

PONTIAC CITY COUNCIL

Kermit Williams, District 7
President
Randy Carter, District 4
President Pro Tem



Patrice Waterman, District 1
Don Woodward, District 2
Mary Pietila, District 3
Gloria Miller, District 5
Dr. Doris Taylor Burks, District 6

It is this Council's mission "To serve the citizens of Pontiac by committing to help provide an enhanced quality of life for its residents, fostering the vision of a family-friendly community that is a great place to live, work and play."

Garland S. Doyle, M.P.A.
Interim City Clerk

STUDY SESSION (AMENDED AGENDA)

May 7, 2019

6:00 P.M.

84th Session of the 10th Council

Call to order

Roll Call

Authorization to Excuse Councilmembers

Amendments to the Agenda (Remove Agenda Item 7, Add after Approval of the Minutes Resolution for City Attorney to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020 by May 14, 2019 and Proposed Ordinance.)

Approval of the Amended Agenda

Approval of the Minutes

1. Special Meeting of April 29, 2019
2. Meeting of April 30, 2019

Public Comment

Agenda Items for Consideration

Controller

3. Resolution to approve the 2019 High Intensity Drug Trafficking (HIDTA) Subrecipient Agreement between the City of Pontiac and Oakland County and that the Mayor be authorized to sign this agreement.

Planning

4. Resolution to formally affirm the City of Pontiac's commitment to proceed with our endeavor to obtain *Redevelopment Ready Community Certification* status from the Michigan Economic Development Corporation (MEDC); and furthermore, that this resolution be sent to MEDC as required.
5. Resolution to appeal the Planning Commission's decision and grant a Special Designated Distributor License for parcel 64-14-07-483-011, also known as 355 W. Walton Blvd from Applicant, Jamal Safidine.
6. Resolution to concur with the Planning Commission's decision to deny the appeal to grant a Special Designated Distribution License at parcel 64-14-16-201-028, also known as 1430 Joslyn Avenue, from Applicant, Fokhour Yaldo, Inc.

7. Resolution to concur with the Planning Commission's decision to deny the appeal to grant a Special Designated Distributor License at parcel 64-14-16-402-030, also known as 1124 Joslyn Avenue from Applicant, A & S Kajy Enterprise, Inc.

Community and Economic Development

8. Resolution to direct the City Clerk to schedule a public hearing on May 21, 2019 in accordance with the Obsolete Property Rehabilitation Act (OPRA) (Public Act 146 of 2000, as amended) for the consideration of the Obsolete Property Rehabilitation Application (OPRA) Certificate submitted by Indian Hill Ventures, LLC, for 50 Wayne Street, Pontiac, MI, commonly known as tax parcel number 14-29-433-003 (Agenda Items 8-11 are related.).
9. Resolution to approve the Development Agreement for 50 Wayne Street, Pontiac, MI commonly known as tax parcel number 14-29-433-003 (Agenda Items 8-11 are related.).
10. Resolution requesting the Oakland County Brownfield Redevelopment Authority to Review 50 Wayne Street (Agenda Items 8-11 are related.)
11. Resolution concurring with the provisions of a Brownfield Plan adopted by the Oakland County Brownfield Redevelopment Authority for the property known as 50 Wayne Street, Pontiac, MI, commonly known as tax parcel number 14-29-433-003 (Agenda Items 8-11 are related.).
12. Resolution to schedule a public hearing on May 21, 2019 for the reprogramming of Program Year 2016 Community Development Block Grant (CDBG) funds in the amount of \$9,225.18 from the Senior Center HVAC project for use of the refurbishment of the existing deck/pavilion at the Robert Bowens Center located at 52 Bagley, Pontiac, MI.

Department of Public Works

13. Resolution to authorize the Mayor to enter into a contract agreement with North American Construction Enterprises for the 50th District Court Renovations at a cost not to exceed \$1,318,453.00.
14. Resolution to authorize the Mayor to enter into a two-year contract with AUCH for Owner Representative Services for the Phoenix Center Restoration at a cost not to exceed \$357,987.00.

Communication to City Attorney

15. Status of Amendment to Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020. The resolution requested that the City Attorney complete the ordinance amendment by May 1, 2019.

Communication to the Mayor

16. Documents Requested from the Mayor During the Budget Goal Session on April 16, 2019
(The City Council requested the budget numbers from Oakland County Sheriff in regards to the request for more patrol deputies)

Monthly Mayoral Reports

17. Monthly Check Register
(The City Council adopted a resolution on February 5, 2019 for the Mayor to provide the monthly check register for the prior month, to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month commencing with the March 5, 2019 Agenda. The City Clerk did not receive the check register for April 2019.) **The City Clerk has attached the weekly check register for April 5, 2019 it was printed from the City's website. As of May 3, 2019, the check registers for April 12, 19 and 26, 2019 are not on the City's website.**
18. Mayoral Report- Monthly Staff Changes Report.

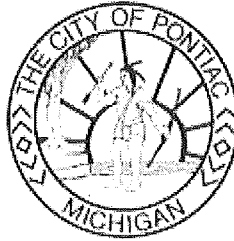
19. City Credit Card Statement

(The City Council adopted a resolution that the Mayor will provide the monthly credit card statements for the prior month to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month, commencing with the March 5, 2019 Agenda. **The City Clerk did not receive the March 2019 or April 2019 statements.**)

Adjournment

AMENDMENTS TO THE AGENDA

Pontiac City Council Resolution



WHEREAS, the Pontiac Municipal Code and Pontiac Ordinance No. 2288, sec 4, dated June 27, 2013 provides that the budget shall be adopted on a functional basis for expenditures, rather than on a departmental or line item basis; and,

WHEREAS, it is in the best interest of the City of Pontiac to amend the current ordinance to allow the budget to be adopted on a line item basis for expenditures rather than on a functional basis; and,

WHEREAS, money shall not be moved within departments without the Pontiac City Council's approval; and,

WHEREAS, pursuant to the Pontiac City Charter more specifically, section 4.202, the City Attorney is hereby instructed to amend the ordinance pursuant to the resolution passed by the Pontiac City Council by May 14, 2019.

NOW, THEREFORE BE IT RESOLVED, that no more than Ten Thousand (\$10,000.00) Dollars shall be allocated and changed to a different function within a department without the Pontiac City Council's approval and the current 2019-2020 budget shall be adopted by line item for expenditures.

#1

MINUTES

4-29-19

April 29, 2019 Special Meeting

**Official Proceedings
Pontiac City Council
82nd Session of the Tenth Council**

A Special Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Monday, April 29, 2019 at 3:04 p.m. by Council President Pro-Tem Randy Carter.

Call to Order

Roll Call

Members Present: Carter, Miller, Pietila and Taylor-Burks.

Members Absent: Waterman, Williams and Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

19-154 **Excuse Councilperson Patrice Waterman, Kermit Williams and Don Woodward for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Miller.

Ayes: Miller, Pietila, Taylor-Burks, and Carter

No: None

Motion Carried.

Councilman Kermit Williams arrived at 3:06 p.m.

19-155 **Approval of the Agenda.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Pietila, Taylor-Burks, Williams, Carter and Miller

No: None

Motion Carried.

19-156 **Motion to move public comment before discussion.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Taylor-Burks, Williams, Carter, Miller and Pietila

No: None

Motion Carried.

One individual addressed the body during public comment.

Discussion

Community Benefits Ordinance

April 29, 2019 Special Meeting

Top three choices for Community Benefits

Councilwoman Miller – Road Repair, Park Safety (cameras), and Job Training for Youth.

Councilwoman Pietila – Park Safety (cameras tied to Sheriff), Law Enforcement and Roads.

Councilwoman Taylor-Burks – Law Enforcement, Roads and Operation Blue Light.

Councilman Randy Carter – High School Pool, Hawthorne Park (Water Park) and Potholes.

Councilman Kermit Williams – Neighborhood Revitalization Plan, Road Matching and Transitional Programs (previously incarcerated), 20 hours Job Training and 20 hours Park Clean Up.

Mayor – Job Training / Employment

The City Attorney and Monique Sharpe, Legislative Counsel are to work together to have a draft ordinance by the next meeting.

19-157 **Motion to schedule next meeting to draft Ordinance on June 30, 2019 at 3:00 p.m.**

Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

Motion Carried.

President Kermit Williams adjourned the meeting at 4:10 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

#2

MINUTES

4-30-19

April 30, 2019

**Official Proceedings
Pontiac City Council
83rd Session of the Tenth Council**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, April 30, 2019 at 6:02 p.m. by Council President Kermit Williams.

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Members Present: Carter, Miller, Pietila, Taylor-Burks, Waterman and Williams.

Members Absent: Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

19-158 **Excuse Councilperson Don Woodward for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Miller, Pietila, Taylor-Burks, Waterman, Williams and Carter

No: None

Motion Carried.

19-159 **Amendments to the Agenda: (Move Item #9 after approval of the minutes; add Communication from Mayor regarding Veto of Resolution 19-137, the Resolution for the City Attorney to Amend Ordinance #2288 to change how City Council Adopts the Budget from Functional Basis to Line Item Basis; add Communication from and City Clerk in Response to Mayor's Veto of Resolution 19-137 and add Resolution to Adopt Resolution 19-137 the Resolution for the City Attorney to Amend Ordinance #2288 to change how City Council Adopts the Budget from Functional Basis to Line Item Basis over Mayor's Veto.)** Moved by Councilperson Pietila and second by Councilperson Carter.

Ayes: Pietila, Taylor-Burks, Waterman, Williams, Carter and Miller

No: None

Motion Carried.

19-160 **Approval of the Agenda with amendments.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Taylor-Burks, Waterman, Williams, Carter, Miller and Pietila

April 30, 2019

No: None

Motion Carried.

19-161 **Approval of meeting minutes for April 23, 2019.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Waterman, Williams, Carter, Miller, Pietila and Taylor-Burks

No: None

Motion Carried.

Resolution for Kevon Davenport was presented to Mr. Davenport at the meeting. City Council will formally vote on the resolution at the next formal meeting.

19-162 **Resolution adopting Resolution 19-137 Resolution for City Attorney to Amend Ordinance #2288 to change how City adopts the Budget from Functional Basis to line Item Basis over Mayor's Veto.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Whereas, on April 16, 2019, the City Council of the City of Pontiac passed a resolution for the City Attorney to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis; and,

Whereas, it is in the best interest of the City of Pontiac to amend the current ordinance to allow the budget to be adopted on a line item basis for expenditures rather than on a functional basis; and,

Whereas, money shall not be moved within departments without the Pontiac City Council's approval; and,

Whereas, pursuant to the Pontiac City Charter more specifically, section 4.202, the City Attorney is hereby instructed to amend the ordinance pursuant to the resolution passed by the Pontiac City Council by May 1, 2019.

Whereas, on April 26, 2019, the Mayor vetoed resolution 19-137; and,

Whereas, pursuant to Pontiac City Charter Provision 3.112 (f), the City Council wishes to reconsider resolution 19-137 over the Mayor's veto. Five (5) affirmative votes are required by Pontiac City Charter Provision 3.112(f),

Now, Therefore Be It Resolved, by the Pontiac City Council that the Council hereby adopts the Resolution 19-137 over the Mayor's veto.

Ayes: Williams, Carter, Miller, Pietila, Taylor-Burks and Waterman

No: None

Resolution Passed.

Council President Kermit Williams left the meeting and Council President Pro-Tem Randy Carter assumed the chair.

Subcommittee Reports Received

Finance – April 9, 2019

April 30, 2019

Public Safety – April 12, 2019

Real Estate – April 12, 2019

Law/50th District – April 23, 2019

Special Presentations

Lakeshore Legal Aid Education Services – Presentation Presenter: Attorney Diamond Conley

Council President Pro Tem Carter asked for a Point of Privilege for Karie Boylan from Boylan Law regarding Right of First Refusal after a tax foreclosure. Councilwoman Waterman suggested that the right of first refusal for 77 Maines Street be referred to the next Real Estate Subcommittee Meeting.

Upcoming Changes to the Post Office Retail Station Located at 45 Oakland Ave – Presentation Presenter: Vee Spikes, Regional Real Estate Manager, Great Lakes Area, U.S. Postal Service

Youth Recreation Program Partnership and Expansion Presentation Presenter: Derrick Coleman.

Recognition of Elected Officials – Melanie Rutherford Pontiac Library Secretary and Kenyada Bowman Pontiac School Board Trustee

Communication to the Mayor

Documents requested from the Mayor during Budget Goal Session on April 16, 2019 the annual reports from the Department of Public Works and Economic Development were received.

Communication from the Mayor

Report regarding City Credit Card Statement will be back on the next week's Agenda.

Received Check Register Report for Week ending March 29, 2019.

Received Finance Department Report regarding Mileage Reimbursement Policies for City Employees and City of Pontiac Elected Officials.

Communication from the City Clerk

Report received regarding Deputy Sheila Grandison Certified Michigan Municipal Clerk (CMMC) Certification.

Communication from City Attorney

City of Pontiac Retired Employees Association (CPREA) Update - Attorney Chubb will bring back update after discussions conclude with the CPREA Attorney. Council President Pro-Tem Randy Carter stated that the minutes should reflect how the Attorney dropped the ball regarding this matter.

April 30, 2019

Fifteen (15) individuals addressed the body during public comment.

Mayor Waterman, Councilwoman Patrice Waterman, Councilwoman Doris Taylor-Burks, Councilwoman Mary Pietila, Councilwoman Gloria Miller and Council President Pro-Tem Randy Carter made closing comments.

President Pro-Tem Randy Carter adjourned the meeting at 8:53 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

#3

RESOLUTION



MEMORANDUM

City of Pontiac
Controller's Office
47450 Woodward Avenue
Pontiac, Michigan 48342
Phone: 248.758.3118
Fax: 248.758.3197

DATE: 4/30/2019

TO: Honorable Mayor and City Council

FROM: Controller's Office

Through: Jane Bais DiSessa-Deputy Mayor

SUBJECT: 2019 HIDTA Sub-grant Agreement

The City of Pontiac has the opportunity to utilize the High Intensity Drug Trafficking Area Grant from the State of Michigan through the Oakland County's Sheriff's office. This grant reimburses the municipality for overtime expenses that it incurred related to its participation in the Oakland County Narcotic Enforcement team ("N.E.T"), a multijurisdictional drug enforcement task force under the direction and supervision of the Oakland County Sheriff's Office ("O.C.S.O").

The purpose of the HIDTA program is to reduce drug trafficking and production by:

- Creating cooperation between various levels of law enforcement,
- Enhancing law enforcement intelligence sharing among law enforcement agencies, and
- Supporting coordinated law enforcement strategies to align available resources and reduce the supply of illegal drugs in designated areas of the United States.

Oakland County submitted an Initiative Description and Budget Proposal to the Executive Board for Michigan HIDTA requesting the ONDCP to grant N.E.T \$115,000.00 for the 2019 program year to reimburse N.E.T. participating agencies for eligible law enforcement overtime costs.

The City of Pontiac is a sub recipient and therefore must enter into the attached sub agreement with Oakland County Sheriff's Office. The following resolution is recommended for your consideration:

**RESOLUTION OF SUBRECIPIENT AGREEMENT FOR THE SHERIFFS
OFFICE NARCOTICS ENFORCEMENT TEAM HIGH INTENSITY DRUG
TRAFFICKING AREA (HIDTA)**

WHEREAS, Oakland County as the legal entity that administers N.E.T., submitted an Initiative Description and Budget Proposal to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy (ONDCP) to grant N.E.T. an award for program year (PY) 2019 to reimburse N.E.T. participating agencies for eligible law enforcement officer overtime costs; and,

WHEREAS, If ONDCP grants N.E.T. an award for PY 2019, the ONDCP disburses the HIDTA funds to the Michigan State Police (MSP); and,

WHEREAS, the County has the authority to allocate a portion of the Grant funds to reimburse a participating municipality for qualifying overtime costs subject to the terms and conditions of the agreement; and,

WHEREAS, the County requires any participating unit of government to approve the proposed Subrecipient Agreement by Resolution of the governing board of the local unit of government; and,

WHEREAS, the Oakland County Board of Commissioners has agreed to the attached Subrecipient Agreement; and,

WHEREAS, the City of Pontiac desires to enter into the attached Subrecipient Agreement between the City and Oakland County; and

WHEREAS, Oakland County Corporate Council and the City of Pontiac have approved the attached Subrecipient Agreement.

NOW THEREFORE BE IT RESOLVED that the City of Pontiac Council approves the attached Subrecipient Agreement with the County of Oakland and authorizes the Mayor to sign on behalf of the City.

**PROGRAM YEAR 2019
HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA)
SUBRECIPIENT AGREEMENT BETWEEN
THE COUNTY OF OAKLAND AND CITY OF PONTIAC
Data Universal Numbering System (DUNS) #: 831471144**

This Agreement is made between Oakland County, a Constitutional Corporation, 1200 North Telegraph, Pontiac, Michigan 48341 ("County") and City of Pontiac, 47450 Woodward Ave., Pontiac, MI 48342, a Michigan Municipal Corporation ("Municipality"). The County and Municipality shall be collectively referred to as the "Parties."

PURPOSE OF AGREEMENT.

The Parties enter into this Agreement for the purpose of delineating their relationship and responsibilities regarding the County's use of Grant funds (defined below) to reimburse the Municipality for overtime expenses that it incurred related to its participation in the Oakland County Narcotic Enforcement Team ("N.E.T."), a multijurisdictional drug enforcement task force under the direction and supervision of the Oakland County Sheriff's Office ("OCSO").

Under the Parties' separate N.E.T. agreement, the Municipality is responsible for providing a full-time employee for participation in N.E.T. and for all costs associated with that employment, including overtime.

The County, as the legal entity that administers N.E.T., submitted an Initiative Description and Budget Proposal (Exhibit A) to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy ("ONDCP") to grant N.E.T. an award of \$115,000.00 for program year (PY) 2019 to reimburse N.E.T. participating agencies for eligible law enforcement officer overtime. PY 2019 begins January 1, 2019 and ends December 31, 2019.

If ONDCP grants N.E.T. an award for PY 2019, the ONDCP disburses the HIDTA grant funds to the Michigan State Police ("MSP"). To receive the Grant funds for overtime costs, N.E.T. must submit requests for reimbursement with the required supporting documentation to Michigan HIDTA. If Michigan HIDTA approves the N.E.T. overtime reimbursement requests, the MSP should distribute the Grant funds to County on behalf of N.E.T. The County has the authority to allocate a portion of the Grant funds to reimburse the Municipality for qualifying overtime costs subject to the terms and conditions of this Agreement.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Parties agree to the following:

1. **DEFINITIONS.** The following terms, whether used in the singular or plural, within or without quotation marks, or possessive or nonpossessive, shall be defined, read, and interpreted as follows.

- 1.1. **Claim** means any alleged loss, claim, complaint, demand for relief or damages, cause of action, proceeding, judgment, deficiency, liability, penalty, fine, litigation, costs, and/or expenses, including, but not limited to, reimbursement for attorney fees, witness fees, court costs, investigation expenses, litigation expenses, and amounts paid in settlement, which are imposed on, incurred by, or asserted against the County or Municipality, or the County's or Municipality's agents or employees, whether such claim is brought in law or equity, tort, contract, or otherwise.
- 1.2. **Grant funds** mean the funds that may be awarded to the County and the other participating agencies in N.E.T. pursuant to Michigan HIDTA Initiative Description and Budget Proposal Version 2019 (Exhibit A) submitted to Michigan HIDTA by County on behalf of itself and the other participating agencies in N.E.T.
2. **EXHIBITS**. The Exhibits listed below are incorporated and are part of this Agreement.
 - 2.1. **Exhibit A** – Michigan HIDTA Initiative Description and Budget Proposal Version 2019.
 - 2.2. **Exhibit B** - Template Request for HIDTA Overtime Reimbursement (Locals to County).
 - 2.3. **Exhibit C** – Sample letter regarding notification of current overtime pay rate.
 - 2.4. **Exhibit D** – Sample overtime slip, signed by the officer's supervisor that supports each Request for HIDTA Overtime Reimbursement.
 - 2.5. **Exhibit E** – Sample paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement.
3. **FEDERAL AWARD PROJECT DESCRIPTION**.
 - 3.1. Catalog of Federal Domestic Assistance ("CFDA") #: 95.001
 - 3.2. Federal Awarding Agency: United States Office of National Drug Control Policy ("ONDCP")
 - 3.3. Program: High Intensity Drug Trafficking Areas (HIDTA)
 - 3.3.1. HIDTA Objective: To reduce drug trafficking and drug production in the United States by: (A) facilitating cooperation among Federal, State, local, and tribal law enforcement agencies to share information and implement coordinated enforcement activities; (B) enhancing law enforcement intelligence sharing among Federal, State, local, and tribal law enforcement agencies; (C) providing reliable law enforcement intelligence to law enforcement agencies needed to design effective enforcement strategies and operations; and (D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.
 - 3.4. Period of Performance: January 1, 2019 through December 31, 2019.

- 3.5. The Federal Award Identification Number (FAIN) is provided in the HIDTA Grant Agreement between ONDCP and MSP, which is incorporated into this Agreement by reference.

4. USE OF HIDTA FUNDS.

- 4.1. The total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality is not to exceed \$4,600.00 for each participating law enforcement officer. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality amount may change as funds are available on a pro rata basis. Such commitment and obligation for overtime costs is contingent upon the ONDCP awarding the Grant funds to N.E.T and the MSP reimbursing the County.
- 4.2. The County will reimburse the Municipality up to \$4,600.00 for each participating law enforcement officer for qualifying N.E.T.-related overtime. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the maximum reimbursement amount may change as funds are available on a pro rata basis. Such reimbursement shall only be made after the supporting documentation is submitted by the Municipality and approved by the County, as described in Paragraph 5.1. Such reimbursement is contingent upon the ONDCP awarding the grant funds to N.E.T and the MSP reimbursing the County.
- 4.2.1. HIDTA funds shall be used to pay overtime only if the overtime was performed in support of a HIDTA-designated Enforcement initiative or Intelligence and information Sharing Initiative. HIDTA funds shall not be used to pay overtime related to training attendance, financial management, drug treatment, drug demand reduction or prevention, or non-investigative related administrative work.
- 4.2.2. No HIDTA funds shall be used to supplant the Municipality's funds that would otherwise be made available for the same purposes.
- 4.3. There is no research and development performed pursuant to this Agreement.
- 4.4. No indirect costs shall be charged or reimbursed under performance of this Agreement.

5. REIMBURSEMENT OF ELIGIBLE NET OVERTIME.

- 5.1. To request reimbursement for eligible N.E.T. overtime costs, the Municipality shall submit to the County the documentation described in the following subparagraphs no later than thirty (30) days after PY 2019 has expired. If the County, in its sole discretion, determines that the

documentation submitted by the Municipality does not reconcile, then the Municipality shall provide any additional documentation requested by the County in order to process payment.

- 5.1.1. A fully completed and signed Request for HIDTA Overtime Reimbursement attached as Exhibit B.
- 5.1.2. A letter substantively similar to the sample letter regarding notification of current overtime pay rate attached as Exhibit C.
- 5.1.3. Overtime slips, signed by the officer's supervisor, that support each Request for HIDTA Overtime Reimbursement. The overtime slips shall be substantively similar to the sample overtime slip attached as Exhibit D.
- 5.1.4. The paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement. The paystub or payroll report shall be substantively similar to the sample paystub attached as Exhibit E.
- 5.2. County will only reimburse Municipality for approved overtime costs after County has received the Grant funds from MSP for that particular reimbursement request.

6. GENERAL COMPLIANCE.

- 6.1. The Municipality shall comply with to 28 C.F.R. Part 69 (New Restrictions on Lobbying) and 2 C.F.R. Part 25 (Universal Identifier and System of Award Management).
- 6.2. The Municipality shall comply with the Government-wide Suspension and Debarment provision set forth at 2 CFR Part 180.
- 6.3. The Municipality shall perform all activities in accordance with The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the "Part 200 Uniform Requirements"), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. Part 3603. For this award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.
- 6.4. The Municipality shall comply with ONDCP's HIDTA Program Policy and Budget Guidance, all other applicable Federal, state, and local laws and regulations, and the terms and conditions contained in this Agreement.
- 6.5. The Municipality shall comply with all applicable requirements for subrecipients that are provided in the HIDTA Grant Agreement between ONDCP and MSP. The HIDTA Grant Agreement between ONDCP and MSP will be provided to the Municipality within a reasonable time after the County receives a copy of it.
- 6.6. As specified in the HIDTA Program Policy and Budget Guidance, the Municipality must:

2019 HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT
SUBRECIPIENT AGREEMENT BETWEEN
OAKLAND COUNTY
AND
CITY OF PONTIAC

- 6.6.1. Establish and maintain effective internal controls over the Federal award that provides reasonable assurance that Federal award funds are managed in compliance with Federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States and the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- 6.6.2. Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- 6.6.3. Evaluate and monitor compliance with applicable statute and regulations, and the terms and conditions of the Federal award.
- 6.6.4. Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.
- 6.6.5. Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or the Municipality designates consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

7. FINANCIAL ACCOUNTABILITY AND AUDIT REQUIREMENTS.

- 7.1. The Municipality shall maintain standards of financial accountability that conform to 2 C.F.R. §200.302 (Financial Management) and 2 C.F.R. §200.303 (Internal Controls).
- 7.2. The Municipality shall comply with audit requirements contained in 2 C.F.R. Part 200, Subpart F, which requires the Municipality to have an annual audit conducted within nine (9) months of the end of their fiscal year, if the Municipality has an aggregate expenditure of more than \$750,000 in federal funds in a fiscal year. Any deficiencies noted in audit reports must be fully cleared by the Municipality within thirty (30) days after receipt of same. The Grant funds spent by the County on behalf of the Municipality for training expenses shall be included on the Schedule of Expenditures of Federal Awards if the Municipality is required to have a single audit performed. Municipalities that are exempt from the Single Audit requirements that receive less than \$750,000 of total Federal funding must submit a Financial Statement Audit prepared in accordance with Generally Accepted Auditing Standards ("GAAS") if the audit includes disclosures that may negatively impact the HIDTA program including, but not limited to fraud, financial misstatements, and violations of any contract or grant provisions. The County shall have the right to review and audit all records of the Municipality pertaining to any payment by the County.

8. CONFLICT OF INTEREST.

- 8.1. The Municipality shall comply with the following ONDCP conflict of interest policies:

- 8.1.1. As a non-Federal entity, you must maintain written standards of conduct covering conflicts of interest and governing the performance of your employees engaged in the selection, award, and administration of subawards and contracts.
- 8.1.2. None of your employees may participate in the selection, award, or administration of a subaward or contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a subaward or contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from subrecipients or contractors or parties to subawards or contracts.
- 8.1.3. If you have a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, you must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, you are unable or appear to be unable to be impartial in conducting a sub-award or procurement action involving a related organization.

9. MANDATORY DISCLOSURE.

- 9.1. As a non-Federal entity, the Municipality must disclose, in a timely manner, in writing to ONDCP all violations of Federal criminal law involving fraud, bribery or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award that includes the term and condition outlined in 200 CFR Part 200, Appendix XII "Award Term and Condition for Recipient Integrity and Performance Matters," are required to report certain civil, criminal, or administrative proceedings to System for Award Management (SAM). Failure to make required disclosures can result in remedies such as: temporary withholding of payments pending correction of the deficiency, disallowance of all or part of the costs associated with noncompliance, suspension, termination of award, debarment, or other legally available remedies outlined in 2 CFR 200.338 "Remedies for Noncompliance".

10. RECORD RETENTION.

- 10.1. The Municipality shall comply with the record retention provisions of 2 C.F.R. 200.333 (Retention requirements for records).
- 10.2. The Municipality should, whenever practicable, collect, transmit, and store Federal award-related information in open and machine readable formats rather than in closed formats or on paper in accordance with 2 C.F.R. 200.335 (Methods for collection, transmission and storage of information).

11. ACCESS TO RECORDS.

- 11.1. The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the County, or any of their authorized representatives, have the right of access to any documents, papers, or other records of the Municipal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the Municipality's personnel for the purpose of interview and discussion related to such documents. The right of access to the Municipality's records is not limited to the required retention period but last as long as the records are retained.
- 11.2. The Municipality shall permit the County and auditors to have access to the Municipality's records and financial statements as necessary for the County to meet the requirements of 2 C.F.R. Part 200.

12. TERM.

- 12.1. This Agreement and any amendments hereto shall be effective when executed by both Parties with concurrent resolutions passed by the governing bodies of each Party, and when the Agreement is filed according to MCL 124.510. The approval and terms of this Agreement and any amendments hereto shall be entered in the official minutes of the governing bodies of each Party. This Agreement shall end on December 31, 2019.

13. ASSURANCES.

- 13.1. Each Party shall be responsible for its own acts and the acts of its employees and agents, the costs associated with those acts, and the defense of those acts.
- 13.2. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.
- 13.3. Each Party shall comply with all federal, state, and local ordinances, regulations, administrative rules, laws, and requirements applicable to its activities performed under this Agreement.

14. TERMINATION OF AGREEMENT.

- 14.1. This Agreement may be terminated in whole or in part as follows:
 - 14.1.1. by the County, if the Municipality fails to comply with the terms and conditions of this Agreement;
 - 14.1.2. by the County for cause;

- 14.1.3. by the County with the consent of the Municipality, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;
- 14.1.4. by the Municipality upon sending to the County written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the County determines in the case of partial termination that the reduced or modified portion of the subaward will not accomplish the purpose for which this Agreement was made, the County may terminate the Agreement in its entirety.
- 14.2. The County must provide to the Municipality a notice of termination. Written suspension or notice of termination will be sent to the Municipality's business address. If this Agreement is terminated or partially terminated, both the County and the Municipality remain responsible for compliance with the requirements at 2 CFR 200.343 Closeout and 2 CFR 200.344 Post-closeout Adjustments and Continuing Responsibilities.

15. CLOSEOUT.

- 15.1. The County shall close-out this Agreement when it determines that all applicable administrative actions and all required work under this Agreement have been completed by Municipality.
- 15.2. The Municipality shall comply with the closeout provisions of 2 C.F.R. 200.343 (Closeout).

16. POST-CLOSEOUT ADJUSTMENTS AND CONTINUING RESPONSIBILITIES.

- 16.1. The closeout of this Agreement does not affect any of the following:
 - 16.1.1. The right of County to disallow costs and recover funds on the basis of a later audit or other review. The County must make any cost disallowance determination and notify the Municipality within the record retention period;
 - 16.1.2. The obligation of the Municipality to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments;
 - 16.1.3. Audit requirements in Subpart F—Audit Requirements of 2 C.F.R. Part 200.
 - 16.1.4. Records retention as required in Subpart D—Post Federal Award Requirements of this part, §200.333 Retention requirements for records through §200.337 Restrictions on public access to records.

17. REMEDIES FOR NONCOMPLIANCE.

- 17.1. If the Municipality fails to comply with federal statutes, regulations, or the terms and conditions of this Agreement, the County may impose additional conditions, as described in 2 CFR §200.207 Specific Conditions. If the County determines that noncompliance cannot be

remedied by imposing additional conditions, the County may take one or more of the following actions, as appropriate in the circumstances:

- 17.1.1. temporarily withhold cash payments pending correction of the deficiency by the Municipality or more severe enforcement action by the County;
- 17.1.2. disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
- 17.1.3. wholly or partly suspend or terminate the Agreement;
- 17.1.4. recommend that the Federal awarding agency initiate suspension or debarment proceedings as authorized under 2 CFR Part 180 and Federal awarding agency regulations;
- 17.1.5. withhold further funds for the project or program;
- 17.1.6. take other remedies that may be legally available.

18. **NO THIRD-PARTY BENEFICIARIES.** Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right, in favor of any other person or entity.
19. **DISCRIMINATION.** The Parties shall not discriminate against their employees, agents, applicants for employment, or another persons or entities with respect to hire, tenure, terms, conditions, and privileges of employment, or any matter directly or indirectly related to employment in violation of any federal, state or local law.
20. **PERMITS AND LICENSES.** Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations necessary to carry out its obligations and duties pursuant to this Agreement.
21. **RESERVATION OF RIGHTS.** This Agreement does not, and is not intended to waive, impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties.
22. **DELEGATION/SUBCONTRACT/ASSIGNMENT.** Neither Party shall delegate, subcontract, and/or assign any obligations or rights under this Agreement without the prior written consent of the other Party.
23. **NO IMPLIED WAIVER.** Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances, shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement.

No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

24. SEVERABILITY. If a court of competent jurisdiction finds a term, or condition, of this Agreement to be illegal or invalid, then the term, or condition, shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.

25. CAPTIONS. The section and subsection numbers and captions in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers and captions shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural number, any reference to the male, female, or neuter genders, and any possessive or nonpossessive use in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.

26. NOTICES. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid, and addressed to the person listed below. Notice will be deemed given on the date when one of the following first occur: (1) the date of actual receipt; (2) the next business day when notice is sent express delivery service or personal delivery; or (3) three days after mailing first class or certified U.S. mail.

26.1. If Notice is sent to the County, it shall be addressed and sent to: Oakland County Board of Commissioners Chairperson, 1200 North Telegraph, Pontiac, Michigan 48341, with a copy to Oakland County Sheriff's Office, Sheriff Fiscal Officer, 1200 N. Telegraph, Bldg. 38E, Pontiac, Michigan 48341.

26.2. If Notice is sent to the Political Subdivision, it shall be addressed to: City of Pontiac.

26.3. Either Party may change the address and/or individual to which Notice is sent by notifying the other Party in writing of the change.

27. CONTACT INFORMATION.

<u>County of Oakland</u>	<u>City of Pontiac</u>
Lieutenant Brent Miles Investigative & Forensic Services Division Narcotics Enforcement Team Office: 248-858-1722 Fax: 248-858-1754 Email: milesbr@oakgov.com	

28. GOVERNING LAW. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan, without regard to Michigan's conflict of laws provisions.

29. AGREEMENT MODIFICATIONS OR AMENDMENTS. Any modifications, amendments, rescissions, waivers, or releases to this Agreement must be in writing and executed by both Parties.

30. ENTIRE AGREEMENT. This Agreement represents the entire agreement and understanding between the Parties. This Agreement supersedes all other oral or written agreements between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

IN WITNESS WHEREOF, David T. Woodward, Chairperson, Oakland County Board of Commissioners, acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners, a certified copy of which is attached, to execute this Agreement, and hereby accepts and binds the County to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
David T. Woodward, Chairperson
Oakland County Board of Commissioners

WITNESSED: _____ DATE: _____
Printed Name: _____
Title: _____

IN WITNESS WHEREOF, _____, acknowledges that he/she has been authorized by a resolution of the Municipality's governing body, a certified copy of which is attached, to execute this Agreement, and hereby accepts and binds the Municipality to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
Printed Name: _____
Title: _____

WITNESSED: _____ DATE: _____
Printed Name: _____
Title: _____

#4

RESOLUTION



CITY OF PONTIAC
Department of Building Safety
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: (248) 758-2800 | FAX: (248) 758-2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: DONOVAN SMITH— CITY PLANNER
THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA

SUBJECT: RESOLUTION TO PROCEED WITH THE REDEVELOPMENT READY COMMUNITIES (RCC) PROGRAM
OF THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC)

DATE: APRIL 9, 2019

Intent and Purpose

Pursuant the Redevelopment Ready Community Certification from the Michigan Economic Development Corporation, this could provide the City of Pontiac with a competitive edge amongst local communities; attracting more business and talent to support local job growth and economic development. Based on the results of the Redevelopment Ready Communities Evaluation, the City has completed or has actively engaged in completing 68% of the required RRC evaluation criteria. It has been projected that City staff will be capable of completing the remaining 32% of RRC criteria by spring 2020. During this time the city will engage in the following improvements;

- Phase 1 (Ending April 2019) – Internal Process and Document review, and Developers Guide to Development
- Phase 2 (Ending July 2019) – Redevelopment Sites (Part 1) & Public Participation Strategy Development
- Phase 3 (Ending Oct 2019) – Redevelopment Sites (Part 2) & Masterplan Update and Board reviews
- Phase 4 (Ending March 2019) – Redevelopment Ready Community Planning & Economic Development

Resolution

Whereas, the City of Pontiac is actively committed to improving the economic development conditions of the city and improving the quality of life for tax payers and residents; and,

Whereas, on October 15, 2018, the City of Pontiac submitted a RRC Self-Evaluation to the MEDC to determine the necessary commitment from the City of Pontiac to obtain Redevelopment Ready Community Certification; and,

Whereas, on March 26, 2019, the MEDC presented to City Council the results of the Redevelopment Ready Communities Evaluation for the City of Pontiac, and the City of Pontiac recognizes the value of this program and the importance of aligning our community readiness for new development and redevelopment of existing properties; and,

Whereas, the City of Pontiac understands the staff commitment to complete the requirements outlined in the RRC City of Pontiac Evaluation for certification; and,

Now Therefore, Be It Resolved, that the City of Pontiac commits to proceed with the pursuit for Redevelopment Ready Community Certification.



redemption ready
communities®

RRC Baseline Report

City of Pontiac

January 2019

MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION

Table of contents

Executive summary	3
Methodology	4
Evaluation snapshot	5
Best practice findings	
Best Practice One: Community plans and public outreach	
1.1 The plans	6
1.2 Public participation	8
Best Practice Two: Zoning regulations	
2.1 Zoning regulations	9
Best Practice Three: Development review process	
3.1 Development review policy and procedures	11
3.2 Guide to Development	13
Best Practice Four: Recruitment and education	
4.1 Recruitment and orientation	14
4.2 Education and training	15
Best Practice Five: Redevelopment Ready Sites®	
5.1 Redevelopment Ready Sites®	16
Best Practice Six: Community prosperity	
6.1 Economic development strategy	18
6.2 Marketing and promotion	19
Conclusion	20

Executive summary

Redevelopment Ready Communities® (RRC) is a certification program supporting community revitalization and the attraction and retention of businesses, entrepreneurs and talent throughout Michigan. RRC promotes communities to be development ready and competitive in today's economy by actively engaging stakeholders and proactively planning for the future—making them more attractive for projects that create places where people want to live, work and invest.

To become formally engaged in the RRC program, communities must complete the RRC self-evaluation, send at least one representative to the best practice trainings, and pass a resolution of intent, outlining the value the community sees in participating in the program. Representatives from Pontiac's city staff submitted the city's most up to date self-evaluation in October 2018 and attended trainings in May 2016. In

September 2015, city council passed a resolution of intent to participate in the program.




Developed by experts in the public and private sector, the RRC Best Practices are the standard to achieve certification, designed to create a predictable experience for investors, businesses and residents working within a community; communities must demonstrate that all best practice criteria have been met to receive RRC certification. Pontiac's strengths lie in its master plan, zoning ordinance, and economic development strategy. Challenges in Pontiac include reporting progress on the implementation of the master plan, defining projects for the downtown plan, and the need to create a capital improvements plan and marketing plan. With this report, resources provided through the RRC program, strong leadership and an involved citizenry, Pontiac will be able to complete the unmet RRC best practiced and achieve certification.

The basic assessment tool for evaluation is the RRC Best Practices. These six standards were developed in conjunction with public and private sector experts and address key elements of community and economic development. A community must demonstrate all of the RRC best practice components have been met to become RRC certified. Once received, certification is valid for three years.

Measurement of a community to the best practices is completed through the RRC team's research and interviews, as well as the consulting advice and technical expertise of the RRC advisory council. The team analyzes

a community's development materials, including, but not limited to: the master plan; redevelopment strategy; capital improvements plan; budget; public participation plan; zoning regulations; development procedures; applications; economic development strategy; marketing strategies; meeting minutes and website. In confidential interviews, the team also records the input of local business owners and developers who have worked with the community.

A community's degree of attainment for each best practice criteria is visually represented in this report by the following:

	Green indicates the best practice component is currently being met by the community.
	Yellow indicates some of the best practice component may be in place, but additional action is required.
	Red indicates the best practice component is not present or is significantly outdated.

This report represents the community's current status in meeting all the redevelopment ready processes and practices. This baseline establishes a foundation for the community's progress as it moves forward in the program. All questions should be directed to the RRC team at RRC@michigan.org.

Evaluation snapshot

Pontiac has completed 40 percent of the Redevelopment Ready Communities® criteria and is in the process of completing another 27.5 percent.						
1.1.1	1.1.2	1.1.3 (N/A)	1.1.4	1.2.1	1.2.2	1.2.3
2.1.1	2.1.2	2.1.3	2.1.4	2.1.5	2.1.6	2.1.7
2.1.8	3.1.1	3.1.2	3.1.3	3.1.4	3.1.5	3.1.6
3.1.7	3.1.8	3.2.1	3.2.2	4.1.1	4.1.2	4.2.1
4.2.2	4.2.3	4.2.4	5.1.1	5.1.2	5.1.3	5.1.4
5.1.5	5.1.6	6.1.1	6.1.2	6.2.1	6.2.2	

Best Practice 1.1—The plans

Best Practice 1.1 evaluates community planning and how the redevelopment vision is embedded in the master plan, downtown plan and capital improvements plan. The master plan sets expectations for those involved in new development and redevelopment, giving the public some degree of certainty about their vision for the future, while assisting the city in achieving its stated goals. Local plans can provide key stakeholders with a roadmap for navigating the redevelopment process in the context of market realities and community goals.

The Michigan Planning Enabling Act (MPEA), Public Act 33 of 2008, requires that the planning commission create and approve a master plan as a guide for development and review the master plan at least once every five years after adoption. In 2014, City of Pontiac, master plan steering committee, and planning commission initiated an update to the city's master plan. The result was Pontiac's 2014 master plan, which was adopted by the city in October 2014. To ensure that the master plan was based on a community supported vision, thirteen public meetings were held, at both city-wide and neighborhood scale. A survey was also developed and distributed at Michigan Works locations and at all the public workshops. The purpose of the neighborhood meetings was a to have residents engage with each other to identify (1) key neighborhood assets and anchors, (2) opportunities for redevelopment, (3) obstacles to pedestrian and non-motorized transportation, and (4) areas of concern (regarding blight). These community conversations are the basis of the city's master plan. Strategies and resources for redevelopment are detailed throughout the master plan and six areas are highlighted as entrepreneurial districts, and include (1) Woodward Avenue/downtown/near downtown, (2) Pontiac School District Property, (3) Former Crystal Lakes homes/Pontiac Housing Commission property, (4) the Pontiac Silverdome, (5) the "Diamond Triangle," and (6) vacant residential and commercial property. Chapter 6 of the master plan focuses on complete streets and nonmotorized transportation. One of the recommendations made in Chapter 6 is creating a complete street plan. City of Pontiac has moved forward with that recommendation and the "Complete Streets

Pontiac" plan was adopted by the planning commission on January 4, 2017. Land use and infrastructure is mentioned extensively throughout the master plan. Chapter 9 focuses on future land use and a zoning plan is included. An implementation matrix is included on page 109 and includes projects, timelines, and responsible parties. Pontiac's master plan is available on the city's website. However, one area that needs to be addressed is the reporting of progress on the master plan. To meet RRC Best Practices, Pontiac must review or reaffirm the plan in 2019 and report progress on the implementation of master plan to the governing body annually.

Downtown is often viewed as the focal point of a community; it is an indicator of economic health and serves as a gathering place. Downtown development authorities (DDAs) are designed to be catalysts in the development of a community's downtown district. Pontiac's DDA was previously dissolved. "Main Street Pontiac" has stepped up as a steward of downtown and acting as Pontiac's downtown plan is the "CNU Legacy Charrette: Vision for Revitalized and Transit-Ready Downtown Pontiac." Development boundaries are clearly defined as downtown Pontiac. Within those boundaries, general recommendations for short-term and long-term projects, as well as five location specific projects, with their own short-term and long-term goals, are laid out. The projects focus on creating a mix of uses, better pedestrian connections, and additional bus stops, as well as aesthetic improvements. The downtown plan coordinates well with the city's 2014 master plan in the areas of reconfiguring the Woodward loop, expanding options for non-motorized transportation and complete streets, and the encouragement of new residential development. The CNU downtown plan can be found on the city's website. While the downtown plan provides a vibrant vision, there are a few items that need improvement for the city to meet all of the RRC best practices. The city should find a way to create estimated costs and timelines for the project that they intend to pursue. Projects should also be included in the capital improvements plan, when the city develops one.

Dwindling resources and increasing costs put pressure on local governments to make limited budgets work

Best Practice 1.1—The plans *continued*

more efficiently. A comprehensive capital improvements plan (CIP) is an essential tool for the planning and development of the physical and economic wellbeing of a community. The CIP is a tool to implement the vision and goals identified in other plans, including the master plan and downtown plan, and provides a link between planning and budgeting for capital projects. Currently, Pontiac does not have a capital improvements plan, however, the department of public works does coordinate infrastructure projects and schedules to generate efficiency of scale. To bring the city in compliance

with the MPEA, a six-year capital improvements plan, inclusive of public structures and improvements, must be prepared and adopted. Projects within the plan should be coordinated in order to minimize construction costs. The CIP can be used as a tool to implement the master plan, downtown plan, and economic development strategy; and provides a link between planning and budgeting for capital projects. Once adopted, the plan should be made accessible on the city's website. The city could utilize the "Capital Improvements Plan Guide" as a starting point.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
1.1.1	The governing body has adopted a master plan in the past five years.	<input type="checkbox"/> Review and reaffirm or update master plan in 2019 <input type="checkbox"/> Report progress on the implementation of master plan to the governing body annually	Q2 2019
1.1.2	The governing body has adopted a downtown plan.	<input type="checkbox"/> Create estimated costs and timelines for projects listed in the downtown plan <input type="checkbox"/> Coordinate downtown projects in the capital improvements plan	Q1 2020
1.1.3	The governing body has adopted a corridor plan.	N/A	
1.1.4	The governing body has adopted a capital improvements plan.	<input type="checkbox"/> Develop a capital improvements plan that meets all the expectations in Best Practice 1.1.4	Q3 2019

Best Practice 1.2—Public participation

Best Practice 1.2 assesses how well the community identifies and engages its stakeholders on a continual basis. Public participation aims to prevent or minimize disputes by creating a process for resolving issues before they become an obstacle. Communities who regularly engage their residents also build long term trust and see greater support for plans and other initiatives.

Pontiac has used a variety of basic methods for soliciting public participation, including open meetings, newspaper and website postings, local cable notifications, postcard mailings, fliers at city hall and announcements at governing body meetings. The city's new master plan utilized multiple public meetings at various locations to reach a diverse group of stakeholders and distributed surveys at Michigan Works! locations. Additional proactive methods to reach local stakeholders have also been used, including focus groups, individual mailings, community workshops, and charrettes. Public participation results are usually included as part of a final document, but right now there is no standard plan for communicating results.

In order to meet RRC Best Practices, a comprehensive

public participation plan should be created. The document should identify interested and affected stakeholders and their unique communication needs in relation to all planning processes. The plan should build upon the existing community engagement activities and serve as the city's best practices for obtaining input into planning and development processes. Authentic and timely engagement is crucial to obtaining buy-in from community stakeholders. The strategy should identify public participation methods and the appropriate venues to use each method. The plan should identify how developers can reach out to the community early in the site plan process and, if applicable, employed third party consultants should adhere to the public participation strategy. Having a clear public engagement strategy shows that the community values citizen input in the decision-making process and ensures accountability. A good public participation plan will include methods for communicating results of public engagement and should consider methods for tracking the success of various outreach methods. Good resources to begin the process include the public participation plan guide and the RRC library.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
1.2.1	The community has a public participation plan for engaging a diverse set of community stakeholders.	<input type="checkbox"/> Develop a public participation strategy as outlined in Best Practice 1.2	Q2 2019
1.2.2	The community demonstrates that public participation efforts go beyond the basic methods.	✓	
1.2.3	The community shares outcomes of public participation processes.	<input type="checkbox"/> Communicate the results of community engagement efforts and track the success of various outreach methods (include methods in public participation plan)	Q2 2019

Best Practice 2.1—Zoning regulations

Best Practice 2.1 evaluates the city's zoning ordinance and assesses how well it implements the goals of the master plan. Zoning is a significant mechanism for achieving desired land use patterns and quality development. Foundationally, the Michigan Zoning Enabling Act (MZEAA), Public Act 110 of 2006, requires that a zoning ordinance be based on a plan to help guide zoning decisions.

Pontiac allows mixed-use buildings, with residential above non-residential, by-right in the Local Business/Residential Mixed-Use District (C-1), Downtown Mixed-Use District (C-2), and the Corridor Commercial Mixed-Use District (C-3), as well as in the Mixed-Use District, which encompasses the former Clinton Valley Center premises (the CVC property). Build to zone setbacks are required in the Downtown Mixed-Use District (C-2) and some flexibility is provided and determined by the private frontage layout. Pontiac's zoning ordinance has many form-based elements, and depending on the building's form, ground floor transparency can range anywhere between 35 and 65 percent. It is evident that historic preservation is important to Pontiac and ordinances related to historic district can be found in Article 4, Chapter 2 (4.204). Environmental preservation is also a priority as demonstrated by the ordinances related to tree planning, landscaping, storm water management, and woodland preservation. Pontiac is also prepared for the new and changing economy with ordinances related to alternative energy, research facilities, movie production facilities, recreation facilities, light manufacturing in the C-3 district, and gallery or studio spaces.

Pontiac allows for the following housing types: residential units above non-residential uses, townhouses, cluster housing, and live/work space in the form of home occupations. The city also allows for single, two, and multiple-family dwelling units. One area that could be improved in the zoning ordinance is the addition or allowances of a variety of housing types, such as accessory dwelling units, co-housing, corporate temporary housing, or micro units. By describing additional and more specific housing types in the

ordinance, it allows for a better diversity of housing types, adds predictability to the development process, and demonstrates the resident's visions for the community.

A community's non-motorized transportation network has a major impact on the vibrancy of its commercial and neighborhood districts. Standards for bicycle parking in the C-2 district can be found in Article 4, Chapter 3, (4.303 [e]). Standards for pedestrian scale lighting can be found in Article 4, Chapter 5, (4.503). Sidewalks in Pontiac should be a minimum of five feet in width and are required on all minor residential streets, collector streets, urban thoroughfares and major thoroughfares. Regulations related to Parking can be found in Article 4, Chapter 3. Pontiac utilizes parking maximums by limiting the off street required parking to two hundred percent of the minimum parking requirement. Parking is waived for nonresidential uses within the C-2 district and bicycle parking is required for off street parking lots (in the C-2) larger than 25 spaces. The planning commission can modify the off-street parking requirements, allow for deferred (land banked) parking, and shared parking with or without a reduced number of spaces. To mitigate the impact of impervious parking lots Pontiac has employed parking lot landscaping requirements. Other green infrastructure standards utilized by the city include street tree planting standards, landscaping that encourages native species, and rain gardens, bioswales, other low-impact development techniques.

Pontiac's zoning ordinance makes the city well positioned for redevelopment. The ordinance was most recently updated in 2016 and aligns with the city's most recent master plan and various planning documents. Pontiac has a zoning ordinance review and update planned for 2019 as well. Regulations and procedures for special exemption use can be found in Chapter 3, "Special Exemption Permit Review." While the city is meeting the standard for user-friendliness as required by RRC Best Practices, it may be worth considering adding more hyperlinks for increased user-friendliness.

Best practice findings

Best Practice 2.1—Zoning regulations *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
2.1.1	The governing body has adopted a zoning ordinance that aligns with the goals of the master plan.	✓	
2.1.2	The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired.	✓	
2.1.3	The zoning ordinance includes flexible tools to encourage development and redevelopment.	✓	
2.1.4	The zoning ordinance allows for a variety of housing options.	✓	
2.1.5	The zoning ordinance includes standards to improve non-motorized transportation.	✓	
2.1.6	The zoning ordinance includes flexible parking standards.	✓	
2.1.7	The zoning ordinance includes standards for green infrastructure.	✓	
2.1.8	The zoning ordinance is user-friendly.	✓	

Best Practice 3.1—Development review policy and procedures

Best Practice 3.1 evaluates the city's development review policies and procedures, project tracking and internal/external communications. An efficient site plan review process is integral to being redevelopment ready and can assist a community in attracting investment dollars while ensuring its zoning ordinance and other laws are followed.

Pontiac's site plan review process is described in Article 6, Chapter 2, "Site Plan Review." This section describes the uses that require site plan review by the planning commission, what may be approved administratively, the uses that required a sketch plan, and when no review is required. Information about the planning commission, administration, and zoning board of appeals can be found in Article 6, Chapter 1, "Administrative Organization." The final decision on special exemption permits lies with the planning commission and information on that procedure can be found in Article 6, Chapter 3, "Special Exemption Permit Review." If an applicant wishes to appeal the decision made by the planning commission regarding a special exemption, that appeal is handled by the city council. Pontiac's ordinance outlines the availability of a pre-application conference with the planning staff and members of the planning commission, however the availability of this meeting and the procedures surrounding it are not located prominently on the city's main planning and zoning pages. To meet RRC Best Practices the availability of the pre-application conference, as well as procedures, expectation and contact information, should be prominently advertised on the city's planning and zoning pages, and on any flowcharts. Applicants can submit their completed site plans to Pontiac's planning department. Once a site plan is submitted, it is distributed to city staff and officials for review and comment. The development review committee consists of the planning, building, and transportation departments, departments of public works, police, and fire, and Oakland County. The standards and requirements

site plan review are laid out in the Sections 6.205 through 6.208 of the ordinance. While this information is laid out in the ordinance, the city should create internal documents that clearly define the internal review process, including roles responsibilities and timelines. The city should also create an easy to use document that outlines development review standards for each department. This will ensure consistency and efficiency in the face of staff turnover. The city has flowcharts to help applicants navigate through site plan review, special exemption review, historic district commission review, and sign permits. While these flowcharts are a good starting point, they were last updated in 2014 and do not include timelines. To meet RRC Best Practices Pontiac should update their flowcharts with all relevant information, including estimated timelines. Pontiac uses both BS&A and Excel to track projects from submission to completion and the planning department is part of the building department, allowing for permitting activity to be coordinated. Pontiac is already working toward continuous process improvement by reviewing the challenges and successes related to the site plan review process and approvals procedure but should take this further by creating a mechanism to formally obtain customer feedback on the site plan approval and permitting and inspections process. Once feedback has been formally obtained, the joint site plan review team, including permitting and inspections staff, should meet to capture lessons learned and amend the process accordingly. When developer interviews were conducted with Pontiac's stakeholders some items of feedback about the city's processes included slow approvals through city council, internal communications issues, tension between the mayor and council, and the need for more economic development staff to guide developers through the development review process.

Best practice findings

Best Practice 3.1—Development review policy and procedures *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
3.1.1	The zoning ordinance articulates a thorough site plan review process.	✓	
3.1.2	The community has a qualified intake professional.	✓	
3.1.3	The community defines and offers pre-application site plan review meetings for applicants.	<input type="checkbox"/> Advertise the availability of the pre-application conference, along with procedures, expectations, and contact information prominently on the "Planning & Zoning" web page	Q1 2019
3.1.4	The appropriate departments engage in joint site plan reviews.	✓	
3.1.5	The community has a clearly documented internal staff review policy.	<input type="checkbox"/> Create internal documents that clearly define the internal review process, including roles responsibilities and timelines <input type="checkbox"/> Create an easy to use document that outlines development review standards for each department	Q4 2019
3.1.6	The community promptly acts on development requests.	<input type="checkbox"/> Update site plan review, special exemption review, historic district commission review, and sign permit flow charts to include estimated timelines and any other relevant information	Q4 2019
3.1.7	The community has a method to track development projects.	✓	
3.1.8	The community annually reviews the successes and challenges with the site plan review and approval procedures.	<input type="checkbox"/> Develop a formal customer feedback mechanism for development and permitting related functions <input type="checkbox"/> Hold joint site plan review meetings, including permitting and inspections staff, to review feedback and integrate changes where applicable	Q4 2019

Best Practice 3.2—Guide to Development

Best Practice 3.2 evaluates the availability of the community's development information. Having all the necessary information easily accessible online for developers and residents alike creates a transparent development process that can operate at any time. This information creates a smoother process overall and reduces the amount of time staff spend answering basic questions.

Pontiac's website is a good start for a "Guide to Development" but is missing some key items. To meet RRC best practices the city could create a comprehensive stand-alone "Guide to Development" document or

update their website with all of the essential information noted in Best Practice 3.2.1, including conceptual meeting procedures, clear explanations of what can be approved administratively, updated flowcharts, checklists, and fee schedules. The city's website does include a fee schedule, but it is from 2013. To meet RRC best practices the city should review and update the fee schedule for the current year. Once the fee schedule is up to date it should be posted on the city's website. Pontiac does accept credit card payments, which is part of meeting the redevelopment ready expectations.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
3.2.1	The community maintains an online guide to development that explains policies, procedures and steps to obtain approvals.	<input type="checkbox"/> Update website to include essential documents noted in Best Practice 3.2.1 or create a stand-alone "Guide to Development" that includes all essential documents	Q1 2021
3.2.2	The community annually reviews the fee schedule.	<input type="checkbox"/> Update fee schedule for current year and post on website	Q4 2019

Best Practice 4.1 — Recruitment and orientation

Best Practice 4.1 evaluates how a community conducts recruitment and orientation for newly appointed or elected officials. Such officials sit on the numerous boards, commissions and committees that advise city leaders on key policy decisions. Ensuring that the community has a transparent method of recruitment, clearly lays out expectations/desired skill-sets, and provides orientation for appointed officials is key to ensuring the community makes the most of these boards and commissions.

