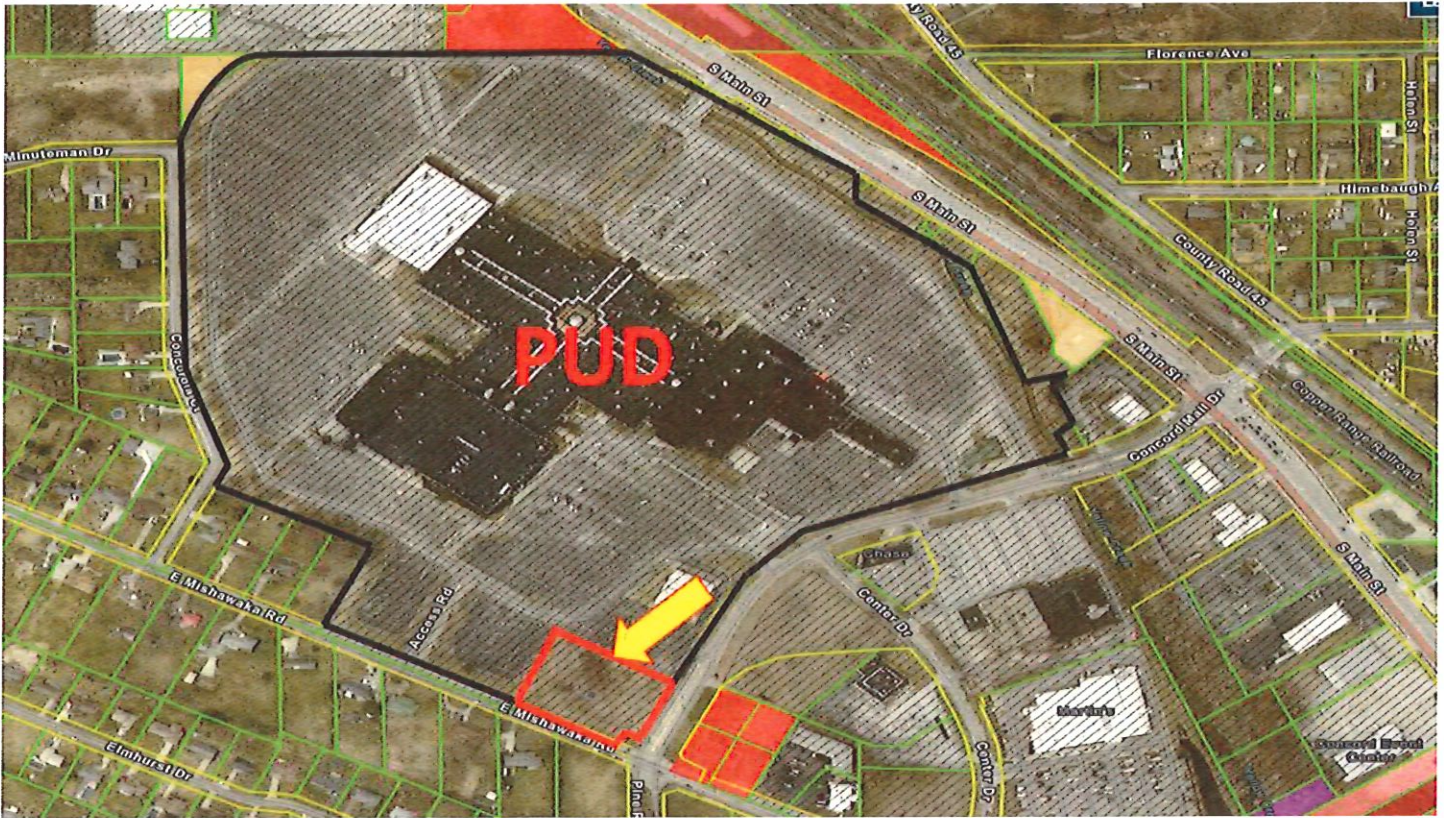
Surrounding Land Use & Zoning:

Properties to the south and west are commercial and residential, zoned PUD, B-2 and Elkhart County Zoning. Properties to the west are residential zoned Elkhart County Zoning. Properties to the north are commercial zoned PUD and B-2. Properties to the east are commercial and undeveloped zoned B-2 and B-3.

