

**FLOOD DIVERSION BOARD OF AUTHORITY**

**Thursday, October 8, 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 meetings Item 2. Action
3. Approve order of agenda Action
4. Management Information
  - a. PMC report
  - b. Corps of Engineers report Item 4b.
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 Item 8b.
9. Finance Information/action
  - a. Committee report
  - b. Draw down of funds from U.S. Bank Loan Item 9b.
  - c. Voucher approval Item 9c.
10. Other Business
11. Next Meeting – November 12, 2015
12. Adjournment

cc: Local Media

**FLOOD DIVERSION BOARD OF AUTHORITY  
SEPTEMBER 10, 2015—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Flood Diversion Board of Authority was held Thursday, September 10, 2015, at 3:30 PM in the Fargo City Commission Room with the following members present: Cass County Commission representative Darrell Vanyo; Cass County Commissioner Ken Pawluk; West Fargo City Commissioner Mike Thorstad; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Mike Williams; Fargo City Commissioner Melissa Sobolik; 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: 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; and Bruce Spiller, CH2M.

**2. MINUTES APPROVED**

*MOTION, passed*

**Mr. Mahoney moved and Ms. Otto seconded to approve the minutes from the August 13, 2015, meeting as presented. Motion carried.**

**3. AGENDA ORDER**

*MOTION, passed*

**Mr. Mahoney 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 and the bid schedule for 2016; work on the Fargo High Rise west parking lot; bid phase for demolition of the Park East Apartments; construction and closings on 15 homes in Oxbow; foundation work on the clubhouse for the Oxbow Country Club; and development of contract documents for the Public-Private Partnership (P3).

Mr. Spiller said the draft Minnesota EIS will be released to the public on September 14<sup>th</sup>. A public meeting is scheduled for October 14<sup>th</sup> in Moorhead. The public comment period ends October 28<sup>th</sup>.

Corps of Engineers report

Mr. Vanyo said a meeting was held with Lieutenant General Thomas Bostick from the U.S. Army Corps of Engineers. He said Gen. Bostick is supportive in working with the Office of Management and Budget and congressional delegates to help obtain Federal funding for the diversion 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 the briefing cycle on the base lawsuit will end this month and oral arguments on the case merits will be scheduled.

Mr. Mahoney asked if the release of the draft MN EIS will affect the injunction order which halted construction on the OHB levee. Mr. Johnson said once the EIS is finalized, the basis for the injunction could be lifted.

**6. TECHNICAL UPDATE**Recommended Contract Actions Summary

Mr. Spiller discussed Task Order Amendments with URS and Terracon and a reimbursement agreement with Xcel Energy as follows:

- URS Task Order No. 1 Amendment 3—Phase 1 cultural investigation and mitigation for Mickelson levee extension in the amount of \$29,500;
- Terracon Task Order No. 1 Amendment 1—add material testing services for in-town levee projects in the amount of \$400,000;
- Xcel Energy—reimbursement agreement for utility relocation work for basketball court and warming house at 304 4<sup>th</sup> Street South in the amount of \$16,275.85.

***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve the appropriation of funds for an Task Order No. 1 Amendment 3 with URS in the amount of \$29,500, Task Order No. 1 Amendment 1 with Terracon in the amount of \$400,000, and reimbursement agreement with Xcel Energy in the amount of \$16,275.85; 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.**

**7. PUBLIC OUTREACH UPDATE**Committee report

Mr. Campbell said the Public Outreach Committee met on September 9<sup>th</sup> and discussed community outreach efforts including a presentation given to the Red River Basin Commission by Darrell Vanyo and April Walker and a report to the North Dakota Water Topics Overview Committee; and work to begin discussions on cemetery mitigation options beyond the Federal requirements. He discussed the public meeting for the MN EIS that will be held in Moorhead next month and asked business leaders and realtors to submit public comments.

Daron Selvig from AE2S provided an update on the newsletter and website. He said a re-design of the website will be done within the next month that will be more mobile friendly and will provide better access to information on the site.

Business Leaders Task Force

Mr. Dawson said last meeting of the task force was held in June. Board members thanked the Chamber of Commerce for the welcome given to General Bostick that was published in the newspaper during his visit to the area.

**8. LAND MANAGEMENT UPDATE**

Mr. Mahoney said the Land Management Committee met on September 9<sup>th</sup> and discussed five land acquisitions in Oxbow, and the criteria that is used to figure the costs associated with replacement homes. Out of the 40 replacement homes available in Oxbow, 25 have either been designated or purchased at this time.

CCJWRD update

Mark Brodshaug referred to the handout regarding land acquisitions completed through August 31, 2015, which includes completed acquisitions, budget figures, and completed negotiations. Habitat for Humanity has finished salvaging items from the Park East Apartments, and the Fargo Fire Department is now conducting training within the buildings. He said construction has begun on replacement homes in Oxbow. The board approved Land Acquisition Directives (LAD's) for in-town levee easements and an opportunistic medical hardship case.

**9. FINANCE UPDATE**Committee report

Michael Montplaisir Cass County Auditor, said the Finance Committee met on September 9<sup>th</sup>. The committee approve five property acquisitions in Oxbow and decided to hold meetings twice a month if needed to move forward with property acquisitions. He said currently there is \$62 million in unallocated funds available in the FY15 budget.

Voucher approval

The bills for the month are with 702 Communications for work on the 2<sup>nd</sup> Street floodwall project; Fredrikson & Byron, P.A. for government relations services; Obermiller Nelson Engineering for fiber relocation on 2<sup>nd</sup> Street levee project; Erik R. Johnson & Associates, Ltd. for legal services; Dorsey & Whitney, LLP for legal services; U.S. Geological Survey for river level information; U.S. Army Corps of Engineers for FY15/16 cost share funding; and 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.

**MOTION, passed**

**Mr. Mahoney moved and Mr. Thorstad seconded to approve the vouchers in the amount of \$4,424,676.79 for August, 2015. On roll call vote, the motion carried unanimously.**

**10. OTHER BUSINESS**

Mr. Pawluk re-emphasized the importance of the diversion project as it will provide flood protection not only for Fargo-Moorhead, but for all of Cass County and Clay County. The Diversion Board chose the North Dakota plan because it will protect all of Cass County and Fargo; the Minnesota plan was not a feasible option because it would not protect Cass County or the entire City of Fargo.

Mr. Campbell said the North Dakota plan is the only option that fulfills the needs of all entities. Mr. Williams said the project will provide comprehensive water management for the entire area.

**11. NEXT MEETING DATE**

The next meeting will be held on Thursday, October 8, 2015, at 3:30 PM.

**12. ADJOURNMENT****MOTION, passed**

**On motion by Mr. Pawluk, seconded by Ms. Otto, and all voting in favor, the meeting was adjourned at 4:19 PM.**

**FLOOD DIVERSION BOARD OF AUTHORITY**  
**SEPTEMBER 2, 2015 – 12:10 PM**

**1. MEETING TO ORDER**

A special meeting of the Flood Diversion Board of Authority was held Wednesday, September 2, 2015 at 12:10 PM in the Fargo City Commission Room with the following members present: Cass County Commission representative Darrell Vanyo; Cass County Commissioner Ken Pawluk; West Fargo City Commissioner Mike Thorstad; Clay County Commissioner Grant Weyland; Fargo Mayor Tim Mahoney; Fargo City Commissioner Mike Williams; Fargo City Commissioner Melissa Sobolik; Cass County Joint Water Resource District Manager Mark Brodshaug; Moorhead City Council Member Nancy Otto. Clay County Commissioner Kevin Campbell was absent.

Staff members and others present: Cass County Administrator Keith Berndt; Fargo Interim City Administrator Bruce Grubb; Moorhead City Manager Mike Redlinger; North Dakota State Engineer Todd Sando; Clay County Administrator Brian Berg; Martin Nicholson and Bruce Spiller, CH2MHill; Lieutenant General Thomas Bostick, Major General Michael Wehr, Colonel Dan Koprowski, Judy DesHarnais, Michael Bart, Terry Williams and Aaron Snyder, US Army Corps of Engineers; North Dakota Senators John Hoeven and Heidi Heitkamp; North Dakota Governor Jack Dalrymple; Minnesota Representative Collin Peterson; Oxbow Mayor Jim Nyhof; Fargo City Engineer April Walker.

**2. INTRODUCTIONS AND OPENING STATEMENTS**

Darrell Vanyo said he believes the Diversion Authority is in the best position in terms of moving forward with the project, particularly with the Public Private Partnership (P3) that was afforded through the Water Resources Development Act (WRDA) Bill. He said he would certainly like to continue the partnership that has been created in working towards a successful completion of the project and to show that there are other ways to get infrastructure done throughout the country. He said the commitment is there to complete the project and work with the Corps. He said there hasn't been anything that they have not been able to resolve in terms of issues along the way and the Corps has been an excellent partner. The tasks at hand now, he said, are the steps forward.

North Dakota State Senator John Hoeven said he would like to thank General Bostick for coming because he believes that there is no better way to get a deeper understanding of the project than to come, meet the people and see what is being done first hand. He said the project has the appropriations and authorization; however, it is very important to address the concerns of the upstream interests as well as the DNR to carry this project forward.

North Dakota State Senator Heidi Heitkamp said with a \$1.5 billion dollar annual appropriation, just the projects that are on the board today would take 16 years to complete. She said nationally a different model needs to be found and Fargo has basically laid the groundwork by doing everything right to convince the appropriate folks that Fargo has the appropriate project for a public private partnership. She said the federal government is trying to find a different way of doing things so there is not this kind of lag time. She said 16 years creates a lot of economic uncertainty for any region confronted with the challenges that this area is confronted with. When you are in competition for very scarce resources it is critically important to have unanimous or near unanimous consent about how the project goes forward, so making sure that our partners in Minnesota and upstream are all on board and talking with one voice. If this region is going to get things done they need to be done differently, funded differently and be sure that this area is in

the strongest competitive position for those appropriations, she said. That is a challenge and has been from the beginning, she said; however, she feels that it is something that North Dakota, Minnesota and the region can overcome because they always have. The economic viability of the region depends on this project, she said.

Minnesota State Congressman Collin Peterson said Minnesota understands Fargo's need for flood protection and he would like to work together to accomplish that; however, there is a need to find a way to work with the DNR and the Upstream Coalition.

North Dakota Governor Jack Dalrymple said he would want to say thank you to the top ranking people from the Corps. He said he believes that the Fargo Moorhead area is still vulnerable to a major flood event and need to stay focused on that fact. He said he would like to give as much credit as possible to the Diversion Authority and to the cities for their perseverance and determination to continue to solve this problem on behalf of its citizens. In any project this size, he said, there are huge obstacles but the way this group has continued to persevere on this, use creativity, and now with the P3 approach, have proven they are not going to be deterred from getting this project underway.

Lieutenant General Thomas Bostick said it is not understood how difficult it was to get the water bill passed. He said the American leadership and government have said they are committed to helping our Nation work on the infrastructure which includes projects like the Diversion. He said he feels that there is a commitment from the federal government that this needs to be done. He said he has studied this project and is aware the project; however, there is nothing like coming to see the people that are involved with the project. He said in his view there is not a question of whether we do a public/private partnership or not, and he feels that it has to be done, but rather a question of when and which one. Finding a way to think creatively about how to fund these projects is very important, he said, and the Corps has hired people that wake up every day and their number one mission is to think about public/private partnerships and move them forward. He said the Corps has some of the best in the business working on this project and are passionate in making this happen. Having the team work together as much as possible at the local, regional and state levels really helps at the national level to work on moving forward, he said, and he is committed to working on this. He said this project is an investment in our people and public safety and is an investment for the future. He said the flood fighting that is a part of the nature of the people here is nothing he has ever seen before and could be a model for the nation.

### **3. PRESENTATION – APRIL WALKER, FARGO CITY ENGINEER**

Fargo City Engineer April Walker presented a short video from the flood of 2009. She said in 2009 leading up to the flood peak, the City of Fargo built 69 miles of emergency measures in a period of about eight days. The City, she said, held back the river using earth, sandbags and rapid deploy products not because the City had previous experience using them but because the City was desperate and needing to get something between the City and the river as it was rising. When in the midst of a flood fight, the biggest unknowns are how many volunteers are going to turn out to assist the City, she said, due to the fact that the City is completely dependent upon that resource. She said from past experience, for every 100 sandbags there is a need for one volunteer. She said the City may be able to get by if these were rare events, unfortunately they are reoccurring and thus the need for a permanent solution.

#### **4. RECOMMENDED BOARD ACTION**

##### **Public Private Partnership – Notice of Intent**

Cass County Administrator Keith Berndt said there is one action item for the Diversion Board of Authority to consider, which is the Notice of Intent. He said WRDA federally authorized the project and since that time the Diversion Authority has been working to secure federal appropriations. He said the Corps combined with the local sponsored team has the ability to successfully execute the project delivery through what can become a new model for the Corps. With guidance from some of the industry's best, CH2M, Ernest and Young, as well as our local teams the Diversion Authority has put in place the organization and has made the resource commitment that will ensure success of this daunting undertaking. The purpose of the Notice of Intent is to increase market interest in and competition for the project as well as to provide initial information about the intended public private procurement process. Finally, he said, it establishes communication protocols with the consulting finance and construction industries. The Diversion Authority, he said, is anticipating a successful resolution of the following three enabling outcomes before advancing the P3 procurement process beyond this notice of intent. These three enabling factors, he said, are: the determination of adequacy on the MN EIS, the lifting of the preliminary injunction and appropriation of federal funds and designation as a core new construction start.

Ken Pawluk moved that the Diversion Board of Authority approve the Notice of Intent to develop a Public Private Partnership and direct staff to distribute this notice. Nancy Otto seconded the motion. All members voted aye, and the motion was declared carried.

#### **5. CLOSING COMMENTS**

City of Fargo Mayor Timothy Mahoney said Fargo-Moorhead is about the people and is ready for the P3. He said with our team we can learn together and be successful.

Governor Dalrymple said he would like to thank Darrell and everyone here today for their leadership in this situation and feels very good about this next step forward.

Senator Hoeven said it is important to do the P3 project and it is something that is going to become a national model in terms of how infrastructure is funded. He said there is a real opportunity to work together in a pretty special and unique situation.

Senator Heitkamp said thank you again for coming here to take a look at what is happening on the ground. This is a community and state, she said, that knows how to get things done but cannot do it without the help of the federal government.

Congressman Peterson said thank you for spending the time with us and to thank the Diversion Authority for their commitment to resolve the concerns of the MN side.

Nancy Otto said on behalf of the City of Moorhead, we appreciate the team we work with. She said what is on a lot of people's minds going into this winter is what it is going to bring us. She said the Fargo Moorhead area has been very lucky; however, without the help of the federal government these cities could lose the fight at some point.

General Bostick said he has been involved with a lot of disasters; however, he has never seen this kind of commitment. He said he is frustrated that there has not been any movement forward with the P3; however, he feels that they are very close. He said it is not going to be easy, but having solidarity at this level makes it a clean project. The investments and risks at the local level are very clear, he said and he thinks that he needs

to have a heart to heart in Washington to move this project forward. He said he is absolutely committed to stand behind this project and work with the Diversion Authority on getting an answer one way or another and he agrees that this could be a model for the rest of the country.

**6. NEXT MEETING DATE**

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

**7. ADJOURNMENT**

On a motion by Ms. Sobolik, seconded by Ms. Otto, and all voting in favor, the meeting was adjourned at 1:05 PM.

Minutes prepared by Kember Anderson, City of Fargo





US Army Corps  
of Engineers  
St. Paul District

# Monthly Update

October 8, 2015

Since the last Diversion Authority meeting, the following project-related activities were worked on:

1. **Minnesota EIS**: Continued to support this process through coordination, supply of requested data, and review of draft documents. Draft EIS published on 14 September. Public meeting is Wednesday, 14 October, 5pm-10pm, Courtyard Marriott, Moorhead. Comments due by 28 Oct.
2. **Reach 7/Maple River Aqueduct**: Flume study underway to analyze velocity conditions across aqueduct. Completion scheduled for 30 November. See pictures on page 2.
3. **Diversion Inlet Structure**: 90% submittal for site preload on 13 August. Final Technical Review (FTR) for gated structure scheduled for 20 October 2015.
4. **Optimization of Diversion Channel and Low Flow Channel**: Continuing this work upstream of the Maple River to the Diversion Inlet Structure. Complete this year.
5. **Cemetery Mitigation Plan**: Will address Cemetery POC comments on the Draft Plan as part of DA subcommittee work to be performed after MnEIS is complete. Sent follow-up letter to all Cemetery POCs on 13 August.
6. **In-Town Levees**: Continue to support design and construction to assure features can be incorporated into FMM Project. Includes ATR and IEPR reviews.
7. **Alternate Financing/Split Delivery Plan**: Continue to advance this plan for expedited implementation of the FMM Project.
8. **Rights-of-Entry and Surveys**: Continue to obtain Rights-of-Entry and conduct surveys along the project alignment in ND (cultural, HTRW, borings, USGS flow measurements, land surveys). Borings will continue through the winter months.
9. **Real Estate**: Continue to review appraisals and support land acquisition activities.
10. **Natural Resource Agency Coordination**: Held Natural Resource Agency and 404 Permit coordination meetings on 25 Aug. Briefings included P3 discussions.
11. **NDSU Ag Risk Study**: Reviewed the draft documents and attended the presentation at the Ag Policy Subcommittee meeting on 29 September.

Dear Clayton Matney, 2 Sep 15  
Thank you for supporting my visit to Fargo. You and your team were so gracious. I learned a lot about the Fargo-Moorhead PBS. The passion, hard work, and leadership involved in making this project work were impressive to see and hear. We'll do our best in Washington. Tom Bostick



General Bostick Visit

Aqueduct Flume Study





# Recommended Contracting Actions Summary

Date: October 8, 2015

Description	Budget Estimate (\$)
<b>Beaver Creek Archaeology, Inc.</b> <i>MSA and Task Order No. 1 - Amendment 0</i>	<b>111,000</b>
<ul style="list-style-type: none"> <li>Phase 1 Cultural Investigation (Sta. 700+00 to 1475+00) - New scope and budget</li> </ul>	
<b>Landwehr Construction, Inc.</b> <i>Contract Award</i>	<b>1,089,888</b>
<ul style="list-style-type: none"> <li>WP-42C.2 In-Town Levees, 2nd Street/Downtown Area - Park East Apartment Demolition and removal of a 4-story apartment building, three garage buildings, and pavement</li> </ul>	
<b>Industrial Builders, Inc.</b> <i>Change Order #2</i>	<b>169,490.20</b>
<ul style="list-style-type: none"> <li>WP-42F.1S Flood Control, 2<sup>nd</sup> St N, South of Pump Station – work revisions to allow work around of fiber optic lines</li> </ul>	
<b>Industrial Builders, Inc.</b> <i>Work Change Directive #4</i>	<b>175,000</b>
<ul style="list-style-type: none"> <li>WP-42A.2, 2nd St North Pump Station – Authorize work revisions associated with wet well modifications resulting from the physical model study</li> </ul>	
<b>Enventis Telcom Inc.</b> <i>Payment Agreement</i>	<b>381,909</b>
<ul style="list-style-type: none"> <li>Utility Relocation – WP-42A.1/A.3 Flood Wall Project</li> </ul>	
<b>Xcel Energy</b> <i>Payment Agreement</i>	<b>55,000</b>
<ul style="list-style-type: none"> <li>Utility Relocation – work to move overhead power lines to facilitate WP-42F.1S 2015 construction</li> </ul>	

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## RECOMMENDED CONTRACTING ACTION DETAIL

### TASK ORDER SUMMARY

**Beaver Creek Archaeology, Inc.**

**Task Order No. 1 – Amendment 0**

**Phase 1 Cultural Investigation (Sta. 700+00 to 1475+00)**

**Add \$ 111,000**

#### *Description:*

**Subtask 2.A (Management and Coordination)** – Add sub-task management, coordination with client and Federal and State Agencies to the scope of work.

**Subtask 2.B.1 (Pedestrian Survey and Reports)** – Add pedestrian surveys and associated draft and final reports to the scope of work.

**Subtask 2.B.2 (Shovel Tests)** – Add shovel tests (10 at \$65 each) to the scope of work. Actual number of tests to be determined in the field.

**Subtask 2.B.3 (Hand Core Tests)** – Add hand core tests (10 at \$35 each) to the scope of work. Actual number of tests to be determined in the field.

**Subtask 2.B.3 (Deep Core Tests)** – Add deep core tests (10 at \$65 each) to the scope of work. Actual number of tests to be determined in the field.

**Subtask 2.C (On-Call Services)** – Add budget for Owner initiated on-call service requests.

#### *Background:*

The existing Cultural resources Contractor, URS/AECOM, is conflicted out of completing the remaining work on the Diversion Channel. This scope and budget is for the remaining Western Alignment Phase 1 cultural investigation work from Station 700+00 to 1475+00. Requests for Quotes were solicited and two quotes were received on September 25, 2015. Beaver Creek Archaeology, Inc. submitted the lowest responsive quote.

#### *Recommendation:*

This work was included in the FY-2015 budget, and the Task Order 1 Amendment 0 budget of \$ 111,000 is less than the remaining estimated unencumbered FY 2015 FMDA Design budget of \$ 6,643,000. PMC recommends authorization of Task Order No. 1, Amendment 0 for \$ 111,000.

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## **CONTRACT AWARD SUMMARY**

**Landwehr Construction, Inc.**

**WP-42C.2 In-Town Levees, 2nd Street/Downtown Area**

**Add \$ 1,089,888**

**Park East Apartment Demolition**

***Description:***

Park East Apartment Demolition and removal of a 4-story apartment building, three garage buildings, and pavement.

***Background:***

This project is part of the In Town Levees work package for the FM Diversion Project. Bidding was publically advertised and bids were opened on September 29, 2015. The lowest responsive bidder was Landwehr Construction, Inc. from St. Cloud, MN.

***Recommendation:***

The budget of \$ 1,089,888 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$27,090,000. PMC recommends authorization of Contract Award for \$ 1,089,888.

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## **CHANGE ORDER SUMMARY**

**Industrial Builders, Inc.**

**WP-42F.1S - Flood Control, 2nd St N, South of Pump Station**

**Add \$ 169,490.20**

**Change Order No. 2**

***Description:***

Expose, lift, brace, and move existing fiber lines to allow sheet piling driving, excavation, and construction of box culverts and storm sewer for the 2<sup>nd</sup> St. N Pump Station outfall.

***Background:***

After consideration of several options to relocation the fiber optic line, the recommended option has the least impact to project schedule and the lowest overall cost.

***Recommendation:***

The budget of \$169,490.20 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$27,090,000. PMC recommends authorization of Change Order No. 2 for \$169,490.20.

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## **WORK CHANGE DIRECT SUMMARY**

**Industrial Builders, Inc.**

**WP-42A.2 2nd St N Pump Station**

**Add \$ 175,000**

**Work Change Directive No. 4**

***Description:***

The changes in this Work Change Directive include the addition of a baffle wall in the wet well and the addition of vanes in the pump spool between the FSI and the pump (5 pumps). The implementation of the baffle wall will fix issues (identified in the physical model) with vortices in the wet well and improve the flow approach uniformity to the FSI's. The addition of vanes also improves pump suction velocities.

***Background:***

The Wet well physical model study concluded a limited number of modifications are necessary to correct hydraulic flow conditions in the wet wells. Designer of Record (DOR) recently completed design changes and the Contractor provided a Change Proposal that is currently under review. Implementation of DOR's design modifications is critical to project success and some of the materials have long lead items. Therefore, Owner's Rep recommends approval of Work Change Directive No. 4 to allow Contractor to order essential materials while Contractor, DOR, and Owner's Rep finalize Change Order pricing and schedule impacts.

***Recommendation:***

The budget of \$ 175,000 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$27,090,000. PMC recommends authorization of Work Change Directive No. 4 for \$ 175,000.

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## **PAYMENT AGREEMENT SUMMARY**

**Eventis Telecom Inc.  
Payment Agreement - WP-42A.1/A.3 Flood Wall Project  
Utility Relocation Work**

**Add \$ 381,909**

***Description:***

This Cost Reimbursement Agreement directs Eventis Telecom Inc. to provide all labor, materials, and commissioning necessary to reroute their impacted utilities along 2<sup>nd</sup> St. South.

***Background:***

Eventis utilities are impacted by the Diversion Project along 2nd St S starting at the intersection of 4th St S & 2nd St S and ending at the intersection of 2nd St N & 1st Ave N. There is an existing 192 strand fiber, 144 strand fiber and 96 strand fiber along with multiple underground vaults and splice cases that need to be rerouted. Because of the late start of this project it has been determined that Eventis will not be impacted until the summer of 2016. Eventis will complete relocation or replacement of cable by April 1, 2016.

***Recommendation:***

The budget of \$ 381,909 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$ 27,090,000. PMC recommends authorization of Payment Agreement for \$ 381,909.

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**Xcel Energy  
Payment Agreement - WP-42F.1S  
Utility Relocation Work**

**Add \$ 55,000**

***Description:***

Relocate the existing overhead feeder lines to a new location west of the dig area for the 2nd St N pump station outfall. Work includes installation of 4600-ft of overhead conductor, installation of 6 utility poles, the removal of 1 utility pole, and removal of 1200-ft of conductor.

***Background:***

Due to work schedule changes, Xcel Energy's overhead power lines on 2nd Street constrain the WP-42F.1S Contractor's (Industrial Builders, Inc.) ability to install sheet piling, excavate, and install the box culvert for the pump station outfall. In coordination with the 42F.1S project team, Xcel Energy developed a relocation solution that allows the Contractor to meet their schedule requirements. DOR evaluated Xcel Energy's proposal and finds it technically acceptable. To accommodate the 42F.1S schedule, Xcel Energy's proposed price (\$55,000) is only a budgetary estimate. Xcel Energy proposes to submit actual costs after the relocation is complete. Given the urgency of removing this constraint from 42F.1S to allow the Contractor to construct the outfall in 2015, Owner's Rep and Engineer feel this strategy is acceptable.

***Recommendation:***

The budget of \$ 55,000 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$ 27,090,000. PMC recommends authorization of Payment Agreement for \$ 55,000.

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**Technical Advisory Recommendation**

Meeting Date: 10/1/2015

**RECOMMENDATION FOR ACTION:**

The Technical Advisory team has reviewed and recommends approval of the following Contract Action(s).

**SUMMARY OF CONTRACTING ACTION:**

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

List description of Contract Action(s):

Description	Budget Estimate (\$)
<b>Beaver Creek Archaeology</b> <i>MSA and Task Order No. 1 – Amendment 0</i>	111,000

Phase 1 Cultural Investigation (Sta. 700+00 to 1475+00) - New scope and budget

**Summary of Contracting History and Current Contract Action:**

Original Agreement or Amendment	Budget (\$) Change	Original Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Task Order 1 Amendment 0	\$111,000	\$0	\$111,000	08-Oct-15	31-Mar-16	Initial Phase 1 Cultural Investigations, including: Project Management, Cultural Investigations, and an Allowance for Owner initiated work requests.

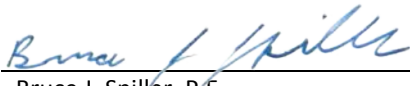
This work was included in the FY-2015 FMDA budget, and the Task Order 1 Amendment 0 budget of \$ 111,000 is less than the remaining estimated unencumbered FY 2015 FMDA Design budget of 6,643,000. PMC recommends authorization of Task Order No. 1, Amendment 0 for \$ 111,000.

**ATTACHMENT(S):**

1. Draft task order amendment (in track changes mode)
2. PMC cost justification worksheet
3. BCA quote



**Submitted by:**

  
\_\_\_\_\_  
Bruce J. Spiller, P.E.