Pontiac has pages on their website for their various boards and commissions. The city also has the application

for their boards and commissions available on their website. One area that could be improved upon is for the city to be explicit about expectations and desired skill sets for development related board and commission members. This could be done on each webpage or on the application. In order to help new and existing board and commission members be prepared to make the best decisions for the city, all development related board and commission members should be provided with orientation packets. Orientation packets should include all relevant planning, zoning, and development information.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
4.1.1	The community sets expectations for board and commission positions.	<input type="checkbox"/> Outline more detailed expectations and desired skill-sets for development related boards and commissions	Q4 2019
4.1.2	The community provides orientation packets to all appointed and elected members of development-related boards and commissions.	<input type="checkbox"/> Provide orientation packets with relevant planning, zoning, and development information to all development related boards and commissions	Q1 2020

Best Practice 4.2—Education and training

Best Practice 4.2 assesses how a community encourages training and tracks educational activities for appointed and elected officials and staff. Trainings provide officials and staff with an opportunity to expand their knowledge and ultimately make more informed decisions about land use and redevelopment issues. An effective training program includes four components: financial resources to support training, a plan to identify priority topics and track attendance, consistent encouragement to attend trainings and sharing of information between boards and commissions to maximize the return on investment for the community.

Pontiac encourages continuing education by budgeting for training expenses for elected and appointed officials and staff. Attendance at trainings is further encouraged by notices of free and low-cost trainings that are sent to board and commission members. Planning staff shares training opportunities with city council and members of the planning commission; all other training opportunities are shared by either the mayor's office or officials. While Pontiac is

proactively providing board and commission members with information on upcoming trainings, the city could be more strategic regarding training. In order to get the most out of trainings the city should identify trainings that assist the community in accomplishing their stated goals. Once trainings have been identified, the city should develop a simple tracking mechanism for logging individual training needs and attendance. For the city to get the greatest value for their training dollars a method for sharing information gathered at trainings should be developed. It is possible to meet these best practices by developing standard operating procedures for boards and commissions. A cost-effective method of sharing training information includes holding collaborative work sessions and joint trainings on development related topics. This allows the city's many approving and advisory bodies to communicate and get on the same page. To increase transparency about decisions made over the previous year, the planning commission should prepare an annual report for the governing body. Once the annual report has been created it should be posted on the city's website.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
4.2.1	The community has a dedicated source of funding for training.	✓	
4.2.2	The community identifies training needs and tracks attendance of the governing body, boards, commissions and staff.	<input type="checkbox"/> Strategically identify trainings for boards, commissions, and staff that assist community in accomplishing stating goals and objectives <input type="checkbox"/> Develop and utilize a tracking mechanism for logging training needs and attendance for staff, boards, and commissions	Q1 2019
4.2.3	The community encourages the governing body, boards, commissions and staff to attend trainings.	✓	
4.2.4	The community shares information between the governing body, boards, commissions and staff.	<input type="checkbox"/> Develop a method for sharing information gathered at trainings <input type="checkbox"/> Hold collaborative work sessions for boards and commissions, including joint trainings on development topics <input type="checkbox"/> Planning commission annual report should be prepared and posted on city website	Q1 2019

Best Practice 5.1—Redevelopment Ready Sites®

Best Practice 5.1 assesses how a community identifies, visions for and markets their priority redevelopment sites. Communities must think strategically about the redevelopment of properties and investments and should be targeted in areas that can catalyze further development around it. Instead of waiting for developers to propose projects, Redevelopment Ready Communities® identify priority sites and prepare information to assist developers in finding opportunities that match the community's vision.

While Pontiac does advertise vacant commercial lots for sale on their website, the city does not currently have a list of prioritized redevelopment sites that meet RRC standards. Areas for redevelopment are highlighted in the master plan, downtown plan, and economic recovery strategy. To meet RRC Best Practices, the city should develop a list of at least three priority sites to be developed; basic information should be gathered for the all redevelopment sites. Information for the prioritized sites should include the community's vision, community champions for development of the site, and any desired development outcomes. Often, this information

can be gleaned from the redevelopment areas and strategies provided within Pontiac's essential planning documents. Communities that have engaged the public and formulated a framework of desired outcomes for priority sites create a predictable environment for development projects. Negotiable development tools, financial incentives, and/or in-kind support should be identified for each site. One priority site must be compiled into a property information package standard, as detailed in Best Practice 5.1. A site packaged to this standard includes both the basic information and additional applicable information as outlined in Best Practice 5.1. Once developed, the property information package should be marketed online and through local, regional, and state partners. Partner entities such as the business community, downtown development authority, city council, chamber of commerce and others should be engaged in packaging a site, to assist in identifying negotiable resources and to participate in the marketing of the site to their respective audiences. A helpful resource to begin the site selection and packaging process is the "Redevelopment Ready Sites Guide."

Best Practice 5.1—Redevelopment Ready Sites® *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
5.1.1	The community identifies and prioritizes redevelopment sites.	<input type="checkbox"/> Identify at least three priority redevelopment sites	Q1 2020
5.1.2	The community gathers basic information for at least three priority sites.	<input type="checkbox"/> Gather basic information for at least three prioritized redevelopment sites, per Best Practice 5.1.2	Q1 2020
5.1.3	The community has development a vision for at least three priority sites.	<input type="checkbox"/> Articulate a vision for at least three prioritized redevelopment sites, including desired development outcomes and specific development criteria <input type="checkbox"/> Identify community champions for the prioritized redevelopment sites <input type="checkbox"/> Conduct additional public engagement for high-controversy priority redevelopment sites	Q1 2020
5.1.4	The community identifies potential resources and incentives for at least three priority sites.	<input type="checkbox"/> Identify negotiable development tools, financial incentives and/or <input type="checkbox"/> In-kind support for at least three prioritized redevelopment sites	Q1 2020
5.1.5	The community assembles a property information package for at least one priority site.	<input type="checkbox"/> Assemble property information package, per Best Practice 5.1.5	Q1 2020
5.1.6	Prioritized redevelopment sites are actively marketed.	<input type="checkbox"/> Develop and market property information package(s) online.	Q1 2020

Best Practice 6.1—Economic development strategy

Best Practice 6.1 evaluates goals and actions identified by the community to assist in strengthening its overall economic health. Strategic economic development planning is critical to attract jobs and new investment in communities. Pontiac’s economic development strategy is a stand-alone document developed in 2015, titled “Pontiac Moving Forward: An Economic Recovery Strategy.” The economic recovery strategy coordinates with city’s master plan, Woodward loop study, Michigan Vacant Properties campaign, and the Southeast Michigan Council of Governments’ “Comprehensive Economic Development Strategy.” Pontiac’s opportunities and challenges are identified in the plan and were based on both community/stakeholder input and market analysis. The information gathered through the planning process lead to the creation of a six-pillar framework that serve as the basis for Pontiac’s economic transformation. The six pillars are: (1) educated and develop the workforce; (2) advance strategic growth areas; (3) enhance the

local brand and image; (4) improve the local quality of life; (5) promote development in priority areas; and (6) align and empower the implementers. Chapter 4 details six strategies for growth that directly connect to the six pillars of the plan. Details about each strategy and potential partners are clearly defined. A detailed implementation table is provided in chapter five. The implementation table identifies goals, actions, responsible parties, and provides timelines that are either near-term or long-term. The plan is easily found on the community development section of the city’s website. While Pontiac has a strong foundation for moving forward with economic development activities, it is unclear what has been accomplished since the creation of the plan. In order to increase accountability and spur implementation, the economic development strategy should be reviewed annually and progress on implementation should be reported to the governing body.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
6.1.1	The community has approved an economic development strategy.	✓	
6.1.2	The community annually reviews the economic development strategy.	<input type="checkbox"/> Annually review economic development strategy <input type="checkbox"/> Report progress on economic development strategy implementation to governing body	Q2 2020

Best Practice 6.2—Marketing and promotion

Best Practice 6.2 evaluates how the community promotes and markets itself. Marketing and branding is an essential tool in promotion of a community's assets and unique attributes. Consumers and investors are attracted to places that evoke positive feelings and to communities that take pride in their town and their history. While Pontiac does not yet have a marketing plan, a major focus of the economic development strategy is the development of a marketing plan. Potential partners, tools and resources, and proposed actions for the development of a marketing plan are all laid out in the economic development strategy. To meet its own goals and RRC Best Practice 6.2.1, Pontiac should follow the steps laid out in Strategy 2 of their economic development plan, while being sure to meet all the expectations in RRC Best Practice 6.2.1.

A municipal website serves multiple functions. At a basic level, it is a means to share information about public meetings, access public documents, find links to other community organizations and to obtain general information. Beyond this, a municipal website is also a significant expression of community character and

image, as outlined in the marketing strategy. People that are unfamiliar with a community will often first look to a website for information and they will form important first impressions and conclusions. Visitors to a community's website need to be able to find accurate information quickly. The importance of a user-friendly website cannot be overstated. Pontiac's home page functions well; it is organized and well-maintained and includes a updated news stories, and quick links to agendas and minutes, city departments, jobs, contact information, permits and ordinances, and upcoming events. The menu bar on the top provide city-specific information suited to various audiences. The homepage also contains links to the city's social media and includes a helpful search bar. Meeting minutes for various boards, commissions, and council are maintained and updated on the website. As the city makes updates to planning, zoning and development information that information it should be added to the website and grouped together. Information to be added includes a capital improvements plan once compiled and property information packages for the city's priority sites.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
6.2.1	The community has developed a marketing strategy.	<input type="checkbox"/> Develop a marketing plan that meets Best Practice 6.2.1	Q4 2020
6.2.2	The community has an updated, user-friendly municipal website.	<input type="checkbox"/> Add missing planning, zoning and development items to website as they are completed	Q4 2021

Conclusion

The RRC program assists communities in maximizing their economic potential by embracing effective redevelopment tools and best practices. As this report makes clear, Pontiac has a strong foundation in place for meeting the best practices.

Upon receipt of this report, city staff and leadership should review the recommendations and determine if they align with the city's priorities and vision. If, after review, the city believes that RRC is still a good fit, council should pass a resolution of intent to continue with the process. Upon receipt of that resolution, the city will enter final phase of the process: officially working toward certification. During that phase, the city will be

able to make progress on RRC items at its own pace and receive regular support from its RRC planner. It will also have continued access to the RRC online library of resources and extensive network of other RRC-engaged communities while also becoming eligible for matching technical assistance dollars from RRC (once the city has shown at least one-quarter of progress). In order to guide this next phase, RRC recommends the creation of an RRC workgroup consisting of city staff, officials and community representatives. We look forward to working with the city on reaching certification and a long, positive partnership for many years to come.

#5

RESOLUTION



CITY OF PONTIAC
Department of Building Safety
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: (248) 758-2800 | FAX: (248) 758-2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON – PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA

SUBJECT: SEP 18-09 REQUEST FOR APPEAL OF PLANNING COMMISSION DECISION
JAMAL SAFIDINE | 355 W. WALTON BLVD
SDD LIQUOR LICENSE SPECIAL EXCEPTION PERMIT

DATE: MAY 2, 2019

At the November 28, 2018 Planning Commission meeting, the Commission reviewed a Special Exception Permit request [SEP 18-09] for retail sale of packaged liquor at 355 W. Walton Blvd., which was denied. Following Section 6.303, [H. Appeals] of the Zoning Ordinance, the Applicant has the right to submit an appeal [see attached letter] to the Planning Manager within ten days of the Planning Commission decision requesting an appeal from City Council.

The establishment is a gas station, which currently sells packaged beer and wine. Zoning Ordinance requirements of Section 2.515 determines if packaged alcoholic beverages are compliant.

- A. The sale of packaged alcoholic beverages is prohibited to be located less than 500 feet from the property of a place of worship, park, playground, daycare facility, pre-school, or K thru 12 school.
- B. Not more than two properties upon which the retail sale of packaged alcoholic beverages is permitted shall be located within one mile.

As part of the Planning Division's technical review, we only found the Marimont Community Church was approximately 475 feet from the BP gas/convenience store. There are no retail businesses that sell packaged alcoholic beverages within one mile of BP gas/convenience store.

Following the Planning Commission decision and submittal of an appeal request, the Application retained Landmark Engineering Co. to prepare a dimensioned property line survey from the Marimont Church property line to the BP gas/convenience building. The survey showed the nearest distance of 515.16 feet [see attached survey dated May 2, 2019].

We suggest the City Council appeal the Planning Commission decision and support the following resolution.

WHEREAS, the City has received an application for a Special Exception Permit for parcel 64-14-07-483-011, also known as 355 W. Walton Blvd. from the Applicant, Jamal Safidine, and;

WHEREAS, the Planning Division as reviewed the applicant's Special Exception Permit request to sell packaged alcoholic beverages with a Special Designated Distributer [SDD] license, in addition to the existing Special Designated Merchant [SDM] license for the sale of beer and wine sales, and;

WHEREAS, the Planning Division has reviewed the requirements set forth in Section 2.515 of the Zoning Ordinance and Section 10.188 of the Pontiac Municipal Code and the Planning Division determined that aforementioned request and proposed sale of packaged liquor does comply with the City of Pontiac Zoning Ordinance, and;

WHEREAS, in accordance with the procedures outlined in the Zoning Ordinance, Section 6.302 as it related to Special Exception Permit Review Procedures and Requirements, the request has undergone the required; technical review, Public Hearing, and Planning Commission decision, and;

WHEREAS, on November 28, 2018 a Public Hearing was held, the Planning Commission voted to deny the request the sale of packaged liquor at 355 W. Walton Blvd, and;

WHEREAS, Following Section 6.303, [H. Appeals] of the Zoning Ordinance, the applicant submitted a letter to the Planning Manager Gustafsson within ten days of the Planning Commission decision requesting an appeal from City Council and provided a property line survey from a licensed professional surveyor that showed the nearest distance of 515.16 feet between Marimont Church property line and BP gas/convenience building, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Pontiac appeal the Planning Commission decision and grant a Special Designated Distributor license at parcel 64-14-07-483-011, also known as 355 W. Walton Blvd from the Applicant, Jamal Safidine.



CITY OF PONTIAC
Department of Building Safety & Planning

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: DONOVAN O. SMITH – INTERIM CITY PLANNER
DIVISION OF PLANNING

SUBJECT: SEP 18-09 SPECIAL EXCEPTION PERMIT REVIEW
PRELIMINARY SITE PLAN REVIEW
GAS STATION & LIQUOR SALES
355 W. WALTON – PIN 64-14-07-483-011
C-1 LOCAL BUSINESS DISTRICT

DATE: OCTOBER 19, 2018

The City of Pontiac is in receipt of application SEP 18-09, a Special Exception Permit for a packaged liquor (retail sales) use located at 355 W. Walton. The establishment is an existing BP Gas Station, the applicant Jamal Safidine on behalf of the owners Balfour Industries LLC, has requested the permitted special exemption use to expand sales of beer, wine, and liquor.

The property 355 W. Walton is currently zoned C-1 Local Business, the C-1 District is designed to accommodate housing units for smaller households and to provide services that cater to the needs of the surrounding residential neighborhood. Businesses which might tend to be a nuisance to the immediate surrounding residential development are excluded, even though the goods or services offered might be in the convenience category or classification. In the C-1 District retail sales of non-alcoholic products are permitted by right, however the retail sales of packaged alcoholic beverages is permitted by special exemption and subject to the Special Exemption Requirements of Section 6.302 of the Zoning Ordinance. Additionally, the 355 W. Walton property is designated Entrepreneurial: Industrial, Commercial & Green in the Pontiac Future Land Use Map. These zoned areas allow for more flexibility to attract creative and motivated local entrepreneurs, supporting expanded retail and commercial uses.

The requirements that determine if the packaged alcoholic beverages is compliant with a site's location are Section 2.515 of the Zoning Ordinance & section 10-188 of the Pontiac Municipal Code. In regards to the sale of Beer, Wine, and Liquor Sales, the zoning ordinance prohibits locations that sell packaged alcoholic beverages to be located less than 500 feet from the property of churches, parks, playgrounds etc. The proposed site location for the retail sell of packaged liquor is approximately 475 feet from the Marimont Community Church property, measured from nearest church property point to the nearest point of the business where liquor will be sold. According to the Pontiac Municipal Code Section 10-188 and the Pontiac Zoning Ordinance, this location does not meet the zoning requirements for the retail sell of packaged alcoholic beverages.

The second criteria according to the zoning ordinance prohibits no more than 2 properties whom engage in the retail sell of packaged alcoholic beverages shall be located within 1 mile of the proposed location. Two establishments are located within this boundary that are permitted to sell alcoholic beverages, Kennett Express located at 310 W Kennett, and Figa Bros Market located at 334 W. Kennett. The proposed property is compliant within the boundary restrictions associated with other liquor, beer, & wine, retail establishments.

Special Exemption Permit Review Requirements

When considering any petition for Special Exemption Permit, the City Planning Commission must consider the criteria of Section 6.303 of the City Zoning Ordinance. Section 6.303 states:

The Planning Commission shall review each application for the purpose of determining that each use on its proposed location will:

- 1. Be harmonious with and in accordance with the general principles and objectives of the comprehensive master plan of the City of Pontiac.*
- 2. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity by way of size, character, or location.*
- 3. Not change the essential character of the area in which it is proposed, and not adversely affect the development or redevelopment of the surrounding neighborhood.*
- 4. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.*
- 5. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal water and sewage facilities and schools.*
- 6. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property or general welfare as a result of producing excess traffic, noise, smoke, fumes, glare, or odors out of proportion to that normally prevailing in the particular district.*
- 7. Maintain all proposed structures, equipment, or materials in a readily accessible manner for police and fire protection.*

Recommendation

The proposed Special Exemption Permit, as submitted by the applicant, does meet all seven of the approval criteria of Section 6.303 of the Pontiac Zoning Ordinance. However, the Special Exemption petition does not meet all of the requirements for the Specific Use Criteria for the Retail Sales of Packaged Alcoholic Beverages outlined in Section 2.515 of the Zoning Ordinance. In consideration of the Special Exemption Permit approval criteria, the information provided by the applicant, and the findings of fact outlined above, it is recommended that the Special Exception Permits regarding Pontiac Case Number SEP 18-09 for Packaged Retail Sales be denied by the Planning Commission.



Application for Special Exception Permit

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 355 Walton

Sidwell Number: _____

Date: 8/31/18

Office Use Only

PF Number: 18-09

Instructions: Completed application with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the scheduled Planning Commission Meeting. Application must complete in all respects with supporting documents such as site plan, property survey, detailed description of the proposed use, etc. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Samuel Safiedine		
Address	39346 Nautical Lane		
City	Harrison Twp		
State	MI		
ZIP Code	48045		
Telephone	Main: 734-641-8740	Cell: 248-292-9383	Fax: 734-641-8738
E-Mail	J.Safie55@aol.com		

Project and Property Information

Name of Proposed Development: _____

The subject property is location at 355 Walton on the N / S / E / W side of _____
between Walton and Telegraph.

The property is zoned: _____

It is proposed that the property will be used as: gas station / liquor store

The subject property is legally described as follows (include sidwell numbers):

Property Owner Information

Name	Balfour Industries LLC		
Address	1172 N Wayne		
City	Westland		
State	MI		
ZIP Code	48185		
Telephone	Main: 734-641-8740	Cell: 248-292-9383	Fax: 734-641-8738
E-Mail	JGafie55@aol.com		

Are you the ☒ Owner ☐ Agent/rep. of the owner ☐ Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

looking to add beer & wine in gas station

Supporting materials required:

- Proof of ownership, purchase/lease agreement
- Site plan, floor plan, elevations/photographs
- Electronic copy of site plan associate planner


Signature of Owner


Signature of Applicant

State of Michigan
County of Oakland

On this _____ day of _____, A.D. 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____

Vernon Gustafsson

From: Jamal Safiedine <jsafie55@aol.com>
Sent: Tuesday, December 4, 2018 10:51 PM
To: Vernon Gustafsson
Subject: Fwd: appeal for 355 Walton on packaged alcohol sales

WARNING: This email originated from outside of City of Pontiac. **DO NOT** click on any links or open any attachments unless you recognize the sender and are expecting the message.

Sent from my iPhone

Begin forwarded message:

From: <jsafie55@aol.com>
Date: December 4, 2018 at 4:51:51 PM EST
To: vgustafsson@pontiac.mi.us
Subject: appeal for 355 Walton on packaged alcohol sales

December 5, 2018

Balfour Industries Inc
355 Walton
Pontiac, MI
Jamal Safiedine 248 292 9383

To Whom it may concern,

I, Jamal Safiedine, met with the planning commission on November 28, 2018 for the purpose of selling packaged alcohol beverages. When the council began, the speaker of the house stated "before we start, I would just like to say that the city of Pontiac has never allowed a gas station to sell packaged alcohol nor do I feel it needs to."

After this statement I could tell that he may have already swayed the council to a fact that wasn't true. There is a gas station located in Pontiac on Walton and Joselyn that has been selling beer and wine for over a year.

There was over ten different criteria that I needed to pass all zoning compliance's. Out of the ten there were only two things brought up by the council to be addressed.

One is that the rule for all locations that sell packaged alcohol beverages shall be located no less than five hundred feet from churches. Zoning had stated that i was four hundred seventy five feet from the Marimount Community Church. They stated that this was measured from the nearest church property point to the nearest part of the business where liquor would be sold. I was informed by zoning that it was measured from the nearest church property point to the nearest property point of my location.[THIS WAS NOT THE RULE OF MEASUREMENT]

For this reason I will be hiring a survey company to measure the exact distance by what the rules state and I feel this will be more than the twenty five feet needed to be in compliance with this ordinance.

Also, I had already spoke to the church and the church had written a letter to the council stating that they would approve of my location to receive the license transfer.

I have already been approved and received my license from the State of Michigan to sell packaged alcohol which has the same five hundred feet from the church rule and also when i pull up google maps from building to building it shows I am seven hundred feet from the church.

The second criteria was is for not more than two properties whom engage in the retail sale of alcohol beverages shall be located within one mile of proposed location. The council felt that there were already two locations within one mile{310 Kennett and 334 Kennett}

There were several problems with this criteria also.

When I first started this process there were actually three locations within the square one mile radius. I informed Donovan who works with the city that Antonio's had closed down. Antonio's party store is a building behind my gas station. This shows that the city had already given one of these location permission to exceed the number allowed. now i am asking for that same option which has already been given before.

My other concern with why I don't feel this fits is that both locations are next door to each other and are both located on West Kennett Street. Both of these locations are over a two mile driving distance from my location. Not one location was listed on either of my cross streets within one mile. This rule is put in place so there are not several liquor stores in a row.

I am asking you to use your honest judgement on the easy fact that a store within twenty feet of my building had closed down before I could transfer their license to my location. In this day and age the grocery business and the gas business are becoming one. We have Krogers, Costco, Meyers and Sams Club just to name a few who have entered into the gas business. If we are going to survive as a convenient store, we all need to be on the same playing field and able to provide the customers with a one stop shop.

My location is over 4,000 square feet and an average gas station is roughly 1,700 square feet. These smaller locations have less overhead and do not have enough space to expand or do what I'm trying to do.

We have been paying over \$30,000 in taxes every year. We are planning on spending \$150,000 on new gas pumps with all new chip readers for customers credit cards and screens for customers to watch while filling their gas. We are also looking into food franchises to come in and use part of the location which will cost around \$350,000. Last, our liquor license and build out would be around \$300,000. This investment will cost us just under a million dollars for this location.

This will not only increase business for the location but also raise taxes for the city and be a beautiful landmark for the city of Pontiac. We would appreciate the chance to make this location one of the most beautiful in Oakland county. Currently there are 4 gas stations with liquor down Woodward from royal oak to Birmingham all the way threw to Bloomfield hills. the liquor store business is going away and this is the new style all city are looking for. We are hoping you understand what we are trying to do and would love to invest in your city thank you

Jamal Safiedine



424 W. WALTON, PONTIAC, MI 48340
Phone: 248-332-7239 email: marimontchurch@juno.com
MICHAEL PETERSON, Pastor - Teacher
Find us on the web at: www.marimontcommunitychurch.com

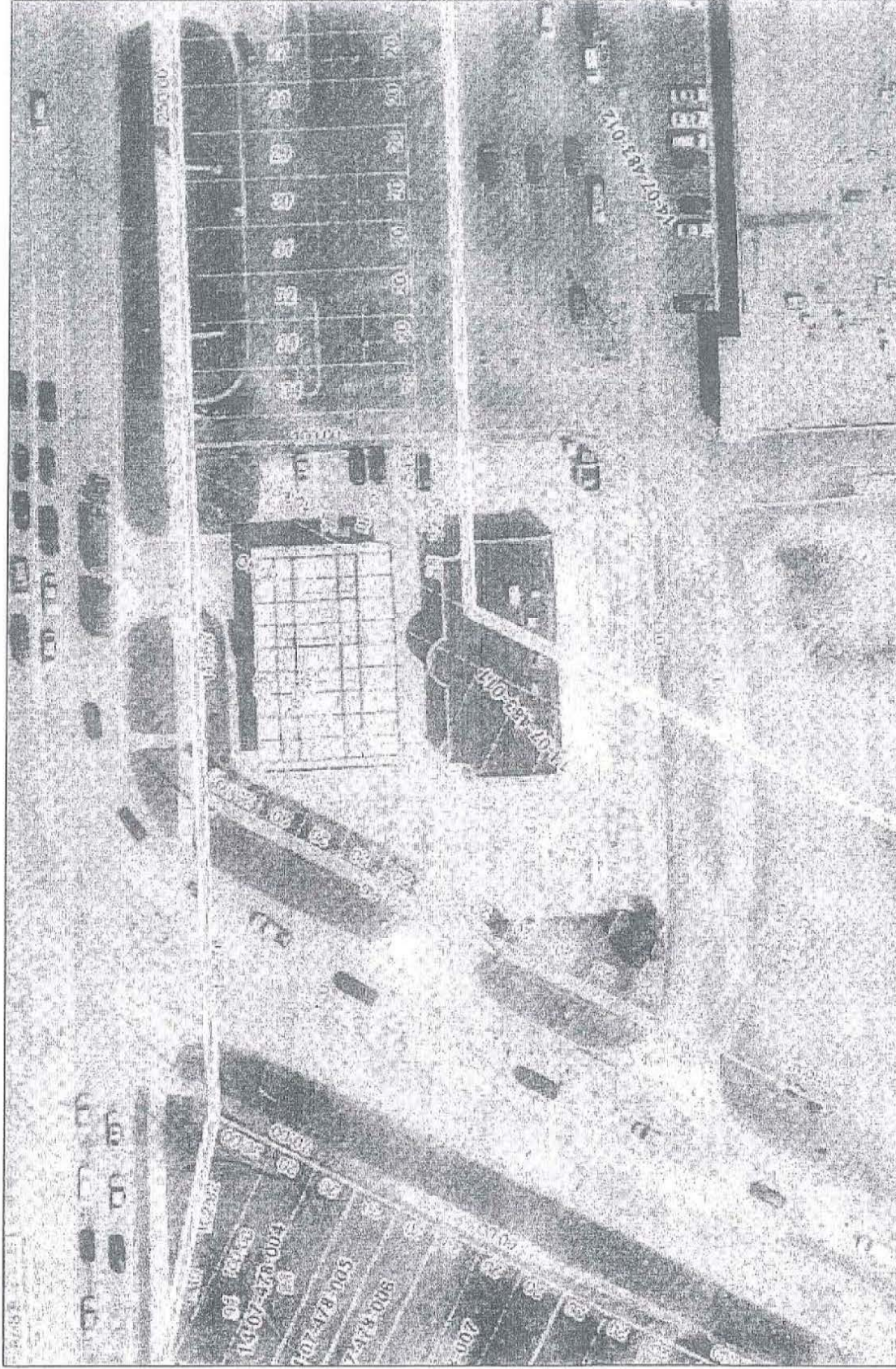
To whom it may concern,

Though we doubt that Marimont Community Church falls within 500 feet of the BP Station at the corner of Walton and Telegraph, we would not file an objection for a license transfer to their business. We believe BP's possession of the license would be more favorable for the community than a liquor store.

Sincerely,

Pastor Mike Peterson

355 W. Walton
Thu Nov 01 2018



0 37.5 75 150 ft



355 W Walton | Section 2.515 (A)

Wed Dec 05 2018



0 265 530 1,060 ft





Department of Licensing
and Regulatory Affairs

STATE OF MICHIGAN - LIQUOR CONTROL COMMISSION

This is to certify that a License is hereby granted to the person(s) named with the stipulation that the licensee is in compliance with Commission Rule R 436.1003, which states that a licensee shall comply with all state and local building, plumbing, zoning sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Issuance of this license by the Michigan Liquor Control Commission does not waive this requirement. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

This License is granted in accordance with the provisions of Act 58 of the Public Acts of 1998 and shall continue in force for the period designated unless suspended, revoked, or declared null and void by the Michigan Liquor Control Commission. Failure to comply with all laws and rules may result in the revocation of this license.

The conditional license shall expire under one of the following expiration factors, whichever occurs first, pursuant to MCL 436.1525(8):

1. One (1) year after the date the conditional license was issued.
2. Twenty (20) business days after the Commission issues an order of approval of the license application that serves as the basis of the conditional license.
3. After all administrative remedies before the Commission have been exhausted when the Commission issues an order of denial of the license application that serves as the basis for the conditional license.
4. When the licensee or conditional licensee notifies the Commission in writing that the initial application should be cancelled.

THIS LICENSE SUPERSEDES ANY AND ALL OTHER LICENSES ISSUED PRIOR TO OCTOBER 17, 2018

BUSINESS ID: 0261963
BALFOUR #2, INC

FILE NUMBER:

355 W WALTON BLVD,
PONTIAC, MI 48340-1058

OAKLAND COUNTY
D-141
PONTIAC CITY

LICENSE #: L-000412096
LICENSE: Specially Designated Merchant

ACT:
MCL 436.1533(5)

TOTAL BARS: 0
DIRECT-CONNECTIONS: 0

OUTDOOR SERVICE AREA:
PASSENGERS:

ROOMS:

PERMIT: Motor Vehicle Fuel Pumps[MCL 436.1541(6)]

IN WITNESS WHEREOF,
this License has been duly signed
and sealed by both the Michigan
Liquor Control Commission and the
Licensee(s).

LIQUOR CONTROL COMMISSION

LICENSEE(S) SIGNATURE(S)

License Effective 10-17-2018 – Expires 10-17-2019

CONDITIONAL

From: Mike Peterson mikepeterson19151@gmail.com
Subject: BP license
Date: Sep 21, 2018 at 12:57:13 PM
To: jsafie55@aol.com

To whom it may concern,

Though we doubt that Marimont Community Church falls within 500 feet of the BP Station at the corner of Walton and Telegraph, we would not file an objection for a license transfer to their business. We believe BP's possession of the license would be more favorable for the community than a liquor store.

Sincerely,

Pastor Mike Peterson

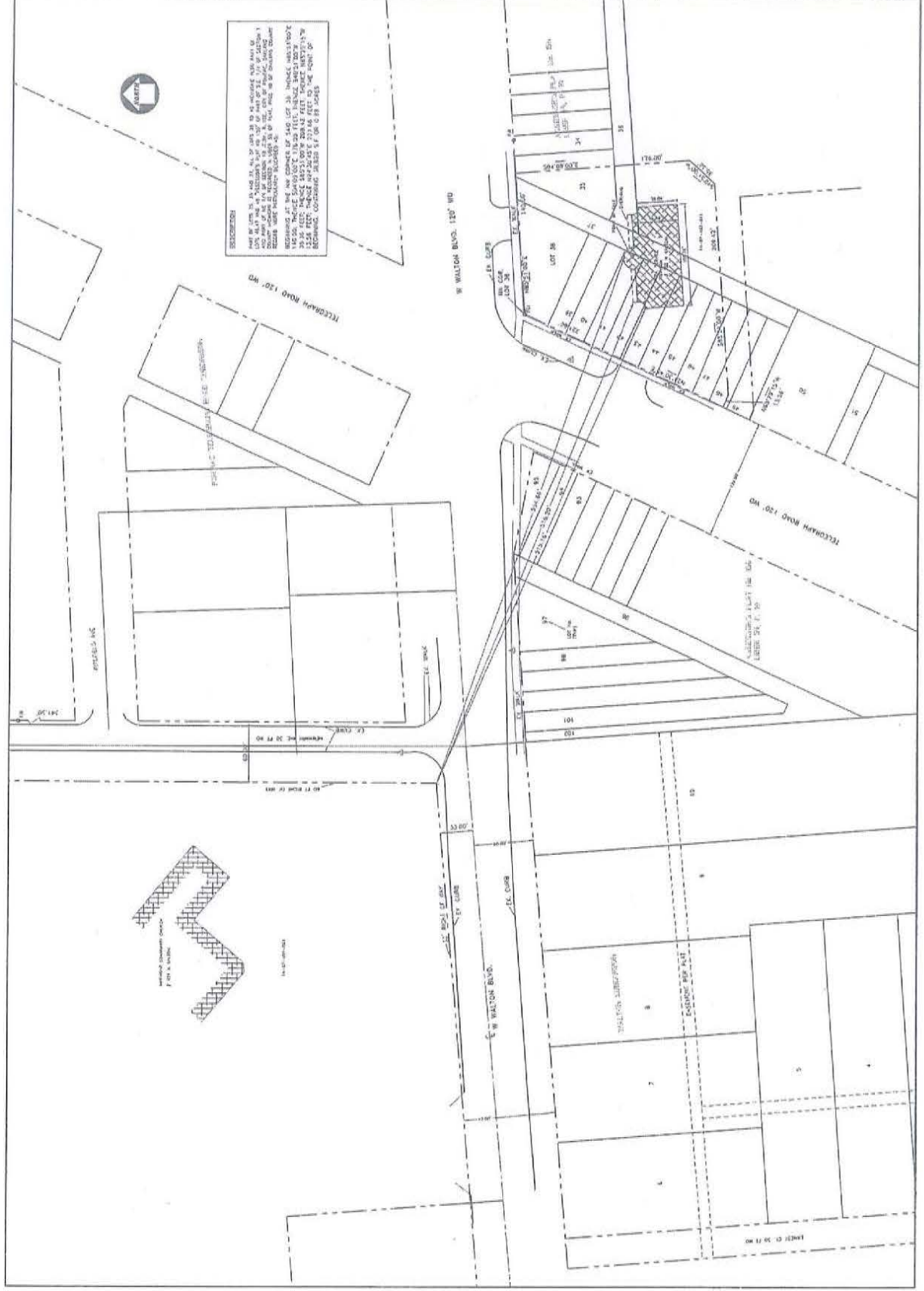
1-1/2" = 100'
DATE: 3/25/11
BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1" = 40 FEET



MTK FAMILY INVESTMENT
 SURVEY DIRECTION FROM THE
 CHURCH TO
 GAS STATION BUILDING
 555 W WALTON BLVD.

SECTION 2: 100' x 100' BLOCK, 100' x 100' BLOCK, 100' x 100' BLOCK
 CITY OF MOBILE
 MOBILE COUNTY, ALABAMA

LANDMARK ENGINEERING CO.
 Civil Engineering - Land Surveying
 3901 Grand Dr., Suite 101
 Mobile, Alabama 36617
 Tel: 251-557-0000
 Fax: 251-557-0000
 Email: landmarkengr@aol.com



#6

RESOLUTION



CITY OF PONTIAC
Department of Building Safety
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: (248) 758-2800 | FAX: (248) 758-2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON – PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA

SUBJECT: SEP 19-02 REQUEST FOR APPEAL OF PLANNING COMMISSION DECISION
FAKHOURI & YALDO, INC. | 1430 JOSLYN AVENUE
SDD LIQUOR LICENSE SPECIAL EXCEPTION PERMIT

DATE: APRIL 30, 2019

At the April 3, 2019 Planning Commission meeting, The Commission reviewed a Special Exception Permit request [SEP 19-02] for retail sale of packaged liquor at 1430 Joslyn Avenue and was denied. Following Section 6.303, [H. Appeals] of the Zoning Ordinance, the Applicant has the right to submit an appeal [see attached letter] to the Planning Manager within ten days of the Planning Commission decision requesting an appeal from City Council.

The establishment is an existing Shell Gas Station, which currently sells packaged beer and wine. Zoning Ordinance requirements of Section 2.515 determines if packaged alcoholic beverages are compliant.

- A. The sale of packaged alcoholic beverages is prohibited to be located less than 500 feet from the property of a place of worship, park, playground, daycare facility, pre-school, or K thru 12 school.
- B. Not more than two properties upon which the retail sale of packaged alcoholic beverages is permitted shall be located within one mile.

Currently, Jaycee Park and The Walton Boulevard Worship Center are located within 500 feet of the retail sale of packaged liquor and three convenience retail businesses [City Side Market, Joslyn Beverage and Joslyn Market] sell packaged alcoholic beverages within one mile of Joslyn Shell.

We suggest the City Council confirm with the Planning Commission's decision to deny the appeal and support the following resolution.

WHEREAS, the City has received an application for a Special Exception Permit for parcel 64-14-16-201-028, also known as 1430 Joslyn Avenue from the Applicant, Fakhouri Yaldo, Inc., and;

WHEREAS, the Planning Division as reviewed the applicant's Special Exception Permit request to sell packaged alcoholic beverages with a Special Designated Distributer [SDD] license, in addition to the existing Special Designated Merchant [SDM] license for the sale of beer and wine sales, and;

WHEREAS, the Planning Division has reviewed the requirements set forth in Section 2.515 of the Zoning Ordinance and Section 10.188 of the Pontiac Municipal Code and the Planning Division determined that aforementioned request and proposed sale of packaged liquor does not comply with the City of Pontiac Zoning Ordinance, and;

WHEREAS, in accordance with the procedures outlined in the Zoning Ordinance, Section 6.302 as it related to Special Exception Permit Review Procedures and Requirements, the request has undergone the required; technical review, Public Hearing, and Planning Commission decision, and;

WHEREAS, on April 3, 2019 a Public Hearing was held, the Planning Commission voted to deny the request the sale of packaged liquor at 1430 Joslyn Avenue.

WHEREAS, Following Section 6.303, [H. Appeals] of the Zoning Ordinance, the applicant submitted a letter to the Planning Manager Gustafsson within ten days of the Planning Commission decision requesting an appeal from City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Pontiac concur with the Planning Commission decision and deny the appeal to grant a Special Designated Distributor license at parcel 64-14-16-201-028, also known as 1430 Joslyn Avenue from the Applicant, Fakhouri Valdo, Inc.

RECEIVED

2019 APR 11 AM 10:59

PONTIAC CITY CLERK

(SEP. 19-02)

(and) Farkhouri and Golds Inc
1430 Joslyn
Pontiac, Mi. 48340

TO: Vern Gustafson
Planning Manager

RECEIVED
2019 APR 11 AM 10:59
PONTIAC CITY CLERK

I. Saïd Farkhouri Owner of Farkhouri and Golds Inc and F&V, Inc D.B.A. Joslyn Shell located at 1430 Joslyn Pontiac, Mi. 48340 would like to appeal the Denial of SPD license that was given on April 3-2019

I thank it was unfair to treat my license as a new license since it has been in the city of Pontiac over 40 years at Bennoza Party Store

Thank You.

Saïd Farkhouri

248-475-0800

248-755-1250 cell.



CITY OF PONTIAC
Department of Building Safety & Planning

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: DONOVAN O. SMITH – CITY PLANNER
DIVISION OF PLANNING

SUBJECT: SEP 19-02 SPECIAL EXCEPTION PERMIT REVIEW
GAS STATION & LIQUOR SALES
1430 JOSLYN AVE. – PIN 64-14-16-201-028
C-4 SUBURBAN BUSINESS DISTRICT

DATE: 03/22/2019

The City of Pontiac is in receipt of application SEP 19-02, a Special Exception Permit for the sale of packaged liquor (retail sales) use located at 1430 Joslyn Ave. The establishment is an existing Shell Gas Station, which currently sells packaged beer & wine. The applicant Fakhouri & Yaldo, Inc, has requested Special Exemption approval for the Special Designated Distributer (SDD) use to expand existing sales of beer and wine to also include liquor. The request to sell packaged alcoholic beverages (SDD Liquor License) is a separate petition from the (SDM License) and requires Planning Commission Special Exemption approval. This request is for packaged liquor sales SDD License, is in addition to the existing SDM license for the sale of wine and beer sales.

The property 1430 Joslyn Ave is currently zoned C-4 Suburban Business District, the C-4 district is designed to accommodate community and regional scale shopping centers and automobile oriented commercial development that draw customers from the City as well as surrounding communities. These Commercial uses require large parking lots because nearly all patrons of the uses permitted in this district arrive by automobile. In the C-4 District the retail sales of packaged alcoholic beverages is permitted by special exemption and subject to the Special Exemption Requirements of Section 6.302 of the Zoning Ordinance. Additionally, the 1430 Joslyn Ave property is designated Entrepreneurial Residential, Commercial & Green in the Pontiac Future Land Use Map. These zoned areas allow for more flexibility to attract residential and commercial uses, as well as green infrastructure and supportive uses.

The requirements that determine if the packaged alcoholic beverages is compliant with a site's location are Section 2.515 of the Zoning Ordinance & Section 10-188 of the Pontiac Municipal Code. In regards to the sale of Beer, Wine, and Liquor Sales, the Zoning Ordinance prohibits locations that sell packaged alcoholic beverages to be located less than 500 feet from the property of churches, parks, playgrounds etc. In the 2009 Special Exemption Review (See Attached Correspondence), the site 1430 Joslyn Ave was identified to be within 500 feet of Jaycee Park, and the Walton Boulevard Worship Center. These developments are currently existing and are still within a 500 ft. boundary of the property. According to the Pontiac Municipal Code Section 10-188 and the Pontiac Zoning Ordinance, this location does not meet the zoning requirements for the retail sell of packaged alcoholic beverages.

The second criteria according to the zoning ordinance prohibits no more than 2 properties whom engage in the retail sell of packaged alcoholic beverages shall be located within 1 mile of the proposed location. In 2009 four other establishments permitted the sale of packaged alcoholic beverages within the 1-mile buffer requirement, currently the following three establishments are within a 1-mile radius that permit the sale of packages alcoholic beverages; Joslyn Market, Joslyn Beverage, and City Side Market. Based on staff review, the Planning Commission denied a similar request in 2009, based on the permissible requirements that determine if the sale of packaged alcoholic beverages is compliant with a site location, Section 2.515 of the Zoning Ordinance & Section 10-188 of the Pontiac Municipal Code. According to the Pontiac Municipal Code Section 10-188 and the Pontiac Zoning Ordinance, this location does not meet the zoning requirements for the retail sell of packaged alcoholic beverages.

Special Exemption Permit Review Requirements

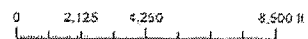
When considering any petition for Special Exemption Permit, the City Planning Commission must consider the criteria of Section 6.303 of the City Zoning Ordinance. Section 6.303 states:

The Planning Commission shall review each application for the purpose of determining that each use on its proposed location will:

- 1. Be harmonious with and in accordance with the general principles and objectives of the comprehensive master plan of the City of Pontiac.*
- 2. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity by way of size, character, or location.*
- 3. Not change the essential character of the area in which it is proposed, and not adversely affect the development or redevelopment of the surrounding neighborhood.*
- 4. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.*
- 5. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal water and sewage facilities and schools.*
- 6. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property or general welfare as a result of producing excess traffic, noise, smoke, fumes, glare, or odors out of proportion to that normally prevailing in the particular district.*
- 7. Maintain all proposed structures, equipment, or materials in a readily accessible manner for police and fire protection.*

The proposed Special Exemption Permit, as submitted by the applicant, does meet the approval criteria of Section 6.303 of the Pontiac Zoning Ordinance for Special Exemption Permit. However, the Special Exemption Permit petition does not meet all of the requirements for the Specific Use Criteria for the Retail Sales of Packaged Alcoholic beverages outlined in Section 2.515 of the Zoning Ordinance. In consideration of the Special Exemption approval criteria, the information provided by the applicant, and the findings of fact outlined above, it is recommended that the Special Exception Permit regarding Pontiac Case Number SEP 19-02 for Packaged Retail Sales be denied by the Planning Commission.

Feb Mar 22 2018



Fri Mar 23 2019



April 2, 2009

Zaid Arabo
PO Box 252562
West Bloomfield, MI 48325

**RE: PF-09-08 SPECIAL EXCEPTION PERMIT - for the sales of
packaged beer and wine.
1430 Joslyn Road**

Dear Mr. Arabo,

Please be advised at their meeting of April 1, 2009, the City of Pontiac Planning Commission *denied* your requested Special Exception Permit (**PF-09-08**) for the sales of packaged beer and wine at the address above because it does not meet the criteria set forth in Section 7.43.8 of the Zoning Ordinance.

Should you have any questions regarding your item, please feel free to contact David Breneau or myself at (248) 758-2888.

Sincerely,

Madhu Oberoi, Planning Administrator
Office of Land Use & Strategic Planning

cc: Said Fakhouri; Fakhouri & Yaldo, Inc.; 1430 Joslyn; Pontiac, MI 48340
Bob Hudson, Building Official
Debra Lavalais, Business Licensing Technician
Brad Schults, Zoning Inspector
Valard Gross, Police Chief
Nida Samona, Chair; Michigan Liquor Control Commission; 7150 Harris
Dr.; PO Box 30005; Lansing, MI 48909
File

MO/dlb

April 7, 2009

State of Michigan
Liquor Control Commission
Department of Labor and Economic Growth
7150 Harris Drive
P.O. Box 30005
Lansing, Mi. 48909-7505
Attn: Nida R. Samona, Chairperson

Re: 1430 Joslyn Rd., Pontiac, Michigan

Dear Ms. Samona:

Please be advised that the City of Pontiac Planning Commission denied a special exception permit for the sale of beer and wine at the above address. As such the retail sales of beer and wine is not permitted at 1430 Joslyn Road pursuant to the City of Pontiac's zoning ordinance.

Please make a note of it and contact my office at 248-758-2888 for any concerns or queries.

Sincerely,

Madhu Oberoi, AICP, PCP
Planning Administrator
Office of Land Use and Strategic Planning

cc. Donald Myers, Investigator; MLCC Enforcement Division, Farmington Div.
Said Fakhouri; Fakhouri & Yaldo, Inc.; 1430 Joslyn; Pontiac, MI 48340
Zaid Arabo; PO Box 252562; West Bloomfield, MI 48325
Valard Gross, Police Chief
Debra Lavallis, Licensing Technician

JENNIFER M. GRANHOLM
GOVERNOR



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
ANDREW S. LEVIN, ACTING DIRECTOR

NIDA R. SAMONA
CHAIRPERSON

November 15, 2010

F & Y, Inc.
C/O Said Fakhouri
47640 Dennis Baert Drive
Macomb Township, MI 48044

Request ID: 485050

Dear Applicant:

This is with reference to your request for a new SDM licensed business with gas pumps issued under MCL 436.1541(1) \$250,000 excluding hardware, apparel, sporting goods, etc. and 50' (inside) to be located at 1430 Joslyn, Pontiac, MI 48340, Oakland County which was denied on November 18, 2009.

Upon written request, a formal hearing was held on July 15, 2010, at the Commission offices in Farmington.

Attached is a copy of the order that was issued on November 3, 2010, affirming the Commission's previous order of denial.

Please be advised, we are marking our records accordingly.

Very truly yours,

MICHIGAN LIQUOR CONTROL COMMISSION

A handwritten signature in cursive script that reads "Sharon Martin".

Sharon Martin, Director
Licensing Division

jla

Enclosure

cc MLCC- Southfield District Office w/encl:
Pontiac Police Department w/encl:
City of Pontiac w/encl:
Charles Frangie, Attorney w/encl:

DELEG is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Michigan Liquor Control Commission • P.O. BOX 30005 • LANSING, MICHIGAN 48909 • www.michigan.gov/lcc • (517) 322-1345

less than 50,000 square feet of gross leasable retail space, and which provides 5 private off-street parking spaces for each 1,000 square feet of gross leasable retail space. (ii) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$250,000.00, at cost, of those goods and services customarily marketed by approved types of businesses. (b) The site of payment and selection of alcoholic liquor is not less than 50 feet from that point where motor vehicle fuel is dispensed."

Commission Rule 436.1129(3) provides as follows: "The commission shall not issue a specially designated merchant license to any of the following entities and shall not allow any of the following entities to change the nature of an existing business that has a specially designated merchant license: (a) An applicant who owns gasoline pumps which are at the same location as, which are operated in conjunction with, or which are a part of, the proposed licensed business. (b) An applicant who holds any financial interest, directly or indirectly, in gasoline pumps in the establishment, maintenance, operation, or promotion of the sale of gasoline at the proposed location of, in conjunction with, or as a part of, the proposed licensed business. (c) An applicant who holds any interest, directly or indirectly, by ownership in fee, leasehold, mortgage, or otherwise, in the establishment, maintenance, operation, or promotion of the sale of gasoline at the proposed location of, in conjunction with, or as a part of, the proposed licensed business. (d) An applicant who holds any interest, directly or indirectly, through interlocking stock ownership in a corporation or through interlocking directors in a corporation engaged in the establishment, maintenance, operation, or promotion of the sale of gasoline at the proposed location of, in conjunction with, or as a part of, the proposed licensed business. (e) An applicant at any location at which gasoline is sold or offered for sale by any person, whether or not the applicant has any interest or derives any profit from the sale."

The application and accompanying documents on file with the Commission relative to this request reflects that Elias Fakhouri and Said Fakhouri are the stockholders in the applicant corporation.

Commission records reflect that a Resolution adopted at a regular meeting held on May 14, 2009 was forwarded to the Commission by the Pontiac City Council objecting to the applicant's request.

Commission records further indicate that an unfavorable recommendation of the applicant's request was submitted to the Commission by the Pontiac Police Department with Section 3 of form "LC-1800" completed indicating that the subject location does not meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances.

Therefore, it is the Order of the Commission that its denial order of November 18, 2009, BE AFFIRMED.

Dated: November 3, 2010


Nida R. Samona, Chairperson


Pat Gagliardi, Commissioner


Donald B. Weatherspoon, Commissioner



Application for Special Exception Permit

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 1430 Joslyn

Sidwell Number: _____

Date: 12-3-18

Office Use Only

PF Number: _____

Instructions: Completed application with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the scheduled Planning Commission Meeting. Application must complete in all respects with supporting documents such as site plan, property survey, detailed description of the proposed use, etc. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	FAKHOURI & VOLLO Inc / FAI Inc DBA Joslyn Shell		
Address	1430 JOSLYN		
City	PONTIAC		
State	MI		
ZIP Code	48340		
Telephone	Main: 248-475-0800	Cell: 248-755-1250	Fax: 248-475-9609
E-Mail	N/A		

Project and Property Information

Name of Proposed Development: FAKHOURI & VOLLO, Inc.

The subject property is location at 1430 Joslyn on the N/S/E/W side of Walton between Joslyn and _____.

The property is zoned: _____

It is proposed that the property will be used as: Gas station / C-store

The subject property is legally described as follows (include sidwell numbers):

64-99-00-970-195

Property Owner Information

Name	Folkhørdi & Jolida, Inc		
Address	1430 Johnson		
City	Pontiac		
State	Mi -		
ZIP Code	48340-		
Telephone	Main: 248-475-0800	Cell: 248-755-1250	Fax: 248-475-8609
E-Mail			

Are you the ☒ Owner ☐ Agent/rep. of the owner ☐ Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

Gas Station / C-Store / Car Wash -

Supporting materials required:

- o Proof of ownership, purchase/lease agreement
- o Site plan, floor plan, elevations / photographs
- o Electronic copy of site plan associate planner


Signature of Owner


Signature of Applicant

State of Michigan
County of Oakland

On this _____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____

1 (Off the record at 7:48 p.m.)

2 (Back on the record at 8:07 p.m.;

3 Chair Thomas was excused from the remainder of the
4 meeting.)

5 VICE CHAIR FEGLEY: (Welcomed everyone
6 back.

7 6.1 SEP 19-02.

8 PROPERTY ADDRESS: 1430 Joslyn Avenue

9 PARCEL NO: 64-14-16-201-028

10 APPLICANT: Joslyn Shell

11 CURRENT ZONING: C-4 Suburban

12 Commercial

13 INTENDED USE: SDD Liquor License

14 (Presentation of facts given by Mr.
15 Smith.)

16 VICE CHAIR FEGLEY: (Invited the
17 petitioner to come forward and state their name and
18 address for the record.)

19 MR. CHARLES FRANGIE: (Mr. Charles
20 Frangie an attorney for petitioner, office address
21 is 30600 Telegraph Road in Bingham Farms, Michigan.)

22 VICE CHAIR FEGLEY: Thank you.

23 MR. CHARLES FRANGIE: (Asked if
24 everyone had received a copy of the petition.)

25 VICE CHAIR FEGLEY: (Answered

1 affirmatively.)

2 MR. CHARLES FRANGIE: (Indicated his
3 client owned the gas station at 1340 Joslyn at the
4 corner of Joslyn and Walton and have been selling
5 beer and wine lawfully since 2009. His client used
6 to own a liquor store on Walton just across the
7 street from his gas station. He indicted his
8 client, because of economic situations, lost the
9 license and he lost the store and he had to sell
10 that store and the license to someone else. Mr.
11 Frangie's client now has the money to buy the
12 license and he applied to the Liquor Control
13 Commission last year in 2018, and the Liquor Control
14 Commission investigated and they sent the notice to
15 the City at that time. He stated the Liquor Control
16 Commission approved his client. He pointed out the
17 licensing approval order transferring the license.

18 He stated they're not adding a new
19 license to the area. He stated his client used to
20 own the license, he's familiar with the business.
21 He stated it's his client's license that he's moving
22 from one side of the street to the other side of the
23 street. He stated the Liquor Control Commission is
24 the State agency for that matter. He stated his
25 client has an excellent record and has no

1 violations. He stated it's a service to the
2 neighborhood to have liquor in the area. And he
3 stated imagine if he's been denied here and goes to
4 court and tells the judge "I'm moving from one side
5 to the other side not adding anything." He says
6 they were discussing the marihuana matter, and
7 marihuana licenses and he stated they're far away
8 from that. He stated his client used to have the
9 license and got over 300 signatures from the
10 neighbors. He stated nobody has objected and there
11 is nobody here to object and the business had
12 existed across the street for many years.)

13 VICE CHAIR FEGLEY: (Opened the matter
14 for public comments. No one approached. Public
15 comments closed.)

16 COMMISSIONER NORTHCROSS: (Stated the
17 biggest concern right now, was the State overriding
18 the City ordinance.)

19 VICE CHAIR FEGLEY: (Asked for
20 clarification between what the State does in terms
21 of licensing alcohol and what the City's rule is.)

22 MR. GUSTAFSSON: (He stated he would
23 like to defer to Donovan. Donovan has been working
24 in regards to these two cases.)

25 MR. SMITH: (Stated the Liquor Control

1 Commission does have the authority to provide
2 applicants licenses, but there is also language
3 within the Liquor Control Commission that says those
4 applicants have to comply with local municipal
5 ordinances. He stated when an applicant is awarded
6 a license from the State, whether SDD or SDE,
7 they're obligated to come before this Board because
8 the ordinance requires a special exemption permit
9 which has been the process to approve applicants
10 interested in doing any business related to selling
11 packaged alcoholic beverage.)

12 VICE CHAIR FEGLEY: (Clarified they
13 got the State license, they don't meet the
14 requirements of the special exemption permit, and so
15 they're asking for permission outside of what the
16 City's ordinance allows. She stated they have never
17 approved any liquor license if it doesn't meet the
18 requirements that are set by the rules and
19 regulations.)

20 COMMISSIONER NORTHCROSS: (Stated it's
21 his understanding that the City Council maybe two
22 years ago or a year ago went out of their way to
23 specify the density that they wanted to maintain of
24 different facilities selling alcoholic beverages.)

25 MAYOR WATERMAN: (Stated the question

1 about the State is always one of her questions. She
2 mentioned in 2010, the Council minutes talk about a
3 facility located at 1124 Joslyn. She questioned how
4 does that play into what they are talking about
5 now.)

6 MR. SMITH: (Clarified that that's the
7 next case.)

8 MAYOR WATERMAN: (Stated there are
9 three other liquor store facilities within the
10 buffer area that the applicant is in. She
11 questioned why they need another in the area.)

12 MR. FRANGIE: (He stated the Liquor
13 Control Commission checked the distances and they
14 said there were none and that's why they got the
15 approval. He stated there are no licenses within
16 that area.)

17 MAYOR WATERMAN: (Stated there were
18 three in the area.)

19 FROM THE AUDIENCE: (Stated the three
20 they are talking about is a beer and wine store that
21 is more than a half a mile away. He stated that's
22 what the State looks at, a half mile more or less.)

23 MR. GUSTAFSSON: (Questioned whether
24 it's within 500 feet.)

25 FROM THE AUDIENCE: (Stated the beer

1 and wine store is more than 500 feet and he stated
2 the City Side Market is more than 500 feet. He
3 stated he doesn't understand how they're coming up
4 with that.)

5 MAYOR WATERMAN: (Stated she wanted to
6 finish her questions. She stated she's looking at
7 the drawing and maybe there's some discrepancy.)

8 MR. SMITH: (Stated there are two
9 criteria when determining special exemption permits
10 for alcoholic packaged sales. He discussed parks,
11 schools, and churches, the measuring buffer is
12 500 feet. Regarding other facilities that do sell
13 packaged alcoholic beverage, that criteria is one
14 mile and the ordinance makes that distinction.)

15 MAYOR WATERMAN: (Addressed the
16 applicant. She stated given that explanation, she
17 questioned why they need another one within the
18 buffer area, which in this case is a mile that
19 somebody can be located within that mile.)

20 MR. FRANGIE: (He stated it's not
21 another one, it is the same license from across the
22 street, that he's moving it from one side of the
23 street to the other side of street so they're not
24 adding a new license.)

25 FROM THE AUDIENCE: (Stated the

1 Bonanza Liquor Store at the corner of Walton and
2 Joslyn that's been sitting there that they have
3 owned for many years. He explained they are just
4 moving that liquor license from that building to the
5 building across the street. He stated he's already
6 been existing and doing business for many years.)

7 MAYOR WATERMAN: (Stated in order to
8 grant the transfer it must follow the local
9 municipal zoning ordinance. She stated there are
10 three.)