Applicable Sections of the Zoning Ordinance:

See enumerated in request.

Comprehensive Plan: The Comprehensive Plan calls for this area to be developed with commercial uses.



Staff Analysis

The petitioner, GKC Indiana Theatres, Inc., has entered into an agreement to sell a 1.56 acre parcel to the company that is redeveloping the former Concord Mall. ICP (d.b.a. Elkhart Concord, LLC.) has started the redevelopment of the 60 + acre former retail mall site to a mixed use facility with light industrial, commercial and multi-family residential uses, now renamed Concord Business Park. Currently, the facility has been gutted and exterior work to the façade and grounds are now underway. The retail (ABC Warehouse and Hobby Lobby) and dental office (Pippen Dental) will remain in their current locations.

The parcel, located at the intersection of Concord Mall Drive and Mishawaka Road, will add 1.56 acres to the amended Planned Unit Development approved last year - Ordinance 5949. Based on the master development plan for the Concord Business Park, the 1.56 acre parcel will be developed, along with adjacent land, for multi-family residential along the Mishawaka Road frontage.

The acquisition of this 1.56 acres was intended to be included in the 2023 petition, however the negotiations for the site took longer than anticipated. Staff supports the request and feels that it makes sense to include this land into the amended Planned Unit Development to ensure harmonious development along Mishawaka Road. The development conditions for this request will be the same as the conditions approved in 2023.

Recommendation

The Staff recommends approval of the major amendment to the Planned Unit Development, to add 1.56 acres of land to the amended Concord Mall PUD (23-PUDA-04) to have the same development standards as the 2023 case; which read per Section 20.10.B.3, of the City of Elkhart Zoning Ordinance, a Major Amendment to the

Concord Mall Planned Unit Development District, Ordinance 5029, approved by the Common Council of the City of Elkhart. The proposed amendment would remove the B-4, Regional Business District from the list of permitted uses, and add R-4, Multi-Family Residential District, B-2, Community Business District, and M-1, Limited Manufacturing District to the list of permitted uses, with some M-1 uses omitted (complete list available in the Planning and Zoning Office). To also allow for limited, screened outside storage, based on the following findings of fact:

- 1) The Comprehensive Plan calls for this area to be developed with commercial uses. The proposed use is compatible with commercial uses.
- 2) The proposed uses should not impact the other permitted uses approved for this PUD. The proposed use should not negatively impact surrounding properties.
- 3) The proposed use is compatible with other activity already permitted by the planned unit development – the B-4 District would no longer be valid, but the B-2 District will allow existing retail and medical uses to continue by right.

Conditions

If the Council chooses to approve the PUD Amendment, staff recommends that the following conditions be placed upon the approval:

1. Ordinances 5029 and shall be revoked.
2. Uses for the following Zoning Districts shall be permitted with exceptions as noted:
 - The R-4, Multiple Family Dwelling District
 - The B-2, Community Business District
 - The M-1, Limited Manufacturing District, with the following modifications:
 - Uses that shall be explicitly prohibited:
 - Recycling centers, excluding chemical processing and tire recycling
 - Kennels and animal hospital
 - Archery/rifle range, when located entirely within a building
 - Crematoriums
 - Uses that shall be allowed by Special Exception as per Section 29.7 of the Zoning Ordinance and subject to approval by the Board of Zoning Appeals:
 - Mobile home and manufactured housing manufacturing
 - Uses that shall not be permitted as primary uses but shall be allowed as accessory to other permitted uses:
 - Motor freight terminal, excluding hazardous waste
 - Truck, tractor, trailer or bus storage, parking lot or yard, or garage
3. Outside storage shall only be permitted as per the areas outlined in Figure 1. Outside storage will not be permitted in front of an active retail or office use.
4. Outside storage shall be screened and buffered as outlined below. Outside storage, screening, and buffering shall not block emergency access as determined by the City of Elkhart Fire Department.
 - Screening shall be architecturally compatible with the façade materials found on the primary structure.
 - Fence height must fully screen material stored outside and be a maximum of twelve (12) feet. Fence material shall be opaque. Opaque fence to provide a unified exterior appearance to the South Main Street corridor and the residential structures to the south adjacent to Mishawaka Road.

