

**FLOOD DIVERSION BOARD OF AUTHORITY**  
**Thursday, September 10, 2015**  
**3:30 PM**  
Fargo City Commission Room  
Fargo City Hall  
200 3<sup>rd</sup> Street North

1. Call to order
2. Approve minutes from previous meeting Item 2. Action
3. Approve order of agenda Action
4. Management Information
  - a. PMC report
  - b. Corps of Engineers report
5. Administrative/Legal Information
  - a. Lawsuit / Injunction update
6. Technical Information/action
  - a. Recommended Contract Actions Summary Item 6a.
7. Public Outreach Information/action
  - a. Committee report
  - b. Business Leaders Task Force update
8. Land Management Information/action
  - a. Committee report
  - b. CCJWRD update
9. Finance Information/action
  - a. Committee report
  - b. Voucher approval Item 9b.
10. Other Business
11. Next Meeting – October 8, 2015
12. Adjournment

cc: Local Media

**FLOOD DIVERSION BOARD OF AUTHORITY  
AUGUST 13, 2015—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Flood Diversion Board of Authority was held Thursday, August 13, 2015, at 3:40 PM in the Fargo City Commission Room with the following members present: Cass County Commission representative Darrell Vanyo; Cass County Commissioner Mary Scherling; West Fargo City Commissioner Mike Thorstad; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Mike Williams; Fargo City Commissioner Tony Gehrig; Cass County Joint Water Resource District Manager Rodger Olson; Clay County Commissioner Kevin Campbell; and Moorhead City Council Member Nancy Otto. Also present was ex-officio member Gerald Van Amburg, Buffalo-Red River Watershed District.

Staff members and others present: Cass County Administrator Keith Berndt; Interim Fargo City Administrator Bruce Grubb; Moorhead City Manager Michael Redlinger; Cass County Engineer Jason Benson; Fargo City Director of Engineering Mark Bittner; Fargo City Engineer April Walker; Moorhead City Engineer Bob Zimmerman; Tom Dawson, Chairman; Chamber of Commerce Business Leaders Taskforce; Bruce Spiller, CH2M; and Terry Williams, Project Manager, Corps of Engineers.

**2. MINUTES APPROVED**

***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve the minutes from the July 9, 2015, meeting as presented. Motion carried.**

**3. AGENDA ORDER**

***MOTION, passed***

**Mr. Campbell moved and Ms. Otto seconded to approve the order of the agenda. Motion carried.**

**4. MANAGEMENT UPDATE**

*Program management consultant (PMC) report*

Bruce Spiller provided an update on activities over the last month including work on in-town levees at 2<sup>nd</sup> Street North, El Zagal, and Mickelson; work on the 4<sup>th</sup> Street and 2<sup>nd</sup> Street pump stations; review and comments to the MNDNR on the draft Environmental Impact Statement (EIS), which is scheduled for completion on August 28<sup>th</sup>; and work to develop the Notice of Intent (NOI) for public-private partnership (P3) for action at the next board meeting.

*Corps of Engineers report*

Terry Williams provided an update of activities by Corps of Engineers staff which includes continued review and coordination of draft documents with the Minnesota DNR on the MN EIS; review comments and a signed petition from five cemetery sites in response to the draft cemetery mitigation plan; review of in-town levee designs; prepare for visit to Fargo from Lt. General Thomas Bostwick, Commanding General of the Corps of Engineers on September 2<sup>nd</sup>; continue to refine the project to reduce impacts; and work on alternate financing and split delivery plan for expedited implementation of the project.

**5. ADMINISTRATIVE/LEGAL UPDATE**

*Lawsuit update*

Attorney Erik Johnson provided an update regarding lawsuits filed by the Richland-Wilkin Joint Powers Authority. He said briefs on the base lawsuit are to be submitted shortly and then oral arguments on the case merits will be scheduled.

An injunction order was issued by the Federal District Court on May 13<sup>th</sup> to stop construction on the OHB levee. The Diversion Authority requested a stay on the injunction, which was denied by the judge.

The City of Oxbow's request to intervene as a party to the lawsuit with the Diversion Authority was granted. The judge issued a clarification on the injunction order which allows property acquisitions and negotiations to resume in Oxbow.

## 6. TECHNICAL UPDATE

### Recommended Contract Actions Summary

Mr. Spiller discussed two change orders and one new contract as follows:

- Change Order No. 2 with Industrial Contract Services, Inc. for 4<sup>th</sup> Street pump station project in the amount of \$176,462.97;
- Change Order No. 3 with Industrial Builders, Inc. for 2<sup>nd</sup> Street downtown levee project in the amount of \$225,056;
- Contract award with Industrial Builders, Inc. for 2<sup>nd</sup> Street North Floodwall South of Pump Station project in the amount of \$16,184,905.85; and Change Order No. 1 (at no cost) which will allow for the Mid-America Steel and Case Plaza properties to be removed from the contract if negotiations are not reached.

#### ***MOTION, passed***

**Mr. Mahoney moved and Mr. Gehrig seconded to approve the appropriation of funds for Change Order No. 2 with Industrial Contract Services, Inc. in the amount of \$176,462.97; Change Order No. 3 with Industrial Builders, Inc. in the amount of \$225,056; and contract award and Change Order No. 1 with Industrial Builders, Inc. in the amount of \$16,184,905.85 and recommend approval of the appropriation of funds by the Dakota Metro Flood Board for the Diversion Authority. On roll call vote, the motion carried unanimously.**

Mr. Spiller discussed one Authority Work Directive (AWD) with URS and Task Order Amendments with Houston Moore Group LLC (HMG) as follows:

- URS AWD-00051 R0—cultural mitigation for five impacted homes that are part of the Mickelson Levee extension project in the amount of \$43,000;
- HMG Task Order 2 Amendment 5—close out task order for a deduction of \$4,001.30;
- HMG Task Order 3 Amendment 5—close out task order for a deduction of \$265.10;
- HMG Task Order 4 Amendment 5—close out task order for a deduction of \$20,209.95;
- HMG Task Order 5 Amendment 4—close out task order for a deduction of \$59,016.55;
- HMG Task Order 7 Amendment 4—extend period of performance to March 31, 2016 at no additional cost;
- HMG Task Order 10 Amendment 6—extend period of performance to March 31, 2016, at no additional cost;
- HMG Task Order 11 Amendment 3— extend period of performance to March 31, 2016, at no additional cost;
- HMG Task Order 14 Amendment 3—extend period of performance to March 31, 2016, at no additional cost;
- HMG Task Order 16 Amendment 2—extend period of performance to March 31, 2016, at no additional cost;
- HMG Task Order 1 Amendment 6—extend period of performance to March 31, 2016, in the amount of \$450,000 for project management;
- HMG Task Order 6 Amendment 7—extend period of performance to March 31, 2016, in the amount of \$11,000 for land management services;
- HMG Task Order 8 Amendment 11—extend period of performance to March 31, 2016 for Work-In-Kind at no additional cost;
- HMG Task Order 9 Amendment 14—extend period of performance to March 31, 2016 in the amount of \$330,000 for hydrology and hydraulic modeling;

- HMG Task Order 13 Amendment 11—extend period of performance to March 31, 2016, in the amount of \$418,000 for OHB levee design and support;
- HMG Task Order 15 Amendment 2—extend period of performance to March 31, 2016, in the amount of \$150,000 for draft operations plan hydrology work;
- HMG Task Order 17 Amendment 1—bidding services for 2<sup>nd</sup> Street floodwall, El Zagal Phase 2, Park East demolition and Mickelson levee extension in the amount of \$693,000;
- HMG Task Order 19 Amendment 0—Public Private Partnership (PPP) document preparation support in the amount of \$250,000.

***MOTION, passed***

**Mr. Olson moved and Mrs. Scherling seconded to approve the appropriation of funds for an Authority Work Directive with URS in the amount of \$43,000; Task Order Amendments with Houston Moore Group, LLC in the amount of \$2,218,507.50 and recommend approval of the appropriation of funds by the Dakota Metro Flood Board for the Diversion Authority. On roll call vote, the motion carried unanimously.**

**7. PUBLIC OUTREACH UPDATE**

Committee report

Mr. Olson said the Public Outreach Committee did not meet yesterday since various staff and board members attended the Water Topics Overview Committee meeting held in Bismarck. Mr. Vanyo and Mr. Mahoney provided an update on the project to the overview committee.

Daron Selvig from AE2S provided an update on the newsletter and website, which will include information on construction and relocation of homes in Oxbow, and the revised schedule of committee meetings beginning next month

Meeting Schedule for Diversion Committees

Mr. Vanyo said the Finance and Land Management Committees discussed proposed changes to the sequence and schedule of meeting times and locations to allow for input on land acquisitions and other items prior to the CCJWRD and Diversion Authority Board meetings. The Finance Committee approved the schedule with both Finance and Land Management Committees to meet at the Cass County Courthouse. The Land Management Committee approved the schedule but voted to keep the meeting at Fargo City Hall so the meeting may continue to be taped and broadcast for public viewing.

***MOTION, passed***

**Mr. Mahoney moved and Mr. Williams seconded to approve changes to the schedule of committee meetings to meet on Wednesday prior to the Thursday Diversion Authority meetings with the Public Outreach Committee at 1:00 PM at the Cass County Highway Department; Finance Committee at 2:30 PM at a location to be determined; and Land Management Committee at 4:00 PM at Fargo City Hall. Motion carried.**

Business Leaders Task Force

Mr. Dawson said the task force met in June. Currently, a communication strategy is being discussed to inform local communities about the facts of the diversion project.

**8. LAND MANAGEMENT UPDATE**

Mr. Mahoney said the Land Management Committee met earlier this afternoon and discussed topics including:

Property Acquisition Philosophies

Mr. Mahoney said the Finance and Land Management Committees both approved a document titled, "Property Acquisition Philosophies"; however, versions that were approved were slightly different. Mr. Mahoney said there was discussion about including language in the document about Minnesota property acquisitions as well.

Eric Dodds from AE2S briefly outlined the philosophies for the board. The mission is “to acquire the property necessary for the FM Area Diversion Project, in compliance with State and Federal guidelines, and in accordance with the philosophy of being friendly, fair and flexible to those whose property is required for the project”. Both the Finance Committee and Land Management Committee discussed guidelines used for properties in the staging area and rural residences that states, “Housing of Last Resort to be determined on a case by case basis. It is anticipated that some of these properties may qualify for this designation.” The Finance Committee approved the philosophies with deletion of the entire paragraph because of concerns with a precedent being set. The Land Management Committee approved the philosophies, leaving the entire paragraph within the document.

Mark Brodshaug, CCJWRD Chairman, said both the Finance and Land Management Committees will make land acquisition recommendations to the CCJWRD. At their meetings today, the Finance Committee approved five out of six property acquisitions in Oxbow, and asked for more information regarding house style change betterments on the sixth property. The Land Management Committee approved all six property acquisitions. The CCJWRD will consider both recommendations and take action at their meeting tomorrow.

Mr. Campbell believes the language regarding housing of last resort should be included in the philosophies; otherwise, it may create issues with residents in the staging area. Ms. Otto said the last sentence of “it is anticipated that some of these properties may qualify for this designation” is unnecessary and could be deleted without losing the intent of the paragraph.

***MOTION, passed***

**Mr. Campbell moved and Ms. Otto seconded to approve the Property Acquisition Philosophies, including the paragraph titled “other considerations” under the staging area and rural residential properties stating “Housing of Last Resort to be determined on a case by case basis” but deleting the last sentence as noted above. On roll call vote, the motion carried unanimously.**

*Hardship Property in Minnesota*

The committee discussed the one hardship property case in Minnesota that was put on hold a few months ago. The committee authorized that staff to talk with the Minnesota DNR to see whether there are issues with moving forward on the acquisition of this property given the MN EIS is not finalized.

***MOTION, passed***

**Mr. Campbell moved and Mr. Williams seconded to authorize staff to talk with the Minnesota DNR regarding the hardship property in Minnesota to ensure there are no issues with moving forward on the acquisition process. On roll call vote, the motion carried unanimously.**

*CCJWRD update*

A handout was provided to the board regarding land acquisitions completed through July 31, 2015, which includes completed acquisitions, budget figures, and completed negotiations. Relocations on the Park East apartment complex are complete and the building is vacant.

**9. FINANCE UPDATE**

*Committee report*

The Finance Committee met this morning. Kent Costin, Fargo Finance Director, said the total disbursed on the project to date is \$137 million. The committee discussed the following items:

*Voucher approval*

The bills for the month are with Erik R. Johnson & Associates, Ltd. for legal services; U.S. Geological Survey for river level information; CCJWRD for costs associated with right of entry work, in-town levees, OHB ring levee, Diversion Project Assessment Committee (DPAC) work, OHB levee, and Oxbow Country Club golf course construction; Ohnstad Twichell, P.C. for legal services; and Dorsey & Whitney, LLP for legal services.

The committee removed \$93,810.46 regarding access issues for further review.

***MOTION, passed***

**Mr. Olson moved and Mrs. Scherling seconded to approve the vouchers in the amount of \$2,082,560.71 for July, 2015. On roll call vote, the motion carried unanimously.**

*Corps of Engineers Funding*

The committee approved additional funding for the Corps of Engineers since they did not receive funding in the FY2016 work plan. The funds will allow essential work to continue in preparation of a 2016/2017 construction start. Mr. Olson asked about the oversight of dollars spent by the Corps. Mr. Berndt said a list of tasks was submitted by the Corps to be accomplished. Ms. Williams said as project manager for the Corps, she provides the oversight on the activities and costs.

***MOTION, passed***

**Mr. Mahoney moved and Mr. Williams seconded to authorize up to \$3,579,000 in funding for the Corps of Engineers to complete planned 2016 work necessary for a 2016/2017 construction start. Discussion: Mrs. Scherling asked if a series of payments will be made to the Corps. Mr. Berndt said the Diversion Authority has a 5% requirement to pay to the Corps and these funds will go toward that cost. Also, if Federal funding is received, payments to the Corps will be discontinued. On roll call vote, the motion carried unanimously.**

*CH2M Contract Amendment – Task Order No. 5 Amendment No. 2*

The committee approved an amendment to the contract with CH2M which increases their fees from \$310,000 to \$425,000 per month through February 2016. Mr. Berndt said the additional dollars will assist in preparation of P3 procurement documents and assistance with additional land purchases.

***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve Task Order No. 5 Amendment No. 2 with CH2M and increase fees in the amount of \$425,000 per month. Discussion: Mr. Olson asked about oversight on the dollars spent for services with CH2M. He said the board needs to consider hiring a project manager to oversee the project. Mr. Vanyo said the Finance Committee also discussed this issue. On roll call vote, the motion carried unanimously.**

*Escrow Accounts for Oxbow Homes*

Mr. Costin said the committee approved two escrow construction accounts be established by the CCJWRD. There were four requests received but the committee only approved the two that were submitted prior to clarification on the OHB injunction ruling.

*Fredrikson & Byron, P.A. Phase 2 Agreement*

Mr. Costin said the committee approved Phase 2 of an agreement with Fredrikson & Byron, P.A. for public relations services. The agreement increases the cost from \$3,000 to \$3,500 per month.

***MOTION, passed***

**Mr. Campbell moved and Ms. Otto seconded to approve Phase 2 of the agreement with Fredrikson & Byron, P.A. in the amount of \$3,500 per month. On roll call vote, the motion carried unanimously.**

**10. NEXT MEETING DATE**

The next meeting will be held on Thursday, September 10, 2015, at 3:30 PM.

**11. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Williams, seconded by Ms. Otto, and all voting in favor, the meeting was adjourned at 5:37 PM.**



# Recommended Contracting Actions Summary

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Date: September 10, 2015

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Description	Budget Estimate (\$)
<b>URS</b> <i>Task Order No. 1 - Amendment 3</i>	<b>29,500.00</b>
• Phase 1 Cultural – Incorporate AWD-00051 and add scope and budget	
<b>Terracon</b> <i>Task Order No. 1 - Amendment 1</i>	<b>400,000.00</b>
• Materials Testing Services for WP-42 – Incorporate AWD-00048 and add scope and budget	
<b>Xcel Energy</b> <i>Reimbursement Agreement</i>	<b>16,275.85</b>
• RA-XL0003 - Utility Relocation Work 304 4th Street South	

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## RECOMMENDED CONTRACTING ACTION DETAIL

### TASK ORDER SUMMARY

URS

Task Order No. 1 – Amendment 3  
Phase 1 Cultural

Add \$ 29,500.00

#### *Description:*

**Subtask 2.A (Management and Coordination)** – Extend period of performance to March 31, 2016. Add sub-task management, coordination with client and Federal and State Agencies, and project budget preparation to the scope of work.