CH2M HILL  
Project Manager  
Metro Flood Diversion Project

30 Sept 2015

\_\_\_\_\_  
Date

\_\_\_\_\_  
Keith Berndt, Cass County Administrator

Concur:   X   Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
April Walker, Fargo City Engineer

Concur:   X   Non-Concur \_\_\_\_\_

\_\_\_\_\_  
Mark Bittner, Fargo Director of Engineering

Concur:   X   Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Jason Benson, Cass County Engineer

Concur:   X   Non-Concur \_\_\_\_\_

\_\_\_\_\_  
David Overbo, Clay County Engineer

Concur:   X   Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Robert Zimmerman, Moorhead City Engineer

Concur:   X   Non-Concur \_\_\_\_\_

# Task Order No. 1, Amendment 0

## Phase 1 Cultural Resources Investigations, Station 700+00 to 1475+00

In accordance with Paragraph 1.01 of the Agreement between Fargo-Moorhead Flood Diversion Authority ("Owner") and \_\_\_\_\_ ("Consultant") for Professional Services – Task Order Edition, dated \_\_\_\_\_, 2015 ("Agreement"), Owner and Consultant agree as follows:

### 1) SPECIFIC PROJECT DATA

- a) Title: Phase 1 Cultural Resources Investigations, Station 700+00 to 1475+00
- b) Description: Complete the cultural resources investigation of the Diversion Channel from Station 700+00 to 1475+00.

### 2) SERVICES OF CONSULTANT

- a) MANAGEMENT AND COORDINATION – Conduct Phase I cultural resources investigations in accordance with the following stipulations:
  - i) Consultant's key personnel shall meet the *Secretary of the Interiors Professional Qualification Standards for Archaeology and Architectural History*:
    - (1) Principal investigator
    - (2) Field and laboratory supervisor
    - (3) Field crew chiefs
  - ii) Obtain cultural resources permits from North Dakota.
  - iii) Establish and follow a health and safety program.
  - iv) Prepare and submit monthly invoices and progress reports.
- b) CONDUCT PHASE I CULTURAL RESOURCES INVESTIGATIONS IN THE FOLLOWING LOCATIONS:
  - i) Station 700+00 to 1475+00: Conduct Phase I cultural resources investigations on approximately 1740 acres of portions of the Diversion alignment from the Maple River south to the Sheyenne River. Figure 1 has been provided for reference only. Shapefiles will be provided to Consultant prior to start of field work.
    - (1) Incorporate 3<sup>rd</sup> party report as appendix into Phase 1 report.
    - (2) Conduct a survey of project area by pedestrian examination, documenting prehistoric and historic archaeological sites, as well as standing structures.
    - (3) 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.
- (4) Record survey and testing results using field notes, maps, subsurface-testing forms, and photos.
  - (5) Delineate boundaries of sites and subsurface tests with GPS [provide GPS data in UTM projection, NAD83 horizontal datum, and units in meters].
  - (6) Prepare state site forms.
  - (7) Provide recommendations for Phase II testing and evaluation measures, including time and cost estimates.
  - (8) Evaluate buildings 50 years old or older for eligibility to the National Register of Historic Places.
  - (9) 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.
  - (10) Make curatorial arrangements with State Historical Society of North Dakota, meeting requirements of 36 CFR Part 79.
  - (11) Cease activity in the vicinity if human remains are found, associated and/or unassociated objects of cultural patrimony. Contact the appropriate authorities.
  - (12) Provide a right-of-entry agent to facilitate notification of property owners and compliance with right-of-entry agreements. Coordinate detailed right-of-entry responsibilities with Owner's Right of Entry team.
- c) ON-CALL SERVICES: When specifically authorized in writing by Owner or Owner's Project Management Consultant (PMC), provide cultural resource investigations as directed.
  - 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>
Task Order 1, Amendment 0 (All subtasks)	October 8, 2015	March 31, 2016

5) PAYMENTS TO CONSULTANT

- a) Owner shall pay Consultant 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.
  - iv) Consultant will notify Owner when eighty percent (80%) of the budget on Subtask C is expended.

- v) Consultant will prepare and submit an amendment for additional compensation when ninety percent (90%) of budget on Subtask C is expended.
- vi) Consultant will not perform work beyond one hundred percent (100%) of the budget for Subtask C without Owner's authorization by an amendment to this Task Order.

Subtask	Current Budget (\$)	Change (\$)	Revised Budget (\$)
A. Management and Coordination	7,200		
B.1 Phase I Cultural Resources Investigations from Station 700+00 to 1475+00 – Pedestrian Survey and Reports	91,000		
B.2 Phase I Cultural Resources Investigations from Station 700+00 to 1475+00 – Shovel Tests (10 at \$65 each)	650		
B.3 Phase I Cultural Resources Investigations from Station 700+00 to 1475+00– Hand Core Tests (10 at \$35 each)	350		
B.4 Phase I Cultural Resources Investigations from Station 700+00 to 1475+00– Deep Core Tests (10 at \$180 each)	1,800		
C. On-Call Services (Allowance)	10,000		
<b>TOTAL</b>	<b>111,000</b>		

- b) The terms of payment are set forth in Article 4 of the Agreement and EXHIBIT C of the Agreement.
- 6) Consultants: None
- 7) Other Modifications to Agreement: No additions or modifications
- 8) Attachments:
  - a) Figure 1 - Station 700+00 to 1475+00 (Western Diversion Alignment)
- 9) Documents Incorporated By Reference:
  - a) Agreement

10) Terms and Conditions: Execution of this Task Order by Owner and Consultant shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Consultant 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 \_\_\_\_\_, 2015.

**CONSULTANT:**

\_\_\_\_\_  
Signature Date  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Title

**DESIGNATED REPRESENTATIVE FOR TASK ORDER:**

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
E-Mail Address  
\_\_\_\_\_  
Phone  
\_\_\_\_\_  
Fax

**OWNER:**

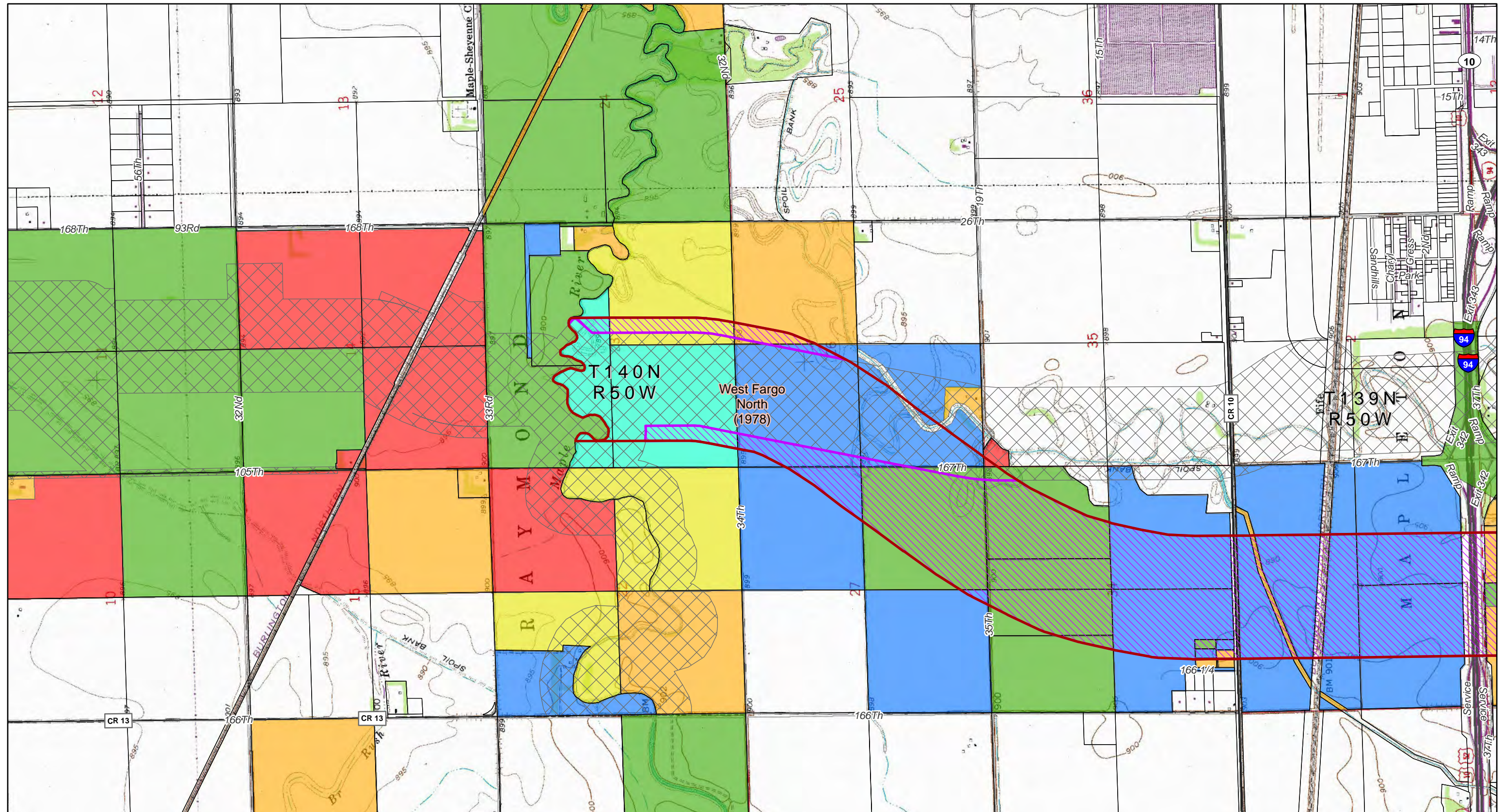
**Fargo-Moorhead Metro Diversion Authority**

\_\_\_\_\_  
Signature Date  
Darrell Vanyo  
\_\_\_\_\_  
Name  
Board Chair  
\_\_\_\_\_  
Title

**DESIGNATED REPRESENTATIVE FOR TASK ORDER:**

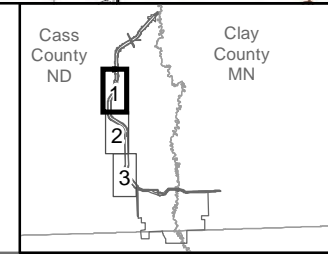
Keith Berndt  
\_\_\_\_\_  
Name  
Cass County Administrator  
\_\_\_\_\_  
Title  
211 9th Street South  
PO Box 2806  
Fargo, ND 58108-2806  
\_\_\_\_\_  
Address  
berndtk@casscountynd.gov  
\_\_\_\_\_  
E-Mail Address  
(701) 241-5720  
\_\_\_\_\_  
Phone  
(701) 297-6020  
\_\_\_\_\_  
Fax

Figure 1 - Phase 1 Cultural Investigation; Diversion Channel - Station 700+00 to 1475+00; (Western Diversion Alignment)



**Legend**

Western Alignment Footprint	<b>ROE Status (Aug 21, 2015)</b>
Remaining Survey Area	LIMITED ACCESS
Previously Surveyed Area	DENIED/EXPIRED
Quad Sheet Boundary	NO LETTER SENT
	LS
	COURT GRANTED
	GRANTED/PROJECT OWNED



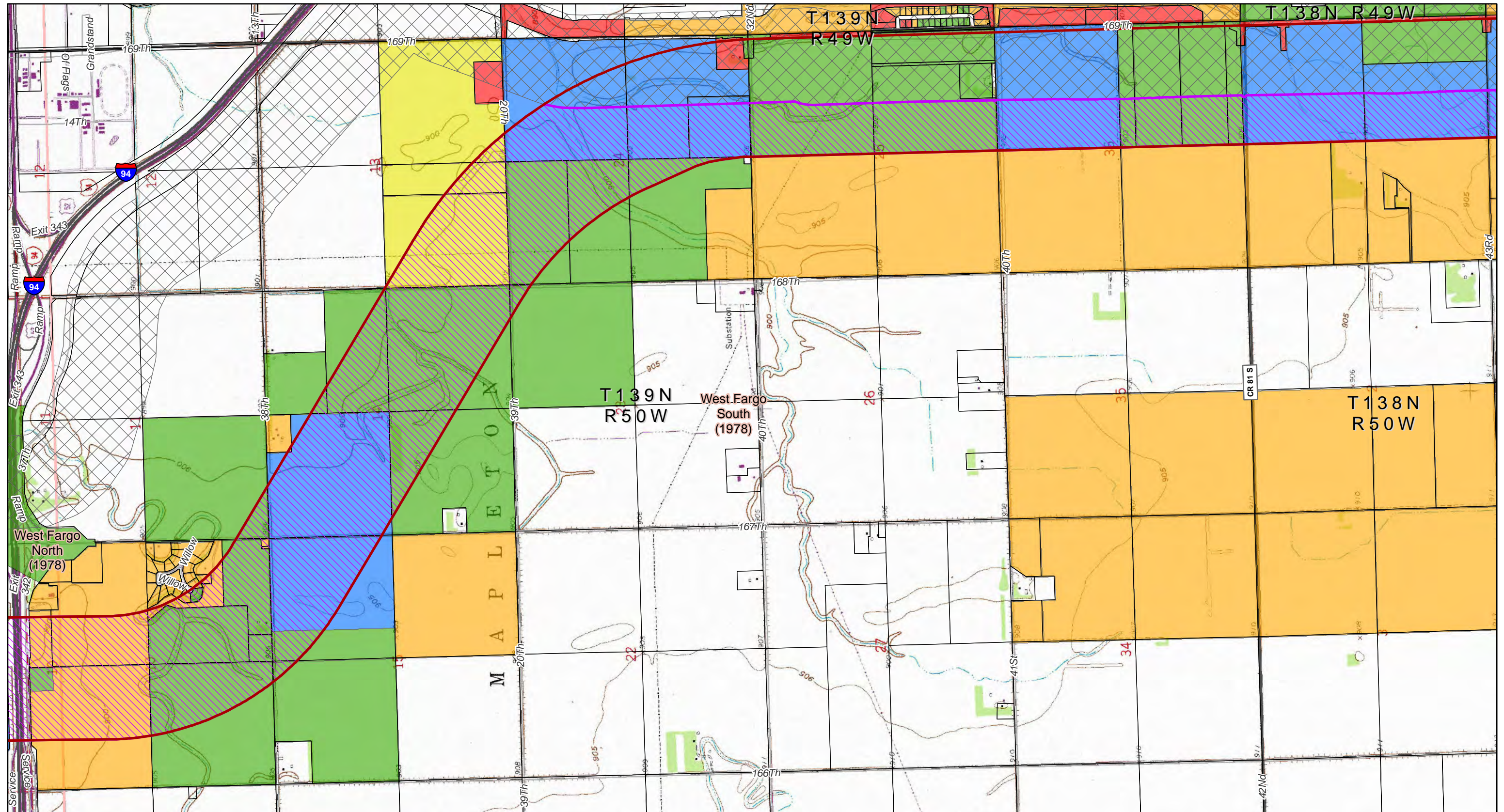
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 Scale: 1:24,000 (1" equals 2000 ft)  
 Horizontal Projection: NAD83 UTM Zone 14N  
 Basemap: USGS 7.5' Quadrangle  
 Aug 30, 2015



*Survey Progress*  
 Western Diversion Alignment - 2015 Survey and ROE  
 Map 1 of 3

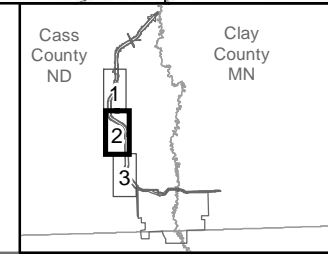
Fargo Moorhead Metro Flood  
 Risk Management Project  
 Cass County, ND and Clay County, MN

Figure 1 - Phase 1 Cultural Investigation; Diversion Channel - Station 700+00 to 1475+00; (Western Diversion Alignment)



**Legend**

Western Alignment Footprint	<b>ROE Status (Aug 21, 2015)</b>
Remaining Survey Area	LIMITED ACCESS
Previously Surveyed Area	DENIED/EXPIRED
Quad Sheet Boundary	NO LETTER SENT
	LS
	GRANTED/PROJECT OWNED



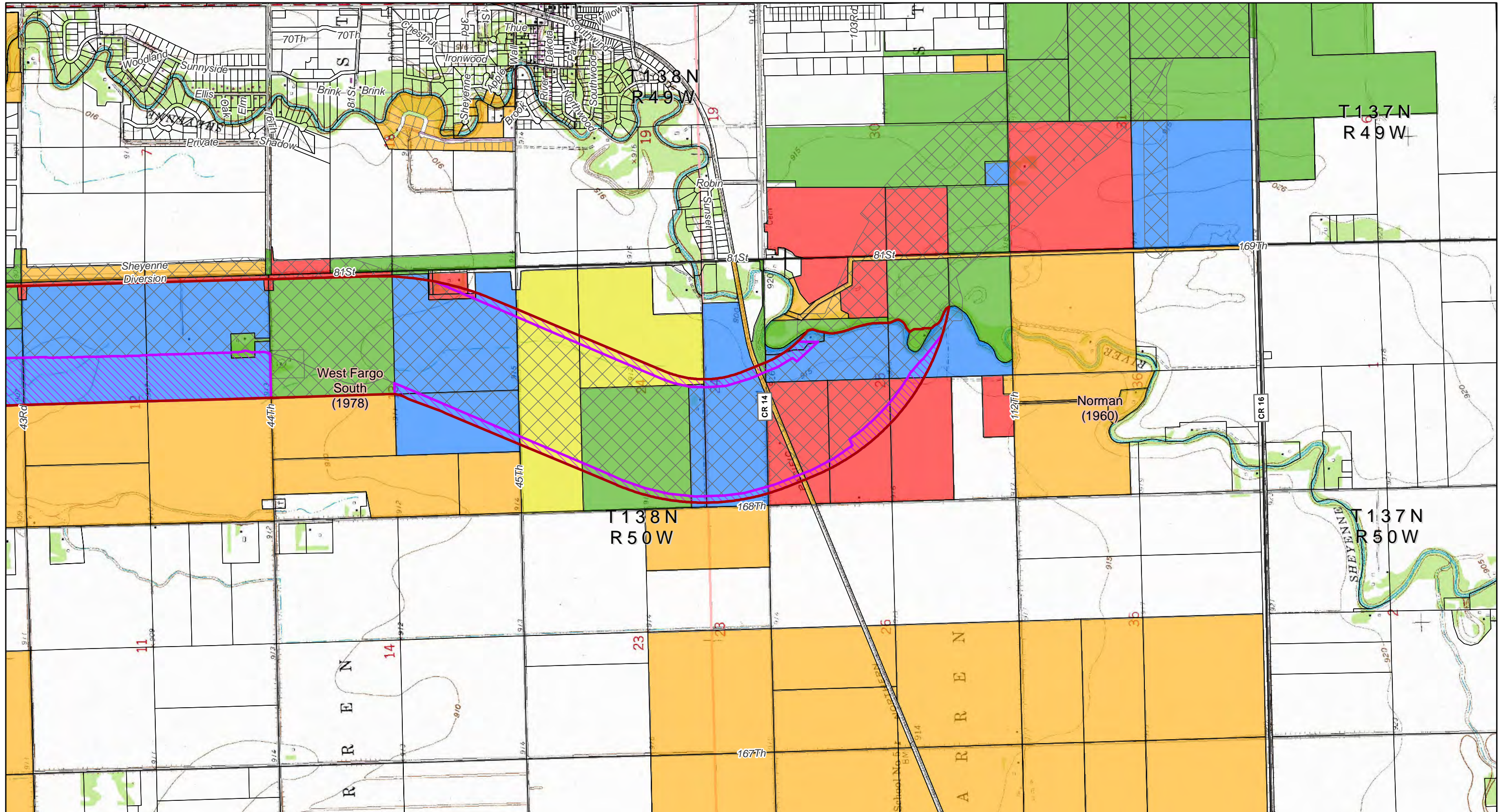
0 1,000 2,000 Feet  
 Scale: 1:24,000 (1" equals 2000 ft)  
 Horizontal Projection: NAD83 UTM Zone 14N  
 Basemap: USGS 7.5' Quadrangle  
 Aug 30, 2015



*Survey Progress*  
*Western Diversion Alignment - 2015 Survey and ROE*  
*Map 2 of 3*

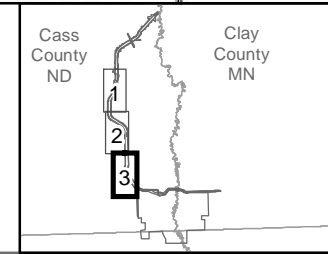
Fargo Moorhead Metro Flood  
 Risk Management Project  
 Cass County, ND and Clay County, MN

Figure 1 - Phase 1 Cultural Investigation; Diversion Channel - Station 700+00 to 1475+00; (Western Diversion Alignment)



**Legend**

Western Alignment Footprint	<b>ROE Status (Aug 21, 2015)</b>
Remaining Survey Area	LIMITED ACCESS
Previously Surveyed Area	DENIED/EXPIRED
Quad Sheet Boundary	NO LETTER SENT
	LS
	GRANTED/PROJECT OWNED



0 1,000 2,000 Feet  
 Scale: 1:24,000 (1" equals 2000 ft)  
 Horizontal Projection: NAD83 UTM Zone 14N  
 Basemap: USGS 7.5' Quadrangle  
 Aug 30, 2015



*Survey Progress*  
*Western Diversion Alignment - 2015 Survey and ROE*  
*Map 3 of 3*

Fargo Moorhead Metro Flood  
 Risk Management Project  
 Cass County, ND and Clay County, MN



COST JUSTIFICATION WORKSHEET

DATE: 9/24/2015

Vendor: TBD

TASK ORDER / AWD: TO1

Amendment (A) or Revision (R ) No: A-0

TASK ORDER / AWD DESCRIPTION:

Phase 1 Cultural Resources Investigation  
 Fargo-Moorhead Area Diversion Project - Station 700+00 to 1475+00

SCOPE OF WORK:

Task 1 - Project Management - meet ND state requirements for Archaeology and Architectural History, obtain permits, establish and follow H&S plan, monthly invoicing and administration. Assume 6 month project duration
Task 2a - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Pedestrian Survey) - approximately 2840 acres, write draft and final reports, incorporate 3rd party reports, prepare site forms, provide ROE coordination
Task 2b - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Shovel Test) - conduct 10 shovel tests
Task 2c - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Hand Core Test) - conduct 10 hand core tests
Task 2d - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Deep Core Test) - conduct 10 deep core tests
Task 3 - On-call Services (Allowance) - Established at \$10,000 for non specified work, as directed by the Owner.

PMC Level of Effort Estimate :

Position/Grade	Rate / Hr.	Estimated Hours					Total hours	Cost
		Task 1 - Project Management	Task 2a - Pedestrian Survey	Task 2b - Shovel Test	Task 2c - Hand Core Test	Task 2d - Deep Core Test		
Principal Engineer	\$ 190	2					2	\$ 380
Senior Project Manager	\$ 160	6	20				26	\$ 4,160
Project Manager	\$ 130	24	80				104	\$ 13,520
Architect/Archeologist	\$ 120		160	10	10	10	190	\$ 22,800
Site worker 1	\$ 100		342				342	\$ 34,200
Site worker 2	\$ 90		342	20	40	40	442	\$ 39,780
Site worker 3	\$ 65		513	20	40	40	613	\$ 39,845
CADD Technician	\$ 120		40				40	\$ 4,800
Administrative Assistant	\$ 65	48	40				88	\$ 5,720
Expenses (travel)							0	\$ 28,800
Equipment Rental								\$ 5,000
Task 3 - On-Call Services (Allowance)								\$ 10,000
<b>TOTALS (hours)</b>		<b>80</b>	<b>1537</b>	<b>50</b>	<b>90</b>	<b>90</b>	<b>1847</b>	
Total subtask cost	\$	7,580	\$ 172,325	\$ 4,300	\$ 7,400	\$ 7,400		\$ 209,005

105600 SF per hour of ped survey  
 0.4125 Acres/hour of ped survey  
 1171.5 hours of ped survey  
 8 field staff  
 18.30469 days  
 219.6563 field staff OH hours for ped survey  
 \$ 28,800 8 people for 18 days @ 200 per day  
 \$ 5,000 for 2 weeks

Recommendation and Justification:

The PMC independently estimated the cost for this amendment and reviewed the attached Engineers proposal.

Task 1 - Project Management - meet ND state requirements for Archaeology and Architectural History, obtain permits, establish and follow H&S plan, monthly invoicing and administration. Assume 6 month project duration. The PMC's estimate of \$7,580 is 5 percent higher than the proposer's quote, and the PMC recommends \$7,200 for this task budget.

Task 2a - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Pedestrian Survey) - approximately 2840 acres, write draft and final reports, incorporate 3rd party reports, prepare site forms, provide ROE coordination. NOTE - an additional 25 acres was added north of the Maple River. The PMC's estimate of \$ 172,000 was 90 percent higher than the proposer's quote. This is likely due to higher estimated labor rates and a low production rate estimate by the PMC. The two proposer's for this quote had consistent rates for pedestrian survey work, and the PMC recommends \$91,000 for this task budget which is the proposer's quote plus additional budget for the addition 25 acres.

Task 2b - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Shovel Test) - conduct 10 shovel tests. The PMC estimate was much higher than the proposer's estimate for this subtask, but proposer confirmed the unit cost for this work was adequate to cover the cost. The PMC recommends \$65/shovel test for this task budget.

Task 2c - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Hand Core Test) - conduct 10 hand core tests. The PMC estimate was much higher than the proposer's estimate for this subtask, but proposer confirmed the unit cost for this work was adequate to cover the cost. The PMC recommends \$35/shovel test for this task budget.

Task 2d - Phase 1 Cultural Resources Investigations (Station 700+00 to 1475+00 – Deep Core Test) - conduct 10 deep core tests. The PMC estimate was much higher than the proposer's estimate for this subtask, but proposer confirmed the unit cost for this work was adequate to cover the cost. The PMC recommends \$180/shovel test for this task budget.

Task 3 - On-call Services (Allowance) - Established at \$10,000 for non specified work, as directed by the Owner.

This work was included in the FY-2015 budget, and the Task Order 1 Amendment 0 budget of \$ 111,000 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 0 for \$ 111,000.00.

**Quote Summary**

**TASK ORDER / AWD DESCRIPTION:**

**Phase 1 Cultural Resources Investigation**

**Fargo-Moorhead Area Diversion Project - Station 700+00 to 1475+00**

Quotes due: September 25, 2015 @ 3:00 PM

<b>Firm Name</b>	<b>PMC Estimate</b>	<b>Metcalf</b>	<b>Beaver Creek Archaeology</b>	<b>Recommended Task Order 1 budgets</b>
Task 1 - Project Management (6 mo)	\$ 7,600	\$ 7,160	\$ 7,200	\$ 7,200
Task 2a - Pedestrian Survey (2840 a)	\$ 168,000	\$ 75,373	\$ 89,404	\$ 91,000
Task 2a1 - Pedestrian Survey (25 a) north of Maple Rv		\$ 664	\$ 798	
Task 2b - Shovel Test (10 ea)	\$ 4,300	\$ 7,264	\$ 650	\$ 650
Task 2c - Hand Core Test (10 ea)	\$ 7,400	\$ 3,000	\$ 350	\$ 350
Task 2d - Deep Core Test (10 ea)	\$ 12,400	\$ 9,794	\$ 1,800	\$ 1,800
Task 3 - Allowance	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
<b>Total</b>	<b>\$ 209,700</b>	<b>\$ 113,255</b>	<b>\$ 110,202</b>	<b>\$ 111,000</b>

**QUOTE FORM**

**Fargo-Moorhead Area Diversion Project  
Phase 1 Cultural Resources Investigations  
Station 700+00 to 1475+00**

**ARTICLE 1 – QUOTE RECIPIENT**

- 1.01 This Quote is submitted to:  
Via email at [john.glatzmaier@ch2m.com](mailto:john.glatzmaier@ch2m.com).
- 1.02 The undersigned proposes and agrees, if this Quote is accepted, to enter into an Agreement with Owner in the form included in the Proposal Documents to furnish all Goods and Services as specified or indicated in the Proposal Documents for the prices and within the times indicated in this Quote and in accordance with the other terms and conditions of the Proposal Documents.

**ARTICLE 2 – PROPOSER’S ACKNOWLEDGEMENTS**

- 2.01 This Quote will remain subject to acceptance for 30 days after the submission, or for such longer period of time that Proposer may agree to in writing upon request of Owner.