11 MR. FRANGIE: (Stated they can't
12 revoke that license, the license is there. It can
13 open at any time.)

14 MAYOR WATERMAN: (She stated she
15 understands what he's saying.)

16 COMMISSIONER PARLOVE: (Stated she's
17 reading what is in the packet, they know about the
18 500 feet for the church, the park. She stated the
19 second criteria according to the zoning ordinance
20 prohibits no more than two properties whom engage in
21 the retail sale of packaged alcohol beverages to be
22 located within one mile of the proposed location, so
23 no more than two. She stated she sees three stars
24 on the graph so there's already more than two, so
25 whether it moves across the street or not is of no

1 bearing, it doesn't matter because it's within the
2 mile of the more than two, there's three. She
3 stated she doesn't even understand why this is in
4 front of them, that it's pretty crystal clear
5 they're over the limit.)

6 MR. FRANGIE: (He questioned what you
7 do with the existing license that they're talking
8 about.)

9 COMMISSIONER PARLOVE: (She stated the
10 State of Michigan gives licenses out like popcorn,
11 that the State doesn't care, because they take your
12 money from you then you got this license and now
13 you're on your own to figure out where you're going
14 to put it. She stated they are not the only one
15 that this has happened to and she's sorry that it
16 happened, however, this is the ordinance and they
17 have more than enough alcohol to serve this
18 population from every corner. She stated she is not
19 feeling any compelling reason to say she's okay with
20 this.)

21 MR. FRANGIE: (Questioned what would
22 happen if he opens across the street.)

23 COMMISSIONER PARLOVE: (Stated he's
24 within the same radius, that he can't open it.)

25 FROM THE AUDIENCE: (Stated it existed

1 for the past 40 years at that corner.)

2 MR. FRANGIE: (Stated they can,
3 because it's located there.)

4 VICE CHAIR FEGLEY: (She stated that's
5 not in front of them and what is, is the license at
6 this location that does not meet any of the
7 requirements for the City of Pontiac.)

8 COMMISSIONER PAYNE: (Thanked the
9 applicant for the services within the City. She
10 questioned whether this is a different case because
11 at one time there was a case which she thought was a
12 store that was across from the Shell service station
13 that came before them and had gone to the State to
14 get a license, and then came to the Planning
15 Commission to approve the liquor. She asked if the
16 owner of the store was there.)

17 MR. FRANGIE: (He stated he was with
18 his client.)

19 COMMISSIONER PAYNE: (She questioned if
20 he was the owner.)

21 FROM THE AUDIENCE: (Stated he was the
22 owner of the store for the past 25 years.)

23 COMMISSIONER PAYNE: (Stated she
24 understands business, but doesn't understand
25 alcohol. She stated it's such a small city, and

1 there are so many stores selling alcohol and that's
2 her concern.)

3 PETITIONER: (He stated that business
4 has been there for the past 40 years and the City is
5 still the same as it's been for the last 40 years.)

6 MR. FRANGIE: (Stated it can continue
7 to sell there if he opens.)

8 COMMISSIONER PAYNE: (Stated the gas
9 station is a small area when trying to get in to get
10 the gas, it's pretty hard to get in because cars are
11 parking, and she questioned whether a liquor store
12 would support the traffic there.)

13 FROM THE AUDIENCE: (He stated it's a
14 good size building, not a small store he has over
15 4,000 square-foot store.)

16 COMMISSIONER PAYNE: (She stated the
17 traffic is pretty congested.)

18 VICE CHAIR FEGLEY: (Stated the
19 petition in front of them does not meet any of the
20 requirements listed in the City of Pontiac and
21 that's what they have to go by. She called for a
22 motion.)

23 COMMISSIONER PARLOVE: (Made a motion
24 for SEP 19-02 to deny special exemption permit for
25 proposed SDD license and sale of packaged alcoholic

1 beverages at 1430 Joslyn Avenue.)

2 COMMISSIONER NORTHCROSS: Second.

3 MR. GUSTAFSSON: Commissioner Parlove?

4 COMMISSIONER PARLOVE: Yes, to deny.

5 MR. GUSTAFSSON: Commissioner

6 Northcross?

7 COMMISSIONER NORTHCROSS: Yes, to

8 deny.

9 MR. GUSTAFSSON: Vice Chair Fegley?

10 VICE CHAIR FEGLEY: Yes, to deny.

11 MR. GUSTAFSSON: Mayor Waterman?

12 MAYOR WATERMAN: Yes, to deny.

13 MR. GUSTAFSSON: Commissioner Payne?

14 COMMISSIONER PAYNE: Yes, to deny.

15 AYES: Payne, Parlove, Northcross,

16 Waterman, Fegley

17 NAYS: (None.)

18 MOTION CARRIES TO DENY 5-0-0.

19 6.2

20 SEP 19-03

21 PROPERTY ADDRESS: 1124 Joslyn Avenue.

22 PARCEL NO: 64-14-16-402-030.

23 APPLICANT: A&S Kajy Enterprise Inc.

24 CURRENT ZONING: C-1 Local Commercial

25 INTENDED USE: SDD Liquor License

#7

RESOLUTION



CITY OF PONTIAC
Department of Building Safety
PLANNING DIVISION

47450 Woodward Ave | PONTIAC, MICHIGAN 48342-5009
TELEPHONE: (248) 758-2800 | FAX: (248) 758-2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT AND CITY COUNCIL

FROM: VERN GUSTAFSSON – PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR, JANE BAIS-DISESSA

SUBJECT: SEP 19-03 REQUEST FOR APPEAL OF PLANNING COMMISSION DECISION
A & S KAJY ENTERPRISE, INC. | 1124 JOSLYN AVENUE
SDD LIQUOR LICENSE SPECIAL EXCEPTION PERMIT

DATE: APRIL 30, 2019

At the April 3, 2019 Planning Commission meeting, The Commission reviewed a Special Exception Permit request [SEP 19-03] for retail sale of packaged liquor at 1124 Joslyn Avenue and was denied. Following Section 6.303, [H. Appeals] of the Zoning Ordinance, the Applicant has the right to submit an appeal [see attached letter] to the Planning Manager within ten days of the Planning Commission decision requesting an appeal from City Council.

The establishment is a gas station, which currently sells packaged beer and wine. Zoning Ordinance requirements of Section 2.515 determines if packaged alcoholic beverages are compliant.

- A. The sale of packaged alcoholic beverages is prohibited to be located less than 500 feet from the property of a place of worship, park, playground, daycare facility, pre-school, or K thru 12 school.
- B. Not more than two properties upon which the retail sale of packaged alcoholic beverages is permitted shall be located within one mile.

Currently, St Paul Community Lutheran Church and Bible Fellowship Christian Church are located within 500 feet of the retail sale of packaged liquor and three convenience retail businesses [Joslyn Market, Trademark Liquor and King Liquor] sell packaged alcoholic beverages are within one mile of Joslyn Beverage.

We suggest the City Council confirm the Planning Commission decision and deny the appeal and support the following resolution.

WHEREAS, the City has received an application for a Special Exception Permit for parcel 64-14-16-402-030, also known as 1124 Joslyn Avenue from the Applicant, A & S Kajy Enterprise, Inc., and;

WHEREAS, the Planning Division as reviewed the applicant's Special Exception Permit request to sell packaged alcoholic beverages with a Special Designated Distributer [SDD] license, in addition to the existing Special Designated Merchant [SDM] license for the sale of beer and wine sales, and;

WHEREAS, the Planning Division has reviewed the requirements set forth in Section 2.515 of the Zoning Ordinance and Section 10.188 of the Pontiac Municipal Code and the Planning Division determined that aforementioned request and proposed sale of packaged liquor does not comply with the City of Pontiac Zoning Ordinance, and;

WHEREAS, in accordance with the procedures outlined in the Zoning Ordinance, Section 6.302 as it related to Special Exception Permit Review Procedures and Requirements, the request has undergone the required; technical review, Public Hearing, and Planning Commission decision, and;

WHEREAS, on April 3, 2019 a Public Hearing was held, the Planning Commission voted to deny the request the sale of packaged liquor at 1124 Joslyn Avenue.

WHEREAS, Following Section 6.303, [H. Appeals] of the Zoning Ordinance, the applicant submitted a letter to the Planning Manager Gustafsson within ten days of the Planning Commission decision requesting an appeal from City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Pontiac concur with the Planning Commission decision and deny the appeal to grant a Special Designated Distributor license at parcel 64-14-16-402-030, also known as 1124 Joslyn Avenue from the Applicant, A & S Kajy Enterprise, Inc.

4-8-2019

(SEP 19-03)

A & B Joslyn, LLC
1124 Joslyn
Pontiac, MI 48342

RECEIVED
2019 APR -9 AM 9:13
CLERK

To whom it may concern;

I Alag Kaji, owner of A & B Joslyn, LLC located
at 1124 Joslyn Pontiac MI 48342 is appealing
the denial of SDD License that was discussed
at ^{the} Planning Commission meeting on April 3, 2019.

I feel that this denial was unfair do to
the facts of the stores that were mentioned in my
meeting (SEP 19-03). I do feel that my store
does fall in to compliance with the ratio of
anⁿ mile.

I would like to thank the Committee for their
time for reviewing the materials over another time.



CITY OF PONTIAC
Department of Building Safety & Planning

Mayor Deirdre Waterman

TO: PONTIAC PLANNING COMMISSION

FROM: DONOVAN O. SMITH –CITY PLANNER
DIVISION OF PLANNING

SUBJECT: SEP 19-03 SPECIAL EXCEPTION PERMIT REVIEW
GAS STATION & LIQUOR SALES
1124 JOSLYN AVE.
PIN 64-14-16-402-030
C-1 - LOCAL COMMERCIAL BUSINESS DISTRICT

DATE: 03/22/2019

The City of Pontiac is in receipt of application SEP 19-03, a Special Exception Permit for the sale of packaged liquor (retail sales) use located at 1124 Joslyn Ave. The establishment is the existing Joslyn Beverage, which currently sells packaged beer & wine. The applicant A & S Kaji Enterprise, Inc, has requested Special Exemption approval for the Special Designated Distributer (SDD) use to expand existing sales of beer and wine to also include liquor. The request to sell packaged alcoholic beverages (SDD Liquor License) is a separate petition from the (SDM License) and requires Planning Commission Special Exemption approval. This request is for packaged liquor sales SDD License, is in addition to the existing SDM license for the sale of wine and beer sales.

The property 1124 Joslyn Ave is currently zoned C-1 Local Business, the C-1 District is designed to accommodate housing units for smaller households and to provide services that cater to the needs of the surrounding residential neighborhood. Businesses which might tend to be a nuisance to the immediate surrounding residential development are excluded, even though the goods or services offered might be in the convenience category or classification. In the C-1 District the retail sale of packaged alcoholic beverages is permitted by special exemption and subject to the Special Exemption Requirements of Section 6.302 of the Zoning Ordinance. The 1124 Joslyn Ave property is designated Mixed Use on the Pontiac Future Land Use Map. The Commercial/Residential Mixed-Use designation is designed to create vibrant buildings, blocks and neighborhoods that have a variety of uses. Creating flexibility with ground floor uses is essential to the long-term sustainability of these areas. A building may include retail, personal services, office, entertainment, and restaurant/cafes. Buildings may have upper floors with residential units – apartments or lofts. Upper floors may also be used for offices and/or retail uses where appropriate.

The requirements that determine if the packaged alcoholic beverages is compliant with a site's location are Section 2.515 of the Zoning Ordinance & Section 10-188 of the Pontiac Municipal Code. In regards to the sale of Beer, Wine, and Liquor Sales, the Zoning Ordinance prohibits locations that sell packaged alcoholic beverages to be located less than 500 feet from the property of churches, parks, playgrounds etc. The site 1124 Joslyn Ave has been identified to be within 500 feet of St Paul Community Lutheran Church and Bible Fellowship Christian Church. According to the Pontiac Municipal Code Section 10-188 and the Pontiac Zoning Ordinance, this location does not meet the zoning requirements for the retail sell of packaged alcoholic beverages.

The second criteria according to the Zoning Ordinance prohibits no more than 2 properties whom engage in the retail sell of packaged alcoholic beverages shall be located within 1 mile of the proposed location. Currently the following three are established within a 1-mile radius that permit the sale of packages alcoholic beverages; Joslyn Market, Trademark Liquor, and King's Liquor-Pontiac. Based on the permissible requirements that determine if the sale of packaged alcoholic beverages is compliant with a site location, Section 2.515 of the Zoning Ordinance & Section 10-188 of the Pontiac Municipal Code. According to the Pontiac Municipal Code Section 10-188 and the Pontiac Zoning Ordinance, this location does not meet the zoning requirements for the retail sell of packaged alcoholic beverages.

Special Exemption Permit Review Requirements

When considering any petition for Special Exemption Permit, the City Planning Commission must consider the criteria of Section 6.303 of the City Zoning Ordinance. Section 6.303 states:

The Planning Commission shall review each application for the purpose of determining that each use on its proposed location will:

- 1. Be harmonious with and in accordance with the general principles and objectives of the comprehensive master plan of the City of Pontiac.*
- 2. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity by way of size, character, or location.*
- 3. Not change the essential character of the area in which it is proposed, and not adversely affect the development or redevelopment of the surrounding neighborhood.*
- 4. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.*
- 5. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal water and sewage facilities and schools.*
- 6. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property or general welfare as a result of producing*

excess traffic, noise, smoke, fumes, glare, or odors out of proportion to that normally prevailing in the particular district.

7. *Maintain all proposed structures, equipment, or materials in a readily accessible manner for police and fire protection.*

The proposed Special Exemption Permit, as submitted by the applicant, does meet all seven of the approval criteria of Section 6.303 of the Pontiac Zoning Ordinance. However, the Special Exemption Permit petition does not meet all of the requirements for the Specific Use Criteria for the Retail Sales of Packaged Alcoholic beverages outlined in Section 2.515 of the Zoning Ordinance. In consideration of the Special Exemption approval criteria, the information provided by the applicant, and the findings of fact outlined above, it is recommended that the Special Exception Permit regarding Pontiac Case Number SEP 19-03 for Packaged Retail Sales be denied by the Planning Commission.

**OFFICIAL PROCEEDINGS
PONTIAC CITY COUNCIL**

A regular meeting of the City Council of Pontiac, Michigan was held in the City Hall, Thursday, March 18, 2010 at 6:30 p.m. Daylight Savings Time.

13th SESSION OF THE EIGHTH COUNCIL

Invocation by Pastor Metlock

Pledge of Allegiance

Present: President Jones and President Pro-Tem Waterman

Councilpersons: Carter, Pietila, Watkins, G. Williams, K. Williams

Clerk announced a quorum present

Present: Leon Jukowski-Mayor, Fred Leeb, EFM and Mark Hotz-City Attorney

Journals of March 4, 2010 and March 11, 2010 were approved.

Special Presentations –Report from the Emergency Financial Manager.

10-72 By Councilperson G. Williams, supported by Councilperson Carter, Resolved, that Myra K. Allen be made Acting City Clerk.

Ayes: Carter, Jones, Pietila, Waterman, Watkins, G. Williams, K. Williams

No: None

Motion carried.

10-73 By Councilperson Pietila, supported by Councilperson G. Williams, Resolved that the following Resolution be read by Title Only.

Ayes: Carter, Jones, Pietila, Waterman, Watkins, G. Williams, K. Williams

No: None

Motion carried.

10-74 Public Hearing was held relevant to appointments to Citizen District Councils. President opened the public hearing. Comments and questions were heard from the public and the City Council. President declared the Public Hearing closed.

WHEREAS, in accordance with MCLA 125.74, each City of Pontiac Citizen District Council shall consist of not less than 12 nor more than 25 members selected in a manner that ensures that to the maximum extent possible, the Council is representative of the

March 18, 2010

10-79 Report was received from the Mayor relevant to a request from : A & S KAJY Enterprise, Inc. request to transfer ownership of an escrowed 2009 SDM license from Joslyn Enterprises, Inc., located at 1124 Joslyn.

NOW, THEREFORE, BE IT RESOLVED, That the request from: A & S KAJY ENTERPRISE, INC., request to transfer ownership of an escrowed 2009 SEW license from JOSLYN ENTERPRISES, INC., located at 1124 Joslyn, Pontiac, MI 48340, Oakland County, be considered for approval.

Moved by Councilperson G. Williams, supported by Councilperson Carter

Ayes: Carter, Jones, Pietila, Watkins, G. Williams

No: None

Motion carried.

Councilpersons Waterman and K. Williams temporarily excused.

10-80 An Ordinance entitled, "An Ordinance to update the General Employees Retirement System Ordinance to add furlough day value to the definition of compensation for inclusion in Final Average Compensation", was read.

WHEREAS, the City of Pontiac Law Department has put forth an Ordinance for the City Council to consider to amend the Pontiac City Code, Section 93, "General Employees' Retirement System, Section 2.9 to allow that the definition of compensation include the value of furlough days for the calculation of Final Average Compensation (FAC), and;

WHEREAS, the First Reading of the proposed Ordinance was conducted on Thursday, March 4, 2010;

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council does hereby approve the Ordinance to amend the Municipal Code of Pontiac, Section 2.9 to allow that the definition of compensation include the value of furlough days for the calculation of Final Average Compensation (FAC);

Moved by Councilperson Pietila, supported by Councilperson Waterman

Ayes: Carter, Jones, Pietila, Waterman, Watkins, G. Williams

No: None

Motion carried.

Councilperson K. Williams temporarily excused.

By Councilperson Jones, supported by Councilperson Waterman,
Resolved, that the meeting be adjourned.

Meeting adjourned at 8:16 p.m.

MYRA K. ALLEN, CMC
ACTING CITY CLERK



Michigan Department of Consumer and Industry Services

Liquor Control Commission

RESOLUTION

FOR MLCC USE ONLY

Request ID # 529958

Business ID # 222044

At a regular meeting of the Pontiac City Council called to order by

President L. Jones on Thursday, March 18, 2010 at 7:00 p.m.

the following resolution was offered:

Moved by Councilperson:

Supported by Councilperson:

That the request from: A & S KAJY ENTERPRISE, INC., request to transfer ownership of an escrowed 2009 SDM license from JOSLYN ENTERPRISES, INC., located at 1124 Joslyn, Pontiac, MI 48340, Oakland County,

be considered for approval
(approval/disapproval)

APPROVAL

DISAPPROVAL

YEAS:

YEAS:

NAYS:

NAYS:

ABSENT:

ABSENT:

It is the consensus of this legislative body that the application

be Recommended or _____ for issuance.
Recommended Not Recommended

State of Michigan)

SS

County of Oakland)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Pontiac City Council at a regular meeting held on the 18th day of March 2010, A.D.

SEAL

(Signed) _____
(Township, City, or Village)

Yvette Talley, City Clerk, CMC
Myra Allen, Acting City Clerk, CMC

47450 Woodward Avenue, Pontiac MI 48342
(Address of Township, City or Village Board)

FORMAL AGENDA ITEM REQUEST

Due in the Executive Office No Later Than 2:00 p.m., Tuesday, Nine (9) Days Prior to the Meeting Date.

Date Submitted: Tuesday, March 9, 2010 By: Fred Leeb, EFM

Council Meeting Date: Thursday, March 18, 2010 Action Deferred Until: _____

AGENDA CATEGORY

<input type="checkbox"/> Acknowledgments	<input type="checkbox"/> Litigations
<input type="checkbox"/> Agreements/Contracts	<input type="checkbox"/> Miscellaneous
<input checked="" type="checkbox"/> Applications/Petition	<input type="checkbox"/> Ordinances
<input type="checkbox"/> Appointments	<input type="checkbox"/> Public Hearings
<input type="checkbox"/> Communications/Correspondence	<input type="checkbox"/> Public Improvements
<input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Real Estate

Suggested Wording:

- a.) Report from the Emergency Financial Manager relevant to a request from: A & S KAJYENTERPRISE, INC., request to transfer ownership of an escrowed 2009 SDM license from JOSLYN ENTERPRISES, INC., located at 1124 Joslyn, Pontiac, MI 48340, Oakland County.
- b.) Consideration of a Resolution to make a recommendation of approval/disapproval to the State of Michigan, Liquor Control Commission.

Supporting Documents Required:

<input checked="" type="checkbox"/> Report/Transmittal Letter	<input type="checkbox"/> Contract Agreement
<input type="checkbox"/> Map/Chart/Graph	<input type="checkbox"/> EO/MCRO Approval
<input checked="" type="checkbox"/> Resolution/Proclamation	<input type="checkbox"/> Other

Department, Contact Person, & Phone: DPW&U Dept., D. E. Lavalais, 758-3305

Date Received: _____



City of Pontiac, Michigan
Official Memorandum
Office of Building & Safety Engineering-Licensing

Executive Office

TO: Pontiac City Council

FROM: Fred Leeb,
Emergency Financial Manager

DATE: February 16, 2010

RE: 1124 Joslyn Pontiac, MI 48340, Oakland County,
Alaa Kajy, Applicant

Attached is a Resolution for: **A & S KAJY ENTERPRISE, INC.**, request to transfer ownership of an escrowed 2009 SDM license from **JOSLYN ENTERPRISES, INC.**, located at 1124 Joslyn, Pontiac, MI 48340, Oakland County.

All applicable investigations have been completed, and the applicant has been investigated and the investigating officer finds no criminal history for the said applicants.

The applicant has met all criteria and subject material has been submitted for Pontiac City Council review and a recommendation to the State of Michigan Liquor Control Commission for approval/disapproval of said transfer.

FL/del



Application for Special Exception Permit

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: A & S Kajy Enterprise, Inc.

Sidwell Number: 64-14-16-402-030

Date: 01/29/2019

Office Use Only

PF Number: 19-03

Instructions: Completed application with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the scheduled Planning Commission Meeting. Application must complete in all respects with supporting documents such as site plan, property survey, detailed description of the proposed use, etc. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	A & S Kajy Enterprise, Inc., c/o Alaa Kajy		
Address	1124 Joslyn Ave.		
City	Pontiac		
State	Michigan		
ZIP Code	48340		
Telephone	Main: 248-335-6317	Cell: 586-219-0838	Fax:
E-Mail	alkajy@aol.com		

Project and Property Information

Name of Proposed Development: Joslyn Beverage

The subject property is location at 1124 on the N / S / E / W side of Joslyn
between Columbia Ave. and Beverly Ave.

The property is zoned: C-1

It is proposed that the property will be used as: SDD & SDM licensed establishment

The subject property is legally described as follows (include sidwell numbers):

64-14-16-402-030

Property Owner Information

Name	A & B Joslyn, LLC c/o Alaa Kajj		
Address	1124 Joslyn Ave.		
City	Pontiac		
State	Michigan		
ZIP Code	48340		
Telephone	Main: 248-335-6317	Cell: 586-219-0838	Fax:
E-Mail	alkajj@aol.com		

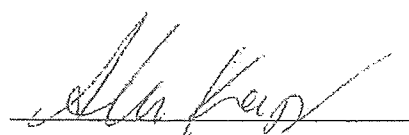
Are you the ☒ Owner _____ Agent/rep. of the owner _____ Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

The subject establishment is currently licensed as a Specially Designated Merchant ("SDM" & Wine) retailer applying for approval to add an Specially Designated Distributor ("SDD") (Liquor). No other changes to the "Use" of the store. Applicant will not expand the footprint of the store or property.

Supporting materials required:

- o Proof of ownership, purchase/lease agreement
- o Site plan, floor plan, elevations/photographs
- o Electronic copy of site plan associate planner


Signature of Owner


Signature of Applicant

State of Michigan
County of Oakland

On this ____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Notary Public, Oakland County, Michigan
My Commission Expires: _____

[illegible]

0 135 270 540 ft

N

1 beverages at 1430 Joslyn Avenue.)

2 COMMISSIONER NORTHCROSS: Second.

3 MR. GUSTAFSSON: Commissioner Parlove?

4 COMMISSIONER PARLOVE: Yes, to deny.

5 MR. GUSTAFSSON: Commissioner

6 Northcross?

7 COMMISSIONER NORTHCROSS: Yes, to

8 deny.

9 MR. GUSTAFSSON: Vice Chair Fegley?

10 VICE CHAIR FEGLEY: Yes, to deny.

11 MR. GUSTAFSSON: Mayor Waterman?

12 MAYOR WATERMAN: Yes, to deny.

13 MR. GUSTAFSSON: Commissioner Payne?

14 COMMISSIONER PAYNE: Yes, to deny.

15 AYES: Payne, Parlove, Northcross,

16 Waterman, Fegley

17 NAYS: (None.)

18 MOTION CARRIES TO DENY 5-0-0.

19 6.2

20 SEP 19-03

21 PROPERTY ADDRESS: 1124 Joslyn Avenue.

22 PARCEL NO: 64-14-16-402-030.

23 APPLICANT: A&S Kajy Enterprise Inc.

24 CURRENT ZONING: C-1 Local Commercial

25 INTENDED USE: SDD Liquor License

1 (Presentation of facts given by Mr.
2 Smith.)

3 VICE CHAIR FEGLEY: (Invited the
4 petitioner to the podium.)

5 MR. AL KAJY: (Stated he is the owner
6 of 1124 Joslyn, Pontiac. He indicated he would have
7 his attorney speak on his behalf.)

8 MR. GUS ABRO: (Greeted the Planning
9 Commission. Introduced himself as Gus Abro, address
10 is 500 South Old Woodward, Second Floor, Birmingham,
11 Michigan 48009. He addressed the drawing and stated
12 he respects that the City has done their due
13 diligence, but he's going to challenge the drawing.
14 He stated he feels that the Kingsley Liquor is not
15 within a mile radius and stated that Joslyn Market
16 falls within the requirement.

17 He stated Mr. Kajy has owned the
18 establishment for over ten years and as the previous
19 slide has indicated, he was approved by the City
20 Council back in March of 2010 for SDM.

21 He stated now he's here before the
22 Commission to add SDD, which is liquor. He stated
23 he is not expanding the use, he's not expanding the
24 footprint. He stated in his area there is a need.
25 He stated his business is dependent on it. He

1 stated there's too much competition. He stated they
2 have approved other liquor establishments in the
3 City and he understands the argument of
4 over-congestion.

5 He stated there is a waiver that the
6 churches can apply for and they have established
7 both Liquor Control and each church congregation has
8 not objected. He stated they were sent notices and
9 they have it in the approval dated March 27, 2019
10 that both churches, St. Paul Community Lutheran
11 Church as well as the Bible Fellowship Christian
12 Church who are customers of Joslyn Market. He
13 stated they frequent the business and Mr. Kajy knows
14 them personally and they have no objection with
15 adding additional inventory. He stated Pontiac is
16 the only municipality to distinguish between beer
17 and wine and liquor. He stated when they submitted
18 the application to Liquor Control, they voluntarily
19 submitted the request for application for special
20 use which is before the Planning Commission dated
21 January 29th, 2019. He stated the owner gives back
22 and supports local law enforcement, supports local
23 children and schools. He stated he could have
24 filled this room with the support. So he's
25 respectfully asking for approval.

1 He indicated if they have a doubt
2 about the demographics, he'd ask to table this
3 matter and allow them to provide the proper survey
4 for.)

5 VICE CHAIR FEGLEY: (Opened public
6 comments.)

7 FROM THE AUDIENCE: (Mike Cobis (ph)
8 (inaudible) 3rd Avenue approached and stated he's
9 known Mr. Kajy since he opened the business. He
10 stated he's a man of integrity, he does give back to
11 the community, donates to churches, helps people out
12 when they are down on their luck. He stated he
13 takes pride in his business. He spoke about
14 customer appreciation days. He stated he would urge
15 and ask that the Council consider not only these
16 boundaries but what the people would like just as
17 they did on the medical marihuana licenses.)

18 MS. BELINDA DOUGLAS: (Address, 2700
19 Shimmons Road. She stated she lived in the
20 neighborhood where Mr. Kajy's store is for 20 plus
21 years. She stated he's very well accepted and
22 respected in the neighborhood and the community.)

23 MR. ROBERT HUTTENHOWER: (Address, 570
24 4th Avenue. Stated he's known Mr. Kajy and his
25 brother for over ten years since they opened the

1 store. Stated they have been very well-received and
2 they take care of the neighborhood. He indicated
3 they have upgraded the property and just made it
4 stand out so that it shines; that you couldn't ask
5 for a better businessowner and couldn't ask for a
6 better friend. Stated the guy will help you out and
7 give you the shirt off his back. He stated he
8 thinks it would be a mistake to hold him down and
9 they should grant the request.)

10 MS. MARY PIETILA: (Stated address was
11 195 West Kennett Road, Pontiac, Michigan. She
12 stated she was an 11-year council person. She
13 stated she was here in 2010, and they worked very
14 hard. They have ordinances in place and want the
15 ordinances executed. She stated if they have two
16 parties coming together in front of you in one night
17 asking for the same thing, and will not give it to
18 one, they have to deny both.)

19 MR. BILLY VIVERETTE: (Address, 776
20 Second Avenue, resides in the same area that the
21 store is in. He stated that Al brings a lot of good
22 to the neighborhood. He stated all of the kids in
23 the area love him, and if he can help you in any
24 way, he will. He stated he has in a lot of cases
25 helped him. He stated he's a credit to the

1 neighborhood. He states he doesn't drink so can't
2 say anything about the alcohol thing, he's just
3 saying that he thinks that he should be granted the
4 license.)

5 MR. KAJY: (Stated he's been on
6 location since 2009 and hasn't sold to any minors
7 alcohol or tobacco for any reason. He stated he'd
8 appreciate them granting the license.)

9 MR. ABRO: (Addressed what Council
10 member Pietila mentioned regarding conformity with
11 the ordinance. He stated, however, every situation
12 is unique. He explained this is not a gas station
13 or a fuel petroleum establishment, that it is a
14 party store that's trying to survive. He stated Mr.
15 Kajy is a pillar in the community. He stated Liquor
16 Control has eliminated the half-mile rule. He
17 stated this investment is significant and these
18 licenses are going upwards of \$300,000.)

19 VICE CHAIR FEGLEY: (Closed public
20 comments.)

21 MR. GUSTAFSSON: (Asked Donovan to
22 clarify the 1,000-foot in regards to the other
23 establishments in regards to the green dot versus
24 the star to the south.)

25 MR. SMITH: (Stated the graphic to the

1 left indicates the one-mile buffer requirement where
2 you're only permitted to have no more than two
3 facilities that sell packaged alcoholic beverages.
4 He explained the ordinance strictly speaks to
5 packaged alcoholic beverages. He stated this system
6 that produces the measurements for all of the
7 applications is the Oakland County Land System. He
8 stated it is also the same system that provides
9 legal notices and distances and the addresses.)

10 MR. GUSTAFSSON: (He stated even if
11 King's Liquor is there at the edge of the one mile,
12 that technically they can only have two and there
13 are already three.)

14 MR. SMITH: (Stated if you want to be
15 technical there are four because the existing
16 business also sells beer and wine.)

17 MR. GUSTAFSSON: (Stated even if
18 King's Liquor was out they still would exceed the
19 requirements through the Zoning Ordinance.)

20 MR. KAJY: (Asked if he could respond
21 briefly.)

22 VICE CHAIR FEGLEY: (Stated they were
23 going to get feedback from the Commissioners and
24 called on Commissioner Northcross.)

25 COMMISSIONER NORTHCROSS: (Pointed out

1 there are two religious organizations and facilities
2 in that area. He stated that if you're looking at
3 not meeting the ordinance, that that's the clearer
4 example of lack of conformance with the ordinance.
5 He stated being associated with an organization in
6 the City, they look toward government to follow
7 their stated rules in operating. He stated that
8 right there alone is non-conformance.)

9 MAYOR WATERMAN: (Stated he sounded
10 like a really good guy, been a treasure to the
11 neighborhood. She stated she hopes they find a
12 business model to succeed, not to match their profit
13 margin by having to add liquor. She stated she
14 already sees the applicants from the prior case
15 lingering around to see if they get different
16 treatment, so that's one way for the City definitely
17 to get in trouble; that they want to be consistent
18 and also want to follow steps that have been put
19 before them by the City Council in terms of the
20 ordinance they have passed. She stated in addition
21 to the fact that as they City now has medical
22 marihuana, they have taken a measure of what they
23 feel the City of the size can bare and that's
24 something that is also apparent in the discussions
25 and review as Planning Commissioners.)

1 COMMISSIONER PARLOVE: (Thanked Mr.
2 Kajy for having a good business in the City and for
3 giving back to the community and he's got a great
4 support system that's come out and always nice when
5 people take the time to do that. She stated she
6 believes the information is accurate and there's no
7 need to give a special exemption permit for the
8 case.)

9 MR. KAJY: (Asked if he could say
10 something.)

11 VICE CHAIR FEGLEY: (Stated no, public
12 comments are closed. She asked Commissioner Payne
13 if she had questions or comments.)

14 COMMISSIONER PAYNE: (Stated she would
15 like to thank the applicant for his services here
16 within the City, giving back to community. She
17 stated she has concerns when it comes to saying the
18 business depends on it. She stated in Pontiac
19 they're trying to make a turnaround where they're
20 trying to become a healthy city. She stated they
21 have been trying to do sidewalks or things for
22 people to start walking and start caring for their
23 health and their well-being. She stated the
24 question would be, does the liquor come before the
25 health of the community?)

1 MR. ABRO: (He stated they're in no
2 way saying that at all. He stated by adding liquor
3 doesn't diminish the other products that he is still
4 going to carry that are health-conscious.)

5 VICE CHAIR FEGLEY: (Stated the rules
6 are very clear, this proposal does not follow two
7 distinct rules. The church is being within one area
8 and then more than two in other area. She stated if
9 everyone came in and said "I'm going to lose my
10 business if I don't get this" they would have a
11 problem discerning between who would get it and who
12 wouldn't, and that's why the rules are in place.)

13 MR. ABRO: (Stated there's been other
14 applicants that have liquor requests and been
15 approved.)

16 VICE CHAIR FEGLEY: (Stated that's not
17 true. She further stated she's not going to get
18 into a back and forth with the applicant.)

19 COMMISSIONER PARLOVE: (Made a motion
20 for SEP 19-03 to deny SEP 19-03 special exemption
21 permit for proposed SDD license and sale of packaged
22 alcoholic beverages at 1124 Joslyn Avenue.)

23 COMMISSIONER PAYNE: (Second.)

24 MR. GUSTAFSSON: Commissioner Parlove?

25 COMMISSIONER PARLOVE: Yes, to deny.

1 MR. GUSTAFSSON: Commissioner Payne?

2 COMMISSIONER PAYNE: Yes, to deny.

3 MR. GUSTAFSSON: Mayor Waterman?

4 MAYOR WATERMAN: Yes, to deny.

5 MR. GUSTAFSSON: Commissioner

6 Northcross?

7 COMMISSIONER NORTHCROSS: Yes, to

8 deny.

9 MR. GUSTAFSSON: Vice Chair Fegley?

10 VICE CHAIR FEGLEY: Yes, to deny.

11 AYES: Payne, Parlove, Northcross,

12 Waterman, Fegley

13 NAYS: (None.)

14 ABSTAIN: (None.)

15 MOTION CARRIES TO DENY 5-0-0.

16 MR. GUSTAFSSON: Last item is in

17 regards to administrative oversight.

18 VICE CHAIR FEGLEY: New business. 7.1

19 Private Recreation use in C-4 Suburban Business

20 District.

21 MR. GUSTAFSSON: (Stated Donovan will

22 take the lead on this, but he would give an

23 overview. He stated there's been a couple of

24 applicants interested in locating some indoor

25 recreational facilities within the C-4 District

#8

RESOLUTION



City of Pontiac

City Council Memo

Economic Development

To: Honorable Mayor Waterman, Council President and City Council
From: Rachel Loughrin, Director of Economic Development
Through: Office of the Deputy Mayor, Jane Bais-DiSessa
Date: 5-01-19

RE: Application for Brownfield and Obsolete Property Rehabilitation
Certificate Approvals - 50 Wayne Street
Request for public hearing to be for scheduled 5/21/19

Dear Mayor, Council President and City Council Members,

JBD Indian Hill Ventures, LLC has formally requested the approval of a Brownfield and Obsolete Property Rehabilitation Certificate for their Four Million, Three Hundred Thousand Dollar renovation of 50 Wayne Street into a mixed use development. The Brownfield will run for 26 years and the Certificate approval will be granted for a total of 12 years with the option for a claw back of the final six years following the first six, should the developer not meet the conditions for job creation as stated in Section 6.B of the development agreement (attached and further explained below).

The request is that the City Council set a public hearing for May 21, 2019 to vote upon the OPRA Certificate request as well as vote to concur with the two Oakland County resolutions for the Brownfield request.

The parcel is currently zoned C-2 Downtown, the property is commercially developed with a 26,880 square foot vacant office building in an area

characterized by commercial and warehouse uses. The zoning will remain the same and permits the proposed future use. Standard and other historical sources were able to document that the property was developed prior to 1888 with a portion of the current building in the southwestern portion and a stable in the northeastern portion. Several additions were constructed to the original portion of the building between the late 1800s and 1940. Additionally, the former eastern portion of the building was demolished between 1924 and 1940 and the eastern portion was converted to a parking lot. However, a basement under the northeastern portion of the property/parking lot remains. The property was occupied by Pontiac Electric Light and Power Co. and/or Pontiac Lighting Co. from prior to 1888 until between 1915 and 1919, and operations included power generation utilizing four dynamos and two engines. Fuel sources included coal and fuel oil (stored in a former shed located in the northern portion between at least 1909 and 1919), and the dynamos and engines were historically located in the western and central portions of the building. By 1919, power generation operations had ceased on the property and the building was converted to office use. The building was occupied by Consumers Power Company and utilized as an office and sales building from at least 1919 until 1970. The building was utilized as a multi-tenant office space for various non-profit, County, and medical organizations as well as by Michigan Bell Telephone from at least 1975 until 2014. The building has been vacant since 2014.

The project will entail a rehabilitation of the current building. Office/retail space will be provided on the first floor and on the three floors above, 25 loft-style, market rate apartments will be constructed.

The building will be brought up to code and will receive new utilities including electrical and plumbing. A new access stairwell will be installed and the elevator will be upgraded. A new heating and cooling system will also be installed, along with energy efficient windows and doors. All apartment units will receive new kitchen and bathroom cabinetry along with appliances and fixtures.

Exterior improvements will include balconies or patios for some of the units, parking lot improvements to the west adjoining surface lot, and as part of the community benefits section of the development agreement the developer will also fix all broken, uneven or sinking sidewalk that surrounds the building.

Section 6.B of the development agreement requires that the developer create 10 or more full time jobs and report the job creation back to the City at the six year anniversary of the OPRA .

Approximately 30 - 40 temporary construction jobs and approximately 25 full-time equivalent jobs associated with the office space and property maintenance will be created in connection with this development.

Upon completion, the redevelopment of this historic building will bring new activity and life to a vacant corner of our downtown. The addition of 25 new apartments means 25 City of Pontiac residents living in and frequenting the establishments in the downtown.

RECEIVED

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

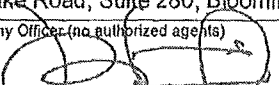
Applicant (Company) Name (applicant must be the OWNER of the facility) JBD Indian Hill Ventures, LLC		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 300 E Long Lake Road, Suite 280, Bloomfield Hills, MI 48304		
Location of obsolete facility (No. and street, City, State, ZIP Code) 50 Wayne Street, Pontiac, MI 48342		
City, Township, Village (Indicate which) Pontiac		County Oakland County
Date of Commencement of Rehabilitation (mm/dd/yyyy) 9/1/2019	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 12/1/2020	School District where facility is located (include school code)
Estimated Cost of Rehabilitation \$3,500,000.00	Number of years exemption requested 12	Attach Legal description of Obsolete Property on separate sheet
Expected project likelihood (check all that apply): <input checked="" type="checkbox"/> Increase Commercial activity <input checked="" type="checkbox"/> Create employment <input type="checkbox"/> Retain employment <input type="checkbox"/> Prevent a loss of employment <input checked="" type="checkbox"/> Revitalize urban areas <input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment 55-65		
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. <input type="checkbox"/>		

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

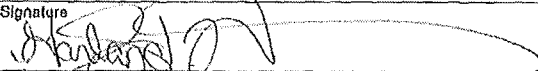
The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) JB Davies	Telephone Number (248) 646-4030	Fax Number (248) 646-4598
Mailing Address 300 E Long Lake Road, Suite 280, Bloomfield Hills, MI 48304		Email Address left6jb@gmail.com
Signature of Company Officer (no authorized agents) 		Title Managing Member

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature 	Date application received 4/3/19
--	-------------------------------------

FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
<input type="checkbox"/> Denied		
Date District Established	LUCI Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(i) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>
--	---

PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

Taxable Value		State Equalized Value (SEV)	
Building(s)			
Name of Governmental Unit	Date of Action on application	Date of Statement of Obsolescence	

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature	Date	
Clerk's Mailing Address	City	State	ZIP Code
	Telephone Number	Fax Number	Email Address

Mail completed application and attachments to: Michigan Department of Treasury
State Tax Commission
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call (517) 373-2408.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

April 1, 2019

Pontiac City Council
City Hall
47450 Woodward Avenue
Pontiac, MI 48342

RE: Request for the Establishment of an Obsolete Property Rehabilitation Act (OPRA)
Certificate at 50 Wayne Street, Pontiac, Michigan 48342
for JBD Indian Hill Ventures, LLC

Honorable City Council:

Please accept this letter as a request to establish an Obsolete Property Rehabilitation Act (OPRA) Certificate for the property located at 50 Wayne Street, Michigan 48342, which is referred to herein as the "Property" and described on Attachment A. The Property will be rehabilitated by the petitioner and current owner, JBD Indian Hill Ventures, LLC. The property is located in an existing OPRA District.

Company and Project Synopsis

JBD Indian Hill Ventures, LLC (the "Developer") is a partnership between JB Davies and Fred Blechman. JBD Indian Hill Ventures, LLC was founded in 2018 and is managed by both JB Davies and Fred Blechman. JB Davies has spent his entire career in real estate, beginning as a Tax Specialist in 1983. From humble beginnings, in 1993 JB Davies was named in the "40 Under 40" issue of Crain's Detroit Business and recognized by Detroit Monthly Magazine among 75 individuals who have or will have an influence on the future of the City of Detroit. His work since 1996 has consisted of acquiring and developing commercial properties. Fred Blechman had a vision in 1974 while working in his father's hardware store. He followed that vision which led to the creation of Management Supply Company (MSC), an apartment supply company he founded in Michigan. After years of success, MSC was sold to a company seeking to create a national distribution network. Entering real estate for himself following the sale of MSC, Fred Blechman began purchasing and redeveloping real estate throughout metro-Detroit. In 2003, Creative Urbane was formed for the purpose of purchasing, renovating, and marketing the properties under the Urbane Apartments brand. They have completed 15 properties to-date and are currently redeveloping a building in midtown-Detroit.

The project, which is in an approved Obsolete Property Rehabilitation District (OPRD) contains a single approximately 0.29 acre parcel at 50 Wayne Street and is bounded by West Lawrence Street to the south, Wayne Street to the west, the property line to the north, and the alley between North Saginaw Street and Wayne Street to the east. The project is located in the heart of downtown Pontiac with access to the Amtrak railway and Greyhound bus station just over one-quarter mile southwest at Pontiac Station, as well as many fixed SMART Bus routes within walking distance. The property is occupied by a vacant 4-story office building totaling approximately 26,880 square feet including the basement level. The building has been vacant since 2014 and currently remains uninhabitable.

The 50 Wayne project will entail the rehabilitation of the current building into first floor office/retail space with 25 edgy loft-style apartments on floors two through four. Historical

*Request for Establishment of an Obsolete Property Rehabilitation Certificate at
50 Wayne Street, Pontiac MI 48342
for JBD Indian Hill Ventures, LLC*

features such as the granite floors and mold-work ceilings will be preserved where possible, and abstract expressionism artwork will be portrayed throughout the hallways.

As part of the rehabilitation, the building will receive new utilities including electrical and plumbing, new energy efficient heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, kitchen and bathroom cabinetry, appliances and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed. The structure will also be brought up to code per ADA and Fire requirements, which may include an ADA lift and fire suppression/alarm system if deemed required.

Additionally, the Developer intends to make improvements to the west adjoining surface parking lot for resident and tenant parking, however, those parcels are not included within this request.

The Necessity for Tax Relief

Substantial investment is necessary to rehabilitate the area into a viable, long-term development. Additionally, the property currently contains a dilapidated and damaged building that will require repair and selective demolition with the property rehabilitation. The overall internal rate of return for the proposed development will be extremely low without the receipt of the Obsolete Property Rehabilitation Certificate, and therefore, the development would not be possible without it.

The costs associated with the rehabilitation require multiple capital sources including equity contributed by JBD Indian Hill Ventures, LLC Members as well as an interim construction loan, and upon completion, a long-term loan product. In order to secure this financing and future tenants, the operating costs of the proposed renovations and redevelopment of the project need to be kept as low as possible (including property taxes).

The proposed Development included within the request will result in approximately 30-40 construction jobs and approximately 25 full-time equivalent (FTE) job associated with the office space and property maintenance.

PA 146 Request

A 12-year abatement is being requested.

Economic Advantages of the Rehabilitation

Upon completion, the Development will return an obsolete property to productive use and will increase residential density in an area characterized by vacant buildings and disinvestment. Activation of this property will spur further growth and act as a catalyst for further redevelopment of numerous vacant and blighted properties along the West Lawrence, Wayne, and North Saginaw corridors and the surrounding neighborhoods, providing spinoff consumer spending in an area of downtown that is currently trying to reestablish itself.

The granting of the OPRA tax abatement will not result in any fewer taxes to the City of Pontiac in the short-term or long-term. On a short-term basis, approximately 30-40 construction jobs will be created. The general contractor (GC), Urbane Management and Creative Urbane Development, will perform the contracting work for this project. Metro-Detroit based, the GC

*Request for Establishment of an Obsolete Property Rehabilitation Certificate at
50 Wayne Street, Pontiac MI 48342
for JBD Indian Hill Ventures, LLC*

insures locally sourced contractors and workers benefit from the redevelopment. The GC has also reached out to local contractors to inquire about providing references for other Pontiac based trades that could provide services for this development.

Upon successful redevelopment, the Development will create approximately 25 FTE jobs related to the management and maintenance and from the first floor office/retail space expected. These new jobs, along with any new residents living at the development, will generate increased income taxes for the City of Pontiac.

Following expiration of the 12-year abatement, the building will deliver a significant increase in tax revenue. Over time, the successful redevelopment and cultural growth will serve as a catalyst for additional investment within this downtown neighborhood.

Closing

JBD Indian Hill Ventures, LLC is a partnership between seasoned real estate professionals with extensive experience in multi-family investments and redevelopments throughout metro-Detroit.

Members of the Development team have reached out to City Council members, local businesses and local contractors in Pontiac regarding the project and have received extremely positive feedback.

The team is looking forward to pursuing this redevelopment and creating a community space in the heart of Pontiac's downtown neighborhood.

Respectfully Submitted,

JB Davies
Managing Partner
JBD Indian Hill Ventures, LLC

Attachment A: Detailed Project Description

Attachment A

Detailed Project Description

General Description

The proposed Development is located at the intersection of Wayne Street and West Lawrence Street in downtown Pontiac. The property is loosely bounded by West Lawrence Street to the south, Wayne Street to the west, the property line to the north, and the alley between North Saginaw Street and Wayne Street to the east. The property consists of one parcel, which is outlined in the map below.



The property is occupied by a 4-story office building totaling approximately 26,880 square feet including the basement level. The building has been vacant since 2014 and currently remains uninhabitable. The proposed project currently consists of a complete building rehabilitation to create 25 residential apartment units. The Developer intends to make improvements on the west adjoining surface parking lot for resident and tenant parking, however, those parcels are not included within this request.

The associated address and parcel identification number can be found below and a copy of the corresponding legal description can

be found at the end of this attachment.

Description of Proposed Use

The proposed redevelopment will create additional housing and increased residential density in the heart of downtown Pontiac that has been behind the curve for investment and redevelopment, and will entail the rehabilitation of the current building into first floor office/retail space with 25 edgy loft-style apartment units on the second through fourth floor. Each unit will include modern, open floor plans with custom cabinetry for cozy living and restored historical features where applicable. The proposed redevelopment will include approximately 5,000 square feet of office space on the first floor.

The developers will seek to install landscape per city requirements for surface lots. The developer will also seek to provide some common gym and laundry amenities within the building.

Nature and Extent of the Rehabilitation

As part of the rehabilitation, the building will receive new utilities including electrical and plumbing, new energy efficient heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, new kitchen and bathroom cabinetry, appliances, and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed, and may include stabilization efforts, brick repair, and other activities to honor the building's historic appearance. The structure will also be brought up to code per ADA and Fire requirements, which may include and ADA lift and fire suppression/alarm system if deemed required.



Existing building located at 50 Wayne Street





Current interior conditions of 50 Wayne Street

The Development will create residential tenant spaces which are both historic and modern, with abstract expressionism artwork throughout. These developments are necessary components crucial to attracting resident and visitor interest along with investment in this blighted area of Pontiac.

JBD Indian Hill Ventures, LLC intends to apply for a 12-year real property tax abatement under the provisions of an Obsolete Property Rehabilitation Act tax abatement.

Descriptive List of the Fixed Building Equipment/Renovations

Renovations and new fixed building equipment and materials for the project include;

- Masonry; restoration activities associated with the existing building
- Carpentry; including framing, kitchen cabinetry, vanities, trim work
- Thermal and Moisture Protection; roofing system, caulking and sealing, waterproofing
- Doors and Windows; exterior doors, interior doors/frames/hardware
- Fire alarm/suppression system if required per City code. Developers are working with City/Fire Marshal to identify requirements currently.
- Mechanical; plumbing and HVAC
- Electrical; electrical work, security system, and communications
- Finishes; drywall and steel studs/insulation, hard tile, hardwood/LVT flooring, painting
- Specialties; ADA Lift (If required), fire extinguishers, toilet accessories, and stainless steel appliances.

Total construction hard cost investment is estimated at \$3.5 million.

Time Schedule

Construction activities are anticipated to commence in the fall of 2019. Construction completion is anticipated for late in the fourth quarter of 2020.

Statement of Economic Advantages

The proposed Development will bring needed investment into an area of downtown Pontiac characterized by vacant buildings and disinvestment. The Development will increase residential density in the blocks of downtown that are characterized by vacancy and have the perception of being unsafe. Activation of this property will spur further growth and act as a catalyst for future redevelopment of numerous vacant and blighted properties along the West Lawrence, Wayne, and North Saginaw corridors and the surrounding neighborhoods, providing spinoff consumer spending in an area of downtown that is currently trying to reestablish itself.

Upon successful redevelopment, the Development will generate increased income taxes, through the new jobs and residents that the project will create.

On a short-term basis approximately 30-40 construction jobs will be created. The general contractor (GC) has several metro-Detroit based contractors that they have used in the past and that they have requested bids from to ensure Pontiac-based contractors and workers benefit from the redevelopment. The GC has also reached out to Pontiac contractors with to inquire about providing references for other Detroit based trades that could provide services for this development.

On a long-term basis the proposed redevelopment associated with the Development will create approximately 25 FTE jobs one full-time equivalent (FTE) jobs associated with property maintenance and within the office space. The apartments are anticipated to house an estimated 39 residents. Based on the targeted end uses it is anticipated that two-thirds will be new residents to Pontiac. It is anticipated the City of Pontiac will collect income taxes from these residents at a value greater than the value of this tax abatement request.

Additionally, there will be other indirect benefits such as spin off spending in the City that will contribute to the economic benefits produced by this investment. It will further help meet the demand for housing in Pontiac, with a reported 2.6% vacancy rate across metro-Detroit (Crain's, 5/13/17) and a desperate need for investment into the City. Indeed, investments in the community such as this that will have long-term effects and provide sustainable principals will retain and foster local talent that is vital to securing the City's economic future.

Following expiration of the 12 year abatement the building will deliver a significant increase in tax revenue. Over time, the successful redevelopment and cultural growth will have a catalyst effect within this downtown neighborhood.

Legal Description

Parcel Number: 64-14-29-433-003
Address: 50 Wayne Street
Acres: 0.29

Legal Description:
T3N, R10E, SEC 29 ASSESSOR'S PLAT NO. 113 LOT 3

AFFIDAVIT

STATE OF MICHIGAN)
CITY OF PONTIAC)
COUNTY OF OAKLAND)

NOW COME David M. Hieber and Jane Walsh, of Oakland County Equalization, both being first duly sworn, depose and state as follows:

I, David M. Hieber, MMAO (4), am the Assessor for the City of Pontiac, Oakland County, Michigan and make this affidavit in conjunction with an application under the Obsolete Property Rehabilitation Act (OPRA), PA 146 of 2000, as amended, for a commercial building and land improvements located at 50 Wayne Street, City of Pontiac, Oakland County, Michigan. The related parcel identified as follows: Parcel No. 64-14-29-433-003.

I, Jane Walsh MAAO (3), did on March 20, 2019 inspect the above referenced parcel in the City of Pontiac and issue the following opinion:


It is my expert opinion that the commercial office building found on the above referenced property is functionally obsolete as defined in MCL 125.2652 of the Brownfield Redevelopment Financing Act. Based on the functional inutility, which is defined as an impairment of the functional utility of a property or building according to market tastes and standards; equivalent to functional obsolescence because ongoing change makes the plan, form, style, design, layouts, or features obsolete. (Appraisal Institute's Dictionary of Real Estate Appraisal *Fifth Edition*).

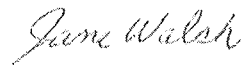
The current building is a four-story, 26,880 square foot office building with basement foundation. The entire building has suffered from extensive deferred maintenance over the last ten years. All interior floors are in extremely poor condition. Prior owner left many areas unfinished and in post-demolition condition. Piles of construction debris including insulation, ceiling tiles, and plaster are left exposed throughout the building. The entire structure will require repair or replacement of interior walls, flooring, ceiling tiles, lighting and windows. All mechanicals, including heating and cooling, fire suppression, elevator and electrical system, require upgrading and/or replacement. Some of the building contains asbestos which will require assessment and removal. The basement foundation has sustained water damage and as a result currently has areas of mold which will require remediation. All parking areas require resurfacing and remarking.

In the opinion of the Assessor, because of the many building deficiencies including overall condition, mechanical systems and parking repair, combined with possible asbestos and mold remediation, the property suffers more than 50% functional obsolescence.

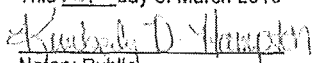
I, David M. Hieber, after inquiry and review of the findings of Jane Walsh, as well as, review of records of the City of Pontiac related to this property find the above property functionally obsolete.

Further deponents sayeth not.


David M. Hieber


Jane Walsh

Subscribed and sworn to before me
This 22nd day of March 2019


Notary Public

Oakland County, Michigan
My Commission Expires: 9-14-25
Acting in the County of Oakland

Resolution to Set Public Hearing on the Application from JBD Indian Hill Ventures, LLC for the approval of an Obsolete Property Rehabilitation Application Certificate

- Whereas, Indian Hill Ventures, LLC has submitted an application for an Obsolete Property Rehabilitation Certificate to rehabilitate 50 Wayne Street, Pontiac, MI 48342 into a mixed-use development; and
- Whereas, Application has been sent to the Office of the City Clerk for certification; and
- Whereas, a public hearing on the establishment of the Obsolete Property Rehabilitation District will be held before the Pontiac City Council at a regular City Council Meeting on Tuesday, May 14, 2019 at 6:00 p.m. in the evening for;

Land situated in the City of Pontiac, Oakland County, Michigan, to-wit:

Commonly known as: 50 Wayne Street, Pontiac, MI 48342

Tax Parcel Number: 14-29-433-003

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council, direct the City Clerk to schedule a public hearing on May 21, 2019 in accordance with the Obsolete Property Rehabilitation Act (Public Act 146 of 2000, as amended) for the approval of the Obsolete Property Rehabilitation Application Certificate.

#9

RESOLUTION

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is effective as of _____, 2019, between the City of Pontiac ("City"), a Michigan municipal corporation, and JBD Indian Hill Ventures, LLC ("Owner"), a Michigan limited liability company.

Recitals:

WHEREAS, the Owner has acquired title to real property commonly known as 50 Wayne, Pontiac, in Oakland County, Michigan ("Property");

WHEREAS, the Owner desires to make substantial improvements to and redevelop the Property for future use ("Project");

WHEREAS, the City is executing this Agreement, to induce the Owner to redevelop a significant building in its downtown, and the parties acknowledge that redevelopment of the Project will contribute significantly to the economy of the City of Pontiac;

WHEREAS, the City's Mayor and City Council have determined that this Agreement is appropriate for the proposed redevelopment of the Project, is consistent with the public health, safety and welfare of the City's residents and businesses, and will result in positive impacts and benefits for the City and its residents and businesses;

WHEREAS, the Owner has submitted an Application for Obsolete Property Rehabilitation Exemption Certificate ("Application") for the Property;

WHEREAS, the City has previously approved an obsolete property rehabilitation district pursuant to Public Act 146 of 2000 as amended ("Act") and the Property is located in such district;

WHEREAS, the City has approved the Application by adopting a resolution granting the Obsolete Property Rehabilitation Exemption Certificate ("OPREC") for a period of twelve (12) years (the "Term"), pending approval also by the Michigan State Tax Commission; and

WHEREAS, the Owner's good faith estimate of the completion date for the Project is September 30, 2020, providing that all necessary permits have been issued by the City's Building Safety Division or its designee and the Owner has received the Economic Development Incentives outlined in Section 9 below on or before October 1, 2019, or extended as outlined in Section 7 (the "Project Completion Date").

NOW THEREFORE, for good and valuable consideration, the adequacy, sufficiency and receipt of which is hereby acknowledged, the City and the Owner agree as follows:

1. **Recitals.** The Recitals as set forth herein are represented to be true and accurate and are hereby incorporated as material terms of this Agreement.

2. **No Preemption.** Unless otherwise expressly provided herein, this Agreement shall not be deemed to waive, preempt, supersede, or render ineffective any applicable municipal or governmental laws, ordinances, codes, regulations or processes, including but not limited to

zoning, economic incentives, taxes, assessments or fees, and Owner shall be subject to all review and approval processes required under the City's ordinances, regulations and rules.