**Subtask 2.B.II (In Town Levees)** – Add the Mickelson Levee Extension Phase 1 cultural investigation and related Residential Historic District cultural mitigation (AWD-00051) to the scope of work.

**Subtask 2.B.IV (Western Alignment)** – Remove the remaining portion of the Phase 1 cultural investigation work from the scope due to conflict of interest with the Diversion Channel and Associated Infrastructure (DCAI) PPP.

**Subtask 2.B.VII (Staging Area Historic Cemeteries)** – Update scope of work to reflect cemetery investigations conducted to date.

**Subtask 2.C (On-Call Services)** – Increase budget to cover future on-call services requests.

#### *Background:*

Report writing for 2015 fall survey work will extend beyond the current period of performance of December 31, 2015 and it is recommended that the period of performance be extended to March 31, 2016. As part of the Federal Project, the Mickelson Levee Extension Phase 1 cultural investigation is required and was not included in original scope of work. Due to Contractor's commitment to pursuing the DCAI PPP, they are conflicted out of completing the remaining work on the Diversion Channel. The remaining Western Alignment Phase 1 cultural investigation work was removed from the scope.

Net budget increase = \$ 29,500

#### *Recommendation:*

The budget increase of \$ 29,500 increases the Task Order 1 budget to \$ 1,294,630, and is less than the remaining estimated unencumbered FY 2015 FMDA Design/Permitting budget of \$ 4,771,000. PMC recommends authorization for Task Order No. 1, Amendment 3 for \$ 29,500.00.

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**Terracon**

**Task Order No. 1 – Amendment 1  
Materials Testing Services for WP-42**

**Add \$ 400,000.00**

***Description:***

**Subtask 1.B (Project Included in Task Order No. 1)** – Incorporate AWD-00048 and add material testing services for: WP-42F.1S – 2nd Street Floodwall (South), WP-42F.1N – 2nd Street Floodwall (North), WP-42.H.2 – El Zagal Phase 2 Levee, WP-42I.1 – Mickelson Field Levee Extension, WP-42C.1 – Demolition - HoJo, Shakey’s, Fargo PS, and WP-42C.2 – Demolition - Park East to the scope of work.

**Subtask 2.A (On-Call Services)** – Add test reporting detail and testing services categories to the scope of work.

***Background:***

The initial budget for this task order was intended to allow for material testing to begin on the 2<sup>nd</sup> St N pump station (WP-42A.2) and 4<sup>th</sup> St. S pump station and 2nd St. S Floodwall (WP-42A.1/A.3) projects, with budgeting to complete material testing for these projects plus future In Town Levee projects to be included in a future task order amendment.

Budgets to complete WP-42A.2 and WP-42A.1/A.3 along with budgets for new construction projects starting this fall and next spring have been estimated. This budget amendment is for approximately half of the estimated total In Town Levees material testing budget. A second amendment to this task order will be prepared after designs for 2016 construction project are completed.

Net budget increase = \$ 400,000

***Recommendation:***

The budget increase of \$ 400,000 increases the Task Order 1 budget to \$ 450,000, and is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$ 25,651,000. PMC recommends authorization for Task Order No. 1, Amendment 1 for \$ 400,000.00.

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## **REIMBURSEMENT AGREEMENT SUMMARY**

**Xcel Energy**

**Cost Reimbursement Agreement - RA-XL0003**

**Utility Relocation Work**

**Add \$ 16,275.85**

***Description:***

This Cost Reimbursement Agreement directs Xcel Energy, to provide all labor, materials, and commissioning necessary to install the 75 KVA transformer that is needed to provide electrical service to the basketball court and warming house on 4<sup>th</sup> St S.

***Background:***

The 75 KVA is required for the electrical service to the basketball court and warming house, a component of the Diversion Authority's WP-42A.1/A.3 4<sup>th</sup> Street pump station and 2<sup>nd</sup> St. S Floodwall Project.

***Recommendation:***

The budget of \$ 16,275.85 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$ 25,651,000. PMC recommends authorization of Cost Reimbursement Agreement RA-XL0003 for \$ 16,275.85.

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**URS Corporation**

# Task Order No. 1, Amendment **23**

## **Phase 1 Cultural Resources Investigations**

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In accordance with Paragraph 1.01 of the Agreement between Fargo-Moorhead Flood Diversion Authority ("Owner") and URS Corporation ("Engineer") for Professional Services – Task Order Edition, dated March 14, 2013 ("Agreement"), Owner and Engineer agree as follows:

The parties agree that in the event of a conflict between prior versions of this Task Order No. 1 and this Amendment, the terms and conditions in this Amendment shall prevail, provided however, nothing herein shall preclude ENGINEER from invoicing for work authorized under prior versions of this Task Order and performed prior to effective date of this Amendment, even to the extent such prior work was revised by this Amendment. All other terms and conditions shall remain the same and are hereby ratified and affirmed by the parties.

1. SPECIFIC PROJECT DATA

- A. Title: Phase 1 Cultural Resources Investigations
- B. Description: Complete the cultural resources investigation of the Diversion Channel that was started in prior years. Perform investigations of additional locations identified due to project footprint changes and identification of excavated material piles and construction staging areas.

2. SERVICES OF ENGINEER

- A. MANAGEMENT AND COORDINATION – Conduct Phase I cultural resources investigations in accordance with the following stipulations:
  - I. Engineer's key personnel shall meet the *Secretary of the Interiors Professional Qualification Standards* for Archaeology and Architectural History:
    - a. Principal investigator
    - b. Field and laboratory supervisor
    - c. Field crew chiefs
  - II. Obtain cultural resources permits from Minnesota and North Dakota, as appropriate.
  - III. Conduct a survey of project area by pedestrian examination, documenting prehistoric and historic archaeological sites, as well as standing structures.
  - IV. Establish and follow a health and safety program.
  - V. Conduct subsurface testing:
    - a. In areas where surface visibility is less than 30 percent or where the potential exists for buried cultural resources.
    - b. Include shovel testing, coring, soil borings, cutbank profiling, or other appropriate methods.
    - c. Use a subsurface testing interval of 15 m (50 ft).
    - d. Excavate shovel tests to at least 60 cm (2 ft) or the C horizon.
    - e. Conduct hand soil cores to at least 1 m (3 ft), spaced at 15 m (50 ft) intervals.
    - f. Conduct deep testing using a 2-inch-diameter or larger coring device or bucket auger at river crossings to 3 m (10 ft).
    - g. Screen excavated materials through ¼-inch mesh or smaller hardware cloth.

- h. Restore excavated areas to original condition. Engineer is liable for any crop or property damage that they cause.
- VI. Record survey and testing results using field notes, maps, subsurface-testing forms, and photos.
- VII. Delineate boundaries of sites and subsurface tests with GPS [provide GPS data in UTM projection, NAD83 horizontal datum, and units in meters].
- VIII. Prepare state site forms.
- IX. Provide recommendations for Phase II testing and evaluation measures, including time and cost estimates.
- X. Evaluate buildings 50 years old or older for eligibility to the National Register of Historic Places.
- XI. Cultural artifacts located during fieldwork belong to property owners. If property owners desire to donate the material(s) for curation, obtain a signed release form or donation agreement.
- XII. Make curatorial arrangements with Minnesota Historical Society and State Historical Society of North Dakota, meeting requirements of 36 CFR Part 79.
- XIII. Cease activity in the vicinity if human remains are found, associated and/or unassociated objects of cultural patrimony. Contact the appropriate authorities.
- XIV. Provide a right-of-entry agent to facilitate notification of property owners and compliance with right-of-entry agreements. Attachment 7 provides detailed right-of-entry responsibilities.

~~XIV-XV.~~ Subtask incorporates project and sub-task management; correspondence and other communication with client, project manager, and federal, state, and local agencies; preparation of project budgets; and general coordination.

B. CONDUCT PHASE I CULTURAL RESOURCES INVESTIGATIONS IN THE FOLLOWING LOCATIONS:

- I. REACHES 1, 2, 4, 5, AND 6: Approximately 90 acres remaining from the 2012 season. Attachment 1 and 1A have been provided for reference only. Approximately 35 acres within the construction limits of Reach 6 (CR-20 Bridge and Channel). Shapefiles will be provided to Engineer prior to start of field work.
- II. IN-TOWN LEVEES: Approximately 20 acres in the area along 2nd Street between the BNSF Railroad on the north and NP Avenue on the south and also south of Main Avenue. Attachment 2 has been provided for reference only. Shapefiles will be provided to Engineer prior to start of field work.
  - a. Conduct initial architectural survey investigation to determine number of buildings impacted and estimated level of effort to complete architectural survey and report writing. Review with Owner.
  - b. In accordance with the Programmatic Agreement (PA) executed between USACE, North Dakota and Minnesota State Historic Preservation Offices (SHPOs), historic structures and buildings within ½ mile of the project features (including levees and floodwalls) will be evaluated.
    - i. Conduct a GIS based viewshed analysis within ½ mile indirect Area of Potential Effect (APE) of the In-Town Levees 2<sup>nd</sup> Street floodwall project to determine the outer limits of the visual effects of the floodwall.

- ii. Identify buildings 50 years old or older within the outer limits of the indirect APE and evaluate their eligibility to the National Register of Historic Places (NRHP).
  - iii. Conduct field surveys of identified buildings per North Dakota and Minnesota SHPO requirements.
  - iv. Record findings in a Phase I Cultural Resources Inventory (CRI) draft report. Provide draft report to USACE and North Dakota and Minnesota SHPOs for review. Incorporate comments and provide final CRI report.
- c. Provide additional consultation with ND SHPO and MN SHPO to further delineate the field methodology and the appropriate level of effort for the survey and reporting for the portions of the Project within the indirect APE.
- d. Mickelson Levee Extension: Complete the Phase I cultural resources survey and reporting for the Mickelson Levee Extension project.
- e. Mickelson Levee Extension Cultural Mitigation: The Mickelson levee extension was designed to minimize the impacts to historic structures as much as possible, while taking engineering, geotechnical, economic, and other factors into consideration. The residences at 16, 18, 24, and 26 North Terrace North and at 724 North River Road North cannot be preserved at their current locations with the selected levee extension alignment, and removal of these residences will have adverse effects on these historic properties.
- i. For the four (4) homes and associated historic garages at 16, 18, 24, and 26 North Terrace North, document the four houses at Historic American Buildings Survey (HABS) level III, to include a sketch plan of each house (and associated historic garage), large-format photographs of the exterior and interior of each house or digital format photographs (per <http://www.nps.gov/nr/publications/bulletins/photopolicy/index.htm>), and a written history of each house. HABS documentation shall be completed by individuals with previous experience in HABS documentation.
  - ii. Complete updates of the official North Dakota architectural site forms for all five houses, indicating whether they were moved (giving new location) or demolished, including the date of such undertaking, and submit these updates to the Archaeology and Historic Preservation Division of the State Historical Society of North Dakota and to the Fargo Historic Preservation Commission.
  - iii. Update the National Register of Historic Places nomination form for the Fargo Oak Grove Residential Historic District to reflect the changes to the district resulting from the Mickelson Levee Extension Project, with updates to context sections, maps and new photos as appropriate.
  - iv. Prepare, fabricate, and install a permanent historical marker sign detailing the historic significance of the Oak Grove Residential Historic District and have said sign installed in that neighborhood. Maps, photographs and text for the sign will be reviewed by the North Dakota SHPO and the Fargo Historic

Preservation Commission prior to sign completion. Comply with the City of Fargo's sign code. Coordinated placement of the sign with City staff.

e.v. Deliverables include: sketch plans, photographs, updated site forms, updated NRHP nomination form, and historical marker sign. Two sets of original photographs (negatives and archaivally-stable prints) and associated documents shall be prepared for submission to the North Dakota SHPO and the Fargo Historic Preservation Commission. Two copies of these documents shall be submitted to the USACE and the Owner.

III. REACHES 4 AND 5: Proposed Excavated Material Piles (EMPs) and construction staging areas. Attachment 3 has been provided for reference only. Shapefiles will be provided to Engineer prior to start of field work.

- a. Reach 4: Approximately 71 acres of EMPs, temporary work areas, and construction staging areas.
- b. Reach 5: Approximately 112 acres of EMPs, temporary work areas, construction staging areas, and temporary by-pass channels.

IV. WESTERN ALIGNMENT CHANGE: ~~If directed in writing, conduct Phase I cultural resources investigations on approximately 1800 acres of portions of the Diversion alignment from the Maple River south to the Sheyenne River. Attachment 4 has been provided for reference only. Shapefiles will be provided to Engineer prior to start of field work.~~ Conduct Phase 1 cultural resources investigations on approximately 30 acres (Parcel #'s 15000012355030 and 67000012655000) on the Western Alignment and provide a brief letter report on the work completed to date. Consolidate all previous data (notes, photographs, and correspondence) collected for Western Alignment and submit to the Owner.

V. SOUTHERN ALIGNMENT CHANGE: Conduct Phase I cultural resources investigations on approximately 6,062 acres of the southern alignment, including the southern embankment, Wild Rice River control structure, Red River control structure, North Dakota tie-back levee, Minnesota tie-back levee, and the I-29 transportation corridor. Attachment 5 has been provided for reference only. Shapefiles will be provided to Engineer prior to start of field work.

VI. PROPOSED OXBOW-HICKSON-BAKKE LEVEE: Conduct Phase I cultural resources investigations on approximately 1,062 acres of the levee footprint and areas inside the levee, including a pedestrian survey in agricultural fields, borrow areas, levee construction, and a reconnaissance survey along CR-18. Attachment 6 has been provided for reference only. Shapefiles will be provided to Engineer prior to start of field work.

VII. STAGING AREA HISTORIC CEMETERIES: Conduct pedestrian surveys and Section 106 compliance reporting for nine (9) historic cemeteries located in Cass and Richland counties, North Dakota, and in Clay and Wilkin counties, Minnesota. U.S. Army Corps of Engineers (USACE) has identified these cemeteries as needing Phase I Cultural Resources survey for the Fargo-Moorhead Metro Flood Risk Management Project (Project).

- a. Tasks related to the Phase I survey and reporting for the cemeteries include: Field Prep, Mobilization, and Demobilization; Fieldwork, preparation of Site Forms, preparation of Reports, ROE coordination, Agency coordination, and Project Management.

- b. Deliverables include: draft report submittal to USACE/SHPOs, response to comments, and final deliverables to MFDA, USACE, ND SHPO, MN OSA, and MHS.
- c. The nine (9) cemeteries are:
  - i. In Minnesota (5): Clara Cemetery, ~~Roen Family Cemetery~~, Wolverton Cemetery, Hoff Cemetery, and Comstock Cemetery.
  - ii. In North Dakota (4): North Pleasant Church Cemetery, ~~Lium Cemetery~~, Lower Wild Rice and Red River Cemetery, Hemnes Cemetery, and ~~St. Benedict's Cemetery~~ ~~Eagle Valley Evangelical Cemetery~~.

C. ON-CALL SERVICES: when specifically authorized in writing by Owner or Owner's Project Management Consultant (PMC), provide cultural resource investigations as directed.

- I. WILD RICE RIVER DAM: Approximately 4 acres on both banks of the Wild Rice River and within the construction limits area.
  - a. Conduct a Phase I cultural survey.
    - i. Conduct subsurface testing, including soil cores for the site.
  - b. Conduct a Phase II evaluation of the National Register of Historic Places eligibility of the existing Wild Rice Dam.
  - c. Proposed work schedule: complete field work by May 30, 2014, submit draft report June 30, 2014; thirty day North Dakota SHPO review ending July 30, 2014; and final report due August 29, 2014.
- II. EL ZAGAL PHASE 2 LEVEE: complete the Phase I cultural resources survey and reporting for the El Zagal Phase 2 levee.