**ARTICLE 3 – PROPOSER’S REPRESENTATIONS**

- 3.01 In submitting this Quote, Proposer represents that:
  - A. Proposer has examined and carefully studied the Proposal Documents, and any data and reference items identified in the Proposal Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum Date</u>
N/A	N/A
_____	_____
_____	_____
_____	_____

- B. Proposer is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and furnishing of the Goods and Services for which this Quote is submitted.
- C. Proposer is aware of the general nature of work to be performed by Owner and others that relates to the furnishing of the Goods and Services as indicated in the Proposal Documents.
- D. Proposer has given Owner’s Representative written notice of all conflicts, errors, ambiguities, or discrepancies that Proposer has discovered in the Proposal Documents, and confirms that the written resolution thereof by Owner’s Representative is acceptable to Proposer.
- E. The Proposal Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Goods and Services.
- F. The submission of this Quote constitutes an incontrovertible representation by Proposer that Proposer has complied with every requirement of this Article, and that without

exception the Quote and all prices in the Quote are premised upon performing and furnishing the Goods and Services required by the Proposal Documents.

**ARTICLE 4 – PROPOSER’S CERTIFICATION**

4.01 Proposer certifies that:

- A. This Quote is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Proposer has not directly or indirectly induced or solicited any other Proposer to submit a false or sham Quote;
- C. Proposer has not solicited or induced any individual or entity to refrain from quoting; and
- D. Proposer has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. “corrupt practice” means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the procurement process;
  - 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the procurement process to the detriment of Owner, (b) to establish prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
  - 3. “collusive practice” means a scheme or arrangement between two or more Proposers, with or without the knowledge of Owner, a purpose of which is to establish prices at artificial, non-competitive levels; and
  - 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the procurement process or affect the execution of the Contract.

**ARTICLE 5 – BASIS OF QUOTE**

5.01 Proposer will furnish the Goods and Services in accordance with the Contract Documents for the following price(s):

Item No.	Description	Unit	Estimated Quantity	Unit Price (\$)	Total Estimated Price (\$)
1	Project Management	LS	1	7,200	7,200. <sup>00</sup>
2.a	Phase 1 Cultural Resources Investigations Station 700+00 to 1475+00 – Pedestrian Survey	Acre	2,840	31. <sup>93</sup>	89,404. <sup>00</sup>
2.b	Phase 1 Cultural Resources Investigations Station 700+00 to 1475+00 – Shovel Test	Each	10	65	650. <sup>00</sup>
2.c	Phase 1 Cultural Resources Investigations Station 700+00 to 1475+00 – Hand Core Test	Each	10	35	350. <sup>00</sup>
2.d	Phase 1 Cultural Resources Investigations Station 700+00 to 1475+00 – Deep Core Test	Each	10	180	1800. <sup>00</sup>

Item No.	Description	Unit	Estimated Quantity	Unit Price (\$)	Total Estimated Price (\$)
3	On-Call Services	LS	1	10,000	10,000
All Unit Price Items					109,404. <sup>00</sup> / <sub>100</sub>

Proposer acknowledges that (1) each Unit Price includes an amount considered by Proposer to be adequate to cover Proposer's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Quotes, and final payment for all Unit Price items will be based on actual quantities, determined as provided in the Contract Documents.

**ARTICLE 6 – TIME OF COMPLETION**

6.01 Proposer agrees that the Goods and Services will be delivered to the Owner's Representative on or before the dates or within the number of calendar days indicated in the Agreement.

**ARTICLE 7 – ATTACHMENTS TO THIS QUOTE**

7.01 The following documents are submitted with and made a condition of this Quote: None.

**ARTICLE 8 – DEFINED TERMS**

8.01 The terms used in this Quote with initial capital letters have the meanings stated in the Instructions to Proposers.

**ARTICLE 9 – QUOTE SUBMITTAL**

PROPOSER: *[Indicate correct name of proposing entity]*

Beaver Creek Archaeology, Inc.

By:

*[Signature]*

*Wade Burns*

*[Printed name]*

Wade Burns

*(If Proposer is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)*

Attest:

*[Signature]*

*Wade Burns*

*[Printed name]*

Wade Burns

Title:

President

Submittal Date:

9/24/15

Address for giving notices:

1632 Capitol Way, Bismarck, ND 58501

Telephone Number:

(701) 663-5521

Fax Number:

(701) 663-5589

Contact Name and e-mail address:

Wade Burns  
wburns@bcarch.org

**Technical Advisory Recommendation**

Meeting Date: 10/1/2015

**RECOMMENDATION FOR ACTION:**

The Technical Advisory team has reviewed and recommends approval of the following Contract Action(s).

**SUMMARY OF CONTRACTING ACTION:**

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

List description of Contract Action(s):

Description	Budget Estimate (\$)
<p><b>WP-42C.2 In-Town Levees, 2nd Street/Downtown Area</b></p> <p>Landwehr Construction, Inc.</p> <p><i>Contract Award</i></p>	<p><b>1,089,888</b></p>

Park East Apartment Demolition and removal of a 4-story apartment building, three garage buildings, and pavement

**Summary of Contracting History and Current Contract Action:**

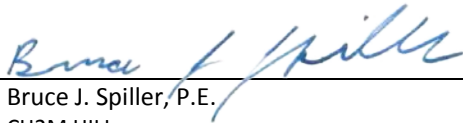
Original Agreement or Amendment	Budget (\$) Change	Original Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	\$1,089,888	\$0	\$1,089,888	08-Oct-15	15-Jan-16	Contract Award recommended to lowest responsive bidder, Landwehr Construction, Inc.

This work was included in the FY-2015 FMDA budget, and the contract amount of \$ 1,089,888 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of 27,090,000. PMC recommends award of the contract for \$ 1,089,888.

**ATTACHMENT(S):**

1. Recommendation of Award
2. Bid tabulation

**Submitted by:**



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Bruce J. Spiller, P.E.  
CH2M HILL  
Project Manager  
Metro Flood Diversion Project

30 Sept 2015

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Date

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Keith Berndt, Cass County Administrator

Concur:   X   Non-Concur:           

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April Walker, Fargo City Engineer

Concur:   X   Non-Concur           

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Mark Bittner, Fargo Director of Engineering

Concur:   X   Non-Concur:           

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Jason Benson, Cass County Engineer

Concur:   X   Non-Concur           

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David Overbo, Clay County Engineer

Concur:   X   Non-Concur:           

---

Robert Zimmerman, Moorhead City Engineer

Concur:   X   Non-Concur





**Fargo Office**  
520 Main Avenue  
Suite 601  
Fargo ND 58103  
Tel 701-566-5470  
Fax 701-634-9954

October 8, 2015

Metro Flood Diversion Authority  
Attention: Darrell Vanyo, Chairman  
211 9<sup>th</sup> Street South, Box 2806  
Fargo, ND 58108

Subject: Work Package 42C.2,  
In-Town Levees 2<sup>nd</sup> Street/Downtown Area Demolition Phase 42C.2,  
Park East Demolition, Fargo, North Dakota  
**Recommendation of Award**

Dear Board Members:

CH2M (Program Management Consultant) recommends the Metro Flood Diversion Authority award Work Package 42C.2, In-Town Levees 2<sup>nd</sup> Street/Downtown Area Demolition, Phase 42C.2, Park East Demolition, to Landwehr Construction, Inc. in the amount of \$1,089,888.00 as the lowest and best bid.

A public Bid Opening for this project was conducted on September 29, 2015. Twelve bids were received and ten bids were opened. Landwehr Construction's price was the lowest responsive bid and is approximately 3% higher than the Engineer's Opinion of Probable Cost. See attached Bid Summary for details.

Contact me at 208-771-1686 or [tyler.smith@ch2m.com](mailto:tyler.smith@ch2m.com) if you have any questions regarding this recommendation.

Sincerely,

Tyler Smith, P.E.  
Construction Manager  
CH2M HILL  
Owner's Representative

c: Mark Bittner/City of Fargo  
April Walker/City of Fargo  
Keith Berndt/Cass County  
Heather Worden/Cass County

Gregg Thielmann/HMG  
Randy Engelstad/HMG  
Cassie McNames/HMG  
Bruce Spiller/CH2M  
John Glatzmaier/CH2M

Attachment: Bid Summary

Park East Demolition  
 Work Package 42C.2  
 BID OPENING: September 29, 2015

**BID SUMMARY**



Bidder Name	Bid Price	Bid Bonds	Contractor Lic.	Addenda
Landwehr Construction, Inc.	\$1,089,888.00	✓	✓	✓
Industrial Builders, Inc.	\$1,105,690.00	✓	✓	✓
Reiner Contracting, Inc.	\$1,246,385.00	✓	✓	✓
U.S. Sitework, Inc.	\$1,271,305.52	✓	✓	✓
Excavating, Inc.	\$1,272,393.20	✓	✓	✓
Utility Systems of America	\$1,377,440.00	✓	✓	✓
Veit	\$1,410,309.10	✓	✓	✓
Rachel Contracting	\$1,419,927.40	✓	✓	✓
Master Construction Co., Inc.	\$1,448,332.00	✓	✓	✓
H&S Contracting	\$3,049,885.00	✓	✓	✓
Hough	Non-conforming bid	✓	✓	✗
Park	Non-conforming bid	✓	✓	✗

**Technical Advisory Recommendation**

Meeting Date: 10/2/2015

**RECOMMENDATION FOR ACTION:**

The Technical Advisory team has reviewed and recommends approval of the following Contract Action(s).

**SUMMARY OF CONTRACTING ACTION:**

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

List description of Contract Action(s):

Description	Budget Estimate (\$)
<b>Industrial Builders, Inc.</b>	
<i>Change Order #2</i>	<b>169,490.20</b>
<ul style="list-style-type: none"> <li>WP-42F.1S Flood Control, 2<sup>nd</sup> St N, South of Pump Station – Work revisions to accommodate unplanned small utility constraints (power, fiber, cable)</li> </ul>	

**Summary of Contracting History and Current Contract Action:**

Original Agreement or Amendment	Budget (\$) Change	Original Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	\$16,184,905.85	\$0.00	\$16,184,905.85	08-Oct-15	15-Jan-16	Contract Award recommended to lowest responsive bidder, Industrial Builders, Inc.
Change Order No. 1	\$0.00	\$16,184,905.85	\$16,184,905.85	08-Oct-15	15-Feb-16	Adds 30 days to the Contract Time, revises Interim Milestone A work items, and adds an option for descoping a portion of the Work
Change Order No. 2	\$169,490.20	\$16,184,905.85	\$16,354,396.05	08-Oct-15	15-Feb-16	Incorporates Work revisions to allow work around utility lines

**DISCUSSION**

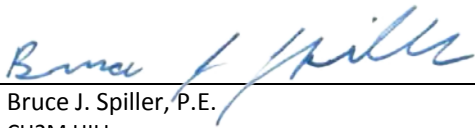
1. Change Order No. 1 accommodated a later project start than originally planned, which led to revision of the sequence of work and the substantial completion requirements of Interim Milestone A. This introduced small utility constraints not covered by the original design.
2. Owner’s Rep, DOR (HMG), and Contractor (IBI) thought these constraints would be relatively minor until the Contractor’s pre-construction small utility coordination meeting. There the project team learned existing overhead power/cable lines (Xcel Energy and CableOne) and buried fiber optic lines (Consolidated Communications and City of Fargo) have more impact than assumed by DOR.
3. DOR evaluated relocation options with small utility owners. Owner’s Rep evaluated construction work-around options with Contractor. Owner’s Rep recommends the following course of action:
  - a. Relocate overhead power/cable lines to west side of the 42A.2 project (this work and cost is included in separate Contract Action recommendations)

- b. Leave buried fiber lines in place
  - c. Award Change Order No. 2 for Contractor to revise their work to accommodate the buried fiber lines
4. Owner's Rep and DOR considered the following alternate actions:
- a. Leave overhead power/cable lines in place – Rejected because this would prevent pump station outfall from being constructed until fall season of 2016. This would have an unacceptable impact to the overall In-Town Levees schedule.
  - b. Pay Consolidated Communications to relocate their fiber onto Xcel Energy's relocated power poles – Rejected because Consolidated Communications is unable to move the lines fast enough to eliminate all Contractor work revisions. Consolidated Communications' cost (approximately \$165,000) is nearly the same as the Contractor's Change Proposal. Adding any level of reduced Contractor work revisions would result in an overall cost to the Owner that is greater than simply awarding the Change Proposal at its current price.
  - c. Pay Consolidated Communications to relocate their fiber by boring – Although this option would reduce the payment to Consolidated Communications to approximately \$150,000 and save 2-3 weeks of relocation time, it also would not eliminate all Contractor work revisions. Therefore, like above, the overall cost to the Owner would be greater than simply paying the Contractor to work around the lines.
5. Contractor's proposed Change Order price (\$169,490.20) is a fixed Lump Sum to expose, lift, brace, and move existing fiber lines while they drive sheet piling, excavate, and construct box culverts for the outfall and storm sewer to the south of the pump station. There will not be any additional cost to the Owner for managing the lines unless there are unforeseen site conditions.
6. However, the Contractor points out that the extra time associated with working around the fiber lines, as well as the time to get the overhead power lines relocated, has the potential to push their scheduled activities into winter weather they would not have otherwise encountered. Therefore, they base their Change Proposal on the following conditions:
- a. Costs for winter construction are not included, so weather conditions could result in potential additional cost to the Owner.
  - b. Liquidated Damages will not be assessed if weather conditions prevent completion of Milestone A work items that were affected by the small utility work-around.
7. Owner's Rep feels both conditions are acceptable provided Contractor puts forth sufficient good faith effort to eliminate and/or minimize weather impacts. Owner's Rep will monitor Contractor schedule and progress closely to be able to determine if potential future costs would be justified.
8. This work was included in the FY-2015 FMDA budget, and the contract amount of \$169,490.20 is less than the remaining estimated unencumbered FY 2015 FMDA Construction budget of \$27,090,000. PMC recommends award of the Change Order for \$169,490.20.

**ATTACHMENT(S):**

1. Draft Change Order No. 2
2. Contractor Change Proposal with Owner's Rep comments

**Submitted by:**



Bruce J. Spiller, P.E.  
CH2M HILL  
Project Manager  
Metro Flood Diversion Project

02 Oct 2015

Date

Keith Berndt, Cass County Administrator

Concur:  X  Non-Concur: \_\_\_\_\_

April Walker, Fargo City Engineer

Concur:  X  Non-Concur \_\_\_\_\_

Mark Bittner, Fargo Director of Engineering

Concur:  X  Non-Concur: \_\_\_\_\_

Jason Benson, Cass County Engineer

Concur: \_\_\_\_\_ Non-Concur \_\_\_\_\_

David Overbo, Clay County Engineer

Concur:  X  Non-Concur: \_\_\_\_\_

Robert Zimmerman, Moorhead City Engineer

Concur:  X  Non-Concur \_\_\_\_\_



**Change Order No.** 02

Date of Issuance: <u>10/8/2015</u>	Effective Date: <u>10/8/2015</u>
Owner: <u>Metro Flood Diversion Authority</u>	Owner's Contract No.: <u>WP-42F.1S</u>
Owner's Representative: <u>CH2M HILL Engineers, Inc.</u>	Owner's Representative Project No.: <u>435534</u>
Contractor: <u>Industrial Builders, Inc.</u>	Contractor's Project No.: _____
Engineer: <u>Houston-Moore Group, LLC</u>	Work Package No.: <u>WP-42F.1S</u>
Project: <u>Fargo-Moorhead Area Diversion</u> Contract Name: <u>Flood Control, 2<sup>nd</sup> Street North, South of Pump Station</u>	

The Contract is modified as follows upon execution of this Change Order:

**Description:**

- Incorporate costs to work around existing small utility lines (overhead power/cable and buried fiber optic) in the vicinity of the pump station under construction by adding line item 0215, *Small Utility Work-Around* as shown in the attached Change Order 2 Unit Price Schedule dated 10/8/15.

**Attachments:**

- Unit Price Schedule dated 10/8/15

<b>CHANGE IN CONTRACT PRICE</b>	<b>CHANGE IN CONTRACT TIMES</b> <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  <b>16,184,905.85</b>	Original Contract Times: Interim Milestone A: <u>November 30, 2015</u> Substantial Completion: <u>October 1, 2016</u> Ready for Final Payment: <u>June 15, 2017</u>
[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>01</u> :  <b>0.00</b>	[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>00</u> : Interim Milestone A: <u>30 days</u> Substantial Completion: <u>30 days</u> Ready for Final Payment: <u>30 days</u>
Contract Price prior to this Change Order:  <b>16,184,905.85</b>	Contract Times prior to this Change Order: Interim Milestone A: <u>December 30, 2015</u> Substantial Completion: <u>October 31, 2016</u> Ready for Final Payment: <u>July 15, 2017</u>
[Increase] [ <del>Decrease</del> ] of this Change Order:  <b>169,490.20</b>	[Increase] [ <del>Decrease</del> ] of this Change Order:  <p style="text-align: right;">N/A</p>
Contract Price incorporating this Change Order:  <b>16,354,396.05</b>	Contract Times with all approved Change Orders: Interim Milestone A: <u>December 30, 2015</u> Substantial Completion: <u>October 31, 2016</u> Ready for Final Payment: <u>July 15, 2017</u>

---

	<b>RECOMMENDED:</b>		<b>ACCEPTED:</b>		<b>ACCEPTED:</b>
By:	_____	By:	_____	By:	_____
	<b>Owner's Representative</b> (Authorized Signature)		<b>Owner</b> (Authorized Signature)		<b>Contractor</b> (Authorized Signature)
Title:	_____	Title:	_____	Title:	_____
Date:	_____	Date:	_____	Date:	_____

# Industrial Builders, Inc.

PAUL W. DIEDERICH, PRESIDENT  
DONN O. DIEDERICH, EXECUTIVE VICE PRESIDENT



## General Contractors

PHONE 701/282-4977 FAX 701/281-1409  
P.O. BOX 406 FARGO, NORTH DAKOTA 58107-0406

September 30, 2015

Mr. Tyler Smith  
CH2M Hill

Re: WP-42F.I.S - 2<sup>nd</sup> St Floodwall  
Utility Relocation - REVISED

Dear Mr. Smith,

169,490.20

*As agreed between Dave G. and T.S.  
on 10/2/15. See following pages.*

This change order in the amount of ~~\$170,766.20~~ will cover additional time for IBI and their subcontractors to work around the Consolidated and City of Fargo utility lines.

### Terms and Conditions with accepted change order:

- OH Power will still need to be relocated.
- IBI and Reiner will expose, lift, move, and brace the conduit for the Consolidated and City of Fargo lines.
- A utility company representative at their cost will be present during all times of excavation to locate, move, and facilitate our crews on proper handling of the conduit.
- With the late start and additional time for utility interference, the following terms shall apply:
  - o No liquidated damages applied for 2015 substantial completion items
  - o Additional time to the 2016 completion date would be based on work not completed due to freeze up.
- All costs associated with cold weather construction which will include but not limited to:
  - o Cold weather concrete
  - o Lost labor production
  - o Imported backfill material
  - o Heater rental and maintenance

Thank you,

David Goulet  
Project Manager  
Industrial Builders, Inc.

CC: 15274



## Working Around Utility - Change Order

Weeks  
1                      Hours  
                                 40

### Additional Labor during Utility Work

	50hr/Rate	Hrs	Weeks	Total	
1 Super	124.24	40	1	\$	4,969.60
1 Crane Operator	93.88	40	1	\$	3,755.20
✓ 1 Operators	84.54	40	1	\$	3,381.60
3 Carpenters	70.54	40	1	\$	8,464.80
4 Labors	55.68	40	1	\$	8,908.80
			Total:	\$	29,480.00

**Total Labor: \$ 29,480.00**

### IBI Equipment Rates

Qty		Weekly Rate	Hrs	Weeks	Total
1	Excavator	\$ 3,520.00	1	1	\$ 3,520.00
1	Loader	\$ 2,376.00	1	1	\$ 2,376.00
1	Crane 100 ton	\$ 5,720.00	1	1	\$ 5,720.00
✓ 2	Pickups	\$ 660.00	1	1	\$ 1,320.00
1	Step Van	\$ 1,276.00	1	1	\$ 1,276.00
2	Tool Van	\$ 1,276.00	1	1	\$ 2,552.00
1	Flatbed Truck	\$ 1,276.00	1	1	\$ 1,276.00
<del>1</del>	<del>Job Office</del>	<del>\$ 1,276.00</del>	<del>1</del>	<del>1</del>	<del>\$ 1,276.00</del>

**Total Equipment: \$ 19,316.00**

### Equipment Rental Rates

Qty		Weekly Rate	Hrs	Weeks	Totals
✓ 1	Form Rental	\$ 1,000.00	1	1	\$ 1,000.00
1	Sheeting Rental	\$ 1,012.00	1	1	\$ 1,012.00
1	Skid Steer	\$ 900.00	1	1	\$ 900.00

**Rental Equipment: \$ 2,912.00**

**10% \$ 291.20**

**TOTAL Rental Equipment: \$ 3,203.20**

### Subcontractor

	Weekly Rate	Hrs	Weeks	Total
✓ Beaver Creek Arch.	\$ 2,600.00	1	1	\$ 2,600.00
			10%	\$ 260.00

**IBI Total: \$ -54,859.20**

53,583.20

## Reiner Contracting

### Additional Labor during Utility Work

	<i>Cost / Hr</i>	<i>Total Man Hours</i>		
✓ Crew of 6 for 60 hours	\$ 85.00	360	\$	30,600.00

### Equipment

	<i>Hourly</i>			
✓ 60 hours (See attached sheet)	\$ 1,045.12	60	\$	62,707.20

### Equipment Rental

	<i>Weekly</i>			
✓ Box Rental	\$ 12,062.80	1	\$	12,062.80

Total	\$	105,370.00
10% Mark up	\$	10,537.00
<b>Reiner Total</b>	<b>\$</b>	<b>115,907.00</b>

**Grand Total** **~~\$ 170,766.20~~**

169,490.20



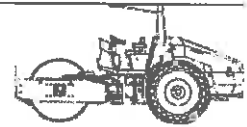
Checkout | Welcome, Craig

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- Internal Charge Rates
- Retail Rental
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- Verification
- Specs

**Caterpillar CP-56**  
Single Drum Vibratory Compactors

Size Class:  
Operating Weight W/O Ballast 8.0 - 11.9 MTons  
Weight:  
25,047 lbs.



[Compare Similar Models](#) [Add To My Fleet](#)

Configuration for CP-56

Power Mode: Diesel Drum Width: 84 in  
Drum Type: Padfoot Net Horsepower: 143.0 hp

Blue Book Rates

Rate Effective Dates:

[printable report](#)

Published Rates	Ownership Costs				Estimated Operating Costs	
	Monthly	Weekly	Daily	Hourly	Hourly	
\$5,615.00	\$1,570.00	\$395.00	\$59.00		\$38.55	
<b>Adjustments</b>						
Region (Fargo: 103%)	+\$168.45	+\$47.10	+\$11.85	+\$1.77		
Model Year (2013: 97.7%)	-\$133.02	-\$37.19	-\$9.36	-\$1.40		
Ownership (100%)						
Operating (100%)						
<b>Total:</b>	<b>\$5,850.43</b>	<b>\$1,579.91</b>	<b>\$397.49</b>	<b>\$59.37</b>	<b>\$38.55</b>	<b>97.92</b>

For details, see Rate Element Allocation

Adjustments

Default Settings

Model Year:   
 State or Province:   
Canadian Regions Alaskan Regions  
 NEW City:   
What's this  
 User Defined  
 Ownership:  %  
 Operating:  %

97.92 hr

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	51%	\$2,863.65 / mo
Overhaul (ownership)	28%	\$1,572.20 / mo
CFC (ownership)	8%	\$449.20 / mo
Indirect (ownership)	13%	\$729.95 / mo
Fuel (operating) @ \$3.73	36%	\$13.87 / hr

Revised Date: 1st Half 2015



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**Caterpillar 390D L**

Crawler Mounted Hydraulic Excavators



Size Class:

Operating Weight 66.1 - 90.0 MTons

Weight:

190,016 lbs.

Compare Similar Models

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Configuration for 390D L

Power Mode: Diesel 87.0 t Bucket Capacity - Heaped: 6.00 cy  
 Operating Weight: 87.0 t Net Horsepower: 523.0 hp

Equipment Notes: General Purpose bucket included in rate, unless otherwise noted.

Blue Book Rates

Rate Effective Dates: Always Use Current Rate

printable report

	Ownership Costs				Estimated Operating Costs	
	Monthly	Weekly	Daily	Hourly	Hourly	
Published Rates	\$27,760.00	\$7,775.00	\$1,945.00	\$290.00	\$188.90	
<b>Adjustments</b>						
Region ( Fargo: 104.8%)	+\$1,332.48	+\$373.20	+\$93.36	+\$13.92		
Model Year (2011: 98%)	-\$581.85	-\$162.96	-\$40.77	-\$6.08		
Ownership (100%)						
Operating (100%)						
<b>Total:</b>	<b>\$28,510.63</b>	<b>\$7,985.24</b>	<b>\$1,997.59</b>	<b>\$297.84</b>	<b>+</b>	<b>\$188.90 = 466.74</b>

For details, see Rate Element Allocation

Adjustments

Default Settings

Model Year: 2011  
 State or Province: North Dakota  
 Canadian Regions Alaskan Regions  
 NEW City: Fargo  
 User Defined  
 Ownership: 100.0 %  
 Operating: 100.0 %

#46674

Adjust Rates

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	36%	\$9,983.60 / mo
Overhaul (ownership)	51%	\$14,157.60 / mo
CFC (ownership)	6%	\$1,665.60 / mo
Indirect (ownership)	7%	\$1,943.20 / mo
Fuel (operating) @ \$3.46	47%	\$79.62 / hr

Revised Date: 2nd Half 2015

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**Caterpillar 349E L**  
Crawler Mounted Hydraulic Excavators



Size Class:  
**Operating Weight 40.1 - 50.0 MTons**  
Weight:  
**109,100 lbs.**

[Compare Similar Models](#) [Add To My Favourites](#)

Configuration for 349E L

Power Mode: **Diesel** Bucket Capacity - Heaped: **4.1 cy**  
Operating Weight: **49.4 t** Net Horsepower: **404.0 hp**

Equipment Notes: General Purpose bucket included in rate, unless otherwise noted.

Blue Book Rates

Rate Effective Dates:

[printable report](#)

	Ownership Costs				Estimated Operating Costs	
	Monthly	Weekly	Daily	Hourly	Hourly	
Published Rates	\$16,285.00	\$4,560.00	\$1,140.00	\$170.00	\$109.15	
<b>Adjustments</b>						
Region (Fargo: 104.8%)	+\$781.68	+\$218.88	+\$54.72	+\$8.16		
Model Year (2014: 99.5%)	-\$85.33	-\$23.89	-\$5.97	-\$0.89		
Ownership (100%)						
Operating (100%)						
<b>Total:</b>	<b>\$16,981.35</b>	<b>\$4,764.99</b>	<b>\$1,188.75</b>	<b>\$177.27</b>	<b>\$109.15</b>	

*206.42*

For details, see Rate Element Allocation

Adjustments

Default Settings

Model Year:

State or Province:

NEW City:

User Defined Ownership:  %

Operating:  %

[Adjust Rates](#)

*\$ 206.42*

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	36%	\$5,862.60 / mo
Overhaul (ownership)	51%	\$8,305.35 / mo
CFC (ownership)	6%	\$977.10 / mo
Indirect (ownership)	7%	\$1,139.95 / mo
Fuel (operating) @ \$3.46	54%	\$58.71 / hr

Revised Date: 2nd Half 2015



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**Caterpillar 950G SERIES II (disc. 2005)**

4-Wd Articulated Wheel Loaders

Size Class:  
**Net Hp 175 - 199 HP**  
 Weight:  
**39,198 lbs.**



[Compare Similar Models](#) [Add To My Fleets](#)

**Configuration for 950G SERIES II**

Power Mode: Diesel      Net Horsepower: 183.0 hp      Bucket Capacity - Heaped: 4.05 cy      Operator Protection: EROPS

Equipment Notes: Includes General Purpose bucket and ROPS, unless otherwise noted.