3. **Owner's Additional Requirements.** Owner Agrees as follows:

A. In order for Owner to proceed with the Project, Owner, in its own discretion, shall have received the Economic Development Incentives outlined in Section 9 below, and shall prepare and submit to the City plans and specifications (the "Plans") for the improvements (each an "Improvement", and collectively, the "Improvements"); provided that no physical Improvements shall be commenced until all necessary permits have been issued by the City's Building Safety Division or its designee.

B. To construct all improvements in accordance with the City's building code as approved by the City's Building Inspection Division.

C. Failure to comply with any of this Agreement's terms and conditions shall constitute a material breach of the Agreement and each of the parties shall have all remedies in law and/or in equity necessary to ensure compliance by the other party.

4. **Contracts.** Owner shall provide City with letters from a licensed architect and licensed general contractor confirming that they have been retained to assist with the redevelopment of the Project.

5. **Community Benefits.**

A. In connection with the redevelopment and construction of each component of the Project, Owner shall implement, or require its general contractor to implement, a local hiring practice which provides a preference for such general contractor, to the extent possible, their subcontractors and suppliers, to hire City residents to perform jobs relating to the redevelopment and construction of the Project. Further, the Owner may retain Pontiac Based Businesses to provide architectural, engineering, environmental and other professional and consulting firms services relating to the redevelopment and construction of the Project. For purposes of this Agreement, a "Pontiac Based Business" shall mean a business that is either (i) headquartered in the City, or (ii) has an office, store or other facility within the City. Owner shall require its general contractor to advertise available on-site jobs in local media and electronically on a City-sponsored website and social media, if such resources exist. In addition, Owner shall consult with and provide written notice to at least two (2) local hiring organizations, which may include non-profit organizations involved in referring eligible applicants for job opportunities, including through the Pontiac Jobs Pipeline which is operated through the City's Economic Development Department. Owner shall require its general contractor to consider in good faith all applications submitted by City residents and businesses and maintain a preference for hiring City residents and businesses that are qualified to perform the on-site jobs relating to the Project and construction of each component of the Project. Owner shall, in its agreements with its general contractor, include a requirement for this local hiring practice, and, in connection therewith, Owner will introduce such contractors to, and encourage such contractors to participate in, the "Community Ventures" program offered by the Michigan Economic Development Corporation. On or before the 10th of each month after the commencement of the Improvements to the Project, Owner shall submit to the City a report ("Report") signed by the Owner's managing member setting forth the results of the

Owner's or its general contractor's implementation of its local hiring practices to hire City residents to perform jobs related to the Project.

B. Owner shall make all efforts to notify residents of the City, discuss the open positions and help City residents find work on the Project and within the organization.

C. Owner shall during its construction process, fix all broken, uneven, sinking sidewalk per the Plan at an estimated cost of Twenty-Two Thousand and 00/100 Dollars (\$22,000.00).

D. Owner agrees to spend not less than Four Million Three Hundred Thousand and 00/100 Dollars (\$4,300,000.00) on the Project (includes hard and soft costs) by the time it is fully complete and occupied.

E. Owner shall have created an economic benefit to the City taxpayers by redeveloping the Project, which will have residents and tenants who will pay income taxes to the City.

6. Revocation of OPREC.

A. Pursuant to Section 12. (1) of the Act, the City may, in its sole discretion and by resolution of Pontiac City Council, revoke the OPREC if the City finds that the completion of rehabilitation of the Property has not occurred within the time authorized by the City as set forth in this Agreement or within a duly authorized extension of that time, or that the Owner has not proceeded in good faith with the operation of the rehabilitated Property in a manner consistent with the purposes of the Act and in the absence of circumstances that are beyond the control of the Owner.

B. Following completion of the rehabilitation of the Property and receipt of a Certificate of Occupancy ("CofO"), Owner agrees that its first floor tenant(s) shall have an average of ten (10) or more full-time employees for the period beginning on the date the CofO is issued and ending on the last day of the sixth (6th) year of the OPREC ("Employment Requirement"). Within thirty (30) days after the end of the sixth year of the OPREC, Applicant will send a written report to the City regarding the Employment Requirement ("Employment Requirement Report").

C. The City agrees that it shall not revoke or terminate the OPREC by resolution at any time during the first six (6) years of the Term; provided, however, if the Employment Requirement is not satisfied, the City may revoke or terminate the OPREC by resolution at the end of the sixth year and after review of the Employment Requirement Report.

7. Application for Building Permit. Owner shall devote all of the time, effort, resources and skill necessary for the redevelopment of the Project and further agrees to complete the following requirements (all of which shall occur as soon as reasonably practicable but in no event later than six (6) months after the receipt of all necessary City, County, National Park Service, MEDC and State approvals for the approval of the OPRA and Brownfield). Owner shall submit all required documentation for the receipt of building permits to the City's Building Safety Division as follows:

A. Providing the City is timely in granting of permits and completing all inspections, Owner shall substantially complete repairs to the building enclosure located on the Property, including but not limited to, roof repair or replacement and compromised enclosure and asset preservation as well as commence core and shell reconstruction so that the Property is ready for tenant improvements within three hundred sixty (360) days after issuance of all applicable building permits by the City's Building Safety Division; provided, however, that any time delays caused by the City's Building Safety Division shall be added to the three hundred and sixty (360) days in equal amounts of the days delayed.

8. **Additional Requirements of City and Owner.** Both the City and Owner further agree as follows:

A. This Agreement is not intended to create a contractual right for third parties.

B. This Agreement and any of its terms, conditions, or provisions cannot be modified, amended, or waived unless in writing and unless executed by both parties to this Agreement. Any representations or statements, whether oral or in writing, not contained in this Agreement shall not be binding on either party.

C. This Agreement and any of its terms or conditions shall not be assigned or transferred to any other individual or entity unless prior written consent to such an assignment is received from City, which consent shall not be unreasonably withheld, conditioned or delayed. The City's failure to consent to a proposed assignment because the proposed assignee lacks the creditworthiness or development experience of the Owner shall not be deemed to be unreasonable.

D. This Agreement shall be interpreted, enforced and governed under the laws of the State of Michigan and all applicable City ordinances. The venue for any action arising under this Agreement shall be a court of appropriate jurisdiction in Oakland County.

9. **City Support.** The City shall, to the extent reasonably appropriate, support and reasonably cooperate with the Owner in connection with its redevelopment of the Project. This support includes, without limitation and as soon as reasonably practical: (i) cooperate with the Owner, wherever practical, in applying for Economic Development Incentives (defined below), other grants, benefits, awards, entitlements, licenses, consents, permits, approvals sought by the Owner in connection with the Project; (ii) submit to City Council, a resolution for the approval of the OPRA and Brownfield. For purposes of this Agreement, the term "Economic Development Incentives" specifically includes, but is not limited to, the following incentives: (i) Michigan Department of Environmental Quality Grant and Loan Programs; (iii) Michigan Economic Development Corporation/Michigan Strategic Fund Grant and Loan Programs, including the Community Revitalization Program ("CRP"); (iv) OPRA tax freeze; (v) Tenant Recruitment support to the downtown District and this Project; (vi) Property Assessed Clean Energy ("PACE") through Oakland County, and (vii) Historic Investment Tax Credit ("HITC").

10. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors or assigns.

11. **Notice.** All notices, requests, consents and other communications under this Agreement must be in writing, shall be addressed to the receiving party's address set forth below or to any other address a party may designate by notice under this Agreement, and shall be either

(i) delivered by hand, (ii) sent by nationally recognized overnight courier, or (iii) sent by certified mail, postage prepaid:

If to City:

City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342
Attention: Finance Department
Telephone: 248-758-3000

If to Owner:

JBD Indian Hill Ventures, LLC
300 E. Long Lake Rd., Ste. 280
Bloomfield Hills, MI 48304
Attention: J. B. Davies, Manager
Telephone: 248-646-4030

SIGNATURE PAGE FOLLOWS:

The undersigned have executed this Agreement to be effective as of the date first written above.

CITY:

CITY OF PONTIAC, a Michigan
municipal corporation

By: _____
Deirdre Waterman
Its: Mayor

Date: April ____, 2019

OWNER:

JBD INDIAN HILL VENTURES, LLC,
a Michigan limited liability company

By: _____
J. B. Davies
Its: Manager

Date: April ____, 2019

#10

RESOLUTION



**Resolution Requesting the Oakland County Brownfield Redevelopment Authority to
Review the 50 Wayne Street**

WHEREAS the City of Pontiac has a Brownfield project known as 50 Wayne Street that it would like to have reviewed and processed by the Oakland County Brownfield Redevelopment Authority;

WHEREAS the City of Pontiac has a Brownfield Authority but desires to have the Oakland County Brownfield Redevelopment Authority handle the 50 Wayne Street;

WHEREAS the Oakland County Brownfield Redevelopment Authority was created by Oakland County pursuant to MCL 125.2651 et seq. to assist jurisdictions like the City of Pontiac;

WHEREAS the Oakland County Brownfield Redevelopment Authority is prepared to assist the City of Pontiac by reviewing the proposed 50 Wayne Street, provided that the City of Pontiac acknowledges certain rights that the Oakland County Brownfield Redevelopment Authority has, to wit:

- OCBRA intends to collect an administrative fee of \$2,000.00 per year for the length of the Brownfield plan; and

WHEREAS the City of Pontiac will have the opportunity to provide public comment on any Brownfield plan (including the amount of the administrative fee to be collected) before it is finally adopted by the OCBRA and/or the Oakland County Board of Commissioners;

NOW BE IT THEREFORE RESOLVED that the City of Pontiac requests that the OCBRA undertake review of the 50 Wayne Street.

**OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY**

BROWNFIELD PLAN

**URBANE INDIAN HILLS
LOCATED AT 50 WAYNE STREET
PONTIAC, MICHIGAN**

April 3, 2019

Approved by BRA:

Approved by Board of Commissioners:

Prepared on Behalf of:

JBD Indian Hill Ventures, LLC
300 East Long Lake Road, Suite 280
Bloomfield Hills, MI 48304
Contact Person: Mr. JB Davies
Telephone: (248)515-3947

Prepared By:

PM Environmental, Inc.
4080 West Eleven Mile Road
Berkley, Michigan 48072
Contact Person: Elizabeth Masserang
Telephone: (248) 414-1441



TABLE OF CONTENTS

PROJECT SUMMARY	1
I. INTRODUCTION AND PURPOSE.....	2
II. GENERAL PROVISIONS.....	2
A. Description of the Eligible Property (Section 13 (2)(h)) and Project.....	2
B. Basis of Eligibility (Section 13 (2)(h) and Section 2(u))	4
C. Summary of Eligible Activities and Description of Costs (Sec. 13 (2)(a-b))	4
D. Estimate of Captured Taxable Value and Tax Increment Revenues (Sec. 13 (2)(c))	5
E. Method of Brownfield Plan Financing and Description of Advances by the Municipality (Sec. 13 (2)(d)).....	5
F. Maximum Amount of Note or Bonded Indebtedness (Sec. 13 (2)(e))	6
G. Duration of Brownfield Plan (Sec. 13 (2)(f)).....	6
H. Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions (Sec. 13 (2)(g)).....	6
I. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property (Sec. 13 (2)(h))	6
J. Displacement/Relocation of Individuals on Eligible Property (Sec. 13 (2)(i-l))	7
K. Other Material that the Authority or Governing Body Considers Pertinent (Sec. 13 (2)(m)) ...	7

APPENDICIES

Appendix A	Legal Description
Appendix B	Property Location Boundary
Appendix C	Preliminary Site Plans and Renderings
Appendix D	Documentation of Eligibility

TABLES

Table 1: Estimated Costs of Eligible Activities
Table 2: Tax Increment Revenue Capture Estimates
Table 3: Tax Increment Reimbursement Estimates

PROJECT SUMMARY

Project Name:	Urbane Indian Hill
Project Location:	The property is located at 50 Wayne Street in Township three north (T.3N), Range ten east (R.10E), Section 29, Pontiac, Oakland County Michigan 48342 (the "Property").
Type of Eligible Property:	The property is determined to be "Functionally Obsolete"
Eligible Activities:	Pre-Approved Activities, Demolition, Asbestos Containing Materials (ACM) and Mold Abatement, Infrastructure Improvements, and Preparation of a Brownfield Plan and Act 381 Work Plan.
Developer Reimbursable Costs:	\$386,260 (includes eligible activities and 15% contingency)
Years to Complete Reimbursement:	Approximately 26 Years from start of capture
Estimated Capital Investment:	Approximately \$4.5 million (including Hard and Soft Costs)
Project Overview:	This project includes selective building demolition and complete rehabilitation, including but not limited to new electrical and plumbing, new heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, kitchen and bathroom cabinetry, appliances and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed. It is estimated that 30-40 construction jobs will be created, and that property maintenance and the the first floor office/retail space will provide an additional 25 jobs. Floors two through four will house 25 loft-style apartment units consisting of micro, studio, and one-bedroom sized spaces. The increase in jobs and addition of residents living within the development will result in an increase of City tax income revenue

I. INTRODUCTION AND PURPOSE

In order to promote the revitalization of environmentally distressed, historic, functionally obsolete and blighted areas within the boundaries of Oakland County ("the County"), the County has established the Oakland County Brownfield Redevelopment Authority (OCBRA) the "Authority" pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended ("Act 381").

The purpose of this Brownfield Plan (the "Plan") is to promote the redevelopment of and investment in the eligible "Brownfield" Property within the City and to facilitate financing of eligible activities at the Brownfield Property. Inclusion of Brownfield Property within any Plan in the City will facilitate financing of eligible activities at eligible properties, and will provide tax incentives to eligible taxpayers willing to invest in revitalization of eligible sites, commonly referred to as "Brownfields." By facilitating redevelopment of the Brownfield Property, this Plan is intended to promote economic growth for the benefit of the residents of the City and all taxing units located within and benefited by the Authority.

The identification or designation of a developer or proposed use for the Brownfield Property that is subject to this Plan shall not be integral to the effectiveness or validity of this Plan. This Plan is intended to apply to the eligible property identified in this Plan and, to identify and authorize the eligible activities to be funded. Any change in the proposed developer or proposed use of the eligible property shall not necessitate an amendment to this Plan, affect the application of this Plan to the eligible property, or impair the rights available to the Authority under this Plan.

This Plan is intended to be a living document, which may be modified or amended in accordance with and as necessary to achieve the purposes of Act 381. The applicable sections of Act 381 are noted throughout the Plan for reference purposes.

This Brownfield Plan contains information required by Section 13(2) of Act 381, as amended.

II. GENERAL PROVISIONS

A. Description of the Eligible Property (Section 13 (2)(h)) and Project

The Eligible Property consists of one (1) legal parcel totaling approximately 0.29 acres with a street address of 50 Wayne Street, Pontiac, Oakland County, Michigan. The parcel and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the "Property."

The Property is located on the West Lawrence Street corridor, bounded by Wayne Street to the west, the property line to the north, the alley between North Saginaw Street and Wayne Street to the east, and West Lawrence Street to the south. Individual parcel information is outlined below.

JBD Indian Hill Ventures, LLC, or any affiliate, or such other developer as approved by the Authority, are collectively the project developer ("Developer").

JBD Indian Hill Ventures, LLC was founded in 2018 and is managed jointly by JB Davies and Fred Blechman. JB Davies has spent his entire career in real estate, beginning as a Tax Specialist in 1983. From his humble beginnings, JB Davies was named in the 1993 "40 Under 40" issue of Crain's Detroit Business and recognized that same year by Detroit Monthly Magazine

among 75 individuals who have or will have an influence on the future of the City of Detroit. His work since 1996 has consisted of acquiring and developing commercial properties. Fred Blechman had a vision in 1974 while working in his father's hardware store. He followed that vision which led to the creation of Management Supply Company (MSC), an apartment supply company he founded in Michigan. After years of success, MSC was sold to a company seeking to create a national distribution network. Entering real estate for himself following the sale of MSC, Fred Blechman began purchasing and redeveloping real estate throughout metro-Detroit. In 2003, Creative Urbane was formed for the purpose of purchasing, renovating, and marketing the properties under the Urbane Apartments brand. They have completed 15 properties to-date and are currently redeveloping a building in midtown-Detroit. The proposed project outlined within this plan is part of continued efforts by JB Davies and Fred Blechman to invest within the City of Pontiac.

The parcel is currently zoned C-2 Downtown, the Property is commercially developed with a 26,880 square foot vacant office building in an area characterized by commercial and warehouse uses. The zoning is anticipated to remain the same and permits the proposed future use.

Standard and other historical sources were able to document that the property was developed prior to 1888 with a portion of the current building in the southwestern portion and a stable in the northeastern portion. Several additions were constructed to the original portion of the building between the late 1800s and 1940. Additionally, the former eastern portion of the building was demolished between 1924 and 1940 and the eastern portion was converted to a parking lot. However, a basement under the northeastern portion of the property/parking lot remains.

The property was occupied by Pontiac Electric Light and Power Co. and/or Pontiac Lighting Co. from prior to 1888 until between 1915 and 1919, and operations included power generation utilizing four dynamos and two engines. Fuel sources included coal and fuel oil (stored in a former shed located in the northern portion between at least 1909 and 1919), and the dynamos and engines were historically located in the western and central portions of the building. By 1919, power generation operations had ceased on the property and the building was converted to office use.

The building was occupied by Consumers Power Company and utilized as an office and sales building from at least 1919 until 1970. The building was utilized as a multi-tenant office space for various non-profit, County, and medical organizations as well as by Michigan Bell Telephone from at least 1975 until 2014. The building has been vacant since 2014.

The Property's legal description is included in Appendix A. Property location maps are included in Appendix B.

The proposed redevelopment includes selective building demolition, keeping as close to the original floor plan as possible, to prepare for new electrical and plumbing, new heating, cooling and ventilation systems, new energy efficient windows and doors, construction of balconies or patios for certain units, kitchen and bathroom cabinetry, appliances and fixtures, elevator upgrades, a new access stairwell for the upper and lower units, and repairs to the building structure as needed. The project is anticipated to bring much-needed residential space to Pontiac's downtown and will serve as a catalyst for further redevelopment of numerous vacant and blighted properties along the West Lawrence Street, Wayne Street, and North Saginaw Street corridors and in surrounding neighborhoods. Additionally, the Developer intends to make improvements on the west adjoining surface parking lot for resident and tenant parking, however, those parcels are not included within this plan.

Demolition activities are anticipated to begin in Fall 2019 with new construction and renovations to take place in 2019 and into 2020. Project completion is anticipated by the end of 2020. The private developer will invest an estimated \$4.5 million in the development and create approximately 30-40 construction jobs and create space for future permanent office and/or retail jobs.

Preliminary site plans and renderings are included in Appendix C.

B. Basis of Eligibility (Section 13 (2)(h) and Section 2(u))

The Property is considered "Eligible Property" as defined by Act 381, Section 2 because: (a) it was previously utilized or is currently utilized for a commercial purpose; and, (b) the parcel comprising the Property has been determined to be a "functionally obsolete" by a Michigan Master Assessing Officer (MMAO) (formerly Level IV) as described below.

The Property was determined to be obsolete due to the following conditions:

- Extensive deferred maintenance
- All interior floors are in extremely poor condition
- Presence and piles of construction debris
- Repair and replacement of interior walls, flooring, ceiling tiles, lighting and windows is necessary
- All mechanical, including heating and cooling, fire suppression, elevator and electrical system, require upgrading and/or replacement
- Basement foundation has sustained water damage

The functional obsolescence determination is provided in Appendix D.

C. Summary of Eligible Activities and Description of Costs (Sec. 13 (2)(a-b))

Tax Increment Financing revenues will be used to reimburse the costs of "eligible activities" (as defined by Section 2 of Act 381) as permitted under the Brownfield Redevelopment Financing Act that include: Pre-Approved Activities, Demolition, Asbestos and Lead Activities, Infrastructure Improvements, and preparation of a Brownfield Plan and Act 381 Work Plan. A complete itemization of these activities and associated expenses is included in Table 1.

The following eligible activities and budgeted costs are intended as part of the development of the property and are to be financed solely by the developer. All activities are intended to be "Eligible Activities" under the Brownfield Redevelopment Financing Act. The Authority is not responsible for any cost of eligible activities and will incur no debt.

1. Pre-Approved Activities include a Phase I Environmental Site Assessment (ESA), Phase II ESA/Baseline Environmental Assessment (BEA)/Documentation of Due Care Compliance (DDCC) as required as part of the pre-purchase due diligence conducted on the property at a total cost of \$11,830.
2. Demolition Activities includes selective demolition within the building and fees related to demolition engineering and design at an estimated of \$152,640.

3. Asbestos and Lead Activities includes asbestos containing materials (ACM) and lead-based paint (LBP) abatement, oversight, air monitoring and associated reporting at an estimated cost of \$133,560.
4. Infrastructure Improvements include side walk improvements and related professional fees at an estimated cost of \$22,000.
5. Preparation and implementation of the Brownfield Plan and Act 381 Work Plan (if necessary) and associated activities (e.g. meetings with BRA, review by City Attorney etc.) at a cost of approximately \$20,000.
6. A 15% contingency of \$46,230 is established to address unanticipated environmental and/or other conditions that may be discovered through the implementation of site activities. This excludes the cost of Baseline Environmental Assessment Activities and preparation of the Brownfield Plan and Act 381 Work Plan.

All activities are intended to be "Eligible Activities" under the Brownfield Redevelopment Financing Act. The total estimated cost of Eligible Activities subject to reimbursement from tax increment revenues is \$340,030 with a potential \$46,230 contingency, resulting in a total cost of \$386,260.

Therefore, the total cost for reimbursement to the applicant is a not-to-exceed amount of \$386,260 (including contingency), unless the Plan is amended and approved by the OCBRA and the Board of Commissioners.

D. Estimate of Captured Taxable Value and Tax Increment Revenues (Sec. 13 (2)(c))

Incremental taxes on real and personal property included in the redevelopment project will be captured under this Plan to reimburse eligible activity expenses. The base taxable value of the Property shall be determined by the use of the 2018 tax year tax value, which is \$143,470. Tax increment revenue capture will begin when tax increment is generated by redevelopment of the Property, which is expected to begin in 2020 or when full redevelopment is completed, whichever occurs first. The estimated taxable value of the completed development is \$553,010. This assumes a two-year phase-in for completion of the redevelopment, which has been incorporated into the tax increment financing assumptions for this Plan. An annual increase in taxable value of 1% has been used for calculation of future tax increments in this Plan. Table 2 details the estimate of captured tax increment revenues for each year of the Plan from the eligible property.

The OCBRA has established a Local Brownfield Revolving Fund (LBRF). Capture for the LBRF is included in this plan for one year following developer reimbursement, currently estimated at \$10,409. The funds deposited into the LBRF as part of this Plan will be used in accordance with the requirements of Act 381, as amended.

Payment of Brownfield Redevelopment Authority Administrative Fees will occur prior to reimbursement of the Developer.

E. Method of Brownfield Plan Financing and Description of Advances by the Municipality (Sec. 13 (2)(d))

Eligible activities will be financed by the Developer. The Developer will be reimbursed for eligible costs as described in Section C and outlined in Table 1. Costs for Eligible Activities funded by

the Developer will be repaid under the Michigan Brownfield Redevelopment Financing Program (Michigan Public Act 381, as amended) with incremental taxes generated by future development of the property. The estimated amount of tax increment revenue capture that will be used to reimburse the State Brownfield Fund, Developer and Brownfield Redevelopment Authority is not to exceed \$473,832. This includes Brownfield Redevelopment Authority Administrative fees.

No advances will be made by the Authority for this project. All reimbursements authorized under this Plan shall be governed by the Reimbursement Agreement.

F. Maximum Amount of Note or Bonded Indebtedness (Sec. 13 (2)(e))

No note or bonded indebtedness will be incurred by any local unit of government for this project.

G. Duration of Brownfield Plan (Sec. 13 (2)(f))

In no event shall the duration of the Plan, exceed 35 years following the date of the resolution approving the Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (5) of Section 13 of Act 381 or 30 years. Further, in no event shall the beginning date of the capture of tax increment revenues be later than five years after the date of the resolution approving the Plan. The Property will become part of this Plan on the date this Plan is approved by the Oakland County Board of Commissioners.

H. Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions (Sec. 13 (2)(g))

Taxes will continue to be generated for taxing jurisdictions on local and school captured millages at the base taxable value of the Ad Valorem parcel throughout the duration of this Plan totaling approximately \$121,248.99

Non-capturable millages; including the zoo authority, art institute, and MESSA judgement will provide new tax revenue of approximately \$2,110 throughout the duration of this Plan following the expiration of the proposed Obsolete Property Rehabilitation Act (OPRA) tax abatement being sought.

See Table 2 for a complete breakdown of available tax increment revenue and Table 3 for the estimated annual reimbursement.

I. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property (Sec. 13 (2)(h))

The legal description of the Property included in this Plan is attached in Appendix A.

Property location maps are included in Appendix B.

Documentation of characteristics that qualify the property as eligible property is provided in Appendix D.

Personal property is included in this plan.

J. Displacement/Relocation of Individuals on Eligible Property (Sec. 13 (2)(i-l))

The property is currently unoccupied. No displacement of residents or families is expected as part of this project.

K. Other Material that the Authority or Governing Body Considers Pertinent (Sec. 13 (2)(m))

The Brownfield Redevelopment Authority and the Board of Commissioners as the Governing Body, in accordance with the Act, may amend this Plan in order to fund additional eligible activities associated with the Project described herein.

Appendix A



Legal Description: 50 Wayne Street
Parcel Number: 64-14-29-433-003

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO. 113 LOT 3

50 WAYNE ST PONTIAC, MI 48342-2159 (Property Address)

Parcel Number: 64-14-29-433-003



Item 1 of 1

0 Images / 1 Sketch

Property Owner: JBD INDIAN HILL VENTURES**Summary Information**

- > Commercial/Industrial Building Summary
 - Yr Built: 1920
 - Total Sq.Ft.: 26,880
- # of Buildings: 1
- > Assessed Value: \$146,060 | Taxable Value: \$140,520
- > 9 Building Department records found
- > Property Tax information found

Owner and Taxpayer Information**Owner**

JBD INDIAN HILL VENTURES
300 E LONG LAKE RD STE 380
BLOOMFIELD HILLS, MI 48304-2374

Taxpayer

SEE OWNER INFORMATION

General Information for Tax Year 2017

Property Class	201 Bus Imp	Unit	64 City of Pontiac
School District	210 Pontiac City Schools	Assessed Value	\$146,060
ITOnly	POST	Taxable Value	\$140,520
PPBusCode	0	State Equalized Value	\$146,060
User Alpha 1	Not Available	Date of Last Name Change	03/05/2018
User Alpha 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
User Alpha 2	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** No Data to Display

Principal Residence Exemption	June 1st	Final
2018	0.0000 %	-
2017	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2016	\$139,270	\$139,270	\$139,270
2015	\$134,650	\$134,650	\$133,430
2014	\$131,330	\$131,330	\$131,330

Land Information

Zoning Code	BV	Total Acres	0.294
Land Value	\$27,540	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	E.C.F. Table COF office 100 parcels	Mortgage Code	01129
Lot Dimensions/Comments	Not Available	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	90.72 ft	141.23 ft
Total Frontage: 90.72 ft		Average Depth: 141.23 ft

Legal Description

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO. 113 LOT 3

Land Division Act Information

Date of Last Split/Combine	<i>No Data to Display</i>	Number of Splits Left	0
Date Form Filed	<i>No Data to Display</i>	Unallocated Div.s of Parent	0
Date Created	<i>No Data to Display</i>	Unallocated Div.s Transferred	0
Acreage of Parent	0.00	Rights Were Transferred	<i>Not Available</i>
Split Number	0	Courtesy Split	<i>Not Available</i>
Parent Parcel	<i>No Data to Display</i>		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
02/27/2015	\$1.00	WD	RE FUND UNITED	SCHAFFER DEVELOPMENT	2-\$1orNoConsideratn	47960:042
10/30/2012	\$210,000.00	D	UNITED WAY FOR SOUTHEASTERN MI	RE FUND UNITED	1-ValidSale	44969:631

Building Information - 26880.00 sq ft Office Buildings (Commercial)

Floor Area	26,880 sq ft	Estimated TCV	<i>Not Available</i>
Occupancy	Office Buildings	Class	C
Stories Above Ground	4	Average Story Height	12 ft
Basement Wall Height	0 ft	Identical Units	<i>Not Available</i>
Year Built	1920	Year Remodeled	<i>Not Available</i>
Percent Complete	100%	Heat	No Heating or Cooling
Physical Percent Good	40%	Functional Percent Good	50%
Economic Percent Good	100%	Effective Age	50 yrs

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

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Appendix B



Assessors Map



Appendix C

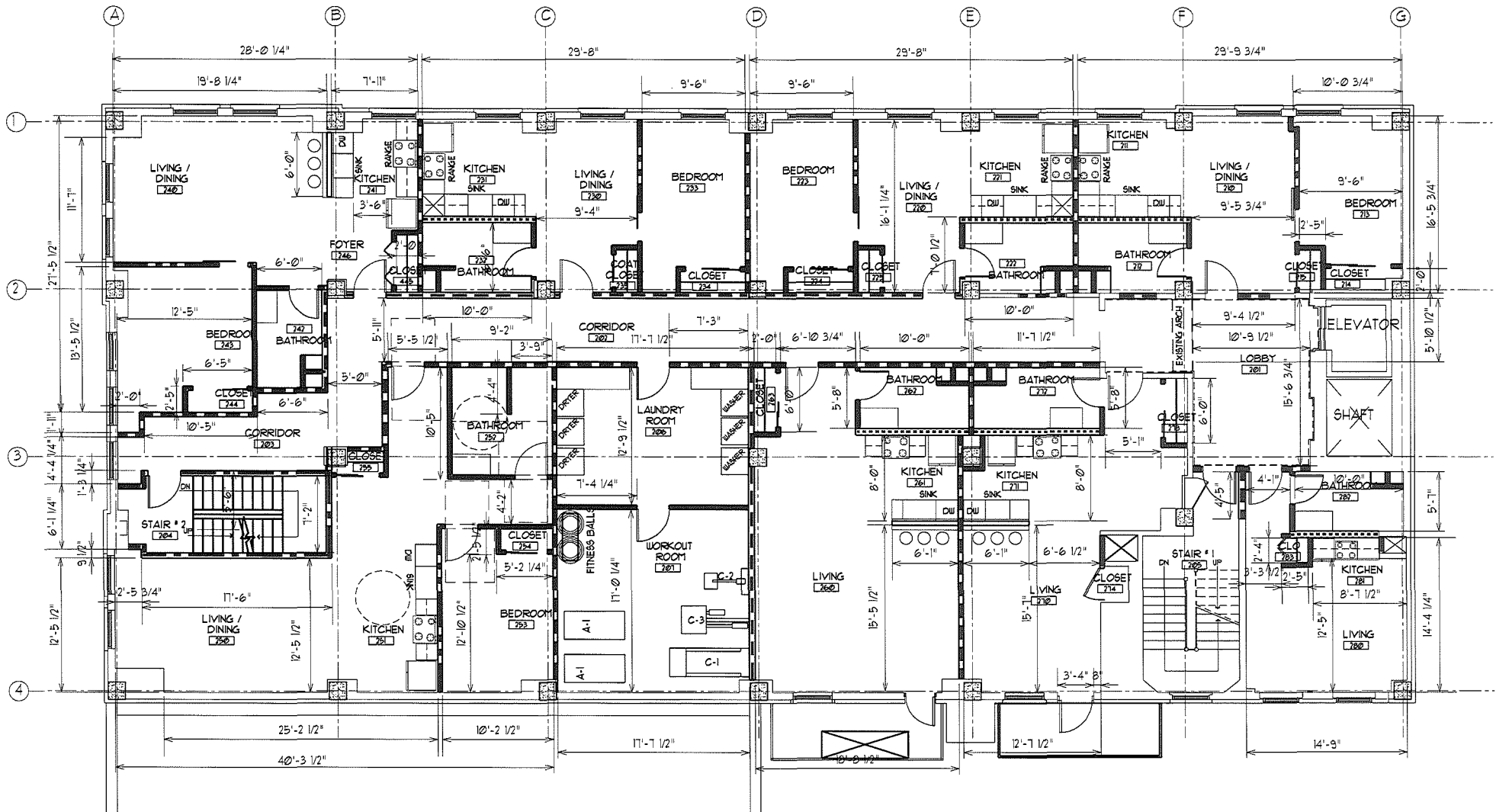




1700 STUTZ DRIVE
SUITE 104-B
TROY, MICHIGAN
48084
TEL: 248-654-1010
FAX: 248-654-3002
SCOTT@SMAARCH.COM



PONTIAC, MICHIGAN



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PLANNERS
INTERIOR DESIGN

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& ASSOCIATES, INC.

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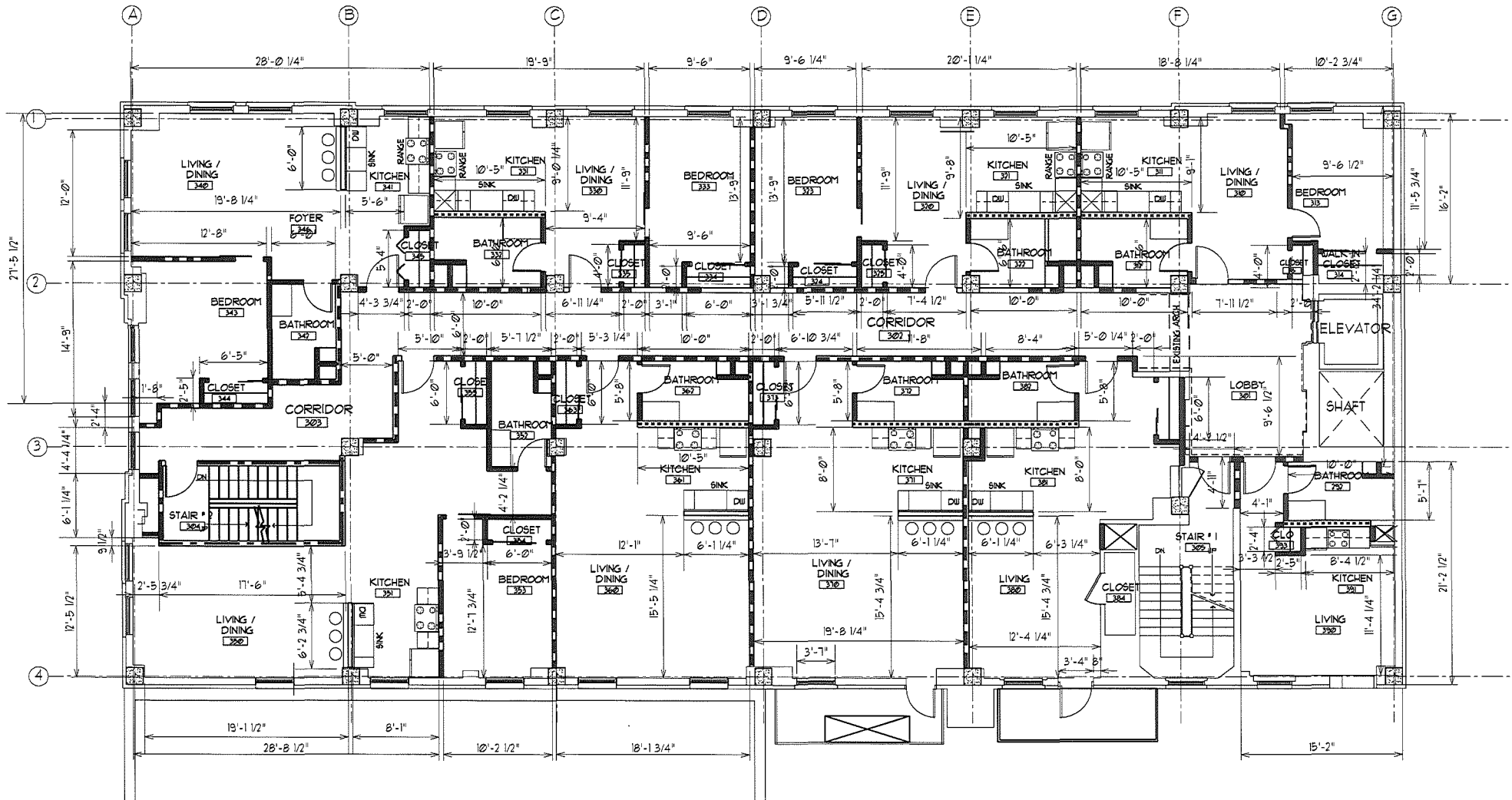
SECOND FLOOR PLAN

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

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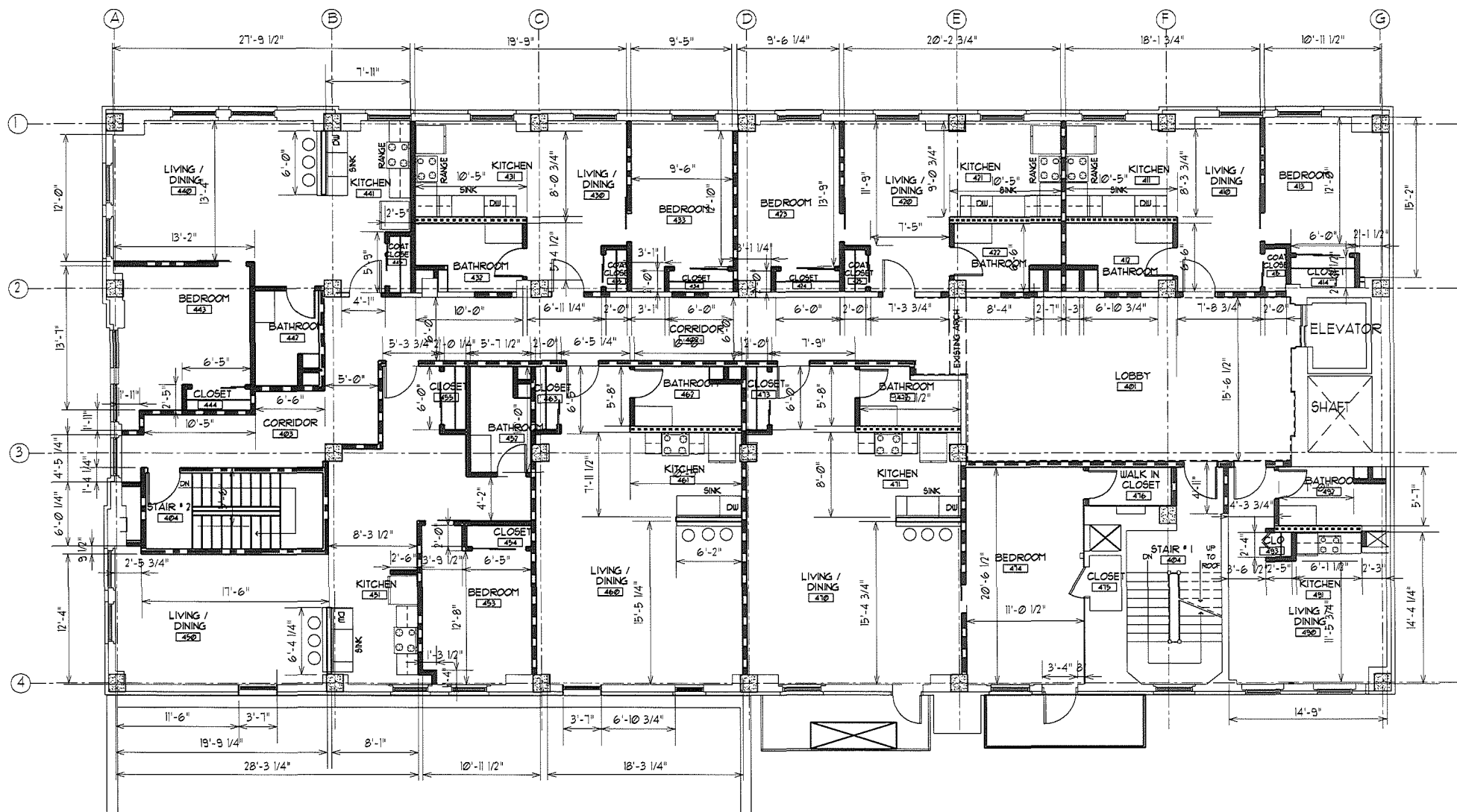
THIRD FLOOR PLAN

NO SCALE

50 WAYNE ROAD

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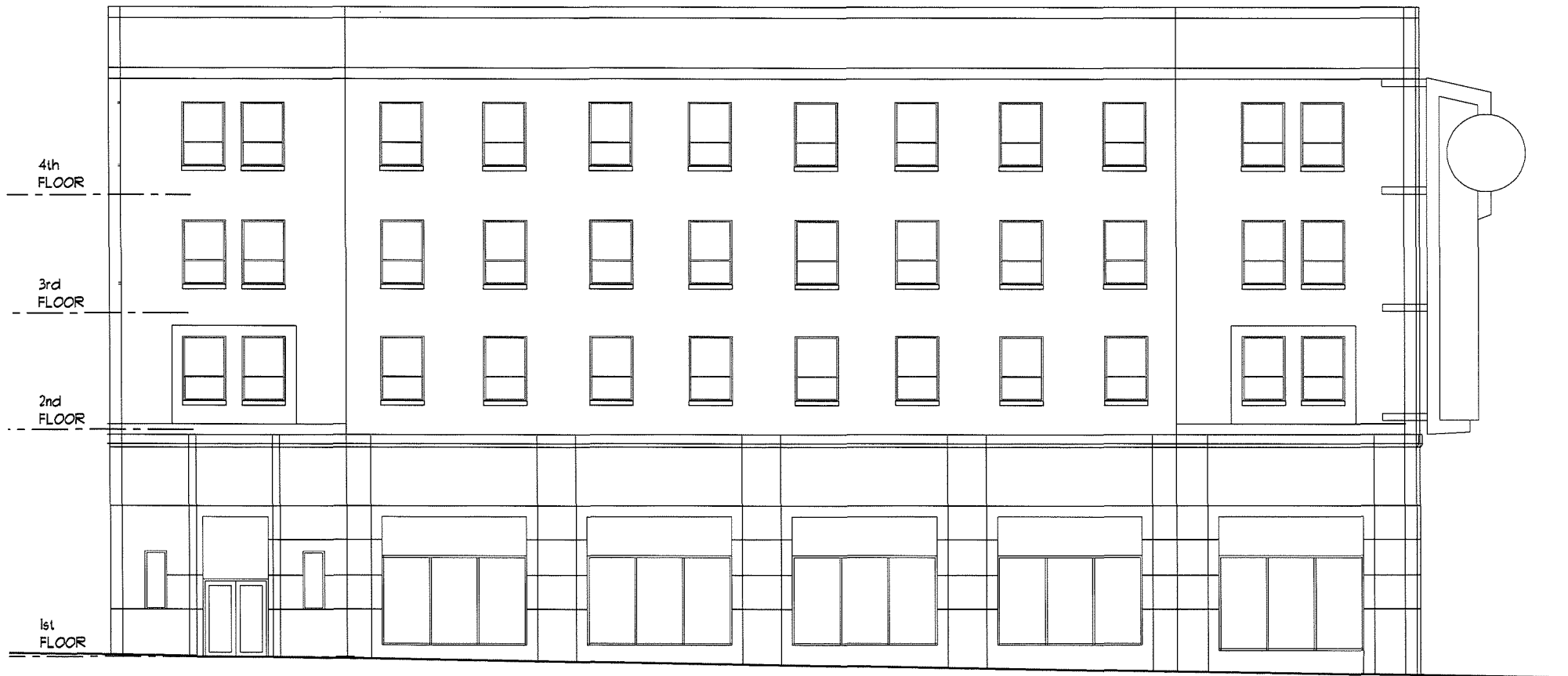
FOURTH FLOOR PLAN

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

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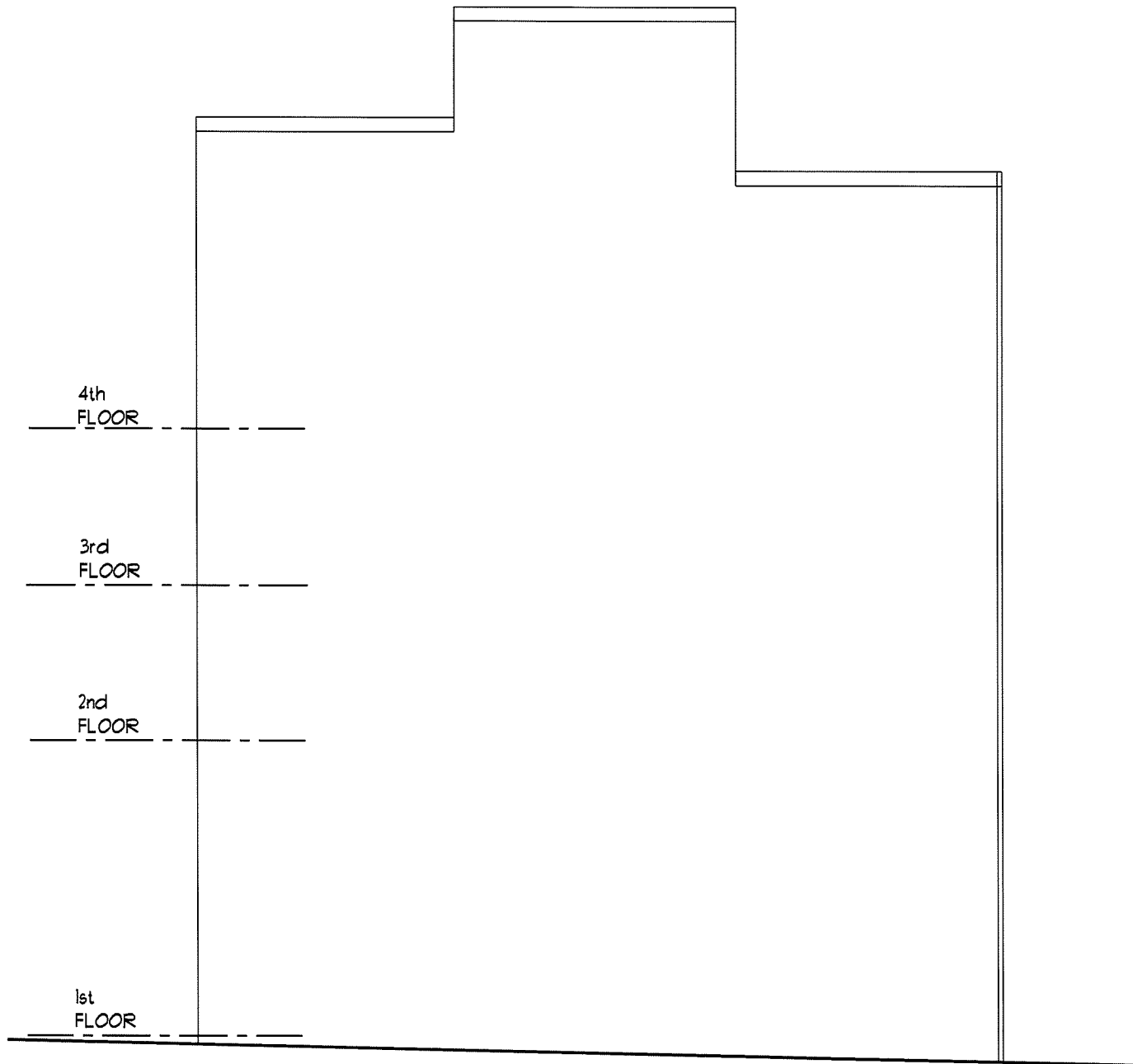
FRONT (WEST) ELEVATION

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

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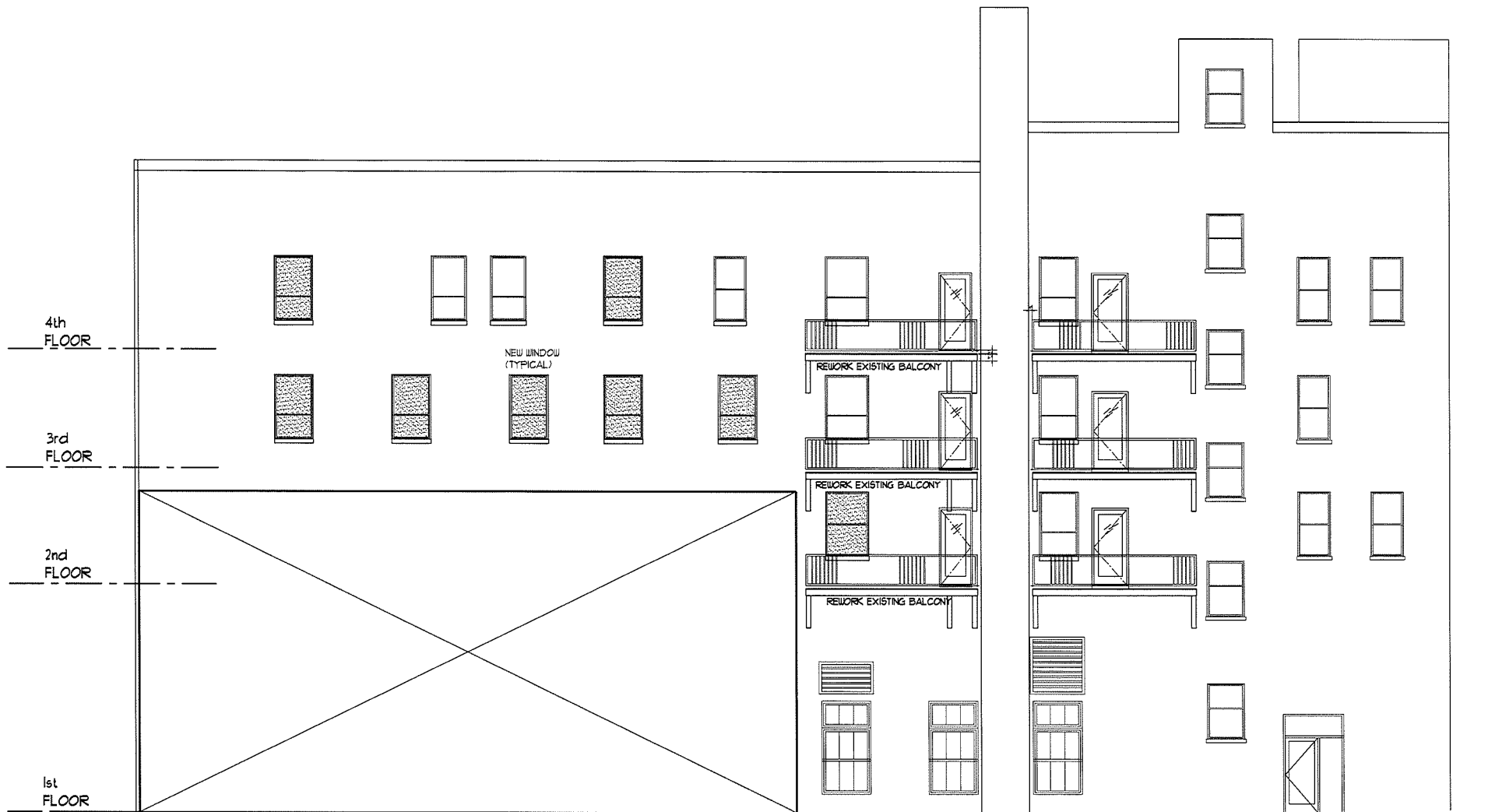
LEFT SIDE (NORTH) ELEVATION

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

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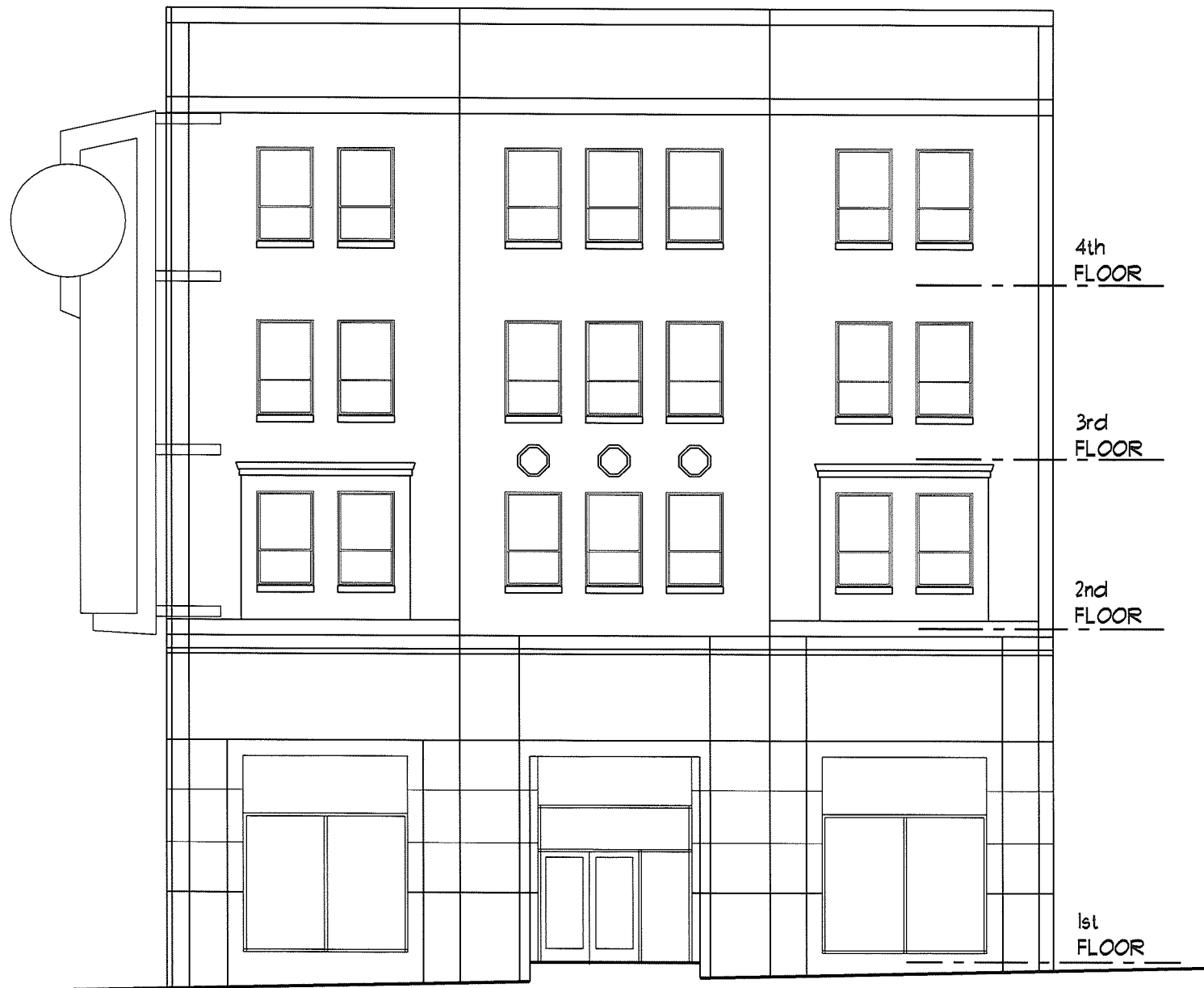
REAR (EAST) ELEVATION

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 13

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SCOTT@SMAARCH.COM

RIGHT SIDE (SOUTH) ELEVATION

NO SCALE

50 WAYNE ROAD

17080 15 MARCH 19

PONTIAC, MICHIGAN

Appendix D



AFFIDAVIT

STATE OF MICHIGAN)
CITY OF PONTIAC)
COUNTY OF OAKLAND)

NOW COME David M. Hieber and Jane Walsh, of Oakland County Equalization, both being first duly sworn, depose and state as follows:

I, David M. Hieber, MMAO (4), am the Assessor for the City of Pontiac, Oakland County, Michigan and make this affidavit in conjunction with an application under the Obsolete Property Rehabilitation Act (OPRA), PA 146 of 2000, as amended, for a commercial building and land improvements located at 50 Wayne Street, City of Pontiac, Oakland County, Michigan. The related parcel identified as follows: Parcel No. 64-14-29-433-003.

I, Jane Walsh MAAO (3), did on March 20, 2019 inspect the above referenced parcel in the City of Pontiac and issue the following opinion:

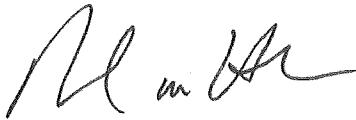
It is my expert opinion that the commercial office building found on the above referenced property is functionally obsolete as defined in MCL 125.2652 of the Brownfield Redevelopment Financing Act. Based on the functional inutility, which is defined as an impairment of the functional utility of a property or building according to market tastes and standards; equivalent to functional obsolescence because ongoing change makes the plan, form, style, design, layouts, or features obsolete. (Appraisal Institute's Dictionary of Real Estate Appraisal *Fifth Edition*).


The current building is a four-story, 26,880 square foot office building with basement foundation. The entire building has suffered from extensive deferred maintenance over the last ten years. All interior floors are in extremely poor condition. Prior owner left many areas unfinished and in post-demolition condition. Piles of construction debris including insulation, ceiling tiles, and plaster are left exposed throughout the building. The entire structure will require repair or replacement of interior walls, flooring, ceiling tiles, lighting and windows. All mechanicals, including heating and cooling, fire suppression, elevator and electrical system, require upgrading and/or replacement. Some of the building contains asbestos which will require assessment and removal. The basement foundation has sustained water damage and as a result currently has areas of mold which will require remediation. All parking areas require resurfacing and remarking.

In the opinion of the Assessor, because of the many building deficiencies including overall condition, mechanical systems and parking repair, combined with possible asbestos and mold remediation, the property suffers more than 50% functional obsolescence.

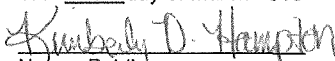
I, David M. Hieber, after inquiry and review of the findings of Jane Walsh, as well as, review of records of the City of Pontiac related to this property find the above property functionally obsolete.

Further deponents sayeth not.