D. DELIVERABLES:

- I. Field notes—one copy
- II. Field report(s)—letter report
- III. Draft contract report
- IV. Final contract report

3. OWNER'S RESPONSIBILITIES

- A. Owner shall have those responsibilities set forth in Article 2 and in EXHIBIT B of the Agreement.
- B. Acquire Rights of Entry for properties to be investigated.

4. TIMES FOR RENDERING SERVICES

<u>Subtask</u>	<u>Start Time</u>	<u>Completion Time</u>
A.	May 9, 2013	<del>December 31, 2015</del> <u>March 31, 2016</u>
B.I and B.II	May 9, 2013	<del>September 30, 2015</del> <u>March 31, 2016</u>
B.III through B.VII,	May 9, 2013	<del>December 31, 2015</del> <u>March 31, 2016</u>
C.I	April 10, 2014	December 31, 2015
C.II	February 5, 2015	December 31, 2015

5. PAYMENTS TO ENGINEER

A. Owner shall pay Engineer for services rendered as follows:

- I. Compensation for services identified under Subtasks A through C shall be on a Time and Material basis in accordance with the Standard Hourly Rates shown in Exhibit C of the Agreement.
- II. The total compensation for services identified under the Task Order for Subtasks A through C is not-to-exceed the amount in the table below.
- III. Estimated budget for Subtask C, On-Call Services, is based on an allowance.
  1. Engineer will notify Owner when eighty percent (80%) of the budget on Subtask C, On-Call Services, is expended.
  2. Engineer will prepare and submit an amendment for additional compensation when ninety percent (90%) of budget on Subtask C, On-Call Services, is expended.
  3. Engineer will not perform work beyond one hundred percent (100%) of the budget for Subtask C, On-Call Services, without Owner's authorization by an amendment to this Task Order.

<u>Subtask</u>	<u>Current Budget (\$)</u>	<u>Change (\$)</u>	<u>Revised Budget (\$)</u>
A. MANAGEMENT and COORDINATION	<del>69,00043,00</del> 0	<del>25,00026,00</del> 0	<del>69,00094,00</del> 0
B.I REACHES 1, 2, 4, 5 and 6	<del>16,47220,00</del> 0	0-3,528	16,472
B.II IN-TOWN LEVEES	<del>206,000175,000</del>	<del>55,00031,00</del> 0	<del>206,000261,000</del>
B.III REACHES 4 and 5 EMPs	<del>44,63050,00</del> 0	0-5,370	44,630
B.IV WESTERN ALIGNMENT CHANGE	<del>105,000105,000</del>	-60,5000	<del>105,00044,500</del>
B.V SOUTHERN ALIGNMENT CHANGE	<del>429,000429,000</del>	00	429,000
B.VI PROPOSED OXBOW-HICKSON-BAKKE LEVEE	<del>128,760129,000</del>	0-240	128,760
B.VII STAGING AREA HISTORIC CEMETERIES	<del>194,0000</del>	0194,000	194,000



Subtask	Current Budget (\$)	Change (\$)	Revised Budget (\$)
C. ON-CALL SERVICES (Allowance)	<del>10,000</del> 0	<del>10,000</del>	<del>10,000</del> 0
C.I WILD RICE RIVER DAM	<del>52,268</del> 0	<del>0</del> -7,732	52,268
C.II EL ZAGAL PHASE 2 LEVEE	<del>10,000</del>	<del>0</del> 10,000	10,000
<b>TOTAL</b>	<del>1,265,130</del> <del>021,000</del>	<del>29,500</del> <del>244,130</del>	<del>1,265,130</del> <del>294,630</del>

B. The terms of payment are set forth in Article 4 of the Agreement and EXHIBIT C of the Agreement.

6. Consultants:

A. Land Services, Inc.

7. Other Modifications to Agreement: No additions or modifications

8. Attachments: None

9. Documents Incorporated By Reference: ~~None~~

A. Agreement between Owner and Engineer for Professional Services, dated March 14, 2013.

A-B. AWD-00051 Mickelson Levee Extension – Cultural Mitigation.

DRAFT

9-10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is May 9, 2013.

ENGINEER:

**URS Corporation**

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

**Wm. R. Killam**

Name \_\_\_\_\_

**Vice President**

Title \_\_\_\_\_

DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:

**Gordon C. Tucker, Jr.**

Name \_\_\_\_\_

**Program Manager**

Title \_\_\_\_\_

**URS Corporation  
8181 E. Tufts Avenue  
Denver, CO 80237**

Address \_\_\_\_\_

**Gordon.Tucker@urs.com**

E-Mail Address \_\_\_\_\_

**(303) 740-3850**

Phone \_\_\_\_\_

**(303) 694-3946**

Fax \_\_\_\_\_

OWNER:

**Fargo-Moorhead Metro Diversion Authority**

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

**Darrell Vanyo**

Name \_\_\_\_\_

**Board Chair**

Title \_\_\_\_\_

DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:

**Keith Berndt**

Name \_\_\_\_\_

**Cass County Administrator**

Title \_\_\_\_\_

**211 9th Street South  
PO Box 2806  
Fargo, ND 58108-2806**

Address \_\_\_\_\_

**[berndtk@casscountynd.gov](mailto:berndtk@casscountynd.gov)**

E-Mail Address \_\_\_\_\_

**(701) 241-5720**

Phone \_\_\_\_\_

**(701) 297-6020**

Fax \_\_\_\_\_

Terracon Consultants, Inc.

# Task Order No. 1, Amendment 01

Materials Testing Services for Work Package 42 (WP-42)

---

In accordance with Paragraph 1.01 of the Agreement between **Metro Flood Diversion Authority** ("Owner") and **Terracon Consultants, Inc.** ("Testing Firm") for Professional Services – Task Order Edition, dated June 26, 2014 ("Agreement"), Owner and Testing Firm agree as follows:

The parties agree that in the event of a conflict between prior versions of this Task Order No. 1 and this Amendment, the terms and conditions in this Amendment shall prevail, provided however, nothing herein shall preclude Testing Firm from invoicing for work authorized under prior versions of this Task Order and performed prior to effective date of this Amendment, even to the extent such prior work was revised by this Amendment. All other terms and conditions shall remain the same and are hereby ratified and affirmed by the parties.

1. Specific Project Data

A. Title: **Materials Testing Services for Work Package 42 (WP-42)**

Description: Provide materials testing services per Owner's Quality Assurance testing requirements for Owner awarded construction contracts associated with the In Town Levees – Work Package 42 (excluding WP-42H: El Zagal Phase I Area Flood Risk Management Project).

B. Projects Included in Task Order No. 1:

1. WP-42A.2 – 2<sup>nd</sup> Street Pump Station
2. WP-42A2.A3 – 4<sup>th</sup> Street Pump Station and Gatewell
3. WP-42F.1S – 2<sup>nd</sup> Street Floodwall (South)
4. WP-42F.1N – 2<sup>nd</sup> Street Floodwall (North)
5. WP-42.H.2 – El Zagal Phase 2 Levee
6. WP-42I.1 – Mickelson Field Levee Extension
7. WP-42C.1 – Demolition - HoJo, Shakey's, Fargo PS
- B-8. WP-42C.2 – Demolition - Park East

2. Services of Testing Firm

A. On Call Services

- i. The initial subtask for this Task Order will be On Call Services, as requested in by the Owner's Construction Manager, to provide initial testing services for the In Town Levees, Work Package 42 (excluding WP-42H: El Zagal Phase I Area Flood Risk Management Project).
- ii. Testing Firm shall compile test results for each active project daily and provide electronic test and inspection logs to Owner's Construction Manager weekly (refer to attachment).
- iii. Testing services shall include, but not limited to, the following:
  1. Density testing
  2. Concrete testing
  3. Compression tests

- 4. Moisture-Density testing
- 5. Pre-placement inspections
- 6. Reinforcement inspections

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in EXHIBIT B of the Agreement.

4. Times for Rendering Services

<u>Subtask</u>	<u>Start Time</u>	<u>Completion Time</u>
All Work	September 12, 2014	December 31, 2016

5. Payments to Testing Firm

A. Owner shall pay Testing Firm for services rendered as follows:

- I. Compensation for services identified under Subtask A shall be on a Time and Materials basis in accordance with the Standard Hourly and Testing Rates shown in Exhibit C of the Agreement.
- II. The total compensation for services identified under the Task Order is defined in the table below.

B. Testing Firm will notify Owner when 80 percent of the budget is expended.

C. Testing Firm will submit an amendment for additional compensation when 90 percent of the budget is expended, or confirm to Owner that this Task Order can be completed for the remaining budget.

D. Testing Firm will not perform work beyond 100 percent of the budget for Task Order No. 1 without Owner's authorization by an amendment to this Task Order.

<b>Subtask</b>	<b>Current Budget (\$)</b>	<b>Change (\$)</b>	<b>Revised Budget (\$)</b>
A. On Call Services	50,000	<u>400,000</u>	<u>450,000</u>
<b>TOTAL</b>	<b>50,000</b>	<b><u>400,000</u></b>	<b><u>450,000</u></b>

E. The terms of payment are set forth in Article 4 and EXHIBIT C of the Agreement.

6. Subconsultants: None

7. Other Modifications to Agreement: None

8. Attachments: ~~None~~

8.A. Test and Inspection Data Log

9. Documents Incorporated By Reference:

A. Agreement Between Owner and Testing Firm for Professional Services, dated August 14, 2014.

A.B. AWD-00048 REV-0, Materials Testing Services for Work Package 42 (WP-42), dated May 28, 2015.

9-10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Testing Firm is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is September 12, 2014.

TESTING FIRM:

**Terracon Consultants, Inc.**

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

Theodore J. Engelstad

Name

Principal in Charge

Title

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Jeffrey J. Mathson

Name

Project Manager

Title

4102 7<sup>th</sup> Avenue North  
Fargo, ND 58102-2923

Address

[jjmathson@terracon.com](mailto:jjmathson@terracon.com)

E-Mail Address

(701) 282-9633

Phone

OWNER:

**Fargo-Moorhead Metro Diversion Authority**

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

Darrell Vanyo

Name

Chairman, Flood Diversion Board of Authority

Title

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Keith Berndt

Name

Cass County Administrator

Title

211 9th Street South  
PO Box 2806  
Fargo, ND 58108-2806

Address

[berndtk@casscountynd.gov](mailto:berndtk@casscountynd.gov)

E-Mail Address

(701) 241-5720

Phone

Definable Feature of Work (DFW)	QA Guide Phase Name or Description	Test or Inspection	Location on Survey Coordinates	Component/Material Inspected or Tested	Material Tested	Test Identification Number	Date of Inspection or Material Sample	Time of Inspection or Material Sample	Date of Testing	Time of Testing	Report Number	Report Date	Test	Description	Test Results	Allowable Limits of Test	Test Result (Pass/Fail)	Test Compliance Method	Notes to document any corrective actions taken including retest reference number	Reference specification section	Inspection or Testing Firm
Cast-In-Place Concrete Placement	Pump Station West Base Slab	Test	West Base Slab	Concrete - Placed		2	3/2/2015	10:00 AM	3/2/2015	10:00 AM	M1141339A.0008	3/3/2015	CIPC-082 Concrete Material	Slump (in):	7 1/2	8" Maximum	Pass	ASTM C143		03 30 00, Item 1.2.10 and 3.10.5.3	Terracon
Cast-In-Place Concrete Placement	Pump Station West Base Slab	Test	West Base Slab	Concrete - Placed		2	3/2/2015	10:00 AM	3/2/2015	10:00 AM	M1141339A.0008	3/3/2015	CIPC-082 Concrete Material	Air Content (%):	6.8	4.5% - 6.5%	Fail	ASTM C231,	Specified Strength was met	03 30 00, Item 1.2.9 and Item 3.10.5.1	Terracon
Cast-In-Place Concrete Placement	Pump Station West Base Slab	Test	West Base Slab	Concrete - Placed		2	3/2/2015	10:00 AM	3/2/2015	10:00 AM	M1141339A.0008	3/3/2015	CIPC-082 Concrete Material	Concrete Temp (F):	63	50-60	Fail	ASTM C1064	Maximum temperature and differential temperatures remained within the specified limits.	03 30 00, Item 1.2.10 and 3.10.5.3	Terracon
Cast-In-Place Concrete Placement	Pump Station West Base Slab	Test	West Base Slab	Concrete - Placed		2	3/2/2015	10:00 AM	3/9/2015		M1141339A.0008	3/9/2015	CIPC-082 Concrete Material	7-day Strength (psi):	2790	N/A	N/A	ASTM C31, ASTM C39, ASTM C1236		03 30 00, Item 1.2.7 and Item 3.10.5.6	Terracon
Cast-In-Place Concrete Placement	Pump Station West Base Slab	Test	West Base Slab	Concrete - Placed		2	3/2/2015	10:00 AM	3/30/2015		M1141339A.0008	3/30/2015	CIPC-082 Concrete Material	28-day Strength (psi):	4650	N/A	N/A	ASTM C31, ASTM C39, ASTM C1236		03 30 00, Item 1.2.7 and Item 3.10.5.6	Terracon
Cast-In-Place Concrete Placement	Pump Station West Base Slab	Test	West Base Slab	Concrete - Placed		2	3/2/2015	10:00 AM	4/27/2015		M1141339A.0008	4/26/2015	CIPC-082 Concrete Material	56-day Strength (psi):	5420	4500 minimum	Pass	ASTM C31, ASTM C39, ASTM C1236		03 30 00, Item 1.2.7 and Item 3.10.5.6	Terracon

Instructions

Please provide Table rows for data in email as an excel table attachment along with reports  
 Only include new entries (e.g. if there is a revised report which includes a 28 day concrete test report update, please only include the row for the new entry, see example below)  
 I will copy this data into our log that we will be keeping  
 We will figure out the historical data at some point, but I would like to get data coming in on the right track  
 Please coordinate with David and Loren from CH2M to get the proper QA Guide Phase Name/Description before the test sample is taken and include this name in the field records and report  
 Please list all reports as final at the top when no more revisions are expected, this way our Admin folks will know when to print the final report

Example from Above

On March 3, the email would have included an excel table with the yellow entries (The full table had a lot more information for report date 3/3/2015 this is just for illustration purposes)  
 On March 9th the email would have included an excel table with the green entry  
 On March 30th the blue  
 On April 26th, the red

DRAFT



211 Ninth Street South, Box 2806, Fargo, ND 58108-2806  
Phone 701-241-5600 Fax 701-241-5728

---

August 19, 2015

Xcel Energy  
2302 Great Northern Drive  
Fargo, ND 58102

Attn: Travis Lill, Designer

Subject: RA-XL003; WP-42A.1/A.3 – Agreement 304 4<sup>th</sup> St S - Reimbursement Agreement

Dear Mr. Lill:

Thank you for providing the attached Agreement 304 4<sup>th</sup> St S statement of work presenting the cost to set a new 75 KVA transformer to serve the basketball court and warming house on 4<sup>th</sup> St S.

The Diversion Authority understands that this Agreement 304 4<sup>th</sup> St S statement of work is anticipated to cover all labor, materials, and commissioning necessary to install the 75 KVA transformer that is needed to provide electrical service to the basketball court and warming house. Elements of this electrical service that will be fed by the 75 KVA transformer have been designed by SRF Consulting, and will be constructed by Industrial Contract Services, Inc. The Diversion Authority agrees that the statement of work, and the described work, is required to accommodate the SRF design, and agrees to reimburse the total cost of \$16,275.85 for this work.

If Xcel Energy agrees with this cost reimbursement, please sign the attached Reimbursement Agreement and return this signed agreement to Mr. Bruce Spiller at the following address:

CH2M  
Mr. Bruce Spiller, P.E.  
520 Main Avenue, Suite 601  
Fargo, ND 58103

When payment is required by Xcel for this work, please remit invoices to Mr. Tyler Smith at the following address and please include the reimbursement agreement number (RA-XL003):

CH2M  
Mr. Tyler Smith, P.E.  
520 Main Avenue, Suite 601  
Fargo, ND 58103

---

City of Fargo

Tim Mahoney  
Melissa Sobolik  
Mike Williams

City of Moorhead

Nancy Otto

Cass County

Darrell Vanyo, *Chair*  
Ken Pawluk  
Mike Thorstad  
(City of West Fargo)

Clay County

Kevin Campbell

Cass County Joint  
Water Resource District

Rodger Olson

Buffalo-Red River  
Watershed District

Gerald Van Amburg  
(ex-officio)

TRAVIS LILL  
PAGE 2  
AUGUST 19, 2015

Sincerely,

A handwritten signature in cursive script that reads "Darrell Vanyo". The signature is written in black ink and is positioned above the printed name and title.