**Blue Book Rates**

Rate Effective Dates:

[printable report](#)

	Ownership Costs				Estimated Operating Costs	
	Monthly	Weekly	Daily	Hourly	Hourly	
Published Rates	\$5,050.00	\$1,415.00	\$355.00	\$53.00	\$38.30	
<b>Adjustments</b>						
Region (Fargo: 103.8%)	+\$191.90	+\$53.77	+\$13.49	+\$2.01		
Model Year (2005: 100%)						
Ownership (100%)						
Operating (100%)						
<b>Total:</b>	<b>\$6,241.90</b>	<b>\$1,468.77</b>	<b>\$368.49</b>	<b>\$55.01</b>	<b>+</b>	<b>\$38.30 = 93.31</b>

For details, see Rate Element Allocation

**Adjustments**

Default Settings

Model Year:

State or Province:  Canadian Regions Alaskan Regions

NEW City:  [What's this](#)

User Defined

Ownership:  %

Operating:  %

B 93 31

**Rate Element Allocation**

Element	Percentage	Value
Depreciation (ownership)	41%	\$2,070.50 / mo
Overhaul (ownership)	41%	\$2,070.50 / mo
CFC (ownership)	7%	\$353.50 / mo
Indirect (ownership)	11%	\$555.50 / mo
Fuel (operating) @ \$3.46	53%	\$20.39 / hr

Revised Date: 2nd Half 2015



Checkout | Welcome, Craig

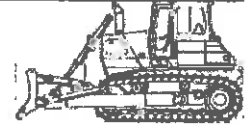
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- My EQW
- Cost Recovery**
- Internal Charge Rates
- Retail Rental
- Values
- Market Data
- Verification
- Specs

**Caterpillar D5K LGP**

Lgp Crawler Dozers

Size Class:  
Net Hp 85 - 104 HP  
Weight:  
21,347 lbs.



Compare Similar Models | Add To My Fleets

Configuration for D5K LGP

Power Mode: Diesel  
Operator Protection: ROPS/FOPS  
Dozer Type: Net Horsepower:  
VPAT 96.0 hp

Equipment Notes: Includes dozer blade and operator protection as listed.

Blue Book Rates

Rate Effective Dates: Always Use Current Rate

printable report

Published Rates	Ownership Costs				Estimated Operating Costs	
	Monthly	Weekly	Daily	Hourly	Hourly	
\$6,035.00	\$1,690.00	\$425.00	\$84.00	\$34.30		
<b>Adjustments</b>						
Region (Fargo: 103.8%)	+\$229.33	+\$64.22	+\$16.15	+\$2.43		
Model Year (2015: 100%)						
Ownership (100%)						
Operating (100%)						
<b>Total:</b>	<b>\$6,264.33</b>	<b>\$1,764.22</b>	<b>\$441.16</b>	<b>\$86.43</b>		
					+	\$34.30
						2
						100.73

For details, see Rate Element Allocation

Adjustments

Default Settings

Model Year: 2015  
 State or Province: North Dakota  
 Canadian Regions Alaskan Regions  
 NEW City: Fargo  
 User Defined  
 Ownership: 100.0 %  
 Operating: 100.0 %

Adjust Rates

100.73

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	28%	\$1,689.80 / mo
Overhaul (ownership)	60%	\$3,621.00 / mo
CFC (ownership)	5%	\$301.75 / mo
Indirect (ownership)	7%	\$422.45 / mo
Fuel (operating) @ \$3.46	41%	\$13.95 / hr

Revised Date: 2nd Half 2015

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**Technical Advisory Recommendation**

Meeting Date: 10/5/2015

**RECOMMENDATION FOR ACTION:**

The Technical Advisory team has reviewed and recommends approval of the following Contract Action(s).

**SUMMARY OF CONTRACTING ACTION:**

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

List description of Contract Action(s):

Description	Budget Estimate (\$)
<b>Industrial Builders, Inc.</b>	
<i>Work Change Directive #4</i>	<b>175,000</b>
<ul style="list-style-type: none"> <li>WP-42A.2, 2<sup>nd</sup> St North Pump Station – Authorize work revisions associated with wet well modifications resulting from the physical model study</li> </ul>	

**Summary of Contracting History and Current Contract Action:**

Original Agreement or Amendment	Budget (\$) Change	Original Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	\$8,069,000.00	\$0.00	\$8,069,000.00	9-Oct-14	31-Jan-16	Contract Award recommended to lowest responsive bidder, Industrial Builders, Inc.
Change Order No. 1	\$66,920.00	\$8,069,000.00	\$8,135,920.00	9-Oct-14	31-Jan-16	Revisions to traffic control
Change Order No. 2	\$67,397.00	\$8,069,000.00	\$8,203,317.00	9-Oct-14	31-Jan-16	Accommodate unforeseen subsurface conditions (remove concrete structure and dispose of contaminated soil)
Change Order No. 3	\$225,056.00	\$8,069,000.00	\$8,428,373.00	9-Oct-14	16-Feb-16	Change in design requirements for backfill of structure
Work Change Directive No. 4	\$175,000	\$8,428,373.00	\$8,603,373.00	9-Oct-14	20-Apr-16	Wet well modifications resulting from physical model study

**DISCUSSION**

1. Wet well physical model study concluded a limited number of modifications are necessary to correct hydraulic flow conditions into the pumps. Designer of Record recently completed design changes and submitted to Contractor for pricing.
2. Contractor provided Change Proposal on 2-Oct-15 and it is currently under review. However, price exceeds the Diversion Authority’s \$150,000 threshold for non-Board meeting approval of Work Change Directives.




- 3. Implementation of DOR’s design modifications is critical to project success and some of the materials are long lead items. Therefore, Owner’s Rep recommends approval of Work Change Directive No. 4 to allow Contractor to order essential materials while Contractor, DOR, and Owner’s Rep finalize Change Order pricing and schedule impacts.
- 4. Estimated cost of WCD-004 (\$175,000) is based on Contractor’s Change Proposal and includes an approximate 2-month impact to the current Substantial Completion date (16-Dec-15).
- 5. However, had a physical model been completed during the design phase of the project the same conclusions and recommended modifications would have been incorporated into the Contract Documents and costs would have been captured during bidding.
- 6. WCD-004, if approved, will result in Change Order No. 4 that will be presented for TAC review and Diversion Authority approval for the November Board meeting.

**ATTACHMENT(S):**

- 1. Draft Work Change Directive No. 4

**Submitted by:**

  
\_\_\_\_\_  
Bruce J. Spiller, P.E.  
CH2M HILL  
Project Manager  
Metro Flood Diversion Project

05 Oct 2015  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Keith Berndt, Cass County Administrator  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
April Walker, Fargo City Engineer  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Mark Bittner, Fargo Director of Engineering  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Jason Benson, Cass County Engineer  
Concur: \_\_\_\_\_ Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
David Overbo, Clay County Engineer  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Robert Zimmerman, Moorhead City Engineer  
Concur:  X  Non-Concur: \_\_\_\_\_



**WORK CHANGE DIRECTIVE**

**004**

TO: IBI (Dave Goulet, Project Manager) PROJECT NO.: WP-42A.2  
PROJECT: 2<sup>nd</sup> Street Pump Station  
OWNER: Metro Flood Diversion Authority  
ENGINEER: Houston Moore Group  
OWNER'S REPRESENTATIVE: CH2M

**DESCRIPTION OF WORK:**

- I. Add baffle wall per attached design north of deflection wall in wet well
- II. Fabrication of 8 vanes in each pump (5 pumps) in the pump spool between the FSI and the pump

**REASON FOR CHANGE(S):**

- 1. Site constraints for the location of the 2<sup>nd</sup> Street PS did not allow for a wet well geometry design large enough to meet Hydraulic Institute (HI) standards. HI standards, when met, provide owners and operators with confidence that pumps will operate in an efficient manner as intended throughout the range of hydraulic conditions. To correct for this, the 2<sup>nd</sup> Street Pump Station design included formed suction intakes (FSI). FSIs provide for uniform, steady flow characteristics that are free from swirl and entrained air when HI conditions cannot be met.
- 2. The USACE required, and the designer of record concurred, a physical model be conducted of the pump station to verify the FSIs and wet well geometry provided steady flow into the pumps. A physical model would ideally be completed during the design and any changes as a result of the physical model would be incorporated into the bid documents. Due to the importance of project sequencing for the downtown work, sufficient time was unavailable to conduct and complete the physical model prior to advertisement. The USACE and designer agreed that the physical model requirement could be written into the specifications for the contractor to provide as a part of the contract.
- 3. The changes included in this Work Change Directive include the addition of a baffle wall in the wet well and the addition of vanes in each pump (5 pumps) in the pump spool between the FSI and the pump. The implementation of the baffle wall fixed issues (identified in the physical model) with vortices in the wet well and helped the flow approach the FSI's uniformly. The addition of vanes also drastically improved velocities into the pumps.
- 4. Had a physical model been completed during the design phase of the project the same conclusions and recommended modifications would have been incorporated into the contract documents and costs would have been captured during bidding.

**ATTACHMENTS (List Supporting Documents):**

- 1. Attachment 1 – Baffle Wall Design (when available)
- 2. Attachment 2 – Excerpts from 22 12 00-002C Final (Physical Model) Modification Testing (when available)

**DESIGN IMPACT (List Impacts):**

Is the described change outside of the design parameters?  Yes /  No

If yes, DOR and USACE signoff are required and documented below:

\_\_\_\_\_  
[Name], P.E.  
Designer of Record

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Name]  
USACE PM

\_\_\_\_\_  
Date

It is understood that this Work Change Directive will not change the Contract Price or Times, but is evidence that the parties expect a Change Order to be subsequently issued reflecting the changes.

Recommended by:

**CH2M**

\_\_\_\_\_  
Owner's Representative

Ordered by:

**Metro Flood Diversion Authority**

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Tyler Smith, P.E.  
Construction Services Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Darrell Vanyo  
Board Chair

\_\_\_\_\_  
Date

Copy: Owner  
Designer of Record  
USACE  
Owner's Representative

DRAFT

Your Logo Here

# CHANGE ORDER REQUEST

Page 1

Industrial Builders Inc.  
14321- - WP42A.2 - Metro Flood/2nd St. Pump Station

DATE: 10/02/2015

PCO#: 11

**To:** Tyler Smith  
CH2M Hill Engineer's Inc  
657 2nd Ave N  
Fargo, ND 58105-5405  
**Phone:** 701-566-5470  
**Fax:**  
**Email:** tyler.smith@ch2m.com  
**CC:**

**From:** David Goulet  
Industrial Builders Inc.  
PO Box 406  
Fargo, ND 58107-0406  
**Phone:** 701-356-9827  
**Fax:**  
**Email:** dgoulet@industrialbuilders.com

Below is the detail for our proposal to complete the following changes in contract work:

- Baffel Wall / Straightening Veins

Proposed Scope of Work:

- This change order was initiated by the owner from the result of the physical model study.
- The price includes labor, equipment and material to build and install a baffle wall as designed by the engineer and to add straightening veins to the pumps.
- Terms and Conditions:
  - 1) Welding on the outside of the baffle NOT the inside (Please see attached drawing)
  - 2) Mill Finished Aluminum
  - 3) Price does NOT include Hoist and Stretcher ( Engineer to verify make, model, and type)
  - 4) Price good for 25 days due to current price increases in materials.
  - 5) Based on panels fitting through access hatch.
  - 6) Additional time for substantial completion will depend on shop drawing approval, manufacturing, and installation. Estimated substantial completion to be February 20, 2016

PCO Item	Status	Change (in Days)	Quantity	UM	Unit Price	Amount
1 : Baffel Wall and Straightening Veins	Pending	66	1.000	L S	170,742.50	\$170,742.50

Submitted By:

Approved By:

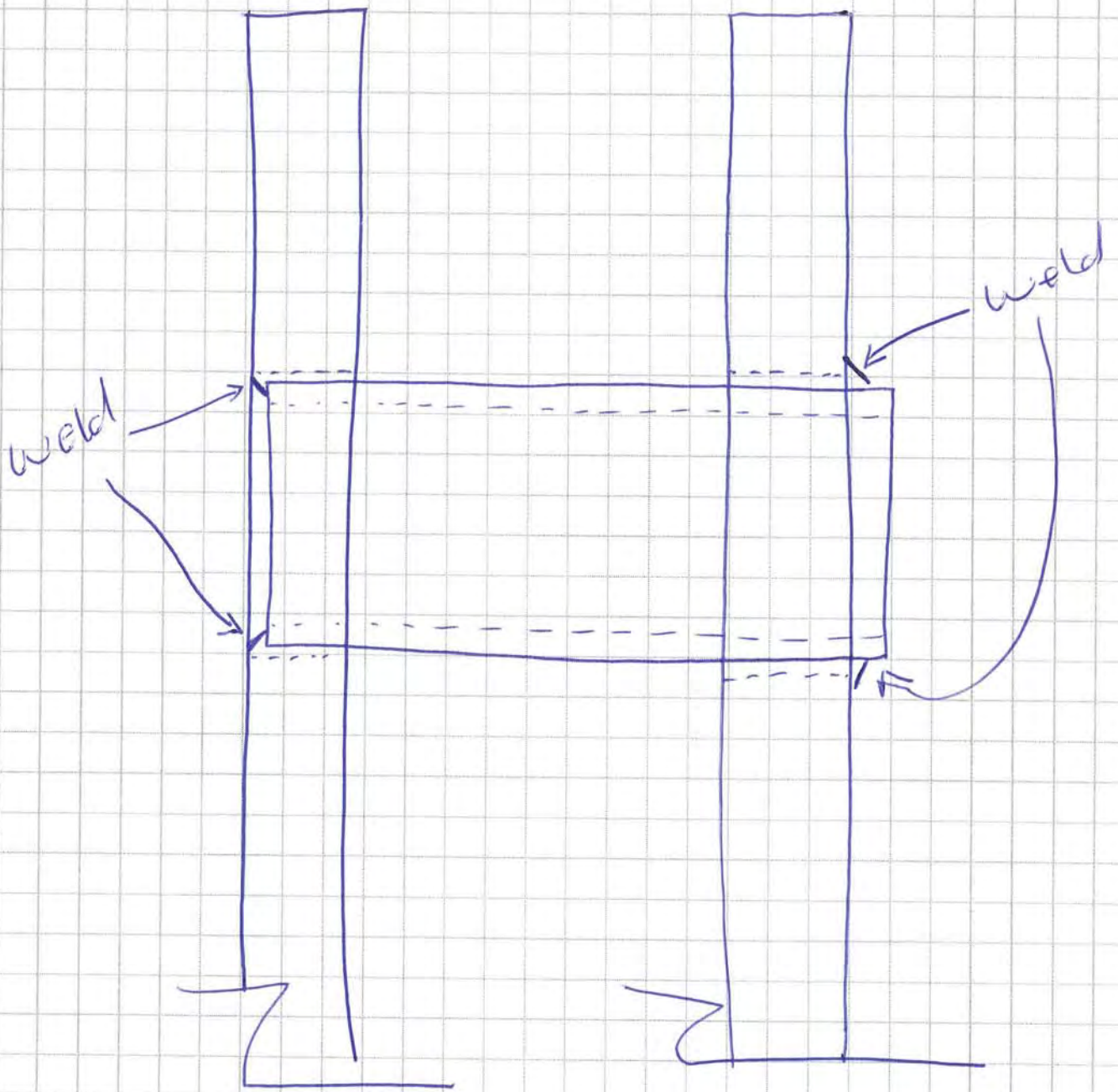
David Goulet

10/02/2015

Date

Tyler Smith  
CH2M Hill Engineer's Inc

Date



Zel'2



## Attachment 2 - Excerpts from 22 12 00-002C Final (Physical Model) Modification Testing

The modification testing up to this point has focused on the conditions in the wet well and was helpful in determining a number of things. First are the characteristics of the baffle wall to be placed under the deflection wall. The first try at this baffle wall had the thickness of the wall at approximately one hole diameter thick. The next iteration put it at approximately two diameters and then three hole diameters thick. It was determined that there was definite improvement from the baseline to the first baffle wall and also from the one hole diameter thick baffle wall to the two hole diameter thick baffle wall. There was no improvement however, from the two diameter thick baffle wall to the three diameter thick baffle wall. While there were some flow conditions where vortices were a problem most of the runs taken did not have this issue. All of the runs taken did however have a non uniform flow profile coming out from under the deflector wall approaching the FSI's. The implementation of this baffle wall fixed any issues with vortices in the wet well and helped the flow approach the FSI's uniformly.

The next focus was improving the data more by further conditioning the flow entering the FSI's. This was attempted in many ways including adding additional baffle walls directly in front of the FSI's, extending the FSI's upstream to let the flow straight more prior to the elbow, adding various bar racks in front of the FSI's and even adding a breast wall on top of the FSI's. While many of these options showed good improvements to the velocity data most of them caused more issues with the head loss approaching the FSI's than they fixed. Adding another multi hole baffle wall helped the velocity data the most. The more head loss the baffle wall caused the better the velocity data was. There were obvious issues with increasing the head loss at the pump intakes though namely a big decrease in the net positive suction head available to the pumps which has potential to change the pump curves and to cause cavitation at the impeller of the pumps. This is what led the model to implement the vanes inside of the spool between the FSI's and the pumps.

Adding vanes is a low head loss way to condition the flow prior to it reaching the pump impellers. The reason the vanes work is because they don't allow rotational flow to occur after the elbow. Without the vanes, flow from the sides of the elbow will fill in to the location downstream of the inside bend of the elbow immediately after the 90 degree bend. This is a place of low pressure so flow will tend to migrate in that direction. With the vanes, flow cannot come from the sides of the elbow so it pulls more flow from the inside of the elbow bend. The result is a more stable flow approaching the pump impellers with less rotation than if the vanes are not there. Adding the vanes drastically improves the velocity data as will be shown in the following figures.

Tables 1 through 5 show the baseline data for runs 2, 6, 8, 9 and 10. Tables 6 through 10 show the same runs with a baffle wall and modified slope under the deflection wall. Tables 11 through 15 show the same runs for the modified baffle wall with 8 larger holes added in the bottom of the



**Figure 2: Vanes were installed in the pool between the FSI's and the pumps.**



**Technical Advisory Recommendation**

Meeting Date: 10/1/2015

**RECOMMENDATION FOR ACTION:**

The Technical Advisory team has reviewed and recommends approval of the following Contract Action(s).

**SUMMARY OF CONTRACTING ACTION:**

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

List description of Contract Action(s):

**DA Payment Agreement with Enventis Telecom Inc.**

*WP-42A.1A.3 – Enventis Telecom Reroute*

**\$ 381,909**

- Enventis Telecom fiber optic lines cross the floodwall alignment in two locations necessitating their reroute.
- Enventis provided a cost estimate to reroute the lines between these two points to avoid conflict with the floodwall.
- Enventis will reroute communication lines completely out of the construction zone.

**Summary of Contracting History and Current Contract Action:**


Original Agreement or Amendment	Budget (\$) Change	Original Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Previously encumbered WP-42 Utility Relocations			\$5,300,000			A comprehensive plan identifying all utility conflicts for the in-town levee project with proposed solutions and cost estimates is forthcoming.
Payment Agreement	\$381,909	\$5,300,000	\$5, 681,909	08-Oct-15	01-Apr-16	Payment Agreement for utility relocation work under WP-42 (In Town Levees)

This change amount was not included in the FY-2015 FMDA budget, encumbering this amount will not exceed the remaining unencumbered FY-15 FMDA Construction budget of 27,090,000. PMC recommends authorization of this Payment Agreement for \$ 381,909.

**ATTACHMENT(S):**

1. Draft Payment Agreement
2. Enventis Plans

**Submitted by:**

  
\_\_\_\_\_  
Bruce J. Spiller, P.E.

CH2M HILL  
Project Manager  
Metro Flood Diversion Project

30 Sept 2015

\_\_\_\_\_  
Date

\_\_\_\_\_  
Keith Berndt, Cass County Administrator

Concur:   X   Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
April Walker, Fargo City Engineer

Concur:   X   Non-Concur \_\_\_\_\_

\_\_\_\_\_  
Mark Bittner, Fargo Director of Engineering

Concur:   X   Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Jason Benson, Cass County Engineer

Concur:   X   Non-Concur \_\_\_\_\_

\_\_\_\_\_  
David Overbo, Clay County Engineer

Concur:   X   Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Robert Zimmerman, Moorhead City Engineer

Concur:   X   Non-Concur \_\_\_\_\_



DRAFT

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

October 8, 2015

Mr. Ross Branstner  
Enventis Telcom Inc.  
3312 42nd Street S  
Suite 100  
Fargo, ND 58104

Subject: WP-42A.1/A.3 Flood Wall Project - Payment Agreement

Dear Mr. Branstner:

Thank you for providing the attached Enventis Relocation for FDA Project WP42A1 A3 (South route) Payment Agreement presenting the cost for utility construction for the portion of the WP-42A.1/A.3 In-Town Levees - 2nd Street/Downtown Area in Fargo, ND, which was received by the Diversion Authority on May 11, 2015.

The Diversion Authority understands that this Enventis Relocation for FDA Project WP42A1 A3 (South route) Payment Agreement is anticipated to cover all labor, materials, and commissioning necessary to put this segment of Enventis Telcom Inc.'s utility lines in service. The Diversion Authority agrees in concept that the project Payment Agreement, and the described work, is required to accommodate flood protection feature construction with which these utilities were in conflict, and agrees to reimburse the total cost of \$381,909 for this segment of the work.

If Enventis Telcom Inc. agrees with this Payment Agreement, please sign the attached Payment 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

To ensure prompt processing and payment, please submit all invoices for this work to the following email inbox for processing: [APInvoicesFMDiv@ch2m.com](mailto:APInvoicesFMDiv@ch2m.com).

Please reference PO \_\_\_\_\_ on each invoice.

<u>City of Fargo</u>	<u>City of Moorhead</u>	<u>Cass County</u>	<u>Clay County</u>	<u>Cass County Joint Water Resource District</u>	<u>Buffalo-Red River Watershed District</u>
Tim Mahoney	Nancy Otto	Darrell Vanyo, <i>Chair</i>	Kevin Campbell	Rodger Olson	Gerald Van Amburg (ex-officio)
Melissa Sobolik		Ken Pawluk			
Mike Williams		Mike Thorstad (City of West Fargo)			

MR. ROSS BRANSTNER  
PAGE 2  
OCTOBER 8, 2015

Sincerely,

Darrell Vanyo, Chairman  
Flood Diversion Board of Authority

Eventis-Payment Agreement

c: Mr. Keith Berndt  
Mr. Bruce Spiller

Attachment: Payment Agreement

**DRAFT**

## PAYMENT AGREEMENT

This Payment Agreement (the "Agreement") is entered into by and between Enventis Telcom Inc. a Consolidated Communication Company, ("Enventis"), with its principle place of business at 221 East Hickory Street, Mankato, MN 56002 and FM Area Diversion Authority ("Diversion Authority"), with its principle place of business at Box 2806, 211 Ninth Street South, Fargo, ND 58108.

**WHEREAS**, Enventis operates facility based telecommunications services and provides services to customers in the greater Fargo area.

**WHEREAS**, Enventis has lawfully placed certain facilities including fiber optic cable within City of Fargo Right of Way.

**WHEREAS**, Diversion Authority now desires for Enventis to relocate facilities to accommodate its plan for construction of lift station and flood wall infrastructure known as **Project WP42A1/A3**

**WHEREAS**, Diversion Authority has provided project plans to Enventis and Enventis has determined costs for relocations based on those plans.

**NOW THEREFORE**, in consideration of the mutual promises as set forth in this Agreement and for other good and valuable consideration, the Parties hereby as follows:

1. **Enventis** agrees to relocate its cables within the construction zone so that construction activity for the Diversion Authority project, as outlined in its plans, will not have to work around operational cable facilities. The area Enventis is impacted by this project is along 2<sup>nd</sup> St S starting at the intersection of 4<sup>th</sup> St S & 2<sup>nd</sup> St S and ending at the intersection of 2<sup>nd</sup> St N & 1<sup>st</sup> Ave N. There is an existing 192 strand fiber, 144 strand fiber and 96 strand fiber along with multiple underground vaults and splice cases that need to be rerouted. Because of the late start of this project it has been determined that Enventis will not be impacted until the summer of 2016. Enventis will complete relocation or replacement of cable by April 1<sup>st</sup> 2016.

2. **Diversion Authority** will compensate Enventis for work to relocate its facilities out of the area of conflict. Based on the plans provided, Enventis has made a good faith estimate of these costs to be \$381,909. Diversion Authority agrees to pay 100% of the relocation costs and make payment to Enventis on a monthly basis at minimum or as often as possible.

3. **Changes.** In the event of changes in the Diversion Authority project or other unforeseen events that may cause Enventis to incur additional costs, Enventis shall notify in writing to the Diversion Authority of the additional cost and reserves the right to submit additional costs to the City for payment.

4. **Authorization.** The Parties and their undersigned representatives hereby represent and warrant that they are authorized to bind the entities on whose behalf they enter into this Settlement Agreement.

5. **Effective Date.** This Agreement shall be effective on the date it has been executed by all Parties.

6. **Electronic Signatures and Counterparts.** The Parties agree that signatures contained in an electronic or faxed copy of this Settlement Agreement shall be sufficient to bind the Parties and shall have the same effect as an original, ink-signed signature. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

7. **Interpretation and Drafting.** This Agreement shall also be construed as a whole according to its fair meaning. The Parties agree that this Agreement shall not be construed in favor of or against either party.

8. **Entire Agreement and No Representations.** The Parties agree that this Agreement constitutes the entire agreement between Enventis and the Diversion Authority. Each party acknowledges that the other party and its attorneys have made no representations or promises other than those in this Agreement and each party specifically disclaims any representations or promises except to the extent that they are contained in this Agreement.

9. **Governing Law.** This Agreement shall be construed and enforced in accordance with the laws of the state of North Dakota.

Signature page follows.

Each Party's signature below represents that it has read and understood, and accepts the terms and conditions of this agreement.

Date: \_\_\_\_\_, 2015

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

\_\_\_\_\_  
( printed name)

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

**Eventis Telecom Inc.**

**A Consolidated Communication Company**

Date: \_\_\_\_\_, 2015

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

\_\_\_\_\_  
(printed name)

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



September 30th, 2015

FM Area Diversion Authority  
Box 2806  
211 9<sup>th</sup> St S  
Fargo, North Dakota 58108

Dear Diversion Authority:

Consolidated Communications Formerly Enventis was approached by Houston Engineering about relocating some of our facilities for the Flood Wall Levee Project# WP42A1/A3 along 2<sup>nd</sup> St S between 4<sup>th</sup> St S & Main Ave. We currently have fiber optic lines that run along the South side of 2<sup>nd</sup> St S which are in conflict with the new flood wall that is being constructed. The anticipated cost of relocating these facilities along 2<sup>nd</sup> St S for this project is \$381,909. With that being said we have worked with the City of Fargo to come up with an alternate route to reroute our facilities up 4<sup>th</sup> St N instead trying to relocate our facilities along 2<sup>nd</sup> St S. This way we are totally out of the area of this flood project and do not have to worry about any future conflicts and we won't have to worry about trying to work on our relocation project while other contractors are trying to complete their levee work. We are only asking to be reimbursed for the estimated cost of relocation along 2<sup>nd</sup> St S and Consolidated Communications will end up fronting the remainder of the cost to relocate the alternate route up 4<sup>th</sup> St S. We feel this is a win, win option for both sides. I have attached a diagram of the area described which shows our current fiber location as well as the alternate route that we will be using. We have been waiting for the Diversion Authority to sign off on our relocation agreement for going on two months now. Out of good faith we have started our construction along 4<sup>th</sup> St without having this relocation agreement signed in order to move this project along and get this work completed before the ground freezes. We need to get this relocation agreement signed ASAP as we have invested a lot of capital dollars on this relocation project and we will not be moving forward with any further relocation projects until this one is signed and we have a guarantee that we will be reimbursed for our work. I have also attached a breakdown of the relocation costs for 2<sup>nd</sup> St S.

