

**CITY OF BERKLEY PUBLIC NOTICE  
ELECTRONIC CITY COUNCIL MEETING  
7:00 P.M. MONDAY, MARCH 15, 2021  
248-658-3300**

**CALL 38<sup>th</sup> COUNCIL TO ORDER  
APPROVAL OF AGENDA  
INVOCATION — PASTOR JOSH RAY  
PLEDGE OF ALLEGIANCE  
PUBLIC COMMENT — ITEMS ON THE AGENDA  
ORDER OF BUSINESS**

**Consent Agenda**

1. **APPROVAL OF THE MINUTES**: Matter of [approving the minutes](#) of the 38<sup>th</sup> Regular City Council Meeting on Monday, March 1, 2021.
2. **WARRANT**: Matter of [approving Warrant No. 1360](#).
3. **PROCLAMATION P-04-21**: Matter of [proclaiming April 2021 as Child Abuse Prevention and Awareness Month](#).
4. **PROCLAMATION P-05-21**: Matter of [proclaiming April 2021 as Sexual Assault Awareness Month](#).
5. **PROCLAMATION P-06-21**: Matter of [proclaiming April 2021 as Autism Awareness Month](#).
6. **PROCLAMATION P-07-21**: Matter of [proclaiming April 2021 as Fair Housing Month](#).

**Regular Agenda**

1. **PRESENTATION**: Matter of receiving a presentation from Senator Mallory McMorrow's office.
2. **PRESENTATION**: Matter of receiving a presentation from HAVEN.
3. **MOTION NO. M-15-21**: Matter of [awarding the Catch Basin Cleaning Machine Rental](#) to the lowest qualified bidder, Jack Doheny Company of Northville, Michigan, in an amount not to exceed \$20,000 in accordance with the MITN/BidNet public bid documents.
4. **MOTION NO. M-16-21**: Matter of [awarding the contract for the 2021 Sidewalk Replacement Program](#) to the lowest qualified bidder, Luigi Ferdinandi & Son Cement Co., via Change Order #1 in an amount of \$392,189. In addition, allocate \$78,930.17 for construction engineering services to Hubbell, Roth & Clark and \$39,218.90 for construction contingencies.
5. **MOTION NO. M-17-21**: Matter of [authorizing the City of Berkley to approve a grant of easement](#) (easement #59287533-59287540) to DTE Energy to perform work at Merchants park located at 2100 Bacon, Berkley, MI 48072.
6. **RESOLUTION NO. R-09-21**: Matter of [authorizing a Resolution of the Council](#) of the City of Berkley, Michigan declaring a Local State of Emergency (COVID-19).
7. **MOTION NO. M-18-21**: Matter of [approving "Berkley Days 2021" event](#) beginning Wednesday, May 19, 2021 and ending on Sunday, May 23, 2021 located at the Berkley Community Center, 2400 Robina. Approval is conditional upon the submission of required items and documents prior to event dates. The Council reserves the right to rescind the permit due to health and pandemic protocols.
8. **MOTION NO. M-19-21**: Matter of [authorizing the City Manager to enter into a three-year](#) Professional Services Agreement with Systemp Corporation of Rochester Hills, Michigan to perform Heating, Ventilation, and Air Conditioning (HVAC) Equipment Preventative Maintenance Services for the City of Berkley

municipal buildings, not to exceed \$10,100 annually. This expenditure will be charged to account numbers 101-265-931-000, 101-310-931-000, 101-738-931-000, 614-105-933-000, and 101-441-931-000.

9. **MOTION NO. M-20-21:** Matter of [awarding the contract for the replacement](#) of the Historic Fire Hall Roof to the lowest qualified bidder, Schena Roofing and Sheet Metal, 28299 Kehrig Drive, Chesterfield, MI 48047 in an amount not to exceed \$29,885 from account 101-265-976-000.

#### **PUBLIC COMMENT — ITEMS NOT ON THE AGENDA**

#### **COMMUNICATIONS**

10. **CLOSED SESSION:** Matter of considering whether to meet in closed session to consider the City Manager's periodic performance evaluation.

#### **ADJOURN**

**NOTE: TO JOIN THE ELECTRONIC MEETING, VISIT [HTTPS://berkleymich.ZOOM.US/J/94929846645](https://berkleymich.zoom.us/j/94929846645) OR CALL 1-312-626-6799. THE MEETING ID IS 949 2984 6645.**

The City of Berkley is hosting electronic meetings in cooperation with the Michigan Open Meetings Act, as amended. Anyone wishing to submit correspondence for inclusion during the meeting may send an email to [clerk@berkleymich.net](mailto:clerk@berkleymich.net) or call 248-658-3310. The City of Berkley will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon four working days' notice to the City. Individuals with disabilities requiring auxiliary aids or services should contact the City by writing or calling: Victoria Mitchell, ADA Contact, Berkley City Hall, 3338 Coolidge Highway, Berkley, MI 48072 (1-248-658-3310).

**THE ELECTRONIC REGULAR MEETING OF THE THIRTY-EIGHTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MARCH 1, 2021 BY MAYOR TERBRACK**

**PRESENT:** Steve Baker, Berkley, Oakland County, Michigan  
Jack Blanchard, Berkley, Oakland County, Michigan  
Bridget Dean, Berkley, Oakland County, Michigan  
Ross Gavin, Berkley, Oakland County, Michigan  
Dennis Hennen, Berkley, Oakland County, Michigan  
Natalie Price, Berkley, Oakland County, Michigan  
Daniel Terbrack, Berkley, Oakland County, Michigan

**APPROVAL OF AGENDA**

Councilmember Blanchard moved to approve the Agenda

Seconded by Councilmember Baker

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

Nays: None

Motion Approved.

**INVOCATION:** Pastor Rachael Dunlap

**PUBLIC COMMENT – ITEMS ON THE AGENDA**

There was no one present wishing to speak.

Clerk Mitchell received two emails:

Elizabeth Petry, Berkley, regarding formation of the Ad Hoc Woodward Dream Cruise Committee. She would like to see committee membership advertised and new members and ideas represented.

Paul Jordan, Berkley, regarding the proposed revisions to the sign ordinance relating to political signs. He seeks clarifications regarding the ordinance in relation to flying campaign signs/flags and also obscenities.

***Consent Agenda***

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

**APPROVAL OF THE MINUTES:** Matter of approving the minutes of the 38<sup>th</sup> Regular City Council Meeting on Monday, February 1, 2021.

**WARRANT:** Matter of approving Warrant No. 1359.

**ORDINANCE NO. O-01-21:** Matter of considering the Second Reading and Adoption of an Ordinance to amend Section 138-192 Projections, in order to provide clarity on permitted projections into setback area on residential properties.

**ORDINANCE NO. O-02-21:** Matter of considering the Second Reading and Adoption of an Ordinance to Add Division 1.5 Exterior Appliances to Chapter 138 Zoning, Article III General Provisions to provide regulations on exterior appliances on residential and commercial properties.

**ORDINANCE NO. O-03-21:** Matter of considering the Second Reading and Adoption of an Ordinance to Amend Section 94-10 of Chapter 94, Signs, to Eliminate Number of Days to Remove Political Signs Following an Election, and to Prescribe a Penalty for Violations.

**PROCLAMATION P-02-21:** Matter of proclaiming March 8<sup>th</sup> as International Women's Day and recognizing March 2021 as Women's History Month in the City of Berkley.

**PROCLAMATION NO. P-03-21:** Matter of proclaiming March 2021 as Severe Weather Month in the City of Berkley.

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

Nays: None

Motion Approved.

### ***Regular Agenda***

**PRESENTATION:** Matter of receiving a presentation from the Michigan Independent Citizens Redistricting Commission.

City Manager Baumgarten introduced Commissioner Douglas Clark of the Michigan Independent Citizens Redistricting Commission.

Mr. Clark introduced the Michigan Independent Citizens Redistricting Commission (MICRC) and stated the 13 commissioners are spread out throughout the state.

Mr. Clark discussed the State's new redistricting process.

Mr. Clark provided the history of the MICRC including:

- In 2018, Michigan voters passed Proposal 2 charging voters, not legislators, to take responsibility for nonpartisan redistricting;
- The Commission includes 13 randomly selected Michigan residents including Democrats, Republicans, and Independents; and
- The MICRC is responsible for redistricting U.S. Congressional, MI House of Representatives, and MI Senate districts.

Mr. Clark explained the challenges and requirements the MICRC faces. Some of the requirements include:

- Must comply with all federal laws;
- Districts must be geographically contiguous;
- Must take into consideration the state's diverse population and communities of interest. He went into further detail regarding what defines a community of interest;
- Districts should consider city, township, and county boundaries;
- Districts should not provide an advantage or disadvantage to a political party, candidate or incumbent; and
- Districts should be reasonably compact.

Mr. Clark further explained that the Commission must hold at least 10 public hearings throughout the State before the redistricting plan is drafted. He said the work must be done by November 1<sup>st</sup>. He stated the timing of the release of Census data will produce a challenge for meeting the November 1<sup>st</sup> deadline. Mr. Clark said once the map is drawn, there will be about five more hearings. He explained the purpose of the public hearings, which is heavily reliant on public participation.

Mr. Clark said anyone with questions or ideas should email [redistricting@michigan.gov](mailto:redistricting@michigan.gov) or send a letter to MICRC, P.O. Box 30318, Lansing, MI 48909. He said to learn more, visit [Michigan.gov/MICRC](http://Michigan.gov/MICRC).

Mr. Clark said all meetings will be available on YouTube and Facebook.

Mayor Terbrack thanked Mr. Clark for his presentation. He discussed the consternation associated with the redistricting process leading up to the 2018 vote. He stated there is a long way to go and it is encouraging to see the opportunities available for citizen comment. He stated education is an important factor in this process.

Councilmember Baker thanked Mr. Clark for being at the meeting and asked him what else the Council and City could do to help raise awareness regarding the initiative?

Mr. Clark answered the important thing is to communicate the contact information and for Berkley residents to participate. He stated we are the third state to go through this process and he would like to see the public meeting dates promoted. He further discussed how to participate in public comment.

Councilmember Baker asked Mr. Clark questions regarding how to participate in public comment and he and Mr. Clark discussed the process, including how to be included on the public comment portion of a meeting agenda. Councilmember Baker said at the end of the day we need to be constructive contributors and he will help advocate the messages communicated this evening.

**MOTION NO. M-04-21:** Matter of receiving and filing the Berkley Public Library annual report for FY 2019-20.

Councilmember Price moved to approve Motion No. M-04-21

Seconded by Councilmember Baker

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

Nays: None

Motion Approved.

**MOTION NO. M-05-21:** Matter of approving the Mayor and City Manager to enter into an Intergovernmental Agreement for Lockup Services between the City of Berkley and the City of Lathrup Village. The City of Berkley will provide Lockup Services for the City of Lathrup Village for \$100 per prisoner. This Intergovernmental Agreement shall be for a term of three (3) years, beginning on the 1st day of May, 2021 and ending on the 30th day of April, 2024.

Councilmember Gavin moved to approve Motion No. M-05-21

Seconded by Councilmember Blanchard

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

Nays: None

Motion Approved.

**MOTION NO. M-06-21:** Matter of authorizing Hubbell, Roth & Clark (HRC) for Proposal for Professional Engineering Services for the Public Safety Main Entrance Improvement Project at a cost not to exceed \$22,667.75 from the Building Improvements Account 101-310-976-000.

Mayor Pro Tem Dean moved to approve Motion No. M-06-21

Seconded by Councilmember Blanchard

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

Nays: None

Motion Approved.

**MOTION NO. M-07-21:** Matter of authorizing Kasco, 226 E. Hudson, Royal Oak, MI 48067, the lowest qualified bidder, for professional services for entrance and lobby construction of the Berkley Department of Public Safety Building at a cost not to exceed \$207,900 from the Building Improvements Account 101-310-976-000.

Councilmember Blanchard moved to approve Motion No. M-07-21

Seconded by Councilmember Price

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

Nays: None

Motion Approved.

**MOTION NO. M-08-21:** Matter of approving the purchase of a Toro Sand Pro 3040 at a cost not to exceed \$19,964.51 from Spartan Distributors at 487 W. Division Street, PO Box 246, Sparta, MI 49345. Funds for this expenditure will come from Account 614-950-982-000.

Mayor Pro Tem Dean moved to approve Motion No. M-08-21

Seconded by Councilmember Gavin

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

Nays: None

Motion Approved.

**MOTION NO. M-09-21:** Matter of authorizing the purchase and installation of new play equipment at Tot Lot Park at a cost not to exceed \$85,100 from Miracle Midwest, PO Box 130, Holly, MI 48442. Funds for this expenditure will come from Account 615-950-974-000.

Mayor Pro Tem Dean moved to approve Motion No. M-09-21

Seconded by Councilmember Blanchard

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

Nays: None

Motion Approved.

**RESOLUTION NO. R-05-21:** Matter of authorizing a Resolution of the Council of the City of Berkley, Michigan establishing an 'Ad Hoc Woodward Dream Cruise Committee' coordinating the 2021 Cruisfest events for the City of Berkley.

Councilmember Blanchard moved to approve Resolution No. R-05-21

Seconded by Councilmember Price

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

Nays: None

Motion Approved.

**RESOLUTION NO. R-06-21:** Matter of extending R-20-20 for temporary outdoor dining/seating and outdoor sales and service areas and to allow temporary enclosures in the outdoor areas in response to COVID-19 closures and restrictions.

Councilmember Baker moved to approve Resolution No. R-06-21

Seconded by Councilmember Hennen

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

Nays: None

Motion Approved.

**RESOLUTION NO. R-07-21:** Matter of extending R-21-20 for temporary signage in response to COVID-19 restrictions.

Councilmember Gavin moved to approve Resolution No. R-07-21

Seconded by Councilmember Blanchard

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

Nays: None

Motion Approved.

**MOTION NO. M-10-21:** Matter of approving Special Land Use request SU-01-21 at 3445 Robina Ave. for office use in the Downtown District.

Mayor Pro Tem Dean moved to approve Motion No. M-10-21

Seconded by Councilmember Blanchard

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

Nays: None

Motion Approved.

**MOTION NO. M-11-21:** Matter of approving the appointments to various boards and commissions.

Councilmember Hennen moved to approve Motion No. M-11-21  
Seconded by Councilmember Baker  
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack  
Nays: None  
Motion Approved.

**MOTION NO. M-12-21:** Matter of approving the Resolution for updated Poverty Exemption guidelines and establishing a revised application and review process.  
Councilmember Gavin moved to approve Motion No. M-12-21  
Seconded by Mayor Pro Tem Dean  
Ayes: Dean, Gavin, Hennen, Price, Baker, Blanchard, and Terbrack  
Nays: None  
Motion Approved.

**MOTION NO. M-13-21:** Matter of authorizing the City Manager to sign the Application for Additional Service Credit Purchase for Susan Reddin approving two years of additional service credit. This service credit purchase is allowed by the City of Berkley MERIT System of Human Resource Management Section 1001.08 and meets all of the requirements of the MERS Plan Document.  
Councilmember Price moved to approve Motion No. M-13-21  
Seconded by Councilmember Baker  
Ayes: Gavin, Hennen, Price, Baker, Blanchard, Dean, and Terbrack  
Nays: None  
Motion Approved.

**MOTION NO. M-14-21:** Matter of authorizing the amendment of the 2020-2021 Budget as presented.  
Councilmember Blanchard moved to approve Motion No. M-14-21  
Seconded by Mayor Pro Tem Dean  
Ayes: Hennen, Price, Baker, Blanchard, Dean, Gavin, and Terbrack  
Nays: None  
Motion Approved.

## **PUBLIC COMMENT – ITEMS NOT ON THE AGENDA**

There was no one present wishing to speak.

## **COMMUNICATIONS**

**COUNCILMEMBER PRICE:** stated today marks the first day of the month that signifies a full year of the pandemic in our country and region. She thanked the city manager, department heads, and staff who innovated and adapted to provide essential services to residents and businesses and who met needs and challenges that we couldn't have imagined a year ago. Councilmember Price said it is also fitting that today we recognize March as Women's History Month. She said the pandemic and its disruptions to school routines, child care, and the economy have disproportionately impacted women, especially women of color. As stated in the proclamation approved this evening, she said we are urged to recommit to increasing our support and recognition of the contributions made by all women of our community. She stated specific contributions that this includes. She stated when we recognize, support, and uplift all women, everyone in our community wins.

**COUNCILMEMBER BLANCHARD:** stated the Berkley American Legion is having its annual fish fry which started two weeks ago. He stated carry out is available from 5-8 p.m. He said the call-in number is 248-591-9220 or people can come in and order and then wait for it there. He said they get the orders out very fast. He said it has been very popular and he hopes to see more people there next week. Councilmember Blanchard said as a reminder Council passed a Severe Weather Month Proclamation this evening. He said tornado season is coming and he wants everyone to be sure that you do take shelter

when it's needed. Councilmember Blanchard said the Berkley Area Chamber of Commerce is actively working on the Berkley Art Bash and the Berkley Street Art Fest, both of which will be moved to later in the year. He said the Berkley Art Bash will be moved to September hopefully and the Berkley Street Art Fest will be moved to August if all goes well. He said the Chamber continues to plan these events and get things back to normal in the City.

**COUNCILMEMBER BAKER:** stated the Downtown Development Authority (DDA) continues to send out its best wishes to Executive Director Jennifer Finney and her family as they welcome their next generation of Berkley residents. He reminded everyone to save the date for the next Ladies Night Out theme in April titled, "Take Me Out to Berkley" on April 1<sup>st</sup> and April 2<sup>nd</sup>. He stated to visit [downtownberkley.com](http://downtownberkley.com) to find out more information about all upcoming programs. Councilmember Baker said the Historical Committee received a large collection of children's books and members are very excited to display those once the museum is able to open again. He said the Committee remains eager for more folks that are interested in history to join the team. He said no experience or prior knowledge is needed. He said only a friendly, positive attitude is needed and an eagerness to help and to learn and to share with others about Berkley's history. Councilmember Baker said the Technology Advisory Committee met recently and spoke about the ways in which open data can be used to make Berkley even better. He said the cyber tip of the month from the Committee is when you surf the internet, don't let a popup pop you in the kisser. He stated to be careful when clicking on anything that pops up if you didn't request it and be cautious when clicking on any of those links. Councilmember Baker said it was Shelby Martin who once wrote, "Accountability requires mindfulness, acceptance, honesty, and courage." He said shockingly we see a terrible lack of accountability at the federal level and sadly at the state level. He said lets all be safe, be healthy, be honest and know that any society can only proceed as far as those who seek to undermine it if you will let it. He said here in Berkley, we are the City that cares, so please care about what you do, what you say, and who you are. He said we care about you and you matter to us, and you matter to me, and you matter to somebody else. He urges everyone to take care of themselves, be honest, and understand the world around us.

**MAYOR PRO TEM DEAN:** stated she has a lot on the Parks & Recreation front. She said the Department is hosting a Shamrock Hunt Wednesday, March 17<sup>th</sup>. She said participants can find shamrocks in all of our parks. She stated that senior transportation will resume the five-day-a-week schedule on March 15<sup>th</sup> and to call 248-658-3470 to schedule an appointment. She stated that Parks & Recreation asks for 48-hour-advance notice. She stated that the transportation service may be used to take you to your vaccination appointment. She stated that Parks & Recreation is hosting an outdoor Spring Fling dance on March 30<sup>th</sup> with a rain date of March 31<sup>st</sup>. She said the shindig will take place in the space behind the Community Center and registration for a time slot opened today and is required as are masks and distancing. She stated outdoor recreation programming will resume in April and to please check the website for those classes and registration information. She stated Parks & Recreation hopes to have information related to Summer Day Camp registration in maybe one to two weeks. She said she knows that will make a lot of parents happy. She said to check the website, Department Facebook page or call the Community Center for more information.

**COUNCILMEMBER HENNEN:** stated the Zoning Board of Appeals (ZBA) met to consider allowing the placement of a generator in a side yard. He stated because the City's new law considering generator placement does not go into effect until another 30 days from tonight, the ZBA had to work under existing law. He said the Board ruled in the past that generators should be considered an accessory structure. He said the Board upheld that interpretation and then ruled to deny the variance based on that. He said the ruling is consistent with what our new law would have dictated. He said despite that, there is going to be another case for a side-yard generator at the ZBA a week from today on March 8<sup>th</sup>. He said he guesses people are trying to get these requests in right under the deadline. He said the ZBA will also consider a lot split on Robina. He said normally lot splits are approved administratively, but this one is going to the ZBA since they are making a request for a smaller lot than zoning normally allows. Councilmember Hennen said the Tree Board didn't meet last month, but will meet also on Monday the 8<sup>th</sup>. He welcomed the newest member of the Tree Board, Michael Leneway.



**COUNCILMEMBER GAVIN:** stated the Planning Commission discussed the special land use that came before Council tonight. He said there is a work session tomorrow at 7 p.m. to discuss the topics that were discussed at the last Master Plan Steering Committee (MPSC) meeting. He stated the next regular Planning Commission meeting will take place 7 p.m. March 23<sup>rd</sup>. Councilmember Gavin said the MPSC will host an upcoming Community Open House as well as a survey that is now open for residents to give their feedback. He said to visit Berkleymich.org and look for the Master Plan prompt at the top of the page to watch some great videos on housing and corridors; take the survey; and register for the upcoming open house on March 25<sup>th</sup> at 7 p.m. He said the next MPSC meeting will take place 7 p.m. March 16<sup>th</sup>. Councilmember Gavin said the Environmental Advisory Committee (EAC) didn't meet last month, but will meet 6:30 p.m. March 18<sup>th</sup>.

**CITY MANAGER BAUMGARTEN:** stated we are getting back into our regular schedule again and will be meeting every two weeks with the next meeting scheduled for March 15<sup>th</sup>. He said that meeting will be followed by two meetings in April on the 5<sup>th</sup> and the 19<sup>th</sup>. He said that will carry us into May as well and he is looking forward to getting into some more manageable agendas. He apologized to Council for the lengthy agenda this evening, but said it is great to see all of the progress and momentum that was achieved tonight. He thanked staff members for their guidance.

**ATTORNEY STARAN:** stated despite casting a very broad net of inquiries and feelers to his usual trusty sources, he is getting very little news or feedback from what is going on in Lansing in terms of whether the State Legislature will be taking up extending the authorization for municipalities to hold electronic meetings. He stated we are meeting in the Zoom format tonight as we have for nearly a year now and as the Council knows, that authorization is set to sunset and expire on March 31<sup>st</sup>. He said that would mean unless things change, we will have one more meeting in this format before we would be required to go back to in-person meetings. He said there was an expectation from what he hears from the folks at Michigan Municipal League that the State Legislature would take this up. He is also told that there has been considerably more push back from State legislators this time around to extend things further. He said to stay tuned and he wished he had something more definitive to share.

Councilmember Baker moved to suspend the rules to go beyond the 10 p.m. meeting deadline

Seconded by Councilmember Gavin

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

Nays: None

Attorney Staran said his second topic pertains to marijuana. He said as Council is well aware, in November 2018, the Michigan Electorate approved and passed the Michigan Marihuana Taxation of Marihuana Act. He said shortly after that passed, the State, through the Marihuana Regulatory Agency, did adopt a rule that for at least the first two years, it was only going to issue Marihuana Business Licenses to applicants who already had Medical Marihuana Licensures. He stated someone who wanted to get into the adult use or recreational marihuana business were only going to be able to do that if they already had medical marihuana license approval. He said that narrowed the field considerably, although as we know, people come up with creative ways to fulfill that criteria. He said the reason he is bringing this up now is because consistent with that State law, our local ordinance also required that as an application requirement, one would have to have that Medical Marihuana Licensure in order to be eligible. He stated the Marihuana Regulatory Agency has announced that effective today, that rule is no longer in effect and they will now allow applicants to apply for licenses for adult use marihuana even if they do not have that Medical Marihuana Licensure. He stated that doesn't really affect us right now because we have our system in place, but for pending litigation, we would be moving forward with that and we're still one or more judicial rulings away from getting through that litigation. He stated he brings that to Council's attention because as we go ahead in the future, and if we decide to reopen the field for additional licenses in Berkley, the rules have changed a little bit and we may need to look at our ordinance in that regard.

