

**CITY OF BERKLEY PUBLIC NOTICE
REGULAR CITY COUNCIL MEETING
Monday, April 18, 2022
7:00 P.M. – City Hall
248-658-3300**

**CALL 39th COUNCIL TO ORDER
APPROVAL OF AGENDA
INVOCATION – PASTOR RACHEL DUNLAP
PLEDGE OF ALLEGIANCE
PUBLIC COMMENT
ORDER OF BUSINESS**

Consent Agenda

1. **APPROVAL OF THE MINUTES**: Matter of [approving the minutes](#) of the 39th Regular City Council meeting on Monday, April 4, 2022.
2. **WARRANT**: Matter of [approving Warrant No. 1373](#).
3. **MOTION NO. M-38-22**: Matter of [approving the 2022 Summer Maintenance Agreement](#) between the Road Commission for Oakland County and the City of Berkley. The City will be reimbursed a total of \$1,680 which will be paid in two installments, \$1,092 due in September 2022 and \$588 due upon completion of the last maintenance activity.
4. **PROCLAMATION NO. P-09-22**: Matter of [proclaiming the 150th Anniversary](#) of Arbor Day and designating the week of Sunday, April 24 - Saturday, April 30, 2022 as Arbor Week.
5. **PROCLAMATION NO. P-10-22**: Matter of [proclaiming May 2022](#) as Berkley History Month.
6. **PROCLAMATION NO. P-11-22**: Matter of [proclaiming May 2022](#) as Motorcycle Awareness Month.
7. **PROCLAMATION NO. P-12-22**: Matter of [proclaiming May 2022](#) as Mental Health Awareness Month.
8. **PROCLAMATION NO. P-13-22**: Matter of [proclaiming May 2022](#) as Building Safety Month.

Regular Agenda

1. **RECOGNITIONS/PRESENTATIONS**: Matter of any recognitions or presentations from the Consent Agenda.
2. **MOTION NO. M-39-22**: Matter of [approving the Berkley Dads' Club](#) Opening Day Parade on Saturday, June 4, 2022 at 10 a.m. beginning at Berkley High School and concluding at Community Field #1. Approval is conditional upon the submission of required items and documents prior to event dates. Council reserves the right to rescind the permit due to State and/or County health and pandemic protocols.
3. **RESOLUTION NO. R-05-22**: Matter of [approving applicant for issuance](#) of an on-premise liquor license under Section 521a (1) (b) of 2006 PA 501 (MCL 436.1521a (1) (b)). Applicant: EL Patio III LLC, 3052 12 Mile Road, Berkley, MI.
4. **MOTION NO. M-40-22**: Matter of [awarding the contract](#) for the Kenmore and Cornwall Water Main and Pavement Replacement Project to the lowest qualified bidder, Aielli Construction, in an amount of \$2,522,493.27. In addition, allocate \$257,997.34 for construction engineering services to Hubbell, Roth & Clark, and \$252,249.33 for construction contingencies.
5. **PUBLIC HEARING**: Matter of holding a Public Hearing for comments regarding the reprogramming of 2020 PY CDBG funds in the amount of \$25,692. This reprogramming will remove architectural barriers in our City Parks by creating ADA access.

6. **MOTION NO. M-41-22:** Matter of [approving the reprogramming](#) of 2020 PY CDBG funds in the amount of \$25,692 to Remove Architectural Barriers for Park Path Improvements to meet ADA standards.
7. **PUBLIC HEARING:** Matter of holding a Public Hearing for comments regarding the reprogramming of 2021 PY CDBG funds in the amount of \$26,230. This reprogramming simply adds Kiwanis Tot Lot to the location description of the Berkley Parks included for creating ADA-accessible ramps and paths.
8. **MOTION NO. M-42-22:** Matter of [approving the reprogramming](#) of 2021 PY CDBG funds in the amount of \$26,230 to add Kiwanis Tot Lot to the City of Berkley Park locations to Remove Architectural Barriers for Park Path Improvements to meet ADA standards.
9. **MOTION NO. M-43-22:** Matter of [awarding the contract](#) for Kiwanis Tot Lot CDBG sidewalk replacement at a cost not to exceed \$34,513.61 to the lowest qualified bidder, JSS-Macomb, LLC.11858 Forest Glen Ln., Shelby Township, MI 48315. In addition, allocate \$3,451.63 for construction contingencies and \$12,746.66 for engineering services to Hubbell, Roth & Clark.
10. **MOTION NO. M-44-22:** Matter of [awarding the contract](#) for Angell ballfield and exterior fencing at a cost not to exceed \$34,883 to the lowest qualified bidder, GEM Fencing LLC, 444 E. Gallagher Rd. West Branch, MI 48661. In addition, allocate \$3,488.30 for construction contingencies.
11. **MOTION NO. M-45-22:** Matter of [appointing the Finance Director](#), Mark Pollock, as the City of Berkley's representative and the Public Works Director, Shawn Young, as the alternate representative to the Southeastern Oakland County Resource Recovery Authority (SOCRRA) Board of Trustees for the remainder of the fiscal year ending on June 30, 2022; and instruct the City Clerk to send a copy of this motion to the SOCRRA Board.
12. **MOTION NO. M-46-22:** Matter of [appointing the Finance Director](#), Mark Pollock, as the City of Berkley's representative and the Public Works Director, Shawn Young, as the alternate representative to the Southeastern Oakland County Water Authority (SOCWA) Board of Trustees for the remainder of the fiscal year ending on June 30, 2022 and instruct the City Clerk to send a copy of this motion to the SOCWA Board.

COMMUNICATIONS

ADJOURN

Note: The City of Berkley will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four working days notice to the City. Individuals with disabilities requiring auxiliary aids or services should contact the City by writing or calling: Victoria Mitchell, ADA Contact, Berkley City Hall, 3338 Coolidge Highway, Berkley, MI 48072 (1-248-658-3310).

Note: Official minutes of City Council Meetings and supporting documents for Council packets are available for public review in the City Clerk's Office during normal working hours. Anyone wishing to submit correspondence for the meeting may send an email to clerk@berkleymich.net or call 248-658-3310 by 5 p.m. on the day of the meeting.

**THE REGULAR MEETING OF THE THIRTY-NINTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN
WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, APRIL 4, 2022 BY MAYOR TERBRACK**

PRESENT: Steve Baker Bridget Dean
 Dennis Hennen Ross Gavin
 Natalie Price Jessica Vilani
 Daniel Terbrack

APPROVAL OF AGENDA

Councilmember Baker moved to approve the Agenda
Seconded by Councilmember Hennen
Ayes: Dean, Gavin, Hennen, Price, Vilani, Baker, and Terbrack
Nays: None
Motion Approved.

INVOCATION: Pastor Adam Groh

PUBLIC COMMENT

Robert Rivait, Berkley, spoke regarding his concern about his neighbor's home that was turned into an Airbnb last February. He said he has lived in Berkley for 37 years. He continued to say that in all the time he has lived here he has had homes near him that have been rentals and has had no issue. He talked about how the difference now is that instead of having a landlord situation, we now have a commercial business running remotely next door. He feels that it may as well be a hotel. He said that it comes to his attention that Berkley, Michigan has no special rules for Airbnbs and they have constant turnover of groups of people coming through. Since February 8th of this year, he said there have been 20 groups of people who have stayed next door. One of the groups of people parked in his driveway which is around the corner on Webster, lighting up his bedroom late at night, while another car pulled up in front of his house and used a flashlight on their phone to go to his front door. He addressed some other concerns he also has regarding this property:

1. Safety- He says that when it rains pretty much the whole yard floods. He also said that there is still debris around the yard and if they want to make money there should take care of what needs to be taken care of.
2. Liability issues- He asked who is responsible if someone is bit by an animal staying at the Airbnb? He said there was a dog who sat out for over a week and had food outside and the fence in the backyard is so bad that they can climb up and have their paws on the fence. He also asked if they have to be vaccinated and licensed like the rest of the animals in Berkley? How are you going to regulate a situation of constant turnover? He also talked about a lady that was staying there and was walking her cat and the cat tried to get in his house while his wife opened the door to get the mail.

He said that when he tried to resolve some issues directly with one of the owners, the response he got was, "This is just business." He said that he thought Berkley was a residential community. He asked about why these people aren't in a different zone like on Greenfield? He asked if that was isn't that zoned commercial? He said that this is going to destroy our neighborhood by making it a less desirable place to live in peace and raise a family. It may even drive down home values. He said that when they moved into their house 37 years ago, they had two daughters under the age of five. They moved there because they wanted a safe neighborhood and a good school system for their children. He said he would have never considered putting

his family at risk with moving into a residential area with a hotel next door. He stated that Airbnbs need to have rules and regulations put in place to preserve our neighborhood and those rules need to be enforced. He also said that he talked to someone about turning the lights off and they have had them on for over a week now and it lights up their whole backyard and their bedroom. He said he has contacted the governor and two congressmen regarding this last Friday and has not gotten no answers so far. He said that they should pay attention to Berkeley, California's rules because they are very sound and very fair.

Mike McGuinness, Berkley Downtown Development Authority Executive Director, said he wanted to put on the radar three note worthy items that are coming up very soon. The first Ladies Night Out of the season will be on Thursday, April 7th from 5:00 – 9:00 pm. He mentioned they will be offering four Ladies Night Out events this year instead of three. He talked about the different businesses in downtown area that will be participating and what items they will be giving out for free as well as promotional bags will be given out by the Downtown Development Authority. He encouraged everyone to shop, dine and explore Downtown Berkley. He also mentioned that a new business called Little Lou's Hot Chicken at Catalpa and Coolidge and has a target date of opening on April 26th. He also mentioned that Sunday, May 1st Flipside Records will be ground zero for the Downtown Block Party event in Berkley from Noon – 4:00 pm. He said that welcomes any organizations that want to be involved and to contact him or visit downtownberkeley.com

Consent Agenda

Councilmember Gavin moved to approve the following Consent Agenda, seconded by Councilmember Baker:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 39th Regular City Council meeting on Monday, March 21, 2022.

PROCLAMATION NO. P-08-22: Matter of proclaiming and recognizing the volunteers of the City of Berkley and declaring the week of Sunday, April 17–Saturday, April 23, 2022 as Volunteer Week.

Ayes: Gavin, Hennen, Price, Vilani, Baker, Dean, and Terbrack
Nays: None
Motion Approved.

Regular Agenda

RECOGNITIONS/PRESENTATIONS: Matter of any recognitions or presentations from the Consent Agenda.

Mayor Terbrack read Proclamation No. P-08-22 into record.

MOTION NO. M-36-22: Matter of authorizing the Knights of Columbus, 2299 W. Twelve Mile Road, Berkley, Michigan, to conduct a Tootsie Roll Drive in the City of Berkley from Friday, April 8th through Sunday, April 10th from 8 a.m. to 7 p.m. Council reserves the right to rescind the permit due to State and/or County health and pandemic protocols.

Councilmember Price moved to approve Motion No. M-36-22
Seconded by Councilmember Vilani
Ayes: Hennen, Price, Vilani, Baker, Dean, Gavin, and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-37-22: Motion to approve the appointments to various boards and commissions.
Mayor Pro Tem Dean moved to approve Motion No. M-37-22

Seconded by Councilmember Hennen
Ayes: Price, Vilani, Baker, Dean, Gavin, Hennen, and Terbrack
Nays: None
Motion Approved.

RESOLUTION NO. R-04-22: Matter of authorizing publication of a notice of public hearing to be held on April 18, 2022 regarding reprogramming of certain 2020 and 2021 Program Year Community Development Block Grant Funds.

Councilmember Gavin moved to approve Resolution No. R-04-22

Seconded by Councilmember Vilani

Ayes: Vilani, Baker, Dean, Gavin, Hennen, Price, and Terbrack

Nays: None

Motion Approved.

COMMUNICATIONS

COUNCILMEMBER BAKER: stated that the Historical Committee's next meeting is on Tuesday, April 12th at 7:00 pm. He said that the Berkley Historical Museum has a special display that features that Holland Hardware Fire of 1978. He announced that the hours of the historical museum is Wednesdays from 10:00am – 1:00pm and Sundays from 2:00pm – 4:00pm as well. He also mentioned that you can visit their website at berkleyhistory.com. He said the next Downtown Development Authority (DDA) meeting will be on Wednesday, April 13th at 8:30am. He thanked business owners, volunteers, and staff for making the various leprechaun events during the month of March a success. He also extended a special thank you to the Berkley's DDA Executive Director as well. He mentioned that the next DDA event, Ladies Night Out, will be returning on Thursday, April 7th. He also said you can learn more about the DDA by visiting downtownberkley.com. He quoted William Shakespeare, "April, dress'd in all its trim, hath put a spirit of youth in everything." He talked about how April is the month of reawakening and in the City of Berkley, is also reawakening from both winter and from the peak of the COVID pandemic and beginning to enter into a new norm. Finally, he encouraged everyone to stay safe, exercise caution, and to get boosted when it is appropriate.

COUNCILMEMBER PRICE: said that she did not have any new announcements from her committees since the last meeting. She said in honor of the recent proclamation proclaiming the upcoming "Volunteer Week", she wanted to take this opportunity to publicly recognize and thank the volunteers who serve on the City's boards and committees where she acts as the City's liaison. This includes the Library Board, the Citizens Engagement Advisory Committee, and the Beautification Advisory Committee, she first recognized the members on the Library Board:

1. Rita VanBrandeghen
2. Mary Jo Armstrong
3. Carol Hermann
4. Jordan Paterra
5. Amanda Rohda

Second, she recognized the members on the Citizens Engagement Advisory Committee:

1. Nicole Menard
2. Sandy Fisher
3. Brandon Moss
4. Jaye Sanders
5. Katie Ware

Third, she recognized the members on the Beautification Advisory Committee:

1. Dan Mihaescu
2. Anela Mihaescu
3. Nick Armstrong
4. Stephen Bard
5. Jeremy Coan
6. Jim Fritsch
7. Charlene Kondrat
8. Jennifer Smittenberg

She also wanted to congratulate and thank Emily Kemner and Adrienne Penney who were just appointed to the Citizens Engagement Advisory Committee this evening as well as Lynn Khadra who was also just appointed to the Beautification Advisory Committee that evening. She also said that she looks forward to their future contributions. Finally, she thanked everyone who volunteers their time and talents to make Berkley better and that this week and always we appreciate you.

COUNCILMEMBER HENNEN: stated that the next Zoning Board of Appeals (ZBA) meeting will be on Monday, April 11th regarding a sign variance. He said that from the Tree Board, spring tree planting will start soon and it is new for them. He went on to say that the tree planting is in result of a grant the City was awarded from DTE. He said there are also planning an Arbor Day event later this month, as well as investigating a tree canopy study, and they are also looking at an invasive species ordinance. Finally, he said that he will be resuming his "Talk with Dennis" events again and the next one will be on Tuesday, April 19th from 6:00 – 8:00pm at the library.

MAYOR PRO TEM DEAN: stated that there is a lot going on at Jaycee park. She said that Friends of Berkley Parks and Recreation is hosting a fundraiser for Jaycee Park on April 30th from 10:00am – Noon and there will be family fun activities at Jaycee Park and all the donations raised will go to the Jaycee Park fundraiser. She then continued to say the that the Jaycee Park fundraiser is still happening and they need to raise a minimum of \$50,000 in order to receive the Michigan Economic Development Corporation (MEDC) match. For more information, she said to visit berkleymich.org and to look under the "Latest News" tab for the link to the Jaycee Park development. She said that the next "Tale on the Trail" event will be in celebration of Earth Day at Jaycee Park. She said that that there is no cost or sign up needed and it will start on April 22nd and story pages will be up for about two weeks. She announced that registration for specialty summer camps and summer day camp is now open and can be done online at recreation.berkleymich.org. She said that "Hopping into Spring" senior bingo is on April 19th at Noon and the cost is \$5 per person and lunch is included. Finally, she encouraged everyone to checkout the Berkley Buzz for the upcoming information on spring and summer events from the Parks and Recreation Department.

COUNCILMEMBER GAVIN: said at the last Planning Commission meeting they covered some very important issues. He said that the Capital Improvements Plan was presented for any questions and feedback from the commission and then will be on the next Planning Commission agenda for approval and then will come before City Council. The Planning Commission also listed to sketch plans for two marihuana retail shops, offered feedback on those sketches, and there was no formal vote on either one. Lastly, the Planning Commission approved a site plan with conditions for rowhomes along 12 Mile Road. He said that the next Planning Commission meeting will be on Tuesday, April 26th at 7:00 pm in the Council Chambers. Finally, he said the Environmental Advisory Committee had not met since the last City Council meeting and their next meeting will be on Thursday, April 21st at 6:30 pm on the second floor of the public safety building.

COUNCILMEMBER VILANI: stated that the Technology Advisory Committee (TAC) had not met since the last City Council meeting. She said the next meeting would be next Wednesday, April 13th and mentioned they will be excited to have their two new members join them. She gave an update from the Berkley Chamber, and mentioned that the "Chamber Chat" will be on April 15th from 8:30 am – 9:30 am at

Rewear Vintage. She said that the American Legion is continuing to do its Sunday Morning Pancake Fundraisers from 9:00 am – 12:00 pm on the first and third Sunday of the month and they are also continuing to do their Lenten Fish Fry every Friday evening between now and the end of Lent from 5:00 pm – 8:00 pm and all proceeds go to veterans and community needs. She mentioned that Eagle Rock Insurance will be having a virtual event titled, “A Caregiver’s Guide to Planning in the Shadow of Dementia” on Tuesday, May 10th at 6:00 pm. Finally, she wished her grandmother a Happy 97th Birthday and mentioned that she had not seen her in two years and took Councilmember Baker’s advice and finally got to hug someone she loves.

CITY MANAGER BAUMGARTEN: echoed thank you to the City volunteers. He said the City gets to work with some fantastic people and the city staff is pleased to serve as liaisons to some of the boards and commissions that have received some new faces this evening. Second, he wanted to reiterate and said that if anyone thinks that they are a victim of fraud or think that fraud may have occurred that they should reach out to Berkley Public Safety so they can initiate an investigation. He said the that instead of going to social media first, to go to public safety so they can do a thorough investigation and post warnings to your neighbors as well. He said he cannot say enough to please reach out to Public Safety first regarding a potential scam instead of going to social media.

CITY CLERK MITCHELL: announced that absentee ballots went out for the May 3, 2022 Special School Election. She continued to say that if you applied for an absentee ballot and do not receive by the end of the week to please reach out to the City Clerk’s Office by calling (248) 658-3310 or by emailing clerk@berkleymich.net. She said that for those for wish to vote in person all precinct locations will open on election day from 7:00am – 8:00pm. She talked about how the election is for the school district and it is only for a nonhome stead millage renewal and will be serving all residents who live within the Berkley School District including a small portion of residents that live in Royal Oak. Finally, she said you can view a sample ballot at the City Clerk’s Office and you can receive more information by contacting the school district or visiting their website at berkleyschools.org.

ATTORNEY STARAN: said that he did not have any specific news to report. He mentioned that he continues to work closely with the City Manager and staff with day to day matters that may arise as well as the current litigation and there is no new development with that this evening.

MAYOR TERBRACK: said that he already said what he was going to say earlier in the meeting and mentioned to Councilmember Baker that they would not need to do a motion to suspend the rules for the meeting.

ADJOURNMENT

Mayor Pro Tem Dean moved to adjourn the Regular Meeting at 7:39 p.m.

Seconded by Councilmember Vilani

Ayes: Dean, Gavin, Hennen, Price, Vilani, Baker and Terbrack

Nays: None

Motion Approved.



CITY OF BERKLEY
CHECK WARRANT
#1373
MARCH 2022

Check Date	Check	Vendor Name	Description	Amount	Voided?
03/03/2022	63226	DURST LUMBER CO	MISC. ITEMS	392.95	
03/03/2022	63227	LISA LITTELL	WINDOW ART INSTALLATIONS	2,605.00	
03/03/2022	63228	MISDU	CHILD SUPPORT CASE NO. 913340822 - PR #5	82.99	
			CHILD SUPPORT CASE NO. 913286400 - PR #5	128.05	
			CHILD SUPPORT CASE NO. 913488854 - PR #5	64.14	
				275.18	
03/03/2022	63229	NATIONWIDE RETIREMENT SOLUTIONS	EMPL. DEDUCT. (NATIONWIDE 457) - PR #5	4,936.67	
			EMPL. DEDUCT. (ROTH) - PR #5	1,514.66	
				6,451.33	
03/03/2022	63230	THE HARTFORD	MARCH 2022 PREMIUM FOR ACTIVES	4,044.71	
			MARCH 2022 PREMIUM FOR RETIREES	286.00	
				4,330.71	
03/03/2022	63231	VANTAGEPOINT TRNSFR AGENTS-107930	EE/ER CONTRIB. (401) - PR #5	570.77	
03/03/2022	63232	VANTAGEPOINT TRNSFR AGENTS-303792	EMPLOYEE DEDUCT. (ICMA 457) - PR #5	2,629.34	
			EMPLOYEE DEDUCT. - LOAN - PR #5	203.30	
				2,832.64	
03/03/2022	63233	VANTAGEPOINT TRNSFR AGENTS-706259	EMPLOYEE DEDUCT. (ICMA ROTH) - PR #205	205.00	
03/15/2022	68266	ADAM WOZNIAK	REIMBURSEMENT FOR WATER CLASS	60.00	
03/15/2022	68267	AIS CONSTRUCTION EQUIPMENT	JCB TELEHANDLER	149,339.73	
03/15/2022	68268	ALLIED, INC.	HOIST INSPECTIONS OUTSIDE REPAIR - GARAG	679.50	
03/15/2022	68269	AMANDA SLUSARSKI	PROFESSIONAL DEVELOPMENT	232.96	
03/15/2022	68270	AMAZON CAPITAL SERVICES	USB FLASH DRIVES	326.70	
			REPLACEMENT BATTERIES FOR EXIT SIGNS AT	17.98	
			IPHONE CHARGER & PHONE CABLE	34.92	
			WEATHER STATION DISPLAY	227.27	
			ANTENNA MOUNTS - DPW GARAGE	431.60	
			WIDEBAND ANTENNA DPW GARAGE	925.10	
			ANTENNAS DPW GARAGE	147.96	
			IPHONE BATTERY CASE	71.99	
			IPHONE PLATE	20.98	
			IPHONE CASE & SCREEN PROTECTOR	30.58	
			IPHONE ACCESSORIES	80.56	
			IPHONE BATTERY CASE	72.76	
			IPHONE CASE	19.99	
			IPHONE CHARGER	35.98	
			WIRING	18.69	
			AXE & RIFLE SLINGS X 2	47.57	
			IPHONE CHARGER	29.97	
			LAPTOP MEMORY	70.90	
			SURGE PROTECTOR & CABLE	53.41	
			IPHONE CASE	22.49	
				2,687.40	
03/15/2022	68271	APPLIED IMAGING	COPIER USAGE	7.85	
			FINANCE COPIER	7.84	
				15.69	
03/15/2022	68272	AT&T	ACCT. NO. 24854624000218 - 02/25/22 - 03	778.73	
03/15/2022	68273	BERKLEY AREA CHAMBER OF COMMERCE	CHAMBER MEMBERSHIP	300.00	
03/15/2022	68274	BERKLEY SCHOOL DISTRICT	CAMP CONTRACTUAL	1,955.00	
03/15/2022	68275	BIG D LOCK CITY	HANDLE REPLACEMENT ON VAULT AT CITY HALL	250.00	
03/15/2022	68276	BILLINGS LAWN EQUIPMENT	BATTERY CHARGES DPW EQUIPMENT	259.98	
03/15/2022	68277	BLUE CROSS BLUE SHIELD OF MICH	FEBRUARY 2022 CLAIMS	86,149.30	
03/15/2022	68278	BOOK FARM LLC	YOUTH BOOKS	25.00	
03/15/2022	68279	BRENDA CASTANEDA	SENIOR CONTRACTUAL	359.80	

03/15/2022	68280	BRIAN LAPINE	REIMBURSEMENT FOR WATER EXAM	70.00
03/15/2022	68281	CAMELOT CLEANERS	PRISONER BLANKETS - FEB.	96.25
03/15/2022	68282	CINTAS	CONTRACTUAL SERVICES	98.08
03/15/2022	68283	CONTRACTORS CLOTHING CO.	UNIFORMS - K. OZANICH	90.98
			STICHING UNIFORMS - K. OZANICH	10.00
				100.98
03/15/2022	68284	CONTRACTORS CONNECTION	SHOVELS	151.80
			BARRICADES - ROADS	4,200.00
			WATER PARTS - ADAPTER, COUPLER, PUMPS	709.15
			GLOVES	86.40
				5,147.35
03/15/2022	68285	CREGGER PLUMBING	3919 ROYAL LEAD SERVICE, WATER REPLACEME	2,395.00
03/15/2022	68286	DALE A. CARLSON	CORRADO PARDUCCI	120.00
03/15/2022	68287	DANA STEVENS ARBORIST, INC.	LOCAL TREE INSPECTIONS - 2846 TYLER & 42	50.00
03/15/2022	68288	DANIEL MCMINN	PROFESSIONAL DEVELOPMENT	273.84
03/15/2022	68289	DEALER AUTO PARTS SALES	PS PARTS FUEL INJECTORS - LGA97510	137.94
			PS - LGA97510 BELTS	89.76
				227.70
03/15/2022	68290	DETROIT SALT COMPANY	SALT	2,758.80
			SALT	8,110.43
			SALT	5,605.88
				16,475.11
03/15/2022	68291	DISCOUNT OFFICE EQUIPMENT	DESK, CABINET, & CHAIR	1,058.00
03/15/2022	68292	DORIS SHEIKH	SENIOR CONTRACTUAL	338.10
03/15/2022	68293	ELIZABETH CARNEGIE	SENIOR INFORMATION KIOSK	100.00
03/15/2022	68294	FEDERAL PIPE & SUPPLY CO	SHELVING PARTS GARAGE - STORAGE	184.80
03/15/2022	68295	FIRE DEFENSE EQUIPMENT COMPANY	DPW CO2 RECHARGE	46.80
03/15/2022	68296	FRONT LINE SERVICES, INC.	FIRE HOSE PARTS	347.32
03/15/2022	68297	GDI SERVICES INC.	JANITORIAL (FEB)	1,957.17
			DPW CUSTODIAL SERVICES FEBRUARY 2022	522.70
			CUSTODIAL SERVICES	1,003.68
			MONTHLY JANITORIAL SERVICES AT CITY HALL	1,666.45
				5,150.00
03/15/2022	68298	GORDON FOOD SERVICE INC.	SENIOR CONTRACTUAL	51.31
03/15/2022	68299	GUNNERS METERS & PARTS INC.	WATER PARTS 1" LEAD CORP ADAPTER	520.00
			CLAMPS	550.00
				1,070.00
03/15/2022	68300	HAFELI, STARAN, & CHRIST, P.C.	ATTORNEY FEE FOR FEBRUARY 2022	8,022.50
03/15/2022	68301	HOWARD L. SHIFMAN P.C.	LABOR ATTORNEY	1,406.50
03/15/2022	68302	HUBBELL, ROTH & CLARK	ENGINEERING	3,610.69
03/15/2022	68303	HYDROCORP	FEBRUARY 2022 CROSS CONNECTION SERVICES	1,658.00
03/15/2022	68304	INTERSTATE BILLING SERVICE	NEW #17 DPW FILTERS, BINS, ELEMENT	425.31
03/15/2022	68305	J.H. HART URBAN FORESTRY	TREE TRIM 2/28/22 - 3/4/22	4,560.00
			TREE TRIM 2/21/22 - 2/25/22	4,218.00
				8,778.00
03/15/2022	68306	JACK DEMMER FORD, INC.	PS - LGA97510 HOSE	39.71
			PS - LGA97510 GASKET	5.45
			PS / LGA97510 HOSE, SEALS	19.71
			PS / LGA97510 HOSE, MANIFOLD, GASKET, SE	225.67
			PS / LGD09386 TUBE	81.00
				371.54
03/15/2022	68307	JACK DOHENY COMPANIES, INC.	#38 RELIEF VALVE	396.96
			#38 PAN MOTOR	1,180.41