If you require any further information or have any questions don't hesitate to call me at 701-306-9734 or email me at [Ross.Branstner@consolidated.com](mailto:Ross.Branstner@consolidated.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ross Branstner".

Ross Branstner

Outside Plant Supervisor



The red running line is the running line of our current fiber optic line along 2<sup>nd</sup> St S that is in conflict with the flood wall project. The blue line is the alternate route that we have worked out with the City of Fargo.



Breakdown in cost of the relocation estimate for 2<sup>nd</sup> St S.

<u>Item</u>	<u>Description</u>	<u>Cost</u>
Materials	Fiber, duct, vaults, splice cases, etc.	\$75,000
Contractor labor	Boring duct, setting vaults, pulling fiber, concrete work, etc.	\$175,000
Internal labor	Engineering design, permitting, spicing, maintenance	\$131,000
	monitoring, internal labor, etc.	
	<b>Total</b>	<b>\$381,909</b>

**Technical Advisory Recommendation**

Meeting Date: 10/2/2015

**RECOMMENDATION FOR ACTION:**

The Technical Advisory team has reviewed and recommends approval of the following Contract Action(s).

**SUMMARY OF CONTRACTING ACTION:**

The Owner’s Representative has reviewed and recommends the following Contract Action(s):

List description of Contract Action(s):

**Xcel Energy** 55,000

*Payment Agreement*

- Utility Relocation – work to move overhead power lines to facilitate WP-42F.1S construction

**Summary of Contracting History and Current Contract Action:**

Original Agreement or Amendment	Budget (\$) Change	Original Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Previously encumbered WP-42 Utility Relocations			\$5,681,909			A comprehensive plan identifying all utility conflicts for the in-town levee project with proposed solutions and cost estimates is forthcoming.
Payment Agreement	\$55,000	\$5,681,909	\$5,736,909	08-Oct-15	01-Apr-16	Payment Agreement for utility relocation work under WP-42 (In Town Levees)

**DISCUSSION**

1. Xcel Energy’s overhead power lines on 2<sup>nd</sup> Street constrain the Contractor for WP-42F.1S (Industrial Builders, Inc.) in the ability to install sheet piling, excavate, and install box culvert for the pump station outfall. This constraint and subsequent relocation was anticipated, but the Designer of Record (HMG) expected this to occur later in the project schedule.
2. Change Order No. 1 for WP-42F.1S accommodated a later project start than originally planned, which led to revision of the sequence of work and the substantial completion requirements of Interim Milestone A. This revision caused Xcel Energy’s line to be in conflict with project construction earlier than planned.
3. Owner’s Rep and DOR considered the option of not relocating the overhead power lines until 2016. This option was rejected because it would prevent the pump station outfall from being constructed until fall season of 2016 when river levels are lowest. This would have an unacceptable impact to the overall In-Town Levees schedule.
4. In coordination with the 42F.1S project team (DOR, Owner’s Rep, and Contractor), Xcel Energy developed a relocation solution that allows the Contractor to meet his scope requirements. DOR evaluated Xcel Energy’s proposal and finds it technically acceptable.
5. To accommodate the 42F.1S schedule, Xcel Energy’s proposed price (\$55,000) is only a budgetary estimate. The time to develop a fixed price would have resulted in increased cost to the Owner from delays to the Contractor’s schedule. Xcel Energy proposes to submit actual costs after the relocation is

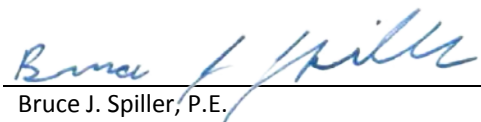
complete. Given the urgency of removing this constraint from 42F.1S to allow the Contractor to construct the outfall in 2015, Owner's Rep and DOR feel this strategy is acceptable.

- 6. This change amount was not included in the FY-2015 FMDA budget. Encumbering this amount will not exceed the remaining unencumbered FY-15 FMDA Construction budget of \$27,090,000. PMC recommends authorization of this Payment Agreement for an estimated \$55,000.

**ATTACHMENT(S):**

- 1. Payment Agreement inclusive of estimated price and proposed scope
- 2. PMC's cover letter to Payment Agreement (when available)

**Submitted by:**

  
\_\_\_\_\_  
Bruce J. Spiller, P.E.  
CH2M HILL  
Project Manager  
Metro Flood Diversion Project

02 Oct 2015  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Keith Berndt, Cass County Administrator  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
April Walker, Fargo City Engineer  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Mark Bittner, Fargo Director of Engineering  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Jason Benson, Cass County Engineer  
Concur: \_\_\_\_\_ Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
David Overbo, Clay County Engineer  
Concur:  X  Non-Concur: \_\_\_\_\_

\_\_\_\_\_  
Robert Zimmerman, Moorhead City Engineer  
Concur:  X  Non-Concur: \_\_\_\_\_



September 30, 2015

Flood Diversion Board of Authority  
Box 2806  
211 Ninth Street South  
Fargo, ND 58108  
Subject: 2nd St N Flood Project

Thank you for the opportunity to respond to your request for a cost estimate regarding the 2<sup>nd</sup> St N floodwall/levee project - The relocation of existing overhead facilities, to be moved out of the east right of way.

Your request is for Xcel Energy to relocate the existing overhead feeder lines to a new location west of the dig area for the 2<sup>nd</sup> St N realignment. The poles will be set west of the proposed sidewalk.

The cost to remove overhead distribution facilities and install new underground facilities for this project would be \$55,000. The cost was derived at by calculating the total cost to install the new overhead feeder line to the west and the removal of a pole and two spans of conductor in the east right of way of 2<sup>nd</sup> St N.

**Relocation Costs;**

Labor - \$29,000

Material - \$20,000

Transportation - \$6000

**Total - \$55,000**

This agreement is a cost estimate. The actual cost will be trued-up after construction is complete and the Diversion Authority will be charged accordingly.

The Diversion Authority is responsible for any costs exceeding this estimate after actual costs have been determined, and would be reimbursed any costs less than estimated.

The primary cost elements included in this cost are as follows:

- A) The installation of 4,600' of overhead conductor
- B) The installation of 6 utility poles
- C) The removal of one pole in the east right of way
- D) The removal of 1200' of conductor in the east right of way

Please note that these costs are excluded from this estimate:

- 1) Removal of cable television, telephone, or telecommunications equipment attached to poles.

- 2) Future relocation work due to new development or conflicts with construction.
- 3) Rewiring of customer secondary services to new connection points or to accept underground service. It is the requestor's responsibility to contact customers regarding any needed rewiring of their services.
- 4) Xcel Energy requires that a licensed, qualified survey group verifies that all chosen locations for the Xcel Energy facilities.
- 5) Winter Construction charges

Should the FM Diversion Authority choose to proceed with this project, please have the appropriate party sign and date the "Statement of Work Requested" contract. Return all copies to me at 2302 Great Northern Dr Fargo, ND 58102. A signed copy will be returned to you at a later date.

This cost is good for 90 days from the date of this letter. Any agreement reached after this date would be subject to a review of the estimate, which could include a change to the above stated cost.

If you have any questions, please contact me at (701) 241-8663.

Sincerely,

**Travis Lill**  
Designer  
Xcel Energy Inc.



# INFO SHEET 1

## Fargo-Moorhead Flood Risk Management Project Draft Environmental Impact Statement (EIS)

MINNESOTA DEPARTMENT OF NATURAL RESOURCES | SEPT 2015

**The Fargo-Moorhead Flood Risk Management Project** (the Project) is proposed by the Fargo-Moorhead Diversion Authority. The Diversion Authority's purpose for the Project is to reduce flood risk, flood damages and flood protection costs related to flooding in the Fargo-Moorhead metropolitan area. The Project would create two dams spanning the Wild Rice River (North Dakota) and Red River (North Dakota and Minnesota). Operation of these dams would create an upstream water storage area (staging area) and divert a portion of water flow from

upstream rivers into a 30-mile long diversion channel on the west side of the Fargo-Moorhead urban area. The project requires a high hazard dam. Because of this, the Minnesota Department of Natural Resources (MNDNR) is required to prepare an Environmental Impact Statement (EIS) to evaluate the environmental and social impacts of the Project. MNDNR has recently published and encourages public comment on the Draft EIS. Below is information that may help answer some questions about the Project and the content of the Draft EIS.

### What's in the EIS?

The EIS is not a decisional document, but rather evaluates and discloses potential project impacts and proposed mitigations for those impacts. For the purposes of evaluating the Project as proposed and potential alternatives in the Draft EIS, MNDNR must accept the Diversion Authority's project purpose. Decisions about whether to proceed with the project can only be made following completion of the final EIS. For the state of Minnesota, these decisions about whether to proceed will involve both permitting and funding.

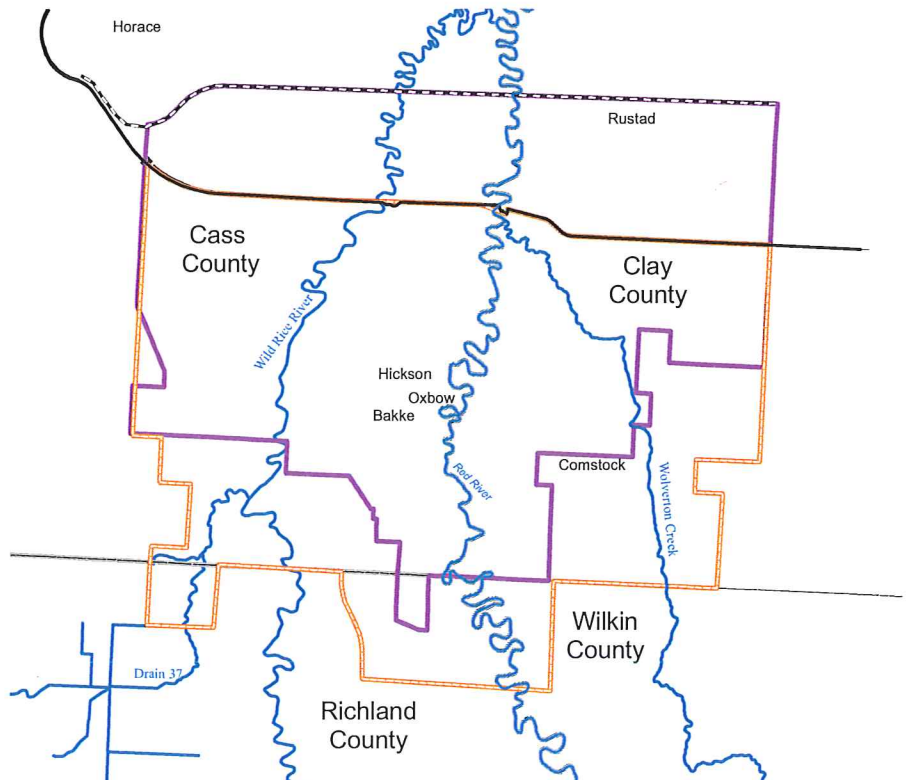
Some of the issues considered in the EIS include:

- Project purpose
- Hydrology and hydraulics
- FEMA and flood map revision process
- Stream stability
- Fish passage and biological connectivity
- Land use
- Dam safety
- Socioeconomics
- Mitigation measures
- Project alternatives

**The Draft EIS evaluates the Project and a potential alternative to the Project, called the Northern Alignment Alternative (NAA). The NAA is very similar to the Project, but moves the southern tieback embankment, control structures and the staging area approximately 1.5 miles north (shown on the map at right).**

#### Legend

- Rivers/Streams
- Proposed Project Alignment
- Northern Alignment
- Project Staging Area
- Northern Alignment Staging Area
- County Boundaries



**How to Comment on the EIS:** \_\_\_\_\_

MNDNR will take comments on the content of the Draft EIS. The agency is required to respond to all substantive comments received during the public comment period (Sept. 14-Oct 28). Responses will be included in the Final EIS.

- A substantive comment includes information that MNDNR can use to improve the content of the EIS. Generally, these comments alert the MNDNR to information within the Draft EIS that may be incorrect or missing from an analysis.
- If commenting on information that is incorrect, missing, or requiring more analysis, the comment should identify the topic and briefly explain why it requires consideration. It is not necessarily the responsibility of the commenter to be able to provide the correct or missing information, although this is welcomed where possible.
- Regardless of how many people send comments, or what the commenter's title/role is, each comment is individually reviewed and considered.

**Next Steps in the EIS :** \_\_\_\_\_

- Draft EIS comment period ends.
- MNDNR considers and responds to all substantive comments on the Draft EIS.
- Final EIS is prepared.
- MNDNR will determine if the EIS is adequate after the Final EIS is published.

**For more information:** \_\_\_\_\_

[http://www.dnr.state.mn.us/input/environmentalreview/fm\\_flood\\_risk/index.html](http://www.dnr.state.mn.us/input/environmentalreview/fm_flood_risk/index.html)



# ALTERNATIVES COMPARISON

In accordance with Minnesota Rules 4410.3900 Subpart G, the Draft Environmental Impact Statement (DEIS) compares the potentially significant impacts of the Project with those of other “reasonable” alternatives. “Reasonable” alternatives are those alternatives that meet the Project purpose as defined by the Project Proposer (see Info Sheet 3). The Northern Alignment Alternative (NAA) is the only alternative that was found to meet the Project purpose. (Comparison of Alternatives is Chapter 5 in the DEIS)

## FARGO-MOORHEAD FLOOD RISK MANAGEMENT PROJECT DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

The following information highlights some of the differences between the proposed Project and the NAA by topic type, with references to details in the DEIS. Note that not all topics or differences covered in the DEIS are included below. The DEIS contains other valuable information on the Project and NAA (as well as the Base No Action Alternatives not discussed in this Info Sheet), such as impacts not identified here, design differences, other environmental considerations, and proposed and/or recommended mitigation.

Proposed Project	Northern Alignment Alternative
<p><b>Hydrology and Hydraulics (Section 3.1):</b> One of the main differences between the Project and the NAA is the approximately 1.5 mile difference in location of the tieback embankment. Flood elevations, depths, and duration, among other factors, would depend on the tieback embankment's location.</p>	
<ul style="list-style-type: none"> <li>• 1,577 (1%) fewer total flooded areas in the project area under the 100-year flood</li> <li>• 6,294 (9%) more acres protected under the 100-year flood</li> </ul>	<ul style="list-style-type: none"> <li>• 4,717 (26%) fewer newly flooded acres in project area under the 100-year flood</li> </ul>
<p><b>Wetlands (Section 3.4):</b> Wetlands that are located between the Project and the NAA alignments have yet to be field verified, so exact acreages are unknown. Estimates were provided based on available information where feasible. It is estimated that about 84% of wetlands that would be directly impacted by construction of the Project or NAA are considered to be of low function.</p>	
<ul style="list-style-type: none"> <li>• 1,820 wetland acres directly impacted.</li> <li>• Direct wetland impact from Comstock Levee estimated to be less than 5 acres.</li> <li>• Indirect and temporary impacts to an estimated 151 acres in inundated areas.</li> </ul>	<ul style="list-style-type: none"> <li>• An estimated 8 fewer wetland acres impacted (approximately 5 acres for the Comstock levee, which would not be constructed under the NAA, and approximately 3 acres less of indirect impacts that would result from flooding (assuming a 100-year flood)).</li> </ul>
<p><b>Fish Passage and Biological Connectivity (Section 3.8):</b> Impacts to fish, invertebrates, and aquatic habitats are dependent on Project operation, weather, final design of structures, and timing of operation with fish movement.</p>	
<ul style="list-style-type: none"> <li>• May have slightly less fish passage and aquatic habitat impacts on the Wild Rice River.</li> </ul>	<ul style="list-style-type: none"> <li>• Located further away from the confluence of Wolverton Creek and Red River and closer to the confluence of Wild Rice and Red Rivers, which could lower velocities on Red River and Wolverton during Project operation drawdown, providing better fish passage.</li> </ul>



**Cultural Resources (Section 3.12):** A complete comparison cannot be made due to incomplete information, so it is unknown at this time if there would be major differences between the Project and NAA. Complete data would likely be required for permitting. The items included are those differences that are currently known.

- May impact one less National Register of Historic Places-eligible site, one less National Register of Historic Places (NRHP) - recommended eligible site, and two less sites listed as NRHP-undetermined eligibility.

- Would impact two fewer cemeteries (one added from Project-Benefited Area (i.e., the area located north of the tieback embankment - the Fargo-Moorhead urban area) and three dropped from Project-defined staging area).

**Land Use Plans and Regulations (Section 3.14):** The 1.5 miles of floodplain between the Project and NAA alignments would be an active floodplain up to a 10-year event with either alternative.

- Would result in more land available for development north of the tieback embankment.
- Would result in fewer impacts to land use plans and regulations in Cass and Clay Counties.

- Would result in fewer impacts to land use plans and regulations in Wilkin and Richland Counties.
- Operation would not increase flood elevations for the City of Comstock.

**Socioeconomics (Section 3.16):** It should be noted that the cost of a project or alternative is not sufficient cause to dismiss an alternative in State environmental review.

- Would result in 274 (214 non-residential and 60 residential; 33%) fewer total structures impacted by flooding under a 100-year flood.
- Would impact 75 (14%) fewer parcels during the 100-year flood.
- An estimated \$71 million (35%) less business losses.
- Would result in 68 less structures requiring flood insurance.
- The expected cost of land acquisition and damages (approximately \$68 million) would be approximately 25% less.
- Would result in approximately \$1 million (13%) less average annual relocation costs to North Dakota.
- Construction cost would be \$81 million (4%) less.

- Approximately 1,000 (42%) less acres of organic farms (two farms) would be flooded during a 100-year flood than under the Project.



# Land Management Summary

October 8, 2015

## Acquisitions Completed Through September 30, 2015

Property Type	Complete	
	Properties	Acreage
Single-Family Residential	26	35
<i>Subset: Medical Hardship</i>	5	27
Agricultural	22	2,457
Commercial	3	295
Multi-Family Residential	--	--
Public	3	3
Other	--	--

## Acquisition Budget Through September 30, 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	27	\$106,700	\$43,494	\$29,054	\$34,152

### Other News for month of August:

- There are twelve (12) homes currently under construction in Oxbow. Six (6) homes have been completed and the owners have been relocated.
- Closed on three (3) residential properties in Oxbow, one (1) agricultural property near Oxbow, and two (2) residential In-Town properties.
- Received approval from USACE on one (1) Staging Area and one (1) Oxbow residential appraisal.
- Several appraisals are awaiting review and approval by USACE, including:
  - ProSource has three (3) appraisals with USACE for review.
  - Ulteig has one (1) appraisal with USACE for review.
  - HMG has one (1) appraisal with USACE for review.
- Bids were opened for the Park East Demolition project.
- 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

October 8, 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
Agricultural property 49.5ac – S13, T137, R49	1931, 1936	Agricultural	Closed	Ulteig/Bock	
Agricultural property 140ac – S23, T137, R49; S24, T137, R49	1979, 1987	Agricultural	Closed	Ulteig/Bock	
16 North Terrace	9167	Residential	Closed	HMG/Britton	
26 North Terrace	9196	Residential	Closed	HMG/Britton	
353 Schnell Drive	9665	Residential	Closed	ProSource/Hraba	
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	
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	
16678 3 <sup>rd</sup> St S	1802	Residential	In Negotiation	HMG/Britton	
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	

# Land Management Summary

October 8, 2015

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser	Est. Closing Date
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	
17556 Pfiffer Dr	9383	Residential	In Negotiation <sup>2</sup>	Ulteig/Bock	
839 Riverbend Road	9503	Residential	In Negotiation <sup>2</sup>	Ulteig/Bock	
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	
477 Oxbow Drive	9614	Vacant Lot	In Negotiation	ProSource /Bock	

# Land Management Summary

October 8, 2015

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser	Est.Closing Date
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	
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	
Agricultural Property 320ac – S28, T137, R48; S37, T137, R48	1790,1811	Agricultural	In Negotiation	Crown/Berg	

# Land Management Summary

October 8, 2015

Street Address	USACE Orig ID No.	Type	Activity <sup>1</sup>	Land Acq Firm/ Appraiser	Est. Closing Date
17465 49 <sup>th</sup> St SE	9403	Residential	Appraisal in Review	Ulteig/Bock	
843 Riverbend Road	9502	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 October 8, 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
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
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>
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# Land Management Summary

October 8, 2015

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.



**STATEMENT OF WORK REQUESTED**

DATE: September 30th 2015  
 WORK REQUESTED BY: FLOOD DIVERSION BOARD OF AUTHORITY  
 WORK LOCATION: 2ND ST N FARGO  
 ADDRESS: BOX 2806 211 NINTH STREET SOUTH  
FARGO, ND 58108

CONSISTING OF:

The primary cost elements included in this cost are as follows:

- A) The installation of 4,600' of overhead conductor
  - B) The installation of 6 utility poles
  - C) The removal of one pole in the east right of way
  - D) The removal of 1200' of conductor in the east right of way
- See the cover letter for additional details.

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

(\$ 55000.00)

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")

Brad Sylliaasen  
 Print Full Name and Title

Print Full Name and Title (if applicable)

Signature

Signature

**FOR XCEL ENERGY USE**

Xcel Energy Representative \_\_\_\_\_

Xcel Energy Work Order # \_\_\_\_\_

Construction \$ 55000.00 Removal \$ \_\_\_\_\_ Total \$ 55000.00





211 9th Street South, P.O. Box 2806, Fargo, ND 58108-2806  
Phone 701-241-5600 Fax 701-241-5728

October 8, 2015

Darrell Vanyo, Chairperson  
Diversion Board of Authority  
211 9<sup>th</sup> Street South  
Fargo ND 58103


Re: Loan Drawdown Request

Dear Chairman Vanyo:

We are requesting a drawdown of the final \$25 million from the U.S. Bank loan the City of Fargo took out this spring. As part of the Intergovernmental Agreement between Cass County and the City of Fargo, drawdown requests have to be approved by the Diversion Authority Finance Committee. The Finance Committee approved the drawdown request at its meeting yesterday.

As property purchases and Oxbow and In-Town construction continues, funds will be needed to meet the obligations as they become due. We currently have \$14 million on hand and have \$9.5 million in bills to be paid in the next month.

Sincerely,

  
Michael Montplaisir  
Finance Chairperson  
Diversion Board of Authority

SUGGESTED MOTION:

Move to authorize the City Finance Director to initiate a draw request for loan funds from U.S. Bank in the amount of \$25 million to pay for construction and other expenses of the Diversion Board of Authority.

Finance Committee Bills for October 2015

Vendor	Description	Amount
Xcel Energy	Utility relocation - 304 4th Street South	\$16,275.85
Fredrikson & Bryon, P.A.	Government Relations Fee - September	\$3,500.00
Consolidated Communications	Utility relocation for in-town levees	\$131,149.35
Consolidated Communications	Utility relocation for in-town levees	\$83,595.68
Terracon	2nd Street North levee work - June	\$11,015.75
Terracon	4th Street South levee work - June	\$11,585.25
Terracon	2nd Street North levee work - July	\$17,846.50
Terracon	4th Street South levee work - July	\$12,886.35
Erik R. Johnson & Associates, Ltd.	Metro Flood Project - General Legal Matters for September	\$6,046.05
Erik R. Johnson & Associates, Ltd.	Metro Flood Project - LEERDS Matters for September	\$2,302.65
Dorsey & Whitney	Legal Services Rendered through 8/31/2015	\$76,494.10
Cass County Joint Water Resource District	Reimburse Diversion bills	\$5,410,620.23
North Dakota State University	Ag Risk Economic Evaluation Study	\$135,367.00
Total Bills Received in September		<u>\$5,918,684.76</u>



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE	
FLOOD DIVERSION AUTHORITY NDND BOX 2806 211 NINTH ST S FARGO ND 58108-2806	51-0011013388-8	10/08/2015	
	STATEMENT NUMBER	STATEMENT DATE	AMOUNT DUE
	470962961	09/08/2015	\$16,275.85

**QUESTIONS ABOUT YOUR BILL?**

See our website: [xcelenergy.com](http://xcelenergy.com)  
 Email us at: [Customerservice@xcelenergy.com](mailto:Customerservice@xcelenergy.com)  
 Please Call: 1-800-481-4700  
 Hearing Impaired: 1-800-895-4949  
 Fax: 1-800-311-0050  
 Or write us at: XCEL ENERGY  
 PO BOX 8  
 EAU CLAIRE WI 54702-0008

**SUMMARY OF CURRENT CHARGES** (detailed charges begin on page 2)

Non-Recurring Charges / Credits	\$16,275.85
<b>Current Charges</b>	<b>\$16,275.85</b>

**ACCOUNT BALANCE**

Previous Balance	\$0.00
No Payments Received	\$0.00
Balance Forward	<b>\$0.00</b>
Current Charges	\$16,275.85
<b>Amount Due</b>	<b>\$16,275.85</b>

Stealing electricity or natural gas is dangerous, against the law and ultimately costs all of our customers. Protect yourself and others by reporting anyone tapping into a line, bypassing a meter, tampering with equipment or otherwise stealing energy to Xcel Energy's *Revenue Assurance Hotline* at 1-888-823-1511. Information you report will be kept confidential and you'll remain anonymous.

RETURN BOTTOM PORTION WITH YOUR PAYMENT • PLEASE DO NOT USE STAPLES, TAPE OR PAPER CLIPS



ACCOUNT NUMBER	DUE DATE	AMOUNT DUE	AMOUNT ENCLOSED
51-0011013388-8	10/08/2015	\$16,275.85	

OCTOBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

MB 01 006689 31358 B 36 D



FLOOD DIVERSION AUTHORITY NDND  
 BOX 2806 211 NINTH ST S  
 FARGO ND 58108-2806



XCEL ENERGY  
 P.O. BOX 9477  
 MPLS MN 55484-9477

**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: 1332492  
Client Account: 072720.0001  
Regarding: Government Relations LOB 30321  
Invoice Date: September 10, 2015

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Total Fees:	\$ 3,500.00
Total This Invoice	\$ 3,500.00

***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:** 1332492  
**Client Account:** 072720.0001  
**Regarding:** Government Relations LOB 30321  
**Invoice Date:** September 10, 2015

Government Relations flat fee payment 3 of 12.