**MAYOR TERBRACK:** stated that tonight council members covered everything that he wanted to address. Mayor Terbrack said rather than going on some sort of soliloquy just to hear himself speak, he instead thanked the members of Council for their thoughtful communication covering some very important topics based not only in the community, but also in the country and nation at large.

**ADJOURNMENT**

Mayor Pro Tem Dean moved to adjourn the Regular Meeting at 10:05 p.m.

Seconded by Councilmember Blanchard

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

Nays: None

Motion Approved.



**CITY OF BERKLEY**  
**CHECK WARRANT**  
**#1360**  
**FEBRUARY 2021**

<u>Check Date</u>	<u>Check</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Amount</u>	<u>Voided?</u>
02/04/2021	59760	ALERUS FINANCIAL	HEALTH CARE SAVINGS PLAN #6304 - PR #3	4,165.00	
02/04/2021	59761	ED RINKE CHEVROLET	#88 SMART BUS	897.07	
02/04/2021	59762	HENRY FORD HEALTH SYSTEM	4TH QUARTER EAP SERVICES	725.00	
02/04/2021	59763	HOME DEPOT CREDIT SERVICES	DPW TOOLS - NUT DRIVER SET	21.41	
02/04/2021	59764	KONICA MINOLTA BUSINESS SOLUTIONS	OPTION SEARCHABLE PDF FOR COPIER	9.10	
			PAYMENT FOR CH COPIER 12/21/20 - 01/20/2	337.09	
				<b>346.19</b>	
02/04/2021	59765	MISDU	CHILD SUPPORT CASE NO. 913340822 - PR #3	82.99	
			CHILD SUPPORT CASE NO. 913286400 - PR #3	128.05	
			CHILD SUPPORT CASE NO. 913488854 - PR #3	64.14	
				<b>275.18</b>	
02/04/2021	59766	NATIONWIDE RETIREMENT SOLUTIONS	EMPL. DEDUCT. (NATIONWIDE 457) - PR #3	5,615.69	
			EMPL. DEDUCT. (ROTH) - PR #3	1,050.90	
				<b>6,666.59</b>	
02/04/2021	59767	THE HARTFORD	FEBRUARY 2021 PREMIUM FOR RETIREES	279.40	
			FEBRUARY 2021 PREMIUM FOR ACTIVES	1,930.75	
				<b>2,210.15</b>	
02/04/2021	59768	VANTAGEPOINT TRNSFR AGENTS-107930	EE/ER CONTRIB. (401) - PR #3	570.77	
02/04/2021	59769	VANTAGEPOINT TRNSFR AGENTS-303792	EMPLOYEE DEDUCT. (ICMA 457) - PR #3	2,298.70	
			EMPLOYEE DEDUCT. - LOAN - PR #3	123.40	
				<b>2,422.10</b>	
02/04/2021	59770	VANTAGEPOINT TRNSFR AGENTS-706259	EMPLOYEE DEDUCT. (ICMA ROTH) - PR #3	105.00	
02/04/2021	59771	VERIZON WIRELESS	PHONE SERVICE FOR 12/21/20 - 01/20/21	1,230.55	
			IPAD SERVICE FOR 12/02/20 - 01/01/21	418.48	
				<b>1,649.03</b>	
02/16/2021	59772	A1 LAWN & SNOW SERVICES, LLC	CDBG SNOW REMOVAL	1,240.00	
02/16/2021	59773	ACUITY SPECIALTY PRODUCTS, INC.	SURFACE CLEANER / DISINFECTANT	157.52	
02/16/2021	59774	ADT COMMERCIAL LLC	2/27/21 - 3/26/21 DPW ALARM MONITORING	74.90	
02/16/2021	59775	AIRGAS USA, LLC	JANUARY 2021 CYLINDER RENTAL	30.27	
02/16/2021	59776	ALIMOFF BUILDING & DEVELOPMENT	2617 ROYAL AVE.	1,000.00	
02/16/2021	59777	ALLIANCE MOBILE HEALTH	BLOOD DRAW FOR PATIENT NO. 21783	148.00	
02/16/2021	59778	AMAZON CAPITAL SERVICES	2 CAR WASH BRUSHES, 1 DISH RACK, 2 BROOM	349.34	
			POWER POINT CLICKER - CONF. ROOM	8.88	
			SIDE MARKER LIGHT	7.46	
			FIREARMS - 4 MAGPUL ACC. RAILS	37.80	
			OFFICE SUPPLIES FOR CLERK'S OFFICE	12.58	
			IPHONE ACCESSORIES	29.98	
			TV & MOUNT	151.65	
				<b>597.69</b>	
02/16/2021	59779	AMERICAN FIRE PROTECTION SERVICES	DPW FIRE ALARM MONITOR JAN. - MARCH 2021	153.00	
02/16/2021	59780	AMERICAN METAL ROOFS INC.	3234 WAKEFIELD RD.	100.00	
02/16/2021	59781	ANDREANO CONSTRUCTION LLC	3733 CUMMINGS AVE.	800.00	
			BD Bond Refund	850.00	
				<b>1,650.00</b>	
02/16/2021	59782	APOLLO FIRE EQUIPMENT	CHAIN SAW PARTS	59.63	
02/16/2021	59783	ARMORERLINK	ANNUAL SUBSCRIPTION	2,750.00	
02/16/2021	59784	ARMSTRONG PLUMBING, SEWER AND DRAIN	1845 BACON	101.49	
			1846 BACON	101.50	

				<b>202.99</b>
02/16/2021	59785	ASHLEY MERZ	WORK IN THE CLERK'S OFFICE	<b>343.00</b>
02/16/2021	59786	AT&T	ACCT. NO. 24854624000218 - 1/25/21 - 2/2	<b>786.04</b>
02/16/2021	59787	B-DRY SYSTEM OF SOUTHEASTERN MI	4114 THOMAS AVE.	<b>75.00</b>
02/16/2021	59788	BDS ENVIRONMENTAL	DPW OFFICE RENOV. - ASBESTOS TESTING	<b>950.00</b>
02/16/2021	59789	BERKLEY AREA CHAMBER OF COMMERCE	CHAMBER MEMBERSHIP	<b>320.00</b>
02/16/2021	59790	BIG D LOCK CITY	DPW - KEYS FOR CABINETS	48.00
			VEHICLE SUPPLIES	453.80
			NEW KEY FOR SQUAD 4	4.00
				<b>505.80</b>
02/16/2021	59791	BINOVA	BOTANICAL DISINFECTANT	<b>250.00</b>
02/16/2021	59792	BLUE CROSS BLUE SHIELD OF MICH	JANUARY 2021 CLAIMS	<b>103,649.27</b>
02/16/2021	59793	BONGERO CONSTRUCTION CO.	4271 ELLWOOD AVE.	<b>100.00</b>
02/16/2021	59794	CAMELOT CLEANERS	PRISONER BLANKETS - JAN.	<b>88.85</b>
02/16/2021	59795	CARLETON EQUIPMENT	#27 PARTS (VALVE & COIL)	<b>336.93</b>
02/16/2021	59796	CARQUEST AUTO PARTS STORES	DPW #40 PARTS - APPLY CM 564804 & 563946	23.25
			PS PARTS (OIL FILTERS)	37.68
			DPW - FUSES	2.75
			DPW/P&R/PS PARTS	55.14
			DPW/P&R/PS PARTS	36.76
			SMART BUS (LIGHT)	7.98
				<b>163.56</b>
02/16/2021	59797	CINTAS CORPORATION	MED BOX REFILL	<b>90.20</b>
02/16/2021	59798	COMPETITIVE CONSTRUCTION	1209 CAMBRIDGE RD.	<b>75.00</b>
02/16/2021	59799	CONTRACTORS CLOTHING CO.	UNIFORMS - M. MAGNES	88.98
			UNIFORMS	60.28
				<b>149.26</b>
02/16/2021	59800	CONTRACTORS CONNECTION	SHOVELS	<b>234.00</b>
02/16/2021	59801	CORBINDESIGN	WAYFINDING SIGN WORK	<b>1,052.50</b>
02/16/2021	59802	CUMMINS BRIDGEWAY, LLC	#7 - OIL & AIR FILTERS	<b>118.03</b>
02/16/2021	59803	DEALER AUTO PARTS SALES	#53 DPW (PARTS)	118.56
			PS - PARTS	349.38
			PS #4-3 (PARTS)	94.16
				<b>562.10</b>
02/16/2021	59804	DEAN SELLERS FORD	DPW OUTSIDE REPAIR #5	<b>305.32</b>
02/16/2021	59805	DELWOOD SUPPLY CO.	BALL VALVE	<b>233.43</b>
02/16/2021	59806	DETROIT SALT COMPANY	SALT	2,792.25
			SALT	2,817.75
			SALT	2,721.18
				<b>8,331.18</b>
02/16/2021	59807	DEVON TITLE AGENCY	SIDWELL #04-25-18-451-021	<b>342.83</b>
02/16/2021	59808	DTE ENERGY	3226 BACON - 12/29/20 - 01/26/21	530.27
			2450 BEVERLY BLVD. - 12/29/20 - 01/26/21	92.07
				<b>622.34</b>
02/16/2021	59809	DTE ENERGY	STREETLIGHT - 01/01/21 - 01/31/21	<b>15,896.52</b>
02/16/2021	59810	DU-ALL CLEANING INC.	JANITORIAL SERV. - JAN.	2,000.00
			DPW CUSTODIAL - JANUARY 2021	700.00
			JANITORIAL SERVICES - CITY HALL	1,300.00
			CUSTODIAL SERVICES	1,350.00
			JANITORIAL - JANUARY	1,500.00
				<b>6,850.00</b>
02/16/2021	59811	EGANIX	JANUARY 2021 GREASE CONTROL / SEWERS	<b>480.00</b>
02/16/2021	59812	EJ USA, INC.	WATER - HYDRANTS	2,074.58

			GATE VALVE	405.77
			VALVE PARTS	428.10
			HYDRANT PARTS	777.38
			DUCTILE IRON COUPING	580.00
				<b>4,265.83</b>
02/16/2021	59813	ELIE'S HOME IMPROVEMENT LLC	4217 CUMBERLAND RD.	<b>100.00</b>
02/16/2021	59814	ELLIOTT SAW WORKS INC.	P.S. RESCUE SAW (PARTS)	<b>14.64</b>
02/16/2021	59815	ESRI	ARCGIS MAINTENANCE	<b>4,400.00</b>
02/16/2021	59816	EZELL SUPPLY CORPORATION	PAPER TOWELS	101.57
			PAPER TOWELS	304.71
				<b>406.28</b>
02/16/2021	59817	FEDEX OFFICE	FOIA COPIES	99.52
			FOIA COPIES	5.41
			FOIA COPIES	6.35
			FOIA COPIES	6.35
				<b>117.63</b>
02/16/2021	59818	FERGUSON WATERWORKS #3386	SLEEVE	302.84
			MEGALUG	61.21
				<b>364.05</b>
02/16/2021	59819	FINISHED BASEMENTS PLUS LLC	2078 GARDNER AVE.	<b>100.00</b>
02/16/2021	59820	FIRE DEFENSE EQUIPMENT COMPANY	SPRINKLER INSPECTION - DPW FACILITY	<b>412.59</b>
02/16/2021	59821	FOUNDATION SYSTEMS OF MICHIGAN	2842 PHILLIPS AVE.	50.00
			3834 OAKSHIRE AVE.	100.00
			2433 MORTENSON BLVD.	100.00
				<b>250.00</b>
02/16/2021	59822	GARRETT DOOR CO.	DPW OVERHEAD DOOR REPAIR	<b>75.00</b>
02/16/2021	59823	HAFELI, STARAN, & CHRIST, P.C.	LEGAL SERVICES JANUARY	<b>12,446.25</b>
02/16/2021	59824	HOWARD L. SHIFMAN P.C.	LABOR ATTORNEY	<b>80.50</b>
02/16/2021	59825	HYDROCORP	CROSS CONNECTION JANUARY 2021	<b>1,658.00</b>
02/16/2021	59826	ICCA	FEES FOR QUARTER ENDING 09/30/20	<b>6,006.44</b>
02/16/2021	59827	IMAGE PRINTING	REGULAR #10 ENVELOPES	<b>431.80</b>
02/16/2021	59828	INTEGRATED SUPPLY NETWORK	ANNUAL REPAIR/PARTS SUBSCRIPTION	1,852.37
			TOOL OFFSET RATCHET	36.16
				<b>1,888.53</b>
02/16/2021	59829	ISCG	CUBICLE RECONFIG. DEPOSIT	<b>348.00</b>
02/16/2021	59830	J SIMON & SONS ELECTRICAL	3773 TWELVE MILE RD.	<b>75.00</b>
02/16/2021	59831	J.H. HART URBAN FORESTRY	TREE TRIM & STUMP 1/25/21 - 1/29/21	<b>6,419.00</b>
02/16/2021	59832	JACK DEMMER FORD, INC.	PS - COVER PARTS	<b>113.72</b>
02/16/2021	59833	JANICE CHANEY	SENIOR CONTRACTUAL	<b>88.20</b>
02/16/2021	59834	JAY BILT CONSTRUCTION LLC	3817 GRIFFITH	65.00
			3817 GRIFFITH AVE.	400.00
				<b>465.00</b>
02/16/2021	59835	JAY'S SEPTIC TANK SERVICE	CONTRACTUAL SERVICES	<b>113.00</b>
02/16/2021	59836	JLG HOSPITALILTY GROUP LLC	BERKLEY BUCKS	40.00
			BERKLEY BUCKS	20.00
				<b>60.00</b>
02/16/2021	59837	JOSHUA & KRISTEN VANDERGRAAFF	2226 KIPLING AVE.	<b>50.00</b>
02/16/2021	59838	JOZEF CONTRACTOR INC.	2464 GREENFIELD RD.	<b>100.00</b>
02/16/2021	59839	KANOPY, INC.	KANOPY DIGITAL CONTENT	<b>155.00</b>
02/16/2021	59840	KBJ GROUP LLC	3813 CUMMINGS	<b>365.00</b>
02/16/2021	59841	KONICA MINOLTA BUSINESS SOLUTIONS	DPW COPIER - DEC. 2020	78.67
			PDF OPTION	9.10
				<b>87.77</b>

02/16/2021	59842	LARRY'S WELDING SUPPLY	JANUARY 2021 - CYLINDER RENTAL	62.65
02/16/2021	59843	MAMMOTH CONSTRUCTION	1600 HARVARD	10.00
02/16/2021	59844	MANDO CONSTRUCTION INC.	3024 BUCKINGHAM RD.	75.00
02/16/2021	59845	MANNA CONSTRUCTION COMPANY	1976 CUMMINGS AVE.	75.00
02/16/2021	59846	MATZKA INCORPORATED	DPW PARTS - TUBE FITTINGS	18.34
			DPW PARTS - COUPLERS / NIPPLES	243.72
			WATER PARTS - MISC. UNIONS & FITTINGS	330.68
				<hr/>
				592.74
02/16/2021	59847	MCLEAN CONSTRUCTION	2680 COLUMBIA RD.	75.00
02/16/2021	59848	METRO PUMP SERVICE	JANUARY 2021 - FUEL ISLAND MAINT.	427.50
02/16/2021	59849	MICHIGAN GRAPHICS & AWARDS	VARIOUS NAMEPLATES	60.00
02/16/2021	59850	MICHIGAN PETROLEUM	OIL #22 (MECHANIC)	131.60
02/16/2021	59851	MIDWEST TAPE	HOOPLA DIGITAL CONTENT	1,140.15
02/16/2021	59852	MR. ROOF HOLDING COMPANY LLC	1573 WEST BLVD.	75.00
02/16/2021	59853	MULTI DRYWALL & PARTITION LLC	1627 WEST BLVD.	30.00
02/16/2021	59854	MYERS INNOVATIONS INC.	2254 BEVERLY	465.00
02/16/2021	59855	NATIONAL LADDER & SCAFFOLD CO.	LADDER	206.90
02/16/2021	59856	NELSON BROTHERS SEWER & PLUMBING	WATER/TOILET REPAIR - 1997 HARVARD HYDRA	105.00
02/16/2021	59857	NORFIELD DEVELOPMENT PARTNERS, LLC	MISS DIG SOFTWARE JANUARY 2021	199.00
02/16/2021	59858	NYE UNIFORM	6 SHIRTS / 3 PANTS/ 1 BELT - MOSCHELLI	571.36
			2 SHIRTS, 2 PANTS, 1 RAINCOAT - ARNEY	396.96
			2 SHIRTS, 1 PANTS, TIE, BELT, WHISTLE, N	314.84
			3 SHIRTS - BLANCHARD	51.50
			3 SHIRTS, 1 PANTS, 1 PR. BOOTS, - ROBINS	423.97
			2 PANTS, 1 PR. BOOTS - SUCHOSKI	366.46
				<hr/>
				2,125.09
02/16/2021	59859	OAKLAND COUNTY	GWK SEWER & STORM TREAT. - JAN.	238,366.09
			CLEMIS MEMBERSHIP/MDC/LIVESCAN/MUG CAPTU	6,168.00
			FRMS DEPT. FEE	1,072.00
			RADIO COMM PARTS	213.60
			CITRIX CONNECT FEE	51.00
			WRC RED RUN SPECIAL ASSESSMENT	5,833.94
				<hr/>
				251,704.63
02/16/2021	59860	OAKLAND COUNTY TREASURER	CVT	34.16
02/16/2021	59861	OAKLAND PRESS	RENEWAL FOR 26 WEEKS	413.50
02/16/2021	59862	OVERLAND CONTRACTING, INC.	27901 WOODWARD AVE,	100.00
02/16/2021	59863	PARTSMASTER	GARAGE PARTS - CRIMP FITTINGS	460.17
02/16/2021	59864	PAUL & SHELLY GAPONIK III	2412 BEVERLY BLVD.	50.00
02/16/2021	59865	PITNEY BOWES INC.	PSX DECEMBER 2020 PROGRAM FEE	5.00
			DECEMBER 2020 WATER POSTAGE	93.00
				<hr/>
				98.00
02/16/2021	59866	POWERDMS, INC.	POWERDMS POLICE ACCRED.	332.24
02/16/2021	59867	PRECISION DATA PRODUCTS	DPW INK CARTRIDGES	67.50
02/16/2021	59868	RAMTRA REMODELING	1838 FRANKLIN RD.	100.00
02/16/2021	59869	RKA PETROLEUM COS, INC	#2 PREM ULS DIESEL	1,280.33
			89 MIDGRADE GAS	10,804.98
				<hr/>
				12,085.31
02/16/2021	59870	ROAD COMMISSION OF OAKLAND CO	BRINE	99.00
			BRINE	110.00
				<hr/>
				209.00
02/16/2021	59871	ROCHESTER MIDLAND	SANOR SERVICE FOR CITY HALL	69.39
02/16/2021	59872	S/E OAK. CTY WATER AUTHORITY	JANUARY 2021 BULK WATER	64,821.73
02/16/2021	59873	S/E OAK.CTY RESOURCE REC. AUTH	TRASH, RECYCLE, P/UPS 1/16/2021 - 1/31/2	49,953.00
02/16/2021	59874	SOUTHEASTERN MICH. ASSOC. OF POLICE	MEMBERSHIP	40.00
02/16/2021	59875	STAPLES	OFFICE SUPPLIES / REPLACEMENT CHAIR / FI	546.31
02/16/2021	59876	STATE OF MICH-DEPT OF TREASURY	JANUARY 2021 MI TAX WITHHOLDING FOR ACTI	15,685.55
02/16/2021	59877	STATE OF MICH-DEPT OF TREASURY	JANUARY 2021 MI TAX WITHHOLDING FOR RETI	3,488.17
02/16/2021	59878	STATE OF MICHIGAN	SOR - WOODWARD	30.00
02/16/2021	59879	STEWART & SONS CONCRETE	2644 ROYAL AVE.	75.00
			1627 LARKMOOR BLVD.	200.00

			2723 GRIFFITH AVE.	200.00
			1846 BACON AVE.	100.00
				<hr/> <hr/>
				575.00
02/16/2021	59880	T-MOBILE	T-MOBILE HOTSPOTS	89.58
02/16/2021	59881	TERMINAL SUPPLY CO	DPW/P&R/PS	56.40
02/16/2021	59882	THE DAILY TRIBUNE	RENEWAL FOR 26 WEEKS	173.60
02/16/2021	59883	THE LIBRARY NETWORK	BOOKS, PERIODICAL, & AV MATERIALS	3,706.86
02/16/2021	59884	THE LUNCH CAFE	BERKLEY BUCKS	60.00
02/16/2021	59885	THE TWISTED SHAMROCK	BERKLEY BUCKS	200.00
02/16/2021	59886	THOMAS JOSEPH BERTA	1852 WILTSHIRE	55.00
02/16/2021	59887	TRESNAK CONSTRUCTION	2713 ROYAL AVE.	100.00
			2942 GARDNER AVE.	75.00
			2967 CUMMINGS AVE.	75.00
				<hr/> <hr/>
				250.00
02/16/2021	59888	TRUCK & TRAILER SPECIALTIES, INC.	#42 & #43 PLOW PARTS	3,367.86
02/16/2021	59889	UNIVERSAL PLUMBING SUPPLY	BATHROOMS 1ST FLOOR TOILET REPLACEMENTS/ REPLACEMENT TOILET MENS BATHROOM 1ST FLO	605.46 103.74
				<hr/> <hr/>
				709.20
02/16/2021	59890	USABBLUEBOOK	HYDRANT PARTS - BAGS & MARKERS	141.96
02/16/2021	59891	VERIZON WIRELESS	IPAD SERVICE	308.14
02/16/2021	59892	VILLAGE OF BEVERLY HILLS	F.F. TRAINING FOR #445, 455, 456 & 449	950.00
02/16/2021	59893	WILLIAM APRILL	1760 DOROTHEA RD.	100.00
02/16/2021	59894	WOODS CONSTRUCTION INC.	2925 TWELVE MILE RD.	100.00
02/16/2021	59895	XEROX CORPORATION	XEROX USER FEES - 12/21 - 1/21/21	65.37
02/18/2021	59896	ALERUS FINANCIAL	HEALTH CARE SAVINGS PLAN - #6304 - PR #4	4,165.00
02/18/2021	59897	ALIMOFF BUILDING & DEVELOPMENT	2617 ROYAL AVE.	1,500.00
02/18/2021	59898	ANDREANO CONSTRUCTION LLC	3733 CUMMINGS AVE.	1,500.00
02/18/2021	59899	CHARLES L. PUGH CO.	4146 CUMMINGS AVE.	800.00
02/18/2021	59900	CREGGER PLUMBING	2409 OAKSHIRE AVE.	500.00
02/18/2021	59901	DRAIN DETECTIVES LLC	2730 THOMAS AVE.	500.00
02/18/2021	59902	EMERGENCY DRAIN AND PLUMBING	4212 GREENFIELD RD.	500.00
02/18/2021	59903	HILLAN HOMES INC.	1864 DOROTHEA RD.	1,500.00
02/18/2021	59904	KEHL CONSTRUCTION	2879 PHILLIPS AVE.	1,500.00
02/18/2021	59905	LEVINE & SONS INC.	2239 BUCKINGHAM RD.	1,500.00
02/18/2021	59906	MISDU	CHILD SUPPORT CASE NO. 913340822 - PR #4	82.99
			CHILD SUPPORT CASE NO. 913286400 - PR #4	128.05
			CHILD SUPPORT CASE NO. 913488854 - PR #4	64.14
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				275.18
02/18/2021	59907	MR. ROOTER SEWER & DRAIN INC.	3505 CUMMINGS AVE.	500.00
02/18/2021	59908	NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE DEDUCT. (NATIONWIDE 457) - PR # EMPLOYEE DEDUCT. (ROTH) - PR #4	5,275.89 1,059.28
				<hr/> <hr/>
				6,335.17
02/18/2021	59909	NELSON BROTHERS SEWER & PLUMBING	1642 LARKMOOR BLVD.	500.00
			1944 BACON AVE.	1,000.00
			1416 WEST BLVD.	1,500.00
				<hr/> <hr/>
				3,000.00
02/18/2021	59910	OLIVER CONSTRUCTION	4140 GRIFFITH AVE.	1,500.00
02/18/2021	59911	READY DIG EXCAVATION	3309 KIPLING AVE.	500.00
02/18/2021	59912	TAYLOR PLUMBING	1322 CATALPA DR.	500.00
02/18/2021	59913	THOMAS JOSEPH BERTA	1852 WILTSHIRE AVE.	500.00
02/18/2021	59914	UNIVERSAL PLUMBING & SEWER INC.	4098 WAKEFIELD RD.	500.00
02/18/2021	59915	VANTAGEPOINT TRNSFR AGENTS-107930	EE/ER CONTRIB. (401) - PR #4	570.77
02/18/2021	59916	VANTAGEPOINT TRNSFR AGENTS-303792	EMPLOYEE DEDUCT. - (ICMA 457) - PR #4 EMPLOYEE DEDUCT. - LOAN - PR #4	2,277.76 123.40
				<hr/> <hr/>
				2,401.16
02/18/2021	59917	VANTAGEPOINT TRNSFR AGENTS-706259	EMPLOYEE DEDUCT. - (ICMA ROTH) - PR #4	105.00
02/26/2021	59918	A1 LAWN & SNOW SERVICES, LLC	SNOW REMOVAL	1,245.00
02/26/2021	59919	ADN ADMINISTRATORS, INC.	ADMINISTRATIVE FEE FOR MARCH 2021	960.25