				1,577.37
03/15/2022	68308	JENNIFER FINNEY	WORK PERFORMED 2/14/22 - 03/10/22	660.00
03/15/2022	68309	KANOPIY, INC.	DIGITAL CONTENT	136.80
03/15/2022	68310	KONICA MINOLTA BUSINESS SOLUTIONS	CITY HALL COPIER	369.73
			COPIER USAGE	12.96
			CITY HALL COPIER	403.86
			PDF OPTION	9.10
			DPW COPIES - FEBRUARY 2022	105.23
			OFFICE EQUIPMENT RENTAL	99.00
			OFFICE EQUIPMENT RENTAL	37.67
				1,037.55
03/15/2022	68311	LARRY'S WELDING SUPPLY	FEBRUARY 2022 CYLINDER RENTAL	62.65
03/15/2022	68312	LSPU	GROUP MEMBERSHIP	40.00
03/15/2022	68313	METRO PUMP SERVICE	FEBRUARY 2022 FUEL ISLAND MAINT.	434.95
03/15/2022	68314	MICHAEL WILLOUGHBY & ASSOCIATES	FACADE CHANGE	200.00
03/15/2022	68315	MICHIGAN HISTORY MAGAZINE	SUBSCRIPTION	41.95
03/15/2022	68316	MICHIGAN MUNICIPAL LEAGUE	DPW AD FOR MECHANIC	80.16
03/15/2022	68317	MICHIGAN PETROLEUM	ENGINE OIL - APPLY CM 21684	545.14
			ENGINE OIL - APPLY CM 28874	976.85
				1,521.99
03/15/2022	68318	MICHIGAN RURAL WATER ASSOCIATION	S3/S4 REVIEW CLASS - R. HALAS & B. LAPIN	640.00
03/15/2022	68319	MIDWEST TAPE	DIGITAL CONTENT	1,149.20
03/15/2022	68320	NATIONAL LEAGUE OF CITIES	NLC MEMBERSHIP	1,604.00
03/15/2022	68321	NORFIELD DEVELOPMENT PARTNERS, LLC	DPW MARCH 2022 MISS DIG SOFTWARE	199.00
03/15/2022	68322	OAKLAND COUNTY	WRC RED RUN SPECIAL ASSESSMENT	40,360.00
			SEWAGE TREATMENT - FEBRUARY 2022	243,570.51
				283,930.51
03/15/2022	68323	OAKLAND COUNTY CLERKS ASSOC	OCCA QUARTERLY MEETING	30.00
03/15/2022	68324	OAKLAND COUNTY HEALTH DIVISION	CONTRACTUAL SERVICES	298.00
03/15/2022	68325	OAKLAND COUNTY MOMS	CAMP CONTRACTUAL	325.00
03/15/2022	68326	PINE STATE ENTERPRISES	CERAMIC MUGS	423.94
03/15/2022	68327	PITNEY BOWES GLOBAL FINANCIAL SERV.	DPW FOLDER 12/30/21 - 03/29/22	924.72
03/15/2022	68328	QUANTUM SERVICES GROUP, LLC	SERVER BACKUP SYSTEM	400.00
			SERVER BACKUP SYSTEM	400.00
			FIREWALL MAINTENANCE - LIBRARY	449.00
			SERVER/FIREWALL MONITORING	536.00
			SERVER/FIREWALL MONITORING	536.00
				2,321.00
03/15/2022	68329	REBECCA STOUT	REIMBURSEMENT FOR PROGRAMMING SUPPLIES	61.64
03/15/2022	68330	REHRIG PACIFIC COMPANY	TOTERS 112 PCS. 95 GALLONS	8,504.00
03/15/2022	68331	RKA PETROLEUM COS, INC	#2 PREM. ULS DIESEL	1,834.88
			89 MIDGRADE OIL	20,943.67
				22,778.55
03/15/2022	68332	ROAD COMMISSION OF OAKLAND CO	BRINE	780.00
03/15/2022	68333	ROCHESTER MIDLAND	SANOR SERVICE FOR CITY HALL	71.46
03/15/2022	68334	ROCKET ENTERPRISE INC.	DDA - FLAGS/POLES	8,514.40
			FLAG, POLES, BRACKETS FOR OUTSIDE DDA AR	1,761.85
				10,276.25
03/15/2022	68335	S/E OAK. CTY WATER AUTHORITY	FEBRUARY 2022 BULK WATER	70,976.31
03/15/2022	68336	S/E OAK.CTY RESOURCE REC. AUTH	TRASH, RECYCLE, PICKUPS - FEBRUARY 2022	51,044.00
03/15/2022	68337	SCHENA ROOFING & SHEET METAL	DPW ROOF LEAK REPAIR	885.00
03/15/2022	68338	SCOTT JENNEX	PROFESSIONAL DEVELOPMENT	262.08
03/15/2022	68339	SHAWN YOUNG	REIMBURSEMENT FOR MECHANICS CERT. RENEWA	25.36
			REIMBURSEMENT FOR WATER CLASSES	60.00

				85.36
03/15/2022	68340	SOUTHERN MICH DOG OBEDIENCE TRAIN.	CONTRACTUAL SERVICES	1,359.00
03/15/2022	68341	STAPLES	BOOK TAPE, POST IT NOTES	48.88
			HP TONER	281.04
			DPW OFFICE SUPPLIES	41.99
			OFFICE SUPPLIES	223.82
			OFFICE SUPPLIES FOR CITY HALL	96.23
			OFFICE SUPPLIES - FEBRUARY	122.99
				814.95
03/15/2022	68342	STATE OF MICH-DEPT OF TREASURY	FEB. 2022 MI TAX WITHHOLDING FOR ACTIVES	17,716.12
03/15/2022	68343	STATE OF MICH-DEPT OF TREASURY	FEB. 2022 MI TAX WITHHOLDING FOR RETIREE	3,060.20
03/15/2022	68344	STATE OF MICHIGAN	HISTORICAL MARKER FOR CITY HALL/FIRE STA	250.00
03/15/2022	68345	STATE OF MICHIGAN	SOR FEE - BASIN	30.00
03/15/2022	68346	STATE WIRE & TERMINAL INC.	CLAMPS FOR DPW/PS/P&R	103.08
03/15/2022	68347	SYSTEMP CORPORATION	HEAT REPAIR AT CITY HALL	1,085.00
			DPW GARAGE HVAC REPAIRS	1,232.50
			DPW HEATER UNIT REPAIR - PILOT LIGHT OUT	520.00
			HEATING REPAIR IN MUSEUM	1,037.00
				3,874.50
03/15/2022	68348	T-MOBILE	ACCT. NO. 971364489 - HOTSPOTS	179.16
03/15/2022	68349	TERMINAL SUPPLY CO	DPW TRUCK PARTS - HARNESS	26.28
03/15/2022	68350	THE PRINT STOP, INC	BUSINESS CARDS	101.25
			OFFICE SUPPLIES BUSINESS CARDS	45.00
				146.25
03/15/2022	68351	THE RAPID GROUP, LLC	SHREDDING SERVICES	30.00
03/15/2022	68352	THERESA MCARLETON	PROFESSIONAL DEVELOPMENT	271.04
03/15/2022	68353	TRANSUNION RISK AND ALTERNATIVE	TLOXP INVEST. SERV. - FEBRUARY	114.00
03/15/2022	68354	TREDROC TIRE SERVICES LLC	PS TIRES	864.06
03/15/2022	68355	TRUCK & TRAILER SPECIALTIES, INC.	DPW PLOW TRUCK LIGHTS	868.00
03/15/2022	68356	UNITED FACILITY SUPPLIES	TOILET PAPER DISPENSERS	187.20
			SOAP DISPENSER	25.39
			PAPER SUPPLIES - TP, P-TOWEL, SOAP	192.64
			JANITORIAL SUPPLIES FOR CITY HALL	44.94
				450.17
03/15/2022	68357	WOW! BUSINESS	ACCT. NO. 012057808 - FIBER NETWORK	382.99
			ACCT. NO. 019716675 - FIBER INTERNET	392.99
				775.98
03/17/2022	68358	AASLH	MEMBERSHIP	98.00
03/17/2022	68359	DURST LUMBER CO	MISC. ITEMS	141.69
03/17/2022	68360	MAD SCIENCE OF DETROIT	DEPOSIT FOR SUMMER READING PROGRAM EVENT	100.00
03/17/2022	68361	MISDU	CHILD SUPPORT CASE NO. 913340822 - PR #6	82.99
			CHILD SUPPORT CASE NO. 913286400 - PR #6	128.05
			CHILD SUPPORT CASE NO. 913488854 - PR #6	64.14
				275.18
03/17/2022	68362	NATIONWIDE RETIREMENT SOLUTIONS	EMPL. DEDUCT. (NATIONWIDE 457) - PR #6	4,333.72
			EMPL. DEDUCT. (ROTH) - PR #6	1,499.86
				5,833.58
03/17/2022	68363	OAKLAND COUNTY	INTEREST/PRINCIPAL - GEORGE W. KUHN	440,885.13
			INTEREST/PRINCIPAL - GEORGE W. KUHN	69,730.12
				510,615.25
03/17/2022	68364	VANTAGEPOINT TRNSFR AGENTS-107930	EE/ER CONTRIB. (401) - PR #6	570.77

03/17/2022	68365	VANTAGEPOINT TRNSFR AGENTS-303792	EMPLOYEE DEDUCT. (ICMA 457) - PR #6 EMPLOYEE DEDUCT. - LOAN - PR #6	2,543.93 203.30
				2,747.23
03/17/2022	68366	VANTAGEPOINT TRNSFR AGENTS-706259	EMPLOYEE DEDUCT. (ICMA ROTH) - PR #6	205.00
03/17/2022	68367	VERIZON WIRELESS	IPAD SERVICE FOR 02/02/22 - 03/01/22 PHONE SERVICE FOR 01/21/22 - 02/20/22	266.07 2,830.10
				3,096.17
03/31/2022	68368	ADN ADMINISTRATORS, INC.	ADMINISTRATIVE FEE FOR APRIL 2022	943.00
03/31/2022	68369	ADT COMMERCIAL LLC	DPW ALARM MONITORING - 3/27/22 - 4/26/22	81.63
03/31/2022	68370	ADVANCE AUTO PARTS	PS PARTS ROTORS & PADS	347.74
03/31/2022	68371	AIRGAS USA, LLC	CYLINDER RENTAL FEBRUARY 2022	30.32
03/31/2022	68372	AIS CONSTRUCTION EQUIPMENT	EXT. WARRANTY - JCB TELEHANDLER	4,165.00
03/31/2022	68373	ALL SEASONS ROOF LLC	3035 ELLWOOD AVE.	75.00
03/31/2022	68374	ALPHA PSYCHOLOGICAL SERVICES	PSYCH. FOR J.P. CORMIER	750.00
03/31/2022	68375	AMAZON CAPITAL SERVICES	12 TOOL BRACKETS, 3 SPRINKLER HEAD SHUTO COFFEE CUPS LYSOL WIPES MUTT TOOLS (3) / PLIERS (3) PRIS LOG BOOK X 2 CORD PROTECTORS (2)	764.20 94.86 40.36 88.38 89.98 45.38
				1,123.16
03/31/2022	68376	APOLLO FIRE EQUIPMENT	4 NEW SCBA CONNECTIONS FOR T-4	3,200.00
03/31/2022	68377	APPLIED IMAGING	DPW COPIER	1.06
03/31/2022	68378	ART INSTALLATION LLC	27815 WOODWARD AVE.	50.00
03/31/2022	68379	B-DRY SYSTEM OF SOUTHEASTERN MI	2760 CENTRAL AVE.	50.00
03/31/2022	68380	BALDWIN PUBLIC LIBRARY	DISC RESURFACING	18.00
03/31/2022	68381	BASIC	ADMINISTRATION FEE FOR MARCH 2022	80.00
03/31/2022	68382	BAUDER CONSTRUCTION CO.	1977 HARVARD RD.	50.00
03/31/2022	68383	BELL EQUIPMENT COMPANY	#22 SWEEPER PARTS MISC. #22 SWEEPER PARTS - MOTOR, ROLLERS	2,705.30 1,682.61
				4,387.91
03/31/2022	68384	BEST CHOICE TOTAL HOME IMPROV	1691 EARLMONT RD.	50.00
03/31/2022	68385	BIG D LOCK CITY	DPW KEYS KEYS FOR SHIPPING CONTAINERS KEYS FOR EVAN BEAUCHAMP - NEW HIRE	121.26 202.10 12.90
				336.26
03/31/2022	68386	BLUE CROSS BLUE SHIELD OF MICHIGAN	APRIL 2022 PREMIUM FOR SUFFIX 601 APRIL 2022 PREMIUM FOR SUFFIX 600	21,812.40 4,637.28
				26,449.68
03/31/2022	68387	BRILLANT SYSTEMS, LLC	CAM SYS. INSTALL	2,675.00
03/31/2022	68388	CARL A. PETERSON	3234 KENMORE	55.00
03/31/2022	68389	CARLISLE / WORTMAN	2465 CAMBRIDGE REZONING PRZ-01-21 2740 GARDNER REVIEW PBA-01-22 LUME PROVISION 1949 TWELVE PSP-03-22 3462 GREENFIELD PSP-03-21 2400 GREENFIELD PSP-02-21 2222 ELEVEN MILE PSP-02-22 THE IVY 2219 COOLIDGE HWY.	35.00 420.00 847.50 35.00 87.50 900.00 35.00
				2,360.00
03/31/2022	68390	CDW GOVERNMENT, INC.	HP MAINTENANCE KIT	318.39
03/31/2022	68391	CHARLES SAFIE CONSTRUCTION	4047 PHILLIPS AVE.	1,000.00
03/31/2022	68392	CHERRY HOMES INC.	1230 COLUMBIA RD.	50.00
03/31/2022	68393	CINTAS	MED BOX REFILL CONTRACTUAL SERVICES	73.09 123.16

			DPW FIRST AID SUPPLIES	73.98
				270.23
03/31/2022	68394	CONTRACTORS CLOTHING CO.	UNIFORMS - R. RZECZKOWSKI	139.20
			UNIFORMS - A. WOZNIAK	125.06
			UNIFORMS - B. LAPINE	44.99
			UNIFORMS - M. HUNYOR	175.46
			UNIFORMS - M. MAGNES	104.24
				588.95
03/31/2022	68395	CONTRACTORS CONNECTION	OUTSIDE REPAIR ON PUMP	94.50
03/31/2022	68396	CREGGER PLUMBING	2873 HARVARD RD.	500.00
			4289 OAKSHIRE AVE.	500.00
				1,000.00
03/31/2022	68397	CYNERGY PRODUCTS	DPW - 2 WAY RADIOS TRUCKS	70.00
03/31/2022	68398	DANIEL PATRICK SCULLY	2090 PRINCETON RD.	100.00
03/31/2022	68399	DAVID J ROBERTS	1997 COLUMBIA RD.	50.00
03/31/2022	68400	DEALER AUTO PARTS SALES	PS PARTS OXYGEN SENSOR	38.50
			SMART BUS BATTERY - APPLY CM 706875	111.96
				150.46
03/31/2022	68401	DEEPA PINKNEY	COMMUNITY CENTER RENTAL REFUND	385.00
03/31/2022	68402	DETROIT MOM	CAMP CONTRACTUAL	350.00
03/31/2022	68403	DOCNETWORK LLC	CAMP CONTRACTUAL	2,700.00
03/31/2022	68404	DTE ELECTRIC COMPANY	POLE RENTAL FOR FIBER NETWORK	443.17
03/31/2022	68405	ED RINKE CHEVROLET	#88 SMART BUS	353.60
03/31/2022	68406	EJ USA, INC.	COUPLINGS	2,069.47
			COUPLINGS	1,195.40
				3,264.87
03/31/2022	68407	ELIZABETH SMITH	REFUND LION KING	170.00
03/31/2022	68408	EVA MITCHELL	PRECINCT WORKER	67.50
03/31/2022	68409	EVELUX LLC	2910 SUNNYKNOLL AVE.	500.00
			2910 SUNNYKNOLL AVE.	5,000.00
				5,500.00
03/31/2022	68410	EVERDRY WATERPROOFING	2011 TYLER AVE.	100.00
03/31/2022	68411	EXTERIOR RENOVATIONS LLC	1515 LARKMOOR BLVD.	75.00
03/31/2022	68412	FEDEX OFFICE	COPIES REQUESTED BY CITY ATTORNEY	16.94
			COPIES REQUESTED BY CITY ATTORNEY	65.65
				82.59
03/31/2022	68413	FERGUSON ENTERPRISES LLC #3326	PIPE LUBE	34.20
03/31/2022	68414	FERGUSON WATERWORKS #3386	METERS	3,430.00
03/31/2022	68415	FIRE DEFENSE EQUIPMENT COMPANY	DPW CO2 RECHARGE	23.40
03/31/2022	68416	FORCE SCIENCE INSTITUTE	PAPKE & GEARY TRAINING	990.00
03/31/2022	68417	FORTIFIED CONSTRUCTION LLC	3237 OAKSHIRE AVE.	75.00
03/31/2022	68418	FOUNDATION SYSTEMS OF MICHIGAN	1864 ROSEMONT	20.00
03/31/2022	68419	FOUR SEASONS ROOFING & SHEET METAL	1240 LARKMOOR BLVD.	75.00
03/31/2022	68420	FRONT LINE SERVICES, INC.	NEW BOOTS - CORMIER	394.00
			REPAIR T-4 BRAKE CHAMBER	632.50
				1,026.50
03/31/2022	68421	GDI SERVICES INC.	JANITORIAL SERVICES - MARCH	1,703.19
03/31/2022	68422	GREAT LAKES PEST CONTROL CO	DPW PEST CONTROL - MONTHLY MARCH 2022	40.00
			MONTHLY PEST CONTROL	60.00
			MONTHLY PEST CONTROL - ROBINA PARKING LO	40.00
			PEST CONTROL - RATS	75.00

			BUILDING MAINTENANCE	45.00
				260.00
03/31/2022	68423	GREAT LAKES WATER AUTHORITY	IWC FEBRUARY 2022	3,147.06
03/31/2022	68424	HADLEY CONSTRUCTION	3213 OAKSHIRE AVE.	75.00
03/31/2022	68425	HENRY FORD @ WORK	PRE-EMPLOYMENT PHYSICAL FOR M. SMITH	84.00
03/31/2022	68426	HOME DEPOT CREDIT SERVICES	DPW TOOLS RACHETS ETC.	108.91
03/31/2022	68427	HOME DEPOT CREDIT SERVICES	SHELVES FOR DB - EVIDENCE ROOM	1,017.00
			SHELVES FOR DB - EVIDENCE ROOM	443.00
				1,460.00
03/31/2022	68428	HUBBELL, ROTH & CLARK	2485 COOLIDGE	1,272.46
			DESIGN - KENMORE/CORNWALL PROJECT	44,700.24
			GIS SUPPORT - CCTV ASSIST. & MISS DIG	3,793.22
			DESIGN - DPW OFFICE RENOVATIONS	1,108.00
			2020 - 2021 ROAD IMPROVE. - CE SERVICES	519.40
			2022 SIDEWALK PROGRAM - ESTIMATES	4,498.87
			OAK CO. INFRASTRUCTURE GRANT - APPLICATI	751.38
				56,643.57
03/31/2022	68429	IAN KINDER LLC	CONTRACTUAL SERVICES	171.50
03/31/2022	68430	J.H. HART URBAN FORESTRY	TREE TRIM 3/7/22 - 3/11/22	8,329.88
03/31/2022	68431	JACK DOHENY COMPANIES, INC.	#38 PARTS SWIVEL JOINT	265.00
			#53 CAMERA TRUCK LABOR & SHOP SUPPLIES	286.00
			#53 CAMERA VAN CONTROL MODULE REEL	8,500.00
			WIRELESS HEADSET #53 CAMERA VAN	1,837.88
			#53 CAMERA TRUCK	734.37
				11,623.25
03/31/2022	68432	JAMES G. GROZDE	REIMBURSEMENT FOR DOT PHYSICAL	121.00
03/31/2022	68433	JEFF TONG	2022 MBOR	240.00
03/31/2022	68434	JEREMIAH ROCHO	3764 ROYAL AVE.	50.00
03/31/2022	68435	JOHNSON SIGN CO.	1695 TWELVE MILE RD.	45.00
03/31/2022	68436	JVK CONSTRUCTION	1491 CATALPA DR.	100.00
03/31/2022	68437	K C CONSTRUCTION, INC.	2073 CAMBRIDGE RD.	100.00
03/31/2022	68438	KAREN SMITH	2022 MBOR	200.00
03/31/2022	68439	KARYN CARRICO	13 WEEKS DELIVERY - DETROIT NEWS/DETROIT	286.00
03/31/2022	68440	KBJ GROUP LLC	BD Bond Refund	465.00
03/31/2022	68441	KEARNS BROS. INC.	1422 FRANKLIN RD.	100.00
03/31/2022	68442	KELRAY CONSTRUCTION INC.	3188 GREENFIELD RD.	100.00
03/31/2022	68443	L & S HOME IMPROVEMENTS	4205 BACON AVE.	75.00
03/31/2022	68444	LAKE ORION ROOFING	2293 ROSEMONT RD.	75.00
03/31/2022	68445	LAKES DEVELOPMENT GROUP INC.	2111 ROYAL AVE.	500.00
03/31/2022	68446	LIGHTING SUPPLY COMPANY	EMERGENCY LIGHTS FOR CITY HALL	103.06
			EMERGENCY LIGHTS/EXIT SIGNS AT COMMUNITY	251.69
			SMOKE DETECTOR AT COMMUNITY CENTER	10.04
			DPW LIGHTS	282.50
				647.29
03/31/2022	68447	LISA LITTELL	PUBLIC ART - DOWNTOWN SEASONAL WINDOWS	2,225.00
03/31/2022	68448	MADELINE MORACK	PARTIAL CAMP REFUND	770.00
03/31/2022	68449	MAINELLA CEMENT LLC	1767 CASS BLVD.	200.00
03/31/2022	68450	MCKENNA	FEBRUARY 2022 INSPECTIONS	50,694.75
03/31/2022	68451	MI REMODELERS LLC	2036 GARDNER	65.00
03/31/2022	68452	MICHAEL S. SAMSON	UB refund for account: 010720000	68.73
03/31/2022	68453	MISDU	CHILD SUPPORT CASE NO. 913340822 - PR #7	82.99
			CHILD SUPPORT CASE NO. 913286400 - PR #7	128.05
			CHILD SUPPORT CASE NO. 913488854 - PR #7	64.14
				275.18
03/31/2022	68454	MPB CO.	2983 GARDNER AVE.	100.00
03/31/2022	68455	MUNETRIX, LLC	ANNUAL PREMIUM SUBSCRIPTION	4,662.00
03/31/2022	68456	MUSCO SPORTS LIGHTING, LLC	EQUIPMENT MAINTENANCE	1,425.00
03/31/2022	68457	NATALIE SMITH	PRECINCT WORKER	67.50

03/31/2022	68458	NATIONWIDE RETIREMENT SOLUTIONS	EMPL. DEDUCT. (NATIONWIDE 457) - PR #7 EMPL. DEDUCT. (ROTH) - PR #7	16,303.98 <u>1,507.26</u>
				17,811.24
03/31/2022	68459	NELSON BROTHERS SEWER & PLUMBING	EQUIPMENT MAINTENANCE	230.00
03/31/2022	68460	NORFIELD DEVELOPMENT PARTNERS, LLC	DPW APRIL 2022 MISS DIG SOFTWARE	199.00
03/31/2022	68461	NYE UNIFORM	ANDERSON JACKET KOEHN - EMBROID. CHARGES KWIZ - CAP, PANTS, & SHIRTS 2 PANTS - KOEHN CAPS X 2 - KOBERNICK/KWIZ SARRIS - 2 SHIRTS CORMIER - NEW HIRE UNIFORMS	271.99 90.00 798.50 213.99 37.00 137.00 <u>1,881.50</u>
				3,429.98
03/31/2022	68462	O'REILLY AUTOMOTIVE, INC.	#88 SMART BUS - APPLY CM 3327-430608 #88 SMART BUS #88 SMART BUS BATTERY #88 SMART BUS SEAT COVER - #414	316.54 201.56 119.03 44.50 <u>24.99</u>
				706.62
03/31/2022	68463	OAKES ROOFING SIDING & WINDOWS INC.	2118 TYLER AVE.	50.00
03/31/2022	68464	OAKLAND COUNTY	BS&A TAX SUPPORT FEE	1,409.48
03/31/2022	68465	OLAX MASTER ROOFING LLC	1609 WEST BLVD.	50.00
03/31/2022	68466	OVERDRIVE, INC.	DIGITAL CONTENT	1,494.23
03/31/2022	68467	P. A. MORRIS COMPANY	REGULAR MEETING/MINUTES FOR 03/09/22	150.00
03/31/2022	68468	PERMA DRY LLC	4272 PHILLIPS AVE.	100.00
03/31/2022	68469	PINE STATE ENTERPRISES	CERAMIC MUGS	423.94
03/31/2022	68470	PITNEY BOWES INC.	FEB. 2022 LETTER SORT FEE AND PSX PROGRA	82.34
03/31/2022	68471	RCG CONSTRUCTION	3307 GARDNER AVE.	500.00
03/31/2022	68472	REBECCA STOUT	REIMBURSEMENT FOR HOTEL ROOM FOR CONFERE MILEAGE REIMBURSEMENT	101.01 <u>159.04</u>
				260.05
03/31/2022	68473	ROAD COMMISSION OF OAKLAND CO	COLD PATCH SIGNAL MAINT. / FEBRUARY 2022	1,257.10 <u>1,119.07</u>
				2,376.17
03/31/2022	68474	ROCKET ENTERPRISE INC.	FLAG REPAIR - CITY HALL FLAG	7.50
03/31/2022	68475	ROMANA CONSTRUCTION INC.	2445 CAMBRIDGE RD.	75.00
03/31/2022	68476	ROOF ONE LLC	1295 EATON RD.	75.00
03/31/2022	68477	S & A CONCRETE CONSTRUCTION INC.	3658 GARDNER AVE.	200.00
03/31/2022	68478	S/E OAK.CTY RESOURCE REC. AUTH	TRASH, RECYCLE, PICKUPS - MARCH 2022 MID FEBRUARY 2022 CITY PICKUPS & SPECIALS	44,740.00 <u>905.48</u>
				45,645.48
03/31/2022	68479	SANDOVAL HOMES LLC	3931 GARDNER	719.96
03/31/2022	68480	SAS SERVICES	2111 ROYAL AVE.	50.00
03/31/2022	68481	STATE OF MICHIGAN	CAMP CONTRACTUAL	400.00
03/31/2022	68482	STEWART & SONS CONCRETE	1809 ROYAL AVE. 2700 BUCKINGHAM AVE. 2460 BUCKINGHAM RD.	75.00 200.00 <u>200.00</u>
				475.00
03/31/2022	68483	SUZANNE THIEDE	2022 MBOR	200.00
03/31/2022	68484	SWIFT SERVICES LLC	1771 OAKSHIRE AVE.	75.00
03/31/2022	68485	TERMINAL SUPPLY CO	DPW - ALL TRUCKS CONNECTORS	8.26
03/31/2022	68486	THE GREEN PANEL, INC.	3972 ELLWOOD AVE.	100.00
03/31/2022	68487	THE LIBRARY NETWORK	BOOKS & AV MATERIALS DIGITAL MAGAZINE	2,899.42 <u>1,017.50</u>
				3,916.92