<b>Total For Fees</b>	<b>\$ 3,500.00</b>
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<b>Total This Invoice</b>	<b>\$ 3,500.00</b>
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**Consolidated**<sup>®</sup>  
**communications**  
 formerly Enventis

Invoice: 70091-000000109  
 Invoice Date: 8/13/2015  
 Page: 1 of 1

**INVOICE**

Please Remit To: Consolidated Communications  
 121 South 17th Street  
 Mattoon, Illinois 61938-3987

Customer No: CST0001502  
 Payment Terms: Day 30  
 Due Date: 9/12/2015

FM Area Diversion Authority  
 c/o Project WP42D  
 Box 2806  
 211 9th St. S  
 Fargo ND 58108  
 US

**AMOUNT DUE: 131,149.35 USD**

Amount Remitted

For billing questions, please call 1-877-561-7108

Line	Description	Quantity	UOM	Unit Amt	Net Amount
Ship to Address:					
1	ENGINEERING LABOR Engineering Labor = 53 hours / \$4,051.56	1.00	EA	4,051.56	4,051.56
2	SUB-CONTRACT LABOR Sub-Contract Labor	1.00	EA	127,097.79	127,097.79
Subtotal:					131,149.35
<b>AMOUNT DUE:</b>					<b>131,149.35</b>

Project: WP42D



**Consolidated**<sup>®</sup>  
communications  
formerly Enventis

Invoice: 70091-0000000112  
Invoice Date: 9/11/2015  
Page: 1 of 1

**INVOICE**

Please Remit To: Consolidated Communications  
121 South 17th Street  
Mattoon, Illinois 61938-3987

Customer No: CST0001502  
Payment Terms: Day 30  
Due Date: 10/11/2015

**AMOUNT DUE: 83,595.68 USD**

FM Area Diversion Authority  
c/o Project WP42D  
Box 2806  
211 9th St. S  
 Fargo ND 58108  
US

Amount Remitted

For billing questions, please call 1-877-561-7108

Line	Description	Quantity	UOM	Unit Amt	Net Amount
Ship to Address:					
1	ENGINEERING LABOR Engineering Labor = 12 hours / \$1,231.07	1.00	EA	1,231.07	1,231.07
2	SUB-CONTRACT LABOR Sub-Contract Labor	1.00	EA	81,256.87	81,256.87
3	MATERIALS Materials	1.00	EA	1,107.74	1,107.74
Subtotal:					83,595.68
<b>AMOUNT DUE:</b>					<b>83,595.68</b>

Project: WP42D

August 2015 Activity Billing



# INVOICE

4102 7th Ave. N.  
Fargo, ND 58102-2923  
701-282-9633

Project Mgr: Jeff Mathson

**Project:** In Town Levees - Work Package 42A.2  
2nd Street North  
Fargo, ND 58102

**To:** Metro Flood Diversion Authority  
Attn: Keith Berndt  
211 Ninth Street South  
Fargo, ND 58103

<b>REMIT TO:</b>
<b>Invoice Number: T658976</b>
<b>Terracon Consultants, Inc.</b>
<b>PO Box 843358</b>
<b>Kansas City, MO 64184-3358</b>
<b>Federal E.I.N.: 42-1249917</b>

Project Number:	M1141339
Billed to Date:	\$51,396.96
Invoice Date:	6/30/2015
Services Through:	6/20/2015

Date	Report	Description of Services	Quantity	Rate	Total
5/11/15	M1141339.0049	Staff Engineer	2.00	\$140.00	\$280.00
5/13/15	M1141339.0050	Reinforcing Steel Technician, per hour	2.25	\$99.00	\$222.75
5/13/15	M1141339.0050	Trip Charge, each	1.00	\$29.00	\$29.00
5/13/15	M1141339.0053	Relative Density (Minimum-Maximum), each	1.00	\$248.00	\$248.00
5/13/15	M1141339.0053	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
5/13/15	M1141339.0055	Technician - Level II, per hour 5/13	1.00	\$99.00	\$99.00
5/13/15	M1141339.0055	Technician - Level II, per hour 5/15	1.00	\$99.00	\$99.00
5/13/15	M1141339.0055	Technician - Level II, per hour 5/18	1.00	\$99.00	\$99.00
5/13/15	M1141339.0055	Technician - Level II, per hour 5/19	1.00	\$99.00	\$99.00
5/13/15	M1141339.0055	Technician - Level II, per hour 5/25	0.50	\$99.00	\$49.50
5/13/15	M1141339.0055	Technician - Level II, per hour 5/23	0.50	\$99.00	\$49.50
5/13/15	M1141339.0055	15' Thermocouple	4.00	\$66.00	\$264.00
5/13/15	M1141339.0055	Trip Charge, each 5/13	1.00	\$29.00	\$29.00
5/13/15	M1141339.0055	Trip Charge, each 5/15	1.00	\$29.00	\$29.00
5/13/15	M1141339.0055	Trip Charge, each 5/18	1.00	\$29.00	\$29.00
5/13/15	M1141339.0063	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
5/13/15	M1141339.0063	Mechanical Analysis thru #200 sieve	1.00	\$125.00	\$125.00
5/14/15	M1141339.0051	Concrete Technician, per hour	4.75	\$99.00	\$470.25
5/14/15	M1141339.0051	Trip Charge, each	1.00	\$29.00	\$29.00
5/14/15	M1141339.0051	Compressive Strength, per cylinder (4" x 8")	12.00	\$20.00	\$240.00

**TERMS: DUE UPON PRESENTATION OF INVOICE**





# INVOICE

**Invoice No.:** T658976  
**Project No.:** M1141339  
**Project:** In Town Levees - Work Package  
 42A.2  
 2nd Street North  
 Fargo ND 58102  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
5/14/15	M1141339.0052	Technician - Level II, per hour	0.50	\$99.00	\$49.50
5/14/15	M1141339.0052	Trip Charge, each	1.00	\$29.00	\$29.00
5/14/15	M1141339.0052	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
5/14/15	M1141339.0052	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
5/15/15	M1141339.0051A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
5/15/15	M1141339.0051A	Trip Charge, each	1.00	\$29.00	\$29.00
5/18/15	M1141339.0054	Reinforcing Steel Technician, per hour	1.00	\$99.00	\$99.00
5/18/15	M1141339.0056	Technician - Level II, per hour	4.50	\$99.00	\$445.50
5/19/15	M1141339.0057	Concrete Technician, per hour	3.25	\$99.00	\$321.75
5/19/15	M1141339.0057	Trip Charge, each	1.00	\$29.00	\$29.00
5/19/15	M1141339.0057	Compressive Strength, per cylinder (4" x 8")	6.00	\$20.00	\$120.00
5/19/15	M1141339.0058	Technician - Level II, per hour	10.75	\$99.00	\$1,064.25
5/19/15	M1141339.0058	Trip Charge, each	1.00	\$29.00	\$29.00
5/19/15	M1141339.0060	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
5/19/15	M1141339.0064	Technician - Level II, per hour	1.00	\$99.00	\$99.00
5/19/15	M1141339.0064	Technician - Level II, per hour	0.50	\$99.00	\$49.50
		5/25			
5/19/15	M1141339.0064	Technician - Level II, per hour	0.50	\$99.00	\$49.50
		5/23			
5/19/15	M1141339.0064	15' Thermocouple	4.00	\$66.00	\$264.00
5/19/15	M1141339.0064	Trip Charge, each	1.00	\$29.00	\$29.00
5/20/15	M1141339.0059	Technician - Level II, per hour	4.50	\$99.00	\$445.50
5/20/15	M1141339.0059	Trip Charge, each	1.00	\$29.00	\$29.00
5/20/15	M1141339.0066	Technician - Level II, per hour	0.50	\$99.00	\$49.50
5/20/15	M1141339.0066	Trip Charge, each	1.00	\$29.00	\$29.00
5/20/15	M1141339.0066	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
5/20/15	M1141339.0066	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
5/22/15	M1141339.0061	Reinforcing Steel Technician, per hour	1.00	\$99.00	\$99.00
5/22/15	M1141339.0061	Trip Charge, each	1.00	\$29.00	\$29.00
5/22/15	M1141339.0062	Concrete Technician, per hour	3.50	\$99.00	\$346.50
5/22/15	M1141339.0062	Trip Charge, each	1.00	\$29.00	\$29.00
5/22/15	M1141339.0062	Compressive Strength, per cylinder (4" x 8")	12.00	\$20.00	\$240.00
5/23/15	M1141339.0062A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
5/23/15	M1141339.0062A	Trip Charge, each	1.00	\$29.00	\$29.00
5/27/15	M1141339.0065	Mechanical Analysis thru #200 sieve	1.00	\$125.00	\$125.00
5/29/15	M1141339.0067	Concrete Technician, per hour	2.25	\$99.00	\$222.75
5/29/15	M1141339.0067	Trip Charge, each	1.00	\$29.00	\$29.00
5/29/15	M1141339.0067	Compressive Strength, per cylinder (4" x 8")	4.00	\$20.00	\$80.00
5/29/15	M1141339.0068	Technician - Level II, per hour	0.50	\$99.00	\$49.50
5/29/15	M1141339.0068	Trip Charge, each	0.50	\$29.00	\$14.50
5/29/15	M1141339.0068	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
5/29/15	M1141339.0068	Concrete Fine Aggregate - Mechanical Analysis Only	0.50	\$96.00	\$48.00
5/30/15	M1141339.0067A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
5/30/15	M1141339.0067A	Trip Charge, each	1.00	\$29.00	\$29.00

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

**Invoice No.:** T658976  
**Project No.:** M1141339  
**Project:** In Town Levees - Work Package  
 42A.2  
 2nd Street North  
 Fargo ND 58102  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
6/3/15	M1141339.0069	Concrete Technician, per hour	1.00	\$99.00	\$99.00
6/3/15	M1141339.0069	Trip Charge, each	1.00	\$29.00	\$29.00
6/3/15	M1141339.0069	Compressive Strength, per cylinder (4" x 8")	4.00	\$20.00	\$80.00
6/4/15	M1141339.0069A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
6/4/15	M1141339.0069A	Trip Charge, each	1.00	\$29.00	\$29.00
6/5/15	M1141339.0070	Concrete Technician, per hour	2.50	\$99.00	\$247.50
6/5/15	M1141339.0070	Trip Charge, each	1.00	\$29.00	\$29.00
6/5/15	M1141339.0070	Compressive Strength, per cylinder (4" x 8")	4.00	\$20.00	\$80.00
6/5/15	M1141339.0071	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/5/15	M1141339.0071	Trip Charge, each	0.50	\$29.00	\$14.50
6/5/15	M1141339.0071	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
6/5/15	M1141339.0071	Concrete Fine Aggregate - Mechanical Analysis Only	0.50	\$96.00	\$48.00
6/6/15	M1141339.0070A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
6/6/15	M1141339.0070A	Trip Charge, each	1.00	\$29.00	\$29.00
6/12/15	M1141339.0072	Trip Charge, each	1.00	\$29.00	\$29.00
6/12/15	M1141339.0072	Field Density Test by Nuclear Method, each	4.00	\$43.00	\$172.00
6/12/15	M1141339.0075	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/12/15	M1141339.0075	Trip Charge, each	1.00	\$29.00	\$29.00
6/12/15	M1141339.0075	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
6/12/15	M1141339.0076	Concrete Technician, per hour	2.50	\$99.00	\$247.50
6/12/15	M1141339.0076	Trip Charge, each	1.00	\$29.00	\$29.00
6/12/15	M1141339.0076	Compressive Strength, per cylinder (4" x 8")	4.00	\$20.00	\$80.00
6/15/15	M1141339.0077	Trip Charge, each	5.00	\$29.00	\$145.00
6/15/15	M1141339.0077	Field Density Test by Nuclear Method, each	10.00	\$43.00	\$430.00
6/16/15	M1141339.0078	Trip Charge, each	2.00	\$29.00	\$58.00
6/16/15	M1141339.0078	Field Density Test by Nuclear Method, each	4.00	\$43.00	\$172.00
6/17/15	M1141339.0079	Trip Charge, each	1.00	\$29.00	\$29.00
6/17/15	M1141339.0079	Field Density Test by Nuclear Method, each	3.00	\$43.00	\$129.00
6/17/15	M1141339.0081	Concrete Technician, per hour	1.00	\$99.00	\$99.00
6/17/15	M1141339.0081	Trip Charge, each	1.00	\$29.00	\$29.00
6/17/15	M1141339.0081	Compressive Strength, per cylinder (4" x 8")	4.00	\$20.00	\$80.00
6/19/15	M1141339.0081A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
6/19/15	M1141339.0081A	Trip Charge, each	1.00	\$29.00	\$29.00

**Invoice Total      \$11,015.75**

**TERMS: DUE UPON PRESENTATION OF INVOICE**

FM Area Diversion Project  
Payment Application Certification  
(Partial Payment)

Payment Certification Date: 9/16/2015  
Pay Application No. 9

Contractor:  
**Terracon**  
4102 7th Ave. N.  
Fargo, ND 58102

Invoice Date: 6/30/2015  
Invoice Number: T658976  
Billing Period Start: 5/10/2015  
Billing Period End: 6/20/2015  
Invoice Amount: \$ **11,015.75**

Diversion Project No.: M1141339  
Work Package: TO-01  
**42A.2 - 2nd Street North Pump Station**  
General Ledger Code: V02802  
Purchase Order No.: 173390

Original Contract Amount:	\$	50,000.00
Contract Amendments/AWD:	\$	430,000.00
Total Contract Amount:	\$	480,000.00
Prior Billed Amount:	\$	74,545.81
Amount Due this Request:	\$	<b>11,015.75</b>
Total Invoice Work To-Date:	\$	85,561.56
Amount Remaining:	\$	394,438.44

In accordance with the Contract, the ENGINEER is entitled to payment in the amount shown on the attached invoice.

  
\_\_\_\_\_  
CH2M HILL ENGINEERS, INC.

9/16/2015  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
DIVERSION AUTHORITY - TECHNICAL ADVISORY COMMITTEE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DIVERSION AUTHORITY - FINANCE COMMITTEE

\_\_\_\_\_  
DATE



# INVOICE

4102 7th Ave. N.  
Fargo, ND 58102-2923  
701-282-9633

Project Mgr: Jeff Mathson

**Project:** In Town Levees - Work Package 42A.1/42A.3  
4th Street South  
Fargo, ND 58103

**To:** Metro Flood Diversion Authority  
Attn: Keith Berndt  
211 Ninth Street South  
Fargo, ND 58103

<b>REMIT TO:</b>
<b>Invoice Number: T658978</b>
<b>Terracon Consultants, Inc.</b>
<b>PO Box 843358</b>
<b>Kansas City, MO 64184-3358</b>
<b>Federal E.I.N.: 42-1249917</b>

Project Number:	M1141339A
Billed to Date:	\$45,749.85
Invoice Date:	6/30/2015
Services Through:	6/20/2015

Date	Report	Description of Services	Quantity	Rate	Total
5/12/15	M1141339A.0036	Technician - Level II, per hour	2.00	\$99.00	\$198.00
5/12/15	M1141339A.0036	Trip Charge, each	2.00	\$29.00	\$58.00
5/12/15	M1141339A.0040	Technician - Level II, per hour	1.00	\$99.00	\$99.00
5/12/15	M1141339A.0040	Trip Charge, each	1.00	\$29.00	\$29.00
5/12/15	M1141339A.0041	Technician - Level II, per hour	2.25	\$99.00	\$222.75
5/12/15	M1141339A.0041	Technician - Level II, per hour	2.25	\$99.00	\$222.75
5/12/15	M1141339A.0041	Trip Charge, each	2.00	\$29.00	\$58.00
5/12/15	M1141339A.0041	Compressive Strength, per cylinder (4" x 8")	8.00	\$21.00	\$168.00
5/13/15	M1141339A.0041A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
5/13/15	M1141339A.0041A	Trip Charge, each	1.00	\$29.00	\$29.00
5/20/15	M1141339A.0043	Technician - Level II, per hour	6.00	\$99.00	\$594.00
5/20/15	M1141339A.0043	Trip Charge, each	1.00	\$29.00	\$29.00
5/20/15	M1141339A.0043	Compressive Strength, per cylinder (4" x 8")	18.00	\$21.00	\$378.00
5/20/15	M1141339A.0044	Technician - Level II, per hour	0.50	\$99.00	\$49.50
5/20/15	M1141339A.0044	Trip Charge, each	1.00	\$29.00	\$29.00
5/20/15	M1141339A.0044	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
5/20/15	M1141339A.0044	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
5/21/15	M1141339A.0045	Technician - Level II, per hour	1.00	\$99.00	\$99.00
5/21/15	M1141339A.0045	Trip Charge, each	1.00	\$29.00	\$29.00
5/22/15	M1141339A.0046	Technician - Level II, per hour	5.50	\$99.00	\$544.50
5/22/15	M1141339A.0046	Trip Charge, each	1.00	\$29.00	\$29.00
5/22/15	M1141339A.0046	Compressive Strength, per cylinder (4" x 8")	18.00	\$21.00	\$378.00
5/22/15	M1141339A.0047	Trip Charge, each two trips	2.00	\$29.00	\$58.00
5/22/15	M1141339A.0047	Trip Charge - cancelled, each arrived at job site for 3 set of test - decided they didnt want tests	1.00	\$29.00	\$29.00
5/22/15	M1141339A.0047	Field Density Test by Nuclear Method, each	5.00	\$43.00	\$215.00
5/22/15	M1141339A.0048	Technician - Level II, per hour	1.00	\$99.00	\$99.00
5/22/15	M1141339A.0048	Technician - Level II, per hour	1.00	\$99.00	\$99.00

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

**Invoice No.:** T658978  
**Project No.:** M1141339A  
**Project:** In Town Levees - Work Package  
 42A.1/42A.3  
 4th Street South  
 Fargo ND 58103  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
Continued					
		5/23			
5/22/15	M1141339A.0048	Technician - Level II, per hour	0.50	\$99.00	\$49.50
		5/25			
5/22/15	M1141339A.0048	15' Thermocouple	4.00	\$66.00	\$264.00
5/22/15	M1141339A.0048	Trip Charge, each	2.00	\$29.00	\$58.00
5/22/15	M1141339A.0049	Technician - Level II, per hour	1.00	\$99.00	\$99.00
5/22/15	M1141339A.0049	Technician - Level II, per hour	1.00	\$99.00	\$99.00
5/22/15	M1141339A.0049	Technician - Level II, per hour	0.50	\$99.00	\$49.50
		5/25			
5/22/15	M1141339A.0049	15' Thermocouple	4.00	\$66.00	\$264.00
5/22/15	M1141339A.0049	Trip Charge, each	1.00	\$29.00	\$29.00
		5/25			
5/22/15	M1141339A.0049	Trip Charge, each	1.00	\$29.00	\$29.00
5/22/15	M1141339A.0051	Technician - Level II, per hour	0.50	\$99.00	\$49.50
5/22/15	M1141339A.0051	Trip Charge, each	1.00	\$29.00	\$29.00
5/22/15	M1141339A.0051	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
5/22/15	M1141339A.0051	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
5/23/15	M1141339A.0046A	Technician - Level II, per hour	0.75	\$99.00	\$74.25
5/23/15	M1141339A.0046A	Trip Charge, each	1.00	\$29.00	\$29.00
5/27/15	M1141339A.0050	Trip Charge, each	2.00	\$29.00	\$58.00
5/27/15	M1141339A.0050	Field Density Test by Nuclear Method, each	7.00	\$43.00	\$301.00
5/29/15	M1141339A.0052	Technician - Level II, per hour	1.00	\$99.00	\$99.00
		5/27			
5/29/15	M1141339A.0052	Trip Charge, each	1.00	\$29.00	\$29.00
		5/27			
5/29/15	M1141339A.0053	Technician - Level II, per hour	2.50	\$99.00	\$247.50
5/29/15	M1141339A.0053	Trip Charge, each	1.00	\$29.00	\$29.00
5/29/15	M1141339A.0053	Compressive Strength, per cylinder (4" x 8")	6.00	\$21.00	\$126.00
5/29/15	M1141339A.0054	Technician - Level II, per hour	0.25	\$99.00	\$24.75
5/29/15	M1141339A.0054	Trip Charge, each	0.50	\$29.00	\$14.50
5/29/15	M1141339A.0054	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
		split with 2nd Street			
5/29/15	M1141339A.0054	Concrete Fine Aggregate - Mechanical Analysis Only	0.50	\$96.00	\$48.00
		split with 2nd street			
5/30/15	M1141339A.0053A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
5/30/15	M1141339A.0053A	Trip Charge, each	1.00	\$29.00	\$29.00
6/3/15	M1141339A.0034A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/3/15	M1141339A.0034A	Trip Charge, each	1.00	\$29.00	\$29.00
6/3/15	M1141339A.0034A	Mechanical Analysis thru #200 sieve	1.00	\$125.00	\$125.00
6/4/15	M1141339A.0055	Technician - Level II, per hour	1.00	\$99.00	\$99.00
6/4/15	M1141339A.0055	Trip Charge, each	1.00	\$29.00	\$29.00
6/4/15	M1141339A.0056	Technician - Level II, per hour	1.75	\$99.00	\$173.25

TERMS: DUE UPON PRESENTATION OF INVOICE



# INVOICE

**Invoice No.:** T658978  
**Project No.:** M1141339A  
**Project:** In Town Levees - Work Package  
 42A.1/42A.3  
 4th Street South  
 Fargo ND 58103  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
6/4/15	M1141339A.0056	Trip Charge, each	1.00	\$29.00	\$29.00
6/4/15	M1141339A.0056	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
6/5/15	M1141339A.0057	Technician - Level II, per hour	3.00	\$99.00	\$297.00
6/5/15	M1141339A.0057	Trip Charge, each	1.00	\$29.00	\$29.00
6/5/15	M1141339A.0057	Compressive Strength, per cylinder (4" x 8")	6.00	\$21.00	\$126.00
6/5/15	M1141339A.0058	Trip Charge, each	1.00	\$29.00	\$29.00
6/5/15	M1141339A.0058	Compressive Strength, per cylinder (4" x 8")	8.00	\$21.00	\$168.00
6/5/15	M1141339A.0059	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/5/15	M1141339A.0059	Trip Charge, each	0.50	\$29.00	\$14.50
6/5/15	M1141339A.0059	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
6/5/15	M1141339A.0059	Concrete Fine Aggregate - Mechanical Analysis Only	0.50	\$96.00	\$48.00
6/6/15	M1141339A.0058A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/6/15	M1141339A.0058A	Trip Charge, each	1.00	\$29.00	\$29.00
6/10/15	M1141339A.0060	Technician - Level II, per hour	2.00	\$99.00	\$198.00
6/10/15	M1141339A.0060	Trip Charge, each	1.00	\$29.00	\$29.00
6/10/15	M1141339A.0061	Technician - Level II, per hour	4.50	\$99.00	\$445.50
6/10/15	M1141339A.0061	Trip Charge, each	1.00	\$29.00	\$29.00
6/10/15	M1141339A.0061	Compressive Strength, per cylinder (4" x 8")	10.00	\$21.00	\$210.00
6/10/15	M1141339A.0062	Technician - Level II, per hour	0.75	\$99.00	\$74.25
6/10/15	M1141339A.0062	Trip Charge, each	1.00	\$29.00	\$29.00
6/10/15	M1141339A.0062	Field Density Test by Nuclear Method, each	5.00	\$43.00	\$215.00
6/10/15	M1141339A.0065	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/10/15	M1141339A.0065	Trip Charge, each	1.00	\$29.00	\$29.00
6/10/15	M1141339A.0065	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
6/10/15	M1141339A.0065	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
6/11/15	M1141339A.0063	Technician - Level II, per hour	1.00	\$99.00	\$99.00
6/11/15	M1141339A.0063	Trip Charge, each	1.00	\$29.00	\$29.00
6/11/15	M1141339A.0064	Technician - Level II, per hour	1.25	\$99.00	\$123.75
6/11/15	M1141339A.0064	Trip Charge, each	1.00	\$29.00	\$29.00
6/11/15	M1141339A.0064	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
6/11/15	M1141339A.0067	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/11/15	M1141339A.0067	Trip Charge, each	1.00	\$29.00	\$29.00
6/11/15	M1141339A.0067	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
6/11/15	M1141339A.0067	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
6/12/15	M1141339A.0066	Soils Technician, per hour	0.25	\$104.00	\$26.00
6/12/15	M1141339A.0066	Trip Charge, each	1.00	\$29.00	\$29.00
6/12/15	M1141339A.0066	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
6/16/15	M1141339A.0068	Trip Charge, each	1.00	\$29.00	\$29.00
6/16/15	M1141339A.0068	Field Density Test by Nuclear Method, each	6.00	\$43.00	\$258.00
6/17/15	M1141339A.0069	Technician - Level II, per hour	2.00	\$99.00	\$198.00
6/17/15	M1141339A.0069	Trip Charge, each	1.00	\$29.00	\$29.00
6/18/15	M1141339A.0070	Technician - Level II, per hour	5.00	\$99.00	\$495.00
6/18/15	M1141339A.0070	Trip Charge, each	1.00	\$29.00	\$29.00
6/18/15	M1141339A.0070	Compressive Strength, per cylinder (4" x 8")	8.00	\$21.00	\$168.00

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

Invoice No.: T658978  
Project No.: M1141339A  
Project: In Town Levees - Work Package  
42A.1/42A.3  
4th Street South  
Fargo ND 58103  
Project Mgr: Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
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**Continued**

6/19/15	M1141339A.0070A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
6/19/15	M1141339A.0070A	Trip Charge, each	1.00	\$29.00	\$29.00

**Invoice Total** **\$11,585.25**

FM Area Diversion Project  
Payment Application Certification  
(Partial Payment)

Payment Certification Date: 9/16/2015  
Pay Application No. 10

Contractor:  
**Terracon**  
4102 7th Ave. N.  
Fargo, ND 58102

Invoice Date: 6/30/2015  
Invoice Number: T658978  
Billing Period Start: 5/10/2015  
Billing Period End: 6/20/2015  
Invoice Amount: \$ 11,585.25

Diversion Project No.: M1141339A  
Work Package: TO-01  
42A.1/A.3 - 4th Street Pump Station  
General Ledger Code: V02802  
Purchase Order No.: 173390

Original Contract Amount:	\$	50,000.00
Contract Amendments/AWD:	\$	430,000.00
Total Contract Amount:	\$	480,000.00
Prior Billed Amount:	\$	85,561.56
Amount Due this Request:	\$	11,585.25
Total Invoice Work To-Date:	\$	97,146.81
Amount Remaining:	\$	382,853.19

In accordance with the Contract, the ENGINEER is entitled to payment in the amount shown on the attached invoice.

  
\_\_\_\_\_  
CH2M HILL ENGINEERS, INC.