Darrell Vanyo, Chairman  
Flood Diversion Board of Authority

RA-XL0003\_Xcel-Energy Cost Reimbursement Agreement 16275.85

c: Mr. Keith Berndt  
Mr. Bruce Spiller

Attachments: Xcel Energy, Statement of Work, dated June 26, 2015.





STATEMENT OF WORK REQUESTED

DATE: JUNE 26TH 2015  
 WORK REQUESTED BY: FLOOD DIVERSION BOARD OF AUTHORITY  
 WORK LOCATION: 304 4TH ST S  
 ADDRESS: BOX 2806 211 NINTH STREET SOUTH  
FARGO, ND 58108

CONSISTING OF:  
 XCEL ENERGY WILL SET A NEW 75 KVA TRANSFORMER TO SERVE THE BASKETBALL COURT AND WARMING HOUSE ON 4TH ST S. THE SERVICE NEEDED TO BE RELOCATED BECAUSE OF THE FLLODWALL PROJECT ON 2ND ST S. PLEASE SIGN AND RETURN THIS AGREEMENT. WORK CAN BE SCHEDULED ONCE THIS AGREEMENT IS RECIEVED.

The facilities installed or removed by Northern States Power Company, a Minnesota corporation ("Xcel Energy" or the "Company") shall be the property of the Company and any payment by customer shall not entitle customer to any ownership interest or right therein. Customer's and Company's rights and obligations with respect to the facilities and services provided through the facilities are subject to additional terms and conditions as provided in the General Rules and Regulations and/or in the Rate Schedules of Xcel Energy's Electric Rate Book for customer's specific service, as they now exist or may hereafter be changed, on file with the state regulatory commission in the state where service is provided.

The undersigned hereby requests and authorizes Northern States Power Company, a Minnesota corporation ("Xcel Energy") to do the work described above, and in consideration thereof, agrees to pay (\$ 16275.85) in accordance with the following terms:

Receipt of the above amount hereby acknowledged on behalf of the Company by TRAVIS LILL

Northern States Power Company, Customer  
 a Minnesota corporation ("Xcel Energy")

GARY SMESTAD  
 Print Full Name and Title

FLOOD DIVERSION BOARD OF AUTHORITY  
 Print Full Name and Title (if applicable)

*Gary Smetad*  
 Signature

*Travis Lill*  
 Signature

**FOR XCEL ENERGY USE**  
 Xcel Energy Representative \_\_\_\_\_ Xcel Energy Work Order # \_\_\_\_\_

Construction\$ 16275.85 Removal \$ \_\_\_\_\_ Total \$ 16275.85

## Finance Committee Bills for September 2015

Vendor	Description	Amount
702 Communications	2nd Street Floodwall Project - July	\$72,469.93
702 Communications	2nd Street Floodwall Project - August	\$26,957.07
Fredrikson & Bryon, P.A.	Government Relations Fee - July and August	\$7,000.00
Obermiller Nelson Engineering	Fiber relocation - 2nd Street Levee	\$3,575.00
Erik R. Johnson & Associates, Ltd.	Metro Flood Project - General Legal Matters for August	\$4,714.95
Erik R. Johnson & Associates, Ltd.	Metro Flood Project - LEERDS Matters for August	\$2,233.80
U.S. Geological Survey	Water level information	\$26,150.00
Dorsey & Whitney	Legal Services Rendered through 7/31/2015	\$124,209.09
U.S. Army Corps of Engineers	Cost Share Funds - FY 15/16	\$600,000.00
Cass County Joint Water Resource District	Reimburse Diversion bills	\$3,557,366.95
Total Bills Received in August		\$4,424,676.79



RECEIVED

AUG 14 2015

#INC000000001001

**INVOICE**

JULY 6, 2015

*DUE: ON RECEIPT*

CASS COUNTY COMMISSION

218-284-5702

*Past Due!  
Please Revisit*

To:

Flood Diversion Board of Authority  
Attn: Darrell Vanyo  
211 Ninth Street South  
PO Box 2806  
Fargo, ND 58108

**FOR:** 2<sup>ND</sup> STREET FLOOD WALL PROJECT  
ATTN: Darrell Vanyo

PROGRESS BILLING,

\$ 72,469.93

Progress Billing for Labor, Equipment and Material for Concrete R&R, backhoe trench, placement of Duct bank, rodder pipes & Pull mull tape, set vaults, backfill trench, pulling cables, and splicing. Price excludes fiber material costs.

Total \$ 72,469.93

**Please make all checks payable to:  
702 Communications  
Attn: Accounting  
702 Main Ave, Moorhead, MN 56560**

**Thank you for your business!**



218-284-5702

RECEIVED  
AUG 14 2015

#INC000000001003

**INVOICE**

AUGUST 10, 2015  
DUE: ON RECEIPT

CASS COUNTY COMMISSION

**To:**

Flood Diversion Board of Authority  
Attn: Darrell Vanyo  
211 Ninth Street South  
PO Box 2806  
Fargo, ND 58108

**FOR:** 2<sup>ND</sup> STREET FLOOD WALL PROJECT  
ATTN: Darrell Vanyo

PROGRESS BILLING, JULY WORK

\$ 26,957.07

Progress Billing for Labor, Equipment and Material for Concrete R&R, backhoe trench, placement of Duct bank, rodder pipes & Pull mull tape, set vaults, backfill trench, pulling cables, and splicing.  
Price excludes fiber material costs.

Total \$ 26,957.07

**Please make all checks payable to:  
702 Communications  
Attn: Accounting  
702 Main Ave, Moorhead, MN 56560**

**Thank you for your business!**

**REMITTANCE PAGE**

Diversion Board of Authority  
211 9th Street South  
P.O. Box 2806  
Fargo, ND 58108-2806

**Please remit this page with your payment. Thank you. We appreciate your business.**

Invoice: 1329146  
Client Account: 072720.0001  
Regarding: Government Relations LOB 30321  
Invoice Date: August 17, 2015

---

Total Fees:	\$ 7,000.00
Total This Invoice	\$ 7,000.00

***Payment is due within 30 days from receipt of invoice***

If you have any questions please email [accounting@fredlaw.com](mailto:accounting@fredlaw.com) or contact a client representative at 612.492.7574.

**INVOICE DETAIL**

Diversion Board of Authority  
211 9th Street South  
P.O. Box 2806  
Fargo, ND 58108-2806

**Invoice:** 1329146  
**Client Account:** 072720.0001  
**Regarding:** Government Relations LOB 30321  
**Invoice Date:** August 17, 2015

Payments 1 and 2 for \$3500 each of Phase 2 of the Agreement between Fredrikson and the Board. Payments 1 and 2 cover services provided in July and August 2015 respectively. Total due: \$7,000.

<b>Total For Fees</b>	<b>\$ 7,000.00</b>
-----------------------	--------------------

<b>Total This Invoice</b>	<b>\$ 7,000.00</b>
---------------------------	--------------------

**Invoice**

August 31, 2015  
Invoice No: 006769



2201 12th St N, Ste E  
Fargo, ND 58102  
701-280-0500  
www.obernel.com  
FEIN# 45-0427241

OBERMILLER NELSON ENGINEERING  
BUILDING SYSTEMS CONSULTANTS

Ron Gronneberg  
City of Fargo  
200 N. 3rd St.  
Fargo, ND 58102

Project Manager Anthony Nelson

Project 2015090 City of Fargo Fiber Infrastructure

**Professional Services through August 15, 2015**

Discipline ELEC Electrical Design - Reimbursable Flood Relocation

**Professional Personnel**

	Hours	Rate	Amount	
Senior Electrical Project Manager	17.50	155.00	2,712.50	
Intern Electrical Engineer	5.50	95.00	522.50	
Electrical Tech - Level III	4.00	85.00	340.00	
Totals	27.00		3,575.00	
<b>Total Labor</b>				<b>3,575.00</b>
<b>Total this Discipline</b>				<b>\$3,575.00</b>

Discipline NR Non-Reimbursable Fiber Work

**Professional Personnel**

	Hours	Rate	Amount	
Senior Electrical Project Manager	3.00	155.00	465.00	
Electrical Tech - Level III	.50	85.00	42.50	
Totals	3.50		507.50	
<b>Total Labor</b>				<b>507.50</b>
<b>Total this Discipline</b>				<b>\$507.50</b>
<b>Total this Invoice</b>				<b>\$4,082.50</b>

# Billing Backup

Wednesday, September 2, 2015

Obermiller Nelson Engineering

Invoice 006769 Dated 8/31/2015

10:00:22 AM

Project	2015090	City of Fargo Fiber Infrastructure		
Discipline	ELEC	Electrical Design - Reimbursable Flood Relocation		

**Professional Personnel**

			Hours	Rate	Amount	
Senior Electrical Project Manager						
9453	21 - Nelson, Anthony	5/13/2015	1.00	155.00	155.00	
9453	21 - Nelson, Anthony	5/19/2015	1.00	155.00	155.00	
9453	21 - Nelson, Anthony	5/20/2015	1.50	155.00	232.50	
9453	21 - Nelson, Anthony	5/22/2015	.50	155.00	77.50	
9453	21 - Nelson, Anthony	6/24/2015	.50	155.00	77.50	
9453	21 - Nelson, Anthony	7/9/2015	3.50	155.00	542.50	
9453	21 - Nelson, Anthony	7/16/2015	1.00	155.00	155.00	
9453	21 - Nelson, Anthony	7/17/2015	2.50	155.00	387.50	
9453	21 - Nelson, Anthony	7/20/2015	.50	155.00	77.50	
9453	21 - Nelson, Anthony	7/22/2015	.50	155.00	77.50	
9453	21 - Nelson, Anthony	7/23/2015	2.00	155.00	310.00	
9453	21 - Nelson, Anthony	7/24/2015	.50	155.00	77.50	
9453	21 - Nelson, Anthony	7/28/2015	1.00	155.00	155.00	
9453	21 - Nelson, Anthony	7/29/2015	1.00	155.00	155.00	
9453	21 - Nelson, Anthony	7/30/2015	.50	155.00	77.50	
Intern Electrical Engineer						
9483	14 - Wentland, Brian	5/11/2015	1.00	95.00	95.00	
	Design infrastructure and layout for fiber					
9483	14 - Wentland, Brian	5/12/2015	1.00	95.00	95.00	
	Talk with MVM about estimates for fiber backbone					
9483	14 - Wentland, Brian	5/14/2015	1.50	95.00	142.50	
	Work with Tony on getting cost estimates for this project					
9483	14 - Wentland, Brian	5/18/2015	1.00	95.00	95.00	
	Look over and redue layout for cabling					
9483	14 - Wentland, Brian	5/19/2015	1.00	95.00	95.00	
	Work with Tony and MVM on cost estimating and things we need to change					
Electrical Tech - Level III						
9434	18 - Larson, Benjamin	7/15/2015	1.00	85.00	85.00	
9434	18 - Larson, Benjamin	7/16/2015	1.00	85.00	85.00	
9434	18 - Larson, Benjamin	7/17/2015	2.00	85.00	170.00	
	Totals		27.00		3,575.00	
	<b>Total Labor</b>				<b>3,575.00</b>	
				<b>Total this Discipline</b>	<b>\$3,575.00</b>	

Discipline	NR	Non-Reimbursable Fiber Work		
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**Professional Personnel**

			Hours	Rate	Amount	
Senior Electrical Project Manager						
9453	21 - Nelson, Anthony	7/15/2015	2.00	155.00	310.00	
9453	21 - Nelson, Anthony	7/16/2015	1.00	155.00	155.00	



Project	2015090	City of Fargo Fiber Infrastructure			Invoice	006769
	Electrical Tech - Level III					
9434	18 - Larson, Benjamin	7/15/2015	.50	85.00	42.50	
	Totals		3.50		507.50	
	<b>Total Labor</b>					<b>507.50</b>
				<b>Total this Discipline</b>		<b>\$507.50</b>
				<b>Total this Project</b>		<b>\$4,082.50</b>
				<b>Total this Report</b>		<b>\$4,082.50</b>

## Worden, Heather

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**From:** Kent Costin <KCostin@cityoffargo.com>  
**Sent:** Wednesday, September 02, 2015 8:24 AM  
**To:** Worden, Heather  
**Cc:** Montplaisir, Michael  
**Subject:** FW: Diversion Authority  
**Attachments:** 2091\_150901132238\_001.pdf

Heather,

Here is a bill to add to the Finance bill review – This is related to the required relocation of City owned fiber related to the 2<sup>nd</sup> street levy project.

Our IT Director has instructed the vendor to split their billing between FM Diversion eligible segments and the non-eligible segments to assure that the FM Diversion is only paying for what is necessary and related to the 2<sup>nd</sup> street project.

Thanks,

Kent

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**From:** Ron Gronneberg  
**Sent:** Tuesday, September 01, 2015 4:01 PM  
**To:** Kent Costin  
**Cc:** Carol Sexton  
**Subject:** Diversion Authority

Kent,

Attached is the invoice I received from ONE. This is engineering work to get my 2<sup>nd</sup> St Fiber moved so that the 2<sup>nd</sup> St Levee can be constructed.

The reimbursable amount is \$3,575.

Thanks,

-Ron

*Erik R. Johnson & Associates, Ltd.*  
*Attorneys at Law*  
*505 Broadway Street North – Suite 206*  
*Fargo, ND 58102*  
*Phone: (701) 280-1901*  
*Fax: (701) 280-1902*

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

City of Fargo – Auditor’s Office  
Attn: Kent Costin  
200 North Third Street  
Fargo, ND 58102

August 25, 2015  
Invoice No. 2316

RE: Metro Flood Project – General Legal Matters

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**For Legal Services Rendered Through August 25, 2015**

**INVOICE TOTAL**

Total for Current Legal Fees	\$ 4,714.95
Total for Current Disbursements and Service Charges	\$ 0
<b>Total for Current Invoice</b>	<b>\$ 4,714.95</b>

**Summary of Account**

*Prior Balance Due	\$ 0
Total Amount Due	\$ 4,714.95

\*If payment has been submitted for prior balance due, please disregard.

We appreciate your business.

*Erik R. Johnson & Associates, Ltd.*  
*Attorneys at Law*  
505 Broadway Street North – Suite 206  
Fargo, ND 58102  
Phone: (701) 280-1901  
Fax: (701) 280-1902

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

City of Fargo – Auditor’s Office  
Attn: Kent Costin  
200 North Third Street  
Fargo, ND 58102

August 25, 2015  
Invoice No. 2315

RE: Metro Flood Project – LEERDS Matters

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**For Legal Services Rendered Through August 25, 2015**

**INVOICE TOTAL**

Total for Current Legal Fees	\$ 2,233.80
Total for Current Disbursements and Service Charges	\$ 0
<b>Total for Current Invoice</b>	<b>\$ 2,233.80</b>

**Summary of Account**

*Prior Balance Due	\$ 0
Total Amount Due	\$ 2,233.80

\*If payment has been submitted for prior balance due, please disregard.

We appreciate your business.

UNITED STATES DEPARTMENT OF THE INTERIOR  
DOWN PAYMENT (BILL) REQUEST

Bill #: 90374766  
Customer: 6000004364  
Date: 09/01/2015  
Due Date: 10/31/2015

Make Remittance Payable To: U.S. Geological Survey  
Billing Contact: Doug VerDouw, Admin. Officer Phone: (701) 250-7403

Remit Payment To: United States Geological Survey  
P.O. Box 71362  
Philadelphia, PA 19176-1362

Payer: Metro Flood Project Diversion Authority  
211 9th Street S  
Fargo ND 58108-2806

Additional forms of payment may be accepted. Please email GS-A-HQ\_RMS@USGS.GOV or call 703-648-7683 for additional information.

To pay through Pay.gov go to <https://www.pay.gov>.

Checks must be made payable to U.S. Geological Survey. Please detach the top portion or include bill number on all remittances.