03/31/2022	68488	THE RAPID GROUP, LLC	RAPID SHRED	30.00
03/31/2022	68489	THOMAS BYARS	2022 MBOR	200.00
03/31/2022	68490	TRESNAK CONSTRUCTION	4298 CUMBERLAND RD.	75.00
03/31/2022	68491	TRUCK & TRAILER SPECIALTIES, INC.	DPW FLATBED PLOW BLADES	17.89 9,803.76
				9,821.65
03/31/2022	68492	UNITED FACILITY SUPPLIES	2 BOXES OF TRASH LINERS JANITORIAL SUPPLIES FOR CITY HALL MAINTENANCE SUPPLIES	61.50 133.46 106.44
				301.40
03/31/2022	68493	UNITED RENTALS	DPW SHIPPING CONTAINER - TAX EXEMPT 2 CONTAINERS - TAX EXEMPT	8,400.00 830.00
				9,230.00
03/31/2022	68494	VANTAGEPOINT TRNSFR AGENTS-107930	EE/ER CONTRIB. (401) - PR #7	570.77
03/31/2022	68495	VANTAGEPOINT TRNSFR AGENTS-303792	EMPLOYEE DEDUCT. (ICMA 457) - PR #7 EMPLOYEE DEDUCT. - LOAN - PR #7	2,547.63 203.30
				2,750.93
03/31/2022	68496	VANTAGEPOINT TRNSFR AGENTS-706259	EMPLOYEE DEDUCT. (ICMA ROTH) - PR #7	205.00
03/31/2022	68497	VIGILANTE SECURITY, INC.	ALARM SYSTEM MONITORING	312.00
03/31/2022	68498	WAYNE CRAFT INC.	1809 ROYAL AVE.	50.00
03/31/2022	68499	WINDSTREAM	PHONE SERVICE	646.15
03/31/2022	68500	XEROX CORPORATION	XEROX USES FEES 1/21 - 2/25/22	141.75
03/31/2022	68501	YOUSUF SAMAAAN	995 PRINCETON RD.	50.00
				1,707,429.08
				0.00
				1,707,429.08

**CITY OF BERKLEY
ACH TRANSFERS**

VENDOR

3/2/2022	INTERNAL REVENUE SERVICE	\$	15,357.42
3/7/2022	DPW UNION DUES	\$	300.00
3/7/2022	PSO UNION DUES	\$	720.00
3/7/2022	PS COMMAND UNION DUES	\$	400.00
3/7/2022	INTERNAL REVENUE SERVICE	\$	44,589.02
3/11/2022	A D N	\$	25,000.00
3/18/2022	INTERNAL REVENUE SERVICE	\$	46,591.13
3/21/2022	PSO UNION DUES	\$	680.00
3/21/2022	PS COMMAND UNION DUES	\$	400.00
3/22/2022	MERS	\$	92,928.18
3/30/2022	PITNEY BOWES	\$	4,000.00
3/30/2022	ALERUS FINANCIAL	\$	15,447.05
3/30/2022	DTE ENERGY	\$	23,556.68
3/30/2022	CONSUMERS	\$	9,009.65
			\$ 278,979.13

We hereby certify that the foregoing is a true and correct list of bills and that they have been approved by the City Council and this is the authority to issue checks in the amounts stated and charge them in the various accounts.

Daniel J. Terbrack, Mayor

Victoria Mitchell, City Clerk

April 18, 2022 City Council Meeting


Moved by Councilmember _____ and seconded by Councilmember _____ to approve the 2022 Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Berkley. The City will be reimbursed a total of \$1,680 which will be paid in two installments, \$1,092 due in September 2022 and \$588 due upon completion of the last maintenance activity.

Ayes:

Nays:

Motion:

Transmittal Memo

To: Matthew Baumgarten, City Manager
From: Derrick Schueller, DPW Director 
Date: April 8, 2022
Subject: 2022 Summer Maintenance Agreement between the Road Commission for Oakland County (RCOC) and the City of Berkley

The City of Berkley has partnered with RCOC to provide summer maintenance activities (street sweeping) on 12 Mile Road between Greenfield and Woodward for several consecutive years. While Oakland County has jurisdiction over this roadway, the City is able to provide a higher level of service including several sweepings per year.

The full agreement is attached and RCOC reimburses the City based upon current bids and the following formula:

$$\text{\$175.00 per curb mile} \times 3.2 \text{ curb miles} \times 3 \text{ sweepings (maximum)} = \text{\$1,680.00}$$

Please note the unit pricing for 2022 is the same as 2021 as a result of current bids.

The reimbursement will be made in two installments, 65% (\\$1,092.00) in September 2022 and 35% (\\$588.00) upon completion of the last maintenance activity.

RCOC was recently provided updated policies and proof of liability insurance for Berkley personnel and equipment.

Feel free to call with any questions.

Attachments

DLS

J:\RCOC\Summer Maintenance\2022\Council\Trans Memo RCOC 2022 Summer Maintenance Agreement 4-8-22.doc



QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE."

Board of Road Commissioners

Ronald J. Fowkes
Commissioner

Andrea LaLonde
Commissioner

Nancy Quarles
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

Highway Maintenance
Department

2420 Pontiac Lake Road
Waterford, MI 48328

248-858-4881

FAX
248-858-7607

www.rcocweb.org

March 1, 2022

Mr. Derrick L. Schueller
Director of Public Works
City of Berkley
3338 Coolidge Highway
Berkley MI 48072

RE: 2022 Summer Maintenance Agreement

Dear Mr. Schueller:

Attached are two copies of a Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Berkley for sweeping on Twelve Mile Road from Greenfield Road to Woodward Avenue. The frequency of the sweeping activity for this year remains at 3 sweepings.

Please note: We are requesting that the City invoice the Road Commission for 65% of the total contract amount on September 15, 2022, and invoice for the remaining 35% upon completion of the last maintenance activity.

If the agreement is satisfactory, please attach certified copies of the resolution of approval by your City Council, and return the two signed copies to this office for approval by the Board of Road Commissioners. One fully signed copy will be returned to you.

Please submit your proof of liability insurance that covers this agreement and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. As your current Certificate of Membership in the Michigan Municipal Workers Compensation Fund will expire in June, I would appreciate it if you would forward a new certificate at that time. If there are any changes in the coverage during the term of this agreement, we must be notified of these changes.

The Board of County Road Commissioners and I extend our appreciation to you, the City Council and your road employees, for the fine work that has been done in connection with past agreements, and we want to continue to cooperate with you in any way that we can.

Also, please note that the prices in Exhibit A are reflective of our current bids. If you have any questions, please call.

Sincerely,

Darryl M. Heid, P.E.
Director of Highway Maintenance

DMH/gg
attachments

**2022 SUMMER MAINTENANCE AGREEMENT
CITY OF BERKLEY**

Under 1951 PA 51, As Amended

This Summer Maintenance Agreement (“Agreement”) is made this ___ day of _____, 2022, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, (hereinafter variously referred to as the “Board and as the “Road Commission for Oakland County”) and the City of Berkley, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain maintenance of said roads under the terms of this Agreement and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City hereby agrees to be responsible for performing Summer Maintenance of certain roads under the terms of this Agreement, and the Board agrees to participate in the cost thereof as provided in Section III of this Agreement. “Summer Maintenance,” herein required to be performed by City, shall mean the work and services specified in Exhibit B hereto and this Agreement. All maintenance work and services performed by the City shall be in accordance with the Board’s minimum maintenance standards and this Agreement.

II

The Board has determined and specified the equipment and personnel necessary to provide the Summer Maintenance and the City has acquired the necessary equipment and personnel so specified. The City shall keep accurate and uniform records of all Summer Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the Summer Maintenance by the City, the Board hereby agrees to pay to the City the sum of **\$1,680.00** as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Summer Maintenance. Payments are to be made by the Board to the City as follows:

65% on September 15, 2022
35% upon completion of the last Summer Maintenance activity

The making of said payments shall constitute the Board’s entire obligation in reference to Summer Maintenance.

IV

It is specifically understood and agreed by the City and the Board that by undertaking to perform Summer Maintenance of certain county primary roads, the City does not assume the Board’s legal duty to

keep said roads in such condition as to be in accordance with MCLA 224.21, reasonably safe and convenient for public travel, other than as may relate to the work and service to be performed as listed in Section I above, and the City hereby agrees to hold harmless, represent, defend with counsel acceptable to the Board, and indemnify the Board; the County of Oakland; the Office of the Oakland County Water Resources Commissioner and any and all applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; any and all local units(s) of government within which the roads subject to this Agreement are located, and the respective officers, agents and employees of all of the foregoing, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons, or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Summer Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Summer Maintenance under Section I, the City agrees to notify the Board within 30 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Summer Maintenance subject to this Agreement.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation, employer's liability, automobile and comprehensive general liability insurance coverages, and such other insurance coverages, as described in Exhibit C attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement, and these coverages shall be obtained and maintained in accordance with the requirements set forth in Exhibit C attached hereto and made a part hereof and shall be primary and non-contributory.

VI

The City further agrees to comply with all applicable laws and regulations, including laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

VII

In accordance with Michigan 1976 PA 453, as amended, and 1976 PA 220, as amended, the City covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or because of a disability that is unrelated to the individual's ability to perform the duties of the particular job or position, and to require a similar covenant on the part of any subcontractor employed in the performance of the Agreement. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

The City shall utilize the provisions of the Federal E-Verify Program to verify the work authorization status of all newly hired employees; and the Road Commission for Oakland County may terminate the contract for failure of City to so comply with the Federal E-Verify Program.

IX

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Summer Maintenance activities will be executed annually by the parties hereto.

The terms and conditions of this Agreement shall become effective as of April 1, 2022 and shall continue in full force and effect until a subsequent Summer Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Summer Maintenance agreement has not been executed by the parties hereto on or before October 1, 2022, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of _____, and by the City by authority of a resolution of its governing body, adopted _____, (copy attached as Exhibit D).

Witnesses:

CITY OF BERKLEY
A Municipal Corporation

By: _____

Its: _____

By: _____

Its: _____

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF OAKLAND,
A Public Body Corporate

By: _____

Its: _____

By: _____

Its: _____

EXHIBIT A

2022 SUMMER MAINTENANCE AGREEMENT

CITY OF BERKLEY

PRIMARY ROAD(S) TO BE MAINTAINED:

Twelve Mile Road, Greenfield Road to Woodward Avenue 3.2 Curb Miles

3.2 Curb Miles x \$175.00/Curb Mile = \$560.00 x 3 Sweepings = \$1,680.00

EXHIBIT B

2022 SUMMER MAINTENANCE AGREEMENT

CITY OF BERKLEY

WORK TO BE PERFORMED:

Sweep all roads listed in Exhibit A, in both directions of travel and around islands, as provided in this Agreement, three (3) times (once between April 15th and May 15th; once between July 15th and August 15th and once between September 15th and October 15th). The City may at its own expense sweep more frequently, subject to the other terms and conditions of this Agreement, including, without limitation, the indemnification and insurance provisions.

EXHIBIT C

2022 SUMMER MAINTENANCE AGREEMENT

CITY OF BERKLEY

SPECIAL PROVISION FOR INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE

Indemnification and Damage Liability

See provisions of the maintenance agreement to which this Exhibit C is attached.

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Board of County Road Commissioners of the County of Oakland ("Board"), copies of completed certificates of insurance as evidence that it carries adequate insurance satisfactory to the Board; and, without the prior written consent of the Board, the City shall not cancel, reduce, or fail to renew the insurance coverage required by this Agreement. The City shall immediately notify the Board and cease operations upon the occurrence of any cancellation, reduction, modification or termination of insurance required hereunder, and shall not resume operations under this Agreement until all insurance as required by this Agreement is in full force and effect. The City shall provide in a form and substance acceptable to the Board an underwriter's endorsement to its comprehensive general liability insurance and auto liability insurance, including any excess umbrella insurance, in the amounts set forth on Exhibit C, naming the Board and the Office of the Oakland County Water Resources Commissioner as an additional named insured. The City shall obtain and deliver to the Board a notice of cancellation and non-renewal endorsement, acceptable to the Board, for the general liability, auto liability, and worker's compensation and employer's liability policies. Prior to commencing the work, the City shall provide to the Board evidence satisfactory to the Board of payment of the current premium for the required insurance and endorsements and shall also obtain certificates of insurance for each policy, providing for thirty (30) days actual (not "endeavor to") prior, written notice to the Board by the insurance carrier of any cancellation, termination reduction or material change of the policy. The City shall make sure that each of its subcontractors, if any, providing any of the work and services under this contract, shall obtain and maintain insurance as set forth in this Agreement.

The City shall provide the following insurance coverages which shall be primary and non-contributory:

- a. **Workmen's Compensation Insurance:** The insurance shall provide protection for the City's employees, to the statutory limits of the State of Michigan and \$500,000 employer's liability. The indemnification obligation under this section shall not be limited in any ways by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.
- b. **Bodily Injury and Property Damage Other than Automobile:** The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operations for one year after completion of the work.

Bodily Injury Liability Each Person: \$1,000,000 Each Occurrence: \$1,000,000 Aggregate: \$2,000,000 -and- Property Damage Liability: Each Occurrence: \$250,000 Aggregate: \$250,000	Or: Single Limit: Bodily injury and Property Damage Each Occurrence: \$1,000,000 Aggregate: \$2,000,000
---	--

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors' coverages.

- c. **Bodily Injury Liability and Property Damage Liability - Automobiles (Comprehensive Auto Liability)** The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury Liability Each Person: \$500,000 Each Occurrence: \$1,000,000 -and- Property Damage Liability: Each Occurrence: \$1,000,000	Or: Single Limit: Bodily Injury and Property Damage Each Occurrence: \$2,000,000
---	--

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- d. **Excess and Umbrellas Insurance** – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- e. The City shall provide for and in behalf of the Board and all agencies specified by the Board, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's Public Liability Insurance.

Reports – The City or his insurance carrier shall immediately report all claims received which relate to the Contract, and shall also report claims investigations made, and disposition of claims to the County Highway Engineer.

See provisions of the maintenance agreement to which this Exhibit C is attached.

A PROCLAMATION
of the Council of the City of Berkley, Michigan
Celebrating the 150th Anniversary of Arbor Day
and Designating the week of
Sunday, April 24 – Saturday, April 30, 2022 as Arbor Week

- WHEREAS,** Arbor Day was first celebrated in 1872 in Nebraska as a special day set aside for planting trees, and that first year it was observed by planting more than a million trees; and
- WHEREAS,** Arbor Day is now observed throughout the nation and the world; and
- WHEREAS,** The City of Berkley is proud to be a recipient of the Tree City USA Award for the 32nd consecutive year; and
- WHEREAS,** In 2004 Berkley became the first community in the State of Michigan to receive the Sterling Award as a leader and innovator in community forestry; and
- WHEREAS,** Trees can reduce erosion by wind and water, cut heating and cooling cost, moderate the temperature, clean the air, provide habitat for wildlife, increase property values, enhance the economic vitality of business areas, and beautify our community; and
- WHEREAS,** Trees in our city increase property values, enhance the economic vitality of our business areas, and beautify our community; and
- WHEREAS,** Trees play a critical role in controlling stormwater runoff by reducing the amount of water that enters combined sewer systems.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BERKLEY HEREBY PROCLAIMS

- SECTION 1:** That Friday, April 29, 2022 shall be designated as Arbor Day in the City of Berkley.
- SECTION 2:** That the week of Sunday, April 24 – Saturday, April 30, 2022 shall be designated as Arbor Week in the City of Berkley.
- SECTION 3:** The City of Berkley urges all citizens, government agencies, public and private institutions, businesses, and schools in the City of Berkley to nurture and care for existing trees, as well as plant new ones, and to become aware of how beneficial trees are to the Earth's beauty and environment.
- SECTION 4:** The City of Berkley urges all residents to support the Berkley Tree Board, celebrating their 32nd Anniversary, pursuing various programs with the goal of making the community aware of the importance of trees and other natural vegetation.
- SECTION 5:** In celebration of the above, the Department of Public Works and Tree Board will be planting two (2) new trees at the Public Works property located on Bacon just south of 12 Mile. The event is planned for 10 AM on Saturday, April 30.

Proclaimed this 18th day of April 2022 at a Regular Meeting of the Berkley City Council.

Daniel J. Terbrack, Mayor

Attest:

Victoria Mitchell, City Clerk

A PROCLAMATION
of the Council of the City of Berkley, Michigan
Proclaiming May 2022 as Berkley History Month

- WHEREAS,** In 1819, the first settlers arrived in what is now Oakland County, and in 1825, a four-day steamboat service between Detroit and Buffalo, enabled many settlers to shorten their journey west as they made their way from New York and New Jersey. Travelers were greeted at Red Tavern owned by Mother Handsome at Woodward and Columbia Road. John Benjamin made his journey from New York and purchased 80 acres of land and built a barn on the site where Roseland Cemetery now sits; and
- WHEREAS,** The settlers continued arriving, building their farms and raising their families. The first school was built in what is now Berkley in the late 1830's. The first phone line was strung for 10 homes along 11 Mile Road between Berkley and Royal Oak. In 1919, a town pump was built and electric lighting arrived. In 1923, Berkley became a Village and in 1926 the first Berkley Days was held; and
- WHEREAS,** On May 23, 1932, during the Great Depression, and with just under 6,000 residents, the Village of Berkley became a City with a Mayor, six Commissioners, a City Clerk, Treasurer, Assessor, Judge and Constable; and
- WHEREAS,** Since its early days, Berkley has flourished into a city of approximately 15,000 residents, 6 incredible schools, 9 parks, a public library designated as “Hip” by the Detroit Free Press, over 6000 homes, and a unique downtown district; and
- WHEREAS,** The City of Berkley was ranked #2 Safest City in Michigan by HomeSnacks in 2022, ranked the #2 Best Suburb to Buy a House in Michigan by Niche in 2022, ranked the #4 Best Place to Live in Michigan by HomeSnacks in 2022, ranked the #8 Best Suburb for Young Professionals in Michigan in 2022, and ranked the #40 Best Suburb to Buy a House in America for 2022; and
- WHEREAS,** The Berkley Historical Committee works tirelessly to compile information and artifacts from around the city in order to preserve our community’s history, and to allow for it to be treasured by all for years to come.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BERKLEY HEREBY PROCLAIMS

- SECTION 1:** That the month of May 2022 shall be recognized as Berkley History Month in the City of Berkley.
- SECTION 2:** The City Council urges those familiar with stories and legends of the early days in Berkley to share their accounts and photos with the Historical Committee, and further encourages every citizen to become acquainted with the City’s rich and interesting history.

Proclaimed this 18th day of April 2022 at a Regular Meeting of the Berkley City Council.

Daniel J. Terbrack, Mayor

Attest:

Victoria Mitchell, City Clerk

A PROCLAMATION
of the Council of the City of Berkley, Michigan
Proclaiming May 2022 as Motorcycle Awareness Month

- WHEREAS,** The City of Berkley has many citizens who actively enjoy motorcycles for daily transportation, touring, and recreation; and
- WHEREAS,** The month of May is recognized nationally as the month that motorcycles become more prevalent on our streets, and the need to be more aware of their presence is of the utmost urgency; and
- WHEREAS,** Due to Michigan being a destination hot spot for travelers during the summer months there will likely be an influx of motorcycle enthusiasts; and
- WHEREAS,** An overwhelming number of accidents involving automobiles and motorcycles could be avoided with due regard, respect, and awareness of motorcycles on the streets and in intersections; and
- WHEREAS,** It is in the interest of our community and the citizens of the City of Berkley to note the increase in the volume of motorcycle traffic as we enter the warm months, to enable the reduction of accidents and injuries involving motorcyclists.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BERKLEY HEREBY PROCLAIMS

- SECTION 1:** That the month of May 2022 shall be recognized as *Motorcycle Awareness Month* in the City of Berkley.
- SECTION 2:** The City Council calls upon the citizens, government agencies, public and private institutions, businesses, and schools in the City of Berkley to recommit our community to increasing awareness and ensuring that we are all respectfully sharing our roadways with motorcyclists.

Proclaimed this 18th day of April 2022 at a Regular Meeting of the Berkley City Council.

Attest:

Daniel J. Terbrack, Mayor

Victoria Mitchell, City Clerk

A PROCLAMATION
of the Council of the City of Berkley, Michigan
Proclaiming May 2022 as Mental Health Awareness Month

- WHEREAS,** Mental health is important for our individual well-being and vitality, as well as that of our families, communities, and businesses; and
- WHEREAS,** One in five Americans experience a mental health disorder that requires treatment at some point in their lives; and
- WHEREAS,** One in ten children has a serious emotion disturbance, that if left untreated, can lead to failure in school, physical illness, substance use and abuse, entrance into the criminal justice system, and even suicide; and
- WHEREAS,** Stigma and stereotypes associated with mental illnesses often keep people from seeking treatment that could improve their quality of life and potentially save their own life; and
- WHEREAS,** Mental health disorders are biologically based brain disorders that cannot be overcome through “will power” and is not related to a defect in a person’s “character” or intelligence; and,
- WHEREAS,** Mental health recovery is a journey of healing and transformation, enabling people with a mental illness to live within a community of their choice while striving to achieve their full potential; and
- WHEREAS,** Mental health recovery not only benefits individuals with mental health disorders by focusing on their abilities to live, work, learn, and fully participate in our society, but also enriches the culture of our community life; and
- WHEREAS,** The COVID-19 pandemic has exacerbated rising mental health issues worldwide, and increasing research has indicated that survivors of COVID-19 infections have higher rates of developing a mental health disorder; and
- WHEREAS,** the Oakland Community Health (OCHN), and its service provider agencies are committed to inspiring hope, empowering people, and strengthening communities.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BERKLEY HEREBY PROCLAIMS

- SECTION 1:** That the month of May 2022 shall be recognized as *Mental Health Awareness Month* in the City of Berkley.
- SECTION 2:** The City Council calls upon the citizens, government agencies, public and private institutions, businesses, and schools in the City of Berkley to recommit our community to increasing awareness and understanding of mental health disorders, and the need for appropriate and accessible services for all people with mental health disorders to promote their recovery and healing.

Proclaimed this 18th day of April 2022 at a Regular Meeting of the Berkley City Council.

Attest:

Daniel J. Terbrack, Mayor

Victoria Mitchell, City Clerk

A PROCLAMATION
of the Council of the City of Berkley, Michigan
Proclaiming May 2022 as Building Safety Month

- WHEREAS,** The City of Berkley is committed to recognizing that our growth and strength depend on the safety and economic value of the homes, buildings, and infrastructure that serve our citizens, both in everyday life and in times of disaster; and
- WHEREAS,** our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant public servants—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and
- WHEREAS,** Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities’ largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable, energy efficient and livable buildings that are essential to America’s prosperity; and
- WHEREAS,** “*Safety for All: Building Codes in Action*,” the theme for Building Safety Month 2022, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, energy conservation; water safety; training the next generation; and new technologies in the construction industry.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BERKLEY HEREBY PROCLAIMS

- SECTION 1:** That the month of May 2022 shall be recognized as *Building Safety Month* in the City of Berkley.
- SECTION 2:** The City Council recognizes the devotion of those who work to ensure the safe construction here in the City of Berkley, and asks that anyone engaging in construction and building activities in the City of Berkley to commit to improving building safety and to further strive to adhere to safe practices outlined in the International Codes.

Proclaimed this 18th day of April 2022 at a Regular Meeting of the Berkley City Council.

Attest:

Daniel J. Terbrack, Mayor

Victoria Mitchell, City Clerk

April 18, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to approve the Berkley Dads' Club Opening Day Parade on Saturday, June 4, 2022 at 10 a.m. beginning at Berkley High School and concluding at Community Field #1. Approval is conditional upon the submission of required items and documents prior to event dates. Council reserves the right to rescind the permit due to State and/or County health and pandemic protocols.