9/16/2015  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
DIVERSION AUTHORITY - TECHNICAL ADVISORY COMMITTEE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DIVERSION AUTHORITY - FINANCE COMMITTEE

\_\_\_\_\_  
DATE





# INVOICE

4102 7th Ave. N.  
Fargo, ND 58102-2923  
701-282-9633

Project Mgr: Jeff Mathson

**Project:** In Town Levees - Work Package 42A.2  
2nd Street North  
Fargo, ND 58102

**To:** Metro Flood Diversion Authority  
Attn: Keith Berndt  
211 Ninth Street South  
Fargo, ND 58103

<b>REMIT TO:</b>
<b>Invoice Number: T669918</b>
<b>Terracon Consultants, Inc.</b>
<b>PO Box 843358</b>
<b>Kansas City, MO 64184-3358</b>
<b>Federal E.I.N.: 42-1249917</b>

Project Number:	M1141339
Billed to Date:	\$69,243.46
Invoice Date:	7/29/2015
Services Through:	7/18/2015

Date	Report	Description of Services	Quantity	Rate	Total
4/24/15	M1141339.0033	Staff Engineer	1.00	\$140.00	\$140.00
6/23/15	M1141339.0082	Reinforcing Steel Technician,per hour	0.50	\$99.00	\$49.50
6/23/15	M1141339.0083	Concrete Technician, per hour	2.25	\$99.00	\$222.75
		Concrete cancelled because of high temperatures			
6/23/15	M1141339.0083	Trip Charge, each	1.00	\$29.00	\$29.00
6/24/15	M1141339.0084	Concrete Technician, per hour	4.50	\$99.00	\$445.50
6/24/15	M1141339.0084	Trip Charge, each	1.00	\$29.00	\$29.00
6/24/15	M1141339.0084	Compressive Strength, per cylinder (4" x 8")	12.00	\$20.00	\$240.00
6/24/15	M1141339.0087	Technician - Level II, per hour	0.50	\$99.00	\$49.50
6/24/15	M1141339.0087	Trip Charge, each	1.00	\$29.00	\$29.00
6/24/15	M1141339.0087	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
6/24/15	M1141339.0087	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
6/24/15	M1141339.0100	Concrete Technician, per hour	2.00	\$99.00	\$198.00
6/24/15	M1141339.0100	15' Thermocouple	4.00	\$66.00	\$264.00
6/25/15	M1141339.0084A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
6/25/15	M1141339.0084A	Trip Charge, each	1.00	\$29.00	\$29.00
6/25/15	M1141339.0085	Reinforcing Steel Technician,per hour	1.50	\$99.00	\$148.50
6/25/15	M1141339.0085	Trip Charge, each	1.00	\$29.00	\$29.00
6/26/15	M1141339.0086	Concrete Technician, per hour	3.00	\$99.00	\$297.00
6/26/15	M1141339.0086	Trip Charge, each	1.00	\$29.00	\$29.00
6/26/15	M1141339.0086	Compressive Strength, per cylinder (4" x 8")	6.00	\$20.00	\$120.00
6/26/15	M1141339.0086A	Technician - Level II, per hour	0.50	\$99.00	\$49.50
6/26/15	M1141339.0086A	Trip Charge, each	1.00	\$29.00	\$29.00
6/26/15	M1141339.0086A	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
6/26/15	M1141339.0086A	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
6/26/15	M1141339.0101	Concrete Technician, per hour	2.00	\$99.00	\$198.00
6/26/15	M1141339.0101	15' Thermocouple	4.00	\$66.00	\$264.00
6/30/15	M1141339.0089	Reinforcing Steel Technician,per hour	2.00	\$99.00	\$198.00
6/30/15	M1141339.0089	Trip Charge, each	1.00	\$29.00	\$29.00
7/1/15	M1141339.0090	Concrete Technician, per hour	7.50	\$99.00	\$742.50

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

**Invoice No.:** T669918  
**Project No.:** M1141339  
**Project:** In Town Levees - Work Package  
 42A.2  
 2nd Street North  
 Fargo ND 58102  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
7/1/15	M1141339.0090	Trip Charge, each	1.00	\$29.00	\$29.00
7/1/15	M1141339.0090	Compressive Strength, per cylinder (4" x 8")	18.00	\$20.00	\$360.00
7/1/15	M1141339.0091	Technician - Level II, per hour	0.50	\$99.00	\$49.50
7/1/15	M1141339.0091	Trip Charge, each	1.00	\$29.00	\$29.00
7/1/15	M1141339.0091	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
7/1/15	M1141339.0091	Concrete Fine Aggregate - Mechanical Analysis Only prorated with 4th Street	0.50	\$96.00	\$48.00
7/1/15	M1141339.0102	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/1/15	M1141339.0102	15' Thermocouple	4.00	\$66.00	\$264.00
7/1/15	M1141339.0103	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/1/15	M1141339.0103	15' Thermocouple	4.00	\$66.00	\$264.00
7/2/15	M1141339.0090A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
7/2/15	M1141339.0090A	Trip Charge, each	0.50	\$29.00	\$14.50
7/7/15	M1141339.0092	Reinforcing Steel Technician,per hour	2.00	\$99.00	\$198.00
7/7/15	M1141339.0092	Trip Charge, each	1.00	\$29.00	\$29.00
7/8/15	M1141339.0093	Concrete Technician, per hour	3.50	\$99.00	\$346.50
7/8/15	M1141339.0093	Trip Charge, each	1.00	\$29.00	\$29.00
7/8/15	M1141339.0093	Compressive Strength, per cylinder (4" x 8")	6.00	\$20.00	\$120.00
7/8/15	M1141339.0095	Technician - Level II, per hour	0.50	\$99.00	\$49.50
7/8/15	M1141339.0095	Trip Charge, each	1.00	\$29.00	\$29.00
7/8/15	M1141339.0095	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
7/8/15	M1141339.0095	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
7/8/15	M1141339.0104	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/8/15	M1141339.0104	15' Thermocouple	4.00	\$66.00	\$264.00
7/8/15	M1141339.0104	Trip Charge, each	1.00	\$29.00	\$29.00
7/9/15	M1141339.0094	Concrete Technician, per hour	4.00	\$99.00	\$396.00
7/9/15	M1141339.0094	Trip Charge, each	1.00	\$29.00	\$29.00
7/9/15	M1141339.0094	Compressive Strength, per cylinder (4" x 8")	12.00	\$20.00	\$240.00
7/9/15	M1141339.0096	Reinforcing Steel Technician,per hour	1.50	\$99.00	\$148.50
7/9/15	M1141339.0099	Technician - Level II, per hour	0.50	\$99.00	\$49.50
7/9/15	M1141339.0099	Trip Charge, each	1.00	\$29.00	\$29.00
7/9/15	M1141339.0099	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
7/9/15	M1141339.0099	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
7/9/15	M1141339.0110	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/9/15	M1141339.0110	15' Thermocouple	4.00	\$66.00	\$264.00
7/9/15	M1141339.0110	Trip Charge, each	1.00	\$29.00	\$29.00
7/10/15	M1141339.0098	Reinforcing Steel Technician,per hour	1.50	\$99.00	\$148.50
7/10/15	M1141339.0098	Trip Charge, each	1.00	\$29.00	\$29.00
7/13/15	M1141339.0097	Concrete Technician, per hour	3.25	\$99.00	\$321.75
7/13/15	M1141339.0097	Trip Charge, each	1.00	\$29.00	\$29.00
7/13/15	M1141339.0097	Compressive Strength, per cylinder (4" x 8")	6.00	\$20.00	\$120.00
7/13/15	M1141339.0106	Technician - Level II, per hour	0.50	\$99.00	\$49.50
7/13/15	M1141339.0106	Trip Charge, each	1.00	\$29.00	\$29.00

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

**Invoice No.:** T669918  
**Project No.:** M1141339  
**Project:** In Town Levees - Work Package  
 42A.2  
 2nd Street North  
 Fargo ND 58102  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
7/13/15	M1141339.0106	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
7/13/15	M1141339.0106	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
7/13/15	M1141339.0111	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/13/15	M1141339.0111	15' Thermocouple	4.00	\$66.00	\$264.00
7/13/15	M1141339.0111	Trip Charge, each	1.00	\$29.00	\$29.00
7/14/15	M1141339.0105	Concrete Technician, per hour	2.50	\$99.00	\$247.50
7/14/15	M1141339.0105	Trip Charge, each	1.00	\$29.00	\$29.00
7/14/15	M1141339.0105	Compressive Strength, per cylinder (4" x 8")	6.00	\$20.00	\$120.00
7/14/15	M1141339.0107	Technician - Level II, per hour	0.50	\$99.00	\$49.50
7/14/15	M1141339.0107	Trip Charge, each	1.00	\$29.00	\$29.00
7/14/15	M1141339.0107	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
7/14/15	M1141339.0107	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
7/14/15	M1141339.0112	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/14/15	M1141339.0112	15' Thermocouple	4.00	\$66.00	\$264.00
7/14/15	M1141339.0112	Trip Charge, each	1.00	\$29.00	\$29.00
7/16/15	M1141339.0108	Reinforcing Steel Technician, per hour	2.00	\$99.00	\$198.00
7/16/15	M1141339.0108	Trip Charge, each	1.00	\$29.00	\$29.00
7/17/15	M1141339.0109	Concrete Technician, per hour	5.25	\$99.00	\$519.75
7/17/15	M1141339.0109	Trip Charge, each	1.00	\$29.00	\$29.00
7/17/15	M1141339.0109	Compressive Strength, per cylinder (4" x 8")	24.00	\$20.00	\$480.00
7/17/15	M1141339.0113	Technician - Level II, per hour	1.00	\$99.00	\$99.00
		7/27/15			
7/17/15	M1141339.0113	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/17/15	M1141339.0113	Concrete Technician, per hour	1.00	\$99.00	\$99.00
		7/21/15			
7/17/15	M1141339.0113	15' Thermocouple	4.00	\$66.00	\$264.00
7/17/15	M1141339.0113	Trip Charge, each	1.00	\$29.00	\$29.00
7/17/15	M1141339.0113	Trip Charge, each	1.00	\$29.00	\$29.00
		7/27/15			
7/17/15	M1141339.0114	Concrete Technician, per hour	2.00	\$99.00	\$198.00
7/17/15	M1141339.0114	Concrete Technician, per hour	1.00	\$99.00	\$99.00
		7/21/15			
7/17/15	M1141339.0114	15' Thermocouple	4.00	\$66.00	\$264.00
7/17/15	M1141339.0114	Trip Charge, each	1.00	\$29.00	\$29.00
7/17/15	M1141339.0115	Technician - Level II, per hour	0.50	\$99.00	\$49.50
7/17/15	M1141339.0115	Trip Charge, each	1.00	\$29.00	\$29.00
7/17/15	M1141339.0115	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
7/17/15	M1141339.0115	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
7/17/15	M1141339.0120	Technician - Level II, per hour	0.50	\$99.00	\$49.50
7/17/15	M1141339.0120	Trip Charge, each	1.00	\$29.00	\$29.00
7/17/15	M1141339.0120	Sieve Analysis (Dry) C136, each	2.00	\$90.00	\$180.00
7/17/15	M1141339.0120	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

Invoice No.: T669918  
Project No.: M1141339  
Project: In Town Levees - Work Package  
42A.2  
2nd Street North  
Farm, ND 58102  
Project Mgr: Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
7/18/15	M1141339.0109A	Concrete Technician, per hour	0.25	\$99.00	\$24.75
7/18/15	M1141339.0109A	Trip Charge, each	1.00	\$29.00	\$29.00
7/18/15	Water Strip Testing	Water Strip Testing	1.00	\$2,553.00	\$2,553.00

**Invoice Total** **\$17,846.50**

**TERMS: DUE UPON PRESENTATION OF INVOICE**

FM Area Diversion Project  
Payment Application Certification  
(Partial Payment)

Payment Certification Date: 9/16/2015  
Pay Application No. 11

Contractor:  
**Terracon**  
4102 7th Ave. N.  
Fargo, ND 58102

Invoice Date: 7/29/2015  
Invoice Number: T669918  
Billing Period Start: 6/21/2015  
Billing Period End: 7/18/2015  
Invoice Amount: \$ **17,846.50**

Diversion Project No.: M1141339  
Work Package: TO-01  
**42A.2 - 2nd Street North Pump Station**  
General Ledger Code: V02802  
Purchase Order No.: 173390

Original Contract Amount:	\$	50,000.00
Contract Amendments/AWD:	\$	430,000.00
Total Contract Amount:	\$	480,000.00
Prior Billed Amount:	\$	97,146.81
Amount Due this Request:	\$	<b>17,846.50</b>
Total Invoice Work To-Date:	\$	114,993.31
Amount Remaining:	\$	365,006.69

In accordance with the Contract, the ENGINEER is entitled to payment in the amount shown on the attached invoice.

CH2M HILL ENGINEERS, INC.

9/16/2015

DATE

DIVERSION AUTHORITY – TECHNICAL ADVISORY COMMITTEE

DATE

DIVERSION AUTHORITY – FINANCE COMMITTEE

DATE



# INVOICE

4102 7th Ave. N.  
Fargo, ND 58102-2923  
701-282-9633

Project Mgr: Jeff Mathson

**Project:** In Town Levees - Work Package 42A.1/42A.3  
4th Street South  
Fargo, ND 58103

**To:** Metro Flood Diversion Authority  
Attn: Keith Berndt  
211 Ninth Street South  
Fargo, ND 58103

<b>REMIT TO:</b>
<b>Invoice Number: T669919</b>
<b>Terracon Consultants, Inc.</b>
<b>PO Box 843358</b>
<b>Kansas City, MO 64184-3358</b>
<b>Federal E.I.N.: 42-1249917</b>

Project Number:	M1141339A
Billed to Date:	\$58,636.20
Invoice Date:	7/29/2015
Services Through:	7/18/2015

Date	Report	Description of Services	Quantity	Rate	Total
4/24/15	M1141339A.0029	Staff Engineer	1.00	\$140.00	\$140.00
5/29/15	M1141339A.0103	Technician - Level II, per hour	2.00	\$99.00	\$198.00
5/29/15	M1141339A.0103	15' Thermocouple	4.00	\$66.00	\$264.00
5/29/15	M1141339A.0103	Trip Charge, each	1.00	\$29.00	\$29.00
6/23/15	M1141339A.0076	Preparation of Fat Clay Soils for Proctors	1.00	\$60.00	\$60.00
6/23/15	M1141339A.0076	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
6/24/15	M1141339A.0071	Technician - Level II, per hour	2.00	\$99.00	\$198.00
6/24/15	M1141339A.0071	Trip Charge, each	2.00	\$29.00	\$58.00
6/24/15	M1141339A.0073	Trip Charge, each	1.00	\$29.00	\$29.00
6/24/15	M1141339A.0073	Field Density Test by Nuclear Method, each	2.00	\$43.00	\$86.00
6/25/15	M1141339A.0074	Trip Charge, each	1.00	\$29.00	\$29.00
6/25/15	M1141339A.0074	Field Density Test by Nuclear Method, each	3.00	\$43.00	\$129.00
6/25/15	M1141339A.0077	Preparation of Fat Clay Soils for Proctors	1.00	\$60.00	\$60.00
6/25/15	M1141339A.0077	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
6/25/15	M1141339A.0078	Atterberg Limit, per test	1.00	\$100.00	\$100.00
6/25/15	M1141339A.0078	Preparation of Fat Clay Soils for Proctors	1.00	\$60.00	\$60.00
6/25/15	M1141339A.0078	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
6/25/15	M1141339A.0078	Percent - #200 sieve, each	1.00	\$65.00	\$65.00
6/26/15	M1141339A.0072	Technician - Level II, per hour	3.25	\$99.00	\$321.75
6/26/15	M1141339A.0072	Trip Charge, each	1.00	\$29.00	\$29.00
6/26/15	M1141339A.0072	Compressive Strength, per cylinder (4" x 8")	5.00	\$21.00	\$105.00
6/26/15	M1141339A.0079	Trip Charge, each	1.00	\$29.00	\$29.00
6/26/15	M1141339A.0079	Field Density Test by Nuclear Method, each	3.00	\$43.00	\$129.00
6/26/15	M1141339A.0080	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
6/26/15	M1141339A.0081	Trip Charge, each	1.00	\$29.00	\$29.00
6/26/15	M1141339A.0081	Field Density Test by Nuclear Method, each	2.00	\$43.00	\$86.00
6/29/15	M1141339A.0084	Project Engineer/Scientist/Geologist, per hour	0.50	\$165.00	\$82.50
6/29/15	M1141339A.0084	Staff Engineer	2.50	\$140.00	\$350.00
6/29/15	M1141339A.0084	Mileage	8.00	\$0.850	\$6.80
6/30/15	M1141339A.0082	Trip Charge, each	1.00	\$29.00	\$29.00
6/30/15	M1141339A.0082	Field Density Test by Nuclear Method, each	5.00	\$43.00	\$215.00
6/30/15	M1141339A.0083	Technician - Level II, per hour	1.25	\$99.00	\$123.75

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

**Invoice No.:** T669919  
**Project No.:** M1141339A  
**Project:** In Town Levees - Work Package  
 42A.1/42A.3  
 4th Street South  
 Fargo ND 58103  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
6/30/15	M1141339A.0083	Trip Charge, each	1.00	\$29.00	\$29.00
6/30/15	M1141339A.0083	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
6/30/15	M1141339A.0085	Technician - Level II, per hour	1.00	\$99.00	\$99.00
6/30/15	M1141339A.0085	Trip Charge, each	1.00	\$29.00	\$29.00
7/1/15	M1141339A.0086	Technician - Level II, per hour	2.00	\$99.00	\$198.00
7/1/15	M1141339A.0086	Trip Charge, each	1.00	\$29.00	\$29.00
7/1/15	M1141339A.0086	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
7/1/15	M1141339A.0087	Trip Charge, each	3.00	\$29.00	\$87.00
7/1/15	M1141339A.0087	Field Density Test by Nuclear Method, each	16.00	\$43.00	\$688.00
7/1/15	M1141339A.0088	Atterberg Limit, per test	1.00	\$100.00	\$100.00
7/1/15	M1141339A.0088	Preparation of Fat Clay Soils for Proctors	1.00	\$60.00	\$60.00
7/1/15	M1141339A.0088	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
7/1/15	M1141339A.0088	Percent - #200 sieve, each	1.00	\$65.00	\$65.00
7/1/15	M1141339A.0090	Technician - Level II, per hour	0.25	\$99.00	\$24.75
7/1/15	M1141339A.0090	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
7/1/15	M1141339A.0090	Concrete Fine Aggregate - Mechanical Analysis Only prorated with 2nd street	0.50	\$96.00	\$48.00
7/1/15	M1141339A.0091	Technician - Level II, per hour	1.00	\$99.00	\$99.00
7/1/15	M1141339A.0091	Trip Charge, each	1.00	\$29.00	\$29.00
7/2/15	M1141339A.0089	Technician - Level II, per hour	1.50	\$99.00	\$148.50
7/2/15	M1141339A.0089	Trip Charge, each	1.00	\$29.00	\$29.00
7/2/15	M1141339A.0089	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
7/3/15	M1141339A.0089A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
7/3/15	M1141339A.0089A	Trip Charge, each	1.00	\$29.00	\$29.00
7/7/15	M1141339A.0092	Technician - Level II, per hour	1.75	\$99.00	\$173.25
7/7/15	M1141339A.0092	Trip Charge, each	1.00	\$29.00	\$29.00
7/7/15	M1141339A.0092	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
7/7/15	M1141339A.0093	Project Engineer/Scientist/Geologist, per hour	0.50	\$165.00	\$82.50
7/7/15	M1141339A.0093	Staff Engineer	1.75	\$140.00	\$245.00
7/7/15	M1141339A.0093	Mileage	8.00	\$0.850	\$6.80
7/8/15	M1141339A.0092A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
7/8/15	M1141339A.0092A	Trip Charge, each	1.00	\$29.00	\$29.00
7/9/15	M1141339A.0094	Technician - Level II, per hour	1.00	\$99.00	\$99.00
7/9/15	M1141339A.0094	Trip Charge, each	1.00	\$29.00	\$29.00
7/9/15	M1141339A.0094	Extraction Gradation, Ignition Method, each	1.00	\$260.00	\$260.00
7/9/15	M1141339A.0094	Marshall voids update, set of 3	1.00	\$300.00	\$300.00
7/10/15	M1141339A.0095	Technician - Level II, per hour	1.50	\$99.00	\$148.50
7/10/15	M1141339A.0095	Trip Charge, each	1.00	\$29.00	\$29.00
7/10/15	M1141339A.0095	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
7/10/15	M1141339A.0096	Trip Charge, each	1.00	\$29.00	\$29.00
7/10/15	M1141339A.0096	Coring Crew, per hour	1.00	\$162.50	\$162.50
7/10/15	M1141339A.0096	Core density (field cut), each (ND/DOT)	6.00	\$49.00	\$294.00
7/10/15	M1141339A.0097	Technician - Level II, per hour	1.00	\$99.00	\$99.00
7/10/15	M1141339A.0097	Trip Charge, each	1.00	\$29.00	\$29.00
7/10/15	M1141339A.0097	Extraction Gradation, Ignition Method, each	1.00	\$260.00	\$260.00

**TERMS: DUE UPON PRESENTATION OF INVOICE**



# INVOICE

**Invoice No.:** T669919  
**Project No.:** M1141339A  
**Project:** In Town Levees - Work Package  
 42A.1/42A.3  
 4th Street South  
 Fargo ND 58103  
**Project Mgr:** Jeff Mathson

Date	Report	Description of Services	Quantity	Rate	Total
<b>Continued</b>					
7/10/15	M1141339A.0097	Marshall voids update, set of 3	1.00	\$300.00	\$300.00
7/10/15	M1141339A.0100	Technician - Level II, per hour	0.25	\$99.00	\$24.75
7/10/15	M1141339A.0100	Trip Charge, each	1.00	\$29.00	\$29.00
7/10/15	M1141339A.0100	Sieve Analysis (Dry) C136, each	1.00	\$90.00	\$90.00
7/10/15	M1141339A.0100	Concrete Fine Aggregate - Mechanical Analysis Only	1.00	\$96.00	\$96.00
7/11/15	M1141339A.0095A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
7/11/15	M1141339A.0095A	Trip Charge, each	1.00	\$29.00	\$29.00
7/14/15	M1141339A.0099	Technician - Level II, per hour	3.00	\$99.00	\$297.00
7/14/15	M1141339A.0099	Trip Charge, each	1.00	\$29.00	\$29.00
7/14/15	M1141339A.0099	Compressive Strength, per cylinder (4" x 8")	8.00	\$21.00	\$168.00
7/15/15	M1141339A.0101	Technician - Level II, per hour	2.00	\$99.00	\$198.00
7/15/15	M1141339A.0101	Trip Charge, each	1.00	\$29.00	\$29.00
7/15/15	M1141339A.0101	Compressive Strength, per cylinder (4" x 8")	4.00	\$21.00	\$84.00
7/16/15	M1141339A.0101A	Technician - Level II, per hour	0.25	\$99.00	\$24.75
7/16/15	M1141339A.0101A	Trip Charge, each	1.00	\$29.00	\$29.00
7/17/15	M1141339A.0102	Atterberg Limit, per test	1.00	\$100.00	\$100.00
7/17/15	M1141339A.0102	Preparation of Fat Clay Soils for Proctors	1.00	\$60.00	\$60.00
7/17/15	M1141339A.0102	Standard Proctor (ASTM D-698), each	1.00	\$160.00	\$160.00
7/17/15	M1141339A.0102	Percent - #200 sieve, each	1.00	\$65.00	\$65.00
7/18/15	Water Strip Testing	Water Strip Testing	1.00	\$2,553.00	\$2,553.00

**Invoice Total                    \$12,886.35**

**TERMS: DUE UPON PRESENTATION OF INVOICE**



FM Area Diversion Project  
Payment Application Certification  
(Partial Payment)

Payment Certification Date: 9/16/2015  
Pay Application No. 12

Contractor:  
**Terracon**  
4102 7th Ave. N.  
Fargo, ND 58102

Invoice Date: 7/29/2015  
Invoice Number: T669919  
Billing Period Start: 6/21/2015  
Billing Period End: 7/18/2015  
Invoice Amount: \$ **12,886.35**

Diversion Project No.: M1141339A  
Work Package: TO-01  
**42A.1/A.3 - 4th Street Pump Station**  
General Ledger Code: V02802  
Purchase Order No.: 173390

Original Contract Amount:	\$	50,000.00
Contract Amendments/AWD:	\$	430,000.00
Total Contract Amount:	\$	480,000.00
Prior Billed Amount:	\$	114,993.31
Amount Due this Request:	\$	<b>12,886.35</b>
Total Invoice Work To-Date:	\$	127,879.66
Amount Remaining:	\$	352,120.34

In accordance with the Contract, the ENGINEER is entitled to payment in the amount shown on the attached invoice.

CH2M HILL ENGINEERS, INC.

9/16/2015  
DATE

DIVERSION AUTHORITY – TECHNICAL ADVISORY COMMITTEE

DATE

DIVERSION AUTHORITY – FINANCE COMMITTEE

DATE

*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

September 25, 2015  
Invoice No. 2337

RE: Metro Flood Project – General Legal Matters

---

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

**INVOICE TOTAL**

Total for Current Legal Fees	\$ 6,046.05
Total for Current Disbursements and Service Charges	\$ 0
<b>Total for Current Invoice</b>	<b>\$ 6,046.05</b>

**Summary of Account**

*Prior Balance Due	\$ 0
Total Amount Due	\$ 6,046.05

\*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

September 25, 2015  
Invoice No. 2338

RE: Metro Flood Project – LEERDS Matters

---

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

**INVOICE TOTAL**

Total for Current Legal Fees	\$ 2,302.65
Total for Current Disbursements and Service Charges	\$ 0
<b>Total for Current Invoice</b>	<b>\$ 2,302.65</b>

**Summary of Account**

*Prior Balance Due	\$ 0
Total Amount Due	\$ 2,302.65

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

We appreciate your business.



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

September 18, 2015  
Invoice No. 3227869

RECEIVED  
9-21-15

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

For Legal Services Rendered Through August 31, 2015

INVOICE TOTAL

Total For Current Legal Fees	\$74,923.25
Total For Current Disbursements and Service Charges	\$1,570.85
<b>Total For Current Invoice</b>	<b>\$76,494.10</b>

Summary of Account

*Prior Balance Due	\$124,209.09
Total Amount Due	\$200,703.19

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

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



October 5, 2015

Cass County  
Joint Water  
Resource  
District

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

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

Mark Brodshaug  
Chairman  
Fargo, North Dakota

Rodger Olson  
Manager  
Leonard, North Dakota

Dan Jacobson  
Manager  
West Fargo, North Dakota

Ken Loughheed  
Manager  
Gardner, North Dakota

Raymond Wolfer  
Manager  
Argusville, North Dakota

Enclosed please find copies of bills totaling \$5,410,620.23 regarding the above referenced projects. The breakdown is as follows:

Previously submitted invoices (legal)	\$ 67,707.78
Access issues	32,692.59
In-Town Levee Project	615,659.96
DPAC	2,087.00
Oxbow-Hickson-Bakke Ring Levee	3,583,589.00
Oxbow Golf and Country Club	1,108,883.90

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

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

Enclosures

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

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES  
(PREVIOUSLY SUBMITTED INVOICES)

9/30/15

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
3/26/2010	3/23/2010	100173	90007	4,866.56	Ohnstad Twichell, P.C.	Legal - JPA, meetings
4/27/2011	5/2/2011	107438	90007	10,914.47	Ohnstad Twichell, P.C.	Legal - Meetings, research
5/24/2011	6/16/2011	107973	90007	4,197.00	Ohnstad Twichell, P.C.	Legal - JPA, insurance, meetings
7/7/2011	6/16/2011	108437	90007	2,745.00	Ohnstad Twichell, P.C.	Legal - conflict analysis, JPA, Meetings
8/15/2011	7/26/2011	109069	90007	2,820.00	Ohnstad Twichell, P.C.	Legal - JPA, meetings
8/26/2011	8/23/2011	109506	90007	495.00	Ohnstad Twichell, P.C.	Legal - Research, meetings
10/20/2011	9/26/2011	110063	90007	1,717.23	Ohnstad Twichell, P.C.	Legal - coverage issues, meetings, research
11/1/2011	10/26/2011	110671	90007	1,170.00	Ohnstad Twichell, P.C.	Legal - open meetings, MnDak, meetings
11/23/2011	11/15/2011	111077	90007	1,511.27	Ohnstad Twichell, P.C.	Legal - CH2MHill agreement, JPA, meetings
12/19/2011	12/14/2011	111615	90007	645.00	Ohnstad Twichell, P.C.	Legal - Ch2MHill agreement, coverage issues
1/27/2012	1/24/2012	112129	90007	735.00	Ohnstad Twichell, P.C.	Legal - RFQ, meeting
2/24/2012	2/21/2012	112595	90007	1,136.00	Ohnstad Twichell, P.C.	Legal - JPA, NDIRF coverage, meetings
4/12/2012	3/27/2012	113285	90007	2,672.00	Ohnstad Twichell, P.C.	Legal - R.O.D. process, JPA, SWC agreement
5/24/2012	5/21/2012	114438	90007	368.00	Ohnstad Twichell, P.C.	Legal - Diversion bonds, assessment statute
6/28/2012	6/25/2012	114917	90007	3,864.80	Ohnstad Twichell, P.C.	Legal - assessments, SWC agreements, meetings
8/9/2012	7/24/2012	115516	90007	736.00	Ohnstad Twichell, P.C.	Legal - JPA review
9/14/2012	8/27/2012	116018	90007	1,744.00	Ohnstad Twichell, P.C.	Legal - assessment statute, research, JPA
9/28/2012	9/25/2012	116356	90007	6,644.50	Ohnstad Twichell, P.C.	Legal - assessment, research
10/25/2012	10/22/2012	116810	90007	3,211.90	Ohnstad Twichell, P.C.	Legal - JPA, assessment districts, research
12/17/2012	12/10/2012	117917	90007	48.00	Ohnstad Twichell, P.C.	Legal - Review Dorsey bill
12/17/2012	11/29/2012	117540	90007	1,240.94	Ohnstad Twichell, P.C.	Legal - assessment statutes, meeting
1/25/2013	1/22/2013	118545	90007	1,184.00	Ohnstad Twichell, P.C.	Legal - Meetings, MOU
2/28/2013	2/26/2013	119200	90007	1,003.00	Ohnstad Twichell, P.C.	Legal - Flood plain statutes, meetings
3/28/2013	3/26/2013	119771	90007	160.00	Ohnstad Twichell, P.C.	Legal - Appropriations amendments
4/25/2013	4/24/2013	120373	90007	448.00	Ohnstad Twichell, P.C.	Legal - SWC Budget, review floor testimony
5/23/2013	5/20/2013	120886	90007	320.00	Ohnstad Twichell, P.C.	Legal - Authority meeting
9/13/2013	8/23/2013	122583	90007	880.00	Ohnstad Twichell, P.C.	Legal - JPA, meetings
9/26/2013	9/24/2013	123049	90007	936.12	Ohnstad Twichell, P.C.	Legal - Review Dorsey bill
11/14/2013	10/22/2013	123570	90007	898.00	Ohnstad Twichell, P.C.	Legal - Review motion, meetings
12/20/2013	11/26/2013	124413	90007	342.04	Ohnstad Twichell, P.C.	Legal - Dorsey motion, Oxbow MOU
2/13/2014	1/24/2014	125446	90007	1,015.60	Ohnstad Twichell, P.C.	Legal - Review DA motion, MN DNR letter
3/27/2014	3/26/2014	126631	90007	680.00	Ohnstad Twichell, P.C.	Legal - Research Admin code, statutes
5/8/2014	4/30/2014	127528	90007	3,247.35	Ohnstad Twichell, P.C.	Legal - Oxbow ring levee construction, meetings
6/12/2014	5/27/2014	128108	90007	1,530.00	Ohnstad Twichell, P.C.	Legal - JPA second amendment, bonds
8/15/2014	7/25/2014	129135	90007	221.00	Ohnstad Twichell, P.C.	Legal - lawsuit conference call
8/28/2014	8/26/2014	129686	90007	170.00	Ohnstad Twichell, P.C.	Legal - review Judge Tunheim's order
9/29/2014	9/23/2014	130279	90007	136.00	Ohnstad Twichell, P.C.	Legal - insurance issues
11/13/2014	10/27/2014	130944	90007	680.00	Ohnstad Twichell, P.C.	Legal - insurance issues, floodplain statutes
12/12/2014	11/25/2014	131471	90007	374.00	Ohnstad Twichell, P.C.	Legal - Diversion permitting issues, Limited JPA
Total				67,707.78		

