

BOARD OF PUBLIC WORKS 08-23-23 PRE-BOARD MINUTES

August 23, 2023

Location: Conference Room 2460, City/County Building.

Chairman Brandon Herget called the meeting to order at 12:00 noon.

Board Members in Attendance: Robert Parrin, Susie Cordi, Sibeko Jywanza, Daniel Haake, and Edreece Redmond.

Legal Representation: Vaneeta Kumar.

Board Secretary: Alice Droeger.

Staff in Attendance: Robert Frye, Ericka Miller, and Jennifer Dominguez of DPW and DPW consultant Cassie Reiter of Crawford Murphy & Tilley.

Chairman Herget asked the Board Members to Introduce themselves.

ITEM 1 – ADOPT THE AGENDA

- a. Chairman Herget asked for a motion to adopt the August 23, 2023, Pre-Board Meeting Agenda.

A motion was made by Robert Parrin, seconded by Edreece Redmond, and the agenda was adopted with a vote of 6-0.

ITEM 2 – PRESENTATION

- a. Build-Operate-Transfer Overview.

Robert Frye gave an overview of the procurement and delivery of public infrastructure construction projects pursuant to Indiana Code 5-23, the public-private partnership statute, also known as Build-Operate-Transfer or BOT for short, explaining that it provides an alternative to the typical design-bid-build procurement method (DBB) that the Board is used to seeing it when it is asked to make bid awards for projects.

The DBB method has three distinct phases: design, procurement, and construction, with the Owner contracting separately with the designer and constructor, and the constructor being selected through a sealed bid process with a fixed price based on project plans prepared by the designer and award of a contract required to be given to the lowest responsive and responsible bidder. Under the BOT method, by contrast, the Owner contracts with only one entity, which is selected through a qualitative request for proposals (RFP) process, for design, construction, operation (e.g., management and maintenance), and even financing of the project. The BOT method is gaining in popularity due to its flexibility, the ability to negotiate the project price and delivery terms, and the ability to include design, financing, and operation as options all under one contract. However, the BOT method does not require that each of these phases be included, allowing the Owner the flexibility of including any combination of finance, design, construction, and

operation in the procurement. The BOT method also allows the Owner to issue a request for information (RFI) to evaluate the feasibility of a project without having to move forward with procurement.

b. Project No. ST-23-081, Street Construction/Reconstruction Project

This will be the first project for which DPW has used the BOT procurement method. DPW will be making a recommendation to the Board to award contract for this project at its September 6, 2023 meeting to Avenew Roads, Inc. for the design and construction of the following streets in Pike Township in Indianapolis, as well as operation thereof for a period of three (3) years: Rock Hampton Court, Robbins Road, Ivy Tech Drive, Americana Boulevard, and Moeller Road.

c. White River Innovation District Infrastructure Improvements.

Pursuant to a Development Agreement among the City, the Indiana Economic Development Corporation and Elanco, DPW is responsible for constructing certain infrastructure to support Elanco's development of its corporate headquarters on the site of the former GM Stamping Plant, now known as the White River Innovation District. The project includes the construction of several new streets, including a new bridge at Henry Street across the White River that will include an extension of the Indianapolis Cultural Trail. DPW will be delivering infrastructure on behalf of both the City and IEDC and due to the complexity of the project it is using the BOT method to procure and deliver the infrastructure. The project has been broken down into three phases: infrastructure west of the river, the bridge, and infrastructure east of the river. At this time, the third phase is being postponed to coordinate with development of the recently proposed new soccer stadium for the Indy Eleven on the east side of the river. But, DPW will be making a recommendation to award a contract for the first two phases at its meeting on September 27, 2023.


One of the several reasons that this project is complex is that work on the east bank of the river to construct the bridge will be in an area that was formerly the Greenlawn Cemetery. State law requires archeological monitoring at any time there is any excavation to occur in the burial ground area in the event that any burial artifacts or human remains are uncovered.

In order to comply with the law and to be respectful of those persons who may still be buried in the area, DPW has assembled an accomplished team of professionals which includes researchers, archivists, historians, archaeologists, bio-archaeologists, each with advanced degrees in their respective fields, years of experience in Indiana and Indianapolis history. The team includes a researcher who has spent years studying the history of the former Greenlawn Cemetery, as well as experts in exhuming African-American burials and a former State Archeologist. In the event that any artifacts or remains are uncovered, all work within 100 feet of the discovery will stop, both local law enforcement and the Indiana Division of Historic Preservation & Archaeology will be notified, and the area will be secured. Any remains will be carefully removed and taken to a secure facility at IUPUI where analysis will be done in an attempt to identify the nature of the remains, which will eventually be reinterred in a local cemetery. The City has also convened an advisory group to provide feedback on ways in which the history of the area may be able to be documented and recognized through some type of on-site memorial.

The pre-board Meeting adjourned at 1:10 p.m.



Alice Droeger, Board Secretary



Robert Parrin, Chairman