Ayes:

Nays:

Motion:



**CITY OF BERKLEY
COMMUNITY SPECIAL EVENT
PERMIT APPLICATION DISPOSITION CHECKLIST**

Event Name: Berkley DADS CLUB OPENING DAY PARADE

Event Date(s)

6/4/22

Location(s)

Catalpa Between Henley-Robina

Event Hours

10AM-2PM

ORGANIZATION:

Organization Name:

BERKLEY DADS CLUB

Headquarters Street Address:

City:

BERKLEY

State:

MI

Zip Code:

48072

Phone:

Website:

http://www.berkeleydadsclub.org.assn.la/schedule.asp

Tax Exempt Status (as defined by the US Internal Revenue Service):

Non-Profit

501(c)(3)

N/A

Other (specify)

The following documents have been submitted:

Completed application

YES NO

Valid IRS tax exempt verification

YES NO

Financial report for the preceding fiscal year

YES NO

Proof of Commercial Liability Coverage

YES NO

Estimated cost to execute the solicitation / event

YES NO

Charitable Solicitation / Special Event Hold Harmless Agreement

YES NO

Application reviewed by:

Public Safety

BK 4-12-22

Public Works

[Signature] 4-14-22

Building Official

N/A

Comments:

[Empty box for comments]

Presented to City Council:

Date:

Approved:

YES NO

Organization Notified

YES NO

Date



City Clerk's Office
 3338 Coolidge Hwy.
 Berkley, MI 48072
 248-658-3300
 Fax: 248-658-3301
 www.berkleymich.org

RECEIVED
 Print Form

CITY OF BERKLEY, MICHIGAN COMMUNITY SPECIAL EVENT APPLICATION

APR 12 2022
 CITY OF
 BERKLEY, MICHIGAN

Name of Event: BERKLEY DADS CLUB OPENING DAY PARADE

Organization / Contact:

Name of Organization: BERKLEY DADS CLUB Contact's Name: MIKE KERBY
 Address: _____ City: BERKLEY State/zip: MI 48072
 Telephone: _____ 24 Hour Emergency Contact: SAME

If event will be on private property owned by someone else, then a letter of permission from the property owner must be submitted with the application.

Event Location: If the event involves city streets or sidewalks, include a map showing the location. A petition from affected businesses may be required. <u>CAPALPA BETWEEN HENLEY - RUBINA</u>
Dates and Hours of Event: <u>6/4/22</u>
How many employees or volunteers? <u>50</u>
How will site be secured during off-hours? <u>N/A</u>
What type of merchandise will be sold? <u>N/A</u>
If you are selling food, include a copy of your receipt from Oakland County Health Department. <u>N/A</u>
Will there be any electricity outside the building (e.g., extension cords, heaters, lights)? If yes, an electrical inspection by the City will be required after set up and before opening. <u>NO</u>
Include a Site Plan showing where merchandise will be sold, how pedestrian and vehicular traffic will circulate on the site. <u>N/A</u>
What are your plans for set up and removal? <u>N/A</u>
Tax Exempt Status (as defined by the US Internal Revenue Service): Non-Profit <input type="checkbox"/> 501.C3 <input checked="" type="checkbox"/> Other (specify) <input type="checkbox"/>
Include the following documents: <input checked="" type="checkbox"/> Internal Revenue Service tax exempt documentation for the organization. <input checked="" type="checkbox"/> Organization's financial report for the preceding fiscal year. <input checked="" type="checkbox"/> Proof of Commercial Liability Coverage on an "occurrence basis", naming the City of Berkley as additional insured, with no less than \$1,000,000 per occurrence and/or combined single limit, Personal injury, Bodily injury, and Property Damage. <input type="checkbox"/> Liquor Liability, \$500,000 per occurrence and \$500,000 aggregate. (if applicable) <input checked="" type="checkbox"/> Special Event Hold Harmless Agreement signed by an authorized representative

By Ordinance, each Community Special Event is limited to a maximum of 7 days.

Applications must be received at least 45 days prior to the event. Events involving the public right of way will require City Council approval. I understand that a representative of the organization will need to attend the City Council meeting. The City will notify me of the meeting date and time.

An application will be denied or an event shut down if complete and accurate information is not provided.

[Signature]
 Signature of Applicant

3/31/22
 Date

APPROVALS

DEPARTMENT	Approve (YES/NO)	Signature	Date
Planning/Building		N/A	
Comments:			
Public Safety	Yes		4-12-22
Comments:			
Notify SMART, ambulance, and waste collection of any road closures.			
Public Works	YES		4-14-22
Comments:			
Parks/Recreation	Yes		4/14/22
Comments:			
City Clerk	Yes		4/14/22
Comments:			
City Manager	Yes		4/14/22
Comments: Play Ball!!			

For City Use Only:

Date Application Received 4-12-22 Receipt Number PTU 22-0008

Received	Receipt Number	Date Received
Application Fee (\$200.00) <input type="checkbox"/>		
Clean up Bond (\$100.00) <input type="checkbox"/>		
Fee Waived <input checked="" type="checkbox"/>	City Manager's approval required	

City Manager's Signature: Date: 4/14/22

IF APPLICABLE:

Motion Number:

Conditions (if any):

Is fee to be reimbursed?



**CITY OF BERKLEY
COMMUNITY SPECIAL EVENT
HOLD HARMLESS AGREEMENT**

This Hold Harmless Agreement is between BERKLEY DADS CLUB, (the Organization) and the City of Berkley, Michigan, (City) for the date(s) specified below.

Organization Name BERKLEY DADS CLUB
Address _____
City BERKLEY State Mi Zip 48072 Phone _____
Event Name OPENING DAY PARADE
Event Location(s) CATALPA Event Date(s) 6/4/22

To the fullest extent permitted by law, the Organization expressly agrees to indemnify and hold harmless the City of Berkley, its elected and appointed officials, its employees and volunteers and others working on behalf of the City, from and against all loss, cost, expense, damage, liability or claims (whether groundless or not) arising out of bodily injury, sickness or disease (including death resulting at any time there from) which may be sustained or claimed by any person or persons participating in the above named event.

This includes damage or destruction of any property (including loss of use) based on any act or omission (negligent or otherwise) of the Organization or anyone acting on its behalf in connection with or incidental to this agreement. The Organization shall, at its own cost and expense, defend any such claim and any suit, action, or proceeding which may be commenced hereunder. In the event of any suit, action or proceeding, the Organization shall pay:

- Any and all judgments which may be recovered.
- Any and all expenses, including, but not limited to, costs, attorneys' fees and settlement expenses which may be incurred.

The Organization shall not be responsible to the City on indemnity for damages caused by or resulting from the City's sole negligence.

Authorized Representative MIKE KERBY Title OPENING DAY CHAIRMAN
(Please print)
Signature [Handwritten Signature] Date 3/31/22

CITY OF BERKLEY MICHIGAN
TEMPORARY TRAFFIC CONTROL ORDER

(TCO NUMBER)

In accordance with the duly adopted Uniform Traffic Code for Cities, Townships, and Villages, the Traffic Engineer hereby issues the following Temporary Traffic Control Order.

Film Permit Applicant: *Please provide the information requested in the shaded area. Submit this page with your application.*

PROJECT NAME:	Berkley Dads Club Opening Day
Location	Community One Field
DATE/S/TIMES:	6/4/2022 10 AM - 2 PM
RESPONSIBLE PARTY:	Dave Schmidt (President)
Name:	
Street Address:	
City/State/ZIP:	
Contact Phone:	
Email address:	

For Official Use Only:

Action required by City : <i>(Attach additional pages if needed)</i>	See attached event plan created by Lt. Kobernick

Approved by: <i>(Print name and title below)</i>	Signature:	Date:
Public Safety		4-12-22
Public Works		4-14-22
Building Official	N/A	

****Original – Traffic Control File**

Return copy of completed form to City Clerk's Office

Event Plan

Saturday, June 4th 2022 @ 10:00AM

Background:

The Berkley Dads Club is a 501C located in the City of Berkley dedicated to supporting youth baseball at all ages and skill levels. Our all-volunteer program was founded in 1950 and is managed by an all-volunteer board.

Summary: The cherished opening day of Berkley youth baseball has always commenced with a parade starting at Berkley High School and ending at Community One field by the recreation center. Some of the day's festivities include a visit from Paws from the Detroit Tigers Organization and the City of Berkley's Mayor tossing out the first pitch.

Logistics:

Youth baseball players, coaches, and parents are encouraged to meet at the north side of Berkley High School to meet up with their team. As a group, all participants will be escorted by Berkley Department of Public Safety honor guard while traffic is stopped by other BDPS marked units and officers. Once at our field volunteers will take over to run the event.

Areas of responsibility:

Parade Route/ Traffic Control/Monitor – Berkley Department of Public Safety (Lt. Kobernick)

Event Grounds - Berkley Dads Club (Dave Schmidt- President)

Site Map:



Parade Staging Area



Parade Route



Opening Day Activities



Internal Revenue Service District Director
Department of the Treasury P. O. Box 2508
Cincinnati, OR 45201

Date: Dec. 14, 1995

Person to Contact:

Lois Parrott

Telephone Number:

513-684-3957

Refer Reply to:

EP/EO Federal
Identification

Accounting Period Ends

December 31

Number:

Berkley Dad's Club
Berkley, MI 48072-1860

Dear Sir. Or Madam:

This is in response to your request for affirmation of your tax exempt status.

Our records show that we issued a determination letter dated February 8, 1950, which recognized your organization as exempt from Federal income tax under section 101(6) of the Internal Revenue Code of 1939 which now corresponds to section 501(c)(3) of the Internal Revenue Code of 1986. That determination letter is still in effect.

We classified your organization as a publicly supported organization, and not a private foundation, because it is described in section 509 (a) (2) of the Code. This classification was based on the assumption that your organization's operations would continue as stated in the application. If your sources of support, purposes, character, or method of operations have changed, please let us know so we can consider the effect of the change on the organization's exempt status and foundation status.

You are required to file Form 990, Return of Organization Exempt from Income Tax, only if your gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

As of January 1, 1984, your organization is liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more the organization pays to each of its employees during a calendar year. There is no liability for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal Excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)

City of Berkley
3338 Coolidge Hwy
Berkley, MI 48072

Named Insured: Berkley Dads' Club

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.



Form **990-EZ**

Short Form

Return of Organization Exempt From Income Tax

OMB No. 1545-0047

2019

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter social security numbers on this form, as it may be made public.

▶ Go to www.irs.gov/Form990EZ for instructions and the latest information.

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

A For the 2019 calendar year, or tax year beginning January 1, 2019, and ending December 31, 2019

B Check if applicable:

- Address change
- Name change
- Initial return
- Final return/terminated
- Amended return
- Application pending

C Name of organization: BERKLEY DADS' CLUB

Number and street (or P.O. box if mail is not delivered to street address): P O BOX 721036 Room/suite: 03

City or town, state or province, country, and ZIP or foreign postal code: BERKLEY MI 48072-1860

D Employer identification number:

E Telephone number:

F Group Exemption Number:

G Accounting Method: Cash Accrual Other (specify) ▶

I Website: WWW.BERKLEYDADSClub.ORG

J Tax-exempt status (check only one) - 501(c)(3) 501(c) () (insert no.) 4947(a)(1) or 527

K Form of organization: Corporation Trust Association Other

L Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, column (B)) are \$500,000 or more, file Form 990 instead of Form 990-EZ.

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (see the instructions for Part I)

Check if the organization used Schedule O to respond to any question in this Part I:

15/03

Line	Description	Amount
1	Contributions, gifts, grants, and similar amounts received	47,211
2	Program service revenue including government fees and contracts	94,273
3	Membership dues and assessments	
4	Investment income	
5a	Gross amount from sale of assets other than inventory	
5b	Less: cost or other basis and sales expenses	
5c	Gain or (loss) from sale of assets other than inventory (subtract line 5b from line 5a)	
6	Gaming and fundraising events:	
6a	Gross income from gaming (attach Schedule G if greater than \$15,000)	
6b	Gross income from fundraising events (not including \$ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds \$15,000)	
6c	Less: direct expenses from gaming and fundraising events	
6d	Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c)	
7a	Gross sales of inventory, less returns and allowances	
7b	Less: cost of goods sold	
7c	Gross profit or (loss) from sales of inventory (subtract line 7b from line 7a)	0
8	Other revenue (describe in Schedule O)	
9	Total revenue. Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8	141,484
10	Grants and similar amounts paid (list in Schedule O)	
11	Benefits paid to or for members	
12	Salaries, other compensation, and employee benefits	
13	Professional fees and other payments to independent contractors	23,485
14	Occupancy, rent, utilities, and maintenance	6,790
15	Printing, publications, postage, and shipping	
16	Other expenses (describe in Schedule O)	95,603
17	Total expenses. Add lines 10 through 16	125,878
18	Excess or (deficit) for the year (subtract line 17 from line 9)	15,606
19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)	15,724
20	Other changes in net assets or fund balances (explain in Schedule O)	
21	Net assets or fund balances at end of year. Combine lines 18 through 20	31,330

SCANNED JAN 25 2022

RECEIVED BY CORRES
IRS-OSO-16
AUG 16 2021
GARDEN, UTAH
RECEIVED
AUG 27 2020
IRS-OSC
GARDEN, UT

G15

B

Part II Balance Sheets (see the instructions for Part II)
 Check if the organization used Schedule O to respond to any question in this Part II

	(A) Beginning of year	(B) End of year
22 Cash, savings, and investments	15,724	31,330
23 Land and buildings		
24 Other assets (describe in Schedule O)		
25 Total assets	15,724	31,330
26 Total liabilities (describe in Schedule O)		
27 Net assets or fund balances (line 27 of column (B) must agree with line 21)	15,724	31,330

Part III Statement of Program Service Accomplishments (see the instructions for Part III)
 Check if the organization used Schedule O to respond to any question in this Part III

What is the organization's primary exempt purpose? YOUTH BASEBALL

Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. In a clear and concise manner, describe the services provided, the number of persons benefited, and other relevant information for each program title.

	Expenses (Required for section 501(c)(3) and 501(c)(4) organizations; optional for others.)
28 <u>PROVIDE RECREATIONAL BASEBALL TO YOUTH OF BERKLEY AND BERKLEY SCHOOLS IN AN ENVIORNMENT THAT BENEFITS THE COMMUNITY</u>	
(Grants \$) If this amount includes foreign grants, check here <input type="checkbox"/>	28a 95,602
29	
(Grants \$) If this amount includes foreign grants, check here <input type="checkbox"/>	29a
30	
(Grants \$) If this amount includes foreign grants, check here <input type="checkbox"/>	30a
31 Other program services (describe in Schedule O)	
(Grants \$) If this amount includes foreign grants, check here <input type="checkbox"/>	31a
32 Total program service expenses (add lines 28a through 31a)	32 95,602

Part IV List of Officers, Directors, Trustees, and Key Employees (list each one even if not compensated—see the instructions for Part IV)
 Check if the organization used Schedule O to respond to any question in this Part IV

(a) Name and title	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC) (if not paid, enter -0-)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation
MIKE KERBY PRESIDENT	3			
JOSH POLLARD V-PRES	3			
NAT MERETSKY TREASURER	3			
BOB LAFOUNTAIN SECRETARY	3			
PATTI KIDD DIRECTOR	1			
MARK ENGLAND DIRECTOR	1			
TONY SMITH DIRECTOR	1			
BOB WAGNER DIRECTOR	1			
DAVE MEINKE DIRECTOR	1			
DALE GOODCOURAGE DIRECTOR	1			
SAM VELTRI PAST PRESIDENT	1			
TONY SMITH CHAIRMAN OF THE BOARD	1			

OAB

Part V Other information (Note the Schedule A and personal benefit contract statement requirements in the instructions for Part V.) Check if the organization used Schedule O to respond to any question in this Part V

		Yes	No
33	Did the organization engage in any significant activity not previously reported to the IRS? If "Yes," provide a detailed description of each activity in Schedule O		
34	Were any significant changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the amended documents if they reflect a change to the organization's name. Otherwise, explain the change on Schedule O. See instructions		
35a	Did the organization have unrelated business gross income of \$1,000 or more during the year from business activities (such as those reported on lines 2, 6a, and 7a, among others)?		
b	If "Yes" to line 35a, has the organization filed a Form 990-T for the year? If "No," provide an explanation in Schedule O		
35c	Was the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization subject to section 6033(e) notice, reporting, and proxy tax requirements during the year? If "Yes," complete Schedule C, Part III		
36	Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N		
37a	Enter amount of political expenditures, direct or indirect, as described in the instructions ▶ 37a _____		
b	Did the organization file Form 1120-POL for this year?		
38a	Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee; or were any such loans made in a prior year and still outstanding at the end of the tax year covered by this return?		
b	If "Yes," complete Schedule L, Part II, and enter the total amount involved 38b _____		
39	Section 501(c)(7) organizations. Enter:		
a	Initiation fees and capital contributions included on line 9 39a _____		
b	Gross receipts, included on line 9, for public use of club facilities 39b _____		
40a	Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911 ▶ _____ ; section 4912 ▶ _____ ; section 4955 ▶ _____		
b	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year, or did it engage in an excess benefit transaction in a prior year that has not been reported on any of its prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I 40b _____		
c	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 ▶ _____		
d	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax on line 40c reimbursed by the organization ▶ _____		
e	All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T 40e _____		
41	List the states with which a copy of this return is filed ▶ _____		
42a	The organization's books are in care of ▶ _____ Telephone no. ▶ _____ Located at ▶ _____ ZIP + 4 ▶ _____		
b	At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? If "Yes," enter the name of the foreign country ▶ _____ See the instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).	Yes	No
c	At any time during the calendar year, did the organization maintain an office outside the United States? If "Yes," enter the name of the foreign country ▶ _____		
43	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of Form 1041 — Check here <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the tax year ▶ 43 _____		
44a	Did the organization maintain any donor advised funds during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ 44a _____		
b	Did the organization operate one or more hospital facilities during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ 44b _____		
c	Did the organization receive any payments for indoor tanning services during the year? 44c _____		
d	If "Yes" to line 44c, has the organization filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O 44d _____		
45a	Did the organization have a controlled entity within the meaning of section 512(b)(13)? 45a _____		
b	Did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," Form 990 and Schedule R may need to be completed instead of Form 990-EZ. See instructions 45b _____		

	Yes	No
46 Did the organization engage, directly or indirectly, in political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I	48	

Part VI Section 501(c)(3) Organizations Only

All section 501(c)(3) organizations must answer questions 47-49b and 52, and complete the tables for lines 50 and 51.

Check if the organization used Schedule O to respond to any question in this Part VI

	Yes	No
47 Did the organization engage in lobbying activities or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II	47	
48 Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	48	
49a Did the organization make any transfers to an exempt non-charitable related organization?	49a	
b If "Yes," was the related organization a section 527 organization?	49b	

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees, and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and title of each employee	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation

f Total number of other employees paid over \$100,000 ▶

51 Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and business address of each independent contractor	(b) Type of service	(c) Compensation

d Total number of other independent contractors each receiving over \$100,000 . . . ▶

52 Did the organization complete Schedule A? Note: All section 501(c)(3) organizations must attach a completed Schedule A Yes No

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here	Nat Meretsky Signature of officer	12/15/2020 Date
	Nat Meretsky - Treasurer Type or print name and title	

Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶	Firm's EIN ▶			
	Firm's address ▶	Phone no.			

May the IRS discuss this return with the preparer shown above? See instructions Yes No

SCHEDULE A
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.
▶ Attach to Form 990 or Form 990-EZ.
▶ Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No 1545-0047

2019

Open to Public
Inspection

Name of the organization

Employer identification number

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 12, check only one box.)

- 1 A church, convention of churches, or association of churches described in section 170(b)(1)(A)(i).
- 2 A school described in section 170(b)(1)(A)(ii). (Attach Schedule E (Form 990 or 990-EZ).)
- 3 A hospital or a cooperative hospital service organization described in section 170(b)(1)(A)(iii).
- 4 A medical research organization operated in conjunction with a hospital described in section 170(b)(1)(A)(iii). Enter the hospital's name, city, and state: _____
- 5 An organization operated for the benefit of a college or university owned or operated by a governmental unit described in section 170(b)(1)(A)(iv). (Complete Part II.)
- 6 A federal, state, or local government or governmental unit described in section 170(b)(1)(A)(v).
- 7 An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in section 170(b)(1)(A)(vi). (Complete Part II.)
- 8 A community trust described in section 170(b)(1)(A)(vii). (Complete Part II.)
- 9 An agricultural research organization described in section 170(b)(1)(A)(ix) operated in conjunction with a land-grant college or university or a non-land-grant college of agriculture (see instructions). Enter the name, city, and state of the college or university: _____
- 10 An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Complete Part III.)
- 11 An organization organized and operated exclusively to test for public safety. See section 509(a)(4).
- 12 An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2). See section 509(a)(3). Check the box in lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g.
 - a **Type I.** A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. You must complete Part IV, Sections A and B.
 - b **Type II.** A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). You must complete Part IV, Sections A and C.
 - c **Type III functionally integrated.** A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). You must complete Part IV, Sections A, D, and E.
 - d **Type III non-functionally integrated.** A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). You must complete Part IV, Sections A and D, and Part V.
 - e Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.
 - f Enter the number of supported organizations _____
 - g Provide the following information about the supported organization(s).

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1–10 above (see instructions))	(iv) Is the organization listed in your governing document?		(v) Amount of monetary support (see instructions)	(vi) Amount of other support (see instructions)
			Yes	No		
(A)						
(B)						
(C)						
(D)						
(E)						
Total						

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2015	(b) 2016	(c) 2017	(d) 2018	(e) 2019	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")	6,085	5,863	8,564	9,637	47,211	77,360
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose	104,485	115,633	133,668	103,445	94,273	551,504
3 Gross receipts from activities that are not an unrelated trade or business under section 513	12,356	1,753	2,325	1,275	1,482	19,191
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 Total. Add lines 1 through 5	122,926	123,249	144,557	114,357	142,966	648,055
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 Public support. (Subtract line 7c from line 6.)						648,055

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2015	(b) 2016	(c) 2017	(d) 2018	(e) 2019	(f) Total
9 Amounts from line 6	122,926	123,249	144,557	114,357	142,966	648,055
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources						
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b						
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)						
13 Total support. (Add lines 9, 10c, 11, and 12.)	122,926	123,249	144,557	114,357	142,966	648,055
14 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ▶ <input type="checkbox"/>						

Section C. Computation of Public Support Percentage

15 Public support percentage for 2019 (line 8, column (f), divided by line 13, column (f))	16	100.00 %
16 Public support percentage from 2018 Schedule A, Part III, line 15	16	100.00 %

Section D. Computation of Investment Income Percentage

17 Investment income percentage for 2019 (line 10c, column (f), divided by line 13, column (f))	17	0.00 %
18 Investment income percentage from 2018 Schedule A, Part III, line 17	18	0.00 %

- 19a** 33 1/3% support tests—2019. If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and stop here. The organization qualifies as a publicly supported organization . ▶
- b** 33 1/3% support tests—2018. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and stop here. The organization qualifies as a publicly supported organization ▶
- 20** Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ▶

Part IV Supporting Organizations

(Complete only if you checked a box in line 12 on Part I. If you checked 12a of Part I, complete Sections A and B. If you checked 12b of Part I, complete Sections A and C. If you checked 12c of Part I, complete Sections A, D, and E. If you checked 12d of Part I, complete Sections A and D, and complete Part V.)

Section A. All Supporting Organizations

	Yes	No
1 Are all of the organization's supported organizations listed by name in the organization's governing documents? If "No," describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.		
2 Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If "Yes," explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2).		
3a Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If "Yes," answer (b) and (c) below.		
b Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? If "Yes," describe in Part VI when and how the organization made the determination.		
c Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If "Yes," explain in Part VI what controls the organization put in place to ensure such use.		
4a Was any supported organization not organized in the United States ("foreign supported organization")? If "Yes," and if you checked 12a or 12b in Part I, answer (b) and (c) below.		
b Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If "Yes," describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.		
c Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If "Yes," explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.		
5a Did the organization add, substitute, or remove any supported organizations during the tax year? If "Yes," answer (b) and (c) below (if applicable). Also, provide detail in Part VI, including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).		
b Type I or Type II only. Was any added or substituted supported organization part of a class already designated in the organization's organizing document?		
c Substitutions only. Was the substitution the result of an event beyond the organization's control?		
6 Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? If "Yes," provide detail in Part VI.		
7 Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (as defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).		
8 Did the organization make a loan to a disqualified person (as defined in section 4958) not described in line 7? If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).		
9a Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? If "Yes," provide detail in Part VI.		
b Did one or more disqualified persons (as defined in line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? If "Yes," provide detail in Part VI.		
c Did a disqualified person (as defined in line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? If "Yes," provide detail in Part VI.		
10a Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? If "Yes," answer 10b below.		
b Did the organization have any excess business holdings in the tax year? (Use Schedule C, Form 4720, to determine whether the organization had excess business holdings.)		

Part IV Supporting Organizations (continued)

		Yes	No
11	Has the organization accepted a gift or contribution from any of the following persons?		
a	A person who directly or indirectly controls, either alone or together with persons described in (b) and (c) below, the governing body of a supported organization?		
b	A family member of a person described in (a) above?		
c	A 35% controlled entity of a person described in (a) or (b) above? If "Yes" to a, b, or c, provide detail in Part VI.		

Section B. Type I Supporting Organizations

		Yes	No
1	Did the directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? If "No," describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.		
2	Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? If "Yes," explain in Part VI how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised, or controlled the supporting organization.		

Section C. Type II Supporting Organizations

		Yes	No
1	Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? If "No," describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).		

Section D. All Type III Supporting Organizations

		Yes	No
1	Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?		
2	Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? If "No," explain in Part VI how the organization maintained a close and continuous working relationship with the supported organization(s).		
3	By reason of the relationship described in (2), did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? If "Yes," describe in Part VI the role the organization's supported organizations played in this regard.		

Section E. Type III Functionally Integrated Supporting Organizations

1	Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see instructions).		
a	<input type="checkbox"/> The organization satisfied the Activities Test. Complete line 2 below.		
b	<input type="checkbox"/> The organization is the parent of each of its supported organizations. Complete line 3 below.		
c	<input type="checkbox"/> The organization supported a governmental entity. Describe in Part VI how you supported a government entity (see instructions).		
2	Activities Test. Answer (a) and (b) below.		
a	Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? If "Yes," then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.		
b	Did the activities described in (a) constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? If "Yes," explain in Part VI the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.		
3	Parent of Supported Organizations. Answer (a) and (b) below.		
a	Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? Provide details in Part VI.		
b	Did the organization exercise a substantial degree of direction over the policies, programs, and activities of each of its supported organizations? If "Yes," describe in Part VI the role played by the organization in this regard.		

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

1 Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

Section A—Adjusted Net Income		(A) Prior Year	(B) Current Year (optional)
1	Net short-term capital gain	1	
2	Recoveries of prior-year distributions	2	
3	Other gross income (see instructions)	3	
4	Add lines 1 through 3.	4	
5	Depreciation and depletion	5	
6	Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions)	6	
7	Other expenses (see instructions)	7	
8	Adjusted Net Income (subtract lines 5, 6, and 7 from line 4)	8	
Section B—Minimum Asset Amount		(A) Prior Year	(B) Current Year (optional)
1 Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year):			
a	Average monthly value of securities	1a	
b	Average monthly cash balances	1b	
c	Fair market value of other non-exempt-use assets	1c	
d	Total (add lines 1a, 1b, and 1c)	1d	
e Discount claimed for blockage or other factors (explain in detail in Part VI):			
2	Acquisition indebtedness applicable to non-exempt-use assets	2	
3	Subtract line 2 from line 1d.	3	
4	Cash deemed held for exempt use. Enter 1-1/2% of line 3 (for greater amount, see instructions).	4	
5	Net value of non-exempt-use assets (subtract line 4 from line 3)	5	
6	Multiply line 5 by .035.	6	
7	Recoveries of prior-year distributions	7	
8	Minimum Asset Amount (add line 7 to line 6)	8	
Section C—Distributable Amount			Current Year
1	Adjusted net income for prior year (from Section A, line 8, Column A)	1	
2	Enter 85% of line 1.	2	
3	Minimum asset amount for prior year (from Section B, line 8, Column A)	3	
4	Enter greater of line 2 or line 3.	4	
5	Income tax imposed in prior year	5	
6	Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions).	6	
7	<input type="checkbox"/> Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization (see instructions).		