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

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
9/10/2015	8/21/2015	137152	100007	12,201.73	Ohnstad Twichell, P.C.	Legal-ROE requests
9/10/2015	8/21/2015	137160	130007	16,509.00	Ohnstad Twichell, P.C.	Legal-Diversion ROW Acquisition
9/10/2015	8/21/2015	137151	90007	1,394.00	Ohnstad Twichell, P.C.	Legal-Construction contracts
9/10/2015	8/25/2015	2306		975.00	Erik R. Johnson & Associates, Ltd	Legal- right of entry matters
9/24/2015	9/10/2015	53465	R12.00049	1,612.86	Ulteig Engineers	Engineering - Land acquisition
Total				32,692.59		

IN-TOWN LEVEES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
09/10/15	08/20/15			12,620.00	McKayla and Josh Blanchard	Down payment assistance and moving relocation
09/10/15	08/19/15			87,411.00	Kelly Moraghan	Replacement housing
9/10/2015	8/18/2015			1,190.00	Curt Christensen	Final moving costs
9/10/2015	9/1/2015			13,440.00	Shannon Bacon & James Bergman	Final down payment assistance
9/10/2015				100,000.00	Jordan and Diana Heller	Earnest money
9/11/2015	9/11/2015			138,619.58	The Title Company	Purchase property - Estate of John Blanchard
9/18/2015	9/18/2015			25,000.00	The Bank of New York Mellon Trust Company	BNSF Purchase property
9/18/2015	9/18/2015			-18,000.00	The Bank of New York Mellon Trust Company	voided check
9/23/2015	9/23/2015			227,987.50	The Title Company	Purchase property - Kelly Moraghan
9/24/2015	9/1/2015			2,512.50	Jordan and Diana Heller	Advance relocation payment
9/10/2015	9/8/2015			10,000.00	Coldwell Banker First Realty	management fee
9/10/2015	9/10/2015			10,000.00	Coldwell Banker First Realty	Additional management fee
9/10/2015	9/5/2015	4734		1,979.75	Sentry Security, Inc.	Security patrol services
9/24/2015	9/19/2015	4771		2,899.63	Sentry Security, Inc.	Security patrol services
Total				615,659.96		

DIVERSION PROJECT ASSESSMENT DISTRICT (DPAC) INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
9/10/2015	8/21/2015	137157	120007	221.00	Ohnstad Twichell, P.C.	Legal-DPAC
9/10/2015	8/21/2015	137191	150007	1,866.00	Ohnstad Twichell, P.C.	Legal-Garaas appeal
Total				2,087.00		

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
9/10/2015	8/21/2015	137166	140007	13,667.00	Ohnstad Twichell, P.C.	Legal - OHB property purchases
9/24/2015	8/11/2015	MOWING1		4,485.00	Oxbow Country Club	mowing of lots in Oxbow
9/4/2015	9/4/2015			245,292.22	The Title Company	Property purchase - Losing
9/4/2015	9/4/2015			491,378.20	The Title Company	Property purchase - Losing
9/10/2015				3,031.10	Brenda Kaspari	Moving costs
9/10/2015				8,752.71	Joseph and Jolene Sauvageau	closing costs

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
9/10/2015				4,935.00	The Apartment Movers	moving costs for Bartram
9/10/2015	9/4/2015			8,619.89	Aaron Brakke	closing costs
9/11/2015	9/11/2015			281,512.34	The Title Company	Property purchase - Ingebrigtsen
9/11/2015	9/11/2015			300,891.20	The Title Company	Property purchase - Ingebrigtsen
9/14/2015	9/14/2015			143,000.00	William and Anne Kuzas	New lot
9/14/2015	9/14/2015			95,500.00	William and Anne Kuzas	builder down payment
9/14/2015	9/11/2015			130,000.00	Paul and Nancy Kochmann	New lot
9/14/2015	9/11/2015			50,000.00	Paul and Nancy Kochmann	builder down payment
9/15/2015	9/15/2015			131,000.00	Jeffrey and Lonnie Pederson	new lot
9/15/2015	9/15/2015			87,000.00	Jeffrey and Lonnie Pederson	builder down payment
9/15/2015	9/15/2015			2,855.00	Jeffrey and Lonnie Pederson	additional earnest money
9/17/2015	9/17/2015			136,000.00	Philip Henry and Sally McCravey	new lot
9/17/2015	9/17/2015			86,000.00	Philip Henry and Sally McCravey	builder down payment
9/24/2015	6/12/2015			3,331.00	5 Star Moving Inc	moving costs for Jeziorski
9/24/2015				2,460.00	Grant & Debra Retzlaff	moving costs
9/24/2015	9/18/2015			4,948.25	Grant & Debra Retzlaff	closing costs
9/24/2015				3,510.00	Steve & Michelle Losing	movings costs
9/24/2015	9/18/2015			7,645.90	Steve & Michelle Losing	closing costs
9/24/2015	9/12/2015			1,730.00	5 Star Moving Inc	moving costs for Jason Ingebrigtsen
9/24/2015				2,547.50	Jason Ingebrigtsen	moving costs
9/24/2015	9/18/2015			4,496.75	Jason Ingebrigtsen	closing costs
9/24/2015	9/8/2015			1,400.00	Aaron Brakke	moving costs
9/30/2015	9/30/2015			1,328,151.00	The Title Company	Property purchase - Heitmann Tree Farm LLLP
9/10/2015	8/25/2015			69.75	Cass Rural Water Users	Service to 5059 Mackenzie Drive
9/10/2015	9/3/2015			44.16	Cass County Electric Cooperative	Service to 349 Schnell Dr
9/10/2015	9/3/2015			172.76	Cass County Electric Cooperative	Service to 5059 Mackenzie Drive
9/10/2015	9/3/2015			63.01	Cass County Electric Cooperative	Service to 357 Schnell Dr
9/10/2015	9/3/2015			30.35	Cass County Electric Cooperative	Service to 345 Schnell Dr
9/24/2015	9/15/2015			35.93	Cass County Electric Cooperative	Service to 17495 52 St SE
9/17/2015				-895.00	The Title Company	refund on escrow for Jaff and Cindy Fisher
9/29/2015				-72.02	Cass Rural Water Users	overpayment on 345 Schnell Drive
<b>Total</b>				<b>3,583,589.00</b>		

**OXBOW COUNTRY CLUB INVOICES**

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
9/10/2015	8/10/2015	7		13,000.00	Oxbow Golf and Country Club	reimbursement of consultant fees
9/10/2015	9/10/2015			90,228.01	Oxbow Golf and Country Club	reimbursement of architect, engineering, pump house
9/24/2015	9/24/2015			1,005,655.89	Oxbow Golf and Country Club	mowing Fercho Prop, golf course construction, pump h
<b>Total</b>				<b>1,108,883.90</b>		
<b>Grand Total</b>				<b>5,410,620.23</b>		

## North Dakota State University Invoice

Please Remit To:  
North Dakota State University  
Grant and Contract Accounting  
NDSU Dept 3130  
PO Box 6050  
Fargo, ND 58108-6050  
United States

Invoice No: FAR-0000042708  
Date: 09/29/2015  
Sponsor No: OGA\_004650  
  
Award: FAR0023665  
PI: Nancy Marie Hodur  
Award Title: Ag Risk Economic Evaluation for  
Temporary Water Retentio  
Award Period: 09/16/2014 - 09/30/2015  
Sponsor Award: N/A  
Award Amount: USD \$135,367.00  
  
**AMOUNT DUE: USD \$135,367.00**

Sponsor:  
Flood Diversion Board of Authority  
Box 2806  
211 Ninth Street South  
Fargo ND 58108  
United States

<u>Description</u>	<u>Current Bill Amount</u>
Payment due upon completion of study entitled "Metro Flood Diversion Project - Ag Risk Economic Evaluation".	135,367.00
<b>TOTAL:</b>	<u>135,367.00</u>
<b>CURRENT AMOUNT DUE:</b>	<b>USD 135,367.00</b>

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).

APPROVED Tyson Lund  
Tyson Lund ~ Grants and Contracts Officer

DATE 9-29-15

For billing questions, please call Tyson Lund at 1-701-231-8357



**FM Diversion Authority**  
**Fiscal Accountability Report Design Phase (Fund 790)**  
**As of 9/30/2015**

	2011	2012	2013	2014	2015	Cumulative Totals
<b>Revenues</b>						
City of Fargo	443,138	7,652,681	7,072,961	19,373,131	18,855,258	53,397,169
Cass County	443,138	7,652,681	7,072,961	19,373,131	18,855,258	53,397,169
State Water Commission	-	-	3,782,215	602,918	20,709,880	25,095,013
Other Agencies	98,475	1,700,595	1,571,769	4,305,140	4,190,057	11,866,036
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>62,895,617</b>	<b>144,831,195</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	230,877	916,131
7915 WIK - Project Design	149,632	5,366,147	3,220,859	9,118,723	3,634,291	21,489,652
7920 WIK - Project Management	679,037	7,223,650	4,695,477	3,579,339	2,685,900	18,863,404
7925 WIK - Recreation	-	163,223	-	-	-	163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	17,013,358	37,563,933	61,232,979
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	10,582,411	12,321,049
7951 Construction - Minnesota	-	-	-	-	-	-
7952 Construction - O/H/B	-	-	-	11,282,504	4,802,107	16,084,611
7955 Construction Management	-	-	-	556,209	1,739,371	2,295,580
7990 Project Financing	-	50,000	70,000	216,376	267,943	604,319
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>63,532,458</b>	<b>146,367,180</b>

**FM Diversion Authority**  
**FY 2015 Summary Budget Report ( In Thousands)**  
**October 1, 2014 through December 31, 2015**  
**As of September 30, 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	1,103	24,976			34,064
Cass County	59,040	1,103	24,976			34,064
State of ND - 50% Match	57,200	886	19,435			37,765
State of ND - 100% Match	35,800	-	5,337			30,463
State of Minnesota	-	-	-			-
Other Agencies	13,120	245	5,550			7,570
Financing Proceeds	-	-	-			-
Sale of Assets	-	-	104			(104)
Property Income	-	-	193			(193)
Miscellaneous	-	-	0			(0)
<b>Total Revenue Sources</b>	<b>224,200</b>	<b>3,336</b>	<b>80,573</b>			<b>143,627</b>
<b>Funds Appropriated</b>						
Army Corp Local Share	525	-	2,025		2,979	(4,479)
Management Oversight	7,200	583	6,518	91%	4,108	(3,426)
Technical Activities	16,575	365	6,703	40%	3,166	6,706
Land Acquisitions	106,700	152	43,494	41%	29,054	34,152
Construction	91,300	2,114	22,451	25%	44,932	23,917
Mitigation	-	-	-		-	-
Other Costs	1,900	105	383	20%	350	1,167
<b>Total Appropriations</b>	<b>224,200</b>	<b>3,319</b>	<b>81,574</b>	<b>36%</b>	<b>84,588</b>	<b>58,038</b>

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

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-7910-429.33-20	9/30/2015	JF20150911	CITY OF FARGO	680.00	CHARGE COF TIME - 09/15	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Accounting Services</b>				<b>\$680.00</b>			
790-7910-429.33-25	9/23/2015	261812	OXBOW, CITY OF	1,025.00	DIVERSION LEGAL SERVICES	V02407	OXBOW MOU-LEGAL SERVICES
	9/23/2015	261812	OXBOW, CITY OF	25,475.00	DIVERSION LEGAL BILLINGS	V02407	OXBOW MOU-LEGAL SERVICES
	9/30/2015	261964	OXBOW, CITY OF	662.50	LEGAL SERV-COVENANTS	V02407	OXBOW MOU-LEGAL SERVICES
	9/30/2015	261964	OXBOW, CITY OF	102.94	LEGAL SERV-ZONING ORDINAN	V02407	OXBOW MOU-LEGAL SERVICES
	9/30/2015	261964	OXBOW, CITY OF	244.00	LEGAL SERV-PLAT 4TH ADD	V02407	OXBOW MOU-LEGAL SERVICES
	9/30/2015	261964	OXBOW, CITY OF	15.00	LEGAL SERV-VAC EASEMENT	V02407	OXBOW MOU-LEGAL SERVICES
	9/30/2015	261964	OXBOW, CITY OF	10,208.22	LEGAL SERV-ZONING ISSUES	V02407	OXBOW MOU-LEGAL SERVICES
	9/30/2015	261964	OXBOW, CITY OF	4,250.45	LEGAL SERV-DIVERSION BILL	V02407	OXBOW MOU-LEGAL SERVICES
	9/30/2015	261964	OXBOW, CITY OF	16,089.10	LEGAL SERV-DIVERSION BILL	V02407	OXBOW MOU-LEGAL SERVICES
	9/16/2015	261488	ERIK R JOHNSON & ASSOCIATES	4,714.95	METRO FLOOD-GENERAL	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Legal Services</b>				<b>\$62,787.16</b>			
790-7910-429.38-68	9/16/2015	261499	FREDRIKSON & BYRON, PA	7,000.00	GOVERNMENT RELATIONS LOB	V00102	General & Admin. WIK
<b>Total WIK - General &amp; Admin. - Lobbyist</b>				<b>\$7,000.00</b>			
790-7915-429.33-05	9/23/2015	261812	OXBOW, CITY OF	3,935.55	PROJECT MGMT-ADMIN	V02401	OXBOW MOU-PROJ MGMT ADMIN
	9/23/2015	261812	OXBOW, CITY OF	715.00	PRLIMINARY ENGINEERING	V02402	OXBOW MOU-PRELIM ENGINRNG
	9/23/2015	261812	OXBOW, CITY OF	588.30	WATER QUALITY PLAN	V02403	OXBOW MOU-CONCEPT LAYOUTS
	9/30/2015	261964	OXBOW, CITY OF	4,209.80	OXBOW LEVEE MGMT ADMIN	V02401	OXBOW MOU-PROJ MGMT ADMIN
	9/30/2015	261964	OXBOW, CITY OF	7,895.50	OXBOW LEVEE PRELIM ENG	V02402	OXBOW MOU-PRELIM ENGINRNG
	9/30/2015	261964	OXBOW, CITY OF	366.85	WATER QUALITY-LAKE ADVOCA	V02403	OXBOW MOU-CONCEPT LAYOUTS
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	4,850.16	DIVERSION RECREATION/USE	V01607	RECREATION/USE MASTER PLN
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	42,456.98	DIVERSION WORK IN KIND	V01608	WORK-IN-KIND (WIK)
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	28,474.50	DIVERSION HYDROLOGY/HYDRA	V01609	HYDROLOGY/HYDRAULIC MODEL
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	166,112.03	DIVERSION LEVEE DESIGN	V01613	LEVEE DESIGN & SUPPORT
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	5,131.25	DIVERSION DRAFT OPERATION	V01615	DRAFT OPERATIONS PLAN
	9/16/2015	261599	URS CORPORATION	74,613.69	CULTURAL RESOURCES INVEST	V01003	CULTURAL RESOURCES INVEST
	9/16/2015	261599	URS CORPORATION	-2,357.38	CREDIT CULTURAL RESOURCES	V01003	CULTURAL RESOURCES INVEST
	9/16/2015	261599	URS CORPORATION	-7,413.06	CREDIT CULTURAL RESOURCES	V01003	CULTURAL RESOURCES INVEST
	9/16/2015	261599	URS CORPORATION	6,949.75	CULTURAN RESOURCES INVEST	V01003	CULTURAL RESOURCES INVEST
	9/16/2015	261599	URS CORPORATION	2,210.04	CULTURAL RESOURCES INVEST	V01003	CULTURAL RESOURCES INVEST
<b>Total WIK - Project Design - Engineering Services</b>				<b>\$338,738.96</b>			
790-7915-429.38-99	9/16/2015	261598	UNITED STATES GEOLOGICAL SURVEY	26,150.00	WATER LEVEL DISCHARGE COL	V02202	H2O LEVEL DISCHARGE CLTN
<b>Total WIK - Project Design - Other Services</b>				<b>\$26,150.00</b>			
790-7920-429.33-05	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	61,929.26	DIVERSION PROJECT MGMT	V01601	HMG - PROJECT MANAGEMENT
<b>Total WIK Construction Mgmt. - Engineering Services</b>				<b>\$61,929.26</b>			
790-7920-429.33-79	9/30/2015	261964	OXBOW, CITY OF	3,541.66	JULY PROJECT MGMT	V02410	OXBOW MOU - PROJ MGMT JDA
	9/16/2015	261477	CH2M HILL ENGINEERS INC	310,000.00	CONTRACT MGMT EXTENSION	V00205	CH2M Hill-8.30.14-2.27.15
<b>Total WIK Construction Mgmt. - Construction Management</b>				<b>\$313,541.66</b>			
790-7930-429.33-05	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	235.50	DIVERSION LAND MGMT SERV	V01606	LAND MANAGEMENT SERVICES
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	1,256.00	DIVERSION UTILITY DESIGN	V01610	UTILITIES DESIGN
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	235.50	DIVERSION CR-20 BRIDGE	V01611	REACH 6 & CR20 BRIDGE

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

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	23,423.82	DIVERSION BRIDGE DESIGN	V01618	WP28 - CR-16/CR-17 BRIDGE
<b>Total LERRDS - North Dakota - Engineering Services</b>				<b>\$25,150.82</b>			
790-7930-429.33-25	9/30/2015	261901	DORSEY & WHITNEY LLP	124,209.09	JULY 2015 LEGAL EXPENSE	V00101	Dorsey Whitney Legal
	9/16/2015	261488	ERIK R JOHNSON & ASSOCIATES	2,233.80	METRO FLOOD PROJECT	V00103	General & Admin. LERRDS
<b>Total LERRDS - North Dakota - Legal Services</b>				<b>\$126,442.89</b>			
790-7950-429.73-52	9/16/2015	261520	INDUSTRIAL BUILDERS INC	679,517.57	2 ST PUMP STATION	V02801	2ND ST NORTH PUMP STATION
	9/16/2015	261521	INDUSTRIAL CONTRACT SERVICES INC	1,288,554.77	4 ST PUMP ST 7 4 ST WALL	V02805	PUMP STATION & FLOODWALL
<b>Total ND Construction - Flood Control</b>				<b>\$1,968,072.34</b>			
790-7952-429.73-53	9/23/2015	261812	OXBOW, CITY OF	78,883.77	WATER, SEWER, STREETS	V02409	OXBOW MOU-CONST RPLM AREA
	9/30/2015	261964	OXBOW, CITY OF	67,081.99	WATER, SEWER, STREET, DRA	V02409	OXBOW MOU-CONST RPLM AREA
<b>Total O/H/B Construction - Dams/Reservoirs/Diversion</b>				<b>\$145,965.76</b>			
790-7955-429.33-05	9/9/2015	261328	HOUSTON-MOORE GROUP LLC	137,525.79	DIVERSION CONST SERVICES	V02806	CONSTRUCTION SVCS WP42
<b>Total Construction Management - Engineering Services</b>				<b>\$137,525.79</b>			
790-7990-429.34-55	9/16/2015	261531	JP MORGAN CHASE-LOCKBOX PROCESSING	68,591.39	P3 CONSULTING	V03301	PPP FINANCL ADVISORY SVCS
<b>Total Project Financing - Financial Advisor</b>				<b>\$68,591.39</b>			
790-7990-520.80-30	9/24/2015	JF20150908	US BANK	36,406.25	US BANK LOAN INTEREST	V02902	\$50M CITY OF FARGO US BANK ADVANCE
<b>Total Project Financing - Interest on Debt</b>				<b>\$36,406.25</b>			
<b>Total Disbursed for Period</b>				<b>\$3,318,982.28</b>			

**FM Diversion Authority**  
**Cumulative Vendor Payments Since Inception**  
**As of September 30, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
CASS COUNTY JOINT WATER RESOURE	97,973,396.02	58,611,005.67	39,362,390.35	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
HOUSTON-MOORE GROUP LLC	26,571,077.45	22,025,334.51	4,545,742.94	Engineering Services
INDUSTRIAL BUILDERS INC	24,388,926.85	4,841,838.21	19,547,088.64	2nd St North Pump Station Project and 2nd Street Floodwall, South of Pump Station
CH2M HILL ENGINEERS INC	17,860,819.01	15,690,819.01	2,170,000.00	Project Management
INDUSTRIAL CONTRACT SERVICES I	17,630,171.59	7,128,587.37	10,501,584.22	4th St Pump Station and 2nd Street Floodwall
OXBOW, CITY OF	14,658,858.02	13,799,539.54	859,318.48	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	2,409,327.33	2,409,327.33	-	Legal Services
MINNESOTA DNR	2,188,007.43	1,740,211.07	447,796.36	EIS Scoping
URS CORPORATION	1,745,618.42	1,450,744.47	294,873.95	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	769,917.82	-	769,917.82	Utility Relocation
MOORE ENGINEERING INC	662,468.17	662,468.17	-	Engineering Services
DUCKS UNLIMITED	587,180.00	587,180.00	-	Wetland Mitigation Credits
HOUSTON ENGINEERING INC	576,669.57	576,669.57	-	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	-	Land Purchases
TERRACON CONSULTING ENGINEERS	480,000.00	74,545.81	405,454.19	Materials Testing
AT&T	441,330.44	-	441,330.44	Utility Relocation
ERIK R JOHNSON & ASSOCIATES	354,366.64	354,366.64	-	Legal Services
JP MORGAN CHASE-LOCKBOX PROCES - ERNST AND YOUNG	350,000.00	68,591.39	281,408.61	Financial Advisor
CITY OF FARGO	328,178.71	328,178.71	-	Digital Imagery Project, Utility Relocation & Accounting Svcs
702 COMMUNICATIONS	275,862.91	199,910.18	75,952.73	Utility Relocation
CASS COUNTY TREASURER	245,565.40	245,565.40	-	Property Tax
US BANK	239,112.46	239,112.46	-	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	-	148,511.37	Utility Relocation
PFM PUBLIC FINANCIAL MANAGEMEN	146,460.00	146,460.00	-	Financial Advisor
NDSU BUSINESS OFFICE-BOX 6050	135,167.00	-	135,167.00	Ag Risk Study Services
UNITED STATES GEOLOGICAL SURVE	104,600.00	104,600.00	-	Water Level Discharge Collection
PROSOURCE TECHNOLOGIES, INC	100,000.00	8,324.94	91,675.06	Engineering Services
ULTEIG ENGINEERS INC	100,000.00	-	100,000.00	Engineering Services
BRAUN INTERTEC CORP	90,210.00	77,629.00	12,581.00	Quality Testing
EL ZAGAL TEMPLE HOLDING CO	68,040.72	68,040.72	-	Easement Purchase for El Zagal Levee
GRAY PANNELL & WOODWARD LLP	66,300.68	66,300.68	-	Legal Services
OHNSTAD TWICHELL PC	65,035.11	65,035.11	-	ROE and Bonding Legal Fees
FREDRIKSON & BYRON, PA	63,000.00	28,000.00	35,000.00	Lobbying Services
IN SITU ENGINEERING	54,800.00	47,973.00	6,827.00	Quality Testing

**FM Diversion Authority**  
**Cumulative Vendor Payments Since Inception**  
**As of September 30, 2015**

Vendor Name	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
ADVANCED ENGINEERING INC	50,000.00	50,000.00	-	Public Outreach
US GEOLOGICAL SURVEY	46,920.00	46,920.00	-	Stage Gage Installation
GEOKON INC	33,815.36	33,815.36	-	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	33,066.02	33,066.02	-	Property Management Services
NIXON PEABODY LLC	30,000.00	30,000.00	-	Legal 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	-	ROE Legal Fees
BRIGGS & MORGAN PA	12,727.56	12,727.56	-	Legal Services
ND WATER USERS ASSOCIATN	5,000.00	5,000.00	-	Membership Dues
MCKINZIE METRO APPRAISAL	3,200.00	3,200.00	-	Appraisal Services
FORUM COMMUNICATIONS (LEGALS)	2,224.20	2,224.20	-	Advertising Services
CLAY COUNTY AUDITOR	1,970.00	1,970.00	-	Property Tax
DAWSON INSURANCE AGENCY	1,867.81	1,867.81	-	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	-	Home Buyouts
TRIO ENVIRONMENTAL CONSULTING	747.60	747.60	-	Asbestos and LBP Testing - Home Buyouts
BNSF RAILWAY CO	600.00	600.00	-	Permit for 4th St N Project
RED RIVER VALLEY COOPERATIVE A	536.96	536.96	-	Electricity - Home Buyouts
FERRELLGAS	496.00	496.00	-	Propane - Home Buyouts
BROKERAGE PRINTING	473.33	473.33	-	Custom Printed Forms
KOCHMANN, CARTER	315.00	315.00	-	Lawn Mowing Services
GALLAGHER BENEFIT SERVICES INC	250.00	250.00	-	Job Description Review
DONS PLUMBING	240.00	240.00	-	Winterize - Home Buyouts
CURTS LOCK & KEY SERVICE INC	138.10	138.10	-	Service Call - Home Buyouts
GOOGLE LOVEINTHEOVEN	116.00	116.00	-	Meeting Incidentals
FEDERAL EXPRESS CORPORATION	71.89	71.89	-	Postage
CASS COUNTY RECORDER	68.00	68.00	-	Oxbow MOU - Advance for Land Purchase
<b>GRAND TOTAL</b>	<b>\$ 230,955,456</b>	<b>\$ 146,367,180</b>	<b>\$ 84,588,276</b>	

**FM Diversion Authority  
In-Town Levee Work  
as of September 30, 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	\$ 4,841,838.21
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	480,000.00	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	7,129,187.37
V02806	HMG	Services During Construction - Work Package 42	2,243,000.00	873,328.74
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	769,917.82	-
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>\$ 66,530,976.77</u>	<u>\$ 27,813,928.36</u>

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

Time Period for This Request: September 1, 2015 - September 30, 2015

Drawdown Request No: 19	
<b>Requested Amount:</b>	<b>\$ 885,633</b>
Total Funds Expended This Period:	\$ 1,771,265
Total Funds Requested at 100% Match	-
Remaining Funds Requested at 50% Match	1,771,265
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	885,633
<b>Total Funds Requested:</b>	<b>\$ 885,633</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)



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

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)
Less: Payment #18 - FM Diversion Authority	(885,633)
<b>Total Funds Reimbursed</b>	<b>(80,741,261)</b>
<b>Total State Fund Balances Remaining</b>	<b>\$ 163,258,739</b>

<b>LOCAL MATCHING FUNDS SUMMARY:</b>	
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>\$ 6,277,910</b>

**FM Diversion Authority  
Lands Expense - Life To Date  
As of September 30, 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 September 30, 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>