02/26/2021	59920	ALLIANCE MOBILE HEALTH	BLOOD DRAW FOR PATIENT NO. 211938	148.00
			BLOOD DRAW FOR PATIENT NO. 211505	148.00
			BLOOD DRAW FOR PATIENT NO. 211565	148.00
				<b>444.00</b>
02/26/2021	59921	ALPHA PSYCHOLOGICAL SERVICES	2 DISPATCHER PSYCH. EXAMS (REID-CRONIN &	<b>1,450.00</b>
02/26/2021	59922	AMAZON CAPITAL SERVICES	CHIME FOR LOBBY DOOR	24.99
			COFFEE	128.20
			FIRE INSPECTION SUPPLIES	69.97
			BREAK ROOM SUPPLIES	41.60
			12 PK OF COAT HOOKS	12.49
			IPHONE CASE & SCREEN PROTECTOR	28.96
				<b>306.21</b>
02/26/2021	59923	APPLIED IMAGING	DPW COPIER 1/11/21- 2/10/21	<b>0.26</b>
02/26/2021	59924	ASHLEY MERZ	WORK IN THE CLERK'S OFFICE	<b>308.00</b>
02/26/2021	59925	AT&T	ACCOUNT #311160118 - FIBER INTERNET	<b>248.00</b>
02/26/2021	59926	AVANTE ENTERPRISES, LLC	CITATION PAPER	<b>130.00</b>
02/26/2021	59927	AXIOM GRAPHICS INC.	DEPT. BANNER	<b>286.00</b>
02/26/2021	59928	BASIC	ADMINISTRATION FEE FOR FEBRUARY 2021	<b>50.00</b>
02/26/2021	59929	BIG D LOCK CITY	FIRE TRUCK LOCK BOXES - SQ4 & TOWER 4	68.00
			DOWNTOWN DISPLAY KEY COPIES	6.00
				<b>74.00</b>
02/26/2021	59930	BLUE CROSS BLUE SHIELD OF MICHIGAN	MARCH 2021 PREMIUM FOR SUFFIX 600	5,023.72
			MARCH 2021 PREMIUM FOR SUFFIX 601	23,126.40
				<b>28,150.12</b>
02/26/2021	59931	CARLETON EQUIPMENT	#27 - VALVE & SEALS	<b>302.40</b>
02/26/2021	59932	CARQUEST AUTO PARTS STORES	PARTS FOR DPW/PS/P&R	<b>89.04</b>
02/26/2021	59933	CHARLES L. PUGH CO.	HOMEOWNER CANCELLED CONTRACTOR FOR PROJE	<b>1,642.50</b>
02/26/2021	59934	CONSUMERS ENERGY	3155 COOLIDGE HWY. - 01/09/21 - 02/08/21	768.83
			2400 ROBINA - 01/09/21 - 02/08/21	996.21
			2395 12 MILE RD. - 01/09/21 - 02/08/21	2,364.07
			3322 COOLIDGE HWY. - 01/09/21 - 02/08/21	1,289.63
			3300 BACON - 01/10/21 - 02/08/21	1,584.20
			3238 BACON - 01/10/21 - 02/08/21	398.37
				<b>7,401.31</b>
02/26/2021	59935	CONTRACTORS CONNECTION	WATER PUMP	85.55
			DPW - FUEL CANS	149.00
			P.S. RESCUE SAW	29.20
				<b>263.75</b>
02/26/2021	59936	CUMMINS BRIDGEWAY, LLC	#40 - SENSORS	566.52
			#40 - SENSORS	296.36
			#40 & #41 (CV ELEMENTS)	430.50
			#40 - TERMINAL PART	21.32
				<b>1,314.70</b>
02/26/2021	59937	DEALER AUTO PARTS SALES	PS PARTS - BRAKE KITS	469.92
			PS - BATTERIES	378.49
				<b>848.41</b>
02/26/2021	59938	DELWOOD SUPPLY CO.	PLUGS	<b>37.89</b>
02/26/2021	59939	DEMCO	CD CASES	<b>160.50</b>
02/26/2021	59940	DETROIT SALT COMPANY	SALT	2,677.24
			SALT	2,783.03
			SALT	2,773.80
			SALT	2,716.30
			SALT	2,761.33
			SALT	2,752.10
			SALT	5,435.85



				<b>21,899.65</b>
02/26/2021	59941	DTE ENERGY	2395 12 MILE RD. - 01/13/21 - 02/10/21	4,466.12
			2100 BACON AVE. - 01/13/21 - 02/10/21	33.47
			3155 COOLIDGE HWY. - 01/13/21 - 02/10/21	1,163.24
			2261 ROBINA - 01/13/21 - 02/10/21	79.70
			2099 OXFORD RD. - 01/12/21 - 02/08/21	21.48
			2400 ROBINA - 01/13/21 - 02/10/21	497.14
			2471 DOROTHEA RD. - 01/13/21 - 02/10/21	14.95
			3238 BACON - 01/13/21 - 02/10/21	388.68
			3341 ROBINA - 01/13/21 - 02/10/21	81.62
			2398 12 MILE RD. - 01/13/21 - 02/10/21	68.91
			2990 12 MILE RD. - 01/13/21 - 02/10/21	31.97
				<b>6,847.28</b>
02/26/2021	59942	DTE ENERGY	2400 ROBINA - 01/11/21 - 02/07/21	179.05
02/26/2021	59943	DURST LUMBER CO	MISC. ITEMS	645.80
02/26/2021	59944	EGANIX	FEBRUARY 2021 GREASE CONTROL / SEWERS	480.00
02/26/2021	59945	EJ USA, INC.	MANHOLE FRAMES	5,342.40
02/26/2021	59946	EMPCO, INC.	SGT.'S EXAM FOR SEVEN	2,929.20
02/26/2021	59947	EZELL SUPPLY CORPORATION	SPRAY BOTTLES COVID 19	106.08
			LYSOL WIPES - COVID 19	126.00
			SANITARY SUPPLIES ALL DEPTS.	1,401.89
				<b>1,633.97</b>
02/26/2021	59948	FERGUSON WATERWORKS #3386	BORING TOOL & HOSE	4,456.25
			METER SOFTWARE	1,000.00
			WIRE	542.94
				<b>5,999.19</b>
02/26/2021	59949	GREAT LAKES PEST CONTROL CO	DPW PEST CONTROL FEB. 2021	40.00
			PEST CONTROL	60.00
				<b>100.00</b>
02/26/2021	59950	GREAT LAKES WATER AUTHORITY	IWC JANUARY 2021	3,068.69
02/26/2021	59951	HOEKSTRA TRANSPORTATION, INC.	P&R SMART BUS #88	332.25
02/26/2021	59952	HOME DEPOT CREDIT SERVICES	SHOVELS	39.94
			HEATER	159.94
				<b>199.88</b>
02/26/2021	59953	HUBBELL, ROTH & CLARK	LA SALETTE REVIEW	159.60
02/26/2021	59954	ICLIMATE	EQUIPMENT MAINTENANCE	854.24
02/26/2021	59955	IN STOCK MARKETING SERVICES	PATCH CUT OUTS	181.00
02/26/2021	59956	J.H. HART URBAN FORESTRY	TREE TRIM 2/15/21 - 2/19/21	3,648.00
			TREE TRIM, REMOVAL, STUMP 2/8/21 - 2/12/	5,011.75
				<b>8,659.75</b>
02/26/2021	59957	JACK DOHENY COMPANIES, INC.	#53 & #38 PARTS - APPLY CM 101528	1,061.00
02/26/2021	59958	JLG HOSPITALITY GROUP LLC	BERKLEY BUCKS	80.00
02/26/2021	59959	KIESLER'S POLICE SUPPLY, INC.	DUTY AMMO	1,272.60
02/26/2021	59960	KONICA MINOLTA BUSINESS SOLUTIONS	DPW COPIER / JAN. 2021	64.60
			OFFICE EQUIPMENT RENTAL	90.00
			COPIER CHARGES	29.37
				<b>183.97</b>
02/26/2021	59961	LEGACY TITLE AGENCY	UB refund for account: 030621800	134.39
02/26/2021	59962	MALONEY TRUCKING	DIRT / HAUL OUT	520.00
02/26/2021	59963	MARATHON	GAS/OIL FOR COLD PATCH MACHINE	22.50
02/26/2021	59964	MARK & DAWN JOSEFOWICZ	UB refund for account: 030926000	125.64
02/26/2021	59965	MATZKA INCORPORATED	COUPLER	132.68
02/26/2021	59966	MCCHESNEY ELECTRIC, INC.	EQUIPMENT MAINTENANCE	5,350.00
02/26/2021	59967	MCKENNA	JANUARY 2021 INSPECTIONS	24,822.75
02/26/2021	59968	MPLC	MEMBERSHIPS & DUES	246.06
02/26/2021	59969	NELSON BROTHERS SEWER & PLUMBING	PLUMBING SERVICE	70.00
			PLUMBING SERVICE	55.00

				<b>125.00</b>
02/26/2021	59970	OAKLAND COMMUNITY COLLEGE/CREST	LEADS PLUS T INSTRUCT. SCH. - CHILDREY &	<b>350.00</b>
02/26/2021	59971	P. A. MORRIS COMPANY	MEETING ATTENDANCE/MINUTES FOR 02/10/21	<b>150.00</b>
02/26/2021	59972	PARTSMASTER	PARTS FOR DPW/PS/P&R	<b>207.74</b>
02/26/2021	59973	PAUL ZIMMERMAN FOUNDRIES	8" X 8" PLAQUE	<b>244.10</b>
02/26/2021	59974	PITNEY BOWES GLOBAL FINANCIAL SERV.	DPW FOLDER 12/30/20 - 03/29/21	<b>924.72</b>
02/26/2021	59975	REBECCA STOUT	REIMBURSEMENT FOR PROGRAM SUPPLIES	176.18
			MILEAGE REIMBURSEMENT	<b>38.28</b>
				<b>214.46</b>
02/26/2021	59976	REHRIG PACIFIC COMPANY	95 GAL. GARBAGE TOTERS 112 PCS.	<b>6,300.00</b>
02/26/2021	59977	RKA PETROLEUM COS, INC	#2 PREM. ULS DIESEL	1,697.92
			#2 PREM. ULS DIESEL	<b>1,194.05</b>
				<b>2,891.97</b>
02/26/2021	59978	ROAD COMMISSION OF OAKLAND CO	SIGNAL MAINT. / JAN. 2021	608.76
			SIGNAL MAINT. / DEC. 2020	2,401.05
			BRINE (SALT)	121.00
			BRINE (SALT)	<b>143.00</b>
				<b>3,273.81</b>
02/26/2021	59979	ROBERT CHALMERS	REIMBURSEMENT FOR CHAIR FOR #53	<b>134.99</b>
02/26/2021	59980	S/E OAK.CTY RESOURCE REC. AUTH	JANUARY 2021 - CITY PICK-UPS & SPECIALS	1,150.17
			TRASH, RECYCLE, PICK-UPS FEB. 2021 MID M	<b>43,649.00</b>
				<b>44,799.17</b>
02/26/2021	59981	SEHI COMPUTER PRODUCTS	OFFICE PCS	<b>1,827.00</b>
02/26/2021	59982	STAPLES	ENVELOPES, TAPE, POST-IT NOTES	102.26
			OFFICE SUPPLIES	144.21
			OFFICE SUPPLIES - JANUARY	<b>734.95</b>
				<b>981.42</b>
02/26/2021	59983	TERMINAL SUPPLY CO	FUSES	1.67
			DPW TOOLS (REMOVAL TOOLS - ELECT.)	<b>49.92</b>
				<b>51.59</b>
02/26/2021	59984	THE TWISTED SHAMROCK	BERKLEY BUCKS	<b>100.00</b>
02/26/2021	59985	USABUEBOOK	CABLE	<b>425.87</b>
02/26/2021	59986	VESCO OIL CORPORATION	PARTS CLEANER	<b>93.25</b>
02/26/2021	59987	VILLAGE OF BEVERLY HILLS	SOFA TRAINING CLASSES FOR 445, 455, 456,	<b>400.00</b>
02/26/2021	59988	WOLVERINE TRUCK SALES	#40 - SENSOR	90.92
			#41 - SENSOR	<b>49.90</b>
				<b>140.82</b>
02/26/2021	59989	WOMEN IN COMMUNICATIONS OF DETROIT	SPONSORSHIP	<b>500.00</b>
02/26/2021	59990	WOW! BUSINESS	CABLE	<b>26.74</b>
Total of 231 Checks:				863,629.95
Less 0 Void Checks:				<b>0.00</b>
Total of 231 Disbursements:				<b>863,629.95</b>

CITY OF BERKLEY  
ACH TRANSFERS

VENDOR

2/1/2021 INTERNAL REVENUE SERVICE	\$	15,401.28
2/3/2021 A D N	\$	25,000.00
2/5/2021 INTERNAL REVENUE SERVICE	\$	39,495.53
2/10/2021 DPW UNION DUES	\$	308.00
2/10/2021 PSO UNION DUES	\$	760.00
2/10/2021 PS COMMAND UNION DUES	\$	400.00
2/10/2021 MERS	\$	80,849.89
2/22/2021 INTERNAL REVENUE SERVICE	\$	44,814.45
2/22/2021 PSO UNION DUES	\$	760.00
2/22/2021 PS COMMAND UNION DUES	\$	360.00
2/26/2021 INTERNAL REVENUE SERVICE	\$	15,401.28
	\$	<b>223,550.43</b>

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

\_\_\_\_\_  
*Daniel J. Terbrack, Mayor*

\_\_\_\_\_  
*Victoria Mitchell, City Clerk*

**A PROCLAMATION**  
**of the Council of the City of Berkley, Michigan**  
**Proclaiming April 2021 as Child Abuse Prevention and Awareness Month**

- WHEREAS,** Abuse and neglect are suffered by children in our communities, regardless of age, race, gender, and economic situation; and
- WHEREAS,** One in 10 children will be sexually abused before the age of 18; and
- WHEREAS,** This reported maltreatment is only a portion of the overall problem threatening our children, for so many cases go unreported, and today's technology has brought with it a new and dangerous form of child endangerment- the online predator; and
- WHEREAS,** The devastating consequences of physical and emotional abuse of our children affects the community as a whole and finding solutions needs to be attended to by the community as a whole; and
- WHEREAS,** CARE House of Oakland County works to break the cycle of child abuse and neglect; provides a protective circle of light and hope for a better life; advocates for the safety and protection of children; and partners with community organizations and agencies to offer programs and services aimed at preventing child abuse.

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

- SECTION 1:** That April 2021 shall be recognized as *Child Abuse Prevention and Awareness Month* in the City of Berkley.
- SECTION 2:** The City of Berkley calls upon the citizens, government agencies, public and private institutions, businesses, and schools in the City of Berkley to increase their participation in efforts to prevent the abuse of our children, thereby strengthening and protecting the community in which we live.

*Proclaimed this 15<sup>th</sup> day of March 2021 at a Regular Meeting of the Berkley City Council.*

Attest:

\_\_\_\_\_  
*Daniel J. Terbrack, Mayor*

\_\_\_\_\_  
*Victoria Mitchell, City Clerk*

**A PROCLAMATION**  
**of the Council of the City of Berkley, Michigan**  
**Proclaiming April 2021 as Sexual Assault Awareness Month**

- WHEREAS,** Sexual assault is widespread and experienced by thousands of people and survivors. Sexual Assault Awareness Month is intended to raise public awareness around sexual violence and its impacts, as well as education the community on how to prevent it; and
- WHEREAS,** Sexual assault is broadly defined as any form of unwanted sexual contact obtained without consent through the use of force, threat of force, intimidation, or coercion; and
- WHEREAS,** The effects of sexual assault can ripple throughout a community, as seen by the U.S. Center for Disease Control and Prevention statistics indicating that one in three women and nearly one in four men will experience sexual violence involving physical contact during their lifetime; and
- WHEREAS,** Sexual violence can deeply and enduringly impact survivors on psychological, emotion, physical, and social levels; and
- WHEREAS,** Access to informed and supportive services can greatly increase survivors' ability to heal from sexual assault; and
- WHEREAS,** Our community must be committed to holding sexual assault perpetrators accountable for their heinous crimes; and
- WHEREAS,** We join with the State of Michigan and sexual assault prevention advocates to acknowledge how important it is to work together to educate our communities about sexual violence prevention, support survivors, and to speak out against harmful attitudes and actions.

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

- SECTION 1:** That April 2021 shall be recognized as *Sexual Assault Awareness Month* in the City of Berkley.
- SECTION 2:** The City of Berkley calls upon the citizens, government agencies, public and private institutions, businesses, and schools in the City of Berkley to recommit our community to increasing awareness and understanding of sexual assault, and the need for appropriate and accessible services for all survivors of acts of sexual violence.

*Proclaimed this 15<sup>th</sup> day of March 2021 at a Regular Meeting of the Berkley City Council.*

Attest:

\_\_\_\_\_  
Daniel J. Terbrack, Mayor

\_\_\_\_\_  
Victoria Mitchell, City Clerk

**A PROCLAMATION**  
**of the Council of the City of Berkley, Michigan**  
**Proclaiming April 2021 as Autism Awareness Month**

- WHEREAS,** Autism Spectrum Disorder is a pervasive developmental disorder affecting the social communication, and behavioral skills of those affected by it; and
- WHEREAS,** The U.S. Center for Disease Control and Prevention estimates that one in every 68 children in the United States are among the more than two million Americans living with an Autism Spectrum Disorder; and
- WHEREAS,** While there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it is often possible for those individuals to lead significantly improved lives; and
- WHEREAS,** Individuals with an Autism Spectrum Disorder often require a lifetime of specialized and community support services to ensure their health and safety, and to support families' resilience as they manage the psychological and financial burdens autism presents; and
- WHEREAS,** We recognize and celebrate those with an Autism Spectrum Disorder who are achieve and breaking down barriers for the community and who are striving to create a culture of understanding for those living with an Autism Spectrum Disorder.

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

- SECTION 1:** That April 2021 shall be recognized as *Autism Awareness Month* in the City of Berkley.
- SECTION 2:** The City of Berkley believes it is important to have an inclusive community committed to supporting all citizens regardless of abilities. The City of Berkley also calls upon the citizens, government agencies, public and private institutions, businesses, and schools in the City of Berkley to recommit our community to increasing awareness and understanding of Autism Spectrum Disorders, and the need for appropriate and accessible services for all community members.

*Proclaimed this 15<sup>th</sup> day of March 2021 at a Regular Meeting of the Berkley City Council.*

Attest:

\_\_\_\_\_  
*Daniel J. Terbrack, Mayor*

\_\_\_\_\_  
*Victoria Mitchell, City Clerk*

**A PROCLAMATION**  
**of the Council of the City of Berkley, Michigan**  
**Proclaiming April 2021 as Fair Housing Month**

- WHEREAS,** The month of April 2021 marks the 53<sup>rd</sup> anniversary of the signing of the federal Fair Housing Law Title VIII under the Civil Rights Act of 1968; and
- WHEREAS,** This landmark law along with other federal and state legislation broadens access to housing regardless of race, color, sex, national origin, age, marital status, religion, disability or family status; and
- WHEREAS,** Fair Housing Month is designed to heighten people's awareness of their rights under the law when pursuing the purchase or rental of housing; and
- WHEREAS,** Housing choice impacts our children's access to education, our ability to seek and retain employment options, the culture benefits of a diverse community, and the quality of health care we receive in emergencies; and
- WHEREAS,** The laws of our nation, state, and county seek to ensure equality of choice and access to all people; and
- WHEREAS,** Ongoing education, outreach, and monitoring are key to raising awareness of fair housing principles, practices, rights, and responsibilities; and
- WHEREAS,** The Housing Counselors of Oakland County's Community & Home Improvement Division are experts in fair housing laws and are ready to assist any individual or family to ensure their rights when purchasing or renting a home.

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

- SECTION 1:** That April 2021 shall be recognized as *Fair Housing Month* in the City of Berkley.
- SECTION 2:** The City of Berkley urges all residents or prospective residents to contact Oakland County's Housing Counselors if they believe they, or someone they know, has been the victim of housing discrimination.
- SECTION 3:** The City of Berkley believes it is important to have an open and inclusive community committed to accessible fair housing and to promote appropriate activities by private and public entities intended to provide or advocate for equal housing opportunities for all residents and prospective residents of the City of Berkley.

*Proclaimed this 15<sup>th</sup> day of March 2021 at a Regular Meeting of the Berkley City Council.*

\_\_\_\_\_  
*Daniel J. Terbrack, Mayor*

Attest:

\_\_\_\_\_  
*Victoria Mitchell, City Clerk*

March 15, 2021 City Council Meeting

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to award the Catch Basin Cleaning Machine Rental to the lowest qualified bidder, Jack Doheny Company of Northville, Michigan, in an amount not to exceed \$20,000 in accordance with the MITN/BidNet public bid documents.


Ayes:

Nays:

Motion:



# Transmittal Memo

To: Matthew Baumgarten, City Manager  
Cc: Mark Pollock, Finance Director  
From: Derrick Schueller, DPW Director   
Date: March 3, 2021  
Subject: Recommendation for Award-Catch Basin Cleaning Machine Rental  
Jack Doheny Company

As part of regular maintenance activities, the DPW is planning to clean approximately 1,800 public catch basins this spring. In order to clean the structures, a vacuum machine is needed to remove the standing water and sediment from the sumps in the bottom of the basins. While the City owns a combination sewer machine (Vactor), renting an additional unit allows the sewer crew to stay on mainline maintenance while another crew works on catch basins with the rental.

As done in previous years, a specification and bid document was assembled for renting a catch basin cleaning machine. An advertisement was posted publicly both on the City website and on MITN/BidNet with an electronic bid opening held on February 25, 2021.

A total of two bids were received (see attached summary table and bid pricing form). Both Jack Doheny Company and Vacuum Truck Rental submitted three vehicle options with identical rental rates of \$10,000 per month. At this time, we recommend the catch basin machine rental to Jack Doheny Company of Northville, Michigan at a total cost not to exceed \$20,000. The Doheny rental units are all Vactor machines similar to the one we currently own and all have a larger debris tank capacity when compared to the Vacuum Truck Rental units (15 cyd vs. 12 cyd).

Funding has been allocated in the Fiscal 2020-2021 budget under account number 592-536-818-000 (Contractual Services-\$20,000). Additionally, vehicle liability insurance will be secured through the City's provider, The Michigan Municipal League, and forwarded to the vendor.

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

Attachments DLS  
J:\Vehicles and Equipment\Vactor\2021 Rental\Council\Memo Catch Basin Cleaning Machine Rental 3-3-21.doc

**CITY OF BERKLEY**  
**"Catch Basin Cleaning Machine Rental"**  
**For the Department of Public Works**  
**Bid Opening: Thursday, February 25, 2021**  
**@ 3 PM**

<b><u>Business Name</u></b>	<b><u>Address</u></b>	<b><u>Bid</u></b>	<b><u>References</u> <u>Non-Collusive Affidavit</u></b>	<b><u>Conflict of Interest</u> <u>Hold Harmless</u> <u>Iran Affidavit</u></b>
Jack Doheny Companies, Inc.	PO Box 609 Northville, MI 48167	\$10,000.00	Y/Y	Y/Y/Y
Vacuum Truck Rental	13705 Newburgh Road Livonia, MI 48150	\$10,000.00	Y/Y	Y/Y/Y



## CITY OF BERKLEY, MICHIGAN CATCH BASIN CLEANING MACHINE RENTAL BASIS OF AWARD

### PRICING

#### Option #1 EQ# 15514

Year: 2019      Make: Vactor      Model: 2115-824  
Serial #: 18-03V-17347      Miles: 20,000      Hours: 685  
Length: 40'      Width: 8'      Height: 12'  
GVWR: 66,000      Boom Reach: 25'      Debris Tank Capacity: 15yd  
Weight Empty: 30,000      Engine HP: 450      Pump-Off Option: YES NO  
Estimated Value of Machine: \$450,000.00  
Brief Description: Vactor Combination Unit 15 yd - 1500 gallon  
100 GPM @ 2000 PSI  
Weekly Rental Price (7 Days): \$ 3,000.00 / week  
Monthly Rental Price (~~31 Days~~): \$ 10,000.00 / 28 days

#### Option #2 EQ# 16774

Year: 2020      Make: Vactor      Model: 2115-824  
Serial #: 19-04V-18303      Miles: new      Hours: 0  
Length: 40'      Width: 8'      Height: 12'  
GVWR: 66,000      Boom Reach: 25'      Debris Tank Capacity: 15yd  
Weight Empty: 30,000      Engine HP: 450      Pump-Off Option: YES NO  
Estimated Value of Machine: \$475,000.00  
Brief Description: Vactor Combination Unit 15 yd - 1500 gallon  
100 GPM @ 2000 PSI  
Weekly Rental Price (7 Days): \$ 3,000.00 / week  
Monthly Rental Price (~~31 Days~~): \$ 10,000.00 / 28 days

#### Option #3 EQ# 17553

Year: 2020      Make: Vactor      Model: 2115-824  
Serial #: 20-01V-19108      Miles: new      Hours: 0  
Length: 40'      Width: 8'      Height: 12'  
GVWR: 66,000      Boom Reach: 25'      Debris Tank Capacity: 15yd  
Weight Empty: 30,000      Engine HP: 450      Pump-Off Option: YES NO  
Estimated Value of Machine: \$475,000.00  
Brief Description: Vactor Combination Unit 15 yd - 1500 gallon  
100 GPM @ 2000 PSI  
Weekly Rental Price (7 Days): \$ 3,000.00 / week  
Monthly Rental Price (~~31 Days~~): \$ 10,000.00 / 28 days

March 15, 2021 City Council Meeting


Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to award the contract for the 2021 Sidewalk Replacement Program to the lowest qualified bidder, Luigi Ferdinandi & Son Cement Co., via Change Order #1 in an amount of \$392,189. In addition, allocate \$78,930.17 for construction engineering services to Hubbell, Roth & Clark and \$39,218.90 for construction contingencies.

Ayes:

Nays:

Motion:

# Transmittal Memo

To: Matthew Baumgarten, City Manager (via email)  
Cc: Mark Pollock, Finance Director (via email)  
From: Derrick Schueller, DPW Director   
Date: March 8, 2021  
Subject: 2021 Sidewalk Replacement Program  
Recommendation for Award

As you know, the maintenance and upkeep of the sidewalk within the public right-of-way is the responsibility of each property owner. In an effort to facilitate repairs, the City has reinstituted a Sidewalk Assessment Program as part of a multi-year construction effort to address the high hazard sidewalk areas City-wide (2" or more of vertical displacement).

Work started in the southwest corner of the City in 2020 (Section 5-see attached map). Sealed bids were received in April 2020 and Luigi Ferdinandi & Son Cement Co. was awarded the job in July as the lowest-qualified bidder. Letters were sent to property owners and construction was completed in Section 5 last fall. Most recently, Hubbell, Roth & Clark (HRC) completed field surveys in Section 2 and Section 4. Again, the focus was to inventory the "immediate" sidewalk areas as well as any "majors" if directly adjacent to a high hazard repair. In addition, Section 5 was re-evaluated for any "immediate" concerns as the last survey for this section was completed a few years ago. Locations and quantities were noted as well as photos taken with data stored electronically for future reference and analysis.

Ferdinandi & Son has agreed to hold 2020 pricing for 2021 as documented in correspondence received last month. We concur with the recommendation of HRC and propose awarding the 2021 Sidewalk Replacement Program to the lowest-qualified bidder, Luigi Ferdinandi & Son Cement Co., via Change Order #1 in an amount of \$392,189.00.

At this time, we also recommend \$78,930.17 be approved for construction engineering services in accordance with the attached detailed proposal from HRC. Construction engineering covers many components including preconstruction/progress meetings, resident outreach and field coordination, contract alterations, material testing and certification, construction layout/staking, supplemental observation, pay estimates review and approval, GIS as-builts and project closeout. HRC has also recommended a 10% contingency of \$39,218.90 be added for any unforeseen construction modifications.

The tentative schedule is to begin construction in late May with substantial completion in late summer 2021. The work is slated for this timeframe to allow property owners ample time to have the work completed by their own contractor, if they choose to do so. Please note this is a traditional sidewalk assessment program and property owners will be responsible for the construction costs.

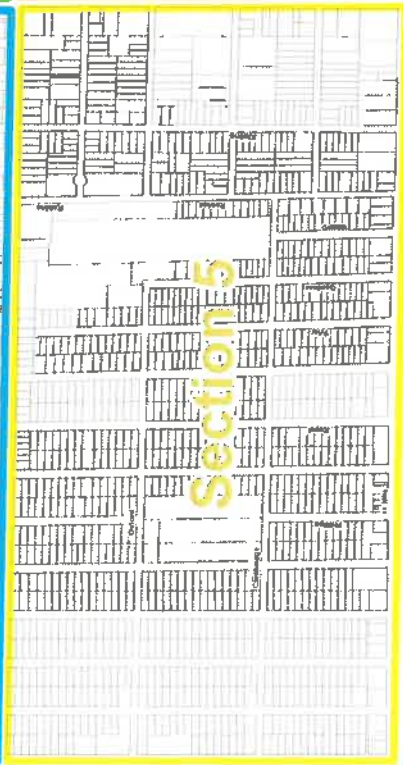
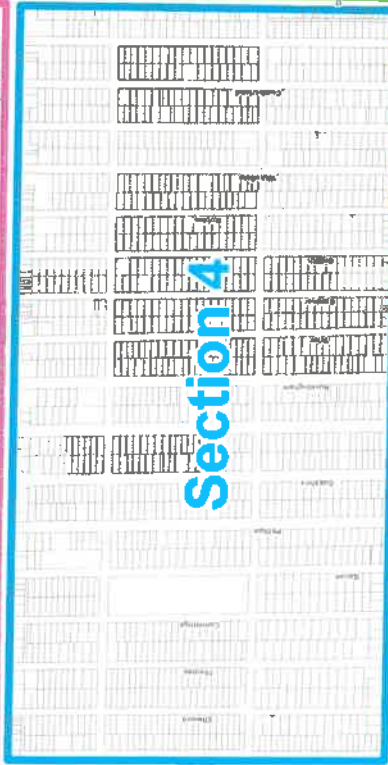
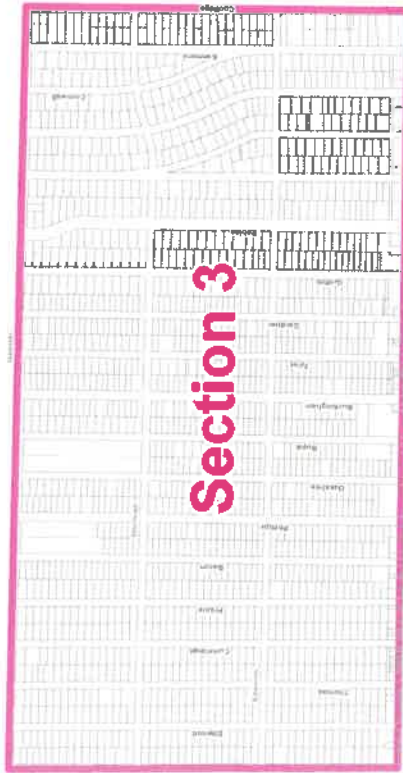
Funding was previously allocated in the Sidewalk Fund under the following accounts: 470-938-975-001 (Capital-Construction) and 470-938-821-000 (Capital-Engineering).

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



# City of Berkeley City Sections

Legend
Section 1
Section 2
Section 3
Section 4
Section 5





March 8, 2021

City of Berkley  
3338 Coolidge Highway  
Berkley, Michigan 48072

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

Re: Recommendation for Approval of Change Order 01  
2021 Sidewalk Replacement Program – Phase II

HRC Job No. 20190847

Gentlemen:

In accordance with your request, Hubbell, Roth & Clark, Inc. (HRC) is pleased to present this letter to recommend the award the Phase II the Sidewalk Replacement Program to Luigi Ferdinandi & Son Cement Co., Inc. (Luigi) of Roseville, Michigan, as Change Order 01 with a value of **\$392,189.00**.

Phase I, which consists of sidewalk replacements in the southwest section of the City, was successfully completed by Luigi in 2020. HRC and the City approached Luigi in late 2020 to see if they would hold their Phase I prices in 2021 if a Phase II replacement program was approved by Council. Luigi agreed to this on August 11, 2020 as part of the Phase I bid documents and again in writing on February 18, 2021. Council approved HRC to conduct the Phase II survey on December 21, 2020. Results of this investigation are included as part of this letter.

Phase II will consist of sidewalk replacements within two (2) additional sections of the City - the Central and East sections - and will address "immediate" sidewalk concerns (2" or greater displacement) and will continue the practice of replacing "major" sidewalk slabs if they are adjacent to "immediate" slabs. These sections are collectively bordered by Greenfield and Woodward to the west and east, respectively, and Catalpa and 12 Mile to the south and north, respectively (see attached map). The approximate total length of sidewalks in these two (2) sections is 37.8 miles\*. Additionally, Phase II will include sidewalk replacements of and new "immediate" concerns that have arisen in the Phase I Southwest section.

(\*Includes one side each of Catalpa, Greenfield and 12 Mile sidewalks and both sides of Coolidge. Does not include Woodward sidewalk.)

The general scope of work includes the removal and replacement of 4 inch and 6-inch-thick concrete sidewalk slabs. The above-mentioned sidewalk survey in the Central and East sections of the City resulted in the conclusion that approximately 846 privately-owned slabs (21,842 sft) and only one (1) public-owned slab (16 sft) meet the City's highest priority ranking for replacement (sidewalk vertical differentials of 2" and above). Further, the additional quantity of newly categorized "immediate" (including adjacent "major" slabs) sidewalk replacements from last year's (Phase I) southwest section is approximately 422 privately-owned slabs (10,908 sft). Thus, a total of 1,268 privately-owned slabs (16,900 sft) and 1 public-owned slabs (16 sft) will be included in the 2021 (Phase II) Program. This is a traditional sidewalk assessment program with the cost of the work billed to the property owner.

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

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

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

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

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

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

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

As part of the Phase I project, Luigi has submitted satisfactory references for similar road improvement projects completed for the Cities of Eastpointe, Sterling Heights, Pleasant Ridge, Mt. Clemens, Birmingham, and Sterling Heights, and the Townships of Macomb and Plymouth. Additionally, our experience with them during Phase I was favorable.

This project is expected to begin by late May 2021 and should be substantially complete by late summer, 2021. The start date is predicated on the March 15<sup>th</sup>, 2021 approval of this project by Council and a 60-day grace period during which a resident can replace their slabs on their own. In mid-to-late March each affected residence will receive a letter outlining their options and important dates. HRC will utilize the correspondence created for Phase I.

**NOTE: As suggested in Phase I, HRC expects the City's received and awarded bid, outlined in the letter, will provide residents a significant cost savings over completing the repairs on their own due to economies of scale.**

Based on the above, this office recommends award of Change Order 01 to Luigi Ferdinandi & Son Cement Co., Inc. of Roseville, Michigan, with a total amount of **\$392,189.00**, subject to the submission of the necessary bonds and insurance, which comply with the contract specifications. We also recommend that an additional 10% contingency (**\$39,218.90**) be added to the low bid amount. In addition, HRC proposes a not-to-exceed Construction Engineering budget of **\$78,930.17** also be adopted. A breakdown of the construction engineering costs is attached with this letter.

Based on the above, HRC recommends the City approve the total project construction budget for the 2021 Phase II Sidewalk Replacement Program of **\$510,338.07** (not-to-exceed maximum, including costs for contingencies and construction engineering).

Enclosed, please find a copy of Change Order 01 for your records. If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Roland N. Alix, P.E.  
Vice President



Edward D. Zmich  
Project Manager

Attachment: Change Order 01  
HRC CE services cost breakdown

pc: City of Berkley; Mr. Shawn Young, Ms. Torri Mathes  
HRC; R. DeFrain; M. Grazioli, File



**CITY OF BERKLEY**  
**2021 SIDEWALK REPLACEMENT PROGRAM**

Date: March 5, 2021  
HRC Job No. 20190847

**CHANGE ORDER NO. 1**

**ENGINEER:**

Hubbell, Roth & Clark, Inc.  
555 Hulet Drive  
Bloomfield Hills, Michigan 48303

**OWNER:**

City of Berkley  
3338 Coolidge Hwy  
Berkley, Michigan 48072

**CONTRACTOR:**

Luigi Ferdinandi & Son Cement Co, Inc.  
16481 Common Rd  
Roseville, MI 48066

The Contractor is directed to make the following changes in the Contract Documents.

**Description:**

Additional sidewalk work for 2021, consisting of sidewalk removal and replacement in the Central Section (between Coolidge & Woodward to the west and east and Catalpa & 12 Mile to the south and north), the East Section (between Greenfield & Coolidge to the west and east and Catalpa & 12 Mile to the south and north), and the Southwest Section (between Greenfield & Coolidge to the west and east and 11 Mile & Catalpa to the south and north) of the City.

**CHANGE ORDER 1:**

ITEM NO.	DESCRIPTION	CHANGE ORDER QUANTITY	BID UNIT PRICE	TOTAL COST
<b>DIVISION I - East Section (Private)</b>				
1.	Mobilization (Max 5%)	1 LS	\$4,233.00	\$4,233.00
2.	Sidewalk, Rem. 4 inch	667 Syd	\$18.00	\$12,006.00
3.	Sidewalk, Rem. 6 inch	152 Syd	\$18.00	\$2,736.00
4.	Sidewalk, Conc, Grade P1, w/ Tree Roots, 4 inch, (incl. Excavation & Class II Sand Base, CIP), Modified	2,123 Sft	\$7.00	\$14,861.00
5.	Sidewalk, Conc, Grade P1, w/ Tree Roots, 6 inch, (incl. Excavation & MDOT 21AA Base, CIP), Modified	3,876 Sft	\$8.00	\$31,008.00
6.	Sidewalk, Conc, Grade P1, 4 inch (incl. Excavation & Class II Sand Base, CIP)	1,165 Sft	\$10.00	\$11,650.00
7.	Sidewalk, Conc, Grade P1, 6 inch (incl. Excavation & MDOT 21AA Base, CIP)	195 Sft	\$12.00	\$2,340.00
8.	Lawn Restoration (3" Topsoil, Mulch Blanket, 14-Day Watering Period, and Repairs to all Irrigation Systems, as required)	250 Syd	\$6.00	\$1,500.00
9.	Color Audio-Video Route Survey	1 LS	\$800.00	\$800.00
10.	Maintaining Traffic, including Pedestrian Traffic Barricading	1 LS	\$2,500.00	\$2,500.00
11.	Observation Crew Days	7 Day	\$750.00	\$5,250.00
Subtotal - Division I				<b>\$88,884.00</b>
<b>DIVISION II - Central Section (Private)</b>				
1.	Mobilization (Max 5%)	1 LS	\$8,170.00	\$8,170.00
2.	Sidewalk, Rem. 4 inch	1,313 Syd	\$18.00	\$23,634.00
3.	Sidewalk, Rem. 6 inch	297 Syd	\$18.00	\$5,346.00
4.	Sidewalk, Conc, Grade P1, w/ Tree Roots, 4 inch, (incl. Excavation & Class II Sand Base, CIP), Modified	3,457 Sft	\$7.00	\$24,199.00
5.	Sidewalk, Conc, Grade P1, w/ Tree Roots, 6 inch, (incl. Excavation & MDOT 21AA Base, CIP), Modified	8,356 Sft	\$8.00	\$66,848.00

6.	Sidewalk, Conc, Grade P1, 4 inch (incl. Excavation & Class II Sand Base, CIP)	1,840	Sft	\$10.00	\$18,400.00
7.	Sidewalk, Conc, Grade P1, 6 inch (incl. Excavation & MDOT 21AA Base, CIP)	830	Sft	\$12.00	\$9,960.00
8.	Lawn Restoration (3" Topsoil, Mulch Blanket, 14-Day Watering Period, and Repairs to all Irrigation Systems, as required)	450	Syd	\$6.00	\$2,700.00
9.	Color Audio-Video Route Survey	1	LS	\$800.00	\$800.00
10.	Maintaining Traffic, Including Pedestrian Traffic Barricading	1	LS	\$2,500.00	\$2,500.00
11.	Observation Crew Days	12	Day	\$750.00	\$9,000.00
Subtotal - Division II					<b>\$171,557.00</b>

**DIVISION III - Southwest Section (Private)**

1.	Mobilization (Max 5%)	1	LS	\$6,274.00	\$6,274.00
2.	Sidewalk, Rem, 4 inch	946	Syd	\$18.00	\$17,028.00
3.	Sidewalk, Rem, 6 inch	266	Syd	\$18.00	\$4,788.00
4.	Sidewalk, Conc, Grade P1, w/ Tree Roots, 4 inch, (incl. Excavation & Class II Sand Base, CIP), Modified	3,226	Sft	\$7.00	\$22,582.00
5.	Sidewalk, Conc, Grade P1, w/ Tree Roots, 6 inch, (incl. Excavation & MDOT 21AA Base, CIP), Modified	5,285	Sft	\$8.00	\$42,280.00
6.	Sidewalk, Conc, Grade P1, 4 inch (incl. Excavation & Class II Sand Base, CIP)	1,035	Sft	\$10.00	\$10,350.00
7.	Sidewalk, Conc, Grade P1, 6 inch (incl. Excavation & MDOT 21AA Base, CIP)	1,358	Sft	\$12.00	\$16,296.00
8.	Lawn Restoration (3" Topsoil, Mulch Blanket, 14-Day Watering Period, and Repairs to all Irrigation Systems, as required)	350	Syd	\$6.00	\$2,100.00
9.	Color Audio-Video Route Survey	1	LS	\$800.00	\$800.00
10.	Maintaining Traffic, Including Pedestrian Traffic Barricading	1	LS	\$2,500.00	\$2,500.00
11.	Observation Crew Days	9	Day	\$750.00	\$6,750.00
Subtotal - Division III					<b>\$131,748.00</b>

**TOTAL NET COST - CHANGE ORDER 1**

**\$392,189.00**

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**CHANGE ORDER No. 1 Summary:**

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Original Contract Price \$122,080.00

Total of previous orders to date: \$0.00

Current Contract Price adjusted by the previous Change Orders \$122,080.00

The Contract Price due to this Change Order will be INCREASED BY \$392,189.00

The revised Contract Price including this Change Order \$514,269.00

Contract Agreement Date:

Original Contract Completion Date: December 31, 2020

Revised Contract Completion Date: June 30, 2021

---

Authorized By:

\_\_\_\_\_  
Matt Baumgarten  
City Manager, City of Berkley

\_\_\_\_\_  
Date:

Recommended By:

\_\_\_\_\_  
Edward Zmich  
Project Manager, Hubbell, Roth & Clark, Inc.

\_\_\_\_\_  
Date:

Accepted By:

\_\_\_\_\_  
Louie Ferdinandi  
Luigi Ferdinandi & Son Cement Co, Inc.

\_\_\_\_\_  
Date:

# 2021 HRC Fee Breakdown

JOB NUMBER: 20160647

PROJECT NAME: 2021 Sidewalk Replacement Program - Phase II - CE Services

PRINCIPAL: R. ALIX

ASSOCIATE: E. Zinich

DATE: March 5, 2021

HRC STAFF POSITION																																			
Vice President				Chief Testing/Observation Manager				Project Manager				GIS Specialist				Graduate Engineer I				Construction Observer				Testing Technician I				Construction Observer Supervisor				TOTAL			
RATE		145.00		RATE		147.61		RATE		132.53		RATE		92.80		RATE		67.00		RATE		73.95		RATE		62.35		RATE		118.61					
HRS				HRS				HRS		HRS		FEE		HRS		FEE		HRS		FEE		HRS		FEE		HRS		FEE		HRS		FEE			
TASK NO.																																			
1A																																			
1B		\$870.00		6						16		\$2,120.48		30		\$2,610.00																			
1C		\$580.00		4		\$295.22		2		\$1,590.36		2		\$174.00		4		\$348.00		4		\$295.80										62			
1D										4		\$530.12		8		\$696.00		30		\$2,610.00		24		\$1,774.80								26			
										4		\$530.12		8		\$896.00		4		\$348.00		40		\$2,958.00								66			
2A		\$290.00		2		\$1,476.10		10		4		\$530.12		12		\$1,044.00																72			
2B																		250		\$19,487.50												36			
3										4		\$530.12		60		\$5,220.00																16			
4								8		\$1,160.88		4																				32			
5																																275			
																																287			
												2		\$295.06		16		\$1,392.00		24		\$2,068.00		16		\$1,183.20						58			
SUBTOTAL Construction Engineering		12		\$1,740.00		20		\$2,952.20		50		\$6,628.50		34		\$2,958.00		184		\$14,268.00		334		\$24,699.30		275		\$17,146.25		72		\$8,539.92		961	

March 15, 2021 City Council Meeting

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to authorize the City of Berkley to approve a grant of easement (easement #59287533-59287540) to DTE Energy to perform work at Merchants park located at 2100 Bacon, Berkley, MI 48072.

Ayes:

Nays:

Motion:

**DTE Electric Company Underground Easement (Right of Way) No. 59287533-59287540**

On \_\_\_\_\_, 2021, for the consideration of system betterment, Grantor grants to Grantee a permanent, non-exclusive underground easement ("Right of Way") in, on, and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is: Village of Berkley n/k/a City of Berkley, a Michigan Municipal Corporation,  
3338 Coolidge Highway, Berkley, Michigan

"Grantee" is: DTE Electric Company, a Michigan corporation, One Energy Plaza, Detroit, Michigan 48226

"Grantor's Land" is in the Southwest 1/4, Section 18, Town 1 North, Range 11 East, City of Berkley, Township of Royal Oak, County of Oakland, and State of Michigan, and is described as follows:

A parcel of land in and being a part of the Southwest 1/4, Section 18, Town 1 North, Range 11 East, City of Berkley, Township of Royal Oak, County of Oakland, State of Michigan, being more particularly described as follows: Lot 415, except the North 5 feet, also Lots 416 to 428, inclusive, "GLEN FORD PARK NO. 1", according to the Plat thereof as recorded in Liber 24 of Plats, Page 10, Oakland County Records.

Tax Identification Number(s): 25-18-330-012

More commonly known as: No property address

The "Right of Way Area" is a Twenty (20') foot wide by One Hundred Twenty-Three (123') foot wide easement on part of Grantor's Land. The centerline of the Right of Way Area shall be established in the as-built location of the centerline of Grantee's facilities, and shall be installed on Grantor's Land in the approximate location described on Appendix A, attached hereto and made a part hereof.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, repair, replace, inspect, operate and maintain underground utility line facilities, which may consist of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of pedestrian and vehicular ingress and egress to and from the Right of Way Area over and across Grantor's Land.
3. **Buildings or other Permanent Structures:** No buildings or other permanent structures or improvements may be constructed or placed in the Right of Way Area without Grantee's prior, written consent. Grantor agrees, at its own expense, to remove any improvement that interferes with the safe and reliable operation, maintenance and repair of Grantee's facilities upon the written demand of Grantee. If Grantor fails to comply with such demand, Grantor agrees that Grantee may remove any such improvement and bill Grantor for the cost thereof, which cost Grantor shall pay within thirty (30) days after demand therefor.
4. **Excavation:** Pursuant to 2013 Public Act 174, MISS DIG (1-800-482-7171 or 811 in some areas) must be called before any excavation in the Right of Way Area may proceed.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots growing or that could grow or fall in the Right of Way Area and remove any structures, improvements, fences, buildings or landscaping in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation, maintenance and repair of Grantee's facilities. No landscaping, trees, plant life, structures, improvements or fences may be planted, grown or installed within 8 feet of the front door, or within 2 feet of the other sides, of transformers or switching cabinet enclosures, and Grantee shall not be responsible for any damage to, or removal of, landscaping, trees, plant life, structures, improvements and/or fences located in such areas.
6. **Restoration:** If Grantee's agents, employees, contractors, subcontractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as is reasonably practicable to the condition in which it existed prior to such damage. Restoration with respect to paved surfaces shall consist of asphalt cold patching of the damaged portion of any asphalted surfaces when the weather conditions suggest such use and

the cement patching of the damaged portion of any cemented surfaces. Grantee shall have no liability, however, for the restoration or cost of any improvements located within the Right of Way Area, including, but not limited to, parking islands, gutters, fences or landscaping such as trees, bushes, or flowers (but not a simple lawn which, if damaged, will be patched and re-seeded by Grantee) that are damaged by Grantee in the course of constructing, reconstructing, modifying, adding to, repairing, replacing, operating or maintaining its facilities as described in paragraph 1 above.

7. **Successors and Assigns:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

8. **Exemptions:** This Right of Way is exempt from transfer tax pursuant to MCL 207.505(a) and MCL 207.526(a).

9. **Governing Law:** This Right of Way shall be governed by the laws of the State of Michigan.

Grantor:

Village of Berkley n/k/a City of Berkley, a Michigan Municipal Corporation,

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Acknowledged before me in \_\_\_\_\_ County, Michigan, on \_\_\_\_\_, 2021, by  
(County) (Date)  
\_\_\_\_\_, the \_\_\_\_\_ of Village of Berkley, n/k/a City of Berkley, a  
(Name of Grantor) (Title)  
Michigan Municipal Corporation.

Notary's  
Stamp \_\_\_\_\_

Notary's  
Signature \_\_\_\_\_

Acting in \_\_\_\_\_ County, Michigan

Print Name \_\_\_\_\_

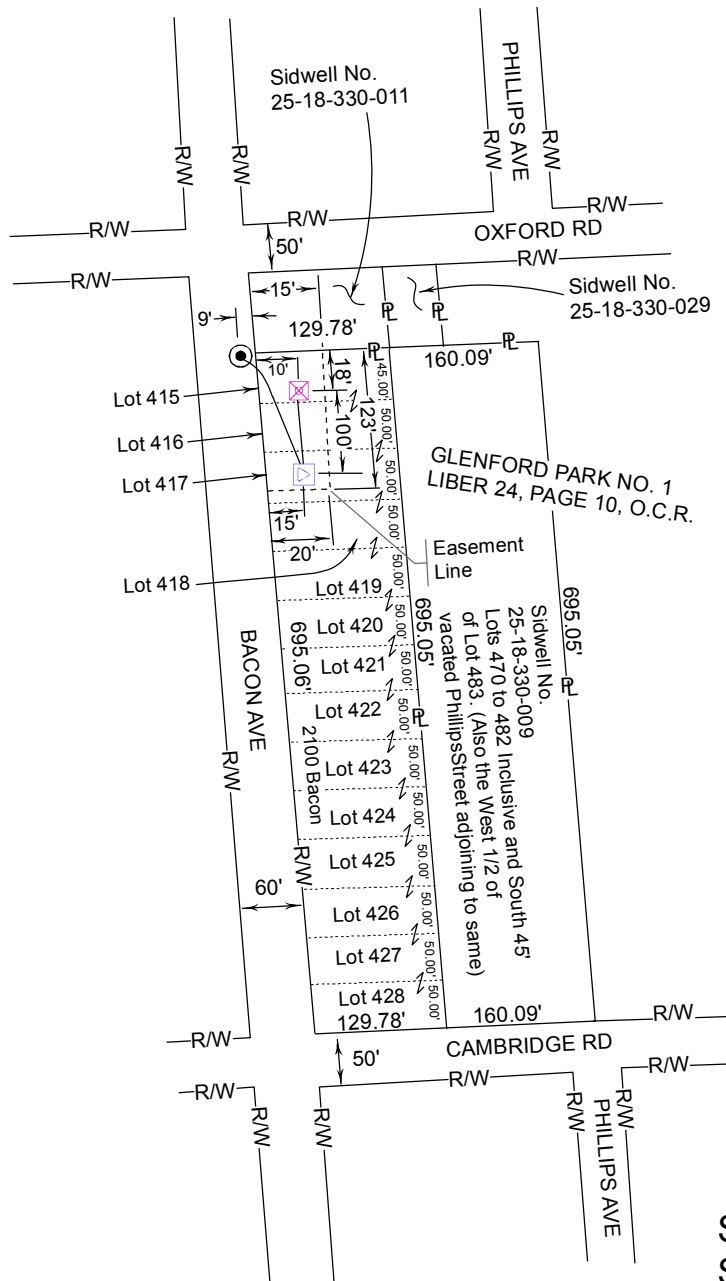
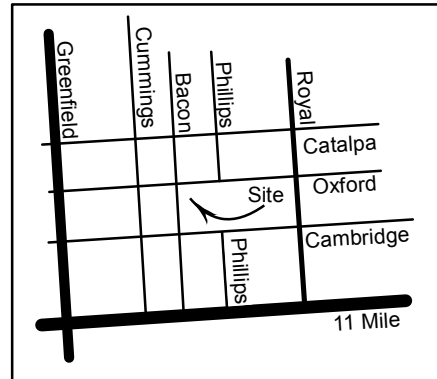
Drafted by and return to: Kimberly A. Tassen, DTE Electric Company, One Energy Plaza, 565 SB, Detroit, MI 48226

**PLEASE USE BLACK INK ONLY**



Know what's **below.**  
**Call before you dig**

## Appendix A



SRW 59287540  
Southeast Regional Planning

### LEGEND

- EXISTING DECO POLE
- PROPOSED POLE
- FOREIGN POLE
- EXISTING ANCHOR
- PROPOSED ANCHOR
- TREE
- 120/240 V LINE
- 4.8 KV LINE
- 13.2 KV LINE
- 40 KV LINE

## DTE DTE Electric - Distribution Engineering and Planning

Service Planner	Work Order Description						
Strong, Mark A	2100 BACON, UG CONST						
Phone	Work Order #	GIS-DSN	COH	CUL	CUG	PLC	
313.235.4446	59287533	59287538					
Supervisor	Circuit #1		Circuit #2		PH	SCMAT	
	BERKY1672						
Sebastian Sarkissian	Service Center	Worksite City	Worksite Twp		County		
	RFD	BERKLEY	RYO		Oakland		
Phone	JU Work to be Performed				JU	RSD	
313.235.4420							
Planning Engineer	JU Company	Contact	Email		Phone		
	JU Company	Contact	Email		Phone		
Phone							
	CUE Number	Ver	Plot Date	Scale	Town	Range	
	1072908	1	3/1/2021	None	01N	11E	
						Section	
						18	
						Qtr	



**A RESOLUTION**  
**Of the Council of the City of Berkley, Michigan**  
**Declaring a Local State of Emergency (COVID-19)**

**WHEREAS**, COVID-19, and the possible exposure to persons afflicted with it, constitute a clear and present danger to the health, safety, and welfare of City personnel and persons doing business with or residing in the City. Federal, state, and county orders, directives, guidelines, and recommendations, including from the Michigan Department of Health and Human Services (MDHHS) and the Center for Disease Control (CDC), have been issued in an effort to control the COVID-19 Coronavirus pandemic declared by the World Health Organization (WHO); and

**WHEREAS**, these federal, state, and county orders, directives, guidelines, and recommendations include closing and restricting business establishments; cancelling, postponing, and limiting the numbers at gatherings of people; postponing or limiting the number of persons required to physically attend public meetings; and calling for appropriate steps to be taken by local governments in an effort to control the spread of COVID-19; and

**WHEREAS**, these federal, state, and county orders, directives, guidelines, and recommendations have been changed or updated on a frequent basis, and further changes or updates are expected. Most recently, the Michigan Department of Health and Human Services issued an Emergency Order on March 2, 2021, which includes limiting the number of persons permitted to attend indoor gatherings, and requiring the implementation of social distancing protocols and the wearing of face masks. The MDHHS Order directly impacts the City's ability to conduct indoor gatherings, including public meetings of City Officials, City Administration, City Staff and Employees and members of the general public due to space constraints; and

**WHEREAS**, COVID-19 and the possible exposure to persons afflicted with it, the emergence of dangerous new COVID variants, and the unavailability of COVID vaccine for most of the public constitute a clear and present danger to the health, safety, and welfare of City residents, personnel, and persons doing business the City; and

**WHEREAS**, In accordance with the Emergency Management Act, Public Act 390 of 1976, the City's Emergency Preparedness Ordinance, section 3a(1)(b) of the Michigan Open Meetings Act, and pursuant to federal, state, and county orders, directives, guidelines, and recommendations, the City of Berkley Emergency Services Coordinator, Mayor and City Council have determined and declare a continuing Local State of Emergency due to COVID-19 and authorize the Emergency Services Coordinator, City Manager, or Mayor, in conjunction with City Staff and Police and Fire Services, to act in accordance with the City of Berkley Emergency Preparedness Plan, to ensure that indoor gatherings are conducted safely and in accordance with applicable federal, state, and county orders, directives, guidelines, and recommendations relating to COVID-19.

**THEREFORE, IT IS RESOLVED AND DECLARED** by the Emergency Services Coordinator, City Manager, Mayor and City Council of the City of Berkley, Oakland County,

Michigan, that there is a continuing Local State of Emergency in the City due to COVID-19, and that MDHHS orders the City of Berkley Emergency Preparedness Plan be implemented to ensure that local resources are to be used as needed and to the fullest extent possible.

**IT IS FURTHER RESOLVED AND DECLARED THAT:**

1. The City Council authorizes the Emergency Services Coordinator, City Manager, or Mayor to take appropriate measures, in their discretion, to respond to or protect City residents, businesses, and personnel from the declared Local State of Emergency by adopting and enforcing all appropriate measures, including but not limited to:
  - A. Taking actions necessary to comply with federal, state, and county orders and directives that are binding on the City.
  - B. Limiting, cancelling, or postponing City meetings and functions to those required by law.
  - C. Cancelling, postponing, or establishing emergency rules for any public meeting of a City Council, board, commission, or committee, and providing public notice and conducting City Council, board, commission, and committee meetings electronically with remote attendance, in accordance with the Open Meetings Act, as amended, and the electronic meetings rules previously adopted by Council.
2. This Declaration shall remain in effect until the earlier of June 30, 2021 or the City Council determines the Local State of Emergency no longer exists and terminates this Declaration.
3. To the extent the previous emergency declaration, Resolution No. R-03-20, adopted by City Council on March 31, 2020, remains in effect, this Declaration terminates and supersedes that prior Declaration.

Introduced and passed at a Regular City Council Meeting on Monday, March 15, 2021.

---

*Daniel J. Terbrack, Mayor*

Attest:

---

*Victoria Mitchell, City Clerk*

March 15, 2021 City Council Meeting

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to approve "Berkley Days 2021" event beginning Wednesday, May 19, 2021 and ending on Sunday, May 23, 2021 located at the Berkley Community Center, 2400 Robina. Approval is conditional upon the submission of required items and documents prior to event dates. The Council reserves the right to rescind the permit due to health and pandemic protocols.

Ayes:

Nays:

Motion:



City of Berkley  
Department of Public Safety



**INTEROFFICE CORRESPONDENCE**

**DATE:** March 11, 2021  
**TO:** Matthew Baumgarten, City Manager  
**FROM:** Matt Koehn, Director of Public Safety *mk*  
**SUBJECT:** BERKLEY DAYS 2021

The Berkley Days Association has submitted an application for "Berkley Days 2021" with events being held from May 12, 2021 through May 16, 2021. All of the events will take place and/or will start/end at, the Berkley Community Center. Events include: 10K run (which has not been finalized), softball game, beer tent, petting zoo, food trucks, and carnival rides. If the 10K run occurs, it will take place on Saturday May 15, 2021 in the morning. The 10K run will follow the same routes as previous years and no road closures will take place.

The Department of Public Safety has reviewed the application and discussed the events with Ms. Denise Downen, Chairperson for the Berkley Days Association. The Berkley Days Association has a 501(c)(3) tax exempt status (EIN 38-3106231) and proceeds from the events will be donated to local community organizations. The event will be staffed by Berkley Days Association volunteers. The "Beer Tent" will actually be in a tent (see map) and Robina will be closed south of Catalpa (other than a dedicated fire lane).

BDPS attended an online meeting with Denise Downen and Bob Skerbeck from Skerbeck Family Carnival to discuss the current MDHHS Epidemic Order (March 2, 2021 Gatherings and Face Mask Order) which states in part:

- Attendees must remain masked at all times, except when eating or drinking in designated areas
- General capacity limitations at outdoor non-residential gatherings are permitted where 300 or fewer persons are gathered
- Consumption of food or beverages is permitted only where attendees are seated, groups of attendees are separated by at least 6 feet, no more than 6 attendees are seated at a table, and groups of attendees do not intermingle

There was some discussion as to whether this event is an "outdoor gathering" (capacity limit of 300 people) or an "outdoor entertainment facility or recreational facility" (capacity limit of 1,000 people). After research, it is the belief of DPS that this event is an "outdoor gathering" with a capacity limit of 300. Ms. Downen and Mr. Skerbeck were advised that if they can obtain any documentation from MDHHS stating that this event is considered

an "outdoor entertainment facility or recreational facility" they should provide it to the City. All tents will have, at most, one side, making them "outdoor" according to the current MDHHS Epidemic Order.

Ms. Downen and Mr. Skerbeck advised that their volunteers and employees will do everything in their power to assure the MDHHS Epidemic Order will be followed (see attached documents). This includes the limit on the number of attendees, the requirement of masks, and the necessity of having designated food/drink areas. It was made clear that the City and BDPS will not be responsible for enforcement of any MDHHS Epidemic Order. Mr. Skerbeck agreed to work with the Berkley Days Committee to train the volunteers that are patrolling the grounds for mask and social distancing violations, including de-escalating conflict. Mr. Skerbeck advised that other nearby municipalities, including the City of Oak Park, plan on having events this summer that involve his company.

It should be noted that the current MDHHS Epidemic Order expires on April 19, 2021, prior to this event. It was discussed by all the possibility of the need to adjust all aspects of this event based on whatever MDHHS Epidemic Order is in place at the time of the event.

The Department of Public Safety will collaborate with the Berkley Days Association and the Berkley Department of Public Works to work out all of the details of the various events and create an Emergency Operations Plan (EOP).

Ms. Downen has been advised that the Berkley Days Association will need to submit the following to the City Clerk's Office prior to the event:

- Proof of Commercial Liability Coverage on an "occurrence basis", naming the City of Berkley as additional insured, with no less than \$1,000,000 per occurrence and/or combined single limit, Personal injury, Bodily injury, and Property Damage
- Liquor Liability, \$500,000 per occurrence and \$500,000 aggregate
- Financial report for the preceding fiscal year

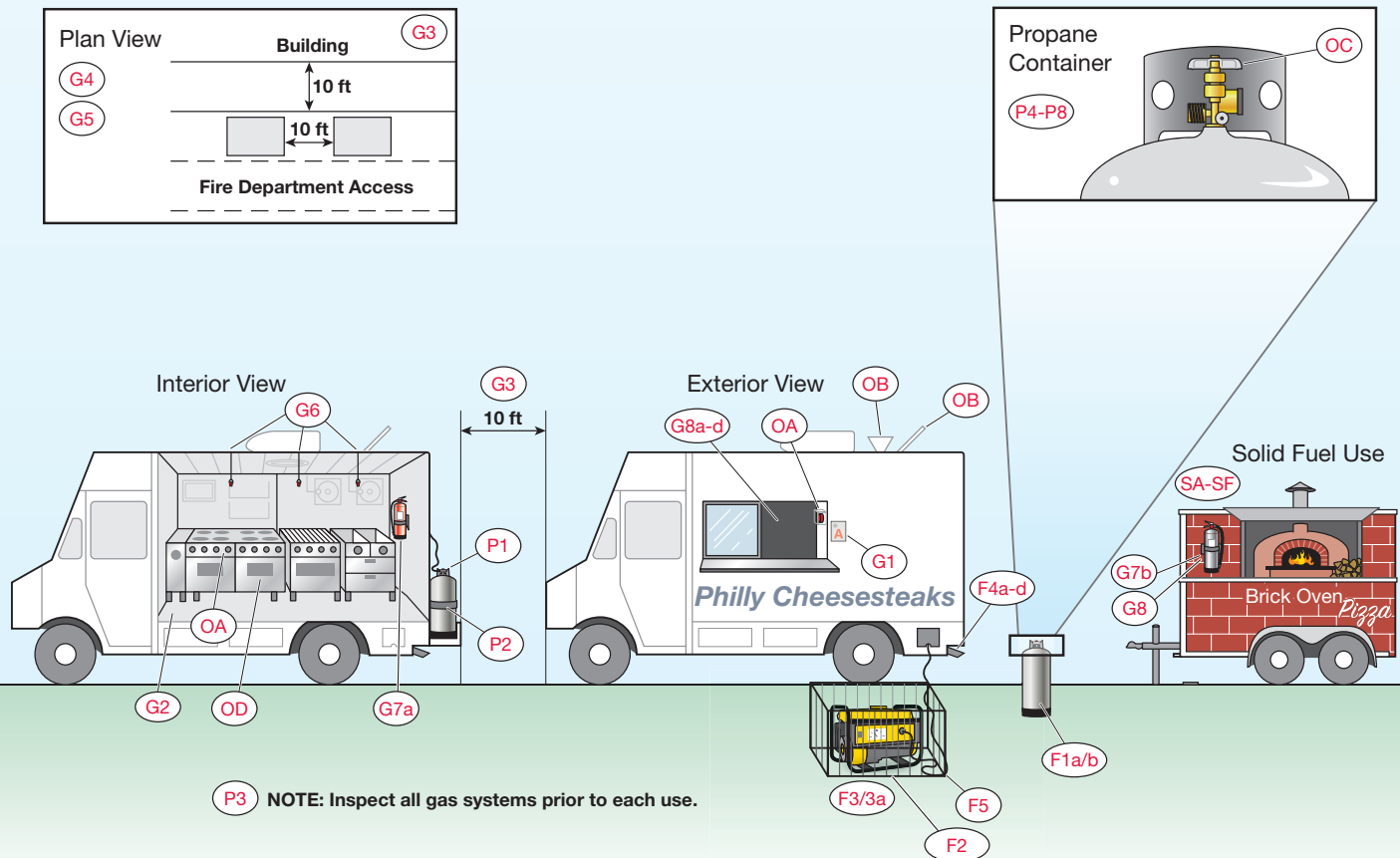
There have not been significant problems at previous Berkley Days. The Department of Public Safety will assign personnel to monitor the event.

A Traffic Control Order (TCO) will be prepared by DPS for this event.

The Department of Public Safety recommends, at the discretion of City Council, approval of Berkley Days 2021; contingent upon the Berkley Days Association providing proof of commercial liability coverage, and financial report for the preceding fiscal year prior to the event and approval of other city departments.



# FOOD TRUCK SAFETY



NFPA code references are provided at the end of each item. The red keys correspond to the NFPA food truck safety diagram. For more detailed information, see NFPA 1 and Annex B in NFPA 96.

## General Safety Checklist

- ☐ Obtain license or permits from the local authorities. [1:1.12.8(a)] **G1**
- ☐ Ensure there is no public seating within the mobile food truck. [1:50.7.1.6.3] **G2**
- ☐ Check that there is a clearance of at least 10 ft away from buildings, structures, vehicles, and any combustible materials. [96:7.8.2; 96:7.8.3 for carnivals only] **G3**
- ☐ Verify fire department vehicular access is provided for fire lanes and access roads. [1:18.2.4] **G4**
- ☐ Ensure clearance is provided for the fire department to access fire hydrants and access fire department connections. [1:13.1.3; 1:13.1.4; 1:13.1.5] **G5**
- ☐ Check that appliances using combustible media are protected by an approved fire extinguishing system. [96:10.1.2] **G6**
- ☐ Verify portable fire extinguishers have been selected and installed in kitchen cooking areas in accordance with NFPA 10. [96:10.9.3] **G7a**
- ☐ Where solid fuel cooking appliance produce grease-laden vapors, make sure the appliances are protected by listed fire-extinguishing equipment. [96:14.7.1] **G7b**
- ☐ Ensure that workers are trained in the following: [96:B.15.1] **G8**
  - ☐ Proper use of portable fire extinguishers and extinguishing systems [10:1.2] **G8a**
  - ☐ Proper method of shutting off fuel sources [96:10.4.1] **G8b**
  - ☐ Proper procedure for notifying the local fire department [1:10.14.9 for carnivals only] **G8c**
  - ☐ Proper procedure for how to perform simple leak test on gas connections [58:6.16, 58:6.17] **G8d**



# FOOD TRUCK SAFETY *CONTINUED*

## Fuel & Power Sources Checklist

- ☐ Verify that fuel tanks are filled to the capacity needed for uninterrupted operation during normal operating hours. [1:10.14.10.1 for carnivals only] **F1a**
- ☐ Ensure that refueling is conducted only during non-operating hours. [96:B.18.3] **F1b**
- ☐ Check that any engine-driven source of power is separated from the public by barriers, such as physical guards, fencing, or enclosures. [96:B.16.2.2] **F2**
- ☐ Ensure that any engine-driven source of power is shut down prior to refueling from a portable container. [1:11.7.2.1.2] **F3**
- ☐ Check that surfaces of engine-driven source of power are cool to the touch prior to refueling from a portable container. **F3a**
- ☐ Make sure that exhaust from engine-driven source of power complies with the following: **F4**
  - ☐ At least 10 ft in all directions from openings and air intakes [96:B.13] **F4a**
  - ☐ At least 10 ft from every means of egress [96:B.13] **F4b**
  - ☐ Directed away from all buildings [1:11.7.2.2] **F4c**
  - ☐ Directed away from all other cooking vehicles and operations [1:11.7.2.2] **F4d**
- ☐ Ensure that all electrical appliances, fixtures, equipment, and wiring complies with the NFPA 70® [96:B.18] **F5**

## Propane System Integrity Checklist

- ☐ Check that the main shutoff valve on all gas containers is readily accessible. [58:6.26.4.1(3)] **P1**
- ☐ Ensure that portable gas containers are in the upright position and secured to prevent tipping over. [58:6.26.3.4] **P2**
- ☐ Inspect gas systems prior to each use. [96:B.19.2.3] **P3**
- ☐ Perform leak testing on all new gas connections of the gas system. [58:6.16; 58:6.17] **P4**
- ☐ Perform leak testing on all gas connections affected by replacement of an exchangeable container. [58:6.16; 58:6.17] **P5**
- ☐ Document leak testing and make documentation available for review by the authorized official. [58:6.26.5.1(M)] **P6**
- ☐ Ensure that on gas system piping, a flexible connector is installed between the regulator outlet and the fixed piping system. [58:6.26.5.1(B)] **P7**
- ☐ Where a gas detection system is installed, ensure that it has been tested in accordance with the manufacturer's instructions. [96:B.19.2.1] **P8**

## Operational Safety Checklist

- ☐ Do not leave cooking equipment unattended while it is still hot. (This is the leading cause of home structure fires and home fire injuries.) **OA**
- ☐ Operate cooking equipment only when all windows, service hatches, and ventilation sources are fully opened. [96:14.2.2; 96:14.2.3] **OB**
- ☐ Close gas supply piping valves and gas container valves when equipment is not in use. [58:6.26.8.3] **OC**
- ☐ Keep cooking equipment, including the cooking ventilation system, clean by regularly removing grease. [96:11.4] **OD**

## Solid Fuel Safety Checklist (Where Wood, Charcoal, Or Other Solid Fuel Is Used)

- ☐ Fuel is not stored above any heat-producing appliance or vent. [96:14.9.2.2] **SA**
- ☐ Fuel is not stored closer than 3 ft to any cooking appliance. [96:14.9.2.2] **SB**
- ☐ Fuel is not stored near any combustible flammable liquids, ignition sources, chemicals, and food supplies and packaged goods. [96:14.9.2.7] **SC**
- ☐ Fuel is not stored in the path of the ash removal or near removed ashes. [96:14.9.2.4] **SD**
- ☐ Ash, cinders, and other fire debris should be removed from the firebox at regular intervals and at least once a day. [96:14.9.3.6.1] **SE**
- ☐ Removed ashes, cinders, and other removed fire debris should be placed in a closed, metal container located at least 3 ft from any cooking appliance. [96:14.9.3.8] **SF**

## NFPA RESOURCES

NFPA 1, *Fire Code*, 2018 Edition

NFPA 1 *Fire Code Handbook*, 2018 Edition

NFPA 58, *Liquefied Petroleum Gas Code*, 2017 Edition

LP-Gas *Code Handbook*, 2017 Edition

NFPA 70®, *National Electrical Code*®, 2017 Edition

*National Electrical Code*® *Handbook*, 2017 Edition

NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, 2017 Edition

NFPA 96: *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations Handbook*, 2017 Edition

➔ **BECOME AN NFPA MEMBER**  
FOR MORE OF THESE RESOURCES



IT'S A BIG WORLD.  
LET'S PROTECT IT TOGETHER.™

NOTE: This information is provided to help advance safety of mobile and temporary cooking operations. It is not intended to be a comprehensive list of requirements for mobile and temporary cooking operations. Check with the local jurisdiction for specific requirements. This safety sheet does not represent the official position of the NFPA or its Technical Committees. The NFPA disclaims liability for any personal injury, property, or other damages of any nature whatsoever resulting from the use of this information. For more information, go to [nfpa.org/foodtrucksafety](http://nfpa.org/foodtrucksafety).

© 2018 National Fire Protection Association / August 2018



# ATTENTION.

## Food Truck Operators

### Are you aware that your compressed gas cylinders must be inspected?

Cylinders are required to be requalified, or replaced every 5-12 years depending on the cylinder type, condition, and previous requalification method (Ref. 49 CFR §§ 180.205(d) and 180.209).

The original manufacture/test date and any requalification/retest dates must be presented in a specific manner. Cylinders that are overdue for requalification must not be refilled.

If propane tanks are manufactured to ASTM Standards and built into the truck's body making it difficult to remove, then these tanks are exempt from the DOT reinspection requirements.

For more information, contact the Hazmat Info-Center: 1-800-467-4922.



RIN number identifying retester/requalifier

7 A1 14  
32

Month last requalified Year last requalified

#### Requalification Date

#### Volumetric Test.

Basic Marking. Must be requalified within 12 years of stamped date (Must be requalified by 7/2026 in this example)

#### Proof Pressure Test.

"S" indicates cylinder must be requalified within 7 years of stamped date (Must be requalified by 7/2021 in this example)

#### External Visual Test.

"E" indicates cylinder must be requalified within 5 years of stamped date (Must be requalified by 7/2019 in this example)

#### Original Manufacture/ Test Date

If no requalification markings are found, the cylinder must be requalified within 12 years of the original manufacture date. (Must be requalified by 5/2017 in this example)



U.S. Department  
of Transportation  
Pipeline and  
Hazardous Materials  
Safety Administration

If cylinder is out of test find an approved requalifier to requalify your cylinder. A list of DOT approved requalifiers is available from the PHMSA website:  
<https://portal.phmsa.dot.gov/rinlocator>





Victoria Mitchell <vmitchell@berkleymich.net>

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## Berkley Days Application

---

Derrick Schueller <dschueller@berkleymich.net>

Tue, Mar 9, 2021 at 7:25 AM

To: Victoria Mitchell <vmitchell@berkleymich.net>

Cc: Matthew Baumgarten <mbaumgarten@berkleymich.net>, Matthew Koehn <mkoehn@berkleypublicsafety.net>, Erin Schlutow <eschlutow@berkleymich.net>, Shawn Young <syoun@berkleymich.net>

Good Morning Victoria-

Public Works has reviewed the application for 2021 Berkley Days and the associated 10K run. The event is proposed from May 10 (set up) through May 16.

We offer the following comments and request they be forwarded to the applicant:

1. Sunnyknoll is noted on the map as "Parking by Permit Only". Public Safety will need to approve this arrangement and please note the DPW does not have this type of signage in our inventory.
2. We recommend prior notification to all of the residents in the immediate area.
3. A 10K run is proposed on May 15 or 16. Please clarify the run date and note we recommend Saturday vs. Sunday to moderate overtime costs.
4. Public Safety will need to produce a TCO for the event. Once the TCO is received, the event will be programmed in the DPW work order calendar.
5. Proof of liability insurance is outstanding and we note it is expected to be submitted by the applicant within a week.

Thank you.

[Quoted text hidden]

--

**Derrick L. Schueller**  
**Director of Public Works**  
City of Berkley  
3238 Bacon Ave.  
**Berkley, Michigan 48072**  
**248.658.3499 direct**  
**248.658.3491 fax**  
[dschueller@berkleymich.net](mailto:dschueller@berkleymich.net)



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

# CITY OF BERKLEY, MICHIGAN

## CHARITABLE SOLICITATION

### PERMIT APPLICATION DISPOSITION CHECKLIST

Event Name: Berkley Days

Event Date(s)	Location(s)	Event Hours
<u>May 12-16, 2021</u>	<u>2400 Robina, community field, hurley field</u>	<u>varies</u>

#### ORGANIZATION:

Organization Name: <u>Berkley Days Association</u>			
Headquarters Street Address: <u>P.O.Box 721112</u>			
City: <u>Berkley</u>	State: <u>MI</u>	Zip Code: <u>48072</u>	Phone: _____
Website: <u>berkleydays.org</u>			

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

☒ Non-Profit ☒ 501(c)(3) ☐ N/A ☐ Other (specify) \_\_\_\_\_

The following documents have been submitted:

Completed application	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Valid IRS tax exempt verification	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Financial report for the preceding fiscal year	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Proof of Commercial Liability Coverage	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Estimated cost to execute the solicitation / event	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Charitable Solicitation / Special Event Hold Harmless Agreement	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Application reviewed by: Public Safety See Attached Public Works See Attached  
Building Official [Signature]

Comments:

#### Presented to City Council:

Date:  
March 15, 2021

Approved:  
☐ YES ☐ NO

Organization Notified  
☐ YES ☐ NO



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

Print Form

## CITY OF BERKLEY, MICHIGAN CHARITABLE SOLICITATION PERMIT APPLICATION

Event Name: Berkley Days

Event Date(s) May 12-14 2021 Location(s) 2400 Robina, Hurley Field, Community Field Event Hours Varied

### ORGANIZATION INFORMATION

Name: Berkley Days Association			
Street Address: P.O. Box 721112			
City: Berkley	State: MI	Zip Code: 48072	Phone:
Website: Berkleydays.org			

Tax Exempt Status (as defined by the U.S. Internal Revenue Service):

☒ Non-Profit ☒ 501(c)(3) ☐ N/A ☐ Other (specify) \_\_\_\_\_

### CONTACT PERSON (Authorized Representative)

Name Denise Downen Title Chairperson Phone \_\_\_\_\_  
Email \_\_\_\_\_

### AGENTS/OFFICERS OF ORGANIZATION

Name Denise Kallas Title Vice Chairperson Phone \_\_\_\_\_  
Address \_\_\_\_\_

Name Tom Kallas Title Treasurer Phone \_\_\_\_\_  
Address \_\_\_\_\_

Name Barb Doppel Title Director Phone \_\_\_\_\_  
Address \_\_\_\_\_

Describe the type and purpose of the solicitation and how collected funds be used.

Berkley Days is a fair used to raise money for participating non-profit groups. Money raised from the event is distributed to participating non profit organizations.

City of Berkeley  
Charitable Solicitation Permit Application

The amount of wages, fees, commissions, expenses to be paid to any person in connection with the solicitation, together with the manner in which such wages, fees, expenses, commissions are to be paid:

We do not have paid staff. Everyone is a volunteer.

Estimated cost of the solicitation

Roughly \$10,000. We distribute between \$15,000 - \$20,000

The following documents must be submitted with this application, pursuant to *Chapter 34 Charitable Solicitations, Article I* of the City of Berkeley Code of Ordinance:

1. Internal Revenue Service tax exempt documentation for the organization
2. Organization's financial report for the preceding fiscal year
3. Proof of Commercial Liability Coverage on an "occurrence basis" with no less than \$500,000 per occurrence and/or combined single limit, Personal Injury, Bodily Injury, and Property Damage. The insured endorsement portion of the Certificate of Insurance must read EXACTLY as follows:  
The City of Berkeley, including all elected and appointed officials, all employees, and volunteers, all boards, commissions, and/or authorities and their board members, employees, and volunteers.
4. Charitable Solicitation Hold Harmless Agreement signed by an authorized representative of the organization.

If the above information cannot be furnished, please provide a detailed statement of the reason.

I hereby solemnly swear that no solicitor will be paid, either directly or indirectly, a salary, wage, commission or benefit for his/her service.

Denise Downen DENISE DOWEN 8-3-21  
Applicant Signature Print Name/Title Date

For City Use Only

[Signature] City Manager  
Approved by Title  
Matt Brungarten 3/11/2021  
Signature Date



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

## CITY OF BERKLEY, MICHIGAN CHARITABLE SOLICITATION HOLD HARMLESS AGREEMENT

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

Organization Name Berkley Days Association  
Address P.O. Box 721112  
City Berkley State MI Zip 48072 Phone \_\_\_\_\_  
Event Name Berkley Days  
Event Location(s) 2400 Robina, Community field, Hurley Field Event Date(s) May 19-23, 2021

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

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

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

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

Authorized Representative Denise Downen Title Chairperson  
(Please print)  
Signature Denise Downen Date 2-3-21

**CITY OF BERKLEY MICHIGAN**  
**TEMPORARY TRAFFIC CONTROL ORDER**

T-02-21  
**(TCO NUMBER)**


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

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

<b>PROJECT NAME:</b>	BERKLEY Days
<b>Location</b>	ATTACHED
<b>DATE/S/TIMES:</b>	MAY 12, 2021 Baseball MAY 13, 2021 5-9 PM MAY 14, 2021 4-11 PM MAY 15, 2021 10-11 PM MAY 16, 2021 10-6 PM
<b>RESPONSIBLE PARTY:</b>	DENISE DOWNEN
<b>Name:</b>	BERKLEY Days Association
<b>Street Address:</b>	P.O. BOX 721112
<b>City/State/ZIP:</b>	BERKLEY, MI 48072
<b>Contact Phone:</b>	
<b>Email address:</b>	BerkleyDays@yahoo.com

**For Official Use Only:**

<b>Action required by City :</b>	
<i>(Attach additional pages if needed)</i>	

Approved by: (Print name and title below)	Signature:	Date:
Public Safety	See Attached	
Public Works	See Attached	
Building Official		3.11.2021

\*\*Original - Traffic Control File

Return copy of completed form to City Clerk's Office



CITY OF BERKLEY  
COMMUNITY SPECIAL EVENT  
PERMIT APPLICATION DISPOSITION CHECKLIST

Event Name: Berkley Days

Event Date(s) MAY 12-14, 2021 Location(s) COMMUNITY FIELD, HURLEY FIELD, 2400 ROSINA & CITY STREETS Event Hours VARIES - See special event app.

ORGANIZATION:

Organization Name: BERKLEY Days ASSOCIATION

Headquarters Street Address:

P.O. BOX 721118

City: BERKLEY

State: MI

Zip Code: 48072

Phone:

Website: BERKLEYDays.ORG

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

Non-Profit

501(c)(3)

☒ X

N/A

Other (specify)

The following documents have been submitted:

Completed application

☒ YES ☐ NO

Valid IRS tax exempt verification

☒ YES ☐ NO

Financial report for the preceding fiscal year

☐ YES ☒ NO

Proof of Commercial Liability Coverage

☐ YES ☒ NO

Estimated cost to execute the solicitation / event

☒ YES ☐ NO

Charitable Solicitation / Special Event Hold Harmless Agreement

☒ YES ☐ NO

Application reviewed by: Public Safety See Attached Public Works See Attached

Building Official [Signature]

Comments:

Presented to City Council:

Date: March 15, 2021

Approved:

☐ YES ☐ NO

Organization Notified

☐ YES ☐ NO

Date



City Clerk's Office  
3336 Coolidge Hwy.  
Berkley, MI 48072  
248-658-3300  
Fax: 248-658-3301  
www.berkleymich.org

Print Form

# CITY OF BERKLEY, MICHIGAN COMMUNITY SPECIAL EVENT APPLICATION

Name of Event:

BERKLEY DAYS

Organization / Contact:

Name of Organization: BERKLEY DAYS ASSOCIATION

Contact's Name:

DENISE DOWDEN

Address:

City: BERKLEY

State/zip: MI 48072

Telephone:

24 Hour Emergency Contact

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

Event Location:

2400 ROBINA BERKLEY, MI 48072

If the event involves city streets or sidewalks, include a map showing the location.  
A petition from affected businesses may be required.

Dates and Hours of Event:

MAY 12 - 5-10 MAY 13, 5-10 MAY 14, 4-11 MAY 15 10-11, MAY 16, 10-6

How many employees or volunteers?

30+

How will site be secured during off-hours?

Someone will stay over to patrol the property

What type of merchandise will be sold?

FOOD

If you are selling food, include a copy of your receipt from Oakland County Health Department.

See CARNIVAL VENDORS. BERKLEY DAYS IS NOT RESPONSIBLE FOR FOOD.

Will there be any electricity outside the building (e.g., extension cords, heaters, lights)?

If yes, an electrical inspection by the City will be required after set up and before opening.

yes

Include a Site Plan showing where merchandise will be sold, how pedestrian and vehicular traffic will circulate on the site.

What are your plans for set up and removal?

THE PARKING LOT WILL BE USED TO START SET UP MONDAY MAY 10TH & TEAR DOWN STARTS MAY 16.

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

Non-Profit

☐

501.C3

☒

Other (specify)

☐

Include the following documents:

☒ Internal Revenue Service tax exempt documentation for the organization. ON FILE

☐ Organization's financial report for the preceding fiscal year.

☐ Proof of Commercial Liability Coverage on an "occurrence basis", naming the City of Berkley as additional insured, with no less than \$1,000,000 per occurrence and/or combined single limit, Personal Injury, Bodily Injury, and Property Damage.

☐ Liquor Liability, \$500,000 per occurrence and \$500,000 aggregate. (if applicable)

☒ Special Event Hold Harmless Agreement signed by an authorized representative

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

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

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

Signature of Applicant


Denise Dowden

Date

3-5-21



## APPROVALS

DEPARTMENT	Approve (YES/NO)	Signature	Date
Planning/Building	js		3-11-2021
Comments:			
Public Safety		See attached	
Comments:			
Notify SMART, ambulance, and waste collection of any road closures.			
Public Works		See attached	
Comments:			
Parks/Recreation			
Comments:			
City Clerk			
Comments:			
City Manager	MB	Yes - With option to cancel later if needed	
Comments: See Department Notes			

### For City Use Only:

Date Application Received \_\_\_\_\_ Receipt Number \_\_\_\_\_

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

City Manager's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

3/11/21

#### IF APPLICABLE:

Motion Number:

Conditions (if any):

Is fee to be reimbursed?



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

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

Organization Name BERKLEY DAYS ASSOCIATION

Address <sup>P.O. box</sup> 721112

City BERKLEY State MI zip 48072 Phone \_\_\_\_\_

Event Name BERKLEY DAYS

Event Location(s) COMMUNITY FIELD, HURLEY FIELD Event Date(s) MAY 16, 2021  
2400 ROBIN & CITY STREETS.

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

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

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

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

Authorized Representative DENISE DOWNEN Title Chair Person  
(Please print)

Signature Denise Downen Date 3-5-21

# CITY OF BERKLEY MICHIGAN

## TEMPORARY TRAFFIC CONTROL ORDER

T-02-21

(TCO NUMBER)


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

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

<b>PROJECT NAME:</b>	BERKLEY DAYS
<b>Location</b>	2400 ROBINA, BERKLEY, COMMUNIT 4 FIELD, HURLEY FIELD, CITY & TRATS.
<b>DATE/S/TIMES:</b>	MAY 10 - 1st PLACE D 2400 OR ROBINA MAY 12 COMMUNITY FIELD. MAY 13 - 2400 ROBINA CLOSED MAY 14 - " " " " MAY 15 & 16 - " " " " Race Time TBD
<b>RESPONSIBLE PARTY:</b>	DENISE DOWNEN - BERKLEY DAYS
<b>Name:</b>	Denise Downen
<b>Street Address:</b>	
<b>City/State/ZIP:</b>	BERKLEY, MI 48072
<b>Contact Phone:</b>	
<b>Email address:</b>	

**For Official Use Only:**

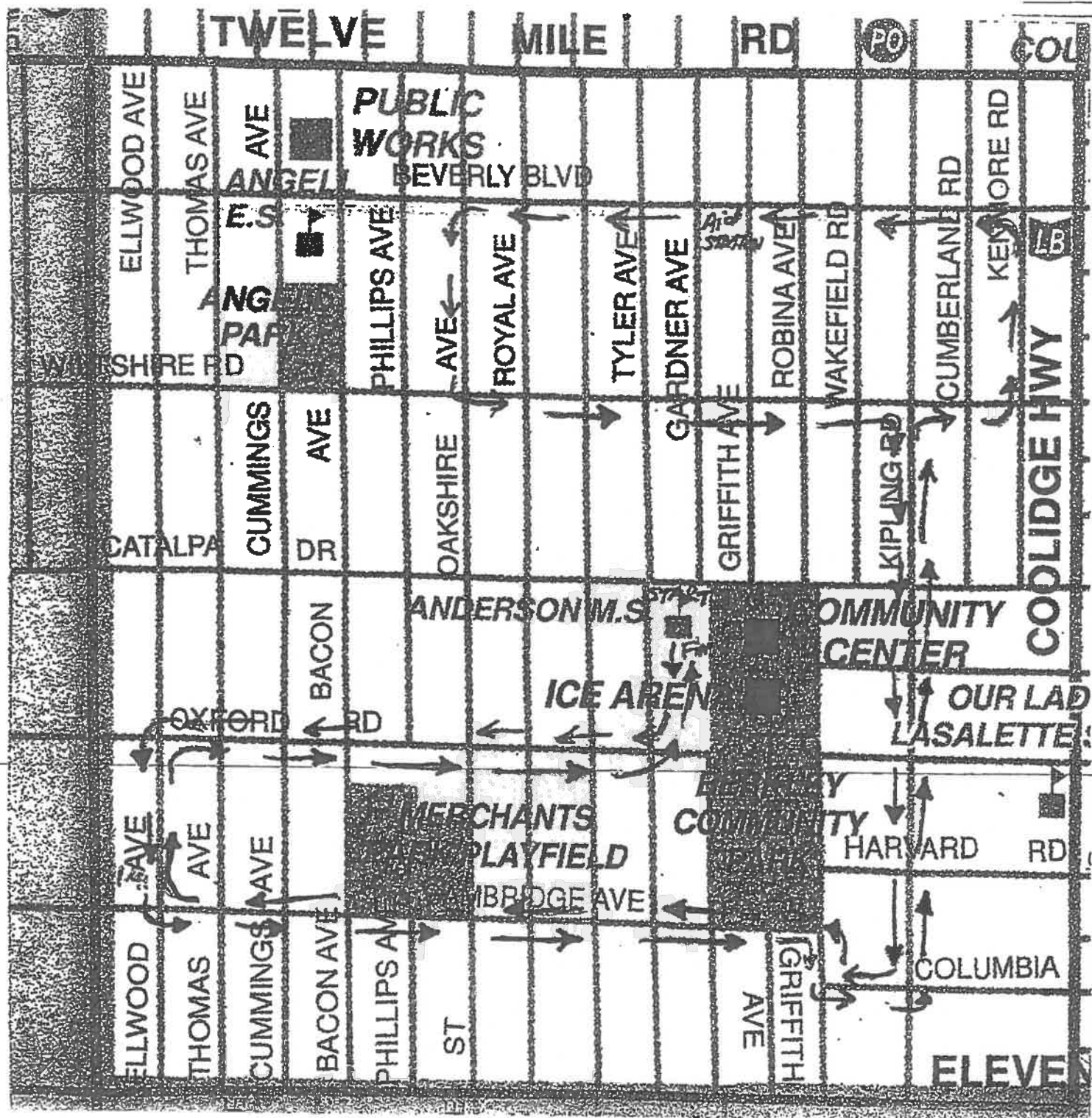
<b>Action required by City :</b>	
<i>(Attach additional pages if needed)</i>	

Approved by: (Print name and title below)	Signature:	Date:
Public Safety	See Attached	
Public Works	See Attached	
Building Official		3.11.2021

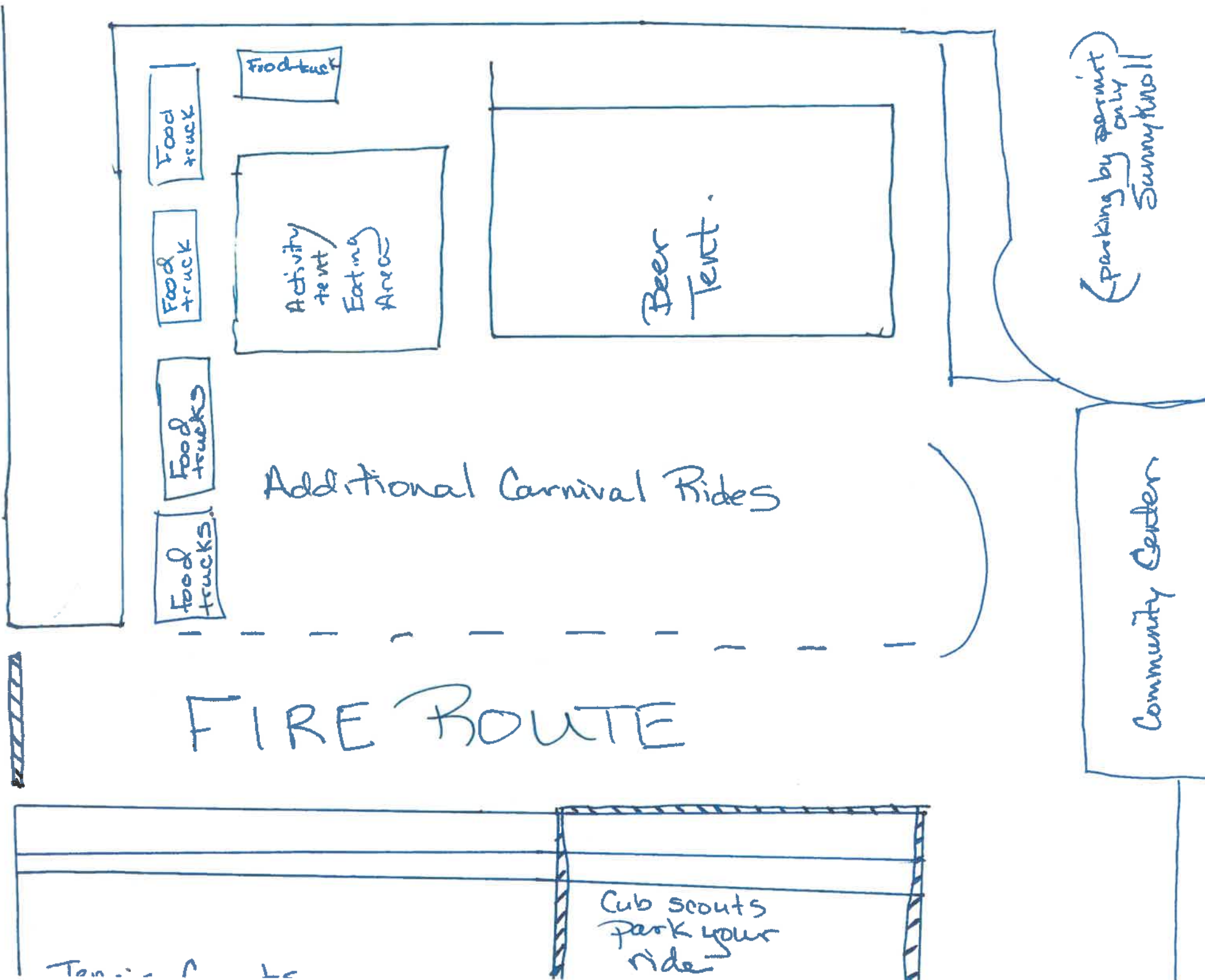
\*\*Original - Traffic Control File

Return copy of completed form to City Clerk's Office

# COURSE



Robina



Community  
Center.

Tree

Crafters

Trees.

Crafters

Horseshoe  
Court S.

Carnival Rides,  
Games,  
Food.

Concession  
Stand  
bathrooms.

tennis court

# Application for Employer Identification Number

(For use by employers and others. Please read the attached instructions before completing this form.)

**CLIENT'S COPY**

OMB No. 1545-0048  
Expires 4-30-94

Please type or print clearly.

1 Name of applicant (True legal name) (See instructions.) <b>BERKLEY DAYS ASSOCIATION, INC.</b>	
2 Trade name of business, if different from name in line 1	3 Executor, trustee, "care of" name <b>C/O BARBARA J. MORRIS, CPA</b>
4a Mailing address (street address) (room, apt., or suite no.)	5a Address of business (See instructions.) <b>2400 ROBINA</b>
4b City, state, and ZIP code <b>BERKLEY, MI 48072</b>	5b City, state, and ZIP code <b>BERKLEY, MI 48072</b>
6 County and state where principal business is located <b>OAKLAND</b>	
7 Name of principal officer, grantor, or general partner (See instructions.) ▶ <b>HELEN A. VanHOUSEN</b>	

8a Type of entity (Check only one box.) (See instructions.)

<input type="checkbox"/> Individual SSN	<input type="checkbox"/> Estate	<input type="checkbox"/> Trust
<input type="checkbox"/> REMIC	<input type="checkbox"/> Plan administrator SSN	<input type="checkbox"/> Partnership
<input type="checkbox"/> State/local government	<input type="checkbox"/> Personal service corp.	<input type="checkbox"/> Other corporation (specify)
<input type="checkbox"/> National guard	<input type="checkbox"/> Federal government/military	<input type="checkbox"/> Church or church controlled organization
<input checked="" type="checkbox"/> Other nonprofit organization (specify) <b>501(c)(3) Charitable</b>	<input type="checkbox"/> Nonprofit organization enter GEN (if applicable)	
<input type="checkbox"/> Other (specify) ▶		

8b If a corporation, give name of foreign country (if applicable) or state in the U.S. where incorporated ▶

Foreign country	State <b>MICHIGAN</b>
-----------------	--------------------------

9 Reason for applying (Check only one box.)

<input checked="" type="checkbox"/> Started new business	<input type="checkbox"/> Changed type of organization (specify) ▶
<input type="checkbox"/> Hired employees	<input type="checkbox"/> Purchased going business
<input type="checkbox"/> Created a pension plan (specify type) ▶	<input type="checkbox"/> Created a trust (specify) ▶
<input type="checkbox"/> Banking purpose (specify) ▶	<input type="checkbox"/> Other (specify) ▶

10 Date business started or acquired (Mo., day, year) (See instructions.) <b>MARCH 2, 1993</b>	11 Enter closing month of accounting year. (See instructions.) <b>DECEMBER</b>
---	---

12 First date wages or annuities were paid or will be paid (Mo., day, year). Notes: If applicant is a withholding agent, enter date income will first be paid to nonresident alien. (Mo., day, year) ▶

13 Enter highest number of employees expected in the next 12 months. Notes: If the applicant does not expect to have any employees during the period, enter "0."

Nonagricultural	Agricultural	Household
<b>0</b>	<b>0</b>	<b>0</b>

14 Principal activity (See instructions.) ▶ **COMMUNITY ORGANIZATION - CHARITABLE**

15 Is the principal business activity manufacturing? If "Yes," principal product and raw material used ▶

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

16 To whom are most of the products or services sold? Please check the appropriate box.

<input type="checkbox"/> Public (retail)	<input type="checkbox"/> Business (wholesale)	<input checked="" type="checkbox"/> N/A
<input type="checkbox"/> Other (specify) ▶		

17a Has the applicant ever applied for an identification number for this or any other business? . . . . . ☐ Yes ☒ No

Notes: If "Yes," please complete lines 17b and 17c.

17b If you checked the "Yes" box in line 17a, give applicant's true name and trade name, if different than name shown on prior application.

True name ▶	Trade name ▶
-------------	--------------

17c Enter approximate date, city, and state where the application was filed and the previous employer identification number if known.

Approximate date when filed (Mo., day, year)	City and state where filed	Previous EIN

Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete.

Name and title (Please type or print clearly.) ▶ <b>HELEN A. VanHOUSEN, PRESIDENT</b>	Telephone number (include area code) <b>(313) 399-2128</b>
---	---

Signature ▶ \_\_\_\_\_ Date ▶ \_\_\_\_\_

Note: Do not write below this line. For official use only.

Please leave blank ▶	Geo.	Ind.	Class	Size	Reason for applying

# **Berkley Days COVID Response Plan**

## **Introduction**

Berkley Days is committed to providing the safest possible environment for the health and welfare of our patrons and our community. The following procedures and protocols are put in place based on the "Department of Labor and Economic Opportunity MiSafeStart: Entertainment recommendations PRELIMINARY AND PRE-DECISIONAL | July 14, 2020", guidelines. We will promote social distancing, implement additional cleaning and sanitizing, as well as a mask mandate. We will operate within the guidelines put forth by the CDC and Michigan health department, as well as any other government mandates.

## **Masks**

**Masks must be worn at all times (except when eating and drinking).**

## **Volunteers**

All volunteers must wear a mask at all times (unless eating or drinking).

If you or a member of your household have any COVID symptoms STAY HOME.

If you or a member of your household have tested positive for COVID in the two weeks leading up to the event, you may not work the event without a negative test result.

If you start to develop symptoms at the event or throughout the course of the event please contact Denise Downen to document your symptoms and provide contact tracing.

Volunteers must wash hands or use hand sanitizer frequently.



## **Vendors**

All vendors must wear a mask at all times ( except when eating and drinking).

If you or a member of your household have any COVID symptoms STAY HOME.

If you or a member of your household have tested positive for COVID in the two weeks leading up to the event, you may not work the event without a negative test result.

If you start to develop symptoms at the event or throughout the course of the event please contact Denise Downen to document your symptoms and provide contact tracing.

Vendors must wash hands frequently and or use hand sanitizer.

Hand sanitizer must be available on your table at all times for personal and patron use.

Vendor booths will be ten feet apart to enable social distancing.

Only one patron pod is allowed per booth at a time.

Pathways will be marked with travel directions and socially distanced in six-foot increments.

Isles between booths will be thirteen feet wide.

## **Beer Tent**

Limited capacity will be observed with the use of a hostess to track the number of patrons in the beer tent.

Security will be present at the entrance of the beer tent, as well as inside.

Tables will be placed ten feet apart

Tables will be 10 feet from bar lines.

No more than six people at a round table, and ten at a rectangular table.

No more than two pods per table.

Bar lines will have floor markings socially distanced at six feet.

Bar tables will be sanitized hourly.

Hand sanitizers (3) will be available at all times for personal and patron use.

Bussers will clean/sanitize tables and chairs in between patron use.

Signage will be posted with current health orders and event requirements.

Food may be brought into the beer tent for consumption.

Entertainers may perform without a mask so as they remain ten feet away from patrons.

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Bartenders must wash or sanitize hands and taps frequently.

There will be no sides on the beer tent to increase ventilation. The perimeter of the beer tent will be clearly marked with snow fencing.

### **Porta-Potties**

All Porta-Potties will be sanitized hourly.

### **Patrons**

Patrons will be required to wear a mask at all times ( except when eating and drinking).

Patrons are required to follow all government, health, and event orders or they will be escorted off the premises without a refund.

### **PPE**

Berkley Day will have masks and gloves available free of charge for volunteers and patrons.

## **High contact surfaces**

All high contact surfaces, bars, tables, chairs, restrooms, etc. will be cleaned and sanitized each night of the event, after closing.

Sanitizing solution or a bleach solution will be used to sanitize surfaces.

Hot soapy water will be used to clean surfaces.

## **Contact Tracing**

Vendors, patrons, and volunteers are asked to come to the Berkley Days booth and report any COVID symptoms they begin experiencing at the event. They will be examined by medical staff if necessary. The person's name, phone number, and symptoms will be recorded and reported to the Health Department.

Any person who has a positive test after attending Berkley Days within a week is asked to contact Denise Downen at 248-904-4300 to report a positive test. Best efforts for contact tracing will be provided and reported to the Health Department.

March 15, 2021 City Council Meeting

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to authorize the City Manager to enter into a three-year Professional Services Agreement with Systemp Corporation of Rochester Hills, Michigan to perform Heating, Ventilation, and Air Conditioning (HVAC) Equipment Preventative Maintenance Services for the City of Berkley municipal buildings, not to exceed \$10,100 annually. This expenditure will be charged to account numbers 101-265-931-000, 101-310-931-000, 101-738-931-000, 614-105-933-000, and 101-441-931-000.

Ayes:

Nays:

Motion:



# MEMO

**To:** Matthew Baumgarten, City Manager  
**From:** Dan Hill, Public Policy Assistant  
**Date:** March 11, 2021  
**Subject:** Recommendation for HVAC Maintenance Contractor

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On Monday, March 1, 2021 the City received eight bids in response to the City's Request for Proposals regarding Heating, Ventilation, and Air Conditioning (HVAC) Equipment Preventative Maintenance Services; of the eight received, six were considered complete in their submission of the required information and procurement documents. Packages from each bidder, as well as, the bid tabulation sheet were prepared by the City Clerk.

## **Request for Proposal**

Within the Request for Proposal (RFP) published by the City on the City's website and through the MITN BidNet database, we outlined the scope of services we expect from our selected contractor on a set quarterly basis to help maintain and extend the life of our HVAC equipment assets. The scheduled Mechanical Preventative Maintenance Program will include inspection, replacement of air filters, belt replacement, condenser cleaning, chemical treatment, humidifier service, and necessary labor and transportation costs associated with providing these services. Within our RFP we included an inventory list of our HVAC equipment in our municipal buildings, upon City Council approval I will be scheduling a walk-through with our selected vendor to fully review the locations and technical aspects of all HVAC equipment.

## **Bid Selection Process**

In reviewing the Bid tabulation sheet, it was immediately noticed that the proposed costs were all over the place, ranging from \$9,123.24 to \$58,000.00 annually. In consideration of our previous contractor Commercial Climate Controls, billing us approximately \$9,000 annually for all five municipal buildings, I aimed to keep the increase in expenditure relatively minimal while also ensuring we were receiving quality service. With this in mind the only suitable bid that was considered complete was that of Systemp Corporation.

Following this determination I conducted reference checks with their three supplied references which included Livonia Public Schools, Magnum Industrial, and the City of Detroit. In my conversation with Stella Boyd from the City of Detroit, she indicated that she would definitely recommend their services to any municipality looking for quality service at an affordable price. She went on to state that the City of Detroit has renewed their contract several times with the most recent iteration being renewed in 2017, and over their lengthy relationship with Systemp there has never been any issues and she is confident that had their been, the company would have remedied them immediately due to the high quality of work and customer service they have historically provided.

In conversation with Harry Lau from Livonia Public Schools, he ultimately repeated many of the same sentiments that were expressed by Ms. Boyd from the City of Detroit. Mr. Lau explained that they have utilized Systemp for regular maintenance, but also for major projects such as a boiler replacement that recently occurred; in the school district's boiler replacement project, Mr. Lau credited Systemp Corporation with saving them approximately \$200,000 and ensuring that the new boiler system was ready to provide service to the building for many decades to come.

### **Cost of Services**

This service agreement will impact every municipal building in the City and result in minimal changes to each building's annual HVAC expenditure. The breakdown of changes is as follows:

<b>BUILDING</b>	<b>ACCOUNT</b>	<b>PREV. PRICE</b>	<b>SYSTEMP</b>	<b>DIFFERENCE</b>
City Hall	101-265-931-000	\$2,014.48	\$2,500.00	\$485.52 ↑
Library	101-738-931-000	\$1,517.32	\$1,400.00	\$117.32 ↓
Parks & Rec	614-105-933-000	\$1,385.26	\$1,800.00	\$414.74 ↑
Public Safety	101-310-931-000	\$2,680.00	\$3,000.00	\$320.00 ↑
Public Works	101-441-931-000	\$1,410.00	\$1,400.00	\$10.00 ↓
<b>TOTAL</b>		<b>\$9,007.06</b>	<b>\$10,100.00</b>	<b>12.1% ↑</b>

As the table above indicates, we will experience a 12.1% increase for building maintenance service expenditures across all municipal buildings. This increase is expected as we have not bid this service out since 2014 when the previous prices were set, and falls closely in line with the estimated 10.5% inflationary increase over the last seven years.

### **Recommendation**

In full consideration of all factors including their proposed pricing, 28 years of experience, and their glowing reviews from a variety of references representing a municipality, educational organization, and a private sector organization, I recommend that we seek approval from City Council to enter into a professional services agreement with System Corporation.

Please let me know if you need any further information or justification on these expenses, as always, I will plan to attend the City Council meeting on March 15th to answer any questions that City Council may have.

Thank you,



Daniel S. Hill  
Public Policy Assistant

**CITY OF BERKLEY**  
**“HVAC Equipment Preventative Maintenance Program”**  
**For the Department of Management**  
***Bid Opening: Monday, March 1, 2021 @ 3 PM***

<b><u>Business Name</u></b>	<b><u>Address</u></b>	<b><u>Bid (Base Services)</u></b>	<b><u>References</u> <u>Non-Collusive Affidavit</u> <u>Non-Discrimination</u></b>	<b><u>Conflict of Interest</u> <u>Hold Harmless</u> <u>Iran Affidavit</u></b>
Stuart Mechanical	2275 N. Opdyke Road Auburn Hills, MI 48436	\$18,945.00	Y/Y/Y	Y/Y/Y
Systemp Corporation	3909 Industrial Drive Rochester Hills, MI 48309	\$10,100.00	Y/Y/Y	Y/Y/Y
Mechanical System Services Corp.	1731 E. 11 Mile Road Madison Heights, MI 48071	\$58,100.00	Y/Y/Y	Y/Y/Y
Lyon Mechanical	PO Box 130 30100 South Hill Road New Hudson, MI 48165	\$32,005.00	N/N/N	N/N/N
Rolls Mechanical	1490 Torrey Road Fenton, MI 48430	\$18,117.00	Y/Y/Y	Y/Y/Y
iClimate Mechanical LLC	1915 N. Wilson Ave. Royal Oak, MI 48073	\$9,123.24	Y/Y/N	Y/Y/N
Allied Building Service Company of Detroit, Inc.	1801 Howard St. Detroit, MI 48216	\$33,780.00	Y/Y/Y	Y/Y/Y

Miller-Boldt, Inc.	21481 Carlo Drive Clinton Twp., MI 48038	\$26,772.00	Y/Y/Y	Y/Y/Y
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**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## **CITY OF BERKLEY BID OPPORTUNITY HOLD HARMLESS & INDEMNITY FORM**

<b>BID OPPORTUNITY:</b>	Heating, Ventilation, And Air Conditioning (HVAC) Equipment Preventative Maintenance Services
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### **PURPOSE:**

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

This includes damage or destruction of any property (including loss of use) based on any act or omission (negligent or otherwise) of the CONTRACTOR or anyone acting on its behalf in connection with or incident to this agreement.

The CONTRACTOR shall, at its own cost and expense, defend any such claim and any suit, action, or proceeding which may be commenced hereunder. In the event of any suit, action or proceeding, the CONTRACTOR shall pay:

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

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

### **PLEASE PRINT:**

**Systemp Corporation**

Contractor Name

**3909 Industrial Drive**

Contractor Street Address

**Rochester Hills, MI 48309**

City, State, Zip Code

Telephone

**Michael Niemczycki**

Authorized Representative

Signature

**3/1/21**

Date

Witness



**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## CITY OF BERKLEY BID OPPORTUNITY IRAN BUSINESS RELATIONSHIP AFFIDAVIT

<b>BID OPPORTUNITY:</b>	Heating, Ventilation, And Air Conditioning (HVAC) Equipment Preventative Maintenance Services
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**THIS AFFIDAVIT SHALL BE SUBMITTED AND MADE A PART OF EACH AND EVERY BID PROPOSAL  
TO THE CITY OF BERKLEY, MICHIGAN**

STATE OF MICHIGAN  
COUNTY OF OAKLAND

Michael Niemczyk, BEING DULY SWORN  
deposes and says that:

1. Pursuant to the Michigan Iran Economic Sanctions Act, 2012 P.A. 517, by submitting a bid, proposal or response, the respondent certifies, under civil penalty for false certification, that it is not an "Iran linked business," as that term is defined in the Act.
2. The undersigned is duly authorized to execute this affidavit on behalf of the bidder.

Subscribed and sworn to before me this  
1<sup>st</sup> day of March, 2021  
a notary public in and for said County,

Alice Cossettini  
Notary Public

My Commission expires: 8-19-2027

**ALICE COSSETTINI**  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires 08-19-2027  
Acting in the County of Oakland

Michael Niemczyk  
Authorized Signature

**Michael Niemczyk**

Printed Name of Signatory

**Systemp Corporation**

Company Name

**3909 Industrial Drive**

Address

**Rochester Hills, MI 48309**

City, State, Zip Code

Area Code & Phone Number

**PLEASE NOTE: City of Berkley employees cannot notarize this document.**





**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
 3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

# CITY OF BERKLEY BID OPPORTUNITY NON-DISCRIMINATION AFFIDAVIT

<b>BID OPPORTUNITY:</b>	Heating, Ventilation, And Air Conditioning (HVAC) Equipment Preventative Maintenance Services
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**THIS AFFIDAVIT SHALL BE SUBMITTED AND MADE A PART OF EACH AND EVERY BID PROPOSAL  
TO THE CITY OF BERKLEY, MICHIGAN**

STATE OF MICHIGAN  
 COUNTY OF OAKLAND

Michael Niemczycki, BEING DULY SWORN  
 deposes and says that:

1. In compliance with the City of Berkley Non-Discrimination Policy, the Contractor shall not discriminate against an employee or an applicant for employment in hiring, any terms and conditions of employment or matters related to employment regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, genetic information, height, weight, disability, veteran status, familial status, marital status or any other reason, that is unrelated to the person's ability to perform the duties of a particular job or position, in accordance with applicable federal and state laws.
2. The undersigned is duly authorized to execute this affidavit on behalf of the bidder.

Subscribed and sworn to before me this  
1st day of March, 2021  
 a notary public in and for said County,

Alice Cossettini  
 Notary Public

My Commission expires: 8.19.2027

**ALICE COSSETTINI**  
 Notary Public, State of Michigan  
 County of Macomb  
 My Commission Expires 08-19-2027  
 Acting in the County of Oakland

Michael Niemczycki  
 Authorized Signature

Michael Niemczycki  
 Printed Name of Signatory

Systemp Corporation  
 Company Name

3909 Industrial Drive  
 Address

Rochester Hills, MI 48309  
 City, State, Zip Code

Area Code & Phone Number

**PLEASE NOTE: City of Berkley employees cannot notarize this document.**



**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

**CITY OF BERKLEY BID OPPORTUNITY**  
**CONTRACTOR REFERENCES**

<b>BID OPPORTUNITY:</b>	Heating, Ventilation, And Air Conditioning (HVAC) Equipment Preventative Maintenance Services
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**REFERENCE 1:**

<b>COMPANY NAME</b>	City Of Detroit
<b>ADDRESS</b>	2 Woodward Ave Detroit, MI 48226
<b>TELEPHONE</b>	
<b>CONTACT PERSON</b>	Stella Boyd
<b>CONTRACT DATES</b>	since 2017
<b>DESCRIPTION OF WORK</b>	Maintenance and Projects

**REFERENCE 2:**

<b>COMPANY NAME</b>	Livonia Public Schools
<b>ADDRESS</b>	15125 Farmington Rd. Livonia, MI 48154
<b>TELEPHONE</b>	
<b>CONTACT PERSON</b>	Harry Lau
<b>CONTRACT DATES</b>	3 years
<b>DESCRIPTION OF WORK</b>	Maintenance and projects for the district.

**REFERENCE 3:**

<b>COMPANY NAME</b>	Magnum Industrial
<b>ADDRESS</b>	281 Enterprise Drive, Blomfield Hills, MI 48302
<b>TELEPHONE</b>	
<b>CONTACT PERSON</b>	Joel Nosanchuk
<b>CONTRACT DATES</b>	since 2018
<b>DESCRIPTION OF WORK</b>	Maintenance on HVAC



**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
 3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

# CITY OF BERKLEY BID OPPORTUNITY NON-COLLUSIVE AFFIDAVIT

<b>BID OPPORTUNITY:</b>	Heating, Ventilation, And Air Conditioning (HVAC) Equipment Preventative Maintenance Services
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**THIS AFFIDAVIT SHALL BE SUBMITTED AND MADE A PART OF EACH AND EVERY BID PROPOSAL  
TO THE CITY OF BERKLEY, MICHIGAN**

STATE OF MICHIGAN  
 COUNTY OF OAKLAND

Michael Niemczyk, BEING DULY SWORN  
 deposes and says that:

1. The bid has been arrived at by the bidder independently and has been submitted without collusion with, and without any agreement, understanding, or planned common course of action with any other vender of materials, supplies, equipment, or services described in the invitation to bid, designed to limit independent bidding or competition; and
2. The contents of the bid have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid and will not be communicated to any such person prior to the official opening of the bid.
3. The undersigned is duly authorized to execute this affidavit on behalf of the bidder.

Subscribed and sworn to before me this  
15<sup>th</sup> day of March, 2021  
 a notary public in and for said County,

[Signature]  
 Authorized Signature

Michael Niemczyk  
 Printed Name of Signatory

Systemp Corporation  
 Company Name

3909 Industrial Drive  
 Address

Rochester Hills, MI 48309  
 City, State, Zip Code

Area Code & Phone Number

[Signature]  
 Notary Public

My Commission expires: 8-19-2027

**ALICE COSSETTINI**  
 Notary Public, State of Michigan  
 County of Macomb  
 My Commission Expires 08-19-2027  
 Acting in the County of Oakland

**PLEASE NOTE: City of Berkley employees cannot notarize this document.**





**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## CITY OF BERKLEY BID OPPORTUNITY CONFLICT OF INTEREST DISCLOSURE FORM

**BID OPPORTUNITY:** Heating, Ventilation, And Air Conditioning (HVAC) Equipment Preventative Maintenance Services

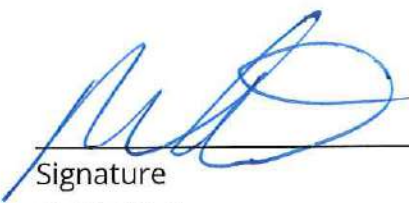
<b>Name:</b>	Michael Niemczyk	<b>Company:</b>	Systemp Corporation
<b>Title:</b>	Vice President	<b>Address:</b>	3909 Industrial Drive, Rochester Hills, MI 48309

Please describe any relationships, transactions, positions you hold (as owner, director or volunteer of a for-profit or nonprofit organization) or other circumstances you believe could contribute to an actual or perceived conflict of interest between the City of Berkley and your personal interest. (Use additional paper if necessary.)

☐ I have the following conflict of interest to report.

☐ I have the following potential conflict of interest to report.

☒ I have no circumstances that I believe could contribute to an actual or perceived conflict of interest.

  
Signature

3/1/21

Date



**CITY OF BERKLEY MICHIGAN**  
**HVAC PREVENTATIVE MAINTENANCE REQUEST FOR PROPOSAL**  
*Basis of Award*

The City is seeking a qualified contractor that is conscientious, has integrity and is able to complete the work in a timely manner. Representatives of the selected firm must conduct themselves in an appropriate manner while on City premises.

Using the form included, provide the names, and contact information for three references, preferably government agencies, for whom similar services have been provided in the past two years. Failure to provide qualified references may be grounds for disqualification of your bid.

**COMPANY EXPERIENCE:** How many years has the Company been in business? 28

**PRICING PER BUILDING:**

In accordance with the provided Scope of Service, please indicate the annual cost for each facility and any additional service charges:

BUILDING	ANNUAL
City Hall	\$ 2,500
Library	\$ 1,400
Community Center	\$ 1,800
Public Safety Building	\$ 3,000
Public Works	\$ 1,400
<b>TOTAL BID:</b>	<b>\$ 10,100</b>
<b><u>ADDITIONAL SERVICES</u></b>	
Service Personnel	\$ 115 / HR
Service Call fees in addition	\$ N/A
Mileage Fees	\$ N/A
Additional fees (Please describe below) Truck Charge for calls outside of Preventive Work	\$ 50.00

March 15, 2021 City Council Meeting

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to award the contract for the replacement of the Historic Fire Hall Roof to the lowest qualified bidder, Schena Roofing and Sheet Metal, 28299 Kehrig Drive, Chesterfield, MI 48047 in an amount not to exceed \$29,885 from account 101-265-976-000.

Ayes:

Nays:

Motion:





# MEMO

**To:** Matthew Baumgarten, City Manager  
**From:** Dan Hill, Public Policy Assistant  
**Date:** March 10, 2021  
**Subject:** Recommendation for Historic Fire Hall Roof Replacement

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On Monday, March 5, 2021 the City received two bids in response to the City's Request for Proposals regarding the replacement and annual maintenance of the Historic Fire Hall's shingle roof. Packages from each bidder, as well as, the bid tabulation sheet were prepared by the City Clerk.

## **Request for Proposal**

Within the Request for Proposal (RFP) published by the City on the City's website and through the MITN BidNet database, we outlined the scope of services we are hoping to acquire in the process. The services include inspecting the roof and determining the presence of damages, leaks, or deterioration to the decking, flashing, underlayment, ridge cap, or exposed seams. Subsequently we requested proposals which would provide complete replacement of the asphalt shingle roof, including color-matching to preserve the building's historic look. Finally we sought a contractor which could provide a web-based reporting system that can be utilized for damages or scheduling annual maintenance.

The RFP also included an alternative scope focusing on repairs or replacement of the fascia, soffit, or architectural millwork in places which were damaged or deteriorating. Any replacement or repair will be done to be identical to the current decorative look of the building.

## **Bid Selection Process**

As part of the bidding process, the RFP required any interested bidders to attend a pre-bid site visit so that interested bidders would have ample opportunity to evaluate the current condition of the roof and provide an estimate that would be appropriate to the scope of work to be performed. Both contractors which submitted bids were in attendance at the required site visit.

Following the public opening of the bids, I evaluated the proposals of both contractors in order to determine the City was receiving the most favorable outcome of the work to be done. In my evaluation of the bid packages I carefully examined the differences between the two contractors, especially considering the proposals were within \$5000 of each other and from two wholly qualified and experienced firms. In my evaluation, Schena Roofing and Sheet Metal was the only contractor which discussed the repair and maintenance of the flat roof that is present at the

top of the Fire Hall structure, repairs to deteriorating fascia, and the installation of all new accessories to match the newly fabricated flashing for the roof.

I also performed reference checks with the supplied references for both bids. Schena Roofing and Sheet Metal received glowing reviews from all three of their references which include the City of Berkley Public Works Department, City of Berkley Public Safety Department, the City of Richmond, and the City of Warren Wastewater Treatment Plant. The City of Richmond stated that they, "have never once had a bad experience with Schena, they are fantastic with quick repair work, and we would recommend them to anyone needing roof work." The City of Warren's reference followed suit in positivity and further stated that they have renewed their roof contracts with the company for at least four extensions due to their high caliber of workmanship.

### **Cost of Services**

Overall Schena's proposal came in as the lowest bidder at \$27,885.00, with deck replacement being billed at an additional cost of \$4.25 per linear foot, and fascia replacement being billed at an additional cost of \$4.75 per linear foot. With these variable costs and my conversations with the contractor, I have requested the additional \$2000.00 of expenditure from the City Council which should wholly cover any of these variables.

### **Recommendation**

It is wholly my recommendation that we award the replacement of the Historic Fire Hall Roof bid to Schena Roofing and Sheet Metal of Chesterfield, Michigan. The firm's low cost, thorough evaluation and recommendations, and their glowing references and reputation lead me to believe that the City will receive services that will renew and protect the Fire Hall roof for years to come.

With the requested amount of \$29,885.00, I acknowledge that we are beyond our initial budgeted amount of \$26,000 in Account 101-265-976-000, however this work is crucial to ensuring the structural integrity of the historic fire hall structure which needed a roof leak repaired in Fall of 2019.

Please let me know if you need any further information or justification on these expenses, as always, I will plan to attend the City Council meeting on March 15th to answer any questions that City Council may have.

Thank you,

A handwritten signature in blue ink, appearing to read "D. S. Hill", enclosed within a faint rectangular border.

Daniel S. Hill  
Public Policy Assistant

**CITY OF BERKLEY**

**“Historic Fire Hall Roof Replacement and Annual Preventative Maintenance Program”**

**For the Department of Management**

***Bid Opening: Friday, March 5, 2021 @ 3 PM***

<b><u>Business Name</u></b>	<b><u>Address</u></b>	<b><u>Bid (Base Services)</u></b>	<b><u>References</u> <u>Non-Collusive Affidavit</u> <u>Non-Discrimination</u></b>	<b><u>Conflict of Interest</u> <u>Hold Harmless</u> <u>Iran Affidavit</u></b>
Weatherseal Home Improvements Co., Inc.	51662 Oro Drive Shelby Township, MI 48315	\$31,500.00	Y/Y/Y	Y/Y/Y
Schena Roofing & Sheet Metal	28299 Kehrig Drive Chesterfield, MI 48047	\$27,885.00	Y/Y/Y	Y/Y/Y

## Management Report



City of Berkley  
Berkley Historical Fire House  
3338 Coolidge Highway, Berkley, MI

Prepared For  
City of Berkley

## Site Overview



**Total Sections: 1**  
**Total Sq Ft: 4,000**

Map	Name	Sq Ft	Est Install	Grade
1	Section 1	4,000	1990	F

## Composition

Section: Section 1  
Size: 4000  
Overall Grade: F  
  
Inspection Date: 03/05/2021  
Inspector: Bob Jones



### Section 1

Wood Deck: The existing roof system is a standard 3 tab shingle system. There is currently no sign of a proper underlayment and there is 1 layer of roofing in place



## Observations

Section: Section 1  
Size: 4000  
Overall Grade: F  
  
Inspection Date: 03/05/2021  
Inspector: Bob Jones



North Side



South Side

## Deficiencies

Section: Section 1  
Size: 4000  
Overall Grade: F  
  
Inspection Date: 03/05/2021  
Inspector: Bob Jones



### Steep Slope - Damaged/Deteriorated shingle (Emergency)

Quantity: 4000 Sq Ft

#### Deficiency:

The existing shingle is damaged or has begun to deteriorate at a level that is detrimental to the facility

#### Corrective Action:

Based on the overall condition of the existing roof system it is recommended that the current system be removed and replaced

A proposal for replacement can be found at the end of the report



### Steep Slope - Missing/Damaged Metal Detail (Emergency)

Quantity: 15 LF

#### Deficiency:

The existing metal detail is damaged/missing and is allowing water to penetrate the facility

#### Corrective Action:

Fabricate and install new matching sheet metal detail as necessary.  
This flashing will be replaced with new roof system install



**Summary**

**Section:** Section 1  
**Size:** 4000  
**Overall Grade:** F  
  
**Inspection Date:** 03/05/2021  
**Inspector:** Bob Jones



**Condition Summary**

**Membrane:** F  
**Flashings:**  
**Sheet Metal:** F  
  
**Overall:** F

**Overall Grade**

A = 10 Years or more of service life remaining  
B = 8-10 Years of service life remaining  
C = 5-7 Years of service life remaining  
D = 2-4 Years of service life remaining  
F = Less than 1 Year of service life remaining

Estimated Replacement: 2021

**Recommendations**

The existing roof system is aged and failing at this point. It is recommended that the existing shingle roof system be removed and replaced. A formal proposal is attached at the end of the report.

Estimated Replacement Costs: \$27,885.00

**Summary**

**Section:** Section 1  
**Size:** 4000  
**Overall Grade:** F

**Inspection Date:** 03/05/2021  
**Inspector:** Bob Jones

**1 - Section 1 (4,000 Sq Ft ) Grade F****Deficiency**

Damaged/Deteriorated shingle  
 Missing/Damaged Metal Detail  
 Full Replacement  
 Total

Qty	Emergency	Remedial	Replacement
4000 Sq Ft	\$0.00		
15 LF	\$0.00		
4,000 Sq Ft			\$27,885.00
	\$0.00	\$0.00	\$27,885.00

Budget Matrix  
 Berkley Historical Fire House  
 Berkley, MI  
 4000Sq Ft

## Overall Grade

A = 10 Years or more of service life remaining  
 B = 8-10 Years of service life remaining  
 C = 5-7 Years of service life remaining  
 D = 2-4 Years of service life remaining  
 F = Less than 1 Year of service life remaining

**1 - Section 1 (4,000 Sq Ft) Grade F****Projected Replacement: 2021**

Deficiency	Qty	Emergency	Remedial	Replacement
Damaged/Deteriorated shingle	4000 Sq Ft	\$0.00		
Missing/Damaged Metal Detail	15 LF	\$0.00		
Full Replacement	4,000 Sq Ft			\$27,885.00
Total		\$0.00	\$0.00	\$27,885.00
<b>Budget Totals</b>		<b>Emergency</b>	<b>Remedial</b>	<b>Replacement</b>
		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$27,885.00</b>





3/5/2021

City of Berkley  
3238 Bacon Ave.  
Berkley, MI 48072

RE:  
Berkley Historical Fire House  
3338 Coolidge Highway  
Berkley, MI 48072

The following is a (2) line item proposal for the replacement of the existing shingle system and perform annual yearly maintenance/inspection of the facility roof system(s)

Scope of Work: Line Item #1 - Remove and replace existing shingle roof system (4,000 sq.ft.) and install a new GAF Timberline HD Architectural Dimensional Shingle System (Hunter Green)

- Remove all existing metal chimney counter flashing
- Remove all existing shingles to expose the roof deck
- Inspect the existing roof deck for damaged/deteriorated decking. Replace any and all deteriorated decking with matching wood decking at a unit cost of \$4.25 per lf. All deck replacement shall be photo documented and shall be billed as an extra
- Replace any damaged/deteriorated fascia board with matching as necessary at a unit cost of \$4.75 per lf. All fascia replacement shall be billed as an extra
- Install new 1.5" Aluminum t-style drip edge at all necessary points (color T.B.D.)
- Install a minimum of 6' of Ice & Water Shield at all eave edges as necessary
- Install Ice & Water Shield in all valleys as necessary
- Cover the remaining exposed roof deck with a GAF Felt Buster Synthetic Felt System
- Install a new GAF HD Timberline Shingle System, proposed color is "Hunter Green"
- Install all new color matching Hip & Ridge Cap as necessary
- Install all new accessories i.e. new soil pipe covers, bath vents, etc...
- Fabricate and install new 24 gauge steel chimney counter flashing (color T.B.D.)
- Perform general maintenance and repairs to the upper flat roof section as necessary
- Remove all associated debris and materials from site upon completion of project

Cost to complete the above mentioned: \$27,885.00      Proceed: YES\_\_\_\_

Scope of Work: Line Item #2 - Perform annual yearly roof inspection

- Perform an annual yearly roof inspection of the Historic Fire Hall and provide the report to the City as required.
- All information is contained in our Web Based Client Portal System that allows the City access to all of its roofing information, reports, budget, numbers, etc at all times. Our system also allows you to report and track your service calls in real time.

Cost to perform the above mentioned: \$700.00      Proceed: YES\_\_\_\_

NOTE: Berkley Public Safety currently has access to our web based system as we have performed service and various projects for them in the past

Schena Roofing & Sheet Metal - 28299 Kehrig Drive , Chesterfield , MI 48047  
www.schenaroofting.com  
p: 586-949-4777 f: 586-949-8080

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

PO#: \_\_\_\_\_

Please let me know if there are any questions  
Thanks and have a great day!!

Bob Jones  
Schena Roofing & Sheet Metal

Schena Roofing & Sheet Metal Co., Inc. ("Schena") and the customer identified in the Proposal ("Customer"), collectively referred to as "Parties," agree to the following terms and conditions to this agreement ("Agreement"): 1. Standard of Care: Schena represents and warrants that it will perform all work in a workmanlike manner in accordance with standard practices. Customer agrees and acknowledges that wrinkling is a normal condition which may occur with new installation of mechanically attached single-ply membranes, and that most wrinkles will dissipate within the first year of installation. Schena is not liable for any oil canning conditions in sheet-metal installations. Unless excluded in Schena's Proposal, and pursuant to Schena Roofing Warranty Provisions, Schena provides Customer a two-year warranty on workmanship for roof replacements or a one-year warranty on workmanship for service work, BUT EXPRESSLY DISCLAIMS ANY AND ALL OTHER WARRANTIES, WHETHER EXPRESS OR IMPLIED IN NATURE, INCLUDING ANY WARRANTY OF MERCHANTABILITY AND/OR FITNESS FOR A PARTICULAR PURPOSE. All warranty claims must be submitted to Schena within that respective one-year or two-year period, or is waived. Schena assigns to Customer any warranties furnished by material manufacturers to the extent Schena is permitted to assign such warranties. 2. Scope of Work: Schena's scope of work is fully set forth in its Proposal, and will be performed within a reasonable amount of time. Should Schena perform any extra work, should there be any changes to the work, and/or should there be a differing site condition (including unanticipated concealed conditions or conditions of an unusual nature), Schena shall be entitled to an equitable adjustment to the contract sum and time. 3. Payments: Customer agrees to pay Schena in full within 15 days of receiving an invoice for the work, unless otherwise agreed to in writing in Schena's proposal. Late payments shall be subject to a time-price differential of 1.5% per month. Should Schena have to initiate any action to collect overdue payments from Customer, Schena shall be entitled to recover from Customer all collection costs and fees, including attorney fees. 4. Insurance: Schena represents that it maintains commercial general liability insurance and workers' compensation insurance. Customer shall maintain property insurance, including coverage for fire, tornado, and other necessary insurance. Should any damages be covered by Customer's property insurance, Customer waives any rights to subrogation against Schena. 5. Governing Law and Forum: This Agreement shall be interpreted under and governed by Michigan law. Customer hereby waives any claim against Schena in any way related to mold, and agrees that Customer's sole rights against Schena for defective work, including any breach of warranty, is for Schena to cure its defective work within a reasonable amount of time. Any dispute between the Parties shall exclusively be in state court in Michigan. The Parties agree that any claims Customer has against Schena, whether in contract, warranty, tort, or otherwise, shall be filed in the proper court no later than two years after Schena completes its work on the project, otherwise such claims are hereby waived. 6. Representations: Prior to roof installation, Schena will visually inspect the surface of the roof deck for obvious visual defects, but is not obligated to perform any further inspections. Schena is not responsible for any structural deficiency, quality of construction of others (including compliance with FMG criteria), undulations, fastening, or moisture content of the roof deck or other trades' work design. Schena is not responsible for condensation, moisture migration from the building interior or other building components, location or size of roof drains, or adequacy of drainage or ponding on the roof due to structural conditions. Customer represents and warrants that structures on which Schena is to work are in sound condition and



capable of withstanding roofing construction, equipment, and operations. Customer further represents that it is aware that roofing products emit fumes, vapors, and odors during the application process, and Customer shall take all necessary action to protect any person from these emissions. 7. Force Majeure: Schena shall have no liability for failure or delay in performing obligations set forth in this Agreement, and Schena shall not be deemed in breach if such failure or delay is due to natural disasters, strike, lockout, or other industrial or transportation disturbances, law, regulation or ordinance, or any causes beyond the reasonable control of Schena. 8. Indemnity: Customer shall defend and indemnify Schena for any claim, liability, damages, losses, or expenses arising in any way out of Customer's negligence, fault, or breach of contract duties. 9. Integration: This Agreement constitutes the entire agreement between the parties and supersedes any and all other agreements, either oral or written with respect to the subject matter hereof.



**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
 3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## CITY OF BERKLEY BID OPPORTUNITY IRAN BUSINESS RELATIONSHIP AFFIDAVIT

**BID OPPORTUNITY:** Berkley Historic Fire Hall

**THIS AFFIDAVIT SHALL BE SUBMITTED AND MADE A PART OF EACH AND EVERY BID PROPOSAL  
 TO THE CITY OF BERKLEY, MICHIGAN**

STATE OF MICHIGAN  
 COUNTY OF OAKLAND

JANETTE HEIM, BEING DULY SWORN  
 deposes and says that:

1. Pursuant to the Michigan Iran Economic Sanctions Act, 2012 P.A. 517, by submitting a bid, proposal or response, the respondent certifies, under civil penalty for false certification, that it is not an "Iran linked business," as that term is defined in the Act.
2. The undersigned is duly authorized to execute this affidavit on behalf of the bidder.

Subscribed and sworn to before me this  
5<sup>th</sup> day of MARCH, 2021  
 a notary public in and for said County,

Janette Heim  
 Notary Public

My Commission expires: 9/24/21

**JANETTE HEIM**  
 Notary Public, State of Michigan  
 County of Macomb  
 My Commission Expires 09-24-2021  
 Acting in the County of MACOMB

Bob Jones  
 Authorized Signature

**Bob Jones**

Printed Name of Signatory

**Schena Roofing**

Company Name

**28299 Kehrig Drive**

Address

**Chesterfield, MI 48047**

City, State, Zip Code

Area Code & Phone Number

**PLEASE NOTE: City of Berkley employees cannot notarize this document.**



**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
 3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

# CITY OF BERKLEY BID OPPORTUNITY NON-COLLUSIVE AFFIDAVIT

**BID OPPORTUNITY:** Berkley Historic Fire Hall

**THIS AFFIDAVIT SHALL BE SUBMITTED AND MADE A PART OF EACH AND EVERY BID PROPOSAL  
TO THE CITY OF BERKLEY, MICHIGAN**

STATE OF MICHIGAN  
 COUNTY OF OAKLAND

Janette Heim \_\_\_\_\_, BEING DULY SWORN  
 deposes and says that:

1. The bid has been arrived at by the bidder independently and has been submitted without collusion with, and without any agreement, understanding, or planned common course of action with any other vender of materials, supplies, equipment, or services described in the invitation to bid, designed to limit independent bidding or competition; and
2. The contents of the bid have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid and will not be communicated to any such person prior to the official opening of the bid.
3. The undersigned is duly authorized to execute this affidavit on behalf of the bidder.

Subscribed and sworn to before me this  
5th day of MARCH, 20 21  
 a notary public in and for said County,

Janette Heim  
 Notary Public

My Commission expires: 9/24/21

**JANETTE HEIM**  
 Notary Public, State of Michigan  
 County of Macomb  
 My Commission Expires 09-24-2021  
 Acting in the County of MACOMB

Bob Jones  
 Authorized Signature

Bob Jones  
 Printed Name of Signatory

Schena Roofing  
 Company Name

28299 Kehrig Drive  
 Address

Chesterfield, MI 48047  
 City, State, Zip Code

\_\_\_\_\_  
 Area Code & Phone Number

**PLEASE NOTE: City of Berkley employees cannot notarize this document.**





**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## CITY OF BERKLEY BID OPPORTUNITY NON-DISCRIMINATION AFFIDAVIT

**BID OPPORTUNITY:** Berkley Historic Fire Hall

**THIS AFFIDAVIT SHALL BE SUBMITTED AND MADE A PART OF EACH AND EVERY BID PROPOSAL  
TO THE CITY OF BERKLEY, MICHIGAN**

STATE OF MICHIGAN  
COUNTY OF OAKLAND

Janette Heim \_\_\_\_\_, BEING DULY SWORN  
deposes and says that:

1. In compliance with the City of Berkley Non-Discrimination Policy, the Contractor shall not discriminate against an employee or an applicant for employment in hiring, any terms and conditions of employment or matters related to employment regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, genetic information, height, weight, disability, veteran status, familial status, marital status or any other reason, that is unrelated to the person's ability to perform the duties of a particular job or position, in accordance with applicable federal and state laws.
2. The undersigned is duly authorized to execute this affidavit on behalf of the bidder.

Subscribed and sworn to before me this  
5th day of MARCH, 2021  
a notary public in and for said County,

Janette Heim  
Notary Public

My Commission expires: 9/24/21

JANETTE HEIM  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires 09-24-2021  
Acting in the County of MACOMB

Bob Jones  
Authorized Signature

Bob Jones  
Printed Name of Signatory

Schena Roofing  
Company Name

28299 Kehrig Drive  
Address

Chesterfield, MI 48047  
City, State, Zip Code

\_\_\_\_\_  
Area Code & Phone Number

**PLEASE NOTE: City of Berkley employees cannot notarize this document.**



**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## CITY OF BERKLEY BID OPPORTUNITY HOLD HARMLESS & INDEMNITY FORM

**BID OPPORTUNITY:** Berkley Historic Fire Hall

### PURPOSE:

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

This includes damage or destruction of any property (including loss of use) based on any act or omission (negligent or otherwise) of the CONTRACTOR or anyone acting on its behalf in connection with or incident to this agreement.

The CONTRACTOR shall, at its own cost and expense, defend any such claim and any suit, action, or proceeding which may be commenced hereunder. In the event of any suit, action or proceeding, the CONTRACTOR shall pay:

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

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

### PLEASE PRINT:

**Schena Roofing**

Contractor Name

**28299 Kehrig Drive**

Contractor Street Address

**Chesterfield, MI 48047**

City, State, Zip Code

Telephone

**Bob Jones**

Authorized Representative

*Bob Jones*

Signature

**3/5/2021**

Date

*Dawn Licavoli*

Witness



**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## CITY OF BERKLEY BID OPPORTUNITY CONFLICT OF INTEREST DISCLOSURE FORM

<b>BID OPPORTUNITY:</b>	Berkley Historic Fire Hall
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<b>Name:</b>	Bob Jones	<b>Company:</b>	Schena Roofing
<b>Title:</b>	Service Department Estimator	<b>Address:</b>	28299 Kehrig Drive, Chesterfield, MI 48047

Please describe any relationships, transactions, positions you hold (as owner, director or volunteer of a for-profit or nonprofit organization) or other circumstances you believe could contribute to an actual or perceived conflict of interest between the City of Berkley and your personal interest. (Use additional paper if necessary.)

<input type="checkbox"/>	I have the following conflict of interest to report.

<input type="checkbox"/>	I have the following potential conflict of interest to report.

<input checked="" type="checkbox"/>	I have no circumstances that I believe could contribute to an actual or perceived conflict of interest.
-------------------------------------	---

Bob Jones  
Signature  
3/5/2021  
Date





**CITY OF BERKLEY**  
**OFFICE OF THE CITY CLERK**  
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

**CITY OF BERKLEY BID OPPORTUNITY**  
**CONTRACTOR REFERENCES**

<b>BID OPPORTUNITY:</b>	Berkley Historic Fire Hall
-------------------------	----------------------------

**REFERENCE 1:**

<b>COMPANY NAME</b>	City of Berkley
<b>ADDRESS</b>	3238 Bacon Ave., Berkley, MI 48072
<b>TELEPHONE</b>	
<b>CONTACT PERSON</b>	Derrick Schueller
<b>CONTRACT DATES</b>	
<b>DESCRIPTION OF WORK</b>	Roofing repairs, replacement, maintenance

**REFERENCE 2:**

<b>COMPANY NAME</b>	City of Richmond
<b>ADDRESS</b>	68225 Main Street, Richmond, MI 48062
<b>TELEPHONE</b>	
<b>CONTACT PERSON</b>	Jim Goetzinger
<b>CONTRACT DATES</b>	
<b>DESCRIPTION OF WORK</b>	Roofing repairs, replacement, maintenance

**REFERENCE 3:**

<b>COMPANY NAME</b>	City of Warren WWTP
<b>ADDRESS</b>	32360 Warkop Ave., Warren, MI 48093
<b>TELEPHONE</b>	
<b>CONTACT PERSON</b>	Joe Kovalcik
<b>CONTRACT DATES</b>	
<b>DESCRIPTION OF WORK</b>	Roofing repairs, annual maintenance, roof replacement