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations (continued)

Section D--Distributions	Current Year
1 Amounts paid to supported organizations to accomplish exempt purposes	
2 Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity	
3 Administrative expenses paid to accomplish exempt purposes of supported organizations	
4 Amounts paid to acquire exempt-use assets	
5 Qualified set-aside amounts (prior IRS approval required)	
6 Other distributions (describe in Part VI). See instructions.	
7 Total annual distributions. Add lines 1 through 6.	
8 Distributions to attentive supported organizations to which the organization is responsive (provide details in Part VI). See instructions.	
9 Distributable amount for 2019 from Section C, line 6	
10 Line 8 amount divided by line 9 amount	

Section E--Distribution Allocations (see instructions)	(i) Excess Distributions	(ii) Underdistributions Pre-2019	(iii) Distributable Amount for 2019
1 Distributable amount for 2019 from Section C, line 6			
2 Underdistributions, if any, for years prior to 2019 (reasonable cause required--explain in Part VI). See instructions.			
3 Excess distributions carryover, if any, to 2019			
a From 2014			
b From 2015			
c From 2016			
d From 2017			
e From 2018			
f Total of lines 3a through e			
g Applied to underdistributions of prior years			
h Applied to 2019 distributable amount			
i Carryover from 2014 not applied (see instructions)			
j Remainder. Subtract lines 3g, 3h, and 3i from 3f.			
4 Distributions for 2019 from Section D, line 7: \$			
a Applied to underdistributions of prior years			
b Applied to 2019 distributable amount			
c Remainder. Subtract lines 4a and 4b from 4.			
5 Remaining underdistributions for years prior to 2019, if any. Subtract lines 3g and 4a from line 2. For result greater than zero, explain in Part VI. See instructions.			
6 Remaining underdistributions for 2019. Subtract lines 3h and 4b from line 1. For result greater than zero, explain in Part VI. See instructions.			
7 Excess distributions carryover to 2020. Add lines 3j and 4c.			
8 Breakdown of line 7:			
a Excess from 2015			
b Excess from 2016			
c Excess from 2017			
d Excess from 2018			
e Excess from 2019			



Victoria Mitchell <vmitchell@berkleymich.net>

Dads Club Event

Matthew Koehn <mkoehn@berkleypublicsafety.net>

Tue, Apr 12, 2022 at 12:24 PM

To: Victoria Mitchell <vmitchell@berkleymich.net>

Cc: Matthew Baumgarten <mbaumgarten@berkleymich.net>, Theresa McArleton <tmcarleton@berkleymich.net>, Shawn Young <syong@berkleymich.net>, Derrick Schueller <dschueller@berkleymich.net>, Corey Miller <cmiller@berkleypublicsafety.net>, Andrew Hadfield <ahadfield@berkleypublicsafety.net>, Jordan Kobernick <jkobernick@berkleypublicsafety.net>

DPS recommends approval of this event and will assist as we do every year. Thanks.

[Quoted text hidden]

Matt Koehn
Director of Public Safety
Berkley Department of Public Safety
President, Oakland County Tactical Training Consortium
2395 W 12 Mile Road
Berkley, MI 48072
mkoehn@berkleypublicsafety.net
Direct: 248-658-3389
General: 248-658-3380
<https://www.berkleypublicsafety.org/>
<https://www.facebook.com/BerkleyDPS/>
<http://www.berkleymich.org>

The Berkley Department of Public Safety delivers exemplary police, fire, and EMS services with respect and impartiality. We form deep connections with the community to improve the security and quality of life for all.



OAKTAC
Oakland County Tactical
Response Consortium



Victoria Mitchell <vmitchell@berkleymich.net>

Dads Club Event

Theresa McArleton <tmcarleton@berkleymich.net>

Tue, Apr 12, 2022 at 2:08 PM

To: Victoria Mitchell <vmitchell@berkleymich.net>

Cc: Matthew Baumgarten <mbaumgarten@berkleymich.net>, Matthew Koehn <mkoehn@berkeleypublicsafety.net>, Shawn Young <syoung@berkleymich.net>, Derrick Schueller <dschueller@berkleymich.net>, Corey Miller <cmiller@berkeleypublicsafety.net>

Victoria,

Parks & Recreation does not have an issue with this event and as in the past, we will provide an indoor space on the day of if needed for photos (a request from the group to our department).

Theresa

On Tue, Apr 12, 2022 at 10:27 AM Victoria Mitchell <vmitchell@berkleymich.net> wrote:

[Quoted text hidden]

—
Theresa K. McArleton (she, her, hers)
Director of Parks & Recreation
248-658-3470
248-672-0295 (cell)
tmcarleton@berkleymich.net



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll Free: 866-813-0011 • www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC use only)

Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the Berkley council/board
(regular or special) (township, city, village)
called to order by Mayor Daniel J. Terbrack on April 18, 2022 at 7 p.m.
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from EL Patio III LC
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): Premise Liquor License
(list specific licenses requested)

to be located at: 3052 12 Mile Road, Berkley, MI 48072

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the City
council/board at a Regular meeting held on April 18, 2022 (township, city, village)
(regular or special) (date)

Victoria Mitchell

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059

RECEIVED

FEB - 9 2022

City of Berkley
Application for On-Premise Liquor License

CITY OF
BERKLEY, MICHIGAN

Applicant:

Name: EL PATIO III LLC Phone: _____

Complete Address: 3052 12 Mile Rd
Berkley MI 48072

Property Owner: (If different than above)

Name: Maria E. De La Paz Phone: _____

Complete Address: _____

Building Information:

Address of proposed use: 3052 12 Mile Rd Berkley MI 48072

Is this a new building or rehabilitation of an existing building? yes

Amount of investment per square foot: \$23

Will meals be prepared and consumed on premises? yes

Hours of operation: 11 AM - 10pm Mon-Thurs, 11-11 PM, 12-10 Sundays

Seating capacity: (minimum 50 persons) 170

Number of parking spaces provided: 70

Type of Application: Transfer Quota Development District Amendment to Existing

Please include the following with your application:

- A resume from the applicant and any individual having ownership interest or management responsibilities. The resume shall outline educational background and employment history, including previous liquor licensed establishment experience
- Any criminal charges or convictions involving the applicant or any person having ownership interest or management responsibilities for the applicant;
- Any civil actions and/or judgments involving the applicant or any person having ownership interest or management responsibilities for the applicant;
- Credit history and any history of bankruptcy associated with the applicant and any person having ownership interest or management responsibilities for the applicant;
- The source of all funding, including verification through furnishing bank records;
- Detailed plans, including a site plan and interior layout showing bar and seating locations and an architectural elevation (12 folded copies required). In lieu of such plans, the application must include a narrative detailing future building renovation plans.
- The date any and all construction or other improvements will commence.
- The date any and all construction or improvements will be completed and business operations will commence.

M. El Patio
Signature of Applicant

2-9-22
Date

Office use only

Date Application was received _____ Fee \$300 Receipt Number 32639

Approved _____ Not approved _____ Date _____

Fee Schedule

- Quota License: \$300
- Development District Licenses: \$300
- Annual Inspection: \$100
- Transfer Licenses: \$200
- Amendments to Existing License: \$100

Fee Paid: \$300 Date Paid: 2/10/2022

Signature of Approval – City Clerk: Victoria Mitchell Date: 4-11-22

Reasons for Denial:

Signature of Approval – City Planner: See Attached Date: _____

Reasons for Denial:

Signature of Approval – Public Safety Director: M. H. Date: 4-5-22

Reasons for Denial:

IMPORTANT

- Denial or Revocation may occur:
- A. for any misrepresentations or inaccuracies on the application;
 - B. for failure to timely commence or complete construction or improvements to the establishment or failure to comply with the plans for establishment submitted with this application, unless plan changes have been expressly authorized and approved by the City Council as part of the application process; and
 - C. if there is a conviction of a crime or the filing of any bankruptcy proceedings.

DOWNTOWN DEVELOPMENT DISTRICT REDEVELOPMENT PROJECT AREA
LIQUOR LICENSE

The City of Berkley has established the Downtown Development District as a redevelopment project area and as such you may apply for a liquor license now available in that area. There are special criteria which are required for this license. The fee for such a license is \$20,000 payable to the State of Michigan, Liquor Control Commission.

You must first submit an application to the City of Berkley City Clerk's Office, accompanied by a \$300.00 application fee. (See the attached application)

Your application to the City of Berkley will reviewed by our Public Safety Department and our Building Department. After their approval your application will be submitted to our City Council for their approval. Their approval will allow you to go forward with your application to the Liquor Control Commission. Much of what is required by the State of Michigan is part of our requirements.

You will have to demonstrate to the Liquor Control Commission that you have tried in earnest to obtain an on-premise escrowed license or quota license issued under section 531 of the Liquor Control Act and that one was not readily available. Please contact the Liquor Control Commission for direction. See their website at: <http://www.michigan.gov/dleg/>

Attached is a copy of the City of Berkley ordinance which outlines the steps which must be taken for this license. Also attached is a copy of additional information supplied by the State of Michigan regarding these redevelopment area licenses.

BERKLEY CITY CODE – CHAPTER 14, ALCOHOLIC LIQUORS

ARTICLE II. LICENSES AND PERMITS*

***Editor's note:** Ord. No. O-05-07, § 1, adopted July 16, 2007, amended chapter 14, article II, §§ 14-31--14-37, in its entirety to read as herein set out. Formerly, article II pertained to similar subject matter, and derived from Ord. No. 10-94, §§ 2--8, adopted May 2, 1994.

Cross references: Licenses and permits generally, § 30-31 et seq.

State law references: Licenses and local approval thereof, MCL 436.17, MSA 18.988.

Sec. 14-31. Purpose--Compliance required.

This article is established in order to provide an orderly procedure for the review and consideration by the city of any and all requests for licenses, including requests for new licenses, transfers of existing licenses, placing licenses in escrow, adding or deleting owners and other matters relating to the sale or dispensation of alcoholic beverages within the city. All persons shall strictly comply with the provisions of this article.

(Ord. No. O-05-07, § 1, 7-16-2007)

Sec. 14-32. Definitions.

Alcoholic beverage shall mean any intoxicating beverage or sale or dispensation, which is subject to licensure by the laws of the state.

Development district license shall refer to those class C liquor licenses available pursuant to Public Act 501 of 2006. At the date of article adoption, the city has five such licenses available to businesses on Twelve Mile Road and five additional such licenses available to businesses on Coolidge.

Person shall mean any person or legal entity of whatsoever kind or nature.

Quota license shall refer to a class C liquor license, which has yet to be assigned to any person for which the city has authority to issue and assign. "Quota license" shall also mean any licenses which may be issued by the city, pursuant to §§ 531(1), (2), (3), (4) and 521 of the Liquor Control Code of 1998, as amended and any license transfer from outside the city.

Transfer license shall refer to an existing class C, class B, private club, SDD or SDM license or other associated permit with any such license which has previously been issued and owned by an existing person and which is subject to a proposed transfer, placement in escrow or the adding or deleting of names or change of ownership, except licenses from outside the city.

(Ord. No. O-05-07, § 1, 7-16-2007)

Sec. 14-33. Requirements and procedure.

(a) *Application.* Any person desiring a quota, development district or transfer of license shall fully complete an application upon a form as prescribed by the city which shall include at minimum the following information:

- (1) Name and address of applicant;
- (2) Type of license desired;
- (3) Address and legal description of subject property;
- (4) A resume from the applicant and any individual having ownership interest or management responsibilities. The resume shall outline educational background and employment history, including previous liquor licensed establishment experience

REDEVELOPMENT LIQUOR LICENSES

Through the provisions of Public Act 501 of 2006, the Liquor Control Commission (LCC) may issue new public on-premises liquor licenses to local units of government. In order to allow cities to enhance the quality of life for their residents and visitors to their communities, the LCC may issue public on-premises licenses in addition to those quota licenses allowed in cities under section 531 (L) of the Michigan Liquor Control Code, Public Act 58 of 1998 as amended.

WHO IS ELIGIBLE TO APPLY:

A business must be located in either a Business District listed below or in a City Redevelopment Area, as defined in Sec. 521a (2)(c)

- Tax Increment Finance Authority (TIFA) PA 450 of 1980
- Corridor Improvement Authority (CIA) PA 280 of 2006
- Downtown Development Authority (DDA) PA 197 of 1975
- Principal Shopping District (PSD) PA 120 of 1961

Applicants in these businesses districts must:

Be a business engaged in dining, entertainment or recreation and open to the general public.

- Have a seating capacity of at least 25 people.
- Have spent at least \$75,000 for the rehabilitation or restoration of the building where the license will be housed over a period of the preceding five years or a commitment for a capital investment of at least \$75,000 that will be spent before the issuance of the license.
- Show that the total amount of private and public investment in real and personal property in a District listed above was at least \$200,000 in the period covering the preceding five years.

The LCC may issue one license for each of the above (\$200,000) monetary thresholds reached and for each major fraction thereof after the initial threshold is reached.

The LCC may also issue Redevelopment Liquor Licenses to businesses located in a City Redevelopment Area (there may be more than one in a city).

Applicants in City Redevelopment Areas must:

- Be a business engaged in dining, entertainment or recreation.
- Be open to the general public at least 10 hours per day, five days per week.
- Have a seating capacity of at least 25 people.
- Adopt a resolution from the governing body of the city establishing the redevelopment project area.
- Provide a map which clearly reflects and outlines where the redevelopment project area is located within the local unit of government.
- Provide an affidavit from the assessor, as certified by the city clerk, stating the total amount of investment in real and personal property within the redevelopment project area of the city during the preceding three year time period.
- Relative to a license issued in a City Redevelopment Project Area, the amount of commercial investment in the redevelopment project area within the city shall constitute not less than 25 percent of the total investment in real and personal property as evidenced by an affidavit of the city assessor as certified by the city clerk.
- A resolution which approves a specific applicant (individual, corporation, limited liability company, limited partnership) at a specific location.
- Have total investment over the last three years in real and personal property in the redevelopment area of:
 - At least \$50 million in cities having a population of 50,000 or more, or at least \$1 million per 1,000 people in cities of less than 50,000.

The LCC may issue a license when one of the abovementioned monetary thresholds is met.

HOW TO APPLY

To be considered for the license by the LCC: The local unit of government must pass a resolution approving the applicant for an on-premise liquor license pursuant to PA 501 of 2006. If the business is located in a City Redevelopment Project Area the resolution should indicate the license be issued under Section 521a (1)a of PA 501 of 2006. If the business is located in a DDA, TIFA, PSD, etc., the resolution should indicate the license be issued under Section 521a (1)b of PA 501 of 2006.

- The resolution and application ideally should be submitted at the same time.

Applications can be obtained from the LCC by downloading via the internet at www.michigan.gov/documents/cis/CIS_LCC_lc687_181912_7.pdf or by calling 517.322.1400.

All applicants will:

1. Need to demonstrate that they have attempted to purchase a readily available escrowed or quota onpremise license within the municipality that they want to operate, and that a license was not available.
2. Pay a \$20,000 fee for the license. Upon receipt of the documentation from the local unit of government, the necessary application forms, other required documents and inspection fees, the application will be authorized for investigation.

The LCC will not transfer a license issued under this act to another location. If the licensee goes out of business, the licensee shall surrender the license to the LCC. The governing body of the local governmental unit may approve another applicant within the redevelopment project area or development district to replace

IMPORTANT NOTE

Do not invest any money in improvements or bind yourself in any agreements until you have been officially notified by the LCC that your request has been approved.

SUPPORTING STATUTE

Public Act 501 of 2006

CONTACT INFORMATION

For more information contact the Michigan Economic Development CorporationSM (MEDC) Customer Contact Center at 517.373.9808.

Introduction

Public Act 501 of 2006, which creates new redevelopment liquor licenses, has passed into law. This is a tremendous victory for the many Michigan communities who have businesses that want to locate locally but cannot acquire a liquor license. This new law has the potential to greatly increase walkable traffic and entertainment in downtowns, and will be a boon to community economic development and redevelopment.

How to Apply

Just like all other on-premises liquor licenses, the municipality (city, village, or township) must pass a resolution approving the applicant (business owner) for the license. A sample resolution is attached. In addition to the language in the sample resolution, it should also include the words "Approved Above All Others" and should indicate that the approval is for an on-premises liquor license issued pursuant to PA 501 of 2006.

If the license is in the area of a Downtown Development Authority, Tax Increment Financing Authority, Corridor Improvement Authority or Principal Shopping District, the resolution should indicate that the license should be issued under Section 521a (1)(b) of PA 501 of 2006. If the license is in a city redevelopment project area (see below) the resolution should indicate that the license should be issued under Section 521a (1)(a) of PA 501 of 2006. This will ensure that the LCC knows what kind of liquor license is being requested.

The resolution must be forwarded to the LCC prior to or at the same time as the application. An application most likely will start a file for that license request. LCC staff has indicated that they can start accepting applications as soon as they receive this resolution from the community in support of the application and the information required in PA 501 (as follows).

The business owner then fills out an application for a liquor license. The applicant can obtain an application form for a new on-premise license by contacting the LCC licensing division at 517 322-1400, or by downloading the form at the LCC website at www.michigan.gov/documents/cis/CIS_LCC_lc687_181912_7.pdf. Most license applicants will want a Class C license (for restaurants, bars, etc). Hotels, though, may be in a different category and the applicant should discuss this with the LCC staff. The applicant may also want to indicate on the application that it is applying for a license as provided by PA 501 of 2006, but this is not necessary as the municipality will have already put this in the resolution.

The applicant will need to demonstrate to the LCC that it has attempted to secure an on-premise escrowed license or quota license issued under section 531 of the Liquor Control Act and that one was not readily available within the local unit of government, Section 521a(9). Businesses will also have to pay a \$20,000 fee for the license when it is approved.

The Act provides for two distinct types of licenses – "Development Authority Districts" and "City Redevelopment Project Areas" – and each of these has specific requirements that must be met.

Development Authority Districts

The licensed business must demonstrate that it is engaged in dining, entertainment, or recreation, is open to the general public and has a seating capacity of not less than 50 persons. Section 521a(6)(c).

The applicant, in the application or after submitting the application, must establish that it has done one of the following:

- expended at least \$75,000 for the rehabilitation or restoration of the building over a period of the preceding five years, or
- committed capital investment of at least \$75,000 that will be expended for the building before the license is issued. Section 521a(6)(a).

Once the application is filed with the LCC, proof must be submitted that:

1. the applicant business is located in a development authority district (Downtown Development Authority, Tax Increment Finance Authority, Corridor Improvement Authority, or Principal Shopping District) and
2. the total amount of private and public investment in real and personal property in the development district is at least \$200,000 for the preceding 5 years. Section 521a(6)(b).

Development Authority Districts may receive one license for each \$200,000 reached in the District, and for each major fraction thereof after the initial threshold is reached.

City Redevelopment Project Areas

The applicant, in the application or after submitting the application, must indicate to the LCC that it is engaged in dining, entertainment, or recreation activities at least 5 days per week and is open to the public at least 10 hours per day, 5 days per week. Section 521a(2)(a), (b). In addition, the applicant must present verification of redevelopment project area status. Section 521a(2)(c). The verification shall include:

1. a resolution passed by the city that designates the City Redevelopment Project Area, and affidavits of investments and population required by Section 521a(2)(c);
2. proof that commercial investment in the City Redevelopment Project Area is 25% or more of the total investment in real and personal property in the City Redevelopment Project Area, Section 521a(3); and
3. proof that total investment over the last 3 years (or last 5 years for the first licenses issued) in real and personal property in the City Redevelopment Project Area of:
 - at least \$50 million in cities having a population of 50,000 or more, or
 - at least \$1 million per 1,000 people in cities of less than 50,000, Section 521a(4).

There is no limit to the number of City Redevelopment Project Areas that a city can create. The city can create one large redevelopment zone or several small redevelopment areas. City Redevelopment Project Areas may receive one license for each of the above monetary thresholds reached, and for each major fraction thereof after the initial threshold is reached.

Note: The licenses created by PA 501 are not transferable by the business owner to another location. If a business with one of these licenses goes out of business, the license is surrendered to the LCC. If a license is surrendered back to the LCC from a business, the local unit of government may approve another applicant in that same development district or city redevelopment project area to replace the licensee as long as the new business meets the same requirements.

- (5) Any criminal charges or convictions involving the applicant or any person having ownership interest or management responsibilities for the applicant;
 - (6) Any civil actions and/or judgments involving the applicant or any person having ownership interest or management responsibilities for the applicant;
 - (7) Credit history and any history of bankruptcy associated with the applicant and any person having ownership interest or management responsibilities for the applicant;
 - (8) The source of all funding, including verification through furnishing bank records;
 - (9) Detailed plans, including a site plan and interior layout showing bar and seating locations and an architectural elevation. In lieu of such plans, the application must include a narrative detailing future building renovation plans;
 - (10) The date any and all construction or other improvements will commence;
 - (11) The date any and all construction or improvements will be completed and business operations will commence;
 - (12) The cost of all proposed building improvements. State law requires that for a development district license at least \$75,000.00 be committed at the time of approval. Prior to issuance of said license, at least \$75,000.00 in renovations must be expended. The amount required shall only apply to the development district license.
- (b) *Application submittal.* The application and all accompanying documents shall be submitted to the city clerk and the application fee shall be fully paid at the time of submittal.
- (c) *Investigation and release.* Upon receipt of a complete application, the city clerk shall distribute copies to the building department and the public safety department for review and recommendation. In addition, any applications involving property within the downtown development authority shall also be forwarded to the downtown development authority for review and recommendation. All recommendations shall be completed within 60 days unless otherwise noted below. The public safety department shall conduct an investigation, which shall be completed within 60 days from the date of receipt of the application, unless additional time is required. In the event additional time is required, applicant shall be notified in writing as soon as reasonably practicable with a new proposed date for completion set forth. Additional requests for time may be made in the same manner. The applicant upon request shall execute any and all necessary releases and furnish additional documentation as requested by the public safety department, including, but not limited to, permitting release of employment records, medical records, financial records, arrest and criminal records. Applicant shall promptly execute and submit all releases requested.
- (d) *Recommendation.* A recommendation for approval or denial shall be made to the city council. Such recommendation for approval shall refer solely to the question of whether in the opinion of the administration; the applicant appears to have adequate character and fitness. Such recommendation shall not mean that applicant is entitled to the issuances of any license.
- (e) *Approval.* The city council, upon recommendation of administration shall consider the application. The city council may grant or deny approval. If approval is granted, the applicant shall be entitled, subject to approval by the state liquor control commission, to the issuance and transfer of a license, provided the representations made in the application and to the city council are fully complied with, including, but not limited to, representations made with regard to the construction, commencement of construction, scope of the project, and any other matters set forth in the application. Any time after approval, the city council may recommend that the license be revoked or not renewed for the following year in the event of any of the following:
- (1) Any misrepresentations or inaccuracies on the application;
 - (2) Failure to timely commence or complete construction or improvements to the establishment or failure to comply with the plans for the establishment submitted with the application, unless plan changes have been expressly authorized and approved by the city council as part of the application process;
 - (3) Conviction of a crime or the filing of any bankruptcy proceedings.
- (Ord. No. O-05-07, § 1, 7-16-2007)

Sec. 14-34. Standards for approval.

The following standards shall be considered by the city council:

- (1) The proposed (or existing) building and site improvements are consistent with the city's master plan objectives and the design of neighboring sites and buildings.
- (2) The proposed business plan will complement, not unduly harm, existing businesses.
- (3) The business has been an established city business or the business owner is a resident of the city.
- (4) The amount of off-street parking is adequate. The city council may require that a cash deposit be furnished by the applicant to be escrowed and later used to create additional parking if needed.
- (5) The public safety department and building department recommendations.

(Ord. No. O-05-07, § 1, 7-16-2007)

Sec. 14-35. Inspections.

The city shall inspect annually all liquor establishments in the city, licenses under the Liquor Control Act of the state and report the results annually to the city council and, where appropriate under the state Liquor Control Act, to the state liquor control commission, for appropriate proceedings against the violator.

The city public safety department shall have the right to inspect any place in the city where alcoholic liquor is manufactured, sold, offered for sale, kept for sale, possessed or transported, or where the member suspects the same is being thus manufactured, sold, offered for sale, kept for sale, possessed or transported. Whenever possible, all inspection reports shall be made on liquor law inspection forms furnished by the state liquor control commission or on similar forms otherwise obtained by the public safety department and approved by the state liquor control commission.

(Ord. No. O-05-07, § 1, 7-16-2007)

Sec. 14-36. Outdoor uses in connection with class C liquor-licensed establishments.

The purpose of this section is to regulate outdoor uses in connection with class C liquor-licensed establishments in order to provide for the health, safety and welfare of the citizens of the city, including, but not limited to, the protection of patrons of class C liquor-licensed establishments, the avoidance of blight upon surrounding properties, the preservation of harmonious, aesthetic appearances, and the elimination of conditions interfering with the peaceful enjoyment of surrounding properties.

Outdoor dining areas on private property shall be reviewed and approved in accordance with chapter 138, article VI, division 6 of the Code. Approval of consumption of liquor within the outdoor dining area shall only be granted after the dining area has been approved.

Sidewalk cafes shall be reviewed and approved in accordance with section 106-42. Approval of consumption of liquor within the sidewalk cafe shall only be granted after the sidewalk cafe has been approved.

Temporary sale and consumption of liquor within a tent or other temporary structure shall be reviewed and approved in accordance with chapter 138, article III, division 3 of the Code. Upon receipt of a complete application, administration will forward the matter to the city council for review.

(Ord. No. O-05-07, § 1, 7-16-2007)

Sec. 14-37. Fees.

Fees shall be established by resolution of the city council periodically and incorporated into the fee schedule section pursuant to the provisions of such ordinance. All fees are payable upon application in full and are non-refundable. Fees for escrow, transfer, or addition or deletion of persons or entities to a license, change of names shall be the same amount as provided for transfer. Relocation of an existing license to a new site shall be pursuant to the fee set forth herein. The following initial fees are established:

Quota licenses . . . \$300.00
Transfer licenses . . . 200.00
Development district licenses . . . 300.00
Amendments to existing licenses . . . 100.00
Annual inspection . . . 100.00
(Ord. No. O-05-07, § 1, 7-16-2007)

Sec. 14-38. Penalty.