Amount of Payment: \$ \_\_\_\_\_

Date	Description	Qty	Unit Price		Amount
			Cost	Per	
09/01/2015	Water level information for the Sheyenne River, Maple River, Wild Rice River, and the Red River.  July 2015 - September 2015  14EMNS0002014YZ	1	26,150.00	1	26,150.00
Amount Due this Bill:					26,150.00

Accounting Classification:  
Sales Order: 42767  
Sales Office: GENS  
Customer: 6000004364  
Accounting #: 10352007

TIN: 454094031



Office of the City Attorney

**City Attorney**  
Erik R. Johnson

**Assistant City Attorneys**  
Nancy J. Morris  
Jason T. Loos

September 2, 2015

Kent Costin  
Finance Director  
City of Fargo  
200 North Third Street  
Fargo, ND 58102

**Re: Red River Diversion Project**

Dear Kent:

I am enclosing a Summary Invoice dated August 25, 2015 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through July 31, 2015 on the Red River Diversion Project. If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,

A handwritten signature in blue ink that reads "Erik R. Johnson". The signature is written in a cursive style and includes a small mark below the name.

Erik R. Johnson

ERJ/jmf  
Enclosure  
cc: Bruce Grubb





MINNEAPOLIS OFFICE  
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Fargo-Moorhead Flood Diversion Bd of Authority  
c/o Erik R. Johnson & Associates, Ltd.  
Attn: Erik Johnson  
505 Broadway, Suite 206  
Fargo, ND 58102

August 25, 2015  
Invoice No. 3222946

**RECEIVED**  
BY \_\_\_\_\_ DATE 8-27-15

Client-Matter No.: 491379-00001  
Red River Diversion Project

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**For Legal Services Rendered Through July 31, 2015**

**INVOICE TOTAL**

Total For Current Legal Fees	\$121,275.00
Total For Current Disbursements and Service Charges	\$2,934.09
<b>Total For Current Invoice</b>	<b>\$124,209.09</b>

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:  
Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

Wire Instructions:  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402

ABA Routing Number: 091000022  
Account Number: 1602-3010-8500  
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY



DEPARTMENT OF THE ARMY  
ST. PAUL DISTRICT, CORPS OF ENGINEERS  
180 FIFTH STREET EAST, SUITE 700  
ST. PAUL MN 55101

RECEIVED

AUG 21 2015

CASS COUNTY COMMISSION

AUG 19 2015

Planning, Programs and Project Management Division  
Project Management Branch

SUBJECT: Fargo-Moorhead Metro Preconstruction, Engineering, and Design Phase

Chairman Darrell Vanyo  
Flood Diversion Board of Authority  
Box 2806  
211 Ninth Street South  
Fargo, ND 58108

Dear Chairman Vanyo:

Based upon the Division Board of Authority's August 13, 2015 meeting where the Corps funds request for FY15-16 was passed and in accordance with Article IV of the Design Cost Share Agreement executed on September 12, 2011, please provide cost share funds in the amount of \$600,000. These funds will count towards the required 5 percent cash contribution and are associated with Cost Share Control Record Number 531.

We request that \$600,000 be wired directly to the U.S. Army Corps of Engineers. We are providing the following information:

- a. Bank Name: Cash Link-ACH Receiver  
Account Name: USACE Finance Center  
Bank ABA Number: 051036706  
Account Number: 220025  
Bank Address: Riverdale MD  
Account Type: Checking
- b. Advance Account Number: 293
- c. ROV Number: 1637
- d. Cost Share Number: 531

The instructions require a notification letter from the non-Federal sponsor 14 days in advance of the transfer. To do this, please email [terryl.l.williams@usace.army.mil](mailto:terryl.l.williams@usace.army.mil) and [shannon.e.gross@usace.army.mil](mailto:shannon.e.gross@usace.army.mil) with the date of transfer, amount and type of transfer. We will then forward this information to our point of contact at our finance center in Tennessee.



Please contact Shannon Gross of our Finance and Accounting Branch at (651) 290-5389, if additional help is required to complete the electronic funds transfer.

If you have any questions concerning the project, please contact me at (651) 290-5517 or at [terryl.l.williams@usace.army.mil](mailto:terryl.l.williams@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Williams', with a large, stylized flourish on the left side.

Terry Williams  
Project Manager

cc:

Honorable Del Rae Williams  
Mayor of Moorhead  
500 Center Avenue  
PO Box 779  
Moorhead, MN 56561-0779

Honorable Dr. Tim Mahoney  
Mayor of Fargo  
200 Third Street North  
Fargo, ND 58102

Mr. Bob Zimmerman  
Moorhead City Hall  
500 Center Avenue  
PO Box 779  
Moorhead, MN 56561-0779

Mr. Mark Bittner  
Director of Engineering  
200 Third Street North  
Fargo, ND 58102

Mr. Keith Berndt  
Cass County  
211 9th Street South  
PO Box 2806  
Fargo ND 58108-2806



Cass County  
Joint Water  
Resource  
District

September 3, 2015

Diversion Authority  
P.O. Box 2806  
Fargo, ND 58108-2806

Mark Brodshaug  
Chairman  
Fargo, North Dakota

Rodger Olson  
Manager  
Leonard, North Dakota

Dan Jacobson  
Manager  
West Fargo, North Dakota

Ken Lougheed  
Manager  
Gardner, North Dakota

Raymond Wolfer  
Manager  
Argusville, North Dakota

Greetings:

RE: Fargo-Moorhead Area Diversion  
In-Town Levee Project  
Access and Diversion Project Assessment Committee (DPAC)  
Oxbow-Hickson-Bakke Ring Levee  
Oxbow Golf and Country Club – Golf Course Construction

Enclosed please find copies of bills totaling \$3,557,366.95 regarding the above referenced projects. The breakdown is as follows:

Access issues/Bond	\$ 58,881.79
In-Town Levee Project	68,671.98
DPAC	11,563.00
Oxbow-Hickson-Bakke Ring Levee	2,670,849.30
Oxbow Golf and Country Club	747,400.88

At this time, we respectfully request 100% reimbursement as per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated July 7, 2014.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis  
Secretary-Treasurer

Enclosures

Carol Harbeke Lewis  
Secretary-Treasurer  
1201 Main Avenue West  
West Fargo, ND 58078-1301

701-298-2381  
FAX 701-298-2397  
[wrld@casscountynd.gov](mailto:wrld@casscountynd.gov)  
[casscountygov.com](http://casscountygov.com)

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES

9/3/15

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
7/9/2015	6/25/2015	136105	100007	1,008.00	Ohnstad Twichell, P.C.	Legal - right of entry
7/9/2015	6/25/2015	136114	130007	20,888.68	Ohnstad Twichell, P.C.	Legal - right of way acquisition
7/9/2015	6/25/2015	136104	90007	481.00	Ohnstad Twichell, P.C.	Legal - Open records
2/12/2015	1/26/2015	132640	90007	221.00	Ohnstad Twichell, P.C.	Legal - Review construction contract documents
5/14/2015	4/28/2015	134461	90007	204.00	Ohnstad Twichell, P.C.	Legal - open records request
6/11/2015	5/29/2015	135556	90007	1,955.00	Ohnstad Twichell, P.C.	Legal - JPA, tree cutting, insurance
8/17/2015	7/29/2015	136728	140007	544.00	Ohnstad Twichell, P.C.	Legal - Diversion Bond
8/17/2015	7/24/2015	136506	100007	6,084.97	Ohnstad Twichell, P.C.	Legal - right of entry
8/17/2015	7/24/2015	136514	130007	17,660.27	Ohnstad Twichell, P.C.	Legal - right of way acquisition
7/23/2015	7/7/2015	52263	R12.00049	1,545.00	Ulteig Engineers	Land Management and Land Acquisition
8/27/2015	8/7/2015	52858	R12.00049	7,024.00	Ulteig Engineers	Land Management and Land Acquisition
8/17/2015				1,465.87	You've Been Served	Process server
<b>Total</b>				<b>58,881.79</b>		

IN-TOWN LEVEES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
08/17/15	07/29/15	381036201	479407	19,961.87	CH2M	Project management and Land Acquisition Services
08/17/15	07/25/15	4633		1,645.00	Sentry Security, Inc.	Security Patrol Services for Park East Apt
8/17/2015	8/8/2015	4665		1,711.75	Sentry Security, Inc.	Security Patrol Services for Park East Apt
8/17/2015	7/31/2015			4,830.00	Brian Blake	Rental assistance relocation claim
8/17/2015	7/8/2015			1,330.00	Joshua Gonzales and Marcus Kornkven	Final residential moving costs
8/17/2015	6/24/2015			3,611.54	Fettes Transportation Systems	Final moving costs for Mahfooz Peshimam
8/17/2015	6/29/2015			1,190.00	Shannon Bacon & James Bergman	Moving relocation claims
8/17/2015	7/28/2015			360.00	Michael Smith	Final residential moving costs
8/17/2015	7/28/2015			200.00	A-1 Services of Fargo-Moorhead Inc	Final moving costs for Michael Smith
8/17/2015	8/4/2015			997.50	Jacob Shreffler	Final Rental assistance claim
8/17/2015	8/7/2015	467228261		34.76	Xcel Energy	Service to 724 N River Rd N
8/27/2015	8/25/2015	381038922	479407	17,625.73	CH2M	Project management and Land Acquisition Services
8/27/2015	8/22/2015	4703		1,444.50	Sentry Security, Inc.	Security Patrol Services for Park East Apt
8/27/2015	8/5/2015			670.00	Carrol Tollefson and Becki Tollefson	Final moving costs
8/27/2015	8/5/2015			1,275.00	Fettes Transportation Systems	Moving costs for Carrol Tollefson
8/27/2015	8/4/2015			1,995.00	Nick Withnell	Final Rental assistance claim
8/27/2015	8/4/2015			1,995.00	Grant Christensen	Final Rental assistance claim
8/27/2015	7/28/2015			1,470.30	Carol and Philip Stratton	Residential moving payment
8/27/2015	8/13/2015			37.50	Jacob Cotter	Final moving and rental assistance
8/27/2015	8/13/2015			1,241.64	Adam Christensen	Final moving and rental assistance
8/27/2015	8/13/2015			1,204.14	Patrick McEnaney	Final moving and rental assistance
8/27/2015	8/13/2015			476.00	A-1 Services of Fargo-Moorhead Inc	Moving costs for Christensen/Cotter and McEnaney
9/2/2015	8/26/2015			3,364.75	John Crabtree	Replace shed
<b>Total</b>				<b>68,671.98</b>		

DIVERSION PROJECT ASSESSMENT DISTRICT (DPAC) INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
8/17/2015	7/24/2015	136512	120007	389.00	Ohnstad Twichell, P.C.	Legal - Diversion project assessment district
8/17/2015	7/24/2015	136546	150007	8,848.00	Ohnstad Twichell, P.C.	Legal - Garaas appeal of assessment district
8/27/2015	7/31/2015	44379	P11473-2012-000	2,326.00	AE2S	Financial Services - development & implementation
<b>Total</b>				<b>11,563.00</b>		

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
8/17/2015	7/24/2015	136519	140007	9,724.58	Ohnstad Twichell, P.C.	Legal - purchase agreements
8/17/2015	7/29/2015	381036201	479407	70,773.92	CH2M	Project Management and land acquisition services
8/17/2015	7/29/2015	381036203	479407	130,000.00	CH2M	Construction management services
9/1/2015	7/31/2015	16349	2830-00	33,603.40	ProSource Technologies LLC	Project Management, land acquisition, relocation
8/17/2015	8/3/2015	118984		861.48	Dakota Ag Cooperative Kindred	Oxbow area weed spraying
8/17/2015	7/25/2015	11151		76.23	Cass Rural Water Users District	Service to 5059 Mackenzie Circle
8/17/2015	8/5/2015	1122560		43.18	Cass County Electric Cooperative	Service to 349 Schnell Dr
8/17/2015	8/5/2015	1122561		184.05	Cass County Electric Cooperative	Service to 5059 Mackenzie Circle
8/17/2015	8/5/2015	1123339		72.35	Cass County Electric Cooperative	Service to 357 Schnell Dr
8/17/2015	8/5/2015	1108711		30.35	Cass County Electric Cooperative	Service to 345 Schnell Dr
8/26/2015	8/25/2015			50,000.00	Frank Pearson Jr and Jane Pearson	Builder down payment
8/26/2015	8/25/2015			160,000.00	Frank Pearson Jr and Jane Pearson	lot payment
8/26/2015	8/25/2015			110,000.00	David Andel and Amy Andel	Builder down payment
8/26/2015	8/25/2015			174,000.00	David Andel and Amy Andel	lot payment
8/26/2015	8/24/2015			25,000.00	Richard Menze and Ronda Menze	earnest money
8/27/2015	8/25/2015	381038922	479407	62,491.21	CH2M	Land acquisition management services
8/27/2015	8/25/2015	381038929	479407	130,000.00	CH2M	Construction management services
8/27/2015	8/13/2015	1121701		35.98	Cass County Electric Cooperative	Service to 17495 52 St SE
8/27/2015	8/27/2015			133,000.00	Curtis Hakanson and Mary Hakanson	lot payment
8/27/2015	8/27/2015			25,000.00	Curtis Hakanson and Mary Hakanson	Builder down payment
8/28/2015	8/28/2015			5,500.00	David Andel and Amy Andel	additional earnest money
9/1/2015	9/1/2015			322,855.92	The Title Company	Retzlaff property purchase
9/1/2015	9/1/2015			195,781.57	The Title Company	Retzlaff replacement housing
9/2/2015	9/2/2015			355,742.32	The Title Company	Aaron Brakke property purchase
9/2/2015	9/2/2015			257,072.76	The Title Company	Aaron Brakke replacement housing
9/2/2015	9/2/2015			149,000.00	Daniel Rieger and Elena Rodgers-Rieger	lot payment
9/2/2015	9/2/2015			120,000.00	Daniel Rieger and Elena Rodgers-Rieger	Builder down payment
9/3/2015	9/3/2015			150,000.00	Jerry Kautzman and Ellen Kautzman	earnest money
<b>Total</b>				<b>2,670,849.30</b>		

OXBOW COUNTRY CLUB INVOICES

Invoice Invoice Invoice Project

Invoice Paid Paid	Invoice Date Date	Invoice No. No.	Project No. No.	Amount Amount	Vendor Vendor	Description Description
8/27/2015	6/30/2015	7	1470	748,674.88	Landscapes Unlimited LLC	golf course construction
				-1,274.00	Dawson Insurance	correction of overpayment
			<b>Total</b>	<b>747,400.88</b>		
			<b>Grand Total</b>	<b>3,557,366.95</b>		

**FM Diversion Authority**  
**Fiscal Accountability Report Design Phase (Fund 790)**  
**As of 8/31/2015**

	2011	2012	2013	2014	2015	Cumulative Totals
<b>Revenues</b>						
City of Fargo	443,138	7,652,681	7,072,961	19,373,131	17,752,586	52,294,497
Cass County	443,138	7,652,681	7,072,961	19,373,131	17,752,586	52,294,497
State Water Commission	-	-	3,782,215	602,918	19,824,247	24,209,380
Other Agencies	98,475	1,700,595	1,571,769	4,305,140	3,945,019	11,620,998
Lease/Rental Payments	-	-	17,358	154,180	180,341	351,879
Asset Sales	-	-	-	616,774	104,396	721,170
Miscellaneous	-	-	1,705	626	427	2,758
<b>Total Revenues</b>	<b>984,750</b>	<b>17,005,957</b>	<b>19,518,970</b>	<b>44,425,900</b>	<b>59,559,602</b>	<b>141,495,180</b>
<b>Expenditures</b>						
7905 Army Corp Payments	-	-	875,000	1,050,000	2,025,000	3,950,000
7910 WIK - Administration	107,301	331,321	77,614	169,019	160,410	845,664
7915 WIK - Project Design	149,632	5,366,147	3,220,859	9,118,723	3,269,402	21,124,763
7920 WIK - Project Management	679,037	7,223,650	4,695,477	3,579,339	2,310,429	18,487,933
7925 WIK - Recreation	-	163,223	-	-	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	17,013,358	37,412,339	61,081,385
7931 LERRDS - Minnesota	-	27,996	289,387	13,068	625	331,075
7940 WIK Mitigation - North Dakota	-	-	-	587,180	-	587,180
7941 WIK Mitigation - Minnesota	-	-	-	-	-	-
7950 Construction - North Dakota	-	-	-	1,738,638	8,614,338	10,352,976
7951 Construction - Minnesota	-	-	-	-	-	-
7952 Construction - O/H/B	-	-	-	11,282,504	4,656,142	15,938,646
7955 Construction Management	-	-	-	556,209	1,601,845	2,158,054
7990 Project Financing	-	50,000	70,000	216,376	162,946	499,322
7995 Project Eligible - Off Formula Costs	-	-	-	-	-	-
7999 Non Federal Participating Costs	116	-	-	-	-	116
0000 Advance to City of Oxbow	-	-	7,527,231	630	-	7,527,861
<b>Total Expenditures</b>	<b>984,750</b>	<b>17,005,957</b>	<b>19,518,970</b>	<b>45,325,044</b>	<b>60,213,476</b>	<b>143,048,198</b>