- For the South Main Street frontage, additional landscape bed adjacent to fence a minimum of five (5) feet for plantings to soften and buffer fence. This will allow for understory plantings to vary in height and add greenspace to the campus. This may not be necessary if the overall landscape plan incorporates additional plant material.
- Buffer requirements adjacent to the residential uses are a minimum width of thirty (30) feet and meet the minimum landscape strip requirements found in Section 26.7 in order to establish a visual, physical and audible barrier from the outside storage use.

Photos





PETITION #: 24 PUDA 03

FILING FEE: \$ 200.00

PETITION to the PLAN COMMISSION

PETITION TYPE:

PUD Major PUD Amendment Minor PUD Amendment

All PUD & PUD Amendment petitions require final approval from the Common Council

Property Owner(s): GKC Indiana Theatres Inc AMC Theatres (American Multi-Cinema, Inc.)

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Owner's Agent: Jeffrey J. Martin

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Subject Property Address: County Road 20, Parcel No. 06-22-451-003.000-011

Zoning: _____

Present Use: _____ Proposed Use: _____

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): Industrial Commercial Properties LLC

SIGNATURE(S): *Jeffrey Martin* DATE: 5/31/2024

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plan Commission docket:

_____ One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.

_____ A completed Petition form signed by the legal owner of record (or approved representative).

_____ If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.

_____ A full and accurate legal description of the property.

_____ One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 25 copies must be submitted.

_____ Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____



May 31, 2024

PUD Amendment Appeal Letter
County Road 20 (Parcel # 06-22-451-003.000-011)
Elkhart, Indiana

RE: PUD Amendment


Honorable Members of the Plan Commission and City Council,

The undersigned petitioner, ICP, respectfully shows the Plan Commission and City Council:

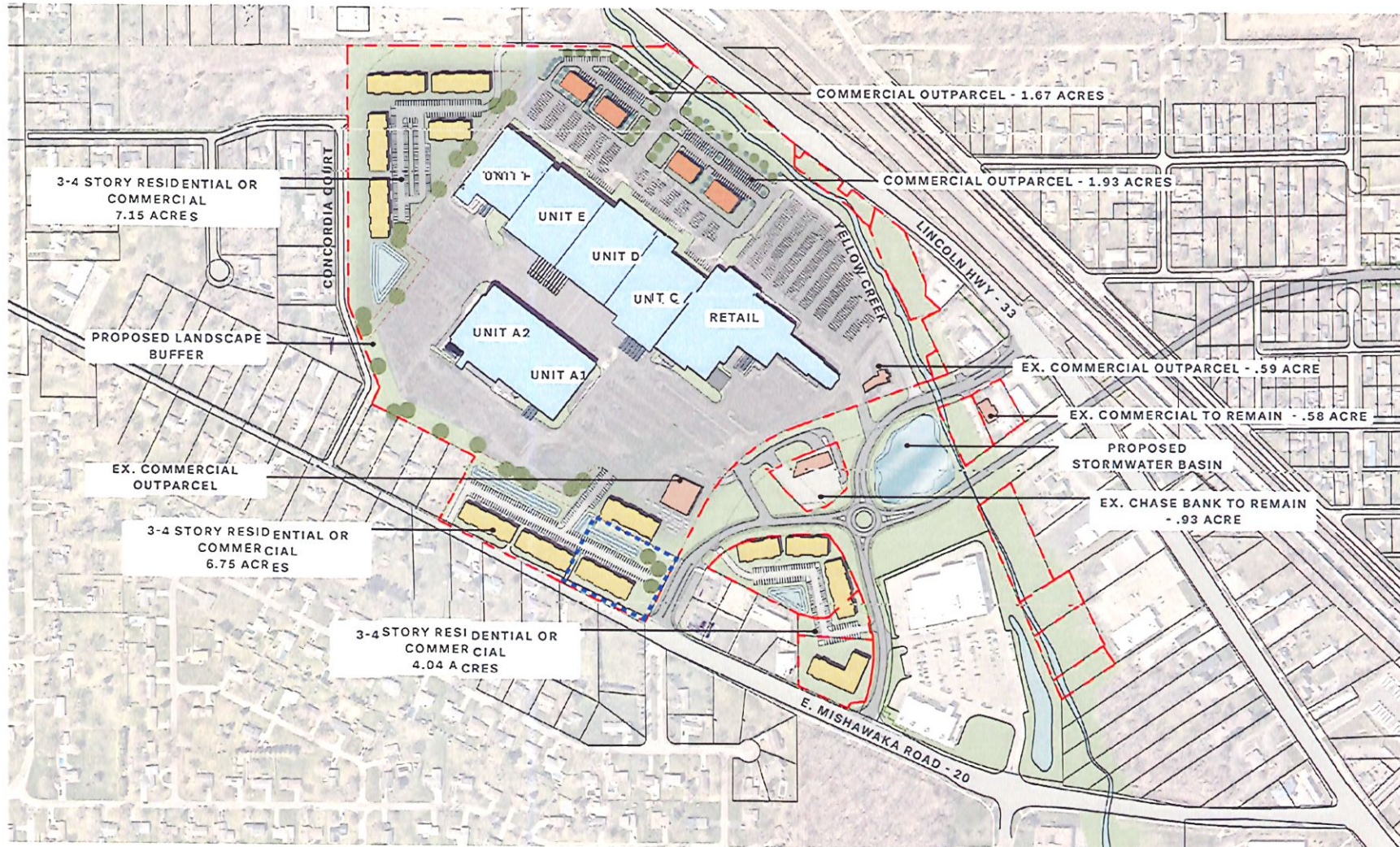
- 1. I, Jeff Martin – SVP of Development for ICP, as an authorized agent of the current property owner, American Multi-Cinema, Inc. land adjacent to the former Concord Mall located at County Road 20, Elkhart, State of Indiana, to-wit:**
 - a. Legal Description attached separately to petition – including the below tax parcel # 06-22-451-003.000-011*
- 2. The above-described real estate is currently zoned as a PUD District under the Zoning Ordinance of the City of Elkhart.**
- 3. The property is currently vacant – and the Petitioner intends to add the parcel to the adjacent Concord Business Park PUD so the property can be master planned into the larger project – for the allowed uses within the current Business Park PUD.**
- 4. ICP desires to amend said PUD for the purpose of including it within the larger adjacent PUD.**
- 5. The attached Zoning Narrative letter from our project architect seems applicable to this additional land aggregation – so please see the same compilation of thoughts on how the PUD Standards are achieved and improved through our redevelopment of the Concord Mall.**

WHEREFORE, ICP respectfully requests a hearing on this PUD Amendment and that after such hearing, the Plan Commission make a do pass recommendation and the Council, after hearing, pass on appropriate ordinance rezoning the above-described parcel of land located in the City of Elkhart to the amended PUD as described in this petition.

BY:

Jeff Martin, SVP Development, ICP – Owner's Agent


Concord Business Park - PUD Expansion Site Plan





June 6, 2024

VIA E-Mail

City of Elkhart
229 S. Second Street
Elkhart, IN 46516

RE: Concord Mall Redevelopment – Owner’s Authorization Letter

City of Elkhart Officials:

This letter shall serve as written authorization for Industrial Commercial Properties, LLC (“ICP”) to act on behalf of and in the capacity of owner’s agent for this PUD Amendment Petition and other due diligence and entitlement efforts related to the rezoning and redevelopment of Concord Mall.

The current ownership team recognized Jeff Martin (SVP Development) from ICP as authorized personnel to execute documents related to this matter.

Please be aware that ICP is under contract with American Multi-Cinema, Inc. (“AMC”) to acquire Parcel No. 06-22-451-003.000-011 (the “Property”) from AMC and has requested to include the Property in the PUD Amendment Petition. As noted above, AMC consents to this request but no governmental approval which changes the zoning or its inclusion into the planned development shall become applicable unless and until ICP acquires the Property from AMC.

Thank you and please call me at [REDACTED] if you have any questions.

Sincerely,

American Multi-Cinema, Inc.

A handwritten signature in black ink, appearing to read "Ronald L. Herman".