Violation of this article shall be a misdemeanor.
(Ord. No. O-05-07, § 1, 7-16-2007)



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505
517-322-1345

**REDEVELOPMENT PROJECT AREA AND DEVELOPMENT
DISTRICT OR AREA LIQUOR LICENSES**
[Authorized by MCL 436.1521a]

This information is relative to the new type of on-premises licenses created by Act 501 of the Public Acts of 2006, being Section 521a(1) of the Michigan Liquor Control Code of 1998, being MCL 436.1521a(1).

436.1521a(1)(a) of the Michigan Compiled Laws provides that in addition to the number of licenses available in cities under section 531(1), they may issue licenses to the following:

(a) Licenses to establishments that are located in a city redevelopment project area meeting the criteria described in subsections (3) and (4) that are engaged in activities determined by the commission to be related to dining, entertainment, or recreation.

An application for a license under Section 521a(1)(a) will not be authorized for investigation until the Commission receives the following documentation from the local unit of government in which the redevelopment project area is located:

(1) A resolution from the governing body of the city establishing the redevelopment project area.

(2) A map which clearly reflects and outlines where the redevelopment project area is located within the local unit of government.

(3) Affidavit from the assessor, as certified by the city clerk, stating the total amount of investment in real and personal property within the redevelopment project area of the city during the preceding 3 year time period. *In the case of an applicant seeking a license under this section within the first license cycle after December 29, 2006 (12-30-06 through 04-30-08), the time period described in this subdivision may be up to 5 years. In a city having a population between 80,000 and 85,000 according to the 2000 federal decennial census the time period may be up to 7 years, if the application is submitted within the first 6 months after December 29, 2006.*

(4) Affidavit from the assessor, as certified by the city clerk, separately stating the amount of the investment money expended for manufacturing, industrial, residential, and commercial development within the redevelopment project area of the city during the preceding 3 year time period. *In the case of an applicant seeking a license within the first license cycle after December 29, 2006 (12-29-06 through 04-30-08), the time period described in this subdivision may be up to 5 years. In a city having a population between 80,000 and 85,000 according to the 2000 federal decennial census, then the time period may be up to 7 years, if the application is submitted within the first 6 months after December 29, 2006.*

(5) The affidavit from the assessor must also indicate the amount of commercial investment in the redevelopment project area within the city, which shall constitute at least 25% of the total investment in real and personal property in that redevelopment project area.

(6) The total investment in real and personal property in the redevelopment project area within the city over the appropriate time period as previously described, shall be at least 1 of the following:

(a) Not less than \$50,000,000 in cities having a population of 50,000 or more.

(b) Not less than an amount reflecting \$1,000,000 per 1,000 people in cities having a population of less than 50,000.

The Commission may issue one license for the monetary threshold described in 6(a) and 6(b) above. One additional license may be issued for each major fraction over and above the original monetary threshold.

(7) A resolution which approves a specific applicant (individual, corporation, limited liability company, limited partnership), at a specific location "ABOVE ALL OTHERS".

In order for the Liquor Control Commission to implement the licensing investigation process for applications under the provisions of 436.1521a(1)(a) of the Michigan Compiled Laws, the Commission must be in receipt of the above noted documentation from the local unit of government, either with the application or separately. Upon receipt of the documentation from the local unit of government and the necessary application forms, other required documents and inspection fees, the application will be authorized for investigation. The applicants for these types of licenses must demonstrate, at the time of investigation, the following:

(a) That the establishment provides dining, entertainment or recreation not less than 5 days per week.

(b) That the establishment is open to the public not less than 10 hours per day, 5 days per week.

436.1521a(1)(b) of the Michigan Compiled Laws provides that in addition to the number of licenses available in cities under section 531(1), they may issue licenses to the following:

(b) Licenses to establishments that are located in a **development district or area** that are any of the following:

(i) An authority district established under the tax increment finance authority act, 1980, PA 450, MCL 125.1801 to 125.1830.

(ii) A development area established under the corridor improvement authority act, 2005 PA 280, MCL 125.2871 to 125.2898.

(iii) A downtown district established under 1975 PA 197, MCL 125.1651 to 125.1681.

(iv) A principal shopping district established under 1961 PA 120, MCL 125.981 to 125.990m.

An application for a license under Section 521a(1)(b) will not be authorized for investigation until the Commission receives the following documentation from the local unit of government in which the redevelopment project area is located:

(1) A resolution from the governing body of the city establishing the development district as a redevelopment project area.

(2) A map which clearly reflects and outlines where the development district or area is located within the local unit of government.

(3) Certification from the local governmental body which identifies the statutory provision under which the development district or area is established.

(4) An affidavit from the assessor as certified by the city, village or township clerk of the local governmental unit, which states the total amount of public and private investment in real and personal property within the qualified development district, which shall not be less than \$200,000 over preceding 5 year time period.

The Commission may issue one license for the monetary threshold previously described. One additional license may be issued for each major fraction over and above the original monetary threshold.

(5) A resolution which approves a specific applicant (individual, corporation, limited liability company, limited partnership), at a specific location "ABOVE ALL OTHERS".

In order for the Liquor Control Commission to implement the licensing investigation process for applications under the provisions of 436.1521a(1)(b) of the Michigan Compiled Laws, the Commission must be in receipt of the above noted documentation from the local unit of government, either with the application or separately. Upon receipt of the documentation from the local unit of government and the necessary application forms, other required documents and inspection fees, the application will be authorized for investigation. The applicants for these types of licenses must demonstrate, at the time of investigation, the following:

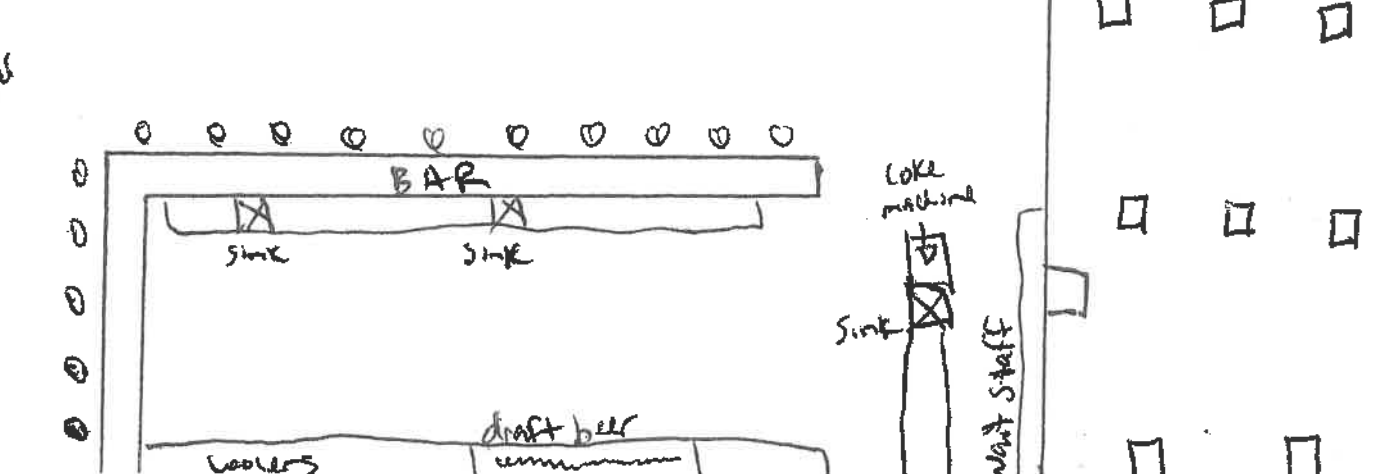
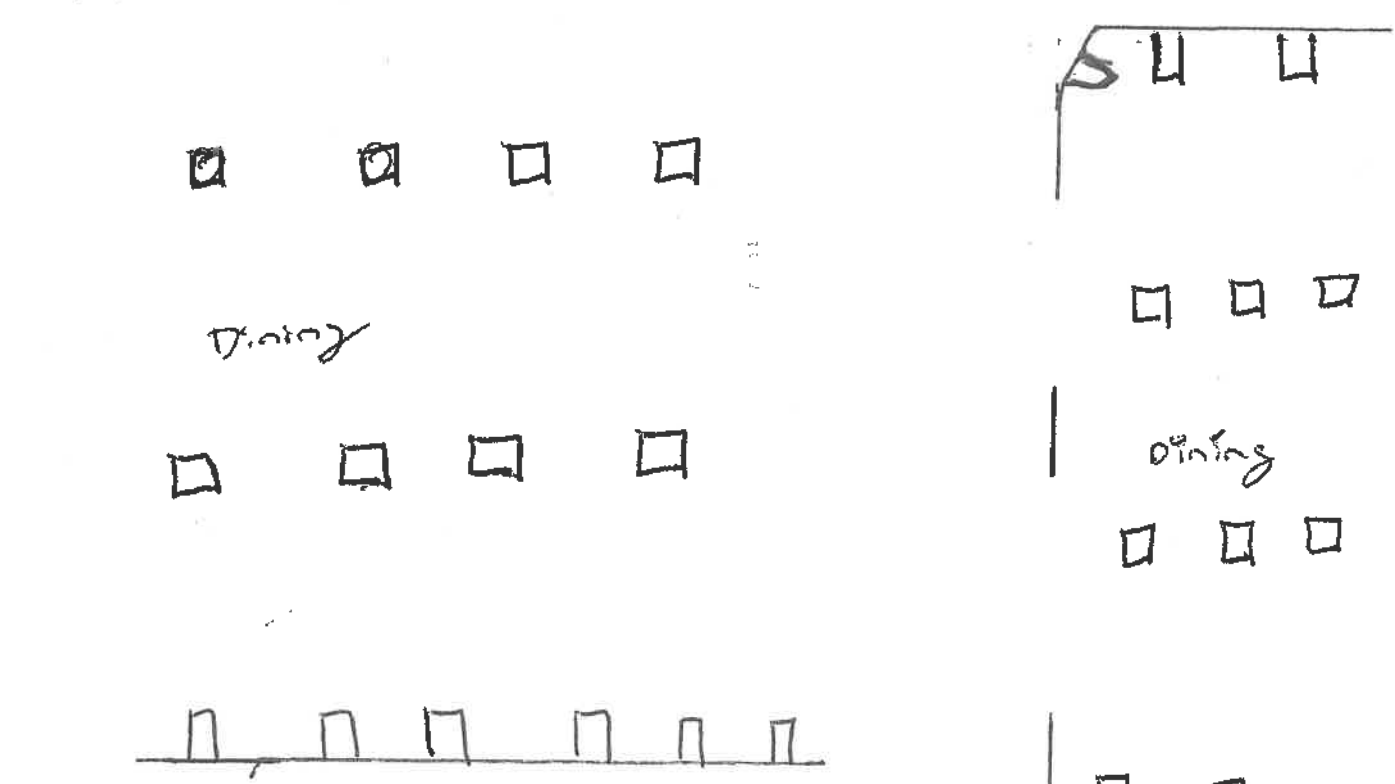
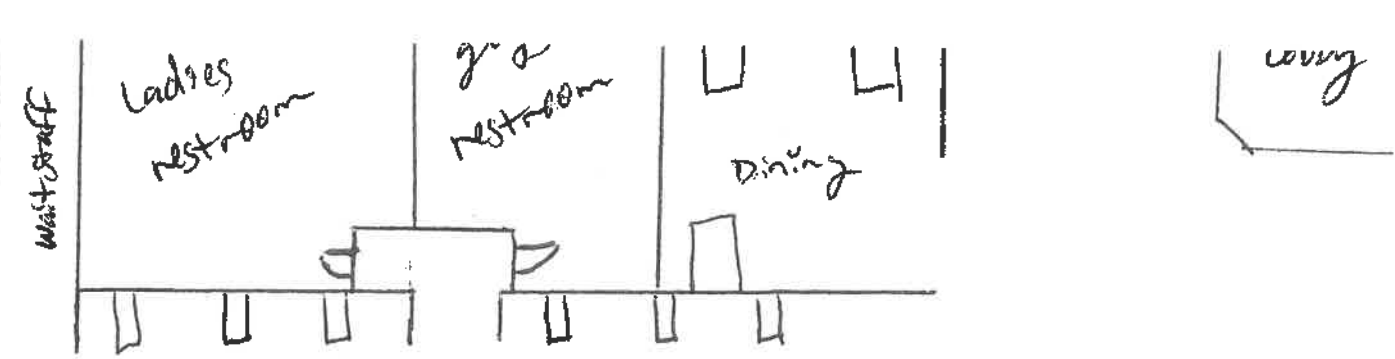
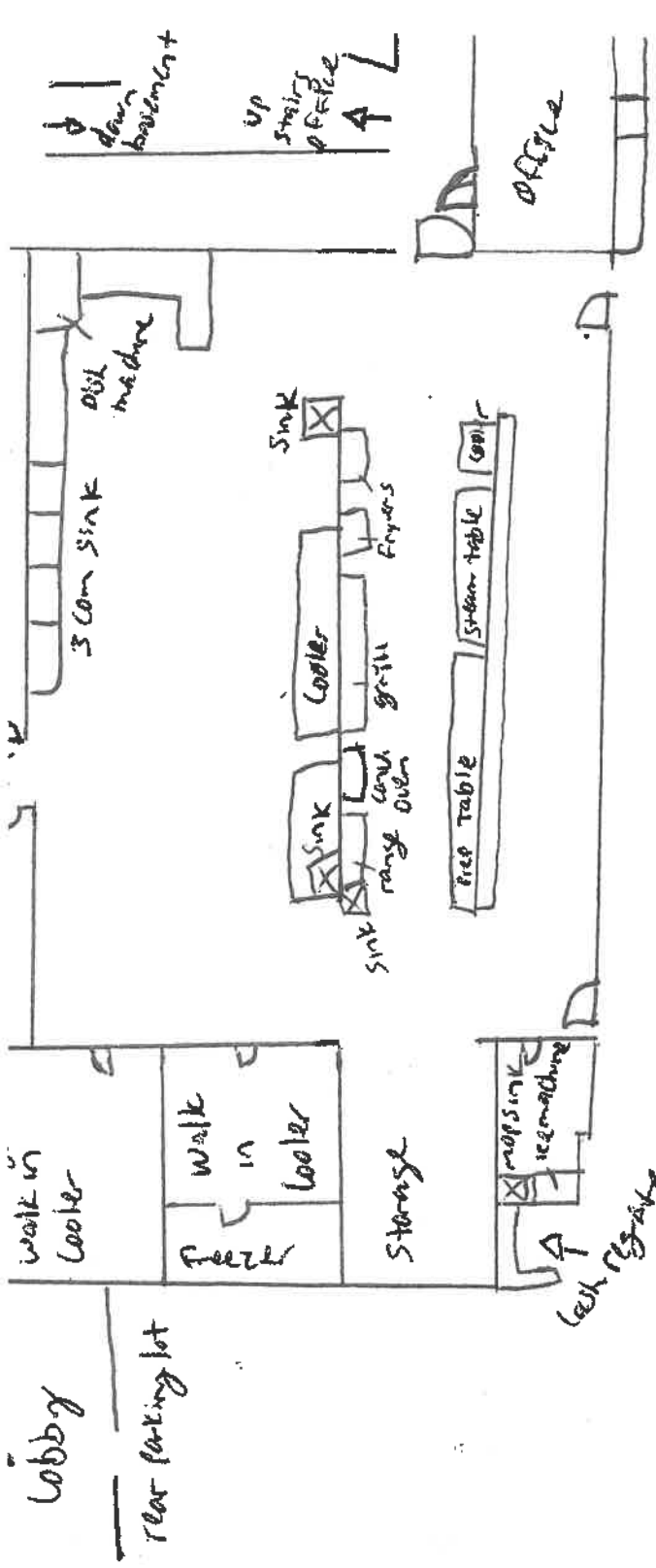
(1) That the amount expended for the rehabilitation or restoration of the building that houses the licensed premises shall be not less than \$75,000 over a period of the preceding 5 years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license.

(2) That the licensed business is engaged in dining, entertainment or recreation, that is open to the general public, with a seating capacity of not less than 50 persons.

You should also be aware of the following:

- The initial enhanced license fee for licenses issued under 436.1521a(1)(a) or (b) of the Michigan Compiled Laws is \$20,000.
- A licensee may transfer ownership of the license; however, the licenses issued under these subsections may not be transferred to another location.
- If the licensee goes out of business, the licensee shall surrender the license to the Commission. The governing body of the local governmental unit may approve another applicant within the redevelopment project area or development district area to replace a licensee who has surrendered the license to the Commission.
- Do not invest any money in improvements or bind yourself in any agreements until you have been officially notified by the Michigan Liquor Control Commission that your request has been approved.
- The individual signing the application shall state and demonstrate that they attempted to secure an appropriate on-premises escrowed licenses or quota license which may be available within the local unit of government in which the applicant proposes to operate.

###



EL PATIO MEXICAN RESTAURANT
3052 12 mile rd
Berkley MI 48072

The investment for the restaurant is estimated to be \$144,000.00.

The funding for the restaurant is being done by: EL PATIO LLC, EL PATIO IV LLC, and EL PATIO V LLC.

The investment being done for painting, wall fixing, flooring, and wall murals is \$53,600.

The investment for equipment (booths, tables, chairs, bar stools, lamps, drinking glasses and wall decorations) being shipped from Mexico is \$60,000.00. Estimated arrival is late March, beginning April.

The estimated investment being done for kitchen equipment is \$25,000.00.

The estimated investment for signage is \$6,000.00

The estimated time for improvements to be performed is end of Aril 2022.

EST. **TD** 1978

THOMAS DUKE

COMMERCIAL REAL ESTATE

3052 12 Mile Road

Berkley, MI 48072



FOR LEASE

GetReal^{quality}
248.476.3700

LISTED BY:

Steve Valli

Partner
svalli@thomasduke.com

Andrew Battersby

Senior Associate
abattersby@thomasduke.com

WWW.THOMASDUKE.COM

FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



Lease Price: \$16.00/ SF NNN

DESCRIPTION

Turn-Key bar/restaurant for sale in the heart of Berkley with 2 Adjacent tenants.

6,200 Sq. Ft

3052 PROPERTY HIGHLIGHTS

- New Ownership
- \$1.3 million in Existing Renovations and Build-out
- All FF&E included
- Large City Owned and Maintained Parking Lot Directly Behind the Building
- Four Large Garage Style Doors Open Up the Front of 12 Mile Rd.
- Seating Capacity 180
- Across the Street from Berkley Common and 24 Seconds.
- 1,150 Square Foot Basement
- 100 Gallon Lochinvar Hot Water Heater 2015
- 2,000 Amp Service
- 30 Beer Taps

FOR LEASE

3052 12 Mile Road

Berkley, MI 48072

BUILDING INFORMATION

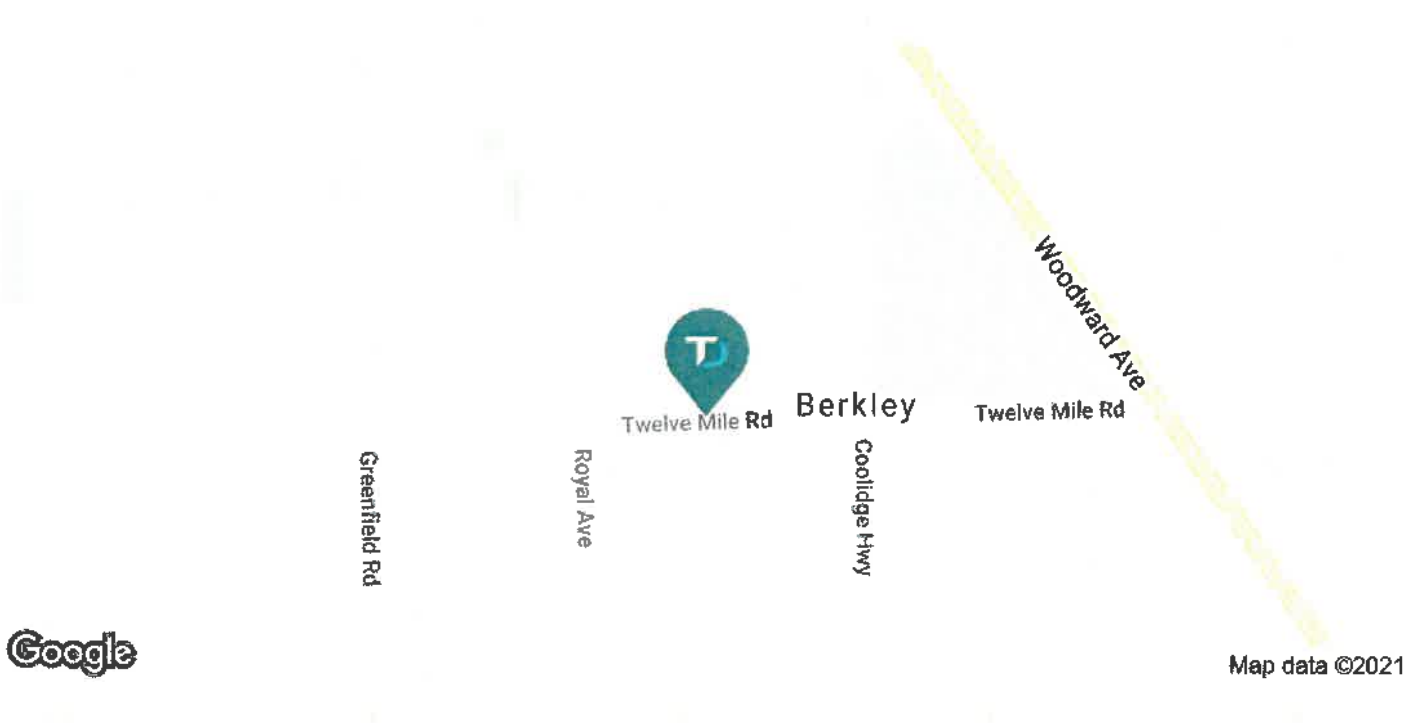
Price:	\$16.00 SF NNN
Building Size:	6,200 SF
Year Built:	1940
Last Renovated:	2015
Number of Floors:	1
Parking Spaces:	Street parking and city lot behind building with 83 spaces

PROPERTY INFORMATION

Property Type:	Retail
Property Subtype:	Restaurant
Zoning:	BI
Traffic Count:	12 Mile = 20,675 (CoStar 2018)
APN:	25-07-454-043

LOCATION INFORMATION

Located on 12 Mile between Greenfield Rd and Coolidge Hwy



Google



FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



For more information, please contact: Steve Valli 248.476.3700 svalli@thomasduke.com
Andrew Battersby 248.479.0119 abattersby@thomasduke.com



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FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



For more information, please contact: Steve Valli 248.476.3700 svalli@thomasduke.com
Andrew Battersby 248.479.0119 abattersby@thomasduke.com

FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



Rear Entrance

For more information, please contact: Steve Valli 248.476.3700 svalli@thomasduke.com
Andrew Battersby 248.479.0119 abattersby@thomasduke.com



FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



For more information, please contact: Steve Valli 248.476.3700 [svalli@thomasduke.com](mailto:svallii@thomasduke.com)
Andrew Battersby 248.479.0119 abattersby@thomasduke.com



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FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



Explore Berkley

Known for its small town appeal, the City of Berkley is a place where you will find a **warm atmosphere** throughout its neighborhoods. Within close proximity to major entertainment, business and healthcare amenities, there is no doubt why it was the **only Michigan city** named as one of *Money Magazine's* top 50 **Best Places to Live in the U.S.** in 2015. To further enhance its appeal, the city's **tree-lined streets** and **excellent school district** attracts new families and visitors every day.

After a long day at work or school, residents and visitors can enjoy **unique shops, novelties** and **restaurants** in the city's **Downtown District**. So, if you're hungry for a great meal, looking for a special gift or simply running an afternoon errand, Berkley's Downtown District **has it all...including free parking!**

Come be a part of a thriving community. The City of Berkley: **"Small City – Big Impact!"**

FOR LEASE

3052 12 Mile Road

Berkley, MI 48072



Google

Map data ©2021 Imagery ©2021, CNES / Airbus, Maxar Technologies, Sanborn, U.S. Geological Survey, USDA Farm Service Agency

DEMOGRAPHIC INFORMATION

	1 MILE	2 MILES	3 MILES
Total population	17,333	64,934	136,134
Median age	39.4	40.7	40.6
Total households	7,444	28,439	60,082
Average HH income	\$73,411	\$75,822	\$78,381
Average house value	\$189,797	\$207,965	\$220,211





Victoria Mitchell <vmitchell@berkleymich.net>

El Patio Liquor License

Comm Dev Director <comdirector@berkleymich.net>

Tue, Mar 1, 2022 at 9:57 AM

To: Victoria Mitchell <vmitchell@berkleymich.net>

Cc: Matthew Koehn <mkoehn@berkeleypublicsafety.net>, Matthew Baumgarten <mbaumgarten@berkleymich.net>

Victoria,

Bars, taverns, cocktail lounges (i.e. land uses with liquor licenses to serve for consumption on site) are principal uses in the Downtown Zoning District, so the liquor license is allowed per zoning for consumption on site. The sign permit and business licence for El Patio are in process.

Let me know if you need any additional information.

Thanks,

Megan

[Quoted text hidden]

April 18, 2022 City Council Meeting


Moved by Councilmember _____ and seconded by Councilmember _____ to award the contract for the Kenmore and Cornwall Water Main and Pavement Replacement Project to the lowest qualified bidder, Aielli Construction, in an amount of \$2,522,493.27. In addition, allocate \$257,997.34 for construction engineering services to Hubbell, Roth & Clark, and \$252,249.33 for construction contingencies.

Ayes:

Nays:

Motion:

Transmittal Memo

To: Matthew Baumgarten, City Manager (via email)
From: Derrick Schueller, DPW Director 
Cc: Mark Pollock, Finance Director (via email)
Date: April 11, 2022
Subject: Kenmore & Cornwall Water Main and Pavement Replacement Project (12 Mile to Webster)
Recommendation for Award & Construction Engineering Services

With the successful passing of the Berkley Road Millage in late 2018, the City is generating approximately \$1.1 million each year for infrastructure improvements. In the first two years of the program (2020 & 2021), the City chose to use the funds on hundreds of concrete road repairs all across the City. For 2022, the City decided to utilize the millage revenue, along with the Water Fund, to complete a full road reconstruction about ½ mile in length. Selecting the road section was a comprehensive effort considering both road condition ranking (PASER) and existing water main integrity, size and flow. Ultimately Kenmore and Cornwall north of 12 Mile was selected given the high number of water main breaks over the last five (5) years and the recently installed Consumers Energy gas lines.