**FM Diversion Authority**  
**FY 2015 Summary Budget Report ( In Thousands)**  
**October 1, 2014 through December 31, 2015**  
**As of August 31, 2015**

	<b>FY 2015 Approved Budget</b>	<b>Current Month</b>	<b>Fiscal Year To Date</b>	<b>% Expended</b>	<b>Outstanding Encumbrances</b>	<b>Remaining Budget Balance</b>
<b>Revenue Sources</b>						
City of Fargo	59,040	1,670	23,874			35,166
Cass County	59,040	1,670	23,874			35,166
State of ND - 50% Match	57,200	1,528	18,550			38,650
State of ND - 100% Match	35,800	-	5,337			30,463
State of Minnesota	-	-	-			-
Other Agencies	13,120	371	5,305			7,815
Financing Proceeds	-	-	-			-
Sale of Assets	-	35	104			(104)
Property Income	-	-	193			(193)
Miscellaneous	-	-	0			(0)
<b>Total Revenue Sources</b>	<b>224,200</b>	<b>5,273</b>	<b>77,237</b>			<b>146,963</b>
<b>Funds Appropriated</b>						
Army Corp Local Share	525	600	2,025		2,979	(4,479)
Management Oversight	7,200	453	5,934	82%	3,708	(2,442)
Technical Activities	16,575	758	6,337	38%	3,166	7,072
Land Acquisitions	106,700	1,875	43,343	41%	29,054	34,303
Construction	91,300	1,728	20,337	22%	43,857	27,106
Mitigation	-	-	-		-	-
Other Costs	1,900	5	278	15%	350	1,272
<b>Total Appropriations</b>	<b>224,200</b>	<b>5,419</b>	<b>78,254</b>	<b>35%</b>	<b>83,114</b>	<b>62,832</b>

**FM Diversion Authority  
Summary of Cash Disbursements  
August 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7910-429.33-20	8/31/2015	JF20150809	CITY OF FARGO	500.00	CHARGE COF TIME - 08/15	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Accounting Services</b>				\$500.00			
790-7905-429.33-42	7/10/2015	WIRE	ARMY CORP OF ENGINEERS	600,000.00	ARMY CORP LOCAL SHARE FY 2015/2016	V01101	Army Corp Local Share Pmt
<b>Total Local Share to USACE - Army Corp of Engineers</b>				\$600,000.00			
790-7910-429.33-25	8/12/2015	260562	ERIK R JOHNSON & ASSOCIATES	38,152.12	CITY/DIVERSION LOAN	V00102	General & Admin. WIK
	8/19/2015	260783	ERIK R JOHNSON & ASSOCIATES	8,674.34	METRO FLOOD-LEGAL MATTERS	V00102	General & Admin. WIK
	8/19/2015	260783	ERIK R JOHNSON & ASSOCIATES	8,648.11	FMDA LEGAL COST JUL15	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Legal Services</b>				\$55,474.57			
790-7915-429.33-05	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	1,397.67	REC & USE MASTER PLAN	V01607	RECREATION/USE MASTER PLN
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	3,253.74	REC & USE MASTER PLAN	V01607	RECREATION/USE MASTER PLN
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	48,738.99	WORK-IN-KIND	V01608	WORK-IN-KIND (WIK)
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	13,345.69	WORK-IN-KIND	V01608	WORK-IN-KIND (WIK)
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	49,728.00	HYDROLOGY & HYDRAULIC MOD	V01609	HYDROLOGY/HYDRAULIC MODEL
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	73,264.15	HYDROLOGY & HYDRAULIC MOD	V01609	HYDROLOGY/HYDRAULIC MODEL
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	256,900.41	LEVEE DESIGN & SUPPORT	V01613	LEVEE DESIGN & SUPPORT
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	271,244.73	LEVEE DESIGN & SUPPORT	V01613	LEVEE DESIGN & SUPPORT
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	151.00	PERMIT SUBMITTAL PREP	V01616	PERMIT SUBMITTAL PREP
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	2,570.00	PERMIT SUBMITTAL PREP	V01616	PERMIT SUBMITTAL PREP
	8/19/2015	260890	URS CORPORATION	37,425.83	CULTURAL RESOURCES INVEST	V01003	CULTURAL RESOURCES INVEST
<b>Total WIK - Project Design - Engineering Services</b>				\$758,020.21			
790-7920-429.33-05	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	53,721.07	PROJECT MANAGEMENT	V01601	HMG - PROJECT MANAGEMENT
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	59,792.28	PROJECT MANAGEMENT	V01601	HMG - PROJECT MANAGEMENT
<b>Total WIK Construction Mgmt. - Engineering Services</b>				\$113,513.35			
790-7930-429.33-05	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	5,507.78	LEVEES, FMDA EXPENSE	V01202	Cass Joint Water DPAC
	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	25,543.95	LEVEES, FMDA EXPENSE	V01203	Cass Joint Water OHB
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	2,749.50	LAND MANAGEMENT SERVICES	V01606	LAND MANAGEMENT SERVICES
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	549.50	LAND MANAGEMENT SERVICES	V01606	LAND MANAGEMENT SERVICES
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	9,880.75	UTILITY DESIGN	V01610	UTILITIES DESIGN
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	8,270.45	UTILITY DESIGN	V01610	UTILITIES DESIGN
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	75.50	REACH 6 (CR 20 BRIDGE)	V01611	REACH 6 & CR20 BRIDGE
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	586.00	REACH 6(CR 20 BRIDGE)	V01611	REACH 6 & CR20 BRIDGE
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	76,208.75	CR 16/CR 17 BRIDGE DESIGN	V01618	WP28 - CR-16/CR-17 BRIDGE
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	55,634.49	CR 16/CR 17 BRIDGE DESIGN	V01618	WP28 - CR-16/CR-17 BRIDGE

**FM Diversion Authority  
Summary of Cash Disbursements  
August 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
<b>Total LERRDS - North Dakota - Engineering Services</b>				<b>\$185,006.67</b>			
790-7930-429.33-25	8/19/2015	260778	DORSEY & WHITNEY LLP	103,914.65	FMDA JUN15 LEGAL EXPENSE	V00101	Dorsey Whitney Legal
	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	3,233.11	LEVEES, FMDA EXPENSE	V01202	Cass Joint Water DPAC
	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	13,167.50	LEVEES, FMDA EXPENSE	V01203	Cass Joint Water OHB
	8/19/2015	260783	ERIK R JOHNSON & ASSOCIATES	4,783.60	METRO FLOOD-LEERDS	V00103	General & Admin. LERRDS
	8/19/2015	260783	ERIK R JOHNSON & ASSOCIATES	3,587.85	FMDA LEGAL COST JUL15	V00103	General & Admin. LERRDS
<b>Total LERRDS - North Dakota - Legal Services</b>				<b>\$128,686.71</b>			
790-7930-429.33-91	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	10,000.00	LEVEES, FMDA EXPENSE	V01703	ND LAND PURCH - IN TOWN
<b>Total LERRDS - North Dakota - Property Management</b>				<b>\$10,000.00</b>			
790-7930-429.38-61	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	2,709.63	LEVEES, FMDA EXPENSE	V01703	ND LAND PURCH - IN TOWN
<b>Total LERRDS - North Dakota - Security Services</b>				<b>\$2,709.63</b>			
790-7930-429.41-05	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	250.00	LEVEES, FMDA EXPENSE	V01701	ND LAND PURCH-OUT OF TOWN
<b>Total LERRDS - North Dakota - Water and Sewer</b>				<b>\$250.00</b>			
790-7930-429.62-51	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	266.27	LEVEES, FMDA EXPENSE	V01701	ND LAND PURCH-OUT OF TOWN
<b>Total LERRDS - North Dakota - Electricity</b>				<b>\$266.27</b>			
790-7930-429.67-11	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	104,910.30	LEVEES, FMDA EXPENSE	V01703	ND LAND PURCH - IN TOWN
	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	112,073.35	LEVEES, FMDA EXPENSE	V02411	OXBOW MOU-RESIDENT RLCTN
<b>Total LERRDS - North Dakota - Residential Buildings</b>				<b>\$216,983.65</b>			
790-7930-429.67-12	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	286,040.78	LEVEES, FMDA EXPENSE	V01204	Cass Joint Water OCC
	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	1,000,000.00	LEVEES, FMDA EXPENSE	V01703	ND LAND PURCH - IN TOWN
<b>Total LERRDS - North Dakota - Commercial Buildings</b>				<b>\$1,286,040.78</b>			
790-7930-429.71-30	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	44,900.00	LEVEES, FMDA EXPENSE	V01703	ND LAND PURCH - IN TOWN
<b>Total LERRDS - North Dakota - Land Purchases</b>				<b>\$44,900.00</b>			
790-7950-429.73-52	8/19/2015	260809	INDUSTRIAL BUILDERS INC	653,640.00	2 ST N PUMP STATION	V02801	2ND ST NORTH PUMP STATION
	8/26/2015	260978	INDUSTRIAL CONTRACT SERVICES INC	804,221.31	PUMP STATION/FLOOD WALL	V02805	PUMP STATION & FLOODWALL



**FM Diversion Authority  
Summary of Cash Disbursements  
August 2015**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
<b>Total ND Construction - Flood Control</b>				<b>\$1,457,861.31</b>			
790-7950-429.73-70	7/15/2015	VOID	702 COMMUNICATIONS	-168,902.73	2 ST FLOOD WALL PROJECT	V02804	702 WP42 UTILITY RELOCATE
	8/19/2015	260901	702 COMMUNICATIONS	72,469.93	UTILITY RELOCATION	V02804	702 WP42 UTILITY RELOCATE
	8/26/2015	261061	702 COMMUNICATIONS	26,957.07	JULY PROGRESS BILLING	V02804	702 WP42 UTILITY RELOCATE
<b>Total ND Construction - Utilities</b>				<b>-\$69,475.73</b>			
790-7952-429.33-05	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	142.70	LEVEES, FMDA EXPENSE	V01204	Cass Joint Water OCC
<b>Total O/H/B Construction - Engineering Services</b>				<b>\$142.70</b>			
790-7952-429.33-79	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	13,000.00	LEVEES, FMDA EXPENSE	V01204	Cass Joint Water OCC
<b>Total O/H/B Construction - Construction Management</b>				<b>\$13,000.00</b>			
790-7952-429.44-20	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	2,127.87	LEVEES, FMDA EXPENSE	V01204	Cass Joint Water OCC
<b>Total O/H/B Construction - Equipment &amp; Vehicle Rent</b>				<b>\$2,127.87</b>			
790-7952-429.73-20	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	13,902.75	LEVEES, FMDA EXPENSE	V01203	Cass Joint Water OHB
<b>Total O/H/B Construction - Site Improvements</b>				<b>\$13,902.75</b>			
790-7952-429.73-52	8/26/2015	260944	CASS COUNTY JOINT WATER RESOURCE DI	310,488.00	LEVEES, FMDA EXPENSE	V01203	Cass Joint Water OHB
<b>Total O/H/B Construction - Flood Control</b>				<b>\$310,488.00</b>			
790-7955-429.33-05	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	102,080.33	SERVICES DURING CONSTR	V02806	CONSTRUCTION SVCS WP42
	8/19/2015	260806	HOUSTON-MOORE GROUP LLC	181,816.46	SERVICES DURING CONSTR	V02806	CONSTRUCTION SVCS WP42
<b>Total Construction Management - Engineering Services</b>				<b>\$283,896.79</b>			
790-7990-429.33-25	8/19/2015	260854	OHNSTAD TWICHELL PC	2,397.50	FMDA LOAN LEGALS MAY15	V00102	General & Admin. WIK
	8/19/2015	260854	OHNSTAD TWICHELL PC	1,834.57	FMDA LOAN LEGALS JUN15	V00102	General & Admin. WIK
	8/19/2015	260854	OHNSTAD TWICHELL PC	288.88	FMDA LOAN LEGALS JUL15	V00102	General & Admin. WIK
<b>Total Project Financing - Legal Services</b>				<b>\$4,520.95</b>			
<b>Total Disbursed for Period</b>				<b>\$5,418,816.48</b>			

**FM Diversion Authority  
Cumulative Vendor Payments Since Inception  
As of August 31, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
CASS COUNTY JOINT WATER RESOUR	94,377,876.74	58,572,853.34	35,805,023.40	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
HOUSTON-MOORE GROUP LLC	26,571,077.45	21,591,856.33	4,979,221.12	Engineering Services
INDUSTRIAL BUILDERS INC	24,388,926.85	4,162,320.64	20,226,606.21	2nd St North Pump Station Project and 2nd Street Floodwall, South of Pump Station
CH2M HILL ENGINEERS INC	17,860,819.01	15,380,819.01	2,480,000.00	Project Management
INDUSTRIAL CONTRACT SERVICES I	17,630,171.59	5,840,032.60	11,790,138.99	4th St Pump Station and 2nd Street Floodwall
OXBOW, CITY OF	14,087,678.50	13,574,248.91	513,429.59	City of Oxbow - MOU
ARMY CORP OF ENGINEERS	6,929,000.00	3,950,000.00	2,979,000.00	Local Share
COMMERCIAL TITLE LLC	3,869,541.00	3,869,541.00	-	Oxbow MOU - Advance for Land Purchase
TITLE COMPANY	3,641,500.00	3,641,500.00	-	Oxbow MOU - Advance for Land Purchase
DORSEY & WHITNEY LLP	2,285,118.24	2,285,118.24	-	Legal Services
MINNESOTA DNR	2,188,007.43	1,740,211.07	447,796.36	EIS Scoping
URS CORPORATION	1,745,618.42	1,376,741.43	368,876.99	Engineering Services
KENNELLY & OKEEFFE	1,729,310.56	1,729,310.56	-	Home Buyouts
ENVENTIS	1,440,088.62	115,685.62	1,324,403.00	Utility Relocation
XCEL ENERGY-FARGO	753,641.97	0.00	753,641.97	Utility Relocation
MOORE ENGINEERING INC	662,468.17	662,468.17	0.00	Engineering Services
DUCKS UNLIMITED	587,180.00	587,180.00	0.00	Wetland Mitigation Credits
HOUSTON ENGINEERING INC	576,669.57	576,669.57	0.00	Engineering Services
RED RIVER BASIN COMMISSION	500,000.00	447,747.40	52,252.60	Engineering Services
NORTHERN TITLE CO	484,016.00	484,016.00	0.00	Land Purchases
AT&T	441,330.44	0.00	441,330.44	Utility Relocation
ERNST & YOUNG	350,000.00	-	350,000.00	Financial Advisor
ERIK R JOHNSON & ASSOCIATES	347,417.89	347,417.89	-	Digital Imagery Project, Utility Relocation & Accounting Svcs
CITY OF FARGO	327,498.71	327,498.71	-	Legal Services
702 COMMUNICATIONS	275,862.91	199,910.18	75,952.73	Utility Relocation
CASS COUNTY TREASURER	245,565.40	245,565.40	0.00	Property Tax
US BANK	202,706.21	202,706.21	-	Loan Advance Debt Service Payments
ROBERT TRENT JONES	200,000.00	200,000.00	-	Oxbow MOU - Golf Course Consulting Agreement
CABLE ONE (FARGO)	148,511.37	0.00	148,511.37	Utility Relocation
PFM PUBLIC FINANCIAL MANAGEMEN	146,460.00	146,460.00	0.00	Financial Advisor
NDSU BUSINESS OFFICE-BOX 6050	135,167.00	0.00	135,167.00	Ag Risk Study Services
UNITED STATES GEOLOGICAL SURVE	104,600.00	78,450.00	26,150.00	Water Level Discharge Collection
PROSOURCE TECHNOLOGIES, INC	100,000.00	8,324.94	91,675.06	Engineering Services
ULTEIG ENGINEERS INC	100,000.00	0.00	100,000.00	Engineering Services
BRAUN INTERTEC CORP	90,210.00	77,629.00	12,581.00	Quality Testing
TERRACON CONSULTING ENGINEERS	80,000.00	74,545.81	5,454.19	Materials Testing
EL ZAGAL TEMPLE HOLDING CO	68,040.72	68,040.72	0.00	Easement Purchase for El Zagal Levee
GRAY PANNELL & WOODWARD LLP	66,300.68	66,300.68	0.00	Legal Services
OHNSTAD TWICHELL PC	65,035.11	65,035.11	-	ROE and Bonding Legal Fees
IN SITU ENGINEERING	54,800.00	47,973.00	6,827.00	Quality Testing
ADVANCED ENGINEERING INC	50,000.00	50,000.00	0.00	Public Outreach
US GEOLOGICAL SURVEY	46,920.00	46,920.00	0.00	Stage Gage Installation
GEOKON INC	33,815.36	33,815.36	0.00	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	33,066.02	33,066.02	0.00	Property Management Services