David M. Hieber


Jane Walsh

Subscribed and sworn to before me
This 22nd day of March 2019


Notary Public

Oakland County, Michigan
My Commission Expires: 9-14-25
Acting in the County of Oakland

Tables

Table 1: Eligible Activities Cost Estimates			
Item/Activity	Total Request	MSF Act 381 Eligible Activities	MDEQ Act 381 Eligible Activities
Pre-Approved Activities			
Phase I ESA	\$ 4,000		\$ 4,000
Phase II ESA/BEA/DDCC	\$ 7,830		\$ 7,830
Pre-Approved Activities Sub-Total	\$ 11,830	\$ -	\$ 11,830
Demolition			
Building Demolition Activities	\$ 144,000	\$ 144,000	
Related Professional Fees	\$ 8,640	\$ 8,640	
Demolition Sub-Total	\$ 152,640	\$ 152,640	\$ -
Asbestos, Lead, and/or Mold Abatement			
Asbestos and Mold Abatement	\$ 126,000	\$ 126,000	
Related Professional Fees	\$ 7,560	\$ 7,560	
Asbestos and Lead Activities Sub-Total	\$ 133,560	\$ 133,560	\$ -
Infrastructure Improvements			
Side Walk Improvements	\$ 21,000	\$ 21,000	
Related Professional Fees	\$ 1,000	\$ 1,000	
Infrastructure Sub-Total	\$ 22,000	\$ 22,000	\$ -
Preparation of Brownfield Plan and Act 381 Workplan			
Brownfield Plan/381 Work Plan	\$ 15,000	\$ 15,000	
Brownfield Plan /381 Work Plan Implementation	\$ 5,000	\$ 5,000	
Brownfield Plan and Act 381 Workplan Sub-Total	\$ 20,000	\$ 20,000	\$ -
Eligible Activities Sub-Total	\$ 340,030	\$ 328,200	\$ 11,830
15% Contingency*	\$ 46,230	\$ 46,230	\$ -
Developer Eligible Reimbursement Total	\$ 386,260	\$ 374,430	\$ 11,830
TIF Capture for Local Brownfield Revolving Fund	\$ 10,409	\$ -	\$ -
Administrative Fee	\$ 52,000	\$ -	\$ -
State Brownfield Fund	\$ 25,163	\$ -	\$ -
Total	\$ 473,832	\$ 374,430	\$ 11,830

*15% Contingency excludes preparation of Brownfield Plan/381 Work Plan and Pre-Approved Activities

Tax Increment Revenue Capture Estimates - Table 2
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

Estimated Taxable Value (TV) Increase Rate: 1% per year																			
	Plan Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
Calendar Year		2018	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	
Ad Valorem Parcel Base Value		\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	
Ad Valorem		\$ -	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	\$ 14,470	
OPRA Frozen (all millages)			\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	
OPRA Rehab (school millages only)				\$ 411,380	\$ 415,494	\$ 419,649	\$ 423,845	\$ 428,084	\$ 432,365	\$ 436,688	\$ 441,055	\$ 445,466	\$ 449,920	\$ 454,419					
Brownfield																			
Ad Valorem Increment Growth																\$ 473,155	\$ 479,321	\$ 485,549	\$ 491,839
OPRA Frozen Incremental Growth (All Millages)			\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630	\$ 141,630				
OPRA Rehab Incremental Growth (School Millage Only)				\$ 411,380	\$ 415,494	\$ 419,649	\$ 423,845	\$ 428,084	\$ 432,365	\$ 436,688	\$ 441,055	\$ 445,466	\$ 449,920	\$ 454,419					
School Capture		Millage Rate																	
State Education Tax (SET)		6.0000	\$ 850	\$ 3,318	\$ 3,343	\$ 3,368	\$ 3,393	\$ 3,418	\$ 3,444	\$ 3,470	\$ 3,496	\$ 3,523	\$ 3,549	\$ 3,576	\$ 2,839	\$ 2,876	\$ 2,913	\$ 2,951	
School Operating Tax		18.0000	\$ 2,549	\$ 9,954	\$ 10,028	\$ 10,103	\$ 10,179	\$ 10,255	\$ 10,332	\$ 10,410	\$ 10,488	\$ 10,568	\$ 10,648	\$ 10,729	\$ 8,517	\$ 8,628	\$ 8,740	\$ 8,853	
School Total		24.0000	\$ 3,399	\$ 13,272	\$ 13,371	\$ 13,471	\$ 13,571	\$ 13,673	\$ 13,776	\$ 13,880	\$ 13,984	\$ 14,090	\$ 14,197	\$ 14,305	\$ 11,356	\$ 11,504	\$ 11,653	\$ 11,804	
Local Capture		Millage Rate																	
County Operating		4.0400	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 572	\$ 1,912	\$ 1,936	\$ 1,962	\$ 1,987	
OIS Allocated		0.1950	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 92	\$ 93	\$ 95	\$ 96	
OIS Voted		3.0863	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 437	\$ 1,460	\$ 1,479	\$ 1,499	\$ 1,518	
OCC Voted		1.5431	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 219	\$ 730	\$ 740	\$ 749	\$ 759	
City Operating		11.2691	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 1,596	\$ 5,332	\$ 5,402	\$ 5,472	\$ 5,543	
Cap Imp		1.4085	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 199	\$ 666	\$ 675	\$ 684	\$ 693	
Sanitation		2.8171	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 399	\$ 1,333	\$ 1,350	\$ 1,368	\$ 1,386	
Library		0.9996	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 473	\$ 479	\$ 485	\$ 492	
Seniors Services		0.4998	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 71	\$ 236	\$ 240	\$ 243	\$ 246	
County Pk & Rec		0.2349	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 33	\$ 111	\$ 113	\$ 114	\$ 116	
HCMA		0.2129	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 30	\$ 101	\$ 102	\$ 103	\$ 105	
Sinking Fund		2.8700	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 406	\$ 1,358	\$ 1,376	\$ 1,394	\$ 1,412	
OCPTA		1.0000	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 142	\$ 473	\$ 479	\$ 486	\$ 492	
Youth Center		1.4994	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 212	\$ 709	\$ 719	\$ 728	\$ 737	
Local Total		31.6757	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 14,988	\$ 15,183	\$ 15,380	\$ 15,579	
Non-Capturable Millages		Millage Rate																	
Zoo Authority (County)		0.0982	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 14	\$ 46	\$ 47	\$ 48	\$ 48	
Art Institute (County)		0.1945	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 28	\$ 92	\$ 93	\$ 94	\$ 96	
MESSA Judgment*		0.4000	\$ 57	\$ 57	\$ 57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Non-Capturable Taxes		0.6927	\$ 98	\$ 98	\$ 98	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41	\$ 138	\$ 140	\$ 142	\$ 144	
Total Capturable Millages		55.6757																	
Total Tax Increment Revenue (TIR) Available for Capture			\$ 7,885	\$ 17,758	\$ 17,857	\$ 17,957	\$ 18,058	\$ 18,159	\$ 18,262	\$ 18,366	\$ 18,471	\$ 18,577	\$ 18,683	\$ 18,791	\$ 26,343	\$ 26,687	\$ 27,033	\$ 27,383	
																OPRA Expiration			

Tax Increment Revenue Capture Estimates - Table 2
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

Estimated Taxable Value (TV) Increase Rate:												TOTAL
Calendar Year	Plan Year	17	18	19	20	21	22	23	24	25	26	
		2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	
Ad Valorem Parcel Base Value		\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	\$ 143,470	
Ad Valorem		\$ 641,662	\$ 648,079	\$ 654,559	\$ 661,105	\$ 667,716	\$ 674,393	\$ 681,137	\$ 687,949	\$ 694,828	\$ 701,776	
OPRA Frozen (all millages)												
OPRA Rehab (school millages only)												
Brownfield												
Ad Valorem Increment Growth		\$ 498,192	\$ 504,609	\$ 511,089	\$ 517,635	\$ 524,246	\$ 530,923	\$ 537,667	\$ 544,479	\$ 551,358	\$ 558,306	
OPRA Frozen Incremental Growth (All Millages)												
OPRA Rehab Incremental Growth (School Millage Only)												
School Capture												
	Millage Rate											
State Education Tax (SET)	6.0000	\$ 2,989	\$ 3,028	\$ 3,067	\$ 3,106	\$ 3,145	\$ 3,186	\$ 3,226	\$ 3,267	\$ 3,308	\$ 3,350	\$ 81,998
School Operating Tax	18.0000	\$ 8,967	\$ 9,083	\$ 9,200	\$ 9,317	\$ 9,436	\$ 9,557	\$ 9,678	\$ 9,801	\$ 9,924	\$ 10,050	\$ 245,993
School Total	24.0000	\$ 11,957	\$ 12,111	\$ 12,266	\$ 12,423	\$ 12,582	\$ 12,742	\$ 12,904	\$ 13,067	\$ 13,233	\$ 13,399	\$ 327,991
Local Capture												
	Millage Rate											
County Operating	4.0400	\$ 2,013	\$ 2,039	\$ 2,065	\$ 2,091	\$ 2,118	\$ 2,145	\$ 2,172	\$ 2,200	\$ 2,227	\$ 2,256	\$ 35,988
OIS Allocated	0.1950	\$ 97	\$ 98	\$ 100	\$ 101	\$ 102	\$ 104	\$ 105	\$ 106	\$ 108	\$ 109	\$ 1,737
OIS Voted	3.0863	\$ 1,538	\$ 1,557	\$ 1,577	\$ 1,598	\$ 1,618	\$ 1,639	\$ 1,659	\$ 1,680	\$ 1,702	\$ 1,723	\$ 27,493
OCC Voted	1.5431	\$ 769	\$ 779	\$ 789	\$ 799	\$ 809	\$ 819	\$ 830	\$ 840	\$ 851	\$ 862	\$ 13,746
City Operating	11.2691	\$ 5,614	\$ 5,686	\$ 5,760	\$ 5,833	\$ 5,908	\$ 5,983	\$ 6,059	\$ 6,136	\$ 6,213	\$ 6,292	\$ 100,384
Cap Imp	1.4085	\$ 702	\$ 711	\$ 720	\$ 729	\$ 738	\$ 748	\$ 757	\$ 767	\$ 777	\$ 786	\$ 12,547
Sanitation	2.8171	\$ 1,403	\$ 1,422	\$ 1,440	\$ 1,458	\$ 1,477	\$ 1,496	\$ 1,515	\$ 1,534	\$ 1,553	\$ 1,573	\$ 25,095
Library	0.9996	\$ 498	\$ 504	\$ 511	\$ 517	\$ 524	\$ 531	\$ 537	\$ 544	\$ 551	\$ 558	\$ 8,904
Seniors Services	0.4998	\$ 249	\$ 252	\$ 255	\$ 259	\$ 262	\$ 265	\$ 269	\$ 272	\$ 276	\$ 279	\$ 4,452
County Pk & Rec	0.2349	\$ 117	\$ 119	\$ 120	\$ 122	\$ 123	\$ 125	\$ 126	\$ 128	\$ 130	\$ 131	\$ 2,092
HCMA	0.2129	\$ 106	\$ 107	\$ 109	\$ 110	\$ 112	\$ 113	\$ 114	\$ 116	\$ 117	\$ 119	\$ 1,896
Sinking Fund	2.8700	\$ 1,430	\$ 1,448	\$ 1,467	\$ 1,486	\$ 1,505	\$ 1,524	\$ 1,543	\$ 1,563	\$ 1,582	\$ 1,602	\$ 25,566
OCPTA	1.0000	\$ 498	\$ 505	\$ 511	\$ 518	\$ 524	\$ 531	\$ 538	\$ 544	\$ 551	\$ 558	\$ 8,908
Youth Center	1.4994	\$ 747	\$ 757	\$ 766	\$ 776	\$ 786	\$ 796	\$ 806	\$ 816	\$ 827	\$ 837	\$ 13,357
Local Total	31.6757	\$ 15,781	\$ 15,984	\$ 16,189	\$ 16,396	\$ 16,606	\$ 16,817	\$ 17,031	\$ 17,247	\$ 17,465	\$ 17,685	\$ 282,165
Non-Capturable Millages												
	Millage Rate											
Zoo Authority (County)	0.0982	\$ 49	\$ 50	\$ 50	\$ 51	\$ 51	\$ 52	\$ 53	\$ 53	\$ 54	\$ 55	\$ 708
Art Institute (County)	0.1945	\$ 97	\$ 98	\$ 99	\$ 101	\$ 102	\$ 103	\$ 105	\$ 106	\$ 107	\$ 109	\$ 1,402
MESSA Judgment*	0.4000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Non-Capturable Taxes	0.6927	\$ 146	\$ 148	\$ 150	\$ 152	\$ 153	\$ 155	\$ 157	\$ 159	\$ 161	\$ 163	\$ 2,110
Total Capturable Millages	55.6757											
Total Tax Increment Revenue (TIR) Available for Capture												
		\$ 27,737	\$ 28,094	\$ 28,455	\$ 28,820	\$ 29,188	\$ 29,560	\$ 29,935	\$ 30,314	\$ 30,697	\$ 31,084	\$ -

Tax Increment Revenue Capture Estimates - Table 3
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

Developer Maximum Reimbursement	Total Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	43.11%	\$ 166,504	\$ -	\$ 166,504
Local	56.89%	\$ 219,756	\$ -	\$ 219,756
TOTAL				
MDEQ	3.06%	\$ 11,830	\$ -	\$ 11,830
MSF	96.94%	\$ 374,430	\$ -	\$ 374,430

Estimated Total
Years of Plan: 26

Estimated Capture	
Administrative Fees	\$ 52,000
State Revolving Fund	\$ 25,163
LBRF	\$ 10,409

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Total State Incremental Revenue	\$ 3,399	\$ 13,272	\$ 13,371	\$ 13,471	\$ 13,571	\$ 13,673	\$ 13,776	\$ 13,880	\$ 13,984	\$ 14,090	\$ 14,197	\$ 14,305	\$ 11,356	\$ 11,504	\$ 11,653
State Brownfield Revolving Fund (50% of SET)	\$ 425	\$ 1,659	\$ 1,671	\$ 1,684	\$ 1,696	\$ 1,709	\$ 1,722	\$ 1,735	\$ 1,748	\$ 1,761	\$ 1,775	\$ 1,788	\$ 1,419	\$ 1,438	\$ 1,457
State TIR Available for Reimbursement	\$ 2,974	\$ 11,613	\$ 11,700	\$ 11,787	\$ 11,875	\$ 11,964	\$ 12,054	\$ 12,145	\$ 12,236	\$ 12,329	\$ 12,423	\$ 12,517	\$ 9,936	\$ 10,066	\$ 10,197
Total Local Incremental Revenue	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 4,486	\$ 14,988	\$ 15,183	\$ 15,380
BRA Administrative Fee (\$2,000/year)	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Local TIR Available for Reimbursement	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 2,486	\$ 12,988	\$ 13,183	\$ 13,380
Total State & Local TIR Available	\$ 5,460	\$ 14,099	\$ 14,186	\$ 14,273	\$ 14,361	\$ 14,450	\$ 14,540	\$ 14,631	\$ 14,723	\$ 14,815	\$ 14,909	\$ 15,003	\$ 22,924	\$ 23,249	\$ 23,577
DEVELOPER															
	Beginning Balance														
DEVELOPER Reimbursement Balance	\$ 386,260	\$ 380,800	\$ 366,700	\$ 352,514	\$ 338,241	\$ 323,880	\$ 309,430	\$ 294,890	\$ 280,259	\$ 265,536	\$ 250,721	\$ 235,812	\$ 220,809	\$ 197,885	\$ 174,637
OPRA Abatement															
MSF Non-Environmental Costs	\$ 374,430														
State Tax Reimbursement	\$ 2,883	\$ 11,258	\$ 11,341	\$ 11,426	\$ 11,511	\$ 11,598	\$ 11,685	\$ 11,773	\$ 11,862	\$ 11,951	\$ 12,042	\$ 12,134	\$ 9,632	\$ 9,757	\$ 9,884
Local Tax Reimbursement	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 2,410	\$ 12,590	\$ 12,779	\$ 12,970
Total MSF Reimbursement Balance	\$ 369,137	\$ 355,469	\$ 341,718	\$ 327,882	\$ 313,960	\$ 299,953	\$ 285,858	\$ 271,675	\$ 257,404	\$ 243,042	\$ 228,590	\$ 214,046	\$ 191,824	\$ 169,288	\$ 146,433
MDEQ Environmental Costs	\$ 11,830														
State Tax Reimbursement	\$ 91	\$ 356	\$ 358	\$ 361	\$ 364	\$ 366	\$ 369	\$ 372	\$ 375	\$ 378	\$ 380	\$ 383	\$ 304	\$ 308	\$ 312
Local Tax Reimbursement	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 398	\$ 404	\$ 410
Total MDEQ Reimbursement Balance	\$ 11,663	\$ 11,231	\$ 10,796	\$ 10,359	\$ 9,919	\$ 9,477	\$ 9,032	\$ 8,583	\$ 8,133	\$ 7,679	\$ 7,222	\$ 6,763	\$ 6,061	\$ 5,349	\$ 4,627
Local Only Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local Only Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Annual Developer Reimbursement	\$ 5,460	\$ 14,099	\$ 14,186	\$ 14,273	\$ 14,361	\$ 14,450	\$ 14,540	\$ 14,631	\$ 14,723	\$ 14,815	\$ 14,909	\$ 15,003	\$ 22,924	\$ 23,249	\$ 23,577
LOCAL BROWNFIELD REVOLVING FUND															
LBRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Up to five years of capture for LBRF Deposits after eligible activities are reimbursed. May be taken from DEQ & Local TIR only.

Tax Increment Revenue Capture Estimates - Table 3
50 Wayne Street, Pontiac;
Oakland County, Michigan
April 9, 2019

	16	17	18	19	20	21	22	23	24	25	26	#	
	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	#	TOTAL
Total State Incremental Revenue	\$ 11,804	\$ 11,957	\$ 12,111	\$ 12,266	\$ 12,423	\$ 12,582	\$ 12,742	\$ 12,904	\$ 13,067	\$ 13,233	\$ 13,399		\$ 201,307
State Brownfield Revolving Fund (50% of SET)	\$ 1,476	\$ 1,495	\$ 1,514	\$ 1,534	\$ 1,553	\$ 1,573	\$ 1,593	\$ 1,613	\$ 1,633	\$ 1,654			\$ 25,163
State TIR Available for Reimbursement	\$ 10,329	\$ 10,462	\$ 10,597	\$ 10,733	\$ 10,870	\$ 11,009	\$ 11,149	\$ 11,291	\$ 11,434	\$ 11,579	\$ 13,399		\$ 176,144
Total Local Incremental Revenue	\$ 15,579	\$ 15,781	\$ 15,984	\$ 16,189	\$ 16,396	\$ 16,606	\$ 16,817	\$ 17,031	\$ 17,247	\$ 17,465	\$ 17,685		\$ 282,165
BRA Administrative Fee (\$2,000/year)	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000		\$ 52,000
Local TIR Available for Reimbursement	\$ 13,579	\$ 13,781	\$ 13,984	\$ 14,189	\$ 14,396	\$ 14,606	\$ 14,817	\$ 15,031	\$ 15,247	\$ 15,465	\$ 15,685		\$ 230,165
Total State & Local TIR Available	\$ 23,908	\$ 24,243	\$ 24,581	\$ 24,922	\$ 25,267	\$ 25,615	\$ 25,967	\$ 26,322	\$ 26,681	\$ 27,043	\$ 29,084		\$ 639,115
DEVELOPER													
DEVELOPER Reimbursement Balance	\$ 136,791	\$ 123,011	\$ 109,027	\$ 94,838	\$ 80,441	\$ 65,835	\$ 51,018	\$ 35,987	\$ 20,740	\$ 5,276	\$ 0		
MSF Non-Environmental Costs													
State Tax Reimbursement	\$ 668												\$ 161,405
Local Tax Reimbursement	\$ 13,163	\$ 13,359	\$ 13,556	\$ 13,755	\$ 13,956	\$ 14,159	\$ 14,364	\$ 14,571	\$ 14,780	\$ 14,991	\$ 5,114		\$ 213,025
Total MSF Reimbursement Balance	\$ 132,602	\$ 119,243	\$ 105,688	\$ 91,933	\$ 77,978	\$ 63,819	\$ 49,455	\$ 34,885	\$ 20,105	\$ 5,114	\$ 0		
MDEQ Environmental Costs													
State Tax Reimbursement	\$ 21												\$ 5,100
Local Tax Reimbursement	\$ 416	\$ 422	\$ 428	\$ 435	\$ 441	\$ 447	\$ 454	\$ 460	\$ 467	\$ 474	\$ 162		\$ 6,730
Total MDEQ Reimbursement Balance	\$ 4,190	\$ 3,767	\$ 3,339	\$ 2,905	\$ 2,464	\$ 2,016	\$ 1,563	\$ 1,102	\$ 635	\$ 162	\$ (0)		
Local Only Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Total Local Only Reimbursement Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Total Annual Developer Reimbursement	\$ 14,269	\$ 13,781	\$ 13,984	\$ 14,189	\$ 14,396	\$ 14,606	\$ 14,817	\$ 15,031	\$ 15,247	\$ 15,465	\$ 5,276		\$ 386,260
LOCAL BROWNFIELD REVOLVING FUND													
LBRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 10,409
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,409		\$ 10,409
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,409		\$ 10,409

* Up to five years of capture for LBRF Deposits

#11

RESOLUTION



STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

RESOLUTION CONCURRING WITH THE PROVISIONS OF
A BROWNFIELD PLAN ADOPTED BY THE OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE
50 WAYNE STREET

RECITATIONS:

WHEREAS, the Oakland County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have established a Brownfield Redevelopment Authority and Board (OCBRA) to facilitate the clean-up and redevelopment of Brownfields within Oakland County's communities; and

WHEREAS, the property located at 50 Wayne Street (Property), a site in the City of Pontiac is an environmental hazard, a "facility" under state statute; and

WHEREAS, a Brownfield clean-up and redevelopment plan (the "Plan") has been prepared to restore the environmental and economic viability to this parcel which the OCBRA has reviewed and approved; and

WHEREAS, pursuant to OCBRA by-laws, a local committee has been appointed, participated in discussions regarding the proposed plan and project, reviewed the plan, and recommends its approval; and

WHEREAS, the OCBRA, pursuant to and in accordance with Section 13 of the Act, shall consider recommending that the Oakland County Board of Commissioners approve the Brownfield Plan to be carried out within the City of Pontiac, relating to the redevelopment of 50 Wayne Street; and

WHEREAS, the City has reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Sections 13(13) of the Act; and

NOW THEREFORE BE IT RESOLVED THAT, the City of Pontiac hereby concurs with the provisions of the Plan including approval of the Plan by the Oakland County Board of Commissioners and implementation of the Plan by the Oakland County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED THAT should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

BE IT FURTHER RESOLVED THAT all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

CERTIFICATION

It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the City Council of the City of Pontiac at a meeting duly called and held on the ____ day of May, 2019.

CITY of PONTIAC

By: _____
Garland Doyle, INTERIM CLERK

#12

RESOLUTION



May 2, 2019

Memorandum

To: Honorable Mayor, Council President and City Council Members

From: Dwayne Lyons, Community Relations Specialist

Thru the Office of the Deputy Mayor, Jane Bais DiSessa

Date: May 2, 2019

Subject: Public Hearing for the Reprogramming of CDBG Program Year 2016 funds

We are requesting that the City Council approve the reprogramming of \$ 9,225.18 from Senior Center HVAC systems update that has been finalized, to a special construction project the refurbishing of existing deck / pavilion at the Bowens Center. This project still qualifies as one of the three National Objectives for CDBG federal funding. Prior to the City Council voting to approve the reprogramming, a public hearing will need to be held. We are required to inform the public at least 10 days prior to the public hearing.

In order to meet this notice requirement, we are requesting that your honorable body set a public hearing for May 14, 2019. The City Clerk is required to publish the hearing notice in a local newspaper. A copy of this notice will be provided to the City Clerk for publication.

As such, we respectfully request that the following resolution be approved.

Now therefore be It Resolved that the Pontiac City Council schedules a public hearing on May 14, 2019, for the purpose of reprogramming Program Year 2016 Community Development Block Grant (CDBG) funds in the amount of \$ 9,225.18 as follows: from the Senior Center HVAC Special Construction Project, to the Refurbishment of the Existing Deck/Pavilion Project, located at the Robert Bowens Center 52 Bagley St. Pontiac, Michigan.

#13

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Jane Bais-DiSessa, Deputy Mayor, at the request of
John V. Balint, DPW Director/City Engineer

DATE: May 1, 2019

RE: **50th District Court Renovations – North American Construction Enterprises**

The City of Pontiac Department of Public Works has had design and bid documents prepared for renovations at the 50th District Court Building. The request for proposals was issued and advertised on March 18, 2019 and proposals were accepted on April 8, 2019 at 2:00 pm in the City Clerks Office.

Two bids were received, and upon reviewing and checking references, the low bidder is North American Construction Enterprises with a low bid of \$1,318,453. The second bidder provided a bid amount of \$1,555,000.

It is the recommendation of the Department of Public Works that the City award the 50th District Court Building Renovations to North American Construction Enterprises for \$1,318,453.

WHEREAS, The City of Pontiac has advertised and received responses to a request for proposal for 50th District Courthouse Renovations on April 8, 2019 and publically opened bids, and;

WHEREAS, The Department of Public Works, Engineering Division has reviewed the subject proposals and;

NOW, THEREFORE,
BE IT RESOLVED, The Pontiac City Council authorized the Mayor or Deputy Mayor to enter into a contract with North American Construction Enterprises for the 50th District Court Renovations for \$1,318,453.

JVB

attachments

REFERRAL/RECOMMENDATION FORM

DATE: May 2, 2019

TO: Jane Bals-DiSessa, Deputy Mayor

FROM: Michelle L. McKenzie, Purchasing Agent

THE ATTACHED DOCUMENTS ARE BEING REFERRED FOR THE FOLLOWING REASONS:

☐ City Council ☒ Bid Approval ☐ Budget Approval ☐ Cancelled ☐ Other

Bid Analysis and Recommendation for _____

The following bid is attached:

~~This copy does not include the equipment specifications or Oakland County forms.~~

You Recommendations of a bidder are to be located in the space provided in the "Remarks" section on the next page of this form. Do not submit your recommendation on any other.

RFP: 50th District Court Building Modifications

REMARKS: After a competitive process and a public bid opening, it is recommended

that North American Construction Enterprises LLC be awarded the

50th District Court Building Modifications bid

Your recommendation is to be based on the bid specification and content of bid. If the lowest bidder or bidders do not meet the specifications then list the major deviations for each.

Rejections must be based on actual exceptions to specifications, or on other details included in the bid documents.

Legal questions or concerns should be included in the analysis. If necessary, the Purchasing Division may request a legal opinion.

Recommendations for bids over \$10,000.00 must be approved by the Finance Director, the Purchasing Agent or an approved person as noted on the "City of Pontiac Authorized Signature Record."

Vendor has met the requirements of the Request For Proposal Bid Documents.
The above named firm has also provided references of the companies where they have performed similar work.
They have the experience and equipment necessary to perform the duties of the RFP.
I have included the listing of vendors notified on MITN.
I have included a bid tabulation showing all the bidders and their prices.

Signature of Purchasing Agent:

Michelle A McKenzie

Date: 5/2/19

Approved by:

Signature of Deputy Mayor:

J B. Difer

Date: 5.2.19

☒ LARA
 ☒ CORPS
 ☒ SAM
 ☒ Income Tax
 ☒ Oakland County
 ☒ Property Info
 ☒ City A/P
 ☒ SBA
☒ MITN Profile
☒ Website
☒ Bid Tab
☒ Vendor List
☒ RFP
☒ Addendum

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Bureau of Professional Licensing / Corporations, Securities & Commercial Licensing Bureau

VERIFY A LICENSE/REGISTRATION

Name	DBA Name	License Type	License Nbr	Address	Status	Enforcement Action
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ID Number: 801869937

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Summary for: NORTH AMERICAN CONSTRUCTION ENTERPRISES LLC

The name of the FOREIGN LIMITED LIABILITY COMPANY: NORTH AMERICAN CONSTRUCTION ENTERPRISES LLC

Entity type: FOREIGN LIMITED LIABILITY COMPANY

Identification Number: 801869937 Old ID Number: B9432D

Date of Qualification in Michigan: 09/18/2009

Organized under the laws of: the state of Delaware

Purpose:

Term: Perpetual

The name and address of the Resident Agent:

Resident Agent Name: CSC-LAWYERS INCORPORATING SERVICE (COMPANY)

Street Address: 601 ABBOT ROAD

Apt/Suite/Other:

City: EAST LANSING

State: MI

Zip Code: 48823

Registered Office Mailing address:

P.O. Box or Street Address:

Apt/Suite/Other:

City:

State:

Zip Code:

View filings for this business entity:

ALL FILINGS

ANNUAL REPORT/ANNUAL STATEMENTS

CERTIFICATE OF CORRECTION

CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR RESIDENT AGENT

RESIGNATION OF RESIDENT AGENT

CERTIFICATE OF ASSUMED NAME

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Online Filing System
Department of Licensing and Regulatory Affairs

ID Number: 801203132

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Summary for: NORTH AMERICAN CONSTRUCTION ENTERPRISES, L.L.C.

The name of the DOMESTIC LIMITED LIABILITY COMPANY: NORTH AMERICAN CONSTRUCTION ENTERPRISES, L.L.C.

Entity type: DOMESTIC LIMITED LIABILITY COMPANY

Identification Number: 801203132 Old ID Number: B6261E

Date of Organization in Michigan: 04/26/2002

Purpose: All Purpose Clause

Date of In Existence But Not In Good Standing: 02/15/2005 Term: Perpetual

The name and address of the Resident Agent:

Resident Agent Name: MUJTABA IFTIKHAR

Street Address: 3250 OLD FARM LN STE 10

Apt/Suite/Other:

City: WALLED LAKE

State: MI

Zip Code: 48390

Registered Office Mailing address:

P.O. Box or Street Address:

Apt/Suite/Other:

City:

State:

Zip Code:

Act Formed Under: 023-1993 Michigan Limited Liability Company Act

Managed By:

[Members](#)

View filings for this business entity:

[ALL FILINGS](#)[ANNUAL REPORT/ANNUAL STATEMENTS](#)[CERTIFICATE OF CORRECTION](#)[CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR RESIDENT AGENT](#)[RESIGNATION OF RESIDENT AGENT](#)[CERTIFICATE OF ASSUMED NAME](#)[View filings](#)

Comments or notes associated with this business entity:

[LARA FOIA Process](#) [Transparency](#) [Office of Regulatory Reinvention](#) [State Web Sites](#)[Michigan.gov Home](#) [ADA](#) [Michigan News](#) [Policies](#)

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A NEW WAY TO SIGN IN - If you already have a SAM account, use your **SAM email** for login

- ⚠ **ALERT:** June 11, 2018: Entities registering in SAM must submit a notarized letter appointing their authorized Entity Administrator. Read our changes to the notarized letter review process and other system improvements.
- ⚠ **ALERT:** SAM.gov will be down for scheduled maintenance Saturday, 05/11/2019, from 8:00 AM to 1:00 PM (EDT).
- ⚠ **ALERT:** CAGE is currently experiencing a high volume of registrations, and is working them in the order in which they are received. When you are contacted by a CAGE Technician, you will be contacted by CAGE, if necessary, for any additional information.

Entity Dashboard	North American Construction Enterprises, LLC	22920 Industrial I
	DUNS: 021708053 CAGE Code: 60QE0	Saint Clair Shores,
	Status: Active	UNITED STATES
	Expiration Date: 10/09/2019	
	Purpose of Registration: All Awards	
<ul style="list-style-type: none">Entity OverviewEntity Registration<ul style="list-style-type: none">Core DataAssertionsReps & CertsPOCsExclusions<ul style="list-style-type: none">Active ExclusionsInactive ExclusionsExcluded Family Members	Entity Overview	
	Entity Registration Summary Name: North American Construction Enterprises, LLC Doing Business As: American Restoration Services Business Type: Business or Organization Last Updated By: Michael Beaugrand Registration Status: Active Activation Date: 10/11/2018 Expiration Date: 10/09/2019	
	Exclusion Summary Active Exclusion Records? No	



IBM-P-20190315-1318
WWW2

Search Records Di
Data Access Ac
Check Status Pr
About
Help

Michelle McKenzie

To: Larry A. Kosofsky
Subject: Please check for compliance

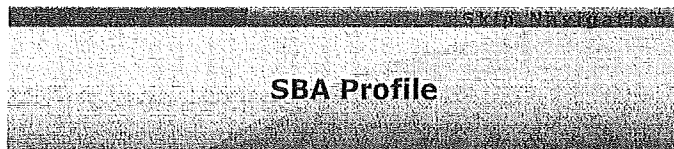
Larry,

Please check for compliance:
North American Construction Enterprises, LLC
Tax id# 20-5809739

22920 Industrial Drive East
St Clair Shores, MI 48080

Thank you,

Michelle L. McKenzie
Purchasing Agent/Fiscal Analyst
City of Pontiac
47450 Woodward Ave
Pontiac, MI 48342
MMcKenzie@pontiac.mi.us
Direct Dial (248) 758-3120
Fax (248) 758-3197

[Accessibility Options >](#)**Privacy Statement**[\(Back to Profile List, or use Back button\)](#)***Identification, Location & Contacts***

This profile was last updated: 10/11/2018

Status: Active

User ID: P1237668
Name of Firm: North American Construction Enterprises, LLC
Trade Name ("Doing Business As ..."): American Restoration Services
DUNS Number: 021708053
Parent DUNS Number: 021708053
Address, line 1: 22920 Industrial Dr E
Address, line 2:
City: Saint Clair Shores
State: MI
Zip: 48080-1128
Phone Number: 586-498-9003
Fax Number: 586-498-9004
E-mail Address: rbeaugrand@nace-intl.com
WWW Page: www.nace-intl.com
E-Commerce Website: <http://www.nace-intl.com/>
Contact Person: Robert W Beaugrand
County Code (3 digit): 099
Congressional District: 09
Metropolitan Statistical Area: 2160
CAGE Code: 60QE0
Year Established: 2006
Accepts Government Credit [] Yes [X] No
Card?:
GSA Advantage Contract(s):

(Note: Size information is now under "NAICS Codes with Size Determinations by NAICS", below.)

Organization, Ownership & Certifications

Legal Structure: Subchapter S Corporation
Ownership and Self-Certifications: Veteran

Current Principals

1. Michael Thomas Beaugrand, President / Owner
2. Robert William Beaugrand, Chief Operating Officer / Owner

"Business Development Servicing Office" (for certifications)

MICHIGAN DISTRICT OFFICE (SBA office code 0515)

8(a) Certification:

SBA 8(a) Case Number:
SBA 8(a) Entrance Date:
SBA 8(a) Exit Date:

Small Disadvantaged Business Certification:

SDB Entrance Date:
SDB Exit Date:

HUBZone Certification:

HUBZone Certified?: ☐ Yes ☒ No
HUBZone Certification Date:

8(a) Joint Venture Certification:

8(a) JV Entrance Date:
8(a) JV Exit Date:

Non-Federal-Government Certifications:

Licensed Builder

Products & Services

Capabilities Narrative:

General Contracting, Construction Management, Self-Perform Carpentry, Self-Perform Masonry, Self-Perform Flooring, Self-Perform Demolition, Self-Perform Property Restoration Services and self-perform General Trades.

Special Equipment/Materials:

Property restoration/remediation equipment, dehumidification equipment, HEPA equipment, lifts, skid steers and box trucks.

Business Type Percentages:

Construction (100 %)

Bonding Levels

Construction Bonding Level \$7,500,000
 (per contract)
 Construction Bonding Level \$15,000,000
 (aggregate)
 Service Bonding Level (per \$7,500,000
 contract)
 Service Bonding Level \$15,000,000
 (aggregate)

NAICS Codes with Size Determinations by NAICS:

#	Primary?	Code	NAICS Code's Description	"Buy Green"? (1)	Small? (2)
1	Yes	236220	Commercial and Institutional Building Construction		Yes
2		236115	New Single-Family Housing Construction (except For-Sale Builders)		Yes
3		236116	New Multifamily Housing Construction (except For-Sale Builders)		Yes
4		236118	Residential Remodelers		Yes
5		236210	Industrial Building Construction		Yes
6		237110	Water and Sewer Line and Related Structures Construction		Yes
7		238130	Framing Contractors		Yes
8		238140	Masonry Contractors		Yes
9		238160	Roofing Contractors		Yes
10		238170	Siding Contractors		Yes
11		238190	Other Foundation, Structure, and Building Exterior Contractors		Yes
12		238310	Drywall and Insulation Contractors		Yes
13		238320	Painting and Wall Covering Contractors		Yes
14		238330	Flooring Contractors		Yes
15		238340	Tile and Terrazzo Contractors		Yes
16		238350	Finish Carpentry Contractors		Yes
17		238390	Other Building Finishing Contractors		Yes
18		238910	Site Preparation Contractors		Yes
19		238990	All Other Specialty Trade Contractors General \$15.00m Small Business Size Standard: [Yes] Special \$15.00m Building and Property Specialty Trade Services: [Yes]		Yes

(1) By entering Yes for "Buy Green", the firm asserts that it obeys EPA guidelines for environmental friendliness for this NAICS code. Note, EPA guidelines do not exist for every NAICS code.
 (2) If Yes, the firm's revenues/number of employees do not exceed the NAICS code's small business size standard.
 (4) As seen above, the size standard can depend on subcategories within a NAICS code.

Keywords:

General Contracting, Construction Management, Carpentry, Flooring, Finishes, Restoration, general trades.

Quality Assurance Standards: (none given)
Electronic Data Interchange [] Yes [] No
capable?:

Exporter?: [] Yes [X] No [] Wants To Be
 Export Business Activities: (none given)
 Exporting to: (none given)
 Desired Export Business (none given)
 Relationships:
 Description of Export (none given)
 Objective(s):

Name:	Wayne County Airprt Authority
Contract:	Westin Hotel
Start:	05/01/2017
End:	10/01/2017
Value:	6,300,000.00
Contact:	Karen Souders
Phone:	734-652-7813

Name:	Westwood Hospitality
Contract:	Airport Hilton Cincinnati
Start:	02/01/2018
End:	06/01/2018
Value:	\$2,500,000
Contact:	Imran Hussain
Phone:	516-371-4400

4 of 4


[SOLICITATIONS](#) [VENDORS](#) [TOOLS](#) [REPORTS](#) [LEGACY SYSTEM](#)

North American Construction Enterprises, LLC

Organization Number	560473	Address	23812 Harper Avenue
County/Region	Macomb County		Saint Clair Shores, Michigan, 48080
Website	www.nace-intl.com	Phone	586-498-9003
Registration Date	06/10/2017	Fax	586-498-9004
Status	Active	Email	mbeaugrand@nace-intl.com

Org	Working Categories	Contacts	Bids	History	Downloads	Notifications
-----	--------------------	----------	------	---------	-----------	---------------

Registration Information

Business Structure	Not Specified
Business Type	Veteran Owned
Owner Ethnicity	Caucasian
Number of Employees	11 to 50
Established Since	2006

W-9



MITN Purchasing Group

Member Since	06/10/2017	Status	Completed
Last Update Date	06/10/2017 12:27 PM EDT	Last Update By	Mike Beaugrand
Membership Level	Basic		

Is your company a registered DBE through the state of Michigan (MDOT)? No

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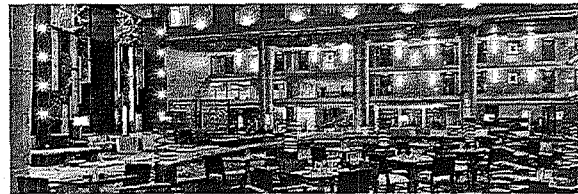
North American Construction Enterprises, LLC
General Contractor, Construction Manager and Pre-Construction Advisor

NACE

NACE, LLC CONSTRUCTION BID ROOM SELF PERFORM DIVISIONS KEY PERSONNEL PROJECT GALLERIES

Westin Hotel Detroit

More



Contact Us

NACE North American
Construction Enterprises, LLC

COMMERCIAL CONSTRUCTION SPECIALISTS

Certified Veteran Owned Business

GENERAL CONTRACTOR
CONSTRUCTION MANAGER
PRE-CONSTRUCTION ADVISOR

**North
American
Construction
Enterprises, LLC**

St. Clair Shores Office (HQ)
22920 Industrial Drive East
St. Clair Shores, MI 48080

nace-intl.com/westin_hotel_detroit_metro_airport

Bid Opening: April 8, 2019 @ 2:00 pm			Bernco, Inc.	North American Construction Enterprises LLC			
DESCRIPTION	UNIT	EST QTY	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Mobilization/Crane	LS	1					
Hazardous Material Abatement & Disposal	LS	1		\$42,000.00			
Exterior Architectural Demolition	LS	1					
Interior Architectural Demolition	LS	1		\$18,180.00			
Window Replacements	LS	1		\$190,000.00			
Remove & Replace Exterior Sills	LS	1		\$23,432.00			
Exterior Caulking	LS	1		\$18,732.00			
Roofing Repair Work	LS	1		\$66,000.00			
2nd Floor Main Restrooms & Atty. Conf. Rooms Complete (incl. Demolition, Ceilings, Finishes, Lighting, HVAC, Painting, etc.)	LS	1		\$59,772.00			
New Support Frame & Revised Gratings for HVAC-9 at Area Well	LS	1		\$22,680.00			
Miscellaneous Architectural Repairs & Finishes	LS	1		\$11,280.00			
Interior Masonry Repairs	LS	1		\$2,505.00			
Mechanical - Demolition	LS	1					
Mechanical - HVAC-9	LS	1		\$624,000.00			
Mechanical - Perimeter Heating Control Valves & Sensors	LS	1					
Mechanical - VAV Boxes	LS	1					
Mechanical - Boilers	LS	1					
Mechanical - Duct Insulation	LS	1					
Mechanical - Sheetmetal & Ductwork	LS	1					
Mechanical - Diffusers, Registers & Fans	LS	1					
Mechanical - Heating Pumps	LS	1					
Mechanical - General Cleaning & Miscellaneous Equip./Repairs	LS	1					
Mechanical - Unit Heaters & Door Heaters	LS	1					
Mechanical - Testing and Balancing	LS	1					
Mechanical - Power	LS	1		\$35,880.00			
Mechanical - Return Air Smoke Detectors (All Units)	EA						
Plumbing - Gas Piping System	LS	1					
Plumbing - Heating Piping System (incl. insulation)	LS	1					
Plumbing - Refrigerant Piping System	LS	1					
Plumbing - Sanitary Work	LS	1		\$9,655.00			
Plumbing - Domestic Water Work	LS	1		\$11,123.00			
Plumbing - Fixtures & Equipment	LS	1		\$25,088.00			
Plumbing - General Cleaning & Miscellaneous Equip./Repairs	LS	1					
Low Voltage and Controls	LS	1		\$81,726.00			
Security Provisions & Staging/Barricades	LS	1		\$14,400.00			
Owner Contingency (Mandatory)	LS	1	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
Bonds, Insurance and Permit Fees	LS	1		\$12,000.00			
Contractor Overhead and Profit	LS	1					
		TOTAL PRICE	\$1,555,000.00	\$1,318,453.00			

Bid Opening: April 8, 2019 @ 2:00 pm			Bernco, Inc.	North American Construction Enterprises LLC			
DESCRIPTION	UNIT	EST. QTY	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
1st Floor Meeting Rooms Complete (incl. Demolition, Ceilings, Finishes, Doors, Lighting, HVAC, Painting, etc.)	LS	1	\$64,676.00	\$85,000.00			
TOTAL PRICE:			\$64,676.00	\$85,000.00			

DESCRIPTION	UNIT	EST. QTY	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
2nd Floor Toilet Room 213 & Jury Waiting Room Complete (incl. Demolition, Ceilings, Finishes, Doors, Lighting, HVAC, Painting, etc.)	LS	1	\$49,248.00	\$50,000.00			
TOTAL PRICE:			\$49,248.00	\$50,000.00			

DESCRIPTION	UNIT	EST. QTY	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Add VAV Reheat	LS	1	\$167,578.00	\$103,000.00			
TOTAL PRICE:			\$167,578.00	\$103,000.00			

DESCRIPTION	UNIT	EST. QTY	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Add BMS System for HVAC Controls	LS	1	\$91,300.00	\$82,000.00			
TOTAL PRICE:			\$91,300.00	\$82,000.00			

DESCRIPTION	UNIT	EST. QTY	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Inspect and Clean Duct System for HVAC-9	LS	1	\$14,300.00	\$14,000.00			
TOTAL PRICE:			\$14,300.00	\$14,000.00			

Witness: Michelle L. McKenzie, Purchasing AgentOpened by: Sheila Grandison, Deputy City Clerk

Witness: _____



Matching Supplier List

Created by:

Michelle McKenzie

Created on:

03/18/2019 04:54 PM EDT

Solicitation:

50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
3.L.K. CONSTRUCTION L.L.C. Org. Number: 557749	1401 Howard DETROIT, Michigan, 48216 United States	LORENZO WALKER	ourteam@3lkconstruction.com	313-962-8700
		LORENZO WALKER	lorenzo@3lkconstruction.com	313-962-8701
A.Z. Shmina, Inc. Org. Number: 557092	11711 Grand River Road Brighton, Michigan, 48116 United States	Andrew Shmina	as@azshmina.com	810-227-5100
		Andrew Shmina	as@azshmina.com	810-227-5100
A/C BUILDING SYTEM, INC Org. Number: 942751	47448 PONTIAC TRAIL SUITE#333 WIXOM, Michigan, 48393 United States	BECKER B AL-MUFTI	A-CBS@ATT.NET	2489414283
ABE Associates, Inc. Org. Number: 556999	440 Burroughs Street, Suite 605 Detroit, Michigan, 48202 United States	Andre Brooks	andreb@abe-engineers.com	313-961-5170 ext. 101
		Andre Brooks, PE	andreb@abe-engineers.com	313-961-5170
ACE SPECIALTIES LLC Org. Number: 896402	119 SOUTHPARK RD LAFAYETTE, Louisiana, 70508 United States	CHRISTL MAHFOUZ	fmoodie@acespecial.com	337-232-8796
Ace-Pros Inc Org. Number: 633826	22375 Broderick Dr, #140 Dulles, Virginia, 20166 United States	Rahi Raj	rahi@aceprosinc.com	5714180618
Acme Enterprises, Inc. Org. Number: 560340	15751 Martin Road Roseville, Michigan, 48066 United States	Bob Walny	rwalny@acme-enterprises.com	586-771-4800
		Bob Walny	rwalny@acme-enterprises.com	586-771-4800
		Robert Russell	russell@acme-enterprises.com	586-771-4800
Acme Research Org. Number: 175247	5120 Highway 6 Riesel, Texas, 76682 United States	Toni Hill	thill@acmeresearch.com	8008103846
Administrative Controls Management, Inc. Org. Number: 557966	525 Avis Drive, Suite 2 Ann Arbor, Michigan, 48108 United States	Patricia Mirek	mi@acmpm.com	734-995-9640
		James E. Krebs, PE, CCE, PMP	mi@acmpm.com	734-995-9640
		Patricia Mirek	mi@acmpm.com	734-995-9640
Advanced Building Group, LLC Org. Number: 561746	20260 Sherwood St Detroit, Michigan, 48234 United States	Scott Richardson	srichardson@advancedbg.com	313-974-6153
		Scott Richardson	srichardson@precision-cg.com	313-974-6153

Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
Advanced Concrete Polishing Org. Number: 1009062	223 Oakwood St. Monroe, Michigan, 48162 United States	Dan DiCarlo	dan@advancedconcretepolishing.com	734-915-7812
Advanced Rehabilitation Technology Org. Number: 1195291	01116 Cty Rd 17 Bryan, Ohio, 43506 United States	Kevin Appel	kappel@artcoatingtech.com	4196362684
Advantage Technology Consulting, LLC Org. Number: 559874	8602 Cypress Lane Pinckney, Michigan, 48169-8702 United States	Richard Hoose Richard Hoose	richardh_atc@charter.net richard.hoose@advantagetechnologyconsulting.com	810-623-1349 810-623-1349
AECOM Org. Number: 556733	400 Renaissance Center, Suite 2600 Detroit, Michigan, 48243 United States	Jerry Attia Robert Gorski	jerry.attia@aecom.com robert.gorski@aecom.com	2482044254 313-309-7184
AEMINC Org. Number: 606795	PO Box 903 Southfield, Michigan, 48037 United States	Lee Bates	lbates@aeminc.com	248 540 9500 ext. 207
AGC CONCRETE INC Org. Number: 564887	43230 Garfield suite 160 Clinton Township, Michigan, 48312 United States	Andrew Gagnon Daniel Feys	andrew@agccoconcrete.com dfeys@agccoconcrete.com	586-771-9799 248-515-6266
Ahern Contracting, Inc. Org. Number: 601625	25875 New Forest Court Chesterfield, Michigan, 48051 United States	James P Ahern	unknown@no-reply.com	8103430403
Aielli Construction Company, Inc. Org. Number: 556211	47850 Van Dyke Avenue Shelby Township, Michigan, 48317 United States	Paolo Iacobacci Paolo Iacobacci Sergio Iacobacci	info@aiellicc.com paolo@aiellicc.com info@aiellicc.com	586-792-1890 586-792-1890 586-792-1890
Airfoil Org. Number: 559992	1000 Town Center, Suite 600 Southfield, Michigan, 48075 United States	Lisa Vallee-Smith Janet Tyler Lisa Vallee-Smith	vallee-smith@airfoilgroup.com tyler@airfoilgroup.com vallee-smith@airfoilgroup.com	248-304-1400 248-304-1400 248-304-1400
AIRPORT LIGHTING, EMPLOYEE OWNED, LLC Org. Number: 561922	6320 N State Rd PO Box 210 Luther, Michigan, 49656-0210 United States	DAVID LAWSON Kathy Glisson	unknown@no-reply.com airportlighting@aol.com	517-230-3558 517-230-3558
AJ's Excavating LLC Org. Number: 1190790	9777 Honor Hwy Honor, Michigan, 49640 United States	AJ Zirkel	aj@ajsexcavating.com	2318824655
Alastra Construction Org. Number: 563260	1149 Lincoln Wyandotte, Michigan, 48192 United States	Vita Alastra Joe Alastra	alacon2v@att.net joealastra@wyan.org	734-284-2422 734-284-2422
Alfred Benesch & Company Org. Number: 557787	4660 S Hagadorn Road, Suite 315 East Lansing, Michigan, 48820 United States	Amy Larkins Jim Canham	mitn@benesch.com jcanham@benesch.com	517-482-1682 517-482-1682 ext. 811

Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
All States Engineering & Surveying Org. Number: 1224115	252 McKinley Avenue Grosse Pointe Farms, Michigan, 48236 United States	Jay Ambrozny	jay@allstatesengineering.com	3133995340
Allied Building Service Company of Detroit, Inc. Org. Number: 556652	1801 Howard St. Detroit, Michigan, 48216 United States	PM Director	pmdirector@teamallied.com	313-230-0799
Allied Mechanical Services Inc Org. Number: 1143817	3860 Roger B Chaffee Memorial Dr. SE Grand Rapids, Michigan, 49548 United States	Mechanical Estimator	bids@alliedmechanical.com	6166694800
Allied Property Services Org. Number: 1244389	34150 Riviera Dr Fraser, Michigan, 48026 United States	Clark Freeman	clark@alliedps1.com	5866344208
Americas Green Line Org. Number: 1249058	400 MONROE ST, STE 480 Detroit, Michigan, 48226 United States	John Economy	john@americasgreenline.com	2488957820
Anderson, Eckstein and Westrick, Inc. Org. Number: 557290	51301 Schoenherr Road Shelby Township, Michigan, 48315 United States	Roy Rose	adawson@aewinc.com	586-726-1234
		Ashley Dawson	adawson@aewinc.com	586-726-1234
		Roy Rose	rrose@aewinc.com	586-726-1234
ANKER ELEKTRA LLC Org. Number: 829878	4460 Sheridan Dr. Royal Oak, Michigan, 48073 United States	FRIEDEMANN STEINBACH	fsteinbach@focalpointcoaching.com	248 797 4751
Applied Science, Inc. Org. Number: 557348	300 River Place Dr, Suite 5400 Detroit, Michigan, 48207 United States	Karen Ridgway	karen.ridgway@asi-detroit.com	313-567-3990
		Karen Ridgway	karen.ridgway@asi-detroit.com	313-567-3990
ARCADIS of Michigan LLC Org. Number: 556652	28550 Cabot Dr, Suite 500 Novi, Michigan, 48377 United States	Mike Halwani	Mike.halwani@arcadis.com	313-324-4015
		Rohit Trivedi	rohit.trivedi@arcadis-us.com	313-324-4008
Ashor Associates Org. Number: 1185216	3745 Horseshoe Dr Troy, Michigan, 48063 United States	Edward C Ashor	ashorconstruction@yahoo.com	248-910-4642
Atwell, LLC Org. Number: 556462	Two Towne Square, Suite 700 Southfield, Michigan, 48076 United States	Stephen Taglione	staglione@atwell-group.com	248-447-2007 ext. 2019
		Daniel McNulty	unknown@no-reply.com	248-447-2000
		Roderick Petschauer	rpetschauer@atwell-group.com	248-447-2055
Audia Concrete Construction, Inc. Org. Number: 557441	P.O. Box 72 Milford, Michigan, 48381 United States	Ronetta Audia	raudia@audiaconstructioninc.com	248-676-9570
		Ronetta Audia	raudia@audiaconstructioninc.com	248-676-9570
Axiom Construction Services Group, LLC Org. Number: 560815	E M-36 Whitmore Lake, Michigan, 48189 United States	Deib Mougrabi	dmougrabi@axiomcsgllc.com	248-446-1104
		Deib Mougrabi	dmougrabi@axiomcsgllc.com	248-446-1104

Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
Axiom Construction Services Group, LLC Org. Number: 780245	7789 East M-36 Whitmore Lake, Michigan, 48189 United States	Deib Mougrabi	estimating@axiomcsgllc.com	248-446-1104
Baker and Associates Org. Number: 806067	400 Renaissance Way Suite 2601 Detroit, Michigan, 48243 United States	Steven S Gravlin	steven.gravlin@mbakerintl.com	313-670-3408
Ballard Associates Org. Number: 561858	6816 Retreat West Bloomfield, Michigan, 48322 United States	Lori M. Ballard	Ballard.associatesllc@gmail.com	313-399-5627
		Lori M. Ballard	Lorimb55@gmail.com	313-399-5627
BAON CONSULTING, LLC Org. Number: 882660	6828 Carrington Cir E West Bloomfield, Michigan, 48322 United States	George F Nelson	gfrederick@baonconsulting.com	2488854687
Barton Malow Org. Number: 1088339	26500 American Dr. Southfield, Michigan, 48034 United States	Rick Rumsey	rick.rumsey@bartonmalow.com	248-866-0576
Barton Malow Company Org. Number: 560611	26500 American Drive Southfield, Michigan, 48034 United States	Scott Stowitts	scott.stowitts@bartonmalow.com	248-436-5404
		Scott Stowitts	scott.stowitts@bartonmalow.com	248-436-5404
BBEK Environmental Org. Number: 563228	24808 Thomas Warren, Michigan, 48091 United States	Kevin Woods	kevin@bbekenvironmental.com	313-492-1854
		Kevin Woods	environmental@bbekconstruction.com	313-492-1854
Beam, Longest and Neff, LLC Org. Number: 705719	51151 W. Pontiac Trail Wixom, Michigan, 48393 United States	Ryan Jones	rjones@b-l-n.com	3136827903
BENKARI LLC Org. Number: 610006	18427 W MCNICHOLS DETROIT, Michigan, 48219 United States	A.K. Bennett	akbennett@benkari.net	3135920618
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Best Practices Consulting Services Org. Number: 560427	2727 2nd Avenue Detroit, Michigan, 48201 United States	Laura Sigmon	laura.chapman@yourpracticescoach.com	313-265-3062
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Blue Water Industrial Products Org. Number: 956878	37280 Green Street New Baltimore, Michigan, 48236 United States	Steve Olson	solson@bwip.net	5867256300
BMJ Engineers and Surveyors, Inc. Org. Number: 559079	519 Huron Avenue Port Huron, Michigan, 48060 United States	Chris Fagan	cfagan@bmjinc.com	810-984-5596
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Boss Engineering Org. Number: 558659	3121 East Grand River Howell, Michigan, 48843 United States	Steve Schippers	skip@bosseng.com	517-546-4836
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Brand Energy Services, LLC Org. Number: 1008907	12701 Beech Daly Taylor, Michigan, 48180 United States	Joseph R Schoenherr	jschoenherr@brandsafway.com	734-341-3823
Braun Construction Group Org. Number: 559775	39395 W. 12 Mile Road Suite 100 Farmington Hills, Michigan, 48331 United States	Brenda Pams	bpams@brauncg.com	248-848-0567 ext. 225
Brickworks Property Restoration LLC Org. Number: 564418	35122 cordelia clinton twp, Michigan, 48035 United States	Jeremiah Campbell	info@brickworksmi.com	586-868-3234
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
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BSI Professional Services America Org. Number: 897634	12950 Worldgate Drive, Suite 800 Herndon, Virginia, 22124 United States	Shereen N Abuzobaa	sabuzobaa@gmail.com	571-830-0777
Buccilli Group, LLC Org. Number: 563702	12109 Merriman Rd Livonia, Michigan, 48150 United States	Robert Tolliver Jennifer Buccilli	rtolliver@buccilli-group.com rtolliver@buccilli-group.com	734-293-2424 734-293-2424
Builders Exchange of Lansing and Central Michigan Org. Number: 1046755	1240 East Saginaw Lansing, Michigan, 48906 United States	Leslie A Vargas	bids@bxlansing.com	5173728930
Byce & Associates, Inc. Org. Number: 558661	487 Portage Street Kalamazoo, Michigan, 49007 United States	Brenda Longman Brenda Longman	marketing@byce.com corporate@byce.com	269-381-6170 269-381-6170
C & S Companies Org. Number: 556788	38777 6 Mile Road, Ste. 202 Livonia, Michigan, 48152 United States	Robert Koller Robert Koller	lcarpenter@cscos.com rkoller@cscos.com	734-953-2571 ext. 3314 248-449-2659
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Cardno, Inc.	11181 Marwill Ave	Joe von Wahlde	joe.vonwahlde@cardno.com	616-847-1680

Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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CBRE - David Long Org. Number: 1178804	2000 Town Center, Suite 2200 Southfield, Michigan, 48075 United States	David P Long	dave.long@cbre.com	248-351-2051
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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CTI Property Services Org. Number: 1221604	17251 West 12 mile road, Suite 107 Southfield, Michigan, 48076 United States	Mark Baum	mark@ctipropservices.com	2485427529
Cunningham-Limp Development Company Org. Number: 557413	28970 Cabot Drive Suite 100 Novi, Michigan, 48377 United States	Ashley Packwood Sam Ashley	apackwood@clc.build sashley@cunninghamlimp.com	248-893-2318 248-893-2311
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Fazal Khan & Associates Org. Number: 556502	43279 Schoenherr Sterling Heights, Michigan, 48313 United States	Carol Thurber	carol@fazalkhan.com	586-739-8007
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Foreman Construction, Inc Org. Number: 1216685	400 E. Lincoln Suite D Royal Oak, Michigan, 48067 United States	Curtis Foreman	curtis@foremanconstruction.com	2482243587
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Gandol Inc Org. Number: 1212740	27455 Goddard Road Romulus, Michigan, 48174 United States	Wendel Martin	Wendel@gandolinc.com	7349414000 ext. 7349414000
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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KPM Engineering Org. Number: 562901	1984 Walton Road Kingsley, Michigan, 49649 United States	Patrick Middleton	patrickm@kpmengineering.com	231-357-5098
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Michigan Building Cleaning and Maintenance Org. Number: 931103	2570 Seminole St Ann Arbor, Michigan, 48108 United States	Terry Farha KC Farha	tfarha@umcesp.com kfarha@comcast.net	7343209411 7343209421
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Moore Trosper Construction Co. Org. Number: 772677	4224 Keller Road Holt, Michigan, 48842 United States	Brian Moore	info@mooretrosper.com	5176946310

Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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RS Engineering, LLC Org. Number: 557781	915 Centennial Way, Suite 115 Lansing, Michigan, 48917 United States	Robert Rayl	rrayl@rs-eng.com	517-908-0877
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Sachse Construction Org. Number: 560102	1528 Woodward Suite 600 Detroit, Michigan, 48226 United States	Miha Pusta	mpusta@sachse.net	313-481-8263
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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schlicht excavating Org. Number: 560424	2355 Gary RD Montrose, Michigan, 48457 United States	Schlicht Excavating	Info@pondperfection.com	9892390702
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Seaside Seawalls Org. Number: 941051	9864 E Grand River Ave Ste 110-225 Brighton, Michigan, 48116 United States	Brandy Alexander	brandy@seasideseawalls.com	8105345042
Seaside Seawalls, LLC Org. Number: 946428	9864 E. Grand River Suite 110-225 Brighton, Michigan, 48114 United States			
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Shamrock Acquisitions LLC Org. Number: 1247340	13910 Simone Dr Shelby Charter Township, Michigan, 48315 United States	Lisa Bommarito	Lisabommarito@shamrock-acq.com	5869916279
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Team One Repair, Inc. Org. Number: 565638	2705 Crestridge Court Suwanee, Georgia, 30024 United States	Andrew Kaluski Andrew Kaluski	andy@teamonerepair.com andy@teamonerepair.com	678-365-2536 678-365-2536
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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

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		Andrea Garabedian	unknown@no-reply.com	586-731-3095 ext. 11
		Geoffrey Garabedian	ggarabedian@wtog.net	586-731-3095 ext. 12
Weiss Property Management Org. Number: 1189360	2006 RAYMOND ST Bay City, Michigan, 48706 United States	CHAD WEISS	CHAD@WEISSPM.COM	9894154412
Westshore Consulting Org. Number: 561321	2534 Black Creek Road Muskegon, Michigan, 49444 United States	Penny Swain	pswain@westshoreconsulting.com	231-777-3447 ext. 53
		Alan Hinks	pswain@westshoreconsulting.com	231-777-3447 ext. 49
		Wade VandenBosch	pswain@westshoreconsulting.com	231-777-3447 ext. 34
White Construction Org. Number: 557083	1120 W. Baltimore Detroit, Michigan, 48202 United States	Donovan J White	dwhite@whitecon.com	313-872-6700 ext. 141
		Milton Jennings	unknown@no-reply.com	313-872-6700 ext. 140
		W. Bernard White	unknown@no-reply.com	313-872-6700
White Pine Building and Development LLC Org. Number: 559379	49047 Driftwood Drive Shelby Township, Michigan, 48317 United States	Bradley Freestone	whitepinebuilding@gmail.com	586-489-3771
		Bradley Freestone	unknown@no-reply.com	586-489-3771
Wightman & Associates, Inc.	2303 Pipestone Road	Jamie Balkin	jbalkin@gowightman.com	269-927-0100 ext. 108

Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
Org. Number: 557893	Benton Harbor, Michigan, 49022	Mr. Thomas A. Deneau	tdeneau@wightman-assoc.com	269-927-0100
William A. Kibbe & Associates, Inc. Org. Number: 560213	1475 S. Washington Ave. Saginaw, Michigan, 48601 United States	Daniel Miller	dmiller@kibbe.com	989-752-5000
		Daniel Miller	unknown@no-reply.com	989-752-5000
		Gregory Bator	gbator@kibbe.com	989-752-5000
		Jay Wheeler	jwheeler@kibbe.com	989-752-5000
		Laura Mettam	lmettam@kibbe.com	989-752-5000
William Floyd Company Org. Number: 863228	716 Victory Drive Howell, Michigan, 48843 United States	Dave Polidan	dave@wmfloyd.net	810-845-6066
Wolverine Solutions Group Org. Number: 1093922	1601 Clay street Detroit, Michigan, 48211 United States	Steve Conway	conman30@aol.com	7346126634
Wolverine Solutions Group, Inc. Org. Number: 557264	1601 Clay Street Detroit, Michigan, 48211 United States	Stacey Blue	sblue@wolverinemail.com	313-871-3547
		Stacey Blue	sblue@wolverinemail.com	313-871-3547
Wolverne Engineers & Surveyors, Inc, Org. Number: 557487	312 North Street Mason, Michigan, 48854 United States	Dan Wisinski	danw@wolveng.com	517-676-9200 ext. 114
		Dan Wisinski	unknown@no-reply.com	517-676-9200
		Don Heck	donh@wolveng.com	517-676-9200
Woods Consulting Group Org. Number: 894592	1617 Beech Street Normal, Illinois, 61761 United States	Kevin Woods	woodsconsulting@frontier.com	3098302545
World Wide Technical Services (VWTS, LLC) Org. Number: 1183594	3686 Merriweather Ln. Rochester Hills, Michigan, 48306 United States	Darryl Farmer	dfarmer@vwtsllc.net	2486727617
Wright & Hunter, Inc. Org. Number: 557405	818 West 11 Mile Road Royal Oak, Michigan, 48067 United States	Scott Brune	sbrune@wrighthunter.com	248-594-5850 ext. 131
		Scott Brune	sbrune@wrighthunter.com	248-594-5850 ext. 100
WSP Michigan Inc. Org. Number: 556816	500 Griswold Street Suite 2600 Detroit, Michigan, 48226 United States	Edwin Tatem	Vandall@pbworld.com	313-963-5760 ext. 2813
		Duncan R Mein	duncan.mein@wsp.com	313-324-9881
		Edwin Tatem	beard@pbworld.com	313-963-5760
Xperiential Laboratories Org. Number: 1067118	45145 W 12 Mile Road Novi, Michigan, 48377 United States	Mike Albu	mailbu@xperiential.com	2485745528
Yanke Construction, Inc. Org. Number: 919146	41621 Hampshire St Novi, Michigan, 48375 United States	Maxwell Yanke	maxyanke@yankeconstruction.com	2487300565
		Hunter Urban	hunterurban@yankeconstruction.com	2489127970

Matching Supplier List: 50th District Court Bldg Modifications - 50th District Court Building Modifications

Organization	Address	Contact	Email	Phone
Yukon Construction Org. Number: 954949	1341 S Range Rd St Clair, Michigan, 48079 United States	Jennifer LaDuke	jladuke@yukoncs.com	8108417397
Zuniga Cement Construction Inc. Org. Number: 557436	22500 Ryan Rd Warren, Michigan, 48091 United States	Tomas Zuniga Tomas Zuniga	zunigacement@aol.com unknown@no-reply.com	586-754-5900 586-772-5400



Financial Services – Purchasing Division

NOTICE

Thank you for your inquiry regarding the City of Pontiac project listed below:

50th District Court Building Modifications

If your firm plans to bid on this project, please send an e-mail response to MMcKenzie@pontiac.mi.us with the following information:

Firm Name: _____

Project Name: _____

Firm's Contact Person: _____

Telephone Number: _____

Fax Number: _____

E-Mail Address: _____

Postal Address: _____

The City of Pontiac Purchasing Division will use this information to communicate with you in the event an addendum or change to this project is issued. If you do not send this information to the City of Pontiac, you will not receive any follow-up notification of any changes to the project.

NOTICE TO BIDDERS

The City of Pontiac will open sealed bids on Monday, April 08, 2019 at 2:00 p.m. prevailing local time in the City Hall Lion's Den conference room at 47450 Woodward Ave for:

50th District Court Building Modifications

You are invited to submit a bid for this project. Sealed bids may be mailed or delivered to the CITY OF PONTIAC, CITY CLERK, 47450 Woodward Ave., Pontiac, MI 48342 by 2:00 PM, Monday, April 08, 2019. Envelopes should include the name and mailing address of the vendor on the outside and be plainly marked: "50th District Court Building Modifications"

The City of Pontiac is in the process of repairing and renovating the 50th District Court Building, located at 70 N. Saginaw, Pontiac, MI 48342 and is seeking bids from General Contractors for the purpose of assisting the City with implementing the project.

The selected firm shall minimally possess successful experience in the areas described in the Scope of Services. Knowledge of the City's codes, ordinances and engineering design standards is beneficial.

A Mandatory Walk-Thru meeting will be held at the 50th District Court Building, 70 N. Saginaw, Pontiac, MI 48342, on Friday, March 29, 2019 at 10:00 am. Bids submitted by firms not in attendance of the walk-thru will not be accepted.

No proposal submitted may be withdrawn for at least ninety (90) days after the actual opening of the proposal.

General specifications, description and conditions upon which the qualifications are to be based are available at the City of Pontiac website:

<http://www.pontiac.mi.us/departments/finance/purchasing.php>

Please refer to the website/MITN for any addenda that may be issued. Bidders who submit bids before the deadline are advised to continue to monitor the website for any addenda that may be issued. Bid packages will also be mailed upon request.

The City reserves the right to reject any or all bids, to waive any irregularities, and further reserves the right to accept any bid or parts of bids that it deems to best serve the interest of the City.

If you have any questions regarding this RFP, please contact the Purchasing Agent at (248) 758-3120 or send an email to MMcKenzie@pontiac.mi.us

If you have any technical questions regarding this RFP specifications, plans and hazardous materials study, please contact the Adrianna Melchior, AIA, LEED AP BD+C via email to amelchior@hrc-engr.com

1. INSTRUCTIONS TO BIDDERS

1.1 Bids to be Received

Sealed bids for the 50th District Court Building Modifications will be received at the Office of the City Clerk of the City of Pontiac, Michigan until 2:00 PM, Monday, April 08, 2019, and immediately thereafter will be publicly opened and read.

Each bid must be submitted in a sealed envelope and addressed to the City Clerk of the City of Pontiac. Each sealed envelope containing a bid must be plainly marked on the outside as "50th District Court Building Modifications", and the envelope should bear on the outside the name of the bidder, his address, and the name of the project for which the bid is submitted. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed to the City Clerk, City of Pontiac at 47450 Woodward Avenue Pontiac, MI 48342.

Bids will be received during regular business hours at the place and up to the time stated in the advertisement. Any extension in time will be by official notification. Bids may be delivered in person or mailed, but their delivery is the bidder's entire responsibility. Any bid received after the stated hour, even through the mail, will be returned unopened to the bidder.

1.2 Examination of Bid Documents

Before submitting a proposal, bidders shall carefully examine the specifications/scope of work and shall fully inform themselves as to all existing conditions and limitations and shall indicate in the proposal the sum to cover the cost of all items included on the bid form.

1.3 Withdrawal of Bids

Any bidder may withdraw his bid proposal, in writing, at any time prior to the scheduled closing time for receipt of proposals. No bidder may withdraw a bid within ninety (90) days after the actual date of the opening thereof. Should there be a reason why a contract cannot be awarded within the specified period; the time may be extended by mutual agreement between the City of Pontiac, herein after also referred to as the City, and the bidder.

1.4 Bid Form

Each bid shall be made on the form provided, and shall be submitted in a sealed envelope bearing the title of work and the name of the bidder, and shall be signed by an individual authorized to execute the proposal on behalf of the bidder.

1.5 Basis of Award

The intention of the City is to award the contract for this job to a bidder whose skill and financial resources are equal to the task of completing the work in a satisfactory manner as specified by the City. The successful bidder will show proof of experience in General Construction Management. Contractor must have successfully completed work on (3) separate projects that included building-wide HVAC improvements for a municipal building of 20,000 SF or more in the last ten (10) years

Award will be made to a responsive and responsible General Contractor whose bid is the lowest qualified bid and determined to be in the best interest of the City and in conformance with the conditions of this invitation to bid and the Purchasing Ordinance of the City.

If discrepancies appear between the unit prices and extensions submitted, the unit price submitted for the particular pay item shall govern, and the dollar amount of the proposal adjusted accordingly.

A maximum of one award of contract will be made on a lowest qualified bid. Bidders shall quote on all requirements of the bid document, leave no blanks, and state "No Charge" where applicable. Any Blank spaces are considered to be no offer. The City of Pontiac reserves the right to delete any item(s) from the award and reject any and all bids.

1.6 Bid Bond

A bid guarantee is required from each bidder equivalent to 5% of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond or certified check accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified. Bid bond to be included with bid.

1.7 Pre-Bid Meeting

A Mandatory Walk-Thru meeting will be held at the 50th District Court Building, 70 N. Saginaw, Pontiac, MI 48342, on Friday, March 29, 2019 at 10:00 am. Bids submitted by firms not in attendance of the walk-thru will not be accepted.

2. TERMS AND CONDITIONS

2.1 Laws and Municipal Ordinances, Permits

The respondent shall be fully informed of all laws and municipal ordinances and regulations in any manner affecting those engaged or employed in the work, or equipment and materials used in the work, and all others and any decrees of bodies or tribunals having any jurisdiction or authority over the same. The respondent shall at all items observe and comply with all such existing laws, codes, ordinances, regulations, orders, and decrees. In particular, all work shall

be in compliance with the laws of the State of Michigan, City ordinances, as well as all other bodies having jurisdictional authority.

The Contractor shall be responsible for obtaining and paying for any and all permits that may be required for this project and shall be responsible for arranging all required inspections if needed.

2.2 Non-Discrimination

The respondent agrees to comply with the Federal Civil Rights Act of 1964 as amended; the Federal Civil Rights Act of 1991 as amended; the Americans with Disabilities Act of 1990 as amended; the Elliott-Larsen Civil Rights Act, Article 2, Act no. 453, Public Act of 1976 as amended; the Michigan Handicapper's Civil Rights Act, Article 2, Act no. 220, Public Act of 1976, as amended and all other applicable federal, state and local laws and regulations. Specifically, Bidders and subcontractors are required not to discriminate against any employee or applicant for employment with respect to such person's hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of such person's height, weight, race, color, religion, national origin, ancestry, age, marital status, sex or disability, as defined by law. Breach of this covenant may be regarded as a material breach of the contract.

2.3 Indemnification

The Contractor shall indemnify, save and hold harmless, protect, and exonerate the City, its commissioners, board members, officers, employees, agents, representatives, and the State of Michigan, to the extent no greater than its relative degree of fault.

2.4 Jurisdictional Authority

This contract shall be governed by and construed according to the laws of the State of Michigan and the successful respondent consents to the jurisdiction and venue of the courts in Oakland County, Michigan and of the United States District Court for the Eastern District, Southern Division.

2.5 Severability

The successful respondent will agree that the Contract is the completed and exclusive statement of the Contract between the parties. A judicial or administrative declaration on the invalidity of any one or more of the provisions of the Contract shall not invalidate the remaining provisions of this agreement.

2.6 Income Taxes

Contractor agrees to contact City of Pontiac Income Tax Division, Audit and Compliance Section, 47450 Woodward, Pontiac, Michigan, 48342, telephone (248) 758-3236, to establish reporting

and withholding obligations under the City of Pontiac income tax ordinance. Contractor will require the same of all subcontractors employing labor under this contract. Contractor is required to withhold City of Pontiac income tax from wages paid to:

- a. Pontiac resident employees regardless of where they work for the employer; and
- b. Nonresident employees for work performed in the City.

Contractor is also required to file Pontiac income tax returns and to report and pay income tax on the net profits earned by the contractor in the City of Pontiac. Contractor is not eligible for the award if they have not filed or paid corporate and employee income tax to the City of Pontiac.

Web page URL: http://www.pontiac.mi.us/departments/income_tax/index.php

Tax forms URL: http://www.pontiac.mi.us/departments/income_tax/tax_forms.php

2.7 Compensation and Payment

All invoices submitted against the contract must identify the work performed in detail. Items not properly invoiced will not be paid. It is the vendor's responsibility to ensure delivery of invoice(s) to the City. Invoices must meet the following conditions for payment:

- a. Price on invoice must correspond to the pricing listed on purchase order and/or contract.
- b. Contractor must submit price lists in accordance with bid requirements.
- c. All invoices will be original.
- d. Invoices will prominently display the requisition or purchase order number, if applicable.
- e. Invoices will be signed by the individual responsible for authorizing contract payments for the City of Pontiac.

Original invoice must be submitted to the City of Pontiac, Attn: Accounts Payable.

Payment Terms – Net 30

2.8 General Conditions

It is the responsibility of the Bidder to review General Conditions as specified.

In the quotation, a distinction between dollars and cents must be made. Also, illegible bids may be grounds for rejection of your bid. White out may be grounds for rejection. All changes made to the bid form altering price, terms, quotes, and/or conditions **MUST** be crossed out and initialed. Failure to initial any changes may be grounds for rejection of your bid.

All funds must be quoted in US dollars

2.9 Quotations/Proposals

Bidders **MUST** submit **an original and three copies** of the bid proposal. Additionally, duplicate copies of all descriptive literature and/or samples must be provided as requested.

2.10 Minor Deviations

Specifications referred to herein are used to indicate desired type, and/or construction, and/or operation or services rendered. Other products and/or services may be offered if deviations from specifications are minor and if all deviations are properly outlined and stated in the bid document. Failure to outline all deviations may be grounds for rejection of your bid.

The decision of the City of Pontiac, acting through the Purchasing Agent, shall be final as to what constitutes acceptable deviations from specifications.

2.11 Bonds and Insurance

Receipt of bonds and/or insurance is part of the process of determining which respondent may be recommended for award to the City Administrator. If cause is found to change the recommendation that your company be awarded the contract, or if the City Administrator does not approve the recommendation, the City shall not be liable for any costs incurred by you in the bid process, including the cost of acquiring bonds and/or insurance.

The Contractor, and any and all of their subcontractors, shall not commence work under this contract until they have obtained the insurance required under this paragraph. All coverage shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with insurance carriers acceptable to City of Pontiac. The limits required below do not limit the liability of the Contractor. All deductibles and SIRs are the responsibility of the Contractor.

Workers' Compensation Insurance: The Contractor shall procure and maintain during the life of this contract, Workers' Compensation Insurance, including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

Commercial General Liability Insurance: The Contractor shall procure and maintain said insurance during the life of this contract, for: Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$ 1,000,000 per occurrence and aggregate. Coverage shall include the following extensions:

- a. Contractual Liability;
- b. Products and Completed Operations;
- c. Independent Contractors Coverage;
- d. Broad Form General Liability Extensions or equivalent, if not already included.

Motor Vehicle Liability: The Contractor shall procure and maintain during the life of this contract Motor Vehicle Liability Insurance, including Michigan No-Fault Coverages, with limits of liability not less than \$1,000,000 per occurrence combined single limit for Bodily Injury, and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

Additional Insured: Commercial General Liability and Motor Vehicle Liability, as described above, shall include an endorsement stating the following shall be **Additional Insureds:** The City of Pontiac, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed by naming the City of Pontiac as additional insured, coverage afforded is considered to be primary and any other insurance the City of Pontiac may have in effect shall be considered secondary and/or excess.

Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance, and Motor Vehicle Liability Insurance, as described above, shall be endorsed to state the following: "It is understood and agreed Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change shall be sent to: Risk Manager, City of Pontiac, 47450 Woodward Avenue, Pontiac, MI 48342."

Proof of Insurance Coverage: The Contractor shall provide the City of Pontiac, at the time the contracts are returned by him/her for execution, a Certificate of Insurance as well as the required endorsements. In lieu of required endorsements, if applicable, a copy of the policy sections where coverage is provided for additional insured and cancellation notice would be acceptable. Copies or certified copies of all policies mentioned above shall be furnished, if so requested.

If any of the above coverages expire during the term of this contract, the Contractor shall deliver renewal certificates and/or policies to City of Pontiac at least ten (10) days prior to the expiration date.

2.12 Bid Bond

A bid guarantee is required from each bidder equivalent to 5% of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond or certified check accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified. Bid bond to be included with bid.

NOTE: If the Contract exceeds \$50,000.00, you will need 2.13 & 2.14 & 2.15

2.13 Performance Bond

A performance bond shall be delivered to the Agency when the contract is executed on the part of the contractor for 100% of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

2.14 Payment Bond

A **payment bond (labor & material bond)** shall be delivered to the Agency when the contract is executed on the part of the contractor for 100% of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

2.15 Maintenance and Guarantee Bond

A **maintenance and guarantee bond** shall be delivered to the Agency when the contract is executed on the part of the contractor for 100% of the contract price. The Contractor, as Principal, shall furnish a surety bond in a form acceptable to the City of Pontiac guaranteeing that faulty materials will be replaced and / or workmanship will be corrected to the satisfaction of the City of Pontiac. Said bond shall be for a minimum of one (1) year from the date of final acceptance by the City. Said bond shall be with a Surety Company licensed and admitted to do business in the State of Michigan and acceptable to the City of Pontiac.

3. DESCRIPTION OF SERVICES

3.1 GENERAL INFORMATION

The City of Pontiac is in the process of repairing and renovating the 50th District Court Building and is seeking proposals from General Contracting firms for the purpose of assisting the City with implementing the project in cooperation with and in reliance upon the, the services of the Architectural & Engineering firm Hubbell, Roth & Clark, Inc.

3.2 BACKGROUND INFORMATION

- A. The City of Pontiac 50th District Court Building was dedicated in January 1977 and used by the Court during the entire life of the Facility.
- B. The Court Facility is a two-story structure with approximately 12,500 square feet on the first floor and 17,000 square foot on the second floor. A 1,400 square foot basement houses mechanical equipment. The first floor houses the Court Administration, Arraignment Court and Detention Cells. The second floor houses four smaller courtrooms, offices and support rooms for the Judges and Court personnel.
- C. The following reports are attachments/appendix. They are provided for download separately at <http://www.pontiac.mi.us/departments/finance/purchasing.php>.
 - 1. 50th District Court Modification Specifications, October 22, 2018 (390 pages)
 - 2. 50th District Court Project Drawings, October 22, 2018 (39 pages-large format)
 - 3. Hazardous Materials Survey, February 19, 2019 (85 pages)

3.3 BID PROPOSAL INFORMATION

In addition to the required form "50th District Court Building Modifications" provided here as Appendix A, all firms or individuals responding to this Bid must submit complete responses to the information requested in this section, and must note any exceptions to any information contained in the Bid. Bids will be evaluated based upon the requested criteria and be awarded to the lowest responsible bidder. Bids should present information in a clear and concise manner, following the format indicated below. Responses to this section shall be typewritten in a font not smaller than 11 point and may be double or single sided on standard 8½ "x 11" paper. There is no limit to pages submitted for complete response to this section:

Statement of Qualifications: Contractor shall supply all company contact information, Current License(s), Staffing, Certifications, Copy of Current Liability Insurance, along with Contractor's qualifications and ability to successfully provide the services requested.

- a) Name, telephone number, address, e-mail, and fax number of the individual designated to receive all official correspondence relating to the project.
- b) Describe the Contractor's qualifications and ability to successfully provide the services requested, including a description of prior experience.
- c) Provide copy of State of Michigan License for the corporation or company and an individual license.
- d) Provide certified copies of Articles of Incorporation or Articles of Organization of the firm (if applicable).
- e) Provide current Good Standing Certificate for the firm (if applicable).
- f) Provide organizational documents for the firm such as bylaws and operating agreement (If applicable),
- g) Provide a list of which staff members will be responsible for the project, include brief resumes and proof of appropriate training and relevant certificates and licenses for each.
- h) Provide a list of board of directors and officers of firm (if applicable).
- i) Provide insurance as required in Appendix "D"
- j) Provide contact names and telephone numbers for at least three (3) individuals, municipalities or companies for which you have contracted similar work in the past ten (10) year.
- k) Provide a detailed description of any litigation resulting from use of the firm's services.

- l) Provide a statement on the notification time necessary to begin execution of the desired services
- m) Provide bid bond, performance bond, payment bond and maintenance & guarantee bond as outlined in section "IX. BONDING REQUIREMENTS"
- n) Complete Subcontractor form. Use this form to report any contractors not employed by your firm.
- o) Complete and submit in the bid packet, the Legal Status of Bidder Form, Firm Questionnaire, Proposal form and Authorization of Proposal form.

The City of Pontiac Michigan reserves the right to validate proposer's qualifications, capability to perform, availability, past performance record and to verify that the proposer is current in its obligations to the City.

The City reserves the right to waive any informality in bids, to accept any bid, and to reject any and all bids, should it be deemed in the best interest of the City to do so.

The City reserves the right to include in the contract for services other terms and conditions not specifically set forth herein.

3.4 TIMELINE

The City has set the following general timeline, which can be modified at the discretion of the City:

March 18, 2019	Request for Proposal issued
March 29, 2019	Pre-bid meeting @ Courthouse
April 8, 2019	Proposals due no later than 2:00 p.m.
April 8-15, 2019	Review Proposals
April 23, 2019	Recommendation given to City Council for review
April 30, 2019	Motion to Approve Contract Award by City Council
May 1, 2019	Contract Signing
June 2019	Pre-Construction Contractor kick-off
August 2019	Construction begins

3.6 SCOPE

The City of Pontiac is seeking qualified firm(s) to provide 50th District Court Building Modifications for renovation and repairs. During all phases, the Contractor will serve as the key liaison between the City of Pontiac, the subcontractors. This service shall include, but shall not be limited to, the coordination of activities and resolution of any resulting problems and attendance and reporting of progress issues to City staff as necessary

Services will begin immediately after award of the contract by City Council. Services during this phase will include, but not limited to:

A. General Requirements

The General Contractor is the Prime Contractor for the work, and is responsible for completing all of the work of all of the trades to complete the project. The Prime Contractor shall be responsible for obtaining all State of Michigan and local permits required to complete the work.

During the Contractor's performance of the work of this Contract, the 50th District Court will continue to occupy the existing building. Interruption of building access and facilities by the Contractor will not be permitted, to whatever extent such interruption might interfere with the 50th District Court occupancy. Limit construction operations to those methods and procedures which will not adversely and unduly effect the working environment of the 50th District Courts occupied spaces, including noise, dust, odors, air pollution, ambient discomfort, poor lighting, hazards and other undesirable effects and conditions. Coordinate and schedule all work in existing building with the Architectural & Engineering firm Hubbell, Roth & Clark, Inc. and City of Pontiac Department of Public Works.

B. Pre-Construction Services Oversight

The General Construction Manager (CM) shall attend and participate in all pre construction meetings. The Contractor shall prepare a site logistics and utilization plan for review by A & E firm (HRC) and the City of Pontiac.

Develop and maintain a detailed master project schedule. This schedule should be developed using a nationally recognized computerized scheduling program. The schedule will include all phases of the work: approval of the contracts for each trade or category of work and all construction activities through close out of the project.

C. Construction Oversight Services

GENERAL ADMINISTRATION: The General Construction Manager (CM) will administer the contract(s) for all sub-contracted work. Maintain a competent and sufficient number of full-time field staff to administer the work of the project, coordinate and supervise the work. The CM shall conduct as needed meetings with the project team and all prime/trade contractors. REPORTING/COMMUNICATIONS: Maintain a log of construction activities and progress. Hold informational meetings with the A & E and City of Pontiac to provide an update of the projects progress. Develop and maintain computerized information management systems to monitor costs, requests for information, change order status, submittals and all other project information.

PROJECT ACCOUNTING: On a monthly basis, gather all contractor and supplier invoices and summarize overall project billing in a format acceptable to the City of Pontiac. Process payment requests and collect waivers from trade contractors and suppliers. Review, negotiate and recommend action regarding subcontractor change orders prior to submission to A & E and City of Pontiac for review. Continuously monitor the total project costs. Obtain the required bonds and insurance certificates from all contractors and suppliers.

PERMITS/INSPECTIONS: Secure all necessary local, state and federal permits and inspections.

O & M MANUALS/AS-BUILT DRAWINGS: Review and turn over all O & M manuals for all equipment to the City of Pontiac. Throughout the project, maintain an accurate set of as-built documents for the City of Pontiac incorporating all aspects of the construction.

D. Project Closeout

CLOSEOUT ACTIVITIES: Create a detailed punch-list and resolve Incomplete Items. Require subcontractors to provide Unconditional Waivers of Lien, Releases and Sworn Statements.

TRAINING/START UP: Coordinate equipment training for appropriate staff of the 50th District Court and the City of Pontiac Department of Public Works, to ensure smooth transition of building operation. Administer start up and testing of all equipment by manufacturer's representatives.

WARRANTIES AND GUARANTEES: Obtain appropriate warranties and guarantees from all applicable subcontractors and suppliers. Provide copies of the same to the City of Pontiac. Enforce provisions of warranties and guarantees with appropriate parties.

SUBCONTRACTOR/SUBCONSULTANT

The contractor shall not sublet, assign or transfer the contract or any portion of any payment due the contractor hereunder, without the written consent of the City. If it is the intention of the bidder to use Subcontractor(s) for any of the work called for herein, the respondent shall provide the information required for each Subcontractor, below.

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

LEGAL STATUS BIDDER

Fill out the appropriate section below for your company and strike out the other three. Provide additional sheets if more space is needed for your responses.

Corporation:

State and County in which incorporated: _____

Official title of person signing proposal: _____

Address of signer: _____

Full names, addresses and titles of all the corporation's directors and officers:

Partnership:

State and County in which established: _____

Official title of person signing proposal: _____

Address of signer: _____

Full names, addresses and titles of all partners:

Limited Liability Company (LLC):

State and County in which established: _____

Official title of person signing proposal: _____

Address of signer: _____

Full names, addresses and titles of all members and managers of the LLC:

FIRM QUESTIONNAIRE

Please give the following information regarding your proposal:

1. List three (3) Michigan Municipal agencies that you have performed this service for in the last ten (10) years

Name: _____

Contact Person: _____

Phone #: _____ E-mail address: _____

Approximate Combined Portfolio Value _____

Name: _____

Contact Person: _____

Phone #: _____ E-mail address: _____

Approximate Combined Portfolio Value _____

Name: _____

Contact Person: _____

Phone #: _____ E-mail address: _____

Approximate Combined Portfolio Value _____

2. List states and categories in which your organization is legally qualified to do business:

3. Answer Yes/No to the following. If "Yes" explain. In the last 5 years, has your company:

- a. Had a contract terminated by a client for cause?

- b. Been in litigation, arbitration, mediation or regulatory proceedings related to your provision of General Contracting?

4. Does your firm provide other Services besides General Contracting Services? If "Yes" explain what other services you provide and identify the percentage of its business devoted to exclusively General Contracting Services over the past ten (10) years, as well as any relationships – legally, contractually or otherwise – that could be perceived as a conflict of interest.

5. Identify any software or other management systems (including FTP/SFTP sites) in place to account for all direct and indirect program costs, to keep and maintain the project schedule, and to maintain all key project documentation (design documents, RFIs, submittals, invoices, correspondence, contracts, project manual, specifications, etc.).

6. Describe its method(s) of budget/cost control, quality control, and time schedule adherence that will be used for the project.

7. Describe how it stays up-to-date on all construction code, regulatory and other legal requirements related to municipal/commercial/governmental construction.

8. Describe your firm's preferred plan for on-sight observation/supervision of the project.

9. Specifically identify and explain any and all exceptions to your firm's compliance with the requirements of this RFP and sample Contract. Failure to specifically identify and explain an exception shall be deemed an express agreement to be bound by the terms of the RFP and Contract.

FORM OF PROPOSAL

To: City of Pontiac, Michigan _____, 2019
To All Here Present:

Having carefully examined the bid for the proposed work, and being fully informed in regard to the conditions to be met in the prosecution and completion of the work, and having read and examined the Instructions to Bidders, Agreement, Bonds, General Conditions, Plans and Specifications pertaining to this work and agreeing to be bound accordingly, the undersigned proposes to furnish all the materials, labor, and other equipment as necessary in full accordance with and conformity to the plans and specifications for this work now on file in the office of the City's at and for the following named prices, to wit:

THIS BID PROPOSAL MUST BE SUBMITTED BACK TO THE CITY OF PONTIAC IN ITS ENTIRETY AS PART OF THE CONTRACTORS BID SUBMISSION. MAKE SURE THAT ALL PAGES ARE COMPLETELY FILLED OUT AND THAT ALL INFORMATION REQUESTED IS COMPLETE. FAILURE TO DO SO MAY BE CAUSE TO REJECT YOUR BID PROPOSAL. IF A BID IS NOT BEING SUBMITTED FOR A PARTICULAR AREA OF WORK, PLEASE MARK "NO BID" IN THE APPROPRIATE SPACE.

These guidelines are provided to assist firms submitting in response to this Request for Proposal in formulating a thorough response. The successful firm ensures and understands that:

1. All licenses required by the State of Michigan are to be maintained by the firm during the course of the contract.
2. All required insurances are to be maintained by the firm during the course of the contract.
3. The firm will provide a single point of contact for the duration of the contract.
4. The firm will comply with administrative procedures of the City.
5. The firm will meet with applicable City departments and consultants to review specific concerns or issues.
6. The firm shall perform with a consistent team.
7. The firm shall attend meetings as requested.
8. The firm shall apply for all permits needed for the project(s) on behalf of the City or agency of jurisdiction.
9. The firm shall provide status sheets periodically to City.

BASE BID

Dlr: Dollar Ea: Each Lft: Lineal Foot Syd: Square Yard Sft: Square Foot Cft: Cubic Foot LS: Lump Sum Cyd: Cubic Yard

OWNER'S ADD OPTION #1

OWNER'S ADD OPTION #2

OWNER'S ADD OPTION #3

OWNER'S ADD OPTION #4

OWNER'S ADD OPTION #5

Dir: Dollar Ea: Each Lft: Linear Foot Syd: Square Yard Sft: Square Foot Cft: Cubic Foot LS: Lump Sum Cyd: Cubic Yard

CITY OF PONTIAC - BID PROPOSAL

I, the undersigned, propose to provide services proposed in this contract as per specifications supplied by the City of Pontiac. No contract is active until a purchase order is issued to the successful bidder.

I further propose to deliver the above-described services for the City of Pontiac in first class operating manner in accordance with all specifications contained herein subject to purchaser's inspection of services performed.

I attest that the bid includes all information necessary for the City of Pontiac to accept bid.

Company Name: _____

Address: _____

Representative Signature: _____

Print Name: _____

Title: _____

Office # _____ Cell # _____

FAX # _____ Date: _____

Website: _____ Federal Tax I.D. #: _____

CONTRACT FOR 50TH DISTRICT COURT BUILDING MODIFICATIONS

- 1) Parties. The parties to this contract are the City of Pontiac, Michigan hereinafter referred to as the "City", and [NAME OF CONTRACTOR] hereinafter called the "Contractor".
- 2) Purpose. The purpose of this contract is for the City to engage the Contractor to provide General Construction Management for the 50th District Court Building Modifications to the City (see Scope above).
- 3) Scope of Services. The Contractor will provide all labor, materials, supplies, equipment and supervision to perform 50th District Court Building Modifications in the City. The Contractor is to perform all work in accordance with generally accepted standards and practices.
- 4) General Terms and Conditions. This contract is hereby made subject to the terms and conditions included in the Scope of Services (see Scope above) and Additional Terms and Conditions (see Exhibit "A" below).
- 5) Consideration. As consideration for the performance of the services referenced in the Scope of Services (see Scope above and Exhibit A below), the City agrees to compensate the Contractor as follows:

[INSERT PAYMENT TERMS PER CONTRACT]

- 6) Period of Performance. This contract will become effective for the period beginning [TIME PERIOD], with [ANY RENEWAL OPTIONS] upon the approval and signature of the parties hereto.
- 7) Method of Payment. Contractor will be paid 30 days after completion of work as outlined in the Scope of Services after submission of a valid invoice.
- 8) Applicable Law. This contract shall be governed by and construed in accordance with the laws of the City of Pontiac, State of Michigan and applicable federal laws.
- 9) Compliance with Laws. The Contractor understands that the City is an equal opportunity employer and, therefore, maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, genetic information, or any other consideration made unlawful by federal, state, or local laws. All such discrimination is unlawful and the Contractor agrees during the term of the agreement that the Contractor will strictly adhere to this policy in its employment practices and provision of services. The Contractor shall comply with, and all activities under this agreement shall be subject to, all applicable federal, State of Michigan, and City of Pontiac laws and regulations, as now existing and as may be amended or modified.

The Contractor is responsible for instructing and training their employees in appropriate safety measures. Employees will be responsible for maintaining a safe work environment while completing their tasks.

- a) The Contractor shall comply with the Michigan Right to Know Law (Amendments to Act 154), which requires that all employers within the State comply with federal Hazard Communications Standards (C.F.R. 1910.1200) and certain additional guidelines as of February 25, 1987. These Standards specify that employers develop a written hazard communication program, which is to be made available for workers or their designated representatives.
- b) The Contractor will comply with all federal, state and local regulations, including but not limited to all applicable OSHA/MIOSHA requirements and the Americans with Disabilities Act
- c) The Contractor is responsible for all applicable state and federal social security benefits and unemployment taxes and agrees to indemnify and protect the City against such liability.

10) Requirements contract. During the period of the contract, the Contractor shall provide all the services described in the contract. The Contractor understands and agrees that this is a requirements contract and that the City shall have no obligation to the Contractor if no services are required.

EXHIBIT "A"

ADDITIONAL TERMS AND CONDITIONS

- 1) Attorneys' fees and expenses. Subject to other terms and conditions of this contract, in the event the Contractor defaults in any obligation under this contract, the Contractor shall pay to the City all costs and expenses (including, without limitation, investigative fees, court costs, and attorneys' fees) incurred by the City in enforcing this contract or otherwise reasonably related thereto. Contractor agrees that under no circumstances shall the City be obligated to pay any attorneys' fees or costs of legal action to the Contractor.
- 2) Authority to contract. The Contractor warrants: (a) that it is a validly organized business with valid authority to enter into this contract; (b) that it is qualified to do business and in good standing in the State of Michigan; (c) that entry into and performance under this contract is not restricted or prohibited by any loan, security, financing, contractual, or other contract of any kind; and, (d) notwithstanding any other provision of this contract to the contrary, that there are no existing legal proceedings or prospective legal proceedings, either voluntary or otherwise, which may adversely affect its ability to perform its obligations under this contract.
- 3) Confidential information. Disclosure of any confidential information by the Contractor or its subcontractor without the express written approval of the City shall result in the immediate termination of this contract.
- 4) Confidentiality. Notwithstanding any provision to the contrary contained herein, it is recognized that the City of Pontiac is a public City of the State of Michigan and is subject to the laws regarding confidentiality. If a public records request is made for any information provided to the City pursuant to the contract, the City shall promptly notify the disclosing party of such request and will respond to the request only in accordance with the procedures and limitations set forth in applicable law. The disclosing party shall promptly institute appropriate legal proceedings to protect its information. No party to the contract shall be liable to the other party for disclosures of information required by court order or required by law.
- 5) Contractor personnel. The City shall, throughout the life of the contract, have the right of reasonable rejection and approval of staff or subcontractors assigned to the work by the Contractor. If the City reasonably rejects staff or subcontractors, the Contractor shall provide replacement staff or subcontractors satisfactory to the City in a timely manner and at no additional cost to the City. The day-to-day supervision and control of the Contractor's employees and subcontractors is the sole responsibility of the Contractor. Contractor personnel are subject to background checks by the Oakland County Sheriff Department and shall comply with all requirements as outlined in the Request for Quote.

- 6) Insurance. Insurance companies, named insureds and policy forms shall be subject to the approval of the Pontiac Department of Public Works. Such approval shall not be unreasonably withheld. Insurance policies shall not contain endorsements or policy conditions, which reduce coverage provided to the City of Pontiac. Contractor shall be responsible to the City of Pontiac or insurance companies insuring the City of Pontiac for all costs resulting from both financially unsound insurance companies selected by Contractor and their inadequate insurance coverage. Contractor shall furnish the Pontiac Finance Department with satisfactory certificates of insurance or a certified copy of the policy, if requested by the Finance Department.
- 7) Ineligibility and suspension. The Contractor certifies to the best of its knowledge and belief, that it: (a) is not presently ineligible, suspended, proposed for ineligibility, declared ineligible, or voluntarily excluded from covered transaction by any federal department or the City or any political subdivision of the City or the State of Michigan; (b) has not, within a three year period preceding this proposal, been convicted of or had civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; (c) has not, within a three year period preceding this proposal, been convicted of or had civil judgment rendered against it for a violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; (d) is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of these offenses enumerated in paragraphs (b) and (c) of this certification; and, (e) has not, within a three year period preceding this proposal, had one or more public transactions (federal, state, or local) terminated for cause or default.
- 8) Disclosure of confidential information. In the event that either party to this contract receives notice that a third party requests divulgence of confidential or otherwise protected information and/or has served upon it subpoena or other validly issued administrative or judicial process ordering divulgence of confidential or otherwise protected information that party shall promptly inform the other party and thereafter respond in conformity with such subpoena to the extent mandated by law. This section shall survive the termination or completion of this contract.
- 9) Exceptions to confidential information. The Contractor and the City shall not be obligated to treat as confidential and proprietary any information disclosed by the other party ("disclosing party") which: (a) is rightfully known to the recipient prior to negotiations leading to this contract, other than information obtained in confidence under prior engagements; (b) is generally known or easily ascertainable by nonparties of ordinary skill in the business of the customer; (c) is released by the disclosing party to any other person, firm, or entity (including governmental agencies or bureaus) without restriction; (d) is independently developed by the recipient without any reliance on

confidential information; (e) is or later becomes part of the public domain or may be lawfully obtained by the City or the Contractor from any nonparty; or, (f) is disclosed with the disclosing party's prior written consent.

10) Default. If the Contractor:

- a) Fails to supply complete labor and supervision in sufficient time and quantity to meet the City's progress schedule, as it may be modified;
- b) Causes stoppage or delay of, or interference with, the project;
- c) Fails to promptly pay its employees for work on the project;
- d) Fails to pay worker's compensation or other employee benefits, withholding or any other taxes;
- e) Fails to comply with the safety provisions of the Contract or with any safety order, regulation or requirement of any governing authority having jurisdiction over this project;
- f) Makes unauthorized changes in supervisory personnel;
- g) Fails in performance or observance of any of the provisions of the contract;
- h) Files a voluntary petition in bankruptcy or is adjudicated insolvent;
- i) Obtains an order for relief under Section 301 of the Bankruptcy Code;
- j) Files any petition or fails to contest any petition filed seeking any reorganization or similar relief under any laws relating to bankruptcy, insolvency or other relief of debtors;
- k) Or seeks or consents to or is acquiescent in the appointment of a trustee, receiver or liquidator of any of its assets or property;
- l) Makes an assignment for the benefit of creditors; or
- m) Makes an admission, in writing, of its inability to pay its debts as they became due;

Then City, after giving Contractor written or oral (subsequently confirmed in writing) notice of such default and forty-eight (48) hours within which to cure such default, shall have the right to exercise any one or more of the following remedies:

- a) Require that Contractor utilize, at its own expense, additional labor, overtime labor (including Saturday and Sunday work) and additional shifts as necessary to overcome the consequences of any delay attributable to Contractor's default.
 - b) Remedy the default by whatever means City may deem necessary or appropriate, including, but not limited to, correcting, furnishing, performing or otherwise completing the work, or any part thereof, by itself or through others (utilizing where appropriate any materials and equipment previously purchased for that purpose by Contractor) and deducting the cost thereof from any monies due or to become due to Contractor hereunder;
 - i) After giving Contractor an additional forty-eight (48) hours written (or oral, subsequently confirmed in writing) notice, terminate this Contract, without thereby waiving or releasing any rights or remedies against Contractor or its sureties, and, by itself or through others, take possession of the work, and all materials, equipment facilities, tools, scaffolds and appliances of Contractor relating to the work, for the purposes of costs and other damages under the contract and for the breach thereof; and
 - ii) Recover all reasonable attorneys' fees suffered or incurred by City by reason of, or as a result of, Contractor's default.
- 11) Failure to enforce. Failure by the City at any time to enforce the provisions of the contract shall not be construed as a waiver of any such provisions. Such failure to enforce shall not affect the validity of the contract or any part thereof or the right of the City to enforce any provision at any time in accordance with its terms.
- 12) Final payment. Upon satisfactory completion of the work performed under this contract, as a condition before final payment under this contract, or as a termination settlement under this contract, the Contractor shall execute and deliver to the City a release of all claims against the City arising under, or by virtue of, the contract, except claims which are specifically exempted by the Contractor to be set forth therein. Unless otherwise provided in this contract, by state law, or otherwise expressly agreed to by the parties in this contract, final payment under the contract or settlement upon termination of this contract shall not constitute waiver of the City's claims against the Contractor under this contract.
- 13) Force majeure. Each party shall be excused from performance for any period and to the extent that it is prevented from performing any obligation or service, in whole or in part, as a result of causes beyond the reasonable control and without the fault or negligence of such party and/or its subcontractors. Such acts shall include without limitation acts of God, strikes, lockouts, riots, and acts of war, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters (the "force majeure events"). When such a cause arises, the Contractor shall notify the City

immediately in writing of the cause of its inability to perform, how it affects its performance, and the anticipated duration of the inability to perform. Delays in delivery or in meeting completion dates due to force majeure events shall automatically extend such dates for a period equal to the duration of the delay caused by such events, unless the City determines it to be in its best interest to terminate the contract.

- 14) Indemnification. The Contractor shall indemnify, defend, save and hold harmless, protect, and exonerate the City, its commissioners, board members, officers, employees, agents, representatives, and the State of Michigan, to the extent no greater than its relative degree of fault.
- 15) Independent contractor status. The Contractor shall, at all times, be regarded as and shall be legally considered an independent contractor and shall at no time act as an agent for the City. Nothing contained herein shall be deemed or construed by the City, the Contractor, or any third party as creating the relationship of principal and agent, master and servant, partners, joint ventures, employer and employee, or any similar such relationship between the City and the Contractor. Neither the method of computation of fees or other charges, nor any other provision contained herein, nor any acts of the City or the Contractor hereunder creates, or shall be deemed to create, a relationship other than the independent relationship of the City and the Contractor. The Contractor's personnel shall not be deemed in any way, directly or indirectly, expressly or by implication, to be employees of the City or the State of Michigan. Neither the Contractor nor its employees shall, under any circumstances be considered servants, agents, or employees of the City and the City shall be at no time legally responsible for any negligence or other wrongdoing by the Contractor, its servants, agents, or employees. The City shall not withhold from the contract payments to the Contractor any federal or state unemployment taxes, federal or state income taxes, social security tax, or any other amounts for benefits to the Contractor. Further, the City shall not provide to the Contractor any insurance coverage or other benefits, including worker's compensation, normally provided by the City for its employees.
- 16) Notices. All notices required or permitted to be given under this contract shall be in writing and personally delivered or sent by certified United States mail, postage prepaid, return receipt requested, to the Pontiac City Clerk's Office to whom the notice should be given at the address set forth below. Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.

For the Contractor: [INSERT ADDRESS]

For the City: [INSERT ADDRESS AND DEPARTMENT]

- 17) Oral statements. No oral statement of any person shall modify or otherwise affect the terms, conditions, or specifications stated in this contract. All modifications to the contract shall be made in writing by the City and agreed to by the Contractor.
- 18) Ownership of documents and work papers. The City shall own all documents, files, reports, work papers and working documentation, electronic or otherwise, created in connection with the project which is the subject of this contract, except for the Contractor's internal administrative and quality assurance files and internal project correspondence. The Contractor shall deliver such documents and work papers to the City upon termination or completion of the contract. The foregoing notwithstanding, the Contractor shall be entitled to retain a set of such work papers for its files. The Contractor shall be entitled to use such work papers only after receiving written permission from the City and subject to any copyright protections.
- 19) Priority. The contract consists of this contract with exhibits. Any ambiguities, conflicts or questions of interpretation of this contract shall be resolved by first, reference to this contract with exhibits and, if still unresolved, by reference to the bid. Omission of any term or obligation from this contract shall not be deemed an omission from this contract if such term or obligation is provided for elsewhere in this contract.
- 20) Quality control. The Contractor shall institute and maintain throughout the contract period a properly documented quality control program designed to ensure that the services are provided at all times and in all respects in accordance with the contract. The program shall include providing daily supervision and conducting frequent inspections of the Contractor's staff and ensuring that accurate records are maintained describing the disposition of all complaints. The records so created shall be open to inspection by the City.
- 21) Record retention and access to records. Provided the Contractor is given reasonable advance written notice and such inspection is made during normal business hours of the Contractor, the City or any duly authorized representatives shall have unimpeded, prompt access to any of the Contractor's books, documents, papers, and/or records which are maintained or produced as a result of the project for the purpose of making audits, examinations, excerpts, and transcriptions. All records related to this contract shall be retained by the Contractor for three years after final payment is made under this contract and all pending matters are closed; however, if any audit, litigation or other action arising out of or related in any way to this project is commenced before the end of the three year period, the records shall be retained for one year after all issues arising out of the action are finally resolved or until the end of the three year period, whichever is later.
- 22) Right to inspect facility. The City may, at reasonable times, inspect the place of business of the Contractor or any subcontractor, which is related to the performance of any contract awarded by the City.

23) Severability. If any part of this contract is declared to be invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision of the contract that can be given effect without the invalid or unenforceable provision, and to this end the provisions hereof are severable. In such event, the parties shall amend the contract as necessary to reflect the original intent of the parties and to bring any invalid or unenforceable provisions in compliance with applicable law.

24) City property. The Contractor will be responsible for the proper custody and care of any City-owned property furnished for the Contractor's use in connection with the performance of this contract. The Contractor will reimburse the City for any loss or damage, normal wear and tear excepted.

25) Termination for convenience clause.

a) The City reserves the absolute right to terminate the contract in whole or in part, for the convenience of the City at its sole discretion on thirty (30) days written notice to the Contractor. The City has the right, upon its sole discretion only, to terminate the contract with cause by giving notice to the Contractor of such termination, specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination, and the Contract shall terminate in all respects as if such date were the date originally given for the expiration of the Contract.

b) The Contractor shall be liable to the City for damages sustained by the City by virtue of any breach of the Contract by the Contractor, and any costs the City might incur enforcing or attempting to enforce the Contract, and the City may pursue legal remedies in the collection of fees to compensate for the damages sustained by the City.

c) Contractor's Obligations. The Contractor shall incur no further obligations in connection with the terminated work and on the date set in the notice of termination the Contractor will stop work to the extent specified. The Contractor shall also terminate outstanding orders and subcontracts as they relate to the terminated work. The Contractor shall settle the liabilities and claims arising out of the termination of subcontracts and orders connected with the terminated work. The City may direct the Contractor to assign the Contractor's right, title, and interest under terminated orders or subcontracts to the State of Michigan. The Contractor shall still complete the work not terminated by the notice of termination and may incur obligations as are necessary to do so.

29) Termination for default clause.

a) Default. If the Contractor refuses or fails to perform any of the provisions of this contract with such diligence as will ensure its completion within the time specified in

this contract or any extension thereof, or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of this contract, the City may notify the Contractor in writing of the delay or nonperformance and if not cured in ten days or any longer time specified in writing by the City, the City may terminate the Contractor's right to proceed with the contract or such part of the contract as to which there has been delay or a failure to properly perform. In the event of termination in whole or in part, the City may procure similar supplies or services in a manner and upon terms deemed appropriate by the City. The Contractor shall continue performance of the contract to the extent it is not terminated and shall be liable for excess costs incurred in procuring similar goods or services.

- b) Contractor's Duties. Notwithstanding termination of the contract and subject to any directions from the City, the Contractor shall take timely, reasonable, and necessary action to protect and preserve property in the possession of the Contractor in which the City has an interest.
- c) Compensation. Payment for completed services delivered and accepted by the City shall be at the contract price. The City may withhold from amounts due the Contractor such sums as the City deems to be necessary to protect the City against loss because of outstanding liens or claims of former lien holders and to reimburse the City for the excess costs incurred in procuring similar goods and services.
- d) Excuse for Nonperformance or Delayed Performance. Except with respect to defaults of subcontractors, the Contractor shall not be in default by reason of any failure in performance of this contract in accordance with its terms (including any failure by the Contractor to make progress in the prosecution of the work hereunder which endangers such performance) if the Contractor has notified the City within 15 days after the cause of the delay and the failure arises out of causes such as: acts of God; acts of the public enemy; acts of the State of Michigan and any other governmental entity in its sovereign or contractual capacity; fires; floods; epidemics; quarantine restrictions; strikes or other labor disputes; freight embargoes; or unusually severe weather. If the failure to perform caused by the failure of a subcontractor to perform or to make progress, and if such failure arises out of causes similar to those set forth above, the Contractor shall not be deemed to be in default, unless the services to be furnished by the subcontractor were reasonably obtainable from other sources in sufficient time to permit the Contractor to meet the contract requirements. Upon request of the Contractor, the City shall ascertain the facts and extent of such failure, and, if such officer determines that any failure to perform was occasioned by any one or more of the excusable causes, and that, but for the excusable cause, the Contractor's progress and performance would have met the terms of the contract, the delivery schedule shall be revised accordingly, subject to the rights of the City under the clause entitled "Termination for Convenience." (As used in this paragraph, the term "subcontractor" means subcontractor at any tier).

- e) **Erroneous Termination for Default.** If, after notice of termination of the Contractor's right to proceed under the provisions of this clause, it is determined for any reason that the contract was not in default under the provisions of this clause, or that the delay was excusable under the provisions of Paragraph (d) (Excuse for Nonperformance or Delayed Performance) of this clause, the rights and obligations of the parties shall, if the contract contains a clause providing for termination for convenience by the City, be the same as if the notice of termination had been issued pursuant to such clause.
 - f) **Additional Rights and Remedies.** The rights and remedies provided in this clause are in addition to any other rights and remedies provided by law or under this contract.
- 30) **Termination upon bankruptcy.** This contract may be terminated in whole or in part by the City upon written notice to the Contractor, if the Contractor should become the subject of bankruptcy or receivership proceedings, whether voluntary or involuntary, or upon the execution by the Contractor of an assignment for the benefit of its creditors. In the event of such termination, the Contractor shall be entitled to recover just and equitable compensation for satisfactory work performed under this contract, but in no case shall said compensation exceed the total contract price.
- 31) **Third party action notification.** The Contractor shall give the City prompt notice in writing of any action or suit filed, and prompt notice of any claim made against the Contractor by any entity that may result in litigation related in any way to this contract.
- 32) **Unsatisfactory work.** If, at any time during the contract term, the service performed or work done by the Contractor is considered by the City to create a condition that threatens the health, safety, or welfare of the citizens and/or employees of the City of Pontiac, the Contractor shall, on being notified by the City, immediately correct such deficient service or work. In the event the Contractor fails, after notice, to correct the deficient service or work immediately, the City shall have the right to order the correction of the deficiency by separate contract or with its own resources at the expense of the Contractor.
- 33) **Waiver.** No delay or omission by either party to this contract in exercising any right, power, or remedy hereunder or otherwise afforded by contract, at law, or in equity shall constitute an acquiescence therein, impair any other right, power or remedy hereunder or otherwise afforded by any means, or operate as a waiver of such right, power, or remedy. No waiver by either party to this contract shall be valid unless set forth in writing by the party making said waiver. No waiver of or modification to any term or condition of this contract will void, waive, or change any other term or condition. No waiver by one party to this contract of a default by the other party will imply, be construed as, or require waiver of future or other defaults.

34) Taxes and Contributions. The Contractor hereby accepts and assumes exclusive liability for and shall indemnify, protect and save harmless the City from and against the payment of:

- a) Contractor agrees to contact the City of Pontiac Income Tax Division, Audit and Compliance Section, 47450 Woodward, Pontiac, Michigan 48342, to establish reporting and withholding obligations under the City of Pontiac Income Tax Ordinance. Contractors will require the same of all subcontractors employed to perform any work in the City of Pontiac.
- b) All contributions, taxes or premiums (including interest and penalties thereon) which may be payable under the Unemployment Insurance Law of any State, the Federal Social Security Act, Federal, State, County and/or Municipal Tax Withholding Act, Federal, State, County and/or Municipal Tax Withholding Laws, or any other law, measured upon the payroll of or required to be withheld from employees by whomsoever employed or engaged in the work to be performed and furnished under this contract.
- c) All sales, use, personal property and other taxes (including interest and penalties thereon) required by any Federal, State, County, Municipal or other law to be paid or collected by the Contractor or any of its vendors or any other person or persons acting for, through or under it or any of them, by reason of the performance of this work or the acquisition, furnishing, or use of any materials, equipment, supplies, labor, services or other items for or in connection with the work.
- d) All pension, welfare, vacation, annuity and other union benefit contributions payable, under or in connection with respect, to all persons; by whomsoever employed or engaged in the work to be performed and furnished under this Contract.

35) Bonds. The Contractor is required to execute bonds, with sureties acceptable to the City, as identified in the specifications, all of which are incorporated into this agreement.

In witness whereof, the parties hereto have affixed, on duplicate originals, their signatures on the date indicated below, after first being authorized so to do.

[CONTRACTOR]

DATE

Sign: _____

Print: _____

Title: _____

City of Pontiac

DATE

Sign: _____

Print: _____

Title: _____

50th District Court Building Modifications – Addendum #1

The following modifications are to be incorporated into the plans, specifications and contract documents for the above referenced project.

Pre-Bid Meeting Notes:

1. All questions are to be submitted to Michelle McKenzie, regardless of their technical nature, so that all the questions can be compiled and responded to in an organized fashion to all bidders.
2. A building permit has been applied for with the City of Pontiac. The cost of the building permit is to be included in the Bid. The cost is \$ 28,152.00 (\$35 for application fee, \$3,062 for plan review, \$25,055 for construction permit). Work on the boilers will require a permit from the State of Michigan. All costs associated with that permit are also to be included in the Bid – the actual cost must be verified by the Contractor prior to submitting their proposal.
3. Picture ID's are required to be worn in a visible location at chest height for all workers at all times.
4. All parking costs are to be borne by the Contractor as incidental to the work. The parking spaces at the curb adjacent to the building at N. Saginaw St. and the parking lot at the east side of the building are always off-limits. Temporary parking for loading and unloading only will be permitted at University Dr. to the north of the building.
5. The Contractor must submit a proposed schedule with projected dates for the project. Include start and end dates, as well as major project milestones and sequence of construction. It was noted that the work at the new 1st floor Meeting Rooms and repairs at the 2nd floor Conference Rooms are desired to be fully completed by October 1, 2019. And the preference is to do the mechanical equipment change over when HVAC demand is projected to be lower in September/October so that it will have the least impact to building occupants. It is anticipated that construction could start as early as June.
6. Contractor Minimum Qualifications will be changed from "municipal" building to "public" building in Sections 1.5, 3.3j and Firm Questionnaire. Contractors must specifically indicate project type and include a brief description of work performed in the Firm Questionnaire.
7. The project as a whole will be awarded to one Prime Contractor. The City will not contract directly with specialty Contractors for subdivided portions of the work.
8. The Contractor is required to provide O&M manuals and O&M training to City staff for all new equipment as part of this work scope.
9. All work will need to be coordinated with City staff in order to protect building occupants. The building will remain in full operation during the construction period, therefore, night and weekend work may be required for certain activities to minimize disruptions.
10. Pre-Bid Meeting sign in sheet is attached, along with a revised blue print page A-8.

Additional Requirements/Notes:

1. The Contractor will be required to provide temporary barricades and other protection measures as required to prevent the public from accessing certain areas of the construction. These devices are to be included with the cost of the project. All devices are to be coordinated with the City prior to erection and must be kept clean and presentable at all times. Any locks are to be approved by the City – copies of keys or access codes are to be given to City staff to allow for access as necessary. Floors, walls and ceiling finishes are to be repaired to original condition once the devices have been removed.
2. Consider the existing roofing warranty as expired.

List of Manufacturers Deemed Acceptable Alternates to Specified Manufacturers:

1. CSO Control Systems for Building Automation (Supplier for Automated Logic) (15910 – Direct Digital Controls)
2. Scranton Products (10160 – Toilet Partitions)
3. Hadrian Inc. (10160 – Toilet Partitions)
4. MegaMet Industries (08114 & 08115 – Steel Doors & Steel Frames)

It is to be noted that although the Mfrs. listed have been deemed acceptable, their products must still meet all of the requirements listed in the specifications and drawings.

List of Manufacturers Allowed to Submit as Voluntary Alternates:

(Products must meet all specified requirements.)

1. Heat Transfer Products (15180 – Boilers & 15440 – Water Heater)
2. Delta Controls Group, LOYTEC USA (15910 – Direct Digital Controls)

Drawing Modifications:

1. Sheet A-3 (Not Re-Issued)
 - At Atty. Conf. Rooms 205, 206, 207 & 208, remove gypsum board at interior side of room and carefully salvage all existing cover plates, thermostats, etc. for reinstallation. Install continuous R-15 sound attenuation batt insulation at all wall cavities. Existing ceilings to remain and be protected – carefully push batt insulation up wall to extend above ceiling by a minimum of 6" at all locations. Install new 5/8" thick gypsum board at all stud walls – prepare, prime and paint in accordance with Spec Section 09900. Carefully reinstall all removed cover plates and devices. Install new 4" rubber cove base in accordance with Spec Section 09650 at all walls.
 - Sound batt insulation used at all new interior wall locations in the building is to be Owens Corning, EcoTouch PINK unfaced fiberglass insulation, or approved equal.
 - This work is to be itemized on the Bid Proposal under "Owner's Add Option #1" as a separate line item.
2. Sheet A-4 (Not Re-Issued)
 - In lieu of new carpet as denoted at areas in Corridor 214 & Jury Waiting Room 212, provide new Luxury Vinyl Plank flooring to match the adjacent flooring used at the 2nd floor hallways.
 - Clarification: all new and altered walls that are not receiving wall tile are to be finished with 4" rubber cove base per Spec Section 09650. Color to be selected from Mfr. full range of available colors – more than one color may be selected for the project.
3. Sheet A-8 (Re-Issued)
 - Existing steel beams at Areaway are to be cleaned, prepared and repainted (do not paint at areas in direct contact with new steel frame).
 - Change size of new steel frame to be W8x24. Grating to bear directly on bottom flange of new W8 a minimum of 2" – omit 1/4" bearing plate.
 - New W8x24 frame to be bolted. Weld to top of existing steel.

All other items in the plans, specifications and contract documents remain unchanged.

Michelle L. McKenzie, Purchasing Agent, City of Pontiac, MMcKenzie@pontiac.mi.us TX: 248-758-3120

#14

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Jane Bais-DiSessa, Deputy Mayor, at the request of
John V. Balint, Director of Public Works/City Engineer

DATE: May 2, 2019

RE: Owners Representative Services – Phoenix Center

The Department of Public Works has prepared and advertised a request for qualifications for Owners Representative Services. Qualifications were accepted on at April 1, 2019 at 2:00 PM in the office of the City Clerk and publically opened at that time.

There were six respondents to the RFQ. They were:

- Auch
- Hubble, Roth and Clark, Inc.
- JMK Consultants
- NTH Consultants
- Plante Moran CRESA
- Seit Group, LLC

A three-member review panel individually reviewed the responses and awarded points based on the responses. A firm was able to obtain as many as 100 points from each evaluator in the following categories in the following categories:

- Understanding of Service-20 points
- Qualifications of Team-50 points
- Past Performance-30 points

Due to the specific need for this project, it was important to get a firm that has experience in a wide variety of construction management and oversight. Based in the scoring of the panel, that firm is Auch. The budget for this contract will be part of the overall bond request for the repairs and renovations to the Phoenix Center.

It is the recommendation of the Department of Public Works that the City accept the panels recommendations and authorize the Mayor or Deputy Mayor to enter into an Owners Representative contract with Auch.

WHEREAS, The City of Pontiac has advertised and received responses to a request for qualifications for Owners Representative Services on April 1, 2019 and publically opened bids, and;

WHEREAS, a review panel has scored the responses, and;

WHEREAS,

after scoring, the most qualified consultant was Auch.

NOW, THEREFORE,
BE IT RESOLVED,

The Pontiac City Council authorizes the Mayor to enter a three year
contracts with Auch for Owners Representative services.

JVB

attachments

REFERRAL/RECOMMENDATION FORM

DATE: May 2, 2019

TO: Jane Bais-DiSessa, Deputy Mayor

FROM: Michelle L. McKenzie, Purchasing Agent

THE ATTACHED DOCUMENTS ARE BEING REFERRED FOR THE FOLLOWING REASONS:

☐ City Council ☒ Bid Approval ☐ Budget Approval ☐ Cancelled ☐ Other

Bid Analysis and Recommendation for _____

The following bid is attached:

This copy does not include the equipment specifications or Oakland County forms.

You Recommendations of a bidder are to be located in the space provided in the "Remarks" section on the next page of this form. Do not submit your recommendation on any other.

RFP: Owner's Representative Services

REMARKS: After a competitive process and a public bid opening, it is recommended
that George W. Auch Company be awarded the Owner's Representative Services project.

Your recommendation is to be based on the bid specification and content of bid. If the lowest bidder or bidders do not meet the specifications then list the major deviations for each.

Rejections must be based on actual exceptions to specifications, or on other details included in the bid documents.

Legal questions or concerns should be included in the analysis. If necessary, the Purchasing Division may request a legal opinion.

Recommendations for bids over \$10,000.00 must be approved by the Finance Director, the Purchasing Agent or an approved person as noted on the "City of Pontiac Authorized Signature Record."

Vendor has met the requirements of the Request For Qualifications Bid Documents.
The above named firm has also provided references of the companies where they have performed similar work.
They have the experience and equipment necessary to perform the duties of the RFQ.
I have included the listing of vendors notified on MITN.

Signature of Purchasing Agent:

Michelle A McKenzie

Date: 5/2/19

Approved by:

Signature of Deputy Mayor:

J. Br Difran

Date: 5.2.19

☒ LARA
 ☒ CORPS
 ☒ SAM
 ☒ Income Tax
 ☒ Oakland County Property Info
 ☒ City A/P
 ☒ SBA
☒ MITN Profile
☒ Website
☒ Bid Tab
☒ Vendor List
☒ RFQ
☒ Addendum

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Bureau of Professional Licensing / Corporations, Securities & Commercial Licensing Bureau

VERIFY A LICENSE/REGISTRATION

Name	DBA Name	License Type	License Nbr	Address	Status	Enforcement Action
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ID Number: 800176633

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Summary for: GEORGE W. AUCH COMPANY

The name of the DOMESTIC PROFIT CORPORATION: GEORGE W. AUCH COMPANY

Entity type: DOMESTIC PROFIT CORPORATION

Identification Number: 800176633 Old ID Number: 169546

Date of Incorporation in Michigan: 05/01/1969

Purpose:

Term: Perpetual

Most Recent Annual Report: 2019

Most Recent Annual Report with Officers & Directors: 2019

The name and address of the Resident Agent:

Resident Agent Name: CRAIG WALDEN

Street Address: 65 UNIVERSITY DR.

Apt/Suite/Other:

City: PONTIAC

State: MI

Zip Code: 48342

Registered Office Mailing address:

P.O. Box or Street Address: 65 UNIVERSITY DR.

Apt/Suite/Other:

City: PONTIAC

State: MI

Zip Code: 48342

The Officers and Directors of the Corporation:

Title	Name	Address
PRESIDENT	VINCE DELEONARDIS	65 UNIVERSITY DR. PONTIAC, MI 48342 USA
TREASURER	CRAIG WALDEN	65 UNIVERSITY DR. PONTIAC, MI 48342 USA
SECRETARY	CRAIG WALDEN	65 UNIVERSITY DR. PONTIAC, MI 48342 USA
DIRECTOR	JEFF HAMILTON	65 UNIVERSITY DR. PONTIAC, MI 48342 USA

Act Formed Under: 327-1931 Michigan General Corporation Act

Total Authorized Shares: 20,000

Written Consent

[View Assumed Names for this Business Entity:](#)**View filings for this business entity:**

ALL FILINGS
ANNUAL REPORT/ANNUAL STATEMENTS
ARTICLES OF INCORPORATION
RESTATED ARTICLES OF INCORPORATION
RESTATED ARTICLES OF INCORPORATION

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- ⚠️ ALERT: SAM.gov will be down for scheduled maintenance Saturday, 05/11/2019, from 8:00 AM to 1:00 PM (EDT).
- ⚠️ ALERT: CAGE is currently experiencing a high volume of registrations, and is working them in the order in which they are received. When your registration is assigned to a CAGE Technician, you will be contacted by CAGE, if necessary, for any additional information.

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Current Search Terms: **GEORGE W. AUCH COMPANY***

Total records:0

Result Page:

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Order by Descending

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Michelle McKenzie

From: Larry A. Kosofsky
Sent: Thursday, May 2, 2019 2:59 PM
To: Michelle McKenzie
Subject: RE: Please check for compliance AUCH

Hello Michelle,

This company that is Pontiac based, is in compliance with the ordinance.

Larry

From: Michelle McKenzie <MMcKenzie@pontiac.mi.us>
Sent: Thursday, May 2, 2019 2:18 PM
To: Larry A. Kosofsky <lkosofsky@pontiac.mi.us>
Subject: Please check for compliance AUCH

Larry,

Please check for income tax compliance
George W. Auch Company
Fed ID# 38-1888886

65 University Drive
Pontiac, MI 48342

Thank you,

Michelle L. McKenzie
Purchasing Agent/Fiscal Analyst
City of Pontiac
47450 Woodward Ave
Pontiac, MI 48342
MMcKenzie@pontiac.mi.us
Direct Dial (248) 758-3120
Fax (248) 758-3197

65 UNIVERSITY DR PONTIAC, MI 48342-2359 (Property Address)

Parcel Number: 64-14-29-428-002



Item 1 of 1 0 Images / 1 Sketch

Property Owner: AUCH EAST GATEWAY**Summary Information**

- > Commercial/Industrial Building Summary
 - Yr Built: 2017
 - # of Buildings: 1
 - Total Sq.Ft: 13,396
- > Property Tax information found

- > Assessed Value: \$13,440 | Taxable Value: \$13,440
- > 20 Building Department records found

Owner and Taxpayer Information

Owner	AUCH EAST GATEWAY 735 S PADDOCK ST PONTIAC, MI 48341-3241	Taxpayer	SEE OWNER INFORMATION
--------------	---	-----------------	-----------------------

General Information for Tax Year 2017

Property Class	202 Bus Vac	Unit	64 City of Pontiac
School District	210 Pontiac City Schools	Assessed Value	\$13,440
ITOnly	POST	Taxable Value	\$13,440
PPBusCode	0	State Equalized Value	\$13,440
User Alpha 1	Not Available	Date of Last Name Change	09/05/2017
User Alpha 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
User Alpha 2	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** No Data to Display

Principal Residence Exemption	June 1st	Final
2018	0.0000 %	-
2017	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2016	\$13,440	\$13,440	\$13,440
2015	\$13,440	\$13,440	\$13,440
2014	\$13,440	\$13,440	\$13,440

Land Information

Zoning Code	BI	Total Acres	3.427
Land Value	\$26,880	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	ECF, Table IVL Industrial vacant 168 parcels	Mortgage Code	00265
Lot Dimensions/Comments	Not Available	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Total Frontage: 0.00 ft		Average Depth: 0.00 ft

Lot(s)	Frontage	Depth
No lots found.		
Total Frontage: 0.00 ft		Average Depth: 0.00 ft

Legal Description

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO. 121 LOT 2 EXC THAT PT DESC AS FOL BEG AT A PT ON SELY LOT LI, SD PT BBNG 120.2 FT SWLY FR THE SEC COR OF A.P. 121 TH N 21-20-37 E 39.75 FT TH N 26-51-04 W 221 FT TH S 63-08-56 W 5 FT TH N 26-51-04 W 1822 FT TO PT OF CUR TO L HAVING A RAD OF 553.11 FT TH NWLY ALG ARC OF SD CUR TO PT ON NWLY LOT LI TH NELY TO NE COR OF LOT 2 TH SELY ALG NELY LOT LI TO SELY COR OF LOT 2 TH SWLY ALG SELY LOT LI TO PT OF BEG. & ALL OF LOTS 3 THRU 15 EXC THE WLY 10 FT OF LOTS 8 THRU 15 INCL MEASURED AT RIGHT ANG WITH WLY LI SD LOTS 8 THRU 15

Land Division Act information

Date of Last Split/Combine	No Data to Display	Number of Splits Left	0
Date Form Filed	No Data to Display	Unallocated Divs of Parent	0
Date Created	No Data to Display	Unallocated Divs Transferred	0
Acreage of Parent	0.00	Rights Were Transferred	Not Available
Split Number	0	Courtesy Split	Not Available
Parent Parcel	No Data to Display		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
08/22/2017	\$1.00	QC	GEORGE W AUCH CO	AUCH EAST GATEWAY	5-NotAmsLength	51006:062
02/15/2017	\$200,000.00	QC	RACER PROPERTIES	GEORGE W AUCH CO	1-ValidSale	50410:710
03/31/2011	\$1.00	QC	MOTORS LIQUIDATIONCO	RACER PROPERTIES	5-NotAmsLength	43124:310

Building Information - 18396.00 sq ft Office Buildings (Commercial)

Floor Area	18,396 sq ft	Estimated TCV	Not Available
Occupancy	Office Buildings	Class	C
Stories Above Ground	1	Average Story Height	18 ft
Basement Wall Height	0 ft	Identical Units	Not Available
Year Built	2017	Year Remodeled	Not Available
Percent Complete	40%	Heat	No Heating or Cooling
Physical Percent Good	98%	Functional Percent Good	100%
Economic Percent Good	100%	Effective Age	1 yrs

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Vendor Activity For Vendor Code '10002659' - George W. Auch Company

Start Post Date: 01/01/2000 End Post Date: 05/02/2019

View Report...

Invoice Activity

Invoice Date	1099	Amount	Reference #	Invoice #	Description
09/30/2004	No	4360.00	88578	17570	I2143731
10/03/2005	No	15.00	110461	REFUND	I2165720

Number of Invoices: 2 Total Invoices Amount: 4375.00

Check Activity

Check #	Check Date	Amount	Check Type	1099	Description
CONS 449127	11/12/2004	4360.00	Paper Check	No	
CONS 459579	12/01/2005	15.00	Paper Check	No	

Number of Checks: 2 Total Checks Amount: 4375.00

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and randomized by original start time of search: 2019-05-02 02:30:22 PM.

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Session timeout in 37 minutes

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2:38 PM
5/2/2019

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George W. Auch Company

Organization Number	557946	Address	65 University Drive Pontiac, Michigan, 48342 United States
County/Region	Oakland County	Phone	248-334-2000
Registration Date	06/10/2017	Fax	248-334-3404
Status	Active	Email	sdebo@auchconstruction.com

Org	Working Categories	Contacts	Bids	History	Downloads	Notifications
---------------------	------------------------------------	--------------------------	----------------------	-------------------------	---------------------------	-------------------------------

Registration Information

Business Structure	Private Corporation
Business Type	Large
Owner Ethnicity	Not Specified
Number of Employees	51 to 250
Established Since	1908

W-9



MITN Purchasing Group

Member Since	06/10/2017	Status	Completed
Last Update Date	06/10/2017 12:24 PM EDT	Last Update By	Shawn Debo
Membership Level	Statewide Notification		

Is your company a registered DBE through the state of Michigan (MDOT)? No

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A Second Century of Building Trust

248.334.2000



Owner's Representative Consultant Services

This unofficial tabulation is for your information and only included what was read at the bid opening.

The information has not been evaluated or confirmed.

	Contractors that submitted Statements of Qualifications		
1	JMK Consultants, Inc.	6905 Telegraph Rd., Ste 170	Bloomfield Hills, MI 48301
2	AUCH	65 University Drive	Pontiac, MI 48342
3	Plante Moran CRESA	27400 Northwestern Highway	Southfield, MI 48034
4	NTH Consultants, Ltd.	18 West Lawrence, Suite 140	Pontiac, MI 48342
5	Seit Group LLC	995 N. Pontiac Trail #606	Walled Lake, MI 48390
6	Hubbell, Roth & Clark, Inc	555 Hulet Drive	Bloomfield Hills, MI 48302
7			

Witness: Michelle McKenzie, Purchasing Agent

Witness: _____

Opened by City Clerk: Sheila Grandison, Deputy City Clerk

Date/Time: 4-1-19 @ 2:00 pm



Matching Supplier List

Created by:

Michelle McKenzie

Created on:

03/11/2019 04:32 PM EDT

Solicitation:

Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
3.L.K. CONSTRUCTION L.L.C. Org. Number: 557749	1401 Howard DETROIT, Michigan, 48216 United States	LORENZO WALKER	ourteam@3lkconstruction.com	313-962-8700
		LORENZO WALKER	lorenzo@3lkconstruction.com	313-962-8701
A.Z. Shmina, Inc. Org. Number: 557092	11711 Grand River Road Brighton, Michigan, 48116 United States	Andrew Shmina	as@azshmina.com	810-227-5100
		Andrew Shmina	as@azshmina.com	810-227-5100
ABE Associates, Inc. Org. Number: 556999	440 Burroughs Street, Suite 605 Detroit, Michigan, 48202 United States	Andre Brooks	andreb@abe-engineers.com	313-961-5170 ext. 101
		Andre' Brooks, PE	andreb@abe-engineers.com	313-961-5170
ACE SPECIALTIES LLC Org. Number: 896402	119 SOUTHPARK RD LAFAYETTE, Louisiana, 70508 United States	CHRISTL MAHFOUZ	fmoodie@acespecial.com	337-232-8796
Ace-Pros Inc Org. Number: 633826	22375 Broderick Dr, #140 Dulles, Virginia, 20166 United States	Rahi Raj	rahi@aceprosinc.com	5714180618
Acme Enterprises, Inc. Org. Number: 560340	15751 Martin Road Roseville, Michigan, 48066 United States	Bob Walny	rwalny@acme-enterprises.com	586-771-4800
		Bob Walny	rwalny@acme-enterprises.com	586-771-4800
		Robert Russell	rrussell@acme-enterprises.com	586-771-4800
Acme Research Org. Number: 175247	5120 Highway 6 Riesel, Texas, 76682 United States	Toni Hill	thill@acmeresearch.com	8008103846
Administrative Controls Management, Inc. Org. Number: 557966	525 Avis Drive, Suite 2 Ann Arbor, Michigan, 48108 United States	Patricia Mirek	mi@acmpm.com	734-995-9640
		James E. Krebs, PE, CCE, PMP	mi@acmpm.com	734-995-9640
		Patricia Mirek	mi@acmpm.com	734-995-9640
Advanced Building Group, LLC Org. Number: 561746	20260 Sherwood St. Detroit, Michigan, 48234 United States	Scott Richardson	srichardson@advancedbg.com	313-974-6153
		Scott Richardson	srichardson@precision-cg.com	313-974-6153
Advanced Rehabilitation Technology Org. Number: 1195291	01116 Cty Rd 17 Bryan, Ohio, 43506 United States	Kevin Appel	kappel@artcoatingtech.com	4196362684
Advantage Technology Consulting, LLC	8602 Cypress Lane	Richard Hoose	richardh_atc@charter.net	810-623-1349

Matching Supplier List: Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
Org. Number: 559874	Pinckney, Michigan, 48169-8702 United States	Richard Hoose	richard.hoose@advantagetechologyconsulting.com	810-623-1349
AECOM Org. Number: 556733	400 Renaissance Center, Suite 2600 Detroit, Michigan, 48243 United States	Jerry Attia Robert Gorski	jerry.attia@aecom.com robert.gorski@aecom.com	2482044254 313-309-7184
AEMINC Org. Number: 606795	PO Box 903 Southfield, Michigan, 48037 United States	Lee Bates	lbates@aeminc.com	248 540 9500 ext. 207
Ahem Contracting, Inc. Org. Number: 601625	25875 New Forest Court Chesterfield, Michigan, 48051 United States	James P Ahem	unkhown@no-reply.com	8103430403
Aielli Construction Company, Inc. Org. Number: 556211	47850 Van Dyke Avenue Shelby Township, Michigan, 48317 United States	Paolo Iacobacci	info@aiellicc.com	586-792-1890
		Paolo Iacobacci	paolo@aiellicc.com	586-792-1890
		Sergio Iacobacci	info@aiellicc.com	586-792-1890
Airfoil Org. Number: 559992	1000 Town Center, Suite 600 Southfield, Michigan, 48075 United States	Lisa Vallee-Smith	vallee-smith@airfoilgroup.com	248-304-1400
		Janet Tyler	tyler@airfoilgroup.com	248-304-1400
		Lisa Vallee-Smith	vallee-smith@airfoilgroup.com	248-304-1400
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Alfred Benesch & Company Org. Number: 557787	4660 S Hagadorn Road, Suite 315 East Lansing, Michigan, 48820 United States	Amy Larkins	mltn@benesch.com	517-482-1682
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Allied Building Service Company of Detroit, Inc. Org. Number: 556652	1801 Howard St. Detroit, Michigan, 48216 United States	PM Director	pmdirector@teamallied.com	313-230-0799
Anderson, Eckstein and Westrick, Inc. Org. Number: 557290	51301 Schoenherr Road Shelby Township, Michigan, 48315 United States	Roy Rose	adawson@aewinc.com	586-726-1234
		Ashley Dawson	adawson@aewinc.com	586-726-1234
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Applied Science, Inc. Org. Number: 557348	300 River Place Dr, Suite 5400 Detroit, Michigan, 48207 United States	Karen Ridgway	karen.ridgway@asi-detroit.com	313-567-3990
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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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BBEK Environmental Org. Number: 563228	24808 Thomas Warren, Michigan, 48091 United States	Kevin Woods	environmental@bbekconstruction.com	313-492-1854
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Beam, Longest and Neff, LLC Org. Number: 705719	51151 W. Pontiac Trail Wixom, Michigan, 48393 United States	Ryan Jones	rljones@b-l-n.com	3136827903
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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Best Practices Consulting Services Org. Number: 560427	2727 2nd Avenue Detroit, Michigan, 48201 United States	Laura Sigmon	laura.chapman@yourpracticescoach.com	313-265-3062
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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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BSI Professional Services America Org. Number: 897634	12950 Worldgate Drive, Suite 800 Herndon, Virginia, 22124 United States	Shereen N Abuzobaa	sabuzobaa@gmail.com	571-830-0777
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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Conservation Design Forum Org. Number: 557200	403 St. Charles Rd. Lombard, Illinois, 60148 United States	Maureen Hegarty	mhegarty@cdfinc.com	630-559-2000
Constellation Org. Number: 1182026	116 John Street Lowell, Massachusetts, 01921 United States	Marc Aronson	marc.aronson@constellation.com	978-609-1403
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Core Land Surveying Org. Number: 560369	29425 Northwestern Hwy., Suite 320 Southfield, Michigan, 48034 United States	Mark Layman	mlayman@corelandconsulting.com	248-932-7120
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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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Matching Supplier List: Owner's Representative Services - Owner's Representative Services

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SYNERGY FIBER Org. Number: 1188411	3131 SOUTH STATE STREET ANN ARBOR, Michigan, 48104 United States	LAURIE HOBBS	laurie.h@synergyfiber.com	7342226061 ext. 149
T&M Associates Org. Number: 995076	400 Renaissance Center, Suite 2600 Detroit, Michigan, 48243 United States	Donald Pinto	dpinto@tandmassociates.com	614-408-9240
Team CORE, LLC Org. Number: 711970	691 N. Squirrel Rd., Suite 120 Auburn Hills, Michigan, 48326 United States	Matthew J. Farrell	mjf@team-core.com	2484175482
Team One Repair, Inc.	2705 Crestridge Court	Andrew Kaluski	andy@teamonerepair.com	678-365-2536

Matching Supplier List: Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
Org. Number: 565638	Suwanee, Georgia, 30024	Andrew Kaluski	andy@teamonerepair.com	678-365-2536
Techmatic, Inc. Org. Number: 978019	4922 Technical Dr. Milford, Michigan, 48185 United States	Brandon Hine	bhine@techmatic.com	7348128286
Technical Service Professionals, L.L.C. Org. Number: 557967	25000 Capitol Redford, Michigan, 48239 United States	Ronald Swan Ronald Swan	estimating@tspenvironmental.com rswan@tspenvironmental.com	734-838-0426 734-838-0426
Technical Service Professionals, L.L.C. Org. Number: 558687	25000 Capitol Street Redford, Michigan, 48239 United States	Ronald Swan Ronald Swan	unknown@no-reply.com ronswan@aol.com	734-838-0426 734-838-0426
Tetra Tech Org. Number: 561277	710 Avis Drive Ann Arbor, Michigan, 48108 United States	Ghia White Ghia White	ghia.white@tetrattech.com ghia.white@tetrattech.com	734-213-5085 734-213-5085
Tetra Tech of Michigan, PC Org. Number: 562902	710 Avis Drive Ann Arbor, Michigan, 48104 United States	Brian Rubel Brian Rubel	brian.rubel@tetrattech.com brian.rubel@tetrattech.com	734-213-4081 734-213-4081
The Christman Company Org. Number: 1045284	208 N Capitol Ave Lansing, Michigan, 48933 United States	Amy Baumer	amy.baumer@christmanco.com	517-374-0843
THE DIAMOND FIRM Org. Number: 608295	19115 WEST EIGHT MILE RD DETROIT, Michigan, 48219 United States	CAROLYN ANDERSON	CTAYLOR@THEDIAMONDFIRM.NET	3132466500
The Diamond Firm Inc. Org. Number: 836297	19115 W EIGHT MILE RD DETROIT, Michigan, 48219 United States	Carrolyn Anderson	jaylor@thediamondfirm.net	2489053442
The Diggs Group: Heritage Development Services Org. Number: 566935	535 Griswold Suite 1810 Detroit, Michigan, 48226 United States	Tiffany Nance Dorain Diggs Taylor Douglass Diggs	tnance@thediggsgroup.com Dorian@thediggsgroup.com ddiggs@thediggsgroup.com	313-259-0466 ext. 313 3134612778 ext. 313 313-410-8077
The Mannik & Smith Group, Inc. Org. Number: 556507	2365 Haggerty Road South Canton, Michigan, 48188 United States	Melanie Bidwell Aric Bennett Brian P Geer John S. Browning III Walter Bolt	mbidwell@manniksmithgroup.com abennett@manniksmithgroup.com bgeer@manniksmithgroup.com jbrowning@manniksmithgroup.com wbolt@manniksmithgroup.com	734-397-3100 (734) 289-2200 (313) 961-9500 734-397-3100 734-397-3100
The Richwell Group, LLC Org. Number: 834902	528 Rich Gap Rd Blairsville, Georgia, 30512 United States	Jamie Crump	jamie@therichwellgroup.com	706-745-0200
The Skillman Corporation	8120 Moorsbridge Road Suite 101.	Mike Kenney	mekenney@skillman.com	269-350-5757

Matching Supplier List: Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
Org. Number: 557825	Portage, Michigan, 49024	Mike Kenney	mekenhey@skillman.com	269-350-5757
The Transportation Network, Inc. Org. Number: 734972	2844 Livernois rd., Ste 172 Troy, Michigan, 48099 United States	Wesley Fletcher	ttino@outlook.com	2482554070
The Whiting-Turner Contracting Company Org. Number: 567180	407 East Fort Street, Suite 101 Detroit, Michigan, 48226 United States	Michael Adams Michael Adams	michael.adams@whiting-turner.com michael.adams@whiting-turner.com	216-214-0979 216-214-0979
TOEBE CONSTRUCTION CO. Org. Number: 557815	P.O. BOX 930129 WIXOM, Michigan, 48393 United States	Jeffrey T Stover Jeffrey T Stover	jstover@toebe-construction.com jstover@toebe-construction.com	248-349-7500 248-349-7500
Toole Design Group, LLC Org. Number: 93899	8484 Georgia Avenue, Suite 800 Silver Spring, Maryland, 20910 United States	Amy Boehmer Jennifer Toole, AICP, ASLA	marketing@tooledesign.com jtoole@tooledesign.com	301-927-1900 ext. 119 301-927-1900
Tooles Contracting Group LLC Org. Number: 559818	535 Griswold, Suite 2550 Detroit, Michigan, 48226 United States	Tooles Contracting	estimating@toolesgroup.com	313-221-8500
Traffic Management, Inc. Org. Number: 560915	25900 W. 8 Mile Rd. Southfield, Michigan, 48033 United States	Dorian Hall Paul Kelly	dorian.hall@trafficmanagement.com paul.kelly@trafficmanagement.com	313-825-2959 248-678-8297
TRC Environmental Org. Number: 561753	1540 Eisenhower Place Ann Arbor, Michigan, 48108 United States	Graham Crockford Doug Kilmer Graham Crockford	gcrockford@trcsolutions.com dkilmer@trcsolutions.com gcrockford@trcsolutions.com	734-971-7080 ext. 4813 616-537-8391 734-971-7080 ext. 4810
Trigyn Org. Number: 563615	100 Metroplex Drive Edison, New Jersey, 08817 United States	Paige Larkin Tom Gordon	solicitations@trigyn.com unknown@no-reply.com	732-777-4615 732-777-4608
Tri-County Tree Expert Company, Inc. Org. Number: 1220859	7617 19 Mile Road, P.O. Box 1355 Sterling Heights, Michigan, 48311-1355 United States	Michael P Decator	tcteservices@gmail.com	810-614-9868
TriMedia Environmental & Engineering Services, LLC Org. Number: 557959	830 W. Washington Street Marquette, Michigan, 49855 United States	Melissa Harrington Thomas Anthos	mharrington@trimediaee.com mharrington@trimediaee.com	906-228-5125 906-228-5125
Troy Legal Center Org. Number: 1048605	1985 W. Big Beaver Rd. Ste., 320 Troy, Michigan, 48084 United States	Renis Nushaj	renis.n@gmail.com	2488088198
True North Facility Services Org. Number: 560072	1311 Longfellow Royal Oak, Michigan, 48067 United States	Nicholas Whitehurst Nicholas Whitehurst	truenorthservices@gmail.com truenorthservices@gmail.com	248-545-8670 248-545-8670
TTL Associates Org. Number: 556591	44265 Plymouth Oaks Plymouth, Michigan, 48170	Jeff Elliott, P.E.	jelliott@tlassoc.com	734-455-8600 ext. 1238

Matching Supplier List: Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
	United States	Tim Pedro	tpedro@tllassoc.com	734-455-8600
Turner Construction Company Org. Number: 560260	535 Griswold St. Suite 1525 Detroit, Michigan, 48226 United States	Dann McDonald	dmcdonald@tcco.com	313-596-0500
UniFirst Coporation Org. Number: 916809	1300 Auburn Ave. Pontiac, Michigan, 48342 United States	Kevin M Smith	kevin_smith@unifirst.com	7347765551
United Resource, LLC Org. Number: 560831	15500 Penn Drive Livonia, Michigan, 48154 United States	David Guth	unitedresource@aol.com	734-462-6170
		David Guth	unitedresource@aol.com	734-462-6170
universal hospitality advisors Org. Number: 561629	25600 woodward ave suite 202 royal oak, Michigan, 48067 United States	sam muraeky	sam@uhadvisors.com	248-808-6642 ext. 102
		sam muraeky	sam@uhadvisors.com	248-808-6642
Urban Landscapes LLC Org. Number: 1216791	768 PINECREST DR FERNDAL, Michigan, 48220-2357 United States	Daniel Whitacre	danurbland@gmail.com	2488357256
Usztan, LLC Org. Number: 559725	261 Collier Road Auburn Hills, Michigan, 48326 United States	Boris Usztan	pm@usztan.com	248-332-7448 ext. 4
		Boris Usztan	busztan@usztan.com	248-332-7448 ext. 107
Value Engineering Org. Number: 566729	2804 Southwood Drive East Lansing, Michigan, 48823 United States	Jonathan Kolbasa	value-engineering@outlook.com	517-348-9045
		Jonathan Kolbasa	value-engineering@outlook.com	517-348-9045
		Randall Kraai	rkraai@val-engineering.com	616-802-8338
VALUE INTEGRATION Org. Number: 567541	Penobscot Building, 645 Griswold, Suite# 1900 Detroit, Michigan, 48226 United States	Tariq Malik	Tariqm@valueintegration.com	313-486-2886 ext. 107
		Tariq Malik	Tariqm@valueintegration.com	313-486-2886 ext. 107
Vanguard Building Group, LLC Org. Number: 568110	101 South Main Street, Suite 200 Rochester, Michigan, 48307 United States	Michael A DiNello	mdinello@vanguardmichigan.com	5864053421
		Frank Lalama	unknown@no-reply.com	248-650-6206
		Michael DiNello	unknown@no-reply.com	248-650-6206
Vantage Consulting Group Org. Number: 564718	5465 Bentley Road, Apt 202 West Bloomfield, Michigan, 48322 United States	Van Tatum	vtatum@thevcgrp.com	248-221-2189
		Van Tatum	vtatum@thevcgrp.com	248-221-2189
VMX International, LLC Org. Number: 557720	3011 W. Grand Blvd. Suite 2401 Detroit, Michigan, 49202 United States	Heather Fawcett	hfawcett@vmxi.com	586-713-6737
		Heather Fawcett	hfawcett@vmxi.com	586-713-6737
		Marilyn Stengle	mstengle@vmxi.com	586-246-5807
Volunteers of America Michigan Org. Number: 1187425	21415 Civic Center Dr. Southfield, Michigan, 48070 United States	Michelle Adams	madams@voami.org	269-245-2120

Matching Supplier List Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
Wade Trim Org. Number: 557013	500 Griswold Avenue, Suite 2500 Detroit, Michigan, 48226 United States	Dezarea Wright	dwright@wadetrim.com	7349479700 ext. 10255
		Trude Noble	unknwon@no-reply.com	734-947-9700
Wah Yee Associates Org. Number: 556825	42400 Grand River Avenue, Suite 200 Novi, Michigan, 48375 United States	William Eland	weland@wahyeeassoc.com	248-489-9160 ext. 103
		Kevin Haas	khaas@wahyeeassoc.com	248-489-9160 ext. 102
Wakely Associates, Inc. Org. Number: 560484	30500 Van Dyke Ave., Suite 209 Warren, Michigan, 48093 United States	Ronald Syme	rsyme@wakelyaia.com	586-573-4100
		Brian Smilnak	bsmilnak@wakelyaia.com	586-573-4100
		Ronald Syme	rsyme@wakelyaia.com	586-573-4100
Walbridge Org. Number: 556890	777 Woodward Avenue Suite 300 Detroit, Michigan, 48226 United States	Joshua Christman	jchristman@walbridge.com	313-442-1174
		Joshua Christman	jchristman@walbridge.com	313-963-8000 ext. 1174
Walker-Miller Energy Services LLC Org. Number: 556950	2990 West Grand Blvd suite 310 Detroit, Michigan, 48202 United States	Carla Walker-Miller	walkermiller@wmenergy.com	313-366-8535
		Amy Caminiti	caminiti@wmenergy.com	614-578-8874
		Carla Walker-Miller	Walker-Miller@wmenergy.com	313-366-8535
Washtenaw Contractors Association Org. Number: 564067	3135 S State St #350-H Ann Arbor, Michigan, 48108 United States	Taylor Itsell	itseltt@wcaonline.org	734-662-2570
		Gretchen Waters	itseltt@wcaonline.org	734-662-2570
WBK Engineering, LLC Org. Number: 566554	68 East Michigan Avenue Battle Creek, Michigan, 49017 United States	Justian Crane	jcrane@wbkengineering.com	2692243182
		Nicole Adesso	nadesso@wbkengineering.com	630.443.7755
WeatherTech Consulting Group, Inc. Org. Number: 556929	7747 Auburn Road Utica, Michigan, 48317 United States	Andrea Garabedian	agarabedian@wtcg.net	586-731-3095 ext. 12
		Andrea Garabedian	unknown@no-reply.com	586-731-3095 ext. 11
		Geoffrey Garabedian	ggarabedian@wtcg.net	586-731-3095 ext. 12
Weiss Property Management Org. Number: 1189360	2006 RAYMOND ST Bay City, Michigan, 48706 United States	CHAD WEISS	CHAD@WEISSPM.COM	9894154412
Wells Fargo Advisors Org. Number: 878159	255 East Brown Street, Ste 400 Birmingham, Michigan, 48009 United States	John Thibault	johnnyt@umich.edu	2484338514
Westshore Consulting Org. Number: 561321	2534 Black Creek Road Muskegon, Michigan, 49444 United States	Penny Swain	pswain@westshoreconsulting.com	231-777-3447 ext. 53
		Alan Hinks	pswain@westshoreconsulting.com	231-777-3447 ext. 49
		Wade VandenBosch	pswain@westshoreconsulting.com	231-777-3447 ext. 34
White Construction	1120 W. Baltimore	Donovan J White	dwhite@whitecon.com	313-872-6700 ext. 141

Matching Supplier List: Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
Org. Number: 557083	Detroit, Michigan, 48202 United States	Milton Jennings	unknown@no-reply.com	313-872-6700 ext. 140
		W. Bernard White	unknown@no-reply.com	313-872-6700
White Pine Building and Development LLC Org. Number: 559379	49047 Driftwood Drive Shelby Township, Michigan, 48317 United States	Bradley Freestone	whitepinebuilding@gmail.com	586-489-3771
		Bradley Freestone	unknown@no-reply.com	586-489-3771
Wightman & Associates, Inc. Org. Number: 557893	2303 Pipestone Road Benton Harbor, Michigan, 49022 United States	Jamie Balkin	jbalkin@gowightman.com	269-927-0100 ext. 108
		Mr. Thomas A. Deneau	tdeneau@wightman-assoc.com	269-927-0100
William A. Kibbe & Associates, Inc. Org. Number: 560213	1475 S. Washington Ave. Saginaw, Michigan, 48601 United States	Daniel Miller	dmiller@kibbe.com	989-752-5000
		Daniel Miller	unknown@no-reply.com	989-752-5000
		Gregory Bator	gbator@kibbe.com	989-752-5000
		Jay Wheeler	jwheeler@kibbe.com	989-752-5000
		Laura Mettam	lmmtam@kibbe.com	989-752-5000
Wolverine Solutions Group Org. Number: 1093922	1601 Clay street Detroit, Michigan, 48211 United States	Steve Conway	conman30@aol.com	7346126634
Wolverine Solutions Group, Inc. Org. Number: 557264	1601 Clay Street Detroit, Michigan, 48211 United States	Stacey Blue	sblue@wolverinemail.com	313-871-3547
		Stacey Blue	sblue@wolverinemail.com	313-871-3547
Wolverne Engineers & Surveyors, Inc. Org. Number: 557487	312 North Street Mason, Michigan, 48854 United States	Dan Wisinski	danw@wolveng.com	517-676-9200 ext. 114
		Dan Wisinski	unknown@no-reply.com	517-676-9200
		Don Heck	dohh@wolveng.com	517-676-9200
Woods Consulting Group Org. Number: 894592	1617 Beech Street Normal, Illinois, 61761 United States	Kevin Woods	woodsconsulting@frontier.com	3098302545
Wright & Hunter, Inc. Org. Number: 557405	818 West 11 Mile Road Royal Oak, Michigan, 48067 United States	Scott Brune	sbrune@wrighthunter.com	248-594-5850 ext. 131
		Scott Brune	sbrune@wrighthunter.com	248-594-5850 ext. 100
WSP Michigan Inc. Org. Number: 556816	500 Griswold Street Suite 2600 Detroit, Michigan, 48226 United States	Edwin Tatem	Vandall@pbworld.com	313-963-5760 ext. 2813
		Duncan R Mein	duncan.mein@wsp.com	313-324-9881
		Edwin Tatem	beard@pbworld.com	313-963-5760
Xerox Corporation Org. Number: 697341	151 Rest Cottage Lane Pewee Valley, Kentucky, 40056 United States	Lisa Perkins	lisa.perkins@xerox.com	502-410-8679

Matching Supplier List: Owner's Representative Services - Owner's Representative Services

Organization	Address	Contact	Email	Phone
Xperiential Laboratories Org. Number: 1067118	45145 W 12 Mile Road Novi, Michigan, 48377 United States	Mike Albu	malbu@xperiential.com	2485745528
Yanke Construction, inc. Org. Number: 919146	41621 Hampshire St Novi, Michigan, 48375 United States	Maxwell Yanke	maxyanke@yankeconstruction.com	2487300565
		Hunter Urban	hunterurban@yankeconstruction.com	2489127970
Yukon Construction Org. Number: 954949	1341 S Range Rd St Clair, Michigan, 48079 United States	Jennifer LaDuke	jladuke@yukoncs.com	8108417397
Zuniga Cement Construction Inc. Org. Number: 557436	22500 Ryan Rd Warren, Michigan, 48091 United States	Tomas Zuniga	zunigacement@aol.com	586-754-5900
		Tomas Zuniga	unknown@no-reply.com	586-772-5400



Financial Services – Purchasing Division

NOTICE

Thank you for your inquiry regarding the City of Pontiac project listed below:

Owner's Representative Services

If your firm plans to propose on this project, please send an e-mail response to MMcKenzie@pontiac.mi.us with the following information:

Firm Name: _____

Project Name: _____

Firm's Contact Person: _____

Telephone Number: _____

Fax Number: _____

E-Mail Address: _____

Postal Address: _____

The City of Pontiac Purchasing Division will use this information to communicate with you in the event an addendum or change to this project is issued. If you do not send this information to the City of Pontiac, you will not receive any follow-up notification of any changes to the project.

NOTICE TO PROPOSERS

The City of Pontiac will receive qualification proposals on Monday, April 01, 2019 at 2:00 p.m. prevailing local time in the City Hall Lion's Den conference room at 47450 Woodward Ave for:

Owner's Representative Services

You are invited to submit a proposal for this project. Sealed proposals may be mailed or delivered to the CITY OF PONTIAC, CITY CLERK, 47450 Woodward Ave., Pontiac, MI 48342 by 2:00 PM, Monday, April 01, 2019. Envelopes should include the name and mailing address of the vendor on the outside and be plainly marked: "Owners Representative Services"

A MANDATORY pre-proposal meeting will be held at Pontiac City Hall 1st Floor, Shrine Room, 47450 Woodward Ave., Pontiac, MI, 48342, on Friday, March 22, 2019 at 10:00 AM EDT. The proposal and contract requirements will be discussed at said meeting and it is mandatory that all Contractors attend.

The City of Pontiac is in the process of repairing and renovating the downtown Phoenix Center parking garage and amphitheater and is seeking proposals from professional Owner's Representative Service firms for the purpose of assisting the City with implementing the project. The selected Owner's Representative (OR) will oversee the work of an architectural/engineering firm(s) and Construction Manager (CM) as Contractor.

Please note this request for qualifications is for Owner's Representative Services. Selection will be based on the proposer's qualifications and understanding of the purpose of the CNU Charrette "... for a revitalized downtown". Also, other consulting services may be negotiated as additional services to this award.

The selected firm shall minimally possess successful experience in the areas described in the Scope of Services. Knowledge of the City's codes, ordinances and engineering design standards is beneficial.

No proposal submitted may be withdrawn for at least ninety (90) days after the actual submittal of the proposal.

General specifications, description and conditions upon which the qualifications are to be based are available at the City of Pontiac website:

Purchasing: <http://www.pontiac.mi.us/departments/finance/purchasing.php>

Please refer to the website for any addenda that may be issued. Respondents who submit proposals before the deadline are advised to continue to monitor the website for any changes that may be issued.

If you have any questions regarding this RFQ, please contact the Purchasing Agent at (248) 758-3120 or send an email to MMcKenzie@pontiac.mi.us

1. INSTRUCTIONS TO PROPOSERS

1.1 Qualifications to be Received

Qualifications for Owner's Representative Services will be received at the Office of the City Clerk of the City of Pontiac, Michigan **Monday, April 01, 2019 at 2:00 p.m.**

Proposers **MUST** submit **an original and three copies & electronic form (flash drive)** of the qualifications proposal. Additionally, duplicate copies of all descriptive literature and/or samples must be provided as requested. Qualifications must be submitted in a sealed envelope and addressed to the City Clerk of the City of Pontiac. Each sealed envelope containing a response must be plainly marked on the outside as **"Owner's Representative Services"**, and the envelope should bear on the outside the name of the respondent, his address, and the name of the project for which the response is submitted. If forwarded by mail, the sealed envelope containing the response must be enclosed in another envelope addressed to the City Clerk, City of Pontiac at 47450 Woodward Avenue Pontiac, MI. 48342.

Qualification proposals will be received during regular business hours at the place and up to the time stated in the advertisement. Any extension in time will be by official notification. Responses may be delivered in person or mailed, but their delivery is the respondent's responsibility. Any response received after the stated hour, even through the mail, will be returned unopened to the respondent.

1.2 Examination of Proposal Documents

Before submitting a qualifications proposal, respondents shall carefully examine the specifications and shall fully inform themselves as to all existing conditions and limitations.

1.3 Basis of Award

The intention of the City is to award the contract for this job to the most qualified applicant(s) whose skill set and past work history are equal to the task of completing the work in a satisfactory manner in the time period specified by the City. The successful respondents will show proof of at least five (5) years' experience in Owner's Representative Services. One qualified firm will be selected and services will be scheduled at the direction of the City of Pontiac.

1.4 Proposal Bond

No Proposal Bond required.

1.5 Pre-Proposal Meeting

Pre-proposal meeting to be held at Pontiac City Hall 1st Floor, Shrine Room, 47450 Woodward Ave., Pontiac, MI, 48342, on **Friday, March 22, 2019 at 10:00 AM EDT**

2. TERMS AND CONDITIONS

2.1 Laws and Municipal Ordinances, Permits

The respondent shall be fully informed of all laws and municipal ordinances and regulations in any manner affecting those engaged or employed in the work, or equipment and materials used in the work, and all others and any decrees of bodies or tribunals having any jurisdiction or authority over the same. The respondent shall at all times observe and comply with all such existing laws, codes, ordinances, regulations, orders, and decrees. In particular, all work shall be in compliance with the laws of the State of Michigan, City ordinances, as well as all other bodies having jurisdictional authority.

2.2 Non-Discrimination

The respondent agrees to comply with the Federal Civil Rights Act of 1964 as amended; the Federal Civil Rights Act of 1991 as amended; the Americans with Disabilities Act of 1990 as amended; the Elliott-Larsen Civil Rights Act, Article 2, Act no. 453, Public Act of 1976 as amended; the Michigan Handicapper's Civil Rights Act, Article 2, Act no. 220, Public Act of 1976, as amended and all other applicable federal, state and local laws and regulations. Specifically, Proposers and subcontractors are required not to discriminate against any employee or applicant for employment with respect to such person's hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of such person's height, weight, race, color, religion, national origin, ancestry, age, marital status, sex or disability, as defined by law. Breach of this covenant may be regarded as a material breach of the contract.

2.3 Indemnification

The Contractor shall indemnify, save and hold harmless, protect, and exonerate the City, its commissioners, board members, officers, employees, agents, representatives, and the State of Michigan, to the extent no greater than its relative degree of fault.

2.4 Jurisdictional Authority

This contract shall be governed by and construed according to the laws of the State of Michigan and the successful respondent consents to the jurisdiction and venue of the courts in Oakland County, Michigan and of the United States District Court for the Eastern District, Southern Division.

2.5 Severability

The successful respondent will agree that the Contract is the completed and exclusive statement of the Contract between the parties. A judicial or administrative declaration on the invalidity of any one or more of the provisions of the Contract shall not invalidate the remaining provisions of this agreement.

2.6 Income Taxes

Contractor agrees to contact City of Pontiac Income Tax Division, Audit and Compliance Section, 47450 Woodward, Pontiac, Michigan, 48342, telephone (248) 758-3092, to establish reporting and withholding obligations under the City of Pontiac income tax ordinance. Contractor will require the same of all subcontractors employing labor under this contract. Contractor is required to withhold City of Pontiac income tax from wages paid to:

- a. Pontiac resident employees regardless of where they work for the employer; and
- b. Nonresident employees for work performed in the City.

Contractor is also required to file Pontiac income tax returns and to report and pay income tax on the net profits earned by the contractor in the City of Pontiac. Contractor is not eligible for the award if they have not filed or paid corporate and employee income tax to the City of Pontiac.

Web page URL: http://www.pontiac.mi.us/departments/income_tax/index.php

Tax forms URL: http://www.pontiac.mi.us/departments/income_tax/tax_forms.php

2.7 Compensation and Payment

All invoices submitted against the contract must identify the service provided in detail. Items not properly invoiced will not be paid. It is the vendor's responsibility to ensure delivery of invoice(s) to the City. Invoices must meet the following conditions for payment:

- a. Price on Invoice must correspond to the pricing listed on purchase order and/or contract.
- b. Contractor must submit price lists in accordance with proposal requirements.
- c. All invoices will be original.
- d. Invoices will prominently display the requisition or purchase order number, if applicable.
- e. Invoices will be signed by the individual responsible for authorizing contract payments for the City of Pontiac.

Original invoice must be submitted to the City of Pontiac, Attn: Accounts Payable.

Payment Terms – Net 30

2.8 General Conditions

It is the responsibility of the respondent to review General Conditions as specified.
All funds must be quoted in US dollars

2.9 Qualification Proposals

Proposers **MUST** submit **an original and three copies & electronic form (flash drive)** of the qualifications proposal. Additionally, duplicate copies of all descriptive literature and/or samples must be provided as requested.

The submittal should address all of the points outlined in this RFQ. The document is to be prepared simply and economically, providing a straightforward, concise description of the Firm's capabilities to satisfy the requirements of the RFQ. Highlight any parts that reflect the Firm's unique philosophy or insight regarding its approach to serving as the City's Owner's Representative Services and how this approach will positively impact the successful completion of a variety of projects.

The statement of qualifications' document should not exceed twenty (20) pages in length, excluding covers, table of contents, dividers, required forms, resumes, certifications and affiliations, references and insurance documentation. To simplify the review process and to obtain the maximum degree of comparability, the submittal will include the following information and will be organized in the order and manner specified below. While additional data may be presented, the following subjects must be included. They represent the criteria against which the submittals will be evaluated.

- A. Responsiveness to Objectives
- B. Experience and Qualifications
- C. Capacity
- D. Comparable Projects

2.10 Minor Deviations

Specifications referred to herein are used to indicate desired type, and/or construction, and/or operation or services rendered. Other products and/or services may be offered if deviations from specifications are minor and if all deviations are properly outlined and stated in the proposal document. Failure to outline all deviations may be grounds for rejection of your proposal.

The decision of the City of Pontiac, acting through the Purchasing Agent, shall be final as to what constitutes acceptable deviations from specifications.

2.11 Insurance

Receipt of insurance is part of the process of determining which respondent may be recommended for award to the City Administrator. If cause is found to change the recommendation that your company be awarded the contract, or if the City Administrator does not approve the recommendation, the City shall not be liable for any costs incurred by you in the proposal process, including the cost of acquiring insurance.

The Contractor, and any and all of their subcontractors, shall not commence work under this contract until they have obtained the insurance required under this paragraph. All coverage shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with Insurance carriers acceptable to City of Pontiac. The limits required below do not limit the liability of the Contractor. All deductibles and SIRs are the responsibility of the Contractor.

Workers' Compensation Insurance: The Contractor shall procure and maintain during the life of this contract, Workers' Compensation Insurance, including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

Commercial General Liability Insurance: The Contractor shall procure and maintain said insurance during the life of this contract, for Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$ 1,000,000 per occurrence and aggregate. Coverage shall include the following extensions:

- a. Contractual Liability;
- b. Products and Completed Operations;
- c. Independent Contractors Coverage;
- d. Broad Form General Liability Extensions or equivalent, if not already included.

Motor Vehicle Liability: The Contractor shall procure and maintain during the life of this contract Motor Vehicle Liability Insurance, including Michigan No-Fault Coverages, with limits of liability not less than \$1,000,000 per occurrence combined single limit for Bodily Injury, and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

Additional Insured: Commercial General Liability and Motor Vehicle Liability, as described above, shall include an endorsement stating the following shall be ***Additional Insureds:*** The City of Pontiac, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed by naming the City of Pontiac as additional insured, coverage afforded is considered to be primary and any other insurance the City of Pontiac may have in effect shall be considered secondary and/or excess.

Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance, and Motor Vehicle Liability Insurance, as described above, shall be endorsed to state the following: "It is understood and agreed Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change shall be sent to: Risk Manager, City of Pontiac, 47450 Woodward Avenue, Pontiac, MI 48342."

Proof of Insurance Coverage: The Contractor shall provide the City of Pontiac, at the time the contracts are returned by him/her for execution, a Certificate of Insurance as well as the required endorsements. In lieu of required endorsements, if applicable, a copy of the policy sections where coverage is provided for additional insured and cancellation notice would be

acceptable. Copies or certified copies of all policies mentioned above shall be furnished, if so requested.

If any of the above coverages expire during the term of this contract, the Contractor shall deliver renewal certificates and/or policies to City of Pontiac at least ten (10) days prior to the expiration date.

2.12 Performance Bond

No bond shall be required.

2.13 Payment Bond

No payment bond shall be required unless the City agrees to subcontract.

3. DESCRIPTION OF SERVICES

3.1 GENERAL INFORMATION

- A. The City of Pontiac is in the process of repairing and renovating the downtown Phoenix Center parking garage and amphitheater and is seeking proposals from professional Owner's Representative Service firms for the purpose of assisting the City with implementing the project in cooperation with and in reliance upon the, the services of an Architectural & Engineering firm(s) including audio visual technology designer facility designer (A & E), Construction Manager as Contractor (CMc) and any other City awarded Consultants & Contractors germane to the project.
- B. **Please note this request for qualification proposals is for Owner's Representative Services. The awarded firm may be considered for award of A & E services based on qualifications.**
- C. Please carefully review this document. This document is a Request for Qualifications. Proposers are to provide their proposal based on their professional knowledge and developed around the general requirements defined within this proposal. As such, the City of Pontiac may not make an award recommendation based on lowest price. Sealed qualifications proposals will be evaluated based upon criteria formulated around the most important features of the service requested, of which experience, references, or capability, may be overriding factors, and price may not be determinative in the issuance of a contract or award.

3.2 BACKGROUND INFORMATION

- A. The City of Pontiac Phoenix Center was built in 1981. It is 1.25 million sq. ft. The Phoenix Center served as a parking garage, with the top level once hosting concerts and events.

- B. The Phoenix Center was constructed in 1981 for the purpose of provide parking for the Ottawa Towers buildings as well as overall parking for the Downtown. In addition to the parking garage, there is an amphitheater on the top level with covered seating as well as lawn seating and a covered stage. In 2012 the structure was closed to all parking with the exception of the South side of the structure. The North side was completely closed and due to the closure and lack of security, the facility was severely vandalized. Soon after the closure, the entire facility was without electrical power. Currently the South side, as well as the tunnel (Orchard Lake Road) is powered by the Ottawa Towers Building. Based on recent evaluations, there is significant work to be completed to bring the building into a useful state.
- C. The City will bond for this project and is looking to spend a not to exceed amount of \$13.5 million on all aspects of the project including initial preconstruction testing & fact-finding, all phases of design & engineering, any demolition, all phases of construction, building commissioning, project close-out.
- D. The following reports/surveys have or are currently being completed and will be provided to the awarded firm(s):
1. Desman Condition Survey Report & Repair Recommendations, May 2012
 2. Eagle Contracting Phoenix Center Evaluation, November 2016
 3. IDS Electrical Study, March 2018
 4. IDS Facility Conditions Report, September 2018 (Revised October 2, 2018)
- E. Phoenix Center Parking Structure Post-Tensioning Investigation completed by Walker Consultants, October 8, 2018 is provided for download separately at <http://www.pontiac.mi.us/departments/finance/purchasing.php>.
- F. As other construction projects may come up during the contract period the City reserves the right to negotiate fees (for like services) with the awarded firm(s).
- G. A Pre-Submittal Meeting will be held on Friday, March 22, 2019 at 10:00 AM EDT in the Shrine Room at Pontiac City Hall. All firms interested in submitting a proposal are highly encouraged to attend. It will be an excellent opportunity to meet the internal project team and ask questions.

3.3 PROPOSAL INFORMATION

Qualified companies are invited to submit qualification proposals with the information below in written (1 Original & 3 copies) & electronic form (flash drive). Please note information must be divided by the specific sections noted. Proposals not including all the information below or not in divided sections may be rejected. The RFQ document has been uploaded in its native format (Word) for ease of information entry. Respondents are prohibited from making changes or additions to the document except as requested (in the document).

- A. Letter of Introduction which includes the name of organization, contact person, physical address, email address and phone numbers.
- B. Brief narrative of your company profile highlighting your Owner's Representative experience, the services you provide and knowledge of the local area & consultant & contractor base. Please include list of proposed project team including brief resumes and a projected workload for the next two (2) years,
- C. Narrative of similar projects with special emphasis on Parking Structures. Include the project location, cost, date email, contact person and pictures.
- D. Complete Subcontractor/Sub consultant form. This form shall be utilized to report any consultants not employed by your firm and can include (but not be limited to): firms that specialize in parking structures or amphitheater design firms.
- E. Completed Legal Status of Proposer Form, Firm Questionnaire, Proposal form and Authorization of Proposal form.
- F. Submit proprietary information, trade secrets or confidential commercial and financial information, which a Proposer believes should be exempted from disclosure.
- G. Fee Proposal – The Fee Proposal will be submitted based on performing the Owner Representative scope of services within the general timeline referred to in the following Sections: 3.5 TIMELINE, and 3.7 SCOPE of this RFQ. The Fee Proposal should include an hourly rate schedule and a monthly schedule of proposed hours utilized in the proposed timeline for Basic Services to manage the Design, Engineering, and Construction of the Repair of the Parking Structure and Amphitheatre. Fees for additional services, if requested, will be negotiated based on the Firm's hourly rate schedule.

3.4 PROCESS OF EVALUATION

- A. City Staff will evaluate and summarize the proposals. The summaries that appear to be beneficial to the City will be considered for award. Selected proposals will be evaluated in a cursory manner to eliminate from further consideration those proposals which in the judgment of the City, fail to offer sufficient and substantive provisions to warrant further consideration.
- B. At the conclusion of the initial evaluation phase, there is potential that multiple proposals will be selected for detailed review and evaluation. As part of this detailed review of proposals, the selected firms may be required to make oral presentations of their proposals to the City. The City will request that the account representative(s) conduct the majority of the presentation. The oral presentations provide an opportunity for firms to clarify the proposals through mutual understanding.

- C. The award will be made to the most responsive and responsible firm(s) offering the most qualified proposal as determined by the City. All respondents, in submitting qualification proposals, concur with this method of award and will not, under any circumstances or in any manner, dispute any award made using this method.
- D. A sample contract is attached for review. Any exceptions or additions to the agreement must be called out in the response. Please note taking exception to the agreement in total is not acceptable.
- E. The City of Pontiac reserves the right to request best and final offers and to negotiate any and all terms proposed and include this in the final selection process.
- F. Access to government records is governed by the State of Michigan. Except as otherwise required by the State of Michigan, The Mayor authorizes the promise of confidentiality on behalf of the public body of the City of Pontiac and that it will exempt from disclosure proprietary information, trade secrets and confidential commercial and financial information submitted in the proposal. Any such proprietary information, trade secrets or confidential commercial information, which a Proposer believes should be exempted from disclosure, shall be specifically identified and marked as such. Blanket-type identification by designating whole pages or sections as containing proprietary information, trade secrets or confidential commercial and financial information will not assure confidentiality. The specific proprietary information, trade secrets or confidential commercial and financial information must be clearly identified as such in Section 3.3-F of your proposal response.
- G. A general description of all specific proprietary information, trade secrets or confidential commercial and financial information that is requested to be exempt from disclosure must be submitted at the time the proposal is submitted and will be maintained by the City Clerk's Office. This general description shall be made available to a person upon request. Upon a request for records from a third party regarding this proposal The City of Pontiac will notify in writing the party involved. The party involved shall indemnify The City of Pontiac defense costs associated with its refusal to produce such identified information; otherwise, the requested information will be released.

3.5 TIMELINE

The City has set the following general timeline, which can be modified at the discretion of the City:

March 11, 2019	Request for Proposal issued
March 22, 2019	Pre-submittal meeting
April 1, 2019	Proposals due no later than 10:00 a.m.
April 4-May 1, 2019	Review Proposals

April 11-22, 2019	Finalist Interviews
May 15, 2019	Final Selection & Award, including City Council Approval
July 1-31, 2019	A& E Interviews & Award
August-September, 2019	Awarded Firm Assists City with bidding, interviewing & Award CMc
October 2019	Phase I Design & Pre-Construction Contractor kick-off
November 2020	Proposal Trade Packages
April 1, 2020	Construction begins
April 2021	Anticipated project completion

3.6 MINIMUM FIRM QUALIFICATIONS

- A. The awarded firm(s) will have provided Owner's Representative Services or similar services in the past ten (10) years.
- B. The ideal firm(s) will have experience as an Owner's Representative Services in multi-level parking structures and amphitheaters.
- C. The ideal firm(s) will have experience successfully renovating existing similarly sized facilities.
- D. The awarded firm(s) must meet or exceed all insurance requirements.
- E. The awarded firm(s) must have demonstrable knowledge & experience working with the local A & E, CMc and contractor base.

3.7 SCOPE

The City of Pontiac is seeking qualified firm(s) to provide Owner's Representative Services to renovate and repair the Phoenix Center Parking Garage and Amphitheater. During all phases, the Owner's Rep will serve as the key liaison between the City of Pontiac, the commissioned A & E firm(s) and CMc. This service shall include, but shall not be limited to, the coordination of activities and resolution of any resulting problems and attendance and reporting of progress issues to City staff as necessary. **Please note for security purposes the City prohibits on-line file sharing services (i.e. Google Docs, etc.). Awarded firms must be capable and willing to set up an FTP/SFTP site for secure transmission of documents.**

Services will begin immediately after award of the contract by City Council. Services during this phase will include, but not limited to:

A. General Requirements

- 1) Provide a report to the City at least monthly containing (a) the status of the Project; (b) a comparison of the Project budget to costs incurred through the date of the report; (c) a comparison of the Project schedule to the work actually completed

through the date of the report; (d) any revision to the Project schedule or Project budget made during the time period covered by the report; (e) a summary of change orders made during the time period covered by the report; (f) a list of all pending change orders and all outstanding issues requiring action or approval by Owner; (g) the status of any governmental requirements and activities required to facilitate approval of the Project; and (h) any other reports concerning the Project as the City may reasonably request.

- 2) Owner's Representative shall be available for questions and follow up either by telephone or via in-person site meetings with City Staff as the circumstances require.
- 3) Owner's Representative shall help to develop positive working relationships with and among the City, A & E firm(s), CMc, trade contractors and consultants.

B. Contractor Selection

- 1) Participate in interviews of A & E firms and give input on qualification of firm(s).
- 2) Assist the City with final determination of award of A& E firm(s).
- 3) Assist the City in processing AIA contract documents between the City & A & E firm(s).
- 4) Assist the City in the selection of a CMc to determine the most effective approach for the Project, keeping in mind to qualify, each must show successful renovation projects, including:
 - a. Assist the City with drafting the Request for Proposals (RFPs) for CMc.
 - b. Participate as an advisor to the City at the pre-submittal conference.
 - c. Review the qualifications of the CMc through evaluation of proposals for comparable work experience, staff credentials, reference checks, financial credibility and any prior relationship with the City.
 - d. Participate in interviews of firm(s) and give input on qualification of firms.
 - e. Assist the City with recommendation & award of the CMc firms including help preparing an executive summary in a comparative format.
 - f. Assist the City if review of AIA contract documents between the City & CMc firm(s).

C. Design & Pre-Construction Services Oversight

Provide professional expertise and leadership by reviewing, analyzing, and presenting options for the design of the repair and renovation of the Phoenix Center Parking Garage and Amphitheater through the schematic and design development process. Owner's Representative will continue working with A & E firm(s) and CMc to provide professional expertise to the City during the design development and construction documentation process. Activities shall include the following as reasonably required to complete the project:

- 1) Work with the A & E firm(s), Design/Prime firm(s), CMc, City staff, administration and community stakeholders to aid in the creation of a building needs analysis. For comparison purposes respondents should plan on 10 meetings which may include (2) meetings in the evening. These meetings will allow all involved to gain an

- understanding of the business processes and operations and help identify the strengths and limitations of the existing building to allow for an informed design.
- 2) Participate in a design community showcase (which will be in the evening).
 - 3) Review and advise the CITY regarding Project schedule, arranging the time required for the design development, bidding, construction, and move-in and start-up phases
 - 4) Monitor architect's progress through the design process
 - 5) Attend progress meetings and produce meeting minutes.
 - 6) Assist in the selection of finishes (carpeting, wall coverings, and lighting)
 - 7) Compare budget of preliminary design to Project budget
 - 8) Review design for consistency with original Project scope
 - 9) Assist the A & E firm(s), CMc, and any subcontractors, Design/Prime firm(s) or other vendors in the ongoing value-engineering process to identify alternative construction methods or materials, reducing cost and/or construction time,
 - 10) Assist in providing multiple constructability reviews and assist the A & E firm(s), CMc and any subcontractors in the process of preparing cost analyses.
 - 11) Perform budget and schedule updates as necessary.
 - 12) Monitor and advise the CITY regarding the A & E firm & CMc services to provide CITY staff with determination of probable construction costs (cash flow) and phasing.
 - 13) Assist in identifying major long lead equipment such as air handling units, network infrastructure, electrical transformers, etc.
 - 14) Monitor trade, labor and construction market trends that could impact the cost or schedule for the project.
 - 15) Assess material and labor availability in the local marketplace and evaluate alternative systems and building products.
 - 16) Identify material and assist in the preorder of items requiring long lead times for delivery
 - 17) Review A & E firm(s), CMc and any subcontractors invoices on behalf of the City and make recommendations for payment.
 - 18) Advise the City staff, A & E & CMc regarding the preparation and dividing of proposal packages for all trades & services related to demolition & construction, determining trades that are sole source and determining trades that are covered under existing City agreements.
 - 19) Assist the City in conducting any and all pre-proposal conferences for trades. Answer proposer questions and aid the City, A & E firm(s) and CMc with any addendum preparation necessary.
 - 20) All proposals will be received by the City of Pontiac City Clerk's Office and opened in the Lion's Den Conference Room
 - 21) Review proposals with the City, CMc firm and A & E firms(s) as necessary and assist in any post proposal interviews, determine the responsiveness and responsibility of proposers and recommend award.
 - 22) Assist CMc in collection & review of all insurance & bond documents from awarded trade contractors to ensure they meet the requirements required by the City.

D. Construction Oversight Services

In order to have high predictability in the outcome, it will be necessary to have competent contractor(s) that are best suited for the Project. Once the contractor(s) is selected, Owner's Representative's activities shall include the following as reasonably required to complete the project:

- 1) Prepare RFQ and assist in the selection of CMc firm.
- 2) Attend a kick-off meeting to review project goals and objectives
- 3) Assist and advise the team through construction process to meet project objectives.
- 4) Assist the City in coordinating removal, and appropriate disposal of any unwanted equipment or supplies.
- 5) Assist CMc in obtaining required approvals and permits. Please note any fees associated with City required permits will be waived.
- 6) Attend Owner/Architect/Contractor progress meetings.
- 7) Monitor Request for Information (RFI) logs, shop drawing submittal logs and facilitate issue resolution, if needed.
- 8) Assist the City in planning & coordinating Design/Prime firm(s) products & services.
- 9) Oversee Project cost accounting and budget tracking process.
- 10) Monitor Project expenditures to ensure that the proposed budget is being met.
- 11) Monitor contractor's change order tracking and facilitate issue resolution, including an accountability log that will be used for all change orders issued for the project that will indicate the source and cost of any and all change orders (e.g., field condition, City initiated, A & E firm initiated, CMc initiated, etc...)
- 12) Update the Project's major milestone schedule for the project and identify potential conflicts.
- 13) Track Project budget including expenses to date versus total budget and remaining Project cost estimates.
- 14) Prepare monthly Project status reports for the City.
- 15) Monitor and assist with the coordination of other vendor(s) activities with A & E firm(s), CMc and the contractors.
- 16) Review of payment applications from all contractors and consultants (i.e. A & E firm, CMc or other vendors in accordance with contractual arrangements and make recommendations for payment
- 17) Review and ensure timely receipt of insurance certificates, performance and payment bonds, waivers, sworn statements, and other contractor-required or consultant-required information.
- 18) Assist in evaluating disputes relating to contract interpretation and requirements.
- 19) Review change order requests for cost, reason, need and responsibility.
- 20) Notify the City if Owner's Representative becomes aware that the work of a contractor or consultant is not being performed in accordance with the requirements of the Contract Documents or industry standards. The owner's Representative shall not be required to inspect the work, opine on the quality of the work, or determine if the work is in accordance with the Architect's Contract Documents.

- 21) Advise the City if Owner Representative believes the work under a construction contract is substantially complete and that a punch list should be prepared. Owner's Representative shall coordinate with the A & E firm and CMc and assist in its determination of the date of substantial completion.

E. Building Commissioning and Project Closeout

Monitor activities of the A & E firm(s), CMc and any other contractors to ensure they complete their respective contractual obligations. Post construction services typically commence after construction is substantially complete. Owner's Representative will continue to advocate on behalf of the City to ensure the close-out procedures are completed in a timely manner. Activities shall include the following as reasonably required to complete the project:

- 1) Assist City staff as needed in coordination & logistics of the move to allow construction to proceed without interruption of workflow and to minimize down time. This process formally begins when building plans and specifications are ready for bidding.
 - a. Assist City Staff in creating a checklist and schedule for occupancy.
- 2) Assist CITY in reviewing punch list items.
- 3) Monitor A & E firm(s), CMc and any other contractor's completion of punch list activities.
- 4) Participate in a final Project walk-through/inspections with the A & E firm(s), CMc and any other contractors, to review compliance with the Contract Documents for quality of finished construction.
- 5) Assist with coordinating of the delivery of warranties and guarantees certificates.
- 6) Assist with the submittal of release waivers of liens and sworn statements.
- 7) Assist with the coordination of building systems testing.
- 8) Assist in obtaining occupancy permit.
- 9) Monitor delivery of as-built drawings and operational manuals to CITY.
- 10) Assist in scheduling of training staff on building systems.
- 11) Assist CITY in obtaining callback services from its contractor for a period at least extending through the correction period.

SUBCONTRACTOR/SUBCONSULTANT

The contractor shall not sublet, assign or transfer the contract or any portion of any payment due the contractor hereunder, without the written consent of the City. If it is the intention of the proposer to use Subcontractor(s) for any of the work called for herein, the respondent shall provide the information required for each Subcontractor, below.

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

Name of Firm: _____ Contact Person: _____

Address/City State: _____

Phone: _____ Email: _____

Brief Narrative of the firm's expertise highlighting completed projects:

LEGAL STATUS PROPOSER

Fill out the appropriate section below for your company and strike out the other three. Provide additional sheets if more space is needed for your responses.

Corporation:

State and County in which incorporated:

Official title of person signing proposal:

Address of signer:

Full names, addresses and titles of all the corporation's directors and officers:

Partnership:

State and County in which established:

Official title of person signing proposal:

Address of signer:

Full names, addresses and titles of all partners:

Limited Liability Company (LLC):

State and County in which established:

Official title of person signing proposal:

Address of signer:

Full names, addresses and titles of all members and managers of the LLC:

FIRM QUESTIONNAIRE

Please give the following information regarding your proposal:

1. List three (3) Michigan Municipal agencies that you have performed this service for in the last ten (10) years

Name: _____ Contact Person: _____

Phone #: _____ E-mail address: _____

Approximate Combined Portfolio Value _____

Name: _____ Contact Person: _____

Phone #: _____ E-mail address: _____

Approximate Combined Portfolio Value _____

Name: _____ Contact Person: _____

Phone #: _____ E-mail address: _____

Approximate Combined Portfolio Value _____

2. List states and categories in which your organization is legally qualified to do business:

3. Answer Yes/No to the following. If "Yes" explain. In the last 5 years, has your company:

- a. Had a contract terminated by a client for cause?

- b. Been in litigation, arbitration, mediation or regulatory proceedings related to your provision of Owner's Representative Services?

4. Does your firm provide other Services besides Owner's Representative Services? If "Yes" explain what other services you provide and identify the percentage of its business devoted to exclusively Owner Representative Services over the past ten (10) years, as well as any relationships – legally, contractually or otherwise – that could be perceived as a conflict of interest.

5. Identify any software or other management systems (including FTP/SFTP sites) in place to account for all direct and indirect program costs, to keep and maintain the project schedule, and to maintain all key project documentation (design documents, RFIs, submittals, invoices, correspondence, contracts, project manual, specifications, etc.).

6. Describe its method(s) of budget/cost control, quality control, and time schedule adherence that will be used for the project.

7. Describe how it stays up-to-date on all construction code, regulatory and other legal requirements related to multi-level parking structure and amphitheater construction.

8. Describe your firm's preferred plan for on-sight observation/supervision of the project.

9. Specifically identify and explain any and all exceptions to your firm's compliance with the requirements of this RFP and sample Contract. Failure to specifically identify and explain an exception shall be deemed an express agreement to be bound by the terms of the RFP and Contract.

FORM OF PROPOSAL

To: City of Pontiac, Michigan _____, 2019
To All Here Present:

Having carefully examined the proposal for the proposed work, and being fully informed in regard to the conditions to be met in the prosecution and completion of the work, and having read and examined the Instructions to Proposers, Agreement, Bonds, General Conditions, Plans and Specifications pertaining to this work and agreeing to be bound accordingly, the undersigned proposes to furnish all the materials, labor, and other equipment as necessary in full accordance with and conformity to the plans and specifications for this work now on file in the office of the City's at and for the following named prices, to wit:

THIS QUALIFICATIONS PROPOSAL MUST BE SUBMITTED BACK TO THE CITY OF PONTIAC IN ITS ENTIRETY AS PART OF THE CONTRACTORS PROPOSAL SUBMISSION. MAKE SURE THAT ALL PAGES ARE COMPLETELY FILLED OUT AND THAT ALL INFORMATION REQUESTED IS COMPLETE. FAILURE TO DO SO MAY BE CAUSE TO REJECT YOUR QUALIFICATIONS PROPOSAL. IF A PROPOSAL IS NOT BEING SUBMITTED FOR A PARTICULAR AREA OF WORK, PLEASE MARK "NO PROPOSAL" IN THE APPROPRIATE SPACE.

UNDERSTANDING OF SERVICE

These guidelines are provided to assist firms submitting in response to this Request for Qualifications in formulating a thorough response. The successful firm ensures and understands that:

1. All licenses required by the State of Michigan are to be maintained by the firm during the course of the contract.
2. All required insurances are to be maintained by the firm during the course of the contract.
3. The firm will provide a single point of contact for the duration of the contract.
4. The firm will comply with administrative procedures of the City.
5. The firm will meet with applicable City departments and consultants to review specific concerns or issues.
6. The firm shall perform with a consistent team.
7. The firm shall attend meetings as requested.
8. The firm shall apply for all permits needed for the project(s) on behalf of the City or agency of jurisdiction.
9. The firm shall provide status sheets periodically to City.

Selection Criteria:

Qualification proposals will be evaluated and ranked. The City of Pontiac reserves the right to reject any and all proposals, to make an award based directly on the proposals or to negotiate further with one or more firms. The firm(s) selected will be chosen on the basis of the apparent greatest benefit to the City, including but not limited to:

1. *Responsiveness to Objectives/Methodology* – The firm shall provide a work program that expressly addresses the objectives identified in the Request for Proposals. The selection committee will determine how well the proposed work program benefits/assists the objectives of the City.
2. *Experience and Qualifications* – The firm must have personnel who have experience with the professional engineering services described herein, as well as experience in working with municipal governments or public entities. Provide information on technical training, experience, and education of ONLY the personnel who will be assigned to the City's projects.
3. *Capacity* – Enumeration of the firm's capability to accomplish projects with its present work force. Firms should clearly identify all disciplines available within the firm and those that will be subcontracted to others. List the subcontracted firms that will be involved in the project. Provide for each firm the scope of responsibility. Based on current and anticipated workloads, provide estimated turnaround times for the City's project.
4. *Comparable Projects* – Provide a list of comparable projects/services (minimum of 5; maximum of 10 public sector clients) that have been successfully completed by your firm within the past 3 years and a contact person (name, address, title, responsibility, and phone number) for each project.

The City reserves the right to interview any number of qualifying firms as part of the evaluation and selection process. The decision as to which proposer to contact (if any) will be based upon the most qualified, capable, experienced and cost effective proposer(s) as determined in the evaluation process. The City of Pontiac reserves the right to select, and subsequently recommend for award, the proposed services which best meets its required needs, quality levels and budget constraints.

Clear and concise proposals will be considered an asset to a submission. Elaborate, lengthy or redundant proposals, beyond that sufficient to present a complete and effective proposal, are not necessary or desired.

CITY OF PONTIAC - PROPOSAL

I, the undersigned, propose to provide services proposed in this contract as per specifications supplied by the City of Pontiac. No contract is active until a purchase order is issued to the successful proposer.

I further propose to deliver the above-described services for the City of Pontiac in first class operating manner in accordance with all specifications contained herein subject to purchaser's inspection of services performed.

I attest that the proposal includes all information necessary for the City of Pontiac to accept proposal.

Company Name: _____

Address: _____

Representative Signature: _____

Print Name: _____

Title: _____

Office # _____ Cell # _____

FAX # _____ Date: _____

Website: _____ Federal Tax I.D. #: _____

CONTRACT FOR OWNER'S REPRESENTATIVE SERVICES

1) Parties. The parties to this contract are the City of Pontiac, Michigan hereinafter referred to as the "City", and [NAME OF CONTRACTOR] hereinafter called the "Contractor".

2) Purpose. The purpose of this contract is for the City to engage the Contractor to provide Owner's Representative Services to the City (see Scope above).

3) Scope of Services. The Contractor will provide all labor, materials, supplies, equipment and supervision to perform Owner's Representative Services in the City. The Contractor is to perform all work in accordance with generally accepted standards and practices.

4) General Terms and Conditions. This contract is hereby made subject to the terms and conditions included in the Scope of Services (see Scope above) and Additional Terms and Conditions (see Exhibit "A" below).

5) Consideration. As consideration for the performance of the services referenced in the Scope of Services (see Scope above and Exhibit A below), the City agrees to compensate the Contractor as follows:

[INSERT PAYMENT TERMS PER CONTRACT]

6) Period of Performance. This contract will become effective for the period beginning [TIME PERIOD], with [ANY RENEWAL OPTIONS] upon the approval and signature of the parties hereto.

7) Method of Payment. Contractor will be paid 30 days after completion of work as outlined in the Scope of Services after submission of a valid invoice.

8) Applicable Law. This contract shall be governed by and construed in accordance with the laws of the City of Pontiac, State of Michigan and applicable federal laws.

9) Compliance with Laws. The Contractor understands that the City is an equal opportunity employer and, therefore, maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, genetic information, or any other consideration made unlawful by federal, state, or local laws. All such discrimination is unlawful and the Contractor agrees during the term of the agreement that the Contractor will strictly adhere to this policy in its employment practices and provision of services. The Contractor shall comply with, and all activities under this agreement shall be subject to, all applicable federal, State of Michigan, and City of Pontiac laws and regulations, as now existing and as may be amended or modified.

The Contractor is responsible for instructing and training their employees in appropriate safety measures. Employees will be responsible for maintaining a safe work environment while completing their tasks.

- a) The Contractor shall comply with the Michigan Right to Know Law (Amendments to Act 154), which requires that all employers within the State comply with federal Hazard Communications Standards (C.F.R. 1910.1200) and certain additional guidelines as of February 25, 1987. These Standards specify that employers develop a written hazard communication program, which is to be made available for workers or their designated representatives.
- b) The Contractor will comply with all federal, state and local regulations, including but not limited to all applicable OSHA/MIOSHA requirements and the Americans with Disabilities Act
- c) The Contractor is responsible for all applicable state and federal social security benefits and unemployment taxes and agrees to indemnify and protect the City against such liability.

10) Requirements contract. During the period of the contract, the Contractor shall provide all the services described in the contract. The Contractor understands and agrees that this is a requirements contract and that the City shall have no obligation to the Contractor if no services are required.

EXHIBIT "A"

ADDITIONAL TERMS AND CONDITIONS

- 1) Attorneys' fees and expenses. Subject to other terms and conditions of this contract, in the event the Contractor defaults in any obligation under this contract, the Contractor shall pay to the City all costs and expenses (including, without limitation, investigative fees, court costs, and attorneys' fees) incurred by the City in enforcing this contract or otherwise reasonably related thereto. Contractor agrees that under no circumstances shall the City be obligated to pay any attorneys' fees or costs of legal action to the Contractor.
- 2) Authority to contract. The Contractor warrants: (a) that it is a validly organized business with valid authority to enter into this contract; (b) that it is qualified to do business and in good standing in the State of Michigan; (c) that entry into and performance under this contract is not restricted or prohibited by any loan, security, financing, contractual, or other contract of any kind; and, (d) notwithstanding any other provision of this contract to the contrary, that there are no existing legal proceedings or prospective legal proceedings, either voluntary or otherwise, which may adversely affect its ability to perform its obligations under this contract.
- 3) Confidential information. Disclosure of any confidential information by the Contractor or its subcontractor without the express written approval of the City shall result in the immediate termination of this contract.
- 4) Confidentiality. Notwithstanding any provision to the contrary contained herein, it is recognized that the City of Pontiac is a public City of the State of Michigan and is subject to the laws regarding confidentiality. If a public records request is made for any information provided to the City pursuant to the contract, the City shall promptly notify the disclosing party of such request and will respond to the request only in accordance with the procedures and limitations set forth in applicable law. The disclosing party shall promptly institute appropriate legal proceedings to protect its information. No party to the contract shall be liable to the other party for disclosures of information required by court order or required by law.
- 5) Contractor personnel. The City shall, throughout the life of the contract, have the right of reasonable rejection and approval of staff or subcontractors assigned to the work by the Contractor. If the City reasonably rejects staff or subcontractors, the Contractor shall provide replacement staff or subcontractors satisfactory to the City in a timely manner and at no additional cost to the City. The day-to-day supervision and control of the Contractor's employees and subcontractors is the sole responsibility of the Contractor. Contractor personnel are subject to background checks by the Oakland County Sheriff Department and shall comply with all requirements as outlined in the Request for Quote.

- 6) Insurance. Insurance companies, named insureds and policy forms shall be subject to the approval of the Pontiac Department of Public Works. Such approval shall not be unreasonably withheld. Insurance policies shall not contain endorsements or policy conditions, which reduce coverage provided to the City of Pontiac. Contractor shall be responsible to the City of Pontiac or insurance companies insuring the City of Pontiac for all costs resulting from both financially unsound insurance companies selected by Contractor and their inadequate insurance coverage. Contractor shall furnish the Pontiac Finance Department with satisfactory certificates of insurance or a certified copy of the policy, if requested by the Finance Department.
- 7) Ineligibility and suspension. The Contractor certifies to the best of its knowledge and belief, that it: (a) is not presently ineligible, suspended, proposed for ineligibility, declared ineligible, or voluntarily excluded from covered transaction by any federal department or the City or any political subdivision of the City or the State of Michigan; (b) has not, within a three year period preceding this proposal, been convicted of or had civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; (c) has not, within a three year period preceding this proposal, been convicted of or had civil judgment rendered against it for a violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; (d) is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of these offenses enumerated in paragraphs (b) and (c) of this certification; and, (e) has not, within a three year period preceding this proposal, had one or more public transactions (federal, state, or local) terminated for cause or default.
- 8) Disclosure of confidential information. In the event that either party to this contract receives notice that a third party requests divulgence of confidential or otherwise protected information and/or has served upon it subpoena or other validly issued administrative or judicial process ordering divulgence of confidential or otherwise protected information that party shall promptly inform the other party and thereafter respond in conformity with such subpoena to the extent mandated by law. This section shall survive the termination or completion of this contract.
- 9) Exceptions to confidential information. The Contractor and the City shall not be obligated to treat as confidential and proprietary any information disclosed by the other party ("disclosing party") which: (a) is rightfully known to the recipient prior to negotiations leading to this contract, other than information obtained in confidence under prior engagements; (b) is generally known or easily ascertainable by nonparties of ordinary skill in the business of the customer; (c) is released by the disclosing party to any other person, firm, or entity (including governmental agencies or bureaus) without restriction; (d) is independently developed by the recipient without any reliance on

confidential information; (e) is or later becomes part of the public domain or may be lawfully obtained by the City or the Contractor from any nonparty; or, (f) is disclosed with the disclosing party's prior written consent.

10) Default. If the Contractor:

- a) Fails to supply complete labor and supervision in sufficient time and quantity to meet the City's progress schedule, as it may be modified;
- b) Causes stoppage or delay of, or interference with, the project;
- c) Fails to promptly pay its employees for work on the project;
- d) Fails to pay worker's compensation or other employee benefits, withholding or any other taxes;
- e) Fails to comply with the safety provisions of the Contract or with any safety order, regulation or requirement of any governing authority having jurisdiction over this project;
- f) Makes unauthorized changes in supervisory personnel;
- g) Fails in performance or observance of any of the provisions of the contract;
- h) Files a voluntary petition in bankruptcy or is adjudicated insolvent;
- i) Obtains an order for relief under Section 301 of the Bankruptcy Code;
- j) Files any petition or fails to contest any petition filed seeking any reorganization or similar relief under any laws relating to bankruptcy, insolvency or other relief of debtors;
- k) Or seeks or consents to or is acquiescent in the appointment of a trustee, receiver or liquidator of any of its assets or property;
- l) Makes an assignment for the benefit of creditors; or
- m) Makes an admission, in writing, of its inability to pay its debts as they became due;

Then City, after giving Contractor written or oral (subsequently confirmed in writing) notice of such default and forty-eight (48) hours within which to cure such default, shall have the right to exercise any one or more of the following remedies:

- a) Require that Contractor utilize, at its own expense, additional labor, overtime labor (including Saturday and Sunday work) and additional shifts as necessary to overcome the consequences of any delay attributable to Contractor's default.
 - b) Remedy the default by whatever means City may deem necessary or appropriate, including, but not limited to, correcting, furnishing, performing or otherwise completing the work, or any part thereof, by itself or through others (utilizing where appropriate any materials and equipment previously purchased for that purpose by Contractor) and deducting the cost thereof from any monies due or to become due to Contractor hereunder;
 - i) After giving Contractor an additional forty-eight (48) hours written (or oral, subsequently confirmed in writing) notice, terminate this Contract, without thereby waiving or releasing any rights or remedies against Contractor or its sureties, and, by itself or through others, take possession of the work, and all materials, equipment facilities, tools, scaffolds and appliances of Contractor relating to the work, for the purposes of costs and other damages under the contract and for the breach thereof; and
 - ii) Recover all reasonable attorneys' fees suffered or incurred by City by reason of, or as a result of, Contractor's default.
- 11) Failure to enforce. Failure by the City at any time to enforce the provisions of the contract shall not be construed as a waiver of any such provisions. Such failure to enforce shall not affect the validity of the contract or any part thereof or the right of the City to enforce any provision at any time in accordance with its terms.
- 12) Final payment. Upon satisfactory completion of the work performed under this contract, as a condition before final payment under this contract, or as a termination settlement under this contract, the Contractor shall execute and deliver to the City a release of all claims against the City arising under, or by virtue of, the contract, except claims which are specifically exempted by the Contractor to be set forth therein. Unless otherwise provided in this contract, by state law, or otherwise expressly agreed to by the parties in this contract, final payment under the contract or settlement upon termination of this contract shall not constitute waiver of the City's claims against the Contractor under this contract.
- 13) Force majeure. Each party shall be excused from performance for any period and to the extent that it is prevented from performing any obligation or service, in whole or in part, as a result of causes beyond the reasonable control and without the fault or negligence of such party and/or its subcontractors. Such acts shall include without limitation acts of God, strikes, lockouts, riots, and acts of war, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters (the "force majeure events"). When such a cause arises, the Contractor shall notify the City

immediately in writing of the cause of its inability to perform, how it affects its performance, and the anticipated duration of the inability to perform. Delays in delivery or in meeting completion dates due to force majeure events shall automatically extend such dates for a period equal to the duration of the delay caused by such events, unless the City determines it to be in its best interest to terminate the contract.

- 14) Indemnification. The Contractor shall indemnify, defend, save and hold harmless, protect, and exonerate the City, its commissioners, board members, officers, employees, agents, representatives, and the State of Michigan, to the extent no greater than its relative degree of fault.
- 15) Independent contractor status. The Contractor shall, at all times, be regarded as and shall be legally considered an independent contractor and shall at no time act as an agent for the City. Nothing contained herein shall be deemed or construed by the City, the Contractor, or any third party as creating the relationship of principal and agent, master and servant, partners, joint ventures, employer and employee, or any similar such relationship between the City and the Contractor. Neither the method of computation of fees or other charges, nor any other provision contained herein, nor any acts of the City or the Contractor hereunder creates, or shall be deemed to create, a relationship other than the independent relationship of the City and the Contractor. The Contractor's personnel shall not be deemed in any way, directly or indirectly, expressly or by implication, to be employees of the City or the State of Michigan. Neither the Contractor nor its employees shall, under any circumstances be considered servants, agents, or employees of the City and the City shall be at no time legally responsible for any negligence or other wrongdoing by the Contractor, its servants, agents, or employees. The City shall not withhold from the contract payments to the Contractor any federal or state unemployment taxes, federal or state income taxes, social security tax, or any other amounts for benefits to the Contractor. Further, the City shall not provide to the Contractor any insurance coverage or other benefits, including worker's compensation, normally provided by the City for its employees.
- 16) Notices. All notices required or permitted to be given under this contract shall be in writing and personally delivered or sent by certified United States mail, postage prepaid, return receipt requested, to the Pontiac City Clerk's Office to whom the notice should be given at the address set forth below. Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.

For the Contractor: [INSERT ADDRESS]

For the City: [INSERT ADDRESS AND DEPARTMENT]

- 17) Oral statements. No oral statement of any person shall modify or otherwise affect the terms, conditions, or specifications stated in this contract. All modifications to the contract shall be made in writing by the City and agreed to by the Contractor.
- 18) Ownership of documents and work papers. The City shall own all documents, files, reports, work papers and working documentation, electronic or otherwise, created in connection with the project which is the subject of this contract, except for the Contractor's internal administrative and quality assurance files and internal project correspondence. The Contractor shall deliver such documents and work papers to the City upon termination or completion of the contract. The foregoing notwithstanding, the Contractor shall be entitled to retain a set of such work papers for its files. The Contractor shall be entitled to use such work papers only after receiving written permission from the City and subject to any copyright protections.
- 19) Priority. The contract consists of this contract with exhibits. Any ambiguities, conflicts or questions of interpretation of this contract shall be resolved by first, reference to this contract with exhibits and, if still unresolved, by reference to the proposal. Omission of any term or obligation from this contract shall not be deemed an omission from this contract if such term or obligation is provided for elsewhere in this contract.
- 20) Quality control. The Contractor shall institute and maintain throughout the contract period a properly documented quality control program designed to ensure that the services are provided at all times and in all respects in accordance with the contract. The program shall include providing daily supervision and conducting frequent inspections of the Contractor's staff and ensuring that accurate records are maintained describing the disposition of all complaints. The records so created shall be open to inspection by the City.
- 21) Record retention and access to records. Provided the Contractor is given reasonable advance written notice and such inspection is made during normal business hours of the Contractor, the City or any duly authorized representatives shall have unimpeded, prompt access to any of the Contractor's books, documents, papers, and/or records which are maintained or produced as a result of the project for the purpose of making audits, examinations, excerpts, and transcriptions. All records related to this contract shall be retained by the Contractor for three years after final payment is made under this contract and all pending matters are closed; however, if any audit, litigation or other action arising out of or related in any way to this project is commenced before the end of the three year period, the records shall be retained for one year after all issues arising out of the action are finally resolved or until the end of the three year period, whichever is later.
- 22) Right to inspect facility. The City may, at reasonable times, inspect the place of business of the Contractor or any subcontractor, which is related to the performance of any contract awarded by the City.

23) Severability. If any part of this contract is declared to be invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision of the contract that can be given effect without the invalid or unenforceable provision, and to this end the provisions hereof are severable. In such event, the parties shall amend the contract as necessary to reflect the original intent of the parties and to bring any invalid or unenforceable provisions in compliance with applicable law.

24) City property. The Contractor will be responsible for the proper custody and care of any City-owned property furnished for the Contractor's use in connection with the performance of this contract. The Contractor will reimburse the City for any loss or damage, normal wear and tear excepted.

25) Termination for convenience clause.

- a) The City reserves the absolute right to terminate the contract in whole or in part, for the convenience of the City at its sole discretion on thirty (30) days written notice to the Contractor. The City has the right, upon its sole discretion only, to terminate the contract with cause by giving notice to the Contractor of such termination, specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination, and the Contract shall terminate in all respects as if such date were the date originally given for the expiration of the Contract.
- b) The Contractor shall be liable to the City for damages sustained by the City by virtue of any breach of the Contract by the Contractor, and any costs the City might incur enforcing or attempting to enforce the Contract, and the City may pursue legal remedies in the collection of fees to compensate for the damages sustained by the City.
- c) Contractor's Obligations. The Contractor shall incur no further obligations in connection with the terminated work and on the date set in the notice of termination the Contractor will stop work to the extent specified. The Contractor shall also terminate outstanding orders and subcontracts as they relate to the terminated work. The Contractor shall settle the liabilities and claims arising out of the termination of subcontracts and orders connected with the terminated work. The City may direct the Contractor to assign the Contractor's right, title, and interest under terminated orders or subcontracts to the State of Michigan. The Contractor shall still complete the work not terminated by the notice of termination and may incur obligations as are necessary to do so.

29) Termination for default clause.

- a) Default. If the Contractor refuses or fails to perform any of the provisions of this contract with such diligence as will ensure its completion within the time specified in

this contract or any extension thereof, or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of this contract, the City may notify the Contractor in writing of the delay or nonperformance and if not cured in ten days or any longer time specified in writing by the City, the City may terminate the Contractor's right to proceed with the contract or such part of the contract as to which there has been delay or a failure to properly perform. In the event of termination in whole or in part, the City may procure similar supplies or services in a manner and upon terms deemed appropriate by the City. The Contractor shall continue performance of the contract to the extent it is not terminated and shall be liable for excess costs incurred in procuring similar goods or services.

- b) Contractor's Duties. Notwithstanding termination of the contract and subject to any directions from the City, the Contractor shall take timely, reasonable, and necessary action to protect and preserve property in the possession of the Contractor in which the City has an interest.
- c) Compensation. Payment for completed services delivered and accepted by the City shall be at the contract price. The City may withhold from amounts due the Contractor such sums as the City deems to be necessary to protect the City against loss because of outstanding liens or claims of former lien holders and to reimburse the City for the excess costs incurred in procuring similar goods and services.
- d) Excuse for Nonperformance or Delayed Performance. Except with respect to defaults of subcontractors, the Contractor shall not be in default by reason of any failure in performance of this contract in accordance with its terms (including any failure by the Contractor to make progress in the prosecution of the work hereunder which endangers such performance) if the Contractor has notified the City within 15 days after the cause of the delay and the failure arises out of causes such as: acts of God; acts of the public enemy; acts of the State of Michigan and any other governmental entity in its sovereign or contractual capacity; fires; floods; epidemics; quarantine restrictions; strikes or other labor disputes; freight embargoes; or unusually severe weather. If the failure to perform caused by the failure of a subcontractor to perform or to make progress, and if such failure arises out of causes similar to those set forth above, the Contractor shall not be deemed to be in default, unless the services to be furnished by the subcontractor were reasonably obtainable from other sources in sufficient time to permit the Contractor to meet the contract requirements. Upon request of the Contractor, the City shall ascertain the facts and extent of such failure, and, if such officer determines that any failure to perform was occasioned by any one or more of the excusable causes, and that, but for the excusable cause, the Contractor's progress and performance would have met the terms of the contract, the delivery schedule shall be revised accordingly, subject to the rights of the City under the clause entitled "Termination for Convenience." (As used in this paragraph, the term "subcontractor" means subcontractor at any tier).

- e) Erroneous Termination for Default. If, after notice of termination of the Contractor's right to proceed under the provisions of this clause, it is determined for any reason that the contract was not in default under the provisions of this clause, or that the delay was excusable under the provisions of Paragraph (d) (Excuse for Nonperformance or Delayed Performance) of this clause, the rights and obligations of the parties shall, if the contract contains a clause providing for termination for convenience by the City, be the same as if the notice of termination had been issued pursuant to such clause.
 - f) Additional Rights and Remedies. The rights and remedies provided in this clause are in addition to any other rights and remedies provided by law or under this contract.
- 30) Termination upon bankruptcy. This contract may be terminated in whole or in part by the City upon written notice to the Contractor, if the Contractor should become the subject of bankruptcy or receivership proceedings, whether voluntary or involuntary, or upon the execution by the Contractor of an assignment for the benefit of its creditors. In the event of such termination, the Contractor shall be entitled to recover just and equitable compensation for satisfactory work performed under this contract, but in no case shall said compensation exceed the total contract price.
- 31) Third party action notification. The Contractor shall give the City prompt notice in writing of any action or suit filed, and prompt notice of any claim made against the Contractor by any entity that may result in litigation related in any way to this contract.
- 32) Unsatisfactory work. If, at any time during the contract term, the service performed or work done by the Contractor is considered by the City to create a condition that threatens the health, safety, or welfare of the citizens and/or employees of the City of Pontiac, the Contractor shall, on being notified by the City, immediately correct such deficient service or work. In the event the Contractor fails, after notice, to correct the deficient service or work immediately, the City shall have the right to order the correction of the deficiency by separate contract or with its own resources at the expense of the Contractor.
- 33) Waiver. No delay or omission by either party to this contract in exercising any right, power, or remedy hereunder or otherwise afforded by contract, at law, or in equity shall constitute an acquiescence therein, impair any other right, power or remedy hereunder or otherwise afforded by any means, or operate as a waiver of such right, power, or remedy. No waiver by either party to this contract shall be valid unless set forth in writing by the party making said waiver. No waiver of or modification to any term or condition of this contract will void, waive, or change any other term or condition. No waiver by one party to this contract of a default by the other party will imply, be construed as, or require waiver of future or other defaults.

34) Taxes and Contributions. The Contractor hereby accepts and assumes exclusive liability for and shall indemnify, protect and save harmless the City from and against the payment of:

- a) Contractor agrees to contact the City of Pontiac Income Tax Division, Audit and Compliance Section, 47450 Woodward, Pontiac, Michigan 48342, to establish reporting and withholding obligations under the City of Pontiac Income Tax Ordinance. Contractors will require the same of all subcontractors employed to perform any work in the City of Pontiac.
- b) All contributions, taxes or premiums (including interest and penalties thereon) which may be payable under the Unemployment Insurance Law of any State, the Federal Social Security Act, Federal, State, County and/or Municipal Tax Withholding Act, Federal, State, County and/or Municipal Tax Withholding Laws, or any other law, measured upon the payroll of or required to be withheld from employees by whomsoever employed or engaged in the work to be performed and furnished under this contract.
- c) All sales, use, personal property and other taxes (including interest and penalties thereon) required by any Federal, State, County, Municipal or other law to be paid or collected by the Contractor or any of its vendors or any other person or persons acting for, through or under it or any of them, by reason of the performance of this work or the acquisition, furnishing, or use of any materials, equipment, supplies, labor, services or other items for or in connection with the work.
- d) All pension, welfare, vacation, annuity and other union benefit contributions payable, under or in connection with respect, to all persons; by whomsoever employed or engaged in the work to be performed and furnished under this Contract.

35) Bonds. The Contractor is required to execute bonds, with sureties acceptable to the City, as identified in the specifications, all of which are incorporated into this agreement.

In witness whereof, the parties hereto have affixed, on duplicate originals, their signatures on the date indicated below, after first being authorized so to do.

[CONTRACTOR]

DATE

Sign: _____

Print: _____

Title: _____

City of Pontiac

DATE

Sign: _____

Print: _____

Title: _____

**ADDENDUM NO. 1
TO THE REQUEST FOR BIDS FOR
Owner's Representative Services**

The following modifications are to be incorporated into the request for proposals and contract documents for the above referenced project:

Changes to the solicitation:

On page 11 of the bid document

April 1, 2019 Proposals due no later than ~~10:00 am~~ **2:00pm**

Links to reports

CNU Charrette report mentioned on page 2 of the RFQ is on the Mayor's Home Webpage.

You will need to scroll to the end of the page.

The report is fourth from the bottom.

<http://www.pontiac.mi.us/mayor/index.php>

The five reports/surveys mentioned on page 9 are on the City of Pontiac website.

<http://www.pontiac.mi.us/departments/finance/purchasing.php>

Desman Condition Survey

Eagle Contracting Evaluation

IDS Electrical Study

IDS Facility Conditions

And

Post-Tensioning Investigation

Additional information:

The pre-submittal meeting sign-in sheets are included with this addendum.

All other terms and conditions of the remaining Request for Bids remain the same.

Michelle McKenzie, Purchasing Agent, City of Pontiac, MMcKenzie@pontiac.mi.us Direct:
(248)758-3120

DATED 03/25/2019

#17

Report

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
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Bank BOND FIFTH THIRD BOND ACCOUNT

Check Type: Paper Check

04/04/2019	11983	10002889	50th District Court	Apply 4/2/19	958.00	Open
04/04/2019	11984	10002889	50th District Court	FFT 4/2/19	1,090.00	Open
04/04/2019	11985	BOND	CECILIA DAVIS	170S24788C	500.00	Open
04/04/2019	11986	BOND	DEAN HERZOFF	18000762	282.00	Open
04/04/2019	11987	BOND	DESMON DONALDSON	160S00666A	474.00	Open
04/04/2019	11988	BOND	JILL MICKLER	180S36587A	35.00	Open
04/04/2019	11989	BOND	KEITH RODGERS	0761177Y	122.00	Open
04/04/2019	11990	BOND	LISABETH MCGINNIS	18001095,18001096	470.00	Open
04/04/2019	11991	BOND	MICHAEL WALKER	B265444X	145.00	Open
04/04/2019	11992	00002208	OAKLAND COUNTY CLERK	CIRCUIT 4/2/19	4,000.00	Open
04/04/2019	11993	BOND	PERKOVIC GJOKO	09123449CO	100.00	Open
04/04/2019	11994	BOND	RALPH MCMORRIS	B266191Z	296.80	Open
04/04/2019	11995	BOND	ROGER THOMAS	B217139X	255.00	Open
04/04/2019	11996	BOND	SERENITY WRIGHT	170S35999X,B,C	750.00	Open
Total For 04/04/2019:					9,477.80	
Total Paper Check:					9,477.80	

BOND TOTALS:

Total of 14 Checks:	9,477.80
Less 0 Void Checks:	0.00
Total of 14 Disbursements:	9,477.80

Bank CONS CONSOLIDATED

Check Type: EFT Transfer

04/02/2019	575(E)	10004293	North Bay Drywall, Inc	April 2019	15,385.64	Open
Total For 04/02/2019:					15,385.64	
Total EFT Transfer:					15,385.64	

Check Type: Paper Check

04/05/2019	524162	00000918	Acme Sewer Cleaning	3-12-19	225.00	Open
04/05/2019	524163	00012301	All Star Motorcoach, Inc.	19-15 (5-15-19)	785.00	Open
04/05/2019	524164	10003733	Alliance Payment Solutions, Inc	317373	6.45	Open
04/05/2019	524165	00000050	AT & T	8310005335294-0319	2,231.30	Open
				8310005335298-0319	1,710.58	Open
					3,941.88	
04/05/2019	524166	REFUND DEP	Barbara Williams	R#81356-210335	100.00	Open
04/05/2019	524167	00001244	Comcast Cablevision	990-0878763-0419	169.92	Open
				52-1022718-0419	260.02	Open
					429.94	

04/05/2019 02:11 PM
User: JPETERS
DB: Pontiac

CHECK REGISTER FOR CITY OF PONTIAC
CHECK DATE FROM 03/30/2019 - 04/05/2019

Page: 2/4

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
04/05/2019	524168	00013029	CompOne Administrators, Inc.	172143	10,044.21	Open
04/05/2019	524169	REFUND DEP	Consumers Energy	R#207271	75.00	Open
04/05/2019	524170	10000127	Delta Dental of Michigan	RIS0002211510	1,094.18	Open
04/05/2019	524171	00000247	DTE Energy	910040233652-0319	9,264.35	Open
				910040679979-0319	65,259.06	Open
					74,523.41	
04/05/2019	524172	00001479	Federal Express	6-481-55787	125.76	Open
04/05/2019	524173	10004088	Fidelity Security Life Insurance Co	163850652	203.18	Open
				163851140	377.13	Open
				163851447	148.32	Open
					728.63	
04/05/2019	524174	00001591	Guardian Alarm Company of Michigan	20118549Cemetery	409.50	Open
				20118550-Chapel	94.50	Open
				20118549Treasurer	280.65	Open
				20118549IT	157.50	Open
					942.15	
04/05/2019	524175	00001652	Honigman Miller Schwartz & Cohn LLP	1481743	3,187.50	Open
04/05/2019	524176	00013088	Innovative Software Services, Inc.	2069	3,413.00	Open
04/05/2019	524177	REFUND BD	J.A. Carney Plumbing, Inc.	R#208728	366.00	Open
04/05/2019	524178	EMP. REIMB	Jane Bais-DiSessa	861064/021669	36.04	Open
04/05/2019	524179	00010679	Johnson & Anderson, Inc	42746	2,595.00	Open
				42756	40.00	Open
					2,635.00	
04/05/2019	524180	REFUND DEP	Marlo D. May	R#81353-210178	100.00	Open
04/05/2019	524181	00000515	Michigan Dept. Of Agriculture	WLW19-136	72.50	Open
04/05/2019	524182	00010549	Mutual of Omaha Insurance Company	901660273	6,228.10	Open
04/05/2019	524183	10000449	Nichols Heating & Cooling	8795 & 8560	24,425.00	Open
04/05/2019	524184	10004328	OC Tees, Inc.	7988	304.40	Open
04/05/2019	524185	10000078	Occupational HealthCenters of MI	P0712597318	125.00	Open
				712607562	368.00	Open
					493.00	
04/05/2019	524186	10001123	OfficeTeam-A Robert Half Company	53038167	1,957.67	Open
				53058690	1,111.13	Open
				53106695	2,146.66	Open
				53106756	1,129.62	Open
					6,345.08	
04/05/2019	524187	10003275	Power Plan	Y54233	579.40	Open
04/05/2019	524188	00012256	Staples Business Advantage	8053576511-3095	9.12	Open
				8053576511-3097	35.06	Open
				8053576511-3099	85.48	Open
				8053576511-3100	243.42	Open
				8053576511-3101	230.48	Open
				8053576511-3104	15.69	Open
				8053576511-3105	91.99	Open
				8053657441-7851	114.22	Open

04/05/2019 02:11 PM
User: JPETERS
DB: Pontiac

CHECK REGISTER FOR CITY OF PONTIAC
CHECK DATE FROM 03/30/2019 - 04/05/2019

Page: 3/4

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				8053657441-7852	49.99	Open
				8053657441-7853	3.86	Open
				8053657441-7854	17.89	Open
				8053657441-7855	416.68	Open
				8053657441-7856	227.55	Open
				8053657441-7857	(15.69)	Open
					<u>1,525.74</u>	
04/05/2019	524189	REFUND DEP	Tameka McCellan	R81354-210196	100.00	Open
04/05/2019	524190	10004140	Techniserve Inc.	39434	530.00	Open
04/05/2019	524191	REFUND BD	United Home Services	R#207604	95.00	Open
04/05/2019	524192	10003813	Water Resource Commissioner	80898-00-0319	39.89	Open
				80908-00-0319	95.73	Open
				81011-00-0319	791.71	Open
				81022-00-0319	725.99	Open
				81023-00-0319	39.89	Open
					<u>1,693.21</u>	
					<u>145,150.58</u>	
				Total For 04/05/2019:	145,150.58	
				Total Paper Check:	<u>145,150.58</u>	

CONS TOTALS:

Total of 32 Checks:	160,536.22
Less 0 Void Checks:	<u>0.00</u>
Total of 32 Disbursements:	<u>160,536.22</u>

Bank COURT FIFTH THIRD-COURT OPERATING

Check Type: Paper Check

04/04/2019	7600	10004315	Accurate Court Transcription LLC	3/22/19	375.00	Open
04/04/2019	7601	BOND	AWA SARR	3/27/19-TAC TRAIN	115.76	Open
04/04/2019	7602	10003781	Bruce E. Crossman	190194SM	50.00	Open
04/04/2019	7603	00001338	Deaf Community Advocacy Network	102755	156.00	Open
04/04/2019	7604	00001353	Detroit Elevator Co.	179184	274.00	Open
04/04/2019	7605	10003953	Erandy Pacheco	3/27/19	122.00	Open
04/04/2019	7606	00000407	International Controls & Equipment,	71163-E	268.90	Open
04/04/2019	7607	00000440	Karens Reporting	3/22/19	75.00	Open
				3/28/19	<u>75.00</u>	Open
					150.00	
04/04/2019	7608	10004065	LEXISNEXIS RISK SOLUTIONS	1532762-20190331	207.62	Open
04/04/2019	7609	00010223	Lisa C Watkins Law Office	190217SM	120.00	Open
04/04/2019	7610	10000123	Marilyn D.Walker	1872813SM	50.00	Open
				1772478SD	150.00	Open
				1567900SD	100.00	Open
				1873341SM	100.00	Open
				1873570SM	100.00	Open
				17144597OM	100.00	Open
				190006SM	240.00	Open

04/05/2019 02:11 PM
User: JPETERS
DB: Pontiac

CHECK REGISTER FOR CITY OF PONTIAC
CHECK DATE FROM 03/30/2019 - 04/05/2019

Page: 4/4

Check Date	Check	Vendor	Vendor Name	Invoice Number	Amount	Status
				181492420M	100.00	Open
				1874046SM	150.00	Open
				1873906SM	100.00	Open
				1873873SM	100.00	Open
					<u>1,290.00</u>	
04/04/2019	7611	00000603	Oakland County Treasurer	MARCH 2019	25,151.30	Open
04/04/2019	7612	00002244	OFFICE DEPOT	292301784001	56.68	Open
04/04/2019	7613	00002316	Pitney Bowes Inc	MARCH 21, 2019	2,041.98	Open
04/04/2019	7614	BOND	SHELBY RAGATZ	3/27/19-TAC TRAIN	110.05	Open
04/04/2019	7615	00012362	STAPLES CREDIT PLAN	2259303481	413.55	Open
				2259460661	547.14	Open
					<u>960.69</u>	
04/04/2019	7616	00000776	State Of Mich/Treasury	MARCH 2019	92,873.69	Open
04/04/2019	7617	10000944	Stella Reyes	4/2/19	76.00	Open
				3/25/19	70.00	Open
					<u>146.00</u>	
				Total For 04/04/2019:	<u>124,469.67</u>	
				Total Paper Check:	<u>124,469.67</u>	

COURT TOTALS:

Total of 18 Checks:
Less 0 Void Checks:

Total of 18 Disbursements:

124,469.67
0.00
124,469.67

REPORT TOTALS:

Total of 64 Checks:
Less 0 Void Checks:

Total of 64 Disbursements:

294,483.69
0.00
294,483.69

#18

Report

Department	Employee Change	Effective Date of Change	Job Title	Original Hire Date	Last Day Worked	Home City
City Clerk	Resigned - AWOL	4/12/2019	CSR	8/1/2012	4/8/2019	Lake Orion
50th District Court	Resigned	3/30/2019	Court Clerk	11/19/2018	3/29/2019	Lathrup Village
Senior Center	Resigned	3/30/2019	Senior Center Specialist	7/1/2009	3/29/2019	Pontiac
Senior Center	Part-time - Hire	4/1/2019	Senior Center Specialist	4/1/2019		Pontiac
50th District Court	Part-time - Hire	4/8/2019	Court Clerk	4/8/2019		Washington
Finance	Full-time - Hire	4/17/2019	Interim Finance Director	4/17/2019		West Bloomfield