As a result of the above, the City Council previously approved moving forward with the design phase of the Kenmore and Cornwall Project. Hubbell, Roth & Clark (HRC) has completed the plans and specifications and the project was publicly bid in late March. The general scope of work includes the removal and replacement of the existing asphalt road surface, new concrete curb and gutter, driveway approaches, sidewalk, and new 8" public water main. A new green infrastructure bio-swale is also proposed.

Sealed hard-copy bids were received via BidNet Direct on March 22 from a total of four (4) contractors (see attached bid tab). HRC has reviewed the bids and verified references. We concur with the recommendation of HRC and propose awarding the bid to the lowest-qualified bidder, Aielli Construction Co. of Shelby Township, Michigan, in an amount of \$2,522,493.27. Please note the low bid was below the engineer's estimate of \$2,609,382.53.

At this time we also recommend \$257,997.34 be approved for construction engineering services in accordance with the attached detailed proposal from HRC. Construction engineering covers many components including preconstruction/progress meetings, resident assistance and field coordination, shop drawing review and approval, contract alterations, material testing and certification, construction layout/staking, supplemental observation/inspection, pay estimates review and approval, record/as-built drawings and project closeout. HRC has also recommended a 10% construction contingency of \$252,249.33 be added to the low bid amount for any unforeseen construction modifications.

Funding was previously allocated in both the Road Millage and Water Fund accounts under the following numbers: 313-938-821-000 (Engineering), 313-938-975-000 (Construction), 592-536-821-000 (Engineering) and 592-536-975-000 (Construction). Please note this project will cross fiscal years with a late fall 2022 targeted completion date.

Feel free to contact our office with any questions or concerns.

Attachments DLS

J:\Water Dept\Kenmore Cornwall Water Main and Road Replacement\12 Mile to Webster\Council\Construction and CE\Trans
Memo Kenmore Cornwall Const CE 4-11-22.doc

April 7, 2022

City of Berkley
3338 Coolidge Highway
Berkley, Michigan 48072

Attn: Mr. Matthew Baumgarten, City Manager
Mr. Derrick Schueller, Public Works Director

Re: Recommendation for Award and Bid Tabulation
Kenmore Rd. and Cornwall St. Water Main and
Pavement Replacement Project

HRC Job No. 20210631

Gentlemen:

We have reviewed the bids received on Tuesday, March 22, 2022 for the Kenmore Rd. and Cornwall St. Water Main and Pavement Replacement Project and have found them to be in order. There were four (4) bids received, and the low bidder was Aielli Construction Co., Inc. of Shelby Township, Michigan, with a total base bid of **\$2,505,081.55** and a total alternate bid of **\$2,522,493.27**, both of which are below the Engineer's Preliminary Construction Estimate of \$2,614,489.46. The only difference between the two (2) bids is that the base bid entails open cut water main installation across 12 Mile Road, a Road Commission for Oakland County (RCOC) jurisdiction road, for the southern connection of the new water main while the alternate bid entails completing this water main connection utilizing the pipe bursting method in lieu of open cut. The method in the alternate bid will cause less disruption and congestion to the recently rehabilitated and high traffic volumes along 12 Mile Road and will not require a complete closure of the intersection. Further, in discussions with City staff and RCOC, whom a permit will be required from for any work within the 12 Mile Road right-of-way, we are in agreement that the alternate bid includes the preferred method of water main installation for the reasons given above.

The scope of work includes the complete removal and replacement of the existing pavement, curbs, driveway approaches, sidewalks, and the installation of new concrete curb and gutter and HMA pavement. Storm water drainage improvements, including new storm drainage structures and structure cover adjustments, concrete driveway approaches, concrete sidewalks, ADA ramps and restoration are also included. The existing 6" water main will be abandoned in place and a new 8" water main will be installed along with new public water services, stop boxes and hydrants.

The low bidder has submitted satisfactory references for similar road improvement projects completed for the cities of Oak Park, Troy, Dearborn and Rochester Hills.

Based on the above, this office recommends award of the Contract to Aielli Construction Co., Inc of Shelby Township, Michigan with a total alternate bid of **\$2,522,493.27** subject to the submission of the necessary bonds and insurance, which comply with the contract specifications. We also recommend that an additional 10% construction contingency (**\$252,249.33**) be added to the low bid amount. In addition, HRC proposes a not-to-exceed Construction Engineering budget of **\$257,997.34** also be adopted. A breakdown of the construction engineering costs is included in an attachment with this letter.

Delhi Township
2101 Aurelius Rd.
Suite 2A
Holt, MI 48842
517-694-7760

Detroit
535 Griswold St.
Buhl Building, Ste 1650
Detroit, MI 48226
313-965-3330

Grand Rapids
1925 Breton Road SE
Suite 100
Grand Rapids, MI 49506
616-454-4286

Howell
105 W. Grand River
Howell, MI 48843
517-552-9199

Jackson
401 S. Mechanic St.
Suite B
Jackson, MI 49201
517-292-1295

Kalamazoo
834 King Highway
Suite 107
Kalamazoo, MI 49001
269-665-2005

Lansing
215 S. Washington SQ
Suite D
Lansing, MI 48933
517-292-1488

Based on the above, HRC recommends the City approve the total project construction budget for the Kenmore Rd. and Cornwall St. Water Main and Pavement Replacement Project of \$3,032,739.94 (not-to-exceed maximum, including costs for contingencies and construction engineering).

Enclosed, please find a copy of the Bid Tabulation for your records. If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Roland N. Alix, P.E.
Vice President



Ryan DeBono, P.E.
Project Engineer

RFD/edz

Attachment: Bid Tabulation
pc: City of Berkley; Shawn Young
HRC; Edward Zmich, File

BID TABULATION
 KENMORE RD. AND CORNWALL ST. WATER MAIN & PAVEMENT REPLACEMENT PROJECT
 CITY OF BERKLEY
 OAKLAND COUNTY, MICHIGAN

Bids Due: 03/22/2022
 HRC Job # 20210631

Hubbell, Roth & Clark, Inc.
 555 Hulet Dr.
 Bloomfield Hills, MI 48302

Aicelli Construction Company, Inc.
 47742 Van Dyke Ave.
 Shelby Township, MI 48317

V.I.L. Construction, Inc.
 6670 Sims Dr.
 Sterling Heights, MI 48313

Item	Quantity	Unit Price		Total Cost		Unit Price		Total Cost		
		Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost			
BASE BID + ADD. I										
1 Mobilization (Max. 5%)	1	LSum	\$ 124,000.00	\$	124,000.00	\$50,158.76	\$50,158.76	\$133,000.00	\$133,000.00	\$130,000.00
2 Erosion Control, Inlet Protection, Fabric Drop	25	Ea	\$ 125.00	\$	3,125.00	\$117.36	\$2,934.00	\$100.00	\$2,500.00	\$100.00
3 Tree Protection Fence	2,952	Lf	\$ 5.00	\$	14,760.00	\$1.70	\$5,018.40	\$5.00	\$14,760.00	\$2.00
4 Exploratory Excavation & Utility Location	1	LSum	\$ 10,000.00	\$	10,000.00	\$16,914.30	\$16,914.30	\$1,000.00	\$1,000.00	\$1,500.00
5 Traffic Maintenance, Incl. Flag Control	1	LSum	\$ 25,000.00	\$	25,000.00	\$6,759.17	\$6,759.17	\$50,000.00	\$50,000.00	\$200,000.00
6 Barricade, Type III, High Intensity, Furn, Special	10	Ea	\$ 75.00	\$	750.00	\$95.76	\$957.60	\$100.00	\$1,000.00	\$1,000.00
7 Barricade, Type III, High Intensity, Oper, Special	10	Ea	\$ 1.00	\$	10.00	\$0.01	\$0.10	\$25.00	\$250.00	\$0.01
8 Channelizing Device, 42-inch, Furn	150	Ea	\$ 10.00	\$	1,500.00	\$24.78	\$3,717.00	\$25.00	\$3,750.00	\$23.00
9 Channelizing Device, 42-inch, Oper	150	Ea	\$ 1.00	\$	150.00	\$0.01	\$1.50	\$5.00	\$750.00	\$0.01
10 Sign, Type B, Temp, Prismatic, Furn	300	Sft	\$ 2.00	\$	600.00	\$6.76	\$2,028.00	\$7.00	\$2,100.00	\$7.00
11 Sign, Type B, Temp, Prismatic, Oper, Special	300	Sft	\$ 8.00	\$	2,400.00	\$0.01	\$3.00	\$1.00	\$300.00	\$0.01
12 Sign, Type B, Temp, Prismatic, Furn, Special	50	Sft	\$ 8.00	\$	400.00	\$13.52	\$676.00	\$12.00	\$600.00	\$13.00
13 Sign, Type B, Temp, Prismatic, Oper, Special	50	Sft	\$ 2.00	\$	100.00	\$0.01	\$0.50	\$5.00	\$250.00	\$0.01
14 Color Audio-Video Route Survey	1	LSum	\$ 5,000.00	\$	5,000.00	\$5,632.65	\$5,632.65	\$3,000.00	\$3,000.00	\$1,250.00
15 Dust Palliative, Applied	5	Ton	\$ 300.00	\$	1,500.00	\$635.93	\$3,179.65	\$500.00	\$2,500.00	\$250.00
16 Pavt, Rem, MOD	8,495	Syd	\$ 11.00	\$	93,445.00	\$13.61	\$115,616.95	\$12.00	\$101,940.00	\$22.50
17 Driveway, Rem	751	Syd	\$ 10.00	\$	7,510.00	\$1.56	\$1,171.56	\$8.00	\$6,008.00	\$11.00
18 Sidewalk, Rem	3,078	Syd	\$ 9.00	\$	27,702.00	\$1.33	\$4,093.74	\$7.00	\$21,546.00	\$11.00
19 Dr Structure, Rem	14	Ea	\$ 1,000.00	\$	14,000.00	\$354.29	\$4,960.06	\$700.00	\$9,800.00	\$700.00
20 Storm Sewer, Rem	161	Lf	\$ 40.00	\$	6,440.00	\$28.20	\$4,540.20	\$25.00	\$4,025.00	\$15.00
21 Bulkhead Sewer, 12-inch Dia & Less (if needed)	10	Ea	\$ 300.00	\$	3,000.00	\$647.28	\$6,472.80	\$250.00	\$2,500.00	\$200.00
22 Tree, Rem, 19-inch to 36-inch	5	Ea	\$ 1,000.00	\$	5,000.00	\$2,027.75	\$10,138.75	\$2,500.00	\$12,500.00	\$1,400.00
23 Station Grading, MOD (Kenmore Rd.)	15	Sta	\$ 3,500.00	\$	52,500.00	\$1,658.84	\$24,882.60	\$5,300.00	\$79,500.00	\$1,500.00
24 Station Grading, MOD (Cornwall St.)	15	Sta	\$ 3,000.00	\$	45,000.00	\$1,658.84	\$24,882.60	\$5,300.00	\$79,500.00	\$1,500.00
25 Subgrade Underdraining, Type 1, MOD	600	Cyd	\$ 35.00	\$	21,000.00	\$43.44	\$26,064.00	\$40.00	\$24,000.00	\$45.00
26 Maintenance Gravel, Special	400	Ton	\$ 20.00	\$	8,000.00	\$30.10	\$12,040.00	\$25.00	\$10,000.00	\$15.00
27 Hand Patching, HMA	21	Ton	\$ 250.00	\$	5,250.00	\$306.98	\$6,446.58	\$250.00	\$5,250.00	\$150.00
28 Aggregate Base, MDOT 4G, 12-inch	5,439	Ton	\$ 25.00	\$	135,975.00	\$31.02	\$168,717.78	\$37.00	\$201,243.00	\$24.00
29 Mirafi 600X Geotextile Fabric	10,135	Syd	\$ 2.00	\$	20,270.00	\$1.75	\$17,736.25	\$2.00	\$20,270.00	\$2.00
30 Tensar TX160 Geogrid	10,135	Syd	\$ 5.00	\$	50,675.00	\$3.74	\$58,174.90	\$6.00	\$60,810.00	\$5.00
31 Void Reducing Asphalt Membrane (Spray, J-Band Type)	3,300	Lf	\$ 5.00	\$	16,500.00	\$3.12	\$10,296.00	\$5.00	\$16,500.00	\$3.00
32 2.5-inch MDOT 13A, MOD Mix (Wearing)	785	Ton	\$ 90.00	\$	70,650.00	\$111.12	\$87,629.20	\$118.00	\$92,630.00	\$105.00
33 2.5-inch MDOT 3C, MOD Mix (Leveling/Base)	964	Ton	\$ 80.00	\$	77,120.00	\$131.75	\$127,007.00	\$105.00	\$101,220.00	\$96.00
34 Concrete Pavement w/ Integral Curb & Gutter, 8-inch (incl.)	348	Syd	\$ 60.00	\$	20,880.00	\$113.79	\$39,598.92	\$63.00	\$21,924.00	\$92.00
35 Driveway, Nonrein Conc, 6-inch (incl. sand base)	855	Syd	\$ 45.00	\$	38,475.00	\$67.61	\$57,806.55	\$50.00	\$42,750.00	\$54.00
36 Curb, Conc, MDOT Det F4	5,446	Lf	\$ 25.00	\$	136,150.00	\$23.66	\$128,852.36	\$23.00	\$125,258.00	\$20.50
										\$111,643.00



BID TABULATION
KENMORE RD. AND CORNWALL ST. WATER MAIN & PAVEMENT REPLACEMENT PROJECT
CITY OF BERKLEY
OAKLAND COUNTY, MICHIGAN

Bids Due: 03/22/2022
 HRC Job # 20210631

Hubbell, Roth & Clark, Inc.
 555 Hulet Dr.
 Bloomfield Hills, MI 48302

Aiedli Construction Company, Inc.
 47742 Van Dyke Ave.
 Shelby Township, MI 48317

V.I.L. Construction, Inc.
 6670 Sims Dr.
 Sterling Heights, MI 48313

Item	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
37 Sidewalk, Conc, 4-inch, Special (incl. sand base)	21,385 SR	\$ 6.00	\$ 128,310.00	\$7.82	\$167,230.70	\$4.75	\$101,578.75
38 Sidewalk, Conc, 6-inch, Special (incl. sand base)	5,249 SR	\$ 7.00	\$ 36,743.00	\$9.75	\$51,177.75	\$5.30	\$27,819.70
39 Sidewalk Ramp, Conc, 6-inch, Special (incl. sand base)	1,147 SR	\$ 8.00	\$ 9,176.00	\$12.00	\$13,764.00	\$5.70	\$6,537.90
40 Detectable Warning Surface (5-foot x 2-foot)	23 Ea	\$ 350.00	\$ 8,050.00	\$337.96	\$7,773.08	\$175.00	\$4,025.00
41 Underdrain, Subgrade, 6-inch, Special	5,528 Lft	\$ 15.00	\$ 82,920.00	\$10.43	\$57,637.04	\$21.00	\$116,088.00
42 12-inch C76 CL-IV Sewer, Tr. Det "B"	359 Lft	\$ 60.00	\$ 21,540.00	\$103.82	\$37,271.38	\$90.00	\$32,310.00
43 4-foot Diameter Manhole	8 Ea	\$ 3,000.00	\$ 24,000.00	\$3,570.73	\$28,565.84	\$2,600.00	\$20,800.00
44 2-foot Diameter Catch Basin	20 Ea	\$ 1,500.00	\$ 30,000.00	\$1,933.98	\$38,679.60	\$2,000.00	\$40,000.00
45 Drainage Structure Top, 12-inch	3 Ea	\$ 500.00	\$ 1,500.00	\$647.34	\$1,942.02	\$750.00	\$2,250.00
46 Dr Structure Frame & Cover, EI 1040	8 Ea	\$ 800.00	\$ 6,400.00	\$736.26	\$5,890.08	\$750.00	\$6,000.00
47 Dr Structure Frame & Cover, EI 5000	21 Ea	\$ 800.00	\$ 16,800.00	\$736.26	\$15,461.46	\$750.00	\$15,750.00
48 Dr Structure Cover, Adjust	23 Ea	\$ 600.00	\$ 13,800.00	\$279.30	\$6,423.90	\$600.00	\$13,800.00
49 Sanitary Sewer Lead Repair (if needed)	10 Ea	\$ 2,000.00	\$ 20,000.00	\$1,000.11	\$10,001.10	\$5,000.00	\$50,000.00
50 Hydrant Assembly, Rem	6 Ea	\$ 800.00	\$ 4,800.00	\$443.87	\$2,663.22	\$700.00	\$4,200.00
51 Gate Valve and Well, Rem	3 Ea	\$ 600.00	\$ 1,800.00	\$401.91	\$1,205.73	\$700.00	\$2,100.00
52 Water Main, 6-inch, Rem	42 Lft	\$ 20.00	\$ 840.00	\$31.34	\$1,316.28	\$25.00	\$1,050.00
53 Abandon 6-inch Water Main in Place & Grout	140 Lft	\$ 12.00	\$ 1,680.00	\$2.61	\$717.75	\$10.00	\$1,400.00
54 Abandon 8-inch Water Main in Place & Grout	11 Ea	\$ 1,000.00	\$ 11,000.00	\$307.92	\$3,387.12	\$1,000.00	\$11,000.00
55 Water Main, 6-inch, Cut & Plug	2 Ea	\$ 1,500.00	\$ 3,000.00	\$375.94	\$751.88	\$1,500.00	\$3,000.00
56 Water Main, 8-inch, Cut & Plug	3 Ea	\$ 3,000.00	\$ 9,000.00	\$3,117.45	\$9,352.35	\$2,500.00	\$7,500.00
57 Water Main Break Repair (12-inch & Less) (if needed)	2,653 Lft	\$ 200.00	\$ 530,600.00	\$131.21	\$348,100.13	\$158.00	\$419,174.00
58 Water Main, 12-inch Dia., CL 54 DI, Open Cut	162 Lft	\$ 230.00	\$ 37,260.00	\$186.61	\$30,230.82	\$200.00	\$32,400.00
59 Water Main Connection, 6-inch	1 Ea	\$ 5,000.00	\$ 5,000.00	\$6,490.43	\$6,490.43	\$4,500.00	\$4,500.00
60 Water Main Connection, 8-inch	1 Ea	\$ 5,500.00	\$ 5,500.00	\$7,247.25	\$7,247.25	\$5,500.00	\$5,500.00
61 Water Main Connection, 12-inch	1 Ea	\$ 6,500.00	\$ 6,500.00	\$8,234.72	\$8,234.72	\$7,000.00	\$7,000.00
62 12-Mile Rd. Connection, Open Cut, Complete	1 Lsum	\$ 75,000.00	\$ 75,000.00	\$52,482.31	\$52,482.31	\$100,000.00	\$100,000.00
63 Gate Valve & Well, 8-inch	6 Ea	\$ 6,000.00	\$ 36,000.00	\$4,599.04	\$27,594.24	\$5,200.00	\$31,200.00
64 Water Structure Cover, EJTW No. 1040	6 Ea	\$ 750.00	\$ 4,500.00	\$736.26	\$4,417.56	\$750.00	\$4,500.00
65 Short Water Service Lead to New Main, Polyethylene, 1-inch,	39 Ea	\$ 800.00	\$ 31,200.00	\$1,290.46	\$50,327.94	\$1,900.00	\$74,100.00
66 Long Water Service Lead to New Main, Polyethylene, 1-inch,	29 Ea	\$ 1,000.00	\$ 29,000.00	\$1,593.26	\$46,204.54	\$2,800.00	\$81,200.00
67 Lead Line Water Service Replacement (Private) (if needed)	10 Ea	\$ 5,000.00	\$ 50,000.00	\$1,994.70	\$19,947.00	\$4,500.00	\$45,000.00
68 Water Service Stop Box	68 Ea	\$ 450.00	\$ 30,600.00	\$933.77	\$63,496.36	\$200.00	\$13,600.00
69 Hydrant Assembly, 5BR250 Model	6 Ea	\$ 6,000.00	\$ 36,000.00	\$6,210.21	\$37,261.26	\$6,500.00	\$39,000.00
70 4-inch Topsoil	5,500 Syd	\$ 8.00	\$ 44,000.00	\$3.77	\$20,735.00	\$5.00	\$27,500.00
71 Sodding (incl. 14-day watering)	5,500 Syd	\$ 10.00	\$ 55,000.00	\$12.05	\$66,275.00	\$8.00	\$44,000.00
72 Seed & Mulch Blanket (incl. 14-day watering)	1,375 Syd	\$ 10.00	\$ 13,750.00	\$12.43	\$17,091.25	\$7.00	\$9,625.00



BID TABULATION
KENMORE RD. AND CORNWALL ST. WATER MAIN & PAVEMENT REPLACEMENT PROJECT
CITY OF BERKLEY
OAKLAND COUNTY, MICHIGAN

Bids Due: 03/22/2022
HRC Job # 20210631

Hubbell, Roth & Clark, Inc.
555 Hulet Dr.
Bloomfield Hills, MI 48302

Aielli Construction Company, Inc.
47742 Van Dyke Ave.
Shelby Township, MI 48317

F.D.M. Contracting, Inc.
49156 Van Dyke Ave.
Shelby Township, MI 48317

V.L.L. Construction, Inc.
6670 Sims Dr.
Sterling Heights, MI 48313

Item	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
74 Bioswale, Complete	1 Lsum	\$ 12,000.00	\$ 12,000.00	\$23,923.20	\$23,923.20	\$15,000.00	\$15,000.00
75 Sign, Type III Rem	29 Ea	\$ 20.00	\$ 580.00	\$11.27	\$326.83	\$20.00	\$580.00
76 Steel Post System	13 Ea	\$ 500.00	\$ 6,500.00	\$225.31	\$2,929.03	\$250.00	\$3,250.00
77 Steel Post System, Erect, Salv	9 Ea	\$ 200.00	\$ 1,800.00	\$105.99	\$953.91	\$125.00	\$1,125.00
78 Sign, Type IIIA	22.5 Sfr	\$ 15.00	\$ 337.50	\$39.43	\$887.18	\$40.00	\$900.00
79 Sign, Type III, Erect, Salv	26 Ea	\$ 50.00	\$ 1,300.00	\$112.65	\$2,928.90	\$120.00	\$3,120.00
80 Pavt Mrgk, Ovly Cokl Plastic, 24-inch Stop Bar	11 Lft	\$ 15.00	\$ 165.00	\$22.53	\$247.83	\$50.00	\$550.00
81 Permit Allowance	1 Dfr	\$ 7,000.00	\$ 7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00
82 Observation Crew Days	120 Day	\$ 760.00	\$ 91,200.00	165	\$125,400.00	110	\$83,600.00
TOTAL AMOUNT - BASE BID + ADD. 1			\$ 2,614,488.50		\$2,595,081.55		\$2,744,317.35

ALTERNATE BID (12-Mile Rd. Connection, Pipe Bursting, Complete)

TOTAL AMOUNT - BASE BID + ADD. 1			\$2,614,488.50		\$2,505,081.55		\$2,744,317.35
1. Subtract - 12-Mile Rd. Connection, Open Cut, Complete	1 LS	(\$75,000.00)	(\$75,000.00)	(\$52,482.31)	(\$52,482.31)	(\$100,000.00)	(\$45,000.00)
2. 12-Mile Rd. Connection, Pipe Bursting, Complete	1 LS	\$69,894.03	\$69,894.03	\$69,894.03	\$69,894.03	\$85,000.00	\$115,000.00
TOTAL AMOUNT - ALTERNATE BID			\$2,609,382.53		\$2,522,493.27		\$2,840,803.10

BID SUMMARY

TOTAL BID AMOUNT - BASE BID + ADD. 1			\$2,614,488.50		\$2,505,081.55		\$2,744,317.35
TOTAL BID AMOUNT - ALTERNATE BID			\$2,609,382.53		\$2,522,493.27		\$2,840,803.10

ADDITIONAL BIDS

Diponio Contracting, Inc.
*Corrected By Engineer

ENGINEER:

Hubbell, Roth & Clark, Inc.
555 Hulet Drive
P.O. Box 824
Bloomfield Hills, MI 48083-0824





HUBBELL, ROTH & CLARK, INC
CONSULTING ENGINEERS SINCE 1915

MAILING: PO Box 824
Bloomfield Hills, MI 48303-0824
SHIPPING: 555 Hulet Drive
Bloomfield Hills, MI 48302-0360
PHONE: 248-454-6300
WEBSITE: hrcengr.com

April 07, 2022

City of Berkley
3338 Coolidge Highway
Berkley, Michigan 48072

Attn: Mr. Matthew Baumgarten, City Manager
Mr. Derrick Schueller, Director of Public Works

Re: **Proposal for Construction Engineering Services** HRC Job No. 20210631
Kenmore Road and Cornwall Street Reconstruction and Water Main Replacement
(Webster Road to 12 Mile Road)

Dear Mr. Baumgarten and Mr. Schueller:

Thank you for the opportunity to allow Hubbell, Roth & Clark, Inc. (HRC) to submit this proposal for professional design engineering services. This proposal encompasses construction engineering related services for the reconstruction of Kenmore Road/Cornwall Street, including water main replacement, between 12 Mile and Webster Roads.

The Kenmore/Cornwall Reconstruction Project will include the removal and replacement of the deteriorated asphalt over concrete pavement with a robust asphalt pavement section and the complete replacement of the aged water main. Also included in this project is a 200-foot extension of 12" water main in Webster from Kenmore to Cornwall and associated road repairs (half-width concrete road replacement).

Scope of Construction Engineering Services:

- Coordination of, and Attendance at Pre-Construction Meeting
- Coordination of, and Attendance at Bi-Weekly Progress Meetings, as required
- Review of Shop Drawing Submittals
- Review of RFI Requests
- Review of Contract Modification Requests
- Review of Material Certifications
- Completion of Layout / Construction Staking
- Completion of Quality Control Materials Testing
- Supplemental On-Site Construction Observation
- Construction Observation Office Assistance
- Preparation/Review of Pay Requests
- HRC Project Representative to act as Resident's First Point of Contact
- HRC Project Representative to field Resident Questions & Concerns
- Preparation of Record Drawings
- Project Closeout and Punch-list

Delhi Township
2101 Aurelius Rd.
Suite 2A
Holt, MI 48842
517-694-7760

Detroit
535 Griswold St.
Buhl Building, Ste 1650
Detroit, MI 48226
313-965-3330

Grand Rapids
1925 Breton Road SE
Suite 100
Grand Rapids, MI 49506
616-454-4286

Howell
105 W. Grand River
Howell, MI 48843
517-552-9199

Jackson
401 S. Mechanic St.
Suite B
Jackson, MI 49201
517-292-1295

Kalamazoo
834 King Highway
Suite 107
Kalamazoo, MI 49001
269-665-2005

Lansing
215 S. Washington SQ
Suite D
Lansing, MI 48933
517-292-1488

Schedule:

April 18, 2022	Award of Project to Lowest Responsible Bidder
Early May 2022	Approximate Pre-Construction Meeting
Late May 2022	Start of Construction
November 2022	Substantial Completion of Construction

Clarifications:

1. HRC's costs to provide one (1) full-time Construction Observer are included in the Construction Bid Documents as Observation Crew Days and therefore are not included in this proposal.
2. This proposal includes one (1) Supplemental Construction Observer. It is assumed an extra observer will be needed for 15 weeks of the project for those times when multiple construction crews are onsite.
3. This proposal includes one (1) full-time Material Testing Technician plus related laboratory support staff. It is assumed a full-time Material Testing Technician will be needed for 14 weeks during construction.
4. For the purposes of this proposal, HRC has assumed the total duration of construction will be 33 weeks, as stated in the contractor's bid documents. If for an unforeseen reason the construction period is significantly longer, additional compensation may be requested.