**FM Diversion Authority  
Cumulative Vendor Payments Since Inception  
As of August 31, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
NIXON PEABODY LLC	30,000.00	30,000.00	-	Legal Services
FREDRIKSON & BYRON, PA	21,000.00	21,000.00	0.00	Lobbying Services
WARNER & CO	19,900.00	19,900.00	-	General Liability Insurance
INNOVATIVE ABSTRACT & TITLE CO	15,921.53	15,921.53	-	Oxbow MOU - Advance for Land Purchase
MOORHEAD, CITY OF	15,062.90	15,062.90	0.00	ROE Legal Fees
BRIGGS & MORGAN PA	12,727.56	12,727.56	0.00	Legal Services
ND WATER USERS ASSOCIATN	5,000.00	5,000.00	0.00	Membership Dues
MCKINZIE METRO APPRAISAL	3,200.00	3,200.00	0.00	Appraisal Services
FORUM COMMUNICATIONS (LEGALS)	2,224.20	2,224.20	-	Advertising Services
CLAY COUNTY AUDITOR	1,970.00	1,970.00	0.00	Property Tax
DAWSON INSURANCE AGENCY	1,867.81	1,867.81	0.00	Property Insurance - Home Buyouts
FORUM COMMUNICATIONS (ADVERT)	1,743.77	1,743.77	-	Advertising Services
NORTH DAKOTA TELEPHONE CO	1,697.00	1,697.00	-	Communication
SEIGEL COMMUNICATIONS SERVICE	1,490.00	1,490.00	-	Public Outreach
RED RIVER TITLE SERVICES INC	1,305.00	1,305.00	-	Abstract Updates
HUBER, STEVE	1,056.43	1,056.43	0.00	Home Buyouts
TRIO ENVIRONMENTAL CONSULTING	747.60	747.60	0.00	Asbestos and LBP Testing - Home Buyouts
BNSF RAILWAY CO	600.00	600.00	0.00	Permit for 4th St N Project
RED RIVER VALLEY COOPERATIVE A	536.96	536.96	0.00	Electricity - Home Buyouts
FERRELLGAS	496.00	496.00	0.00	Propane - Home Buyouts
BROKERAGE PRINTING	473.33	473.33	-	Custom Printed Forms
KOCHMANN, CARTER	315.00	315.00	0.00	Lawn Mowing Services
GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-	Job Description Review
DONS PLUMBING	240.00	240.00	0.00	Winterize - Home Buyouts
CURTS LOCK & KEY SERVICE INC	138.10	138.10	0.00	Service Call - Home Buyouts
GOOGLE LOVEINTHEOVEN	116.00	116.00	-	Meeting Incidentals
FEDERAL EXPRESS CORPORATION	71.89	71.89	0.00	Postage
CASS COUNTY RECORDER	68.00	68.00	-	Oxbow MOU - Advance for Land Purchase
<b>GRAND TOTAL</b>	<b>\$ 226,162,237.02</b>	<b>\$ 143,048,198.00</b>	<b>\$ 83,114,039.02</b>	

**FM Diversion Authority  
In-Town Levee Work  
as of August 31, 2015**

<b>Vcode #</b>	<b>Vendor Name</b>	<b>Descriptions</b>	<b>Contract Amount</b>	<b>Amount Paid</b>
V02801	Industrial Builders	2nd Street North Pump Station - Work Package 42.A2	\$ 8,424,373.00	\$ 4,162,320.64
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	80,000.00	74,545.81
V02803	Enventis	2nd Street Utility Relocation	1,440,088.62	115,685.62
V02804	702 Communications	2nd Street Utility Relocation	275,862.91	199,910.18
V02805	ICS	4th St Pump Station & Gatewell and 2nd St Floodwall S - WP-42A.1/A.3	17,811,395.90	5,840,632.60
V02806	HMG	Services During Construction - Work Package 42	2,243,000.00	735,802.95
V02807	CCJWRD	In-Town Levee Work	1,324,648.53	1,324,648.53
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	34,427.05	34,427.05
V02809	AT & T	2nd Street Utility Relocation	441,330.44	-
V02810	Cable One	2nd Street Utility Relocation	148,511.37	-
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	753,641.97	-
V02812	Industrial Builders	2nd Street North Floodwall, South of Pump Station - WP-42F.1S	16,184,905.85	-
V01703	Various	In-Town Property Purchases	16,952,515.28	13,220,356.85
			<u>\$ 66,114,700.92</u>	<u>\$ 25,708,330.23</u>

FM Diversion Authority  
 State Water Commission Funds Reimbursement Worksheet  
 Fargo Flood Control Project Costs

Time Period for This Request: August 1, 2015 - August 31, 2015

Drawdown Request No: 18	
Requested Amount:	<b>\$ 1,528,056</b>
Total Funds Expended This Period:	\$ 3,056,112
Total Funds Requested at 100% Match	-
Remaining Funds Requested at 50% Match	3,056,112
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	1,528,056
<b>Total Funds Requested:</b>	<b>\$ 1,528,056</b>

<b>STATE AID SUMMARY:</b>	
Summary of State Funds Appropriated	
Appropriations from 2009 Legislative Session	\$ 45,000,000
Appropriations from 2011 Legislative Session	30,000,000
Appropriations from 2013 Legislative Session	100,000,000
Appropriations from 2015 Legislative Session	69,000,000
<b>Total State Funds Appropriated</b>	<b>244,000,000</b>
Less: Payment #1 through #35 - City of Fargo	(55,510,209)
Less: Payment #1 - Cass County	(136,039)
Less: Payment #1 - FM Diversion Authority	(18,600)
Less: Payment #2 - FM Diversion Authority - REVISED	(782,908)
Less: Payment #3 - FM Diversion Authority - REVISED	(293,590)
Less: Payment #4 - FM Diversion Authority - REVISED	(2,905)
Less: Payment #5 - FM Diversion Authority - REVISED	-
Less: Payment #6 - FM Diversion Authority - REVISED	(238,241)
Less: Payment #7 - FM Diversion Authority	(1,206,310)
Less: Payment #8 - FM Diversion Authority - REVISED	(346,664)
Less: Payment #9 - FM Diversion Authority	(4,949,724)
Less: Payment #10 - FM Diversion Authority	(685,111)
Less: Payment #11 - FM Diversion Authority	(470,398)
Less: Payment #12 - FM Diversion Authority	(1,231,810)
Less: Payment #13 - FM Diversion Authority	(612,361)
Less: Payment #14 - FM Diversion Authority	(1,182,540)
Less: Payment #15 - FM Diversion Authority	(4,501,221)
Less: Payment #16 - FM Diversion Authority	(3,325,169)
Less: Payment #17 - FM Diversion Authority	(2,833,772)
Less: Payment #18 - FM Diversion Authority	(1,528,056)
<b>Total Funds Reimbursed</b>	<b>(79,855,628)</b>
<b>Total State Fund Balances Remaining</b>	<b>\$ 164,144,372</b>

FM Diversion Authority  
 State Water Commission Funds Reimbursement Worksheet  
 Fargo Flood Control Project Costs

LOCAL MATCHING FUNDS SUMMARY:		
Matching Funds Expended To Date - City of Fargo	\$	47,629,069
Matching Funds Expended To Date - Cass County		291,500
Matching Funds Expended To Date - FM Diversion Authority		5,771,679
<b>Total Matching Funds Expended To Date</b>		<b>53,692,248</b>
Less: Match Used on Payment #1 through #35 - City of Fargo		(41,506,620)
Less: Match used on Payment #1 - Cass County		(136,039)
Less: Match Used on Payment #1 - FM Diversion Authority		(18,600)
Less: Match Used on Payment #2 - FM Diversion Authority		(66,888)
Less: Match Used on Payment #6 - FM Diversion Authority		(238,241)
Less: Match Used on Payment #8 - FM Diversion Authority		(346,664)
Less: Match Used on Payment #11 - FM Diversion Authority		(470,398)
Less: Match Used on Payment #12 - FM Diversion Authority		(237,286)
Less: Match Used on Payment #16 - FM Diversion Authority		(3,018,978)
Less: Match Used on Payment #17 - FM Diversion Authority		(1,374,624)
<b>Balance of Local Matching Funds Available</b>	<b>\$</b>	<b>6,277,910</b>

**FM Diversion Authority**  
**Lands Expense - Life To Date**  
**As of August 31, 2015**

Property Address	Purchase Date	Purchase Price	Replacement Lot	Down Payment	Tax Payment	Relocation Assistance	Property Management Expense	Property Management Income	Sale Proceeds	Total
<b>Home Buyouts - Fargo</b>										
1322 Elm St N, Fargo ND	11/19/2014	347,270.27	-	-	2,840.39	47,168.14	2,420.83	-	-	399,699.63
1341 N Oak St, Fargo ND	1/29/2015	309,888.24	-	-	-	78,889.24	-	-	-	388,777.48
1326 Elm St N, Fargo ND	12/23/2014	230,196.41	-	-	-	8,001.02	-	-	-	238,197.43
1330 Elm St N, Fargo ND	2/12/2015	229,982.44	-	-	-	62,362.63	-	-	-	292,345.07
18 North Terrace N, Fargo ND	4/2/2015	129,698.25	-	-	-	44,688.72	-	-	-	174,386.97
Park East Apartments - 1 2nd St S Fargo, ND	6/23/2015	9,002,442.20	-	-	-	777,704.70	12,709.63	-	-	9,792,856.53
1318 Elm St N, Fargo ND	5/29/2015	229,012.67	-	-	-	44,384.82	-	-	-	273,397.49
724 North River Road, Fargo, ND	6/8/2015	204,457.83	-	-	-	2,295.00	-	-	-	206,752.83
1333 Oak Street N, Fargo, ND	6/24/2015	238,513.23	-	-	-	-	-	-	-	238,513.23
<b>Home Buyouts - Moorhead</b>										
387 170th Ave SW, Moorhead MN	11/1/2013	281,809.91	-	-	1,970.00	-	2,247.01	-	(8,440.00)	277,586.92
<b>Home Buyouts - Oxbow</b>										
105 Oxbow Drive, Oxbow ND	11/28/2012	216,651.85	-	-	4,993.72	-	13,695.77	(18,680.72)	(181,249.54)	35,411.08
744 Riverbend, Oxbow ND	12/3/2012	343,828.30	-	-	10,599.10	-	19,786.48	(37,617.16)	-	336,596.72
121 Oxbow Drive, Oxbow ND	7/31/2013	378,781.20	-	-	1,581.52	-	19,519.02	-	(186,918.33)	212,963.41
333 Schnell Drive, Oxbow ND	9/20/2013	104,087.79	-	-	2,781.89	-	30,017.65	-	-	136,887.33
346 Schnell Dr, Oxbow ND	2/13/2014	512,970.73	-	-	3,143.13	-	13,006.13	(18,000.00)	-	511,119.99
345 Schnell Dr, Oxbow ND	10/24/2014	478,702.98	-	-	9,925.43	-	1,753.50	-	-	490,381.91
336 Schnell Dr, Oxbow ND	1/29/2015	310,888.51	-	-	-	-	-	-	-	310,888.51
Lots 1-3, Block 1, Babe's Addition - Bartram	5/21/2015	2,698,226.97	-	-	-	-	-	-	-	2,698,226.97
326 Schnell Drive, Oxbow, ND	5/13/2015	130,000.00	-	-	-	-	-	-	-	130,000.00
748 Riverbend Rd / 755 River Bend Rd		-	100,000.00	57,928.00	-	-	-	-	-	157,928.00
752 Riverbend Rd / 768 River Bend Rd		-	143,000.00	75,386.41	-	-	-	-	-	218,386.41
349 Schnell Dr / 761 River Bend Rd	6/26/2015	307,600.00	104,000.00	20,000.00	-	-	33.16	-	-	431,633.16
353 Schnell Dr / 772 River Bend Rd		-	134,000.00	69,313.00	-	-	-	-	-	203,313.00
357 Schnell Dr / 760 River Bend Rd	6/18/2015	469,400.00	114,000.00	20,000.00	-	-	31.05	-	-	603,431.05
361 Schnell Dr / 764 River Bend Rd		-	111,000.00	23,349.00	-	-	-	-	-	134,349.00
749 Riverbend Rd / 433 Trent Jones Dr		-	104,000.00	91,500.00	-	-	-	-	-	195,500.00
334 Schnell Dr / 751 River Bend Rd		-	114,000.00	32,226.00	-	-	-	-	-	146,226.00
350 Schnell Dr / 769 River Bend Rd		-	101,000.00	34,000.00	-	-	-	-	-	135,000.00
829 Riverbend Rd / 788 River Bend Rd		-	-	8,000.00	-	-	-	-	-	8,000.00
<b>Home Buyouts - Hickson</b>										
17495 52nd St SE, Hickson, ND	4/28/2015	785,747.66	-	-	-	-	-	-	-	785,747.66
<b>Easements - Fargo</b>										
Part of Lot 5 El Zagal Park, Fargo ND	10/9/2014	68,040.72	-	-	-	-	-	-	-	68,040.72
<b>Easements - Oxbow</b>										
Oxbow Parcel 57-0000-10356-070 - Pearson	10/13/2014	55,500.00	-	-	-	-	-	-	-	55,500.00
<b>Farmland Purchases</b>										
SE 1/4 11-140-50 (Raymond Twp) - Ueland	1/20/2014	959,840.00	-	-	-	-	-	(27,892.63)	-	931,947.37
2 Tracts in the E 1/2-2-137-49 - Sorby/Maier	1/24/2014	1,636,230.00	-	-	-	-	-	(56,114.10)	-	1,580,115.90

**FM Diversion Authority**  
**Lands Expense - Life To Date**  
**As of August 31, 2015**

Property Address	Purchase Date	Purchase Price	Replacement Lot	Down Payment	Tax Payment	Relocation Assistance	Property Management Expense	Property Management Income	Sale Proceeds	Total
3 Tracts NW1/4 1-140-50, NW1/4 11-140-50, & S1/2 25-141-50 - Rust										
	2/18/2014	3,458,980.70	-	-	-	-	-	(121,611.02)	-	3,337,369.68
11-140-50 NE1/4 (Raymond Twp) - Diekrager	4/15/2014	991,128.19	-	-	-	-	-	(32,244.98)	-	958,883.21
NW 1/4 36-141-50 - Monson	5/7/2014	943,560.05	-	-	-	-	-	(28,029.64)	-	915,530.41
SW 1/4-11-140-50 - Hoglund	7/21/2014	989,706.03	-	-	2,566.59	-	-	(3,725.49)	-	988,547.13
NW 1/4 14-140-50 - Hoglund	10/23/2014	948,782.22	-	-	5,327.10	-	-	(22,249.56)	-	931,859.76
SW 1/4 2-140-50 -Rust	10/29/2014	955,901.00	-	-	2,265.76	-	-	(11,053.17)	-	947,113.59
Fercho Family Farms, Oxbow ND	3/25/2015	464,600.00	-	-	-	-	-	-	-	464,600.00
W 1/2 SE 1/4 SW 1/4 & SW 1/4 SW 1/4 2-137-49 - Gorder	5/13/2014	321,386.00	-	-	-	-	-	(3,786.29)	-	317,599.71
2-140-50 S 1/2 of NW 1/4 & Lot 4A - Pile	3/4/2015	594,108.00	-	-	-	-	-	-	-	594,108.00
W 1/2 NW 1/4 2-141-49 - Heiden	4/24/2015	433,409.00	-	-	-	-	-	-	-	433,409.00
(Raymond Twp) - Henke	6/17/2015	1,196,215.00	-	-	-	-	-	-	-	1,196,215.00
<b>Land Purchases</b>										
Hayden Heights Land, West Fargo ND	10/12/2012	484,016.00	-	-	219,899.45	-	-	-	(344,562.23)	359,353.22
Lot 4, Block 4, ND R-2 Urban Renewal Addition, Fargo ND - Professional Associates		39,900.00	-	-	-	-	-	-	-	39,900.00
BNSF Railway Company		18,000.00	-	-	-	-	-	-	-	18,000.00
<b>Total</b>		<b>32,499,460.35</b>	<b>1,025,000.00</b>	<b>431,702.41</b>	<b>267,894.08</b>	<b>1,065,494.27</b>	<b>115,220.23</b>	<b>(381,004.76)</b>	<b>(721,170.10)</b>	<b>34,302,596.48</b>



# Land Management Summary

September 10, 2015

## Acquisitions Completed Through August 31, 2015

Property Type	Complete	
	Properties	Acreage
Single-Family Residential	23	33
<i>Subset: Medical Hardship</i>	5	27
Agricultural	20	2,267
Commercial	3	295
Multi-Family Residential	--	--
Public	3	3
Other	--	--

## Acquisition Budget Through August 31, 2015

Fiscal Year	No. Properties Acquired	Lands Budget (\$000)	Lands Expenses (\$000)	Outstanding Encumbrances (\$000)	Remaining Budget (\$000)
FY13	4	\$28,000	\$1,628		n/a
FY14	15	\$37,700	\$20,006		n/a
FY15	22	\$106,700	\$43,343	\$29,054	\$34,303

### Other News for month of August:

- The remaining three (3) of the five (5) homes in Oxbow that were previously on hold to start construction have broken ground.
- Five (5) purchase agreements for residential properties in Oxbow were signed this month.
- Closed on three (3) residential properties in Oxbow.
- Received approval from USACE on one (1) In-town appraisals.
- Several appraisals are awaiting review and approval by USACE, including:
  - ProSource has four (4) appraisals with USACE for review.
  - Ulteig has two (2) appraisals with USACE for review.
  - HMG has one (1) appraisal with USACE for review.
- Habitat for Humanity has completed salvaging items from the Park East buildings.
- Fire Department is performing training within Park East.
- Work continues to be coordinated with NDSHPO to mitigate the effects of the removal of five (5) homes in the Mickelson historical district. one (1) of the homes has been relocated within the Mickelson historic district.
- Critical In-town property negotiations are continuing with Fargo Public Schools, Mid-America Steel, Case Plaza, and Kilbourne Group properties.

# Land Management Summary

September 10, 2015

## Appraisals Complete or In Negotiation (sorted by closing date)

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser	Est. Closing Date
748 Riverbend Rd	9591	Residential	Closed	ProSource/Hraba	
752 Riverbend Road	9592	Residential	Closed	ProSource/Hraba	
361 Schnell Drive	9667	Residential	Closed	ProSource/Hraba	
Agricultural property 49.5ac – S13, T137, R49	1931, 1936	Agricultural	Purchase Agreement Signed	Ulteig/Bock	
26 North Terrace	9196	Residential	Purchase Agreement Signed	HMG/Britton	
833 Riverbend Road	9504	Residential	Purchase Agreement Signed	ProSource/McKinzie	
749 Riverbend Road	9511	Residential	Purchase Agreement Signed	ProSource/McKinzie	
810 Riverbend Road	9595	Residential	Purchase Agreement Signed	ProSource/Hraba	
828 Riverbend Road	9599	Residential	Purchase Agreement Signed	ProSource/Hraba	
332 Schnell Drive	9644	Residential	Purchase Agreement Signed	ProSource/Hraba	
334 Schnell Drive	9645	Residential	Purchase Agreement Signed	ProSource/Hraba	December, 2015
350 Schnell Drive	9649	Residential	Purchase Agreement Signed	ProSource/Hraba	December, 2015
309 Schnell Drive (owner of 2 other parcels)	9654	Residential	Purchase Agreement Signed	ProSource/McKinzie	
353 Schnell Drive	9665	Residential	Purchase Agreement Signed	ProSource/Hraba	September 11, 2015
Northern Hospitality	9785	Commercial	Purchase Agreement Signed	HMG/Britton	
Agricultural property 157ac – S10, T141, R49; S10, T141, R49	0547, 0548	Agricultural	In Negotiation	Ulteig/Bock	
Agricultural property 45ac – S25, T138, R50	1201	Agricultural	In Negotiation	Direct negotiations	
Agricultural property 214ac – S13, T137, R49; S14, T137, R49	1930, 1940, 1941	Agricultural	In Negotiation	Ulteig/Bock	
Agricultural property 266ac – S23, T137, R49; S24, T137, R49	1975, 1985	Agricultural	In Negotiation	Ulteig/Bock	
Agricultural property 140ac – S23, T137, R49; S24, T137, R49	1979, 1987	Agricultural	In Negotiation	Ulteig/Bock	
16678 3 <sup>rd</sup> St S	1802	Residential	In Negotiation	HMG/Britton	

# Land Management Summary

September 10, 2015

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser	Est.Closing Date
5302 174 ½ Ave SE	1898	Residential	In Negotiation	HMG/Britton	
5017 171 Ave SE	1953	Residential	In Negotiation <sup>2</sup>	Ulteig/Bock	
6 North Terrace #6	8926	Residential	In Negotiation	HMG/Britton	
6 North Terrace #5	8927	Residential	In Negotiation	HMG/Britton	
6 North Terrace #4	8928	Residential	In Negotiation	HMG/Britton	
6 North Terrace #3	8929	Residential	In Negotiation	HMG/Britton	
2 North Terrace #2	8930	Residential	In Negotiation	HMG/Britton	
2 North Terrace #1	8931	Residential	In Negotiation	HMG/Britton	
12 North Terrace	9168	Residential	In Negotiation	HMG/Britton	
1314 Elm St N	9125	Residential	In Negotiation	HMG/Britton	
1313 Elm St N	9126	Residential	In Negotiation	HMG/Britton	
Mid America Steel	9215, 9216, 9217, 9218, 9783	Commercial	In Negotiation	HMG/Britton	
829 Riverbend Road	9505	Residential	In Negotiation	ProSource/Hraba	
821 Riverbend Road	9506	Residential	In Negotiation	ProSource/Hraba	
817 Riverbend Road	9507	Residential	In Negotiation	ProSource/McKinzie	
813 Riverbend Road	9508	Residential	In Negotiation	ProSource/Hraba	
809 Riverbend Road	9509	Vacant Lot	In Negotiation	Ulteig/Bock	
805 Riverbend Road	9510	Residential	In Negotiation	ProSource/Hraba	
724 Riverbend Road	9587	Residential	In Negotiation	Ulteig/Bock	
808 Riverbend Road (2 parcels at this address)	9593, 9594	Residential	In Negotiation	ProSource/McKinzie	
816 Riverbend Road	9596	Residential	In Negotiation	ProSource/Hraba	
840 Riverbend Road	9600	Residential	In Negotiation	ProSource/Hraba	
844 Riverbend Road	9601	Residential	In Negotiation	ProSource/Hraba	
856 Riverbend Road (owner at 852 Riverbend)	9604	Vacant Lot	In Negotiation	ProSource /Bock	
860 Riverbend Road (owner at 852 Riverbend)	9605	Vacant Lot	In Negotiation	ProSource /Bock	
864 Riverbend Road (owner at 852 Riverbend)	9606	Vacant Lot	In Negotiation	ProSource /Bock	
872 Riverbend Road	9607	Vacant Lot	In Negotiation	ProSource /Bock	
869 Riverbend Road	9608	Vacant Lot	In Negotiation	ProSource /Bock	
873 Riverbend Road	9609	Vacant Lot	In Negotiation	ProSource /Bock	

# Land Management Summary

September 10, 2015

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser	Est. Closing Date
477 Oxbow Drive	9614	Vacant Lot	In Negotiation	ProSource /Bock	
473 Oxbow Drive	9615	Vacant Lot	In Negotiation	ProSource /Bock	
469 Oxbow Drive	9616	Vacant Lot	In Negotiation	ProSource /Bock	
465 Oxbow Drive	9617	Vacant Lot	In Negotiation	ProSource /Bock	
461 Oxbow Drive	9618	Vacant Lot	In Negotiation	ProSource /Bock	
457 Oxbow Drive	9619	Vacant Lot	In Negotiation	ProSource /Bock	
455 Oxbow Drive	9620	Vacant Lot	In Negotiation	ProSource /Bock	
425 Oxbow Drive	9628	Vacant Lot	In Negotiation	ProSource /Bock	
326 Schnell Drive	9641	Residential	In Negotiation	ProSource/Hraba	
328 Schnell Drive	9642	Residential	In Negotiation	ProSource/Hraba	
330 Schnell Drive	9643	Vacant Lot	In Negotiation	ProSource/Hraba	
338 Schnell Drive	9647	Residential	In Negotiation	ProSource/Hraba	
354 Schnell Drive	9650	Vacant Lot	In Negotiation	Ulteig/Bock	
358 Schnell Drive	9651	Vacant Lot	In Negotiation	Ulteig/Bock	
313 Schnell Drive	9655	Residential	In Negotiation	ProSource/Hraba	
317 Schnell Drive	9656	Residential	In Negotiation	ProSource/Hraba	
321 Schnell Drive	9657	Residential	In Negotiation	ProSource/Hraba	
325 Schnell Drive	9658	Residential	In Negotiation	ProSource/McKinzie	
329 Schnell Drive	9659	Residential	In Negotiation	ProSource/Hraba	
337 Schnell Drive	9661	Residential	In Negotiation	ProSource/Hraba	
341 Schnell Drive	9662	Residential	In Negotiation	ProSource/McKinzie	
16 North Terrace	9167	Residential	In Negotiation	HMG/Britton	
24 North Terrace	9195	Residential	In Negotiation	HMG/Britton	
365 Schnell Drive	9668	Vacant Lot	In Negotiation	Ulteig/Bock	
Case Plaza LLC	9770	Commercial	In Negotiation	HMG/Britton	
5059 Makenzie Cir, Horace	9672	Residential	In Negotiation	ProSource/Hraba	
Feder Realty Co.	9776	Commercial	In Negotiation	HMG/Britton	
City of Fargo - School District 1	9777	Commercial	In Negotiation	HMG/Britton	
BNSF	9259, 9779, 9780	Commercial	In Negotiation	HMG/Britton	
4989 Klitzke Dr	9440	Residential	In Negotiation	Ulteig/Bock	

# Land Management Summary

September 10, 2015

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser	Est. Closing Date
Agricultural Property 320ac – S28, T137, R48; S37, T137, R48	1790,1811	Agricultural	In Negotiation	Crown/Berg	
17556 Pffiffer Dr	9383	Residential	Appraisal in Review	Ulteig/Bock	
17465 49 <sup>th</sup> St SE	9403	Residential	Appraisal in Review	Ulteig/Bock	
843 Riverbend Road	9502	Residential	Appraisal in Review	Ulteig/Bock	
839 Riverbend Road	9503	Residential	Appraisal in Review	ProSource/McKinzie	
848 Riverbend Road	9602	Residential	Appraisal in Review	ProSource/McKinzie	
852 Riverbend Road (owner of 3 other parcels)	9603	Residential	Appraisal in Review	ProSource/McKinzie	
City of Fargo	9772	Commercial	Appraisal in Review	HMG/Britton	

<sup>1</sup> Activity sequence: 1) Appraisal in Review; 2) In Negotiation; 3) Purchase Agreement Signed, 4) Closed

<sup>2</sup> In Negotiation is pending CCJWRD approval on September 11, 2015

## Appraisals in Progress (sorted by Activity, then Original ID Number)

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser
Rural address	9670, 9671	Residential	Appraisal Initiated	Ulteig/Bock
City of Fargo	9768	Commercial	Appraisal Initiated	HMG/Britton
City of Fargo - Housing Authority	9769	Commercial	Appraisal Initiated	HMG/Britton
5017 171 Ave SE	1953	Residential	Appraisal Assigned	Ulteig/Bock
17471 49 <sup>th</sup> St SE	9411	Residential	Appraisal Assigned	Ulteig/Bock
Easement - 16 1st Avenue	9464	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - 308 Main Ave	9469, 9495, 9496	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - 182 Main Ave	9470	Residential	Appraisal Assigned	Ulteig/Bock
Easement - Horace Rural Fire Dept.	9472, 9473	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - PO Box 203	9474	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - Pleasant Twp	9475, 9476, 9477	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - 626 Evergreen	9494	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - Jack Nick LLC	9497, 9498, 9501	Commercial	Appraisal Assigned	Ulteig/Bock

# Land Management Summary

September 10, 2015

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser
Easement - PO Box 367	9576, 9579	Commercial	Appraisal Assigned	Ulteig/Bock
Easement - Hickson Grain Company	9577, 9578	Commercial	Appraisal Assigned	Ulteig/Bock

<sup>1</sup> Activity stages: 1) Appraisal Assigned 2) Owner notified; 3) Appraisal Initiated

<sup>2</sup> Easements are being acquired for an internal drainage project

## Easements in Progress on Publicly Owned Parcels (sorted by Activity, then Original ID Number)

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>
City of Fargo - Park District	9212, 9771, 9781, 9784	Commercial	Easements Obtained
Oxbow Job Development Authority <i>Permanent easement</i>	9581	Residential	Easement Identified

<sup>1</sup> Activity stages: 1) Easement Identified; 2) Easement in Process; 3) Easement Secured

<sup>2</sup> These Publicly Owned Parcels have entered into a MOU with the DA, therefore not requiring the parcels go through the appraisal process.

**Public Outreach Committee Report  
For Diversion Authority – ~~June 11, 2015~~**

September 9, 2015

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- Community Outreach
  - The Outreach Team continues to engage with local civic groups, trade associations, and entities of the Diversion Authority.
    - Presentations were given to the Moorhead City Council and the Fargo Commission regarding public private partnerships. A similar presentation is planned for the Clay County Commission in the coming weeks.
    - Chairman Vanyo and April Walker spoke to the Red River Basin Commission in September about the Diversion Project and the protection it would provide to a large area within the Basin.
    - Two other presentations are planned to the Minnesota Association of Floodplain Managers which is having a conference in Moorhead in November and to the ND League of Cities that is meeting in Fargo later this month.
  - The Outreach Team has also been working closely with area organizations that have flood protection as a top priority to provide information on the project and its funding needs as those organizations speak with federal and state elected representatives.
- ND Legislative Reporting
  - A presentation by Chairman Vanyo and Mayor Mahoney was given to the North Dakota Water Topics Overview Committee in August. The committee was interested to hear the progress being made on flood protection in the Fargo area as they have made a commitment from the State that totals \$570 million.
- Local Cemetery Mitigation
  - With the release of the Corps' Cemetery Mitigation report and its findings, the Outreach Committee began talking about when and how to start a local effort to discuss mitigation options that would be above and beyond federal requirements. This effort is expected to make more progress after the release of the MN EIS.
- E-Newsletter and FMDiversion.com
  - A new FMDiversion.com is scheduled to go live sometime next month. The new design is designed to be more mobile friendly and organized to be able to provide better access to the host of information that the website now contains, and is expected to contain as the Project continues to make progress.
  - The E-Newsletter continues to see a significantly stronger than the norm click through rates from its readership. The most popular articles over the last month have been information on the visit from Gen. Bostick, public-private partnerships, and the testimony given to the ND legislature.