Ronald L Herman
Vice President - Leasing

cc: File





Staff Report

Planning & Zoning

Petition: 24-SI-02

Petition Type: Staff Item - Addressing

Date: July 1, 2024

Petitioner: City of Elkhart Planning & Zoning Department

Site Location: City of Elkhart

Plan Commission Action: Approval of proposed addresses for the City of Elkhart.

Staff Analysis

The Planning and Zoning Department is requesting approval of the addresses that have been reserved for structures in the City of Elkhart.

Residential

Morton Ave. Parcel 06-16-277-010-012 will be assigned 2642.

Commercial

None

Residential Subdivision

Osolo Ridge Subdivision

- Lot 1 - 1610 Osolo Road - 02-34-101-252
- Lot 2 - 1623 Osolo Road - 02-34-101-253
- Lot 3 - 1625 Autumn Ridge Court - 02-34-101-054
- Lot 4 - 1619 Autumn Ridge Court - 02-34-101-055
- Lot 5 - 1613 Autumn Ridge Court - 02-34-101-056
- Lot 6 - 1607 Autumn Ridge Court - 02-34-101-057
- Lot 7 - 1601 Autumn Ridge Court - 02-34-101-058
- Lot 8 - 1604 Autumn Ridge Court - 02-34-101-059
- Lot 9 - 1610 Autumn Ridge Court - 02-34-101-060
- Lot 10 - 1616 Autumn Ridge Court - 02-34-101-061
- Lot 11 - 1624 Autumn Ridge Court - 02-34-101-062
- Lot 12 - 1632 Autumn Ridge Court - 02-34-101-019

Recommendation

Staff recommends that the Plan Commission assign the proposed addresses based on staff recommendation.

59643 CR 113 So. In Dunlap.

JEFFERSON KNOLLS
SUBDIVISION, OSCEOLA
June 21-22 8-4 Multi Family.
Oak Dining Room table w/6
chairs, vintage furniture,
teacher's classroom clearout.
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4X4S, VEHICLES &
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269-500-1711

TOWNSHIP OF PORTER
CASS COUNTY, MICHIGAN
NOTICE OF ORDINANCE ADOPTION

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE
TOWNSHIP OF PORTER, CASS COUNTY, MICHIGAN, AND ANY
OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that at its regular meeting of June 11, 2024
the Porter Township Board adopted Ordinance No. 06-11-24-02
re-zoning the property addressed as 69611 Sunset Blvd from the
"MHP" Mobile Home Park District Zoning Classification to the "LR"
Lake Residential district zoning classification. A summary of the
ordinance follows. It is effective on June 29, 2024.

ORDINANCE NO. 06-11-24-02
REZONING

SECTION I. REZONE AND MAP AMENDMENT. The property
addressed as 69611 Sunset Blvd is legally described and rezoned to
the LR Lake Residential District Zoning Classification. The zoning
map is changed to reflect the zoning.

SECTION II. REPEAL OF CONFLICTING ORDINANCES AND
EFFECTIVE DATE. Conflicting Ordinance provisions are repealed.
This Ordinance is effective on June 29, 2024.

PLEASE TAKE FURTHER NOTICE that a full copy of the
Ordinance has been posted on the Township's website at
www.portertownship.org and can be obtained by contacting the
Township Clerk at the address, email address or telephone number
below.

PORTER TOWNSHIP
CASS COUNTY, MICHIGAN
By: Beth Russell, Clerk
69373 Baldwin Prairie Road
Union, MI 49130
porter@portertownship.org
269-641-2375

HSPAXLP

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Advertising Account Representative

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and digital products. Responsibilities include
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consultative sale of print newspaper, specialty
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email with a primary responsibility of acquiring
new clients. We are a fast paced environment,
with many opportunities. Prior experience helpful
but not necessary. Will train.

We offer an excellent compensation plan,
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long term disability and a 401(k). Candidates
must have personal transportation and a clear
driving record.

If you are a goal oriented individual looking for a
career in media sales send your resume to:

The Elkhart Truth

421 South Second St.
Elkhart, Indiana 46516

Attention: Isis Cains

or email to icains@lpcohd.com

67041 Beech Road, Wakarusa
IN, ph # 574-633-4583

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LEGAL NOTICE #24-PUDA-03

Hearing on proposed Major PUD Amendment#24-PUDA-03

NOTICE is hereby given that the City of Elkhart Plan Commission will
meet in the Council Chambers on the second floor of the Municipal
Building, 229 South Second Street, Elkhart, Indiana on **MONDAY,**
July 1, 2024, at 1:45 P.M. concerning the following request:

A public hearing will be conducted on Major PUD Amendment
#24-PUDA-03.

Petitioner: GKC Indiana Theaters Inc. AMC Theatres (American
Multi-Cinema, Inc.)

Request: To add 1.56 acres of land to the amended Concord Mall
PUD (23-PUDA-04) to have the same development standards as the
2023 case; which read Per Section 20.10.B.3, of the City of Elkhart
Zoning Ordinance, a Major Amendment to the Concord Mall Planned
Unit Development District, Ordinance 5029, approved by the Com-
mon Council of the City of Elkhart. The proposed amendment would
remove the B-4, Regional Business District from the list of permitted
uses, and add R-4, Multi-Family Residential District, B-2, Community
Business District, and M-1, Limited Manufacturing District to the list of
permitted uses, with some M-1 uses omitted (complete list available in
the Planning and Zoning Office). To also allow for limited, screened
outside storage.

Location: Vacant land - Mishawaka Road (C R 20), Parcel 06-22-
451-003.000-011; 1.56-acre parcel

Zoning: PUD, Planned Unit Development

This meeting can also be accessed via WebEx. Virtual attendance is
strongly encouraged but not mandatory; however, City Hall is open for
in-person participation. To join, go to <http://coei.webex.com>, enter
23105068344 as the meeting number and "PLAN" as the password.
Attendees may preregister or enter during the meeting. Comments
and questions may be submitted via the WebEx app during the
meeting or may be submitted to Carla.Lipseyp@coei.org prior to the
meeting.

LEGAL DESCRIPTION:

The Land referred to herein below is situated in the County of
Elkhart, State of Indiana, and is described as follows:

THAT PART OF THE SOUTH HALF OF SECTION 22, TOWNSHIP
37 NORTH, RANGE 5 EAST, CONCORD TOWNSHIP, ELKHART
COUNTY, INDIANA, DESCRIBED AS COMMENCING AT A
RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF THE
EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION
22; THENCE SOUTH 89°55'00" EAST ON THE EAST-WEST
QUARTER LINE OF SAID SECTION 22, 325.00 FEET; THENCE
SOUTH 00°01'00" WEST 299.93 FEET TO A 5/8 INCH REBAR;
THENCE SOUTH 89°52'27" EAST, 342.77 FEET TO A 3/4 INCH
PIPE; THENCE NORTH 72°39'39" EAST, 167.53 FEET TO A 3/4
INCH PIPE; THENCE SOUTH 89°53'43" EAST 297.61 FEET TO
A 3/4 INCH PIPE; THENCE SOUTH 0°00'13" EAST 641.45 FEET
TO A 3/4 INCH PIPE; THENCE SOUTH 18°50'20" EAST, 304.74
FEET TO A 1/2 INCH PIPE; THENCE SOUTH 27°15'00" WEST,
71.23 FEET TO A 3/4 INCH PIPE; THENCE SOUTH 62°39'55"
EAST, 400.44 FEET; THENCE SOUTH 27°22'52" WEST 275.00
FEET TO THE CENTERLINE OF MISHAWAKA ROAD (C.R.20);
THENCE SOUTH 62°40'40" EAST ON SAID CENTERLINE,
494.03 FEET TO THE PLACE OF BEGINNING; THENCE NORTH
27°19'25" EAST, 239.96 FEET TO A 5/8 INCH REBAR; THENCE
SOUTH 62°41'10" EAST, 299.91 FEET TO A 5/8 INCH REBAR ON
THE WESTERLY RIGHT OF WAY LINE OF MALL DRIVE; THENCE
SOUTH 27°19'04" WEST ON SAID RIGHT OF WAY LINE 240.00
FEET TO THE CENTERLINE OF MISHAWAKA ROAD (C.R.20);
THENCE NORTH 62°40'40" WEST, 299.93 FEET TO THE PLACE
OF BEGINNING.

EXCEPTING THEREFROM THAT PART TO STATE OF INDIANA BY
AGREED FINDING AND JUDGMENT RECORDED SEPTEMBER 19,
2023 AS INSTRUMENT NO. 2023-15626, DESCRIBED AS
FOLLOWS:

A PART OF THE SOUTHEAST QUARTER OF SECTION 22,
TOWNSHIP 37 NORTH, RANGE 5 EAST, 2ND PRINCIPAL
MERIDIAN, CONCORD TOWNSHIP, ELKHART COUNTY, INDIANA,
AND BEING THAT PART OF THE GRANTOR'S LAND LYING
WITHIN THE RIGHT-OF-WAY LINES DEPICTED ON THE
ATTACHED RIGHT-OF-WAY PARCEL PLAT, MARKED EXHIBIT
"B", DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTHWEST CORNER OF THE
SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 37
NORTH, RANGE 5 EAST, MARKED BY A POINT DESIGNATED
"5210" ON SAID PLAT, THENCE SOUTH 89 DEGREES 58
MINUTES 10 SECONDS EAST 790.97 FEET ALONG THE SOUTH
LINE OF SAID QUARTER; THENCE NORTH 00 DEGREES 01
MINUTES 50 SECONDS EAST 621.96 FEET TO THE GRANTOR'S
SOUTH CORNER AND ALSO BEING THE POINT OF BEGINNING;
THENCE NORTH 25 DEGREES 53 MINUTES 08 SECONDS EAST
57.94 FEET ALONG THE RIGHT OF WAY OF CONCORD MALL
DRIVE AS DESCRIBED IN INSTRUMENT NUMBER 98-40995 AS
RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART
COUNTY TO A POINT DESIGNATED "602" ON SAID PLAT;
THENCE NORTH 63 DEGREES 24 MINUTES 33 SECONDS WEST
28.24 FEET TO A POINT DESIGNATED "601" ON SAID PLAT;
THENCE SOUTH 26 DEGREES 35 MINUTES 44 SECONDS WEST
57.93 FEET TO THE GRANTOR'S SOUTH LINE; THENCE SOUTH
63 DEGREES 24 MINUTES 37 SECONDS EAST 28.96 FEET
ALONG THE GRANTOR'S SOUTH LINE TO THE POINT OF
BEGINNING CONTAINING 0.038 ACRES OF LAND, MORE OR
LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT-OF-
WAY WHICH CONTAINS 0.016 ACRES, MORE OR LESS

Arguments for and against the granting of the above-designated
petition will be heard at this meeting.

PLEASE NOTE: A copy of this petition is on file in the Planning
Office for public examination prior to the hearing. Written objections
to this petition which are filed with the Secretary of the Commission,
located in the Planning Office, prior to the hearing will be considered.
The hearing may be continued from time to time as may be found
necessary.

Dated at Elkhart, Indiana this 14th day of June, 2024, by the City of
Elkhart, Plan Commission.

Publication Date: 06/21/2024
HSPAXLP

...Thursday, July 4, 2024 at the Bristol Town Hall located in at 303 E
Vistula St, Bristol, IN 46507. Bids received after the Deadline to be
returned unopened. After bid opening, the Town Council will take all
bids under advisement and refer them to the Engineer for review &
tabulation.

The Contract Documents will be shared electronically at no cost via
Egnyte file sharing system. Following request for the Contract
Documents by the bidder, Town Engineer will provide appropriate file
sharing permissions to view and download documents. Bidders may
request access to the Contract Documents from
randerson@jpr1source.com.

Hard copies of the Contract Documents are available for public
inspection at the Bristol Town Hall during normal weekday business
hours. Neither the Town of Bristol nor its Engineer will be responsible
for partial sets of documents obtained from any other source.

The Town of Bristol Call 2024-1 Community Crossings Project
includes: Asphalt Reconstruction, Concrete and HMA Approaches,
Storm Water Structure and Piping Improvements, Concrete Curb and
Gutter, Concrete Sidewalk, Pavement Markings, & Appurtenances at
Portions of Elkhart Street, Saint Joseph Street, and Apollo Street.

Work to be performed and the bid to be submitted shall include
sufficient and proper sums for all general construction, mechanical
installation, labor, materials, permits, licenses, insurance, and so forth
incidental to and required for the construction of the Project. The
Contractor shall submit an itemized bid for approximate quantities and
components of labor and materials to complete the contract. Bid shall
be upon standard bid sheet used by the Owner, and said sheet must
contain an authorized signature of the Contractor, or the bid of the
Contractor may, at the discretion of the Owner, be rejected and
declared invalid. Bid shall be accompanied by a non-collusion affi-
davit per the statutes of Indiana. Bids shall be included in a sealed
envelope, bearing the title of the Project, name, and address of
bidder.

Each bid shall be accompanied by a certified check or acceptable bid
bond made payable to the Owner in a sum of not less than ten
percent (10%) of the total amount of the bid, which check or bond will
be held by the Owner as evidence that the bidder will, if awarded the
contract, enter into the same with the Owner upon notification for him
to do so within ten (10) days of said notification.

Approved performance and payment bonds guaranteeing faithful and
proper performance of the work and materials, executed by an
acceptable surety company, will be required of the Contractor at the
execution of contract. Bond to be in the amount of 100% of the
Contract Price and must be in full force, effective throughout the term
of the Construction Contract plus a period of twelve (12) months from
date of substantial completion. Liquidated damages in the amount of
five hundred dollars (\$500.00) per day of delayed or unsatisfactory
completion of the Contract, beyond the agreed upon completion date,
shall be paid by the Contractor to the Owner pursuant to terms and
conditions of the written contract ultimately entered into by the
successful bidder and Owner.

The Owner reserves the right to reject any bid, or all bids, or to
accept any bid or bids, or make such combination of bids as may
seem desirable, and to waive any and all informalities in bidding. Any
bid may be withdrawn prior to the above scheduled time for the
opening of bids or authorized postponement thereof. Any bid
received after the time and date specified may be rejected. No bids
may be withdrawn after the scheduled closing time for receipt of bids
for at least sixty (60) days.

A conditional or qualified Bid will not be accepted. Award will be made
to the lowest, responsible and responsive bidder. The lowest
responsive and responsible bidder shall be determined by the Owner.

All applicable laws, ordinances, and the rules and regulations of all
authorities having jurisdiction over construction shall apply to the
Project throughout.

Bids shall be properly and completely executed on bid forms included
in the Specifications. Bids shall include all information requested by
current Indiana Form 96. Under Section III of Form 96, the Bidder
shall submit a financial statement. Bidder shall also submit a
statement of experience, proposed plan or plans for performing the
public work, equipment the Bidder has available for the performance
of the public work on forms prescribed by the State Board of
Accounts. Owner may make such investigations as deemed
necessary to determine ability of Bidder to perform the work and
Bidder shall furnish to Owner all such information and data for this
purpose as Owner may request. Owner reserves the right to reject
any bid if the evidence submitted by, or investigation of, such Bidder
fails to satisfy the Town that such Bidder is properly qualified to carry
out the obligations of the Agreement and to complete the work
contemplated therein.

Each Bidder is responsible for inspecting the Project site(s) and for
reading and being thoroughly familiar with the Contract Documents
and Specifications. Failure or omission of any bidder to do any of the
foregoing shall in no way relieve any Bidder from any obligation with
respect to its Bid.

Owner is exempt from all federal, state, and local taxes, and will not
be responsible for any taxes levied on the Bidders as a result of any
contract award.

A bid, proposal or quotation submitted by a trust (as defined in IC
30-4-1-1(a)) must identify each Beneficiary of the trust and each
Settler empowered to revoke or modify the trust.

The Owner will award contract to the lowest "responsive" and
"responsible" bidder. The Owner reserves the right to waive
informalities or irregularities, and to reject any and all bids or portions
thereof.

The awarded Contractor shall be required to provide information as to
the owners of the Contractor and certify required information to
comply with State law and Owner policy on anti-nepotism
requirements.

Town of Bristol
Jeff Beachy, Town Council President
HSPAXLP

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