Construction Engineering Fees:

Task 1 – Contract Administration, Construction Engineering and Meetings	\$ 60,087.42
Task 2 – Construction Layout	\$ 41,768.70
Task 3 – Supplemental Onsite Construction Observation	\$ 73,878.66
Task 4 – Materials Testing and Quality Control	\$ 62,570.98
Task 5 – Project Closeout, Punch-list & Record Drawings	<u>\$ 19,691.58</u>
Total Not-to-Exceed Fee	\$ 257,997.34

Fees will be invoiced monthly and shall be based on our cost times a 2.9 multiplier in accordance with our current agreement with the City.

If this proposal is deemed acceptable to the City, please sign and return one copy to this office. Thank you for this exciting opportunity to serve the City on this project. If you have any questions or require any additional information, please feel free to contact Roland Alix at 248-736-8704 or Edward Zmich at 248-535-3358.

Very truly yours,

Accepted By:

HUBBELL, ROTH & CLARK, INC.

City of Berkley



Roland N. Alix, P.E.
Vice President

Signature: _____



Edward Zmich
Project Manager

Written Name: _____

Title: _____

Date: _____

pc: City of Berkley; Shawn Young
HRC; Bob DeFrain, Marshall Grazioli, Steve Jacobi, Albert Mickalich, Business Office, File

JOB NUMBER: 20210631
 PROJECT NAME: **KENMORE AND CORNWALL WATERMAIN & PAVEMENT REPLACEMENT PROJECT**
 CONSTRUCTION ENGINEERING SERVICES
 PRINCIPAL: R. ALIX
 PROJECT MANAGER: E. ZWACH
 DATE: March 24, 2022

TASK NO.	TASK	Partner in Charge		Field Department Manager		Project Manager		Project Engineer		Consulting Engineer		Survey Crew Chief		Field Department Office Tech		Survey Field Tech		Field Supervisor	
		RATE HRS	FEES	RATE HRS	FEES	RATE HRS	FEES	RATE HRS	FEES	RATE HRS	FEES	RATE HRS	FEES	RATE HRS	FEES	RATE HRS	FEES	RATE HRS	FEES
1	Contract Administration & Pay Applications	30	\$4,785.00																
1	Meetings - Pre-Construction & bi-weekly Progress	4	\$638.00																
1	Shop Drawing Reviews, Contractor Submittal Reviews & Modification Requests	6	\$1,267.80																
1	Public Outreach / Office Staff Resident Coordination	4	\$643.80																
1	Construction Engineering / Resolve Field Construction Issues - Office Staff	10	\$1,698.60																
2	Construction Layout / Staking	30	\$4,828.50																
3	Supplemental on-Site Construction Observation																		
3	Construction Observation - Field Supervisor																		
3	Construction Observation - Office Support	30	\$4,828.50																
4	Review of Material Certifications	10	\$1,698.60																
4	Quality Control Materials Testing	20	\$3,397.20																
5	Project Closeout Meeting and Punch-list	4	\$638.00																
5	Prepare Record Drawings and Incorporation into GIS Data Base																		
	SUBTOTAL CONSTRUCTION ENGINEERING SERVICES	30	\$5,061.00	112	\$18,028.40	210	\$30,267.30	40	\$4,640.00	242	\$23,861.20	240	\$26,448.00	120	\$10,440.00	120	\$7,830.00	276	\$39,219.44

TASK NO.	TASK	Supplemental Field Observer		Testing Technician		Testing Coordinator		GIS Technical Specialist		TOTAL
		RATE HRS	FEES HRS	RATE HRS	FEES HRS	RATE HRS	FEES HRS	RATE HRS	FEES HRS	
	Construction Engineering									
1	Contract Administration & Pay Applications									
1	Meetings - Pre-Construction & bi-weekly Progress									190
1	Shop Drawing Reviews, Contractor Submittal Reviews & Modification Requests									94
1	Public Outreach / Office Staff Resident Coordination									54
1	Construction Engineering / Resolve Field Construction Issues - Office Staff									82
2	Construction Layout / Staking									422
3	Supplemental on-Site Construction Observation	600	\$42,600.00							600
3	Construction Observation - Field Supervisor									192
3	Construction Observation - Office Support									70
4	Review of Material Certifications			560	\$35,184.00	160	\$13,688.00			28
4	Quality Control Materials Testing									769
5	Project Closeout Meeting and Punch-List									40
5	Prepare Record Drawings and Incorporation into GIS Data Base							40	\$2,720.00	108
SUBTOTAL CONSTRUCTION ENGINEERING SERVICES		600	\$42,600.00	560	\$35,184.00	160	\$13,688.00	40	\$2,720.00	2,760
\$257,997.34										

April 18, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to approve the reprogramming of 2020 PY CDBG funds in the amount of \$25,692 to Remove Architectural Barriers for Park Path Improvements to meet ADA standards.

Ayes:

Nays:

Motion:

City of Berkeley

Finance Department

To: Matt Baumgarten, City Manager

From: Mark Pollock, Finance Director

Subject: 2020 CDBG PY Reprogramming and 2021 PY Reprogramming for Location Addition

Date: April 11, 2022

The Public Hearings for two CDBG Reprogramming items are scheduled for April 18, 2022. The first Public Hearing will accept any public comments about reprogramming the 2020 Program Year (PY) Public Facilities and Improvements/ADA Sidewalk money in the amount of \$25,692.00. The reprogramming will add these CDBG funds to the 2021 Program Year Remove Architectural Barriers Parks sidewalk and path restoration project. This amount would be combined with the 2021 PY monies for the same project.

After the Public Hearing and with Council approval, the 2020 PY amount would be reprogrammed and combined with the 2021 PY CDBG monies for the same project of \$25,403.00. The combined total would be \$51,095.00 in total CDBG funds for this project.

The second Public Hearing is requesting to reprogram the 2021 PY CDBG Public Facilities and Improvements in the amount of \$26,230.00. This request is simply to add "Kiwanis Tot Lot" as an additional location, since it was not included in the original project summary. HRC has bid this project and this item is scheduled to be before City Council for approval of the recommended bid for the 2021 PY CDBG project for the Kiwanis Tot Lot. HRC will also coordinate and administer this CDBG project.

The plan is to make our Berkeley City Park paths accessible and ADA compliant. This project is being completed in conjunction with the all-inclusive design of our Kiwanis Tot-Lot playscape.

**NOTICE OF PUBLIC HEARINGS
BERKLEY CITY COUNCIL**

Notice is hereby given that in accordance with Community Development Block Grant (CDBG) requirements, two Public Hearings will be held by the City of Berkley on Monday, April 18, 2022 at 7:00 p.m. at Berkley City Hall, 3338 Coolidge Hwy to receive written and verbal comment regarding the reprogramming of federal CDBG funds. Funds for ADA Sidewalk replacement from the 2020 PY are being reprogrammed from the same category of Public Facilities and Improvements-Remove Architectural Barriers to retrofit sidewalks and paths in existing City Park locations to meet ADA standards. Also, 2021 PY CDBG funds for the same project are required to add a location that was omitted on the original project summary. The changes proposed are as follows:

Existing - 2020 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Multiple intersections four locations
Amount	\$25,692.00

Proposed - 2020 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Community Park/Friends Park/Jaycee Park/Kiwanis Tot Lot
Amount	\$25,692.00

Existing - 2021 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Community Park/Friends Park/Jaycee Park
Amount	\$26,230.00

Proposed - 2021 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Add to Locations: <u>Kiwanis Tot Lot</u>
Amount	\$26,230.00

Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter, will be made upon receiving 72-hour advance notice. Contact Victoria Mitchell, City Clerk at (248) 658-3319 at Berkley City Hall for special services.

April 18, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to approve the reprogramming of 2021 PY CDBG funds in the amount of \$26,230 to add Kiwanis Tot Lot to the City of Berkley Park locations to Remove Architectural Barriers for Park Path Improvements to meet ADA standards.

Ayes:

Nays:

Motion:

City of Berkeley

Finance Department

To: Matt Baumgarten, City Manager

From: Mark Pollock, Finance Director

Subject: 2020 CDBG PY Reprogramming and 2021 PY Reprogramming for Location Addition

Date: April 11, 2022

The Public Hearings for two CDBG Reprogramming items are scheduled for April 18, 2022. The first Public Hearing will accept any public comments about reprogramming the 2020 Program Year (PY) Public Facilities and Improvements/ADA Sidewalk money in the amount of \$25,692.00. The reprogramming will add these CDBG funds to the 2021 Program Year Remove Architectural Barriers Parks sidewalk and path restoration project. This amount would be combined with the 2021 PY monies for the same project.

After the Public Hearing and with Council approval, the 2020 PY amount would be reprogrammed and combined with the 2021 PY CDBG monies for the same project of \$25,403.00. The combined total would be \$51,095.00 in total CDBG funds for this project.

The second Public Hearing is requesting to reprogram the 2021 PY CDBG Public Facilities and Improvements in the amount of \$26,230.00. This request is simply to add "Kiwanis Tot Lot" as an additional location, since it was not included in the original project summary. HRC has bid this project and this item is scheduled to be before City Council for approval of the recommended bid for the 2021 PY CDBG project for the Kiwanis Tot Lot. HRC will also coordinate and administer this CDBG project.

The plan is to make our Berkeley City Park paths accessible and ADA compliant. This project is being completed in conjunction with the all-inclusive design of our Kiwanis Tot-Lot playscape.

**NOTICE OF PUBLIC HEARINGS
BERKLEY CITY COUNCIL**

Notice is hereby given that in accordance with Community Development Block Grant (CDBG) requirements, two Public Hearings will be held by the City of Berkley on Monday, April 18, 2022 at 7:00 p.m. at Berkley City Hall, 3338 Coolidge Hwy to receive written and verbal comment regarding the reprogramming of federal CDBG funds. Funds for ADA Sidewalk replacement from the 2020 PY are being reprogrammed from the same category of Public Facilities and Improvements-Remove Architectural Barriers to retrofit sidewalks and paths in existing City Park locations to meet ADA standards. Also, 2021 PY CDBG funds for the same project are required to add a location that was omitted on the original project summary. The changes proposed are as follows:

Existing - 2020 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Multiple intersections four locations
Amount	\$25,692.00

Proposed - 2020 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Community Park/Friends Park/Jaycee Park/Kiwanis Tot Lot
Amount	\$25,692.00

Existing - 2021 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Community Park/Friends Park/Jaycee Park
Amount	\$26,230.00

Proposed - 2021 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Add to Locations: <u>Kiwanis Tot Lot</u>
Amount	\$26,230.00

Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter, will be made upon receiving 72-hour advance notice. Contact Victoria Mitchell, City Clerk at (248) 658-3319 at Berkley City Hall for special services.

April 18, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to award the contract for Kiwanis Tot Lot CDBG sidewalk replacement at a cost not to exceed \$34,513.61 to the lowest qualified bidder, JSS-Macomb, LLC. 11858 Forest Glen Ln., Shelby Township, MI 48315. In addition, allocate \$3,451.63 for construction contingencies and \$12,746.66 for engineering services to Hubbell, Roth & Clark.

Ayes:

Nays:

Motion:

Memo

To: Matthew Baumgarten, City Manager
Cc: Mark Pollock, Finance Director
From: Theresa McArleton, Director of Parks & Recreation
Date: 4/7/2022
Subject: Recommendation for Kiwanis Tot Lot CDBG Sidewalk Replacement

On Thursday, March 24, 2022 bids were received for the Kiwanis Tot Lot CDBG Sidewalk Replacement project. As referenced in the attached memorandum from HRC, two of the four bids did not include the signed Addendum and therefore were considered unresponsive. The low bidder that included the signed addendum was JSS-Macomb, LLC. Of Shelby Township, Michigan with a total bid of \$34,513.61.

This project was identified as being a great use of CDBG funds and it consists of removing the existing woodchip and HMA pathways to construct a new concrete sidewalk through the park and also ADA-compliant ramps. HRC's attached recommendation includes satisfactory references on similar projects completed for the Townships of Macomb and Chesterfield and Romeo Village schools.

I agree with HRC's recommendation to award the lowest qualified and complete bid to JSS-Macomb, LLC. I also recommend an approval of an additional 10% (\$3,451.63) for construction contingencies be added to the low bid amount. Funds for this project will come both from CDBG funding as well as additional funding from Parks & Recreation's capital budget account 614-950-974-000. A not-to-exceed construction engineering budget of \$12,746.66 has been proposed by HRC and I recommend approval of these funds to come from the engineering budget account 614-950-821-000.

Work on this project should begin within 3-4 weeks of this award and the project should complete within 2-3 weeks.

Improving access to our city parks is a focus of the department and our Recreation Master Plan. Projects like this are great steps in the direction of better access and improved play and use. Having the ability to offset a lot of the costs by using CDBG funds will allow us to continue to elevate all of our parks over the next few years.

As always, please do not hesitate to contact me with any questions regarding this matter.

ATTACHMENTS

April 7, 2022

City of Berkley
3338 Coolidge Highway
Berkley, Michigan 48072

Attn: Ms. Theresa McArleton, Director of Parks and Recreation
Mr. Matthew Baumgarten, City Manager

Re: Recommendation for Award and Bid Tabulation
Kiwanis Tot Lot CDBG Sidewalk Replacement

HRC Job No. 20210944

Dear Ms. McArleton and Mr. Baumgarten:

We have reviewed the bids received on Thursday, March 24, 2022 for the Kiwanis Tot Lot CDBG Sidewalk Replacement project and have found them to be in order. There were four (4) bids received; however, two (2) of the bids did not include the signed Addendum No. 1 and were therefore, considered unresponsive. The low bidder that included the signed addendum was JSS – Macomb, LLC. of Shelby Township, Michigan, with a total bid of **\$34,513.61**, which is below the Engineer’s Preliminary Construction Estimate of \$35,250.00. Please refer to the attached Bid Tabulation for an itemized bid breakdown of the bidders.

This project consists of the removal of the existing woodchip and HMA pathways, and construction of a new concrete sidewalk through the park, including ADA-compliant ramps.

The low bidder has submitted satisfactory references for similar projects completed for the Townships of Macomb and Chesterfield and Romeo Village schools.

Based on the above, this office recommends award of the Contract to JSS - Macomb, LLC. of Shelby Township, Michigan, with a total bid of **\$34,516.31**, subject to the submission of the necessary bonds and insurance, which comply with the contract specifications. We also recommend that an additional 10% construction contingency (**\$3,451.63**) be added to the low bid amount. In addition, HRC proposes a not-to-exceed Construction Engineering budget of **\$12,746.66** also be adopted, which includes additional fees for coordination of CDBG-related tasks (e.g., correspondence, wage rate interviews) and construction observation that is a nonparticipating cost through CDBG and was not in the bid proposal. A breakdown of the construction engineering costs is included in an attachment with this letter.

Based on the above, HRC recommends the City approve the total project construction budget for the Kiwanis Tot Lot CDBG Sidewalk Replacement project of **\$50,714.60** (not-to-exceed maximum, including costs for contingencies and construction engineering).

Enclosed, please find a copy of the Bid Tabulation for your records. If you have any questions or require any additional information, please contact the undersigned.

Delhi Township 2101 Aurelius Rd. Suite 2A Holt, MI 48842 517-694-7760	Detroit 535 Griswold St. Buhl Building, Ste 1650 Detroit, MI 48226 313-965-3330	Grand Rapids 1925 Breton Road SE Suite 100 Grand Rapids, MI 49506 616-454-4286	Howell 105 W. Grand River Howell, MI 48843 517-552-9199	Jackson 401 S. Mechanic St. Suite B Jackson, MI 49201 517-292-1295	Kalamazoo 834 King Highway Suite 107 Kalamazoo, MI 49001 269-665-2005	Lansing 215 S. Washington SQ Suite D Lansing, MI 48933 517-292-1488
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Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Roland N. Alix, P.E.
Vice President



Edward D. Zmich
Project Engineer/Manager

EDZ/mas

Attachment: Bid Tabulation
pc: City of Berkley; Shawn Young
HRC; R. DeFrain; M. Grazioli, File

BID TABULATION
 KIWANIS TOT LOT CDBG SIDEWALK REPLACEMENT
 CITY OF BERKLEY
 OAKLAND COUNTY, MICHIGAN

Bids Due: 03/24/2022
 HRC Job # 20210944

HRC Engineer's Opinion of Probable Cost	Ahern Contracting, Inc. 25875 New Forest Ct, Chesterfield, MI 48051 810-343-0403	JSS - Macomb, LLC 11858 Forest Glen Ln, Shelby Township, MI 48315 586-709-6305	Lopez Concrete Construction, LLC 4711 Burchfield Ave, Lansing, MI 48910 517-763-4819
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Item	Quantity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1 Mobilization, Max. 5%	1 LS	\$ 1,670.00	\$ 1,670.00	\$ 1,500.00	\$ 1,500.00	\$ 1,725.68	\$ 1,725.68	\$ 3,000.00	\$ 3,000.00
2 Erosion Control, Inlet Protection, Fabric Drop	3 Ea	\$ 150.00	\$ 450.00	\$ 200.00	\$ 600.00	\$ 211.00	\$ 633.00	\$ 250.00	\$ 750.00
3 Swing Set, Rem, Salvage and Reinstall	1 Ea	\$ 2,500.00	\$ 2,500.00	\$ 2,000.00	\$ 2,000.00	\$ 1,770.00	\$ 1,770.00	\$ 1,500.00	\$ 1,500.00
4 Post, Wood, Rem, Salvage and Reinstall	1 Ea	\$ 250.00	\$ 250.00	\$ 500.00	\$ 500.00	\$ 75.75	\$ 75.75	\$ 300.00	\$ 300.00
5 HMA Surface, Rem	30 Syd	\$ 25.00	\$ 750.00	\$ 12.00	\$ 360.00	\$ 9.45	\$ 283.50	\$ 36.00	\$ 1,080.00
6 Woodchips, Rem	175 Syd	\$ 20.00	\$ 3,500.00	\$ 12.00	\$ 2,100.00	\$ 10.25	\$ 1,793.75	\$ 27.00	\$ 4,725.00
7 Machine Grading, Special (incl. Excavation)	2 Sta	\$ 1,000.00	\$ 2,300.00	\$ 1,900.00	\$ 4,370.00	\$ 1,420.00	\$ 3,266.00	\$ 400.00	\$ 920.00
8 Curb, Rem	20 Ft	\$ 14.00	\$ 280.00	\$ 20.00	\$ 400.00	\$ 55.00	\$ 1,100.00	\$ 20.00	\$ 400.00
9 Sidewalk, Rem	45 Syd	\$ 25.00	\$ 1,125.00	\$ 10.00	\$ 450.00	\$ 19.00	\$ 855.00	\$ 27.00	\$ 1,215.00
10 Sidewalk, Conc, Mix 3500, 4 inch (Incl. Cl II	1,650 Sft	\$ 9.00	\$ 14,850.00	\$ 7.00	\$ 11,550.00	\$ 7.75	\$ 12,787.50	\$ 9.00	\$ 14,850.00
11 Sidewalk Ramp, Conc, Mix 3500, 6 inch (Incl. Cl	65 Sft	\$ 15.00	\$ 975.00	\$ 15.00	\$ 975.00	\$ 14.00	\$ 910.00	\$ 10.00	\$ 650.00
12 Detectable Warning Surface, ADA Solutions	2 Ea	\$ 400.00	\$ 800.00	\$ 1,000.00	\$ 2,000.00	\$ 560.00	\$ 1,120.00	\$ 210.00	\$ 420.00
13 Curb and Gutter, Conc, Det F2	20 Ft	\$ 40.00	\$ 800.00	\$ 40.00	\$ 800.00	\$ 90.50	\$ 1,810.00	\$ 26.00	\$ 520.00
14 Maintaining Traffic, Including Pedestrian Traffic	1 LS	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 4,458.43	\$ 4,458.43	\$ 500.00	\$ 500.00
15 Restoration (incl. 3" Topsoil, Seed-Impregnated	250 Syd	\$ 12.00	\$ 3,000.00	\$ 10.00	\$ 2,500.00	\$ 7.70	\$ 1,925.00	\$ 28.00	\$ 7,000.00
TOTAL BID AMOUNT:		\$	35,250.00	\$	32,105.00	\$	34,513.61	\$	37,830.00

*Bid did not include signed Addendum

Other Bidders:	
Luigi Ferdinandi & Son Cement Co.	\$46,070.00

ENGINEER:
 Hubbell, Roth & Clark, Inc.
 555 Hulet Drive
 P.O. Box 824
 Bloomfield Hills, MI 48083-0824



2022 CONSTRUCTION ENGINEERING PROPOSAL

JOB NUMBER: 20210944
 PROJECT NAME: Kiwanis Tot Lot CDBG Sidewalk Replacement
 PRINCIPAL: R. ALDY
 PROJ MGR: E. ZMICH
 DATE: April 7, 2022

TASK	Chief Testing/Observation Manager		Project Manager		Graduate Engineer I		Senior Construction Observer		Testing Technician I		Construction Observer Supervisor		Survey - Sr. Party Chief		TOTAL	
	HRS	FEE	HRS	FEE	HRS	FEE	HRS	FEE	HRS	FEE	HRS	FEE	HRS	FEE	HRS	FEE
TASK NO.																
1A Contract Administration & Pay Applications			6	\$864.78	24	\$2,386.40									30	\$3,231.18
1B Meetings (City Council, Pre-Con, Progress & Closeout)			4	\$576.52	4	\$394.40									8	\$970.92
2A Construction Engineering & Supplemental Field Services	1	\$160.95	2	\$288.26	4	\$394.40					4	\$272.60			11	\$1,116.21
2B Construction Observation							60	\$4,263.00							60	\$4,263.00
3 Construction Layout / Staking					2	\$197.20							8	\$881.60	10	\$1,078.80
4 Material Testing	1	\$160.95							16	\$1,090.40					17	\$1,251.35
5 As-Builts and Incorporation into GIS Data Base					4	\$394.40							4	\$440.80	8	\$835.20
SUBTOTAL Construction Engineering	2	\$321.90	12	\$1,729.56	38	\$3,746.80	60	\$4,263.00	16	\$1,090.40	4	\$272.60	12	\$1,322.40	144	\$12,746.66

April 18, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to award the contract for Angell ballfield and exterior fencing at a cost not to exceed \$34,883 to the lowest qualified bidder, GEM Fencing LLC, 444 E. Gallagher Rd. West Branch, MI 48661. In addition, allocate \$3,488.30 for construction contingencies.

Ayes:

Nays:

Motion:

Memo

To: Matthew Baumgarten, City Manager
Cc: Mark Pollock, Finance Director
From: Theresa McArleton, Director of Parks & Recreation
Date: 4/7/2022
Subject: Recommendation for Award of Fencing Replacement at Angell Ballfield

On Friday, April 1, 2022 the City received four complete bids for Angell ballfield and exterior fencing. This project was bid in two divisions. The first division was for removal and replacement of the six-foot fencing around the exterior of the ballfield on the south end of the property at Angell Elementary located at 3849 Beverly. The second division is to remove and replace the six-foot exterior fence that runs along the east side on Bacon Street and the west side on Cummings. Bids would allow the city to be awarded for either one or both of the divisions.

After reviewing the bid pricing that was returned, recreation staff and city administration made the decision to award both divisions of the project. The department has additional capital funding allocated to another project that has been revised and will come in significantly under the current budget. By using some of those funds, the city is able to replace the originally planned outfield fencing as well as the needed exterior fencing. The school district is pleased that we are able to include all needed fencing repair for this property when the project concludes.

The attached bid tabulation shows all four companies priced close to each other. After a review of the references for the lowest two bid companies, I recommend approval of the bid to GEM Fencing LLC. Both of the low bids had high quality references. Therefore, it makes sense to award the bid to the lowest qualified bidder for this project at a cost not to exceed \$34,883.00 with an additional 10% of \$3,488.30 for construction contingencies. Funds for this expenditure will come from account 614-950-974-000.

Replacing this fencing is another step in upgrading our recreation facilities including our baseball fields. Having the ability to include the exterior fencing at Angell which is a property owned by the school district but leased by the city will keep the grounds safe and improve the overall aesthetic.

As always, please do not hesitate to contact me with any questions regarding this matter. I will attend the April 18th City Council meeting to answer any questions.

ATTACHMENTS

CITY OF BERKLEY
“Install Exterior Fencing at Angell Ballfield”
For the Parks and Recreation Department *Bid Opening:*
Friday, April 1, 2022 @ 11 AM

<u>Business Name</u>	<u>Address</u>	<u>Bid</u>	<u>References</u> <u>Non-Collusive Affidavit</u> <u>Non-Discrimination</u>	<u>Conflict of Interest</u> <u>Hold Harmless</u> <u>Iran Affidavit</u>
GEM Fencing LLC	444 E. Gallagher Rd West Branch, MI 48661	\$34,883.00	Y/Y/Y	Y/Y/Y
Michigan Fence Outlet	46705 Erb Dr Macomb, MI 48042	\$39,170.00	Y/Y/Y	Y/Y/Y
Motor City Fence Co.	209 South Blvd. E Rochester Hills, MI 48307	\$36,501.00	Y/Y/Y	Y/Y/Y
Nationwide Construction Group	69951 Lowe Plank Road Richmond, MI 48062	\$40,770.00	Y/Y/Y	Y/Y/Y

April 18, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to appoint the Finance Director, Mark Pollock, as the City of Berkley's representative and the Public Works Director, Shawn Young, as the alternate representative to the Southeastern Oakland County Resource Recovery Authority (SOCRRA) Board of Trustees for the remainder of the fiscal year ending on June 30, 2022; and instruct the City Clerk to send a copy of this motion to the SOCRRA Board.

Ayes:

Nays:

Motion:

April 18, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to appoint the Finance Director, Mark Pollock, as the City of Berkley's representative and the Public Works Director, Shawn Young, as the alternate representative to the Southeastern Oakland County Water Authority (SOCWA) Board of Trustees for the remainder of the fiscal year ending on June 30, 2022 and instruct the City Clerk to send a copy of this motion to the SOCWA Board.

Ayes:

Nays:

Motion: