

FARGO CITY COMMISSION AGENDA
Monday, February 12, 2018 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/citycommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, January 29, 2018).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of the following Ordinances:
 - a. Amending Section 10-0304, of Article 10-03 of Chapter 10 of the Fargo Municipal Code Relating to Public Safety, Morals and Welfare.
 - b. Amending Section 25-1506, of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
- 2. 2nd reading of the following Ordinances; 1st reading on 1/29/18:
 - a. Rezoning Certain Parcels of Land Lying in Timber Parkway Second Addition.
 - b. Rezoning a Certain Parcel of Land Lying in Valley View Second Addition.
- 3. Receive and file Summons and Petition for Writ of Mandamus in the matter of Aaron L. Cockfield v. City of Fargo.
- 4. Receive and file Investment Report for the quarter ended December 31, 2017.
- 5. Receive and file Fourth Quarter Financial Status Report for Major Operating Funds through December 31, 2017.
- 6. Receive and file General Fund – Budget to Actual through January 31, 2018 (unaudited).
- 7. Five-year Indigent Defense Service agreements with Joe Johnson and Stormy Vickers for January 1, 2018 through December 31, 2022.
- 8. Applications for Games of Chance:
 - a. Josh Jensen Benefit for a raffle board on 3/10/18; Public Spirited Resolution.
 - b. St. Joseph’s School for a raffle on 3/17/18.
 - c. Fargo Moorhead Derby Girls for a raffle on 3/17/18.
 - d. NDSU Men’s Lacrosse Team for a raffle on 3/24/18.
 - e. Fargo Elks Lodge #260 for a calendar raffle from 5/1/18 to 5/31/18.
 - f. United Way of Cass-Clay for a raffle board on 2/24/18.
 - g. Fargo North PTSA for a raffle on 4/22/18.
 - h. University Lutheran Center for a raffle on 2/26/18.

Tax exemptions for improvements made to buildings:

- a. Roger C. and Diane Genoch, 1502 28th Avenue South (3 year).
 - b. Blake A. and Addie R. Fidler, 1808 26 1/2 Court South (3 year).
 - c. Tyler J. Leverington, 746 Elm Street North, Unit C2 (5 year).
 - d. Ryan J. Nagle and Kjersten R. Nelson, 409 8th Avenue South (5 year).
 - e. Kenton R. Rodgers and Gudrun S. Lukat-Rodgers, 2820 Hickory Street North (5 year).
 - f. Travis J. and Alison L. Hoeg, 2586 Willow Road North (5 year).
 - g. Katie E. and Ryan Habgood, 1302 4th Street North (5 year).
 - h. Thomas A. and Denise K. Eide, 1005 9th Street South (5 year).
 - i. David C. and Jane E. Dahlgren, 1361 4th Street North (5 year).
 - j. Karlgaard Properties LLC, 734 College Street North (5 year).
10. Bid award for handicap seating upgrades at the FARGODOME.
 11. Bid award for suite finish upgrades at the FARGODOME.
 12. Contract Agreement with Jeremiah Program to provide a breastfeeding friendly environment for their employees.
 13. Agreement for Services with Jeff Knight to create branding for the Cass Clay Food Partners gleaning project.
 14. Purchase of Service Agreement with the ND Department of Health for targeted testing for tuberculosis infection and treatment (CFDA #93.116).
 15. Agreement for Services with the American Lung Association for tobacco prevention (RFP17386).
 16. Sole Source Procurement for replacement wear parts from Electric Pump for Sanitary Lift Station Nos. 19, 23 and 25 in the amount of \$110,406.50.
 17. Programmatic Categorical Exclusion document for Project No. SN-18-A1.
 18. Engineering Services Agreement Amendment No. 3 with Houston Engineering, Inc. for Project No. FM-15-F2.
 19. Change Order No. 1 for an increase of \$51,600.00 for Project No. TR-17-B1.
 20. Bid advertisement for Project Nos. FM-15-K and PR-18-A.
 21. Purchase of property at 1213 El Cano Drive South and direct engineering staff to negotiate the purchase of 4003 Copperfield Court once an updated appraisal has been received.
 22. Change Orders for the City Hall Project:
 - a. No. 18 for an increase of \$4,042.00 for the general contract.
 - b. No. 10 for an increase of \$2,165.00 for the mechanical contract.
 - c. No. 11 for an increase of \$4,881.00 for the mechanical contract.
 - d. No. 10 for a decrease of \$1,303.00 for the electrical contract.
 23. Change Orders for the Police Department Remodeling Project at the Border States Electric Building:
 - a. No. E-4 for an increase of \$10,826.50 for the electrical construction contract.
 - b. No. G-4 for an increase of \$2,421.00 for the general construction contract.

24. Bid award for a Gas Chromatography/Mass Spectrometer at the Water Treatment Plant.
25. Bills.
26. Engineering Services Agreement Amendment No. 1 for Improvement District No. BR-18-C0.
27. Final Balancing Change Order No. 3 for an increase of \$6,551.60 for Improvement District No. PR-16-F1.
28. Addition of Improvement District Nos. SL-17-A, SL-17-B and SL-17-C to the 2018 Capital Improvement Plan.
29. Amendment to Road Use Agreement with Kilbourne Construction Management and DFI Roberts LLC, Fargo for Improvement District No. BR-17-L1.
30. Create Improvement District Nos. BN-18-G, FM-17-C and PR-18-E.

REGULAR AGENDA:

31. Update on Apartment Incentive Policy Review by the Tax Exempt Review Committee.
32. Update on the North Dakota Interagency Council on Homelessness.
33. Public Hearings - 5:15 pm:
 - a. CONTINUE to 2/26/18 - Transfer of a Class "AB" Alcoholic Beverage License from Mom's Kitchen Inc. d/b/a Tailgator's Sports Café at 1322 Main Avenue to Demeske Enterprises Inc. d/b/a Tailgator's/Mom's Kitchen; continued from the 1/29/18 Regular Meeting.
 - b. Class "Z" Alcoholic Beverage License Applications for the following:
 1. District 64 LLC d/b/a District 64 at 64 Broadway North.
 2. L & S Hospitality LLC d/b/a Cowboy Jack's at 64 4th Street North.
 - a. Conduct a drawing to determine issuance of the Class "Z" Alcoholic Beverage License.
34. Proposal from Fargo Cass Public Health to administer the Good Neighbor Project Syringe Services Program.
35. Change Orders for Project No. WA1301:
 - a. No. 13 for an increase of \$211,760.00 for the general construction contract.
 - b. No. 11 for an increase of \$37,924.71 for the mechanical construction contract.
 - c. No. 6 for an increase of \$39,675.00 for the electrical construction contract.
36. Task Order No. 2 from AE2S in the amount of \$587,200.00 for Project No. WA1301.
37. Task Order No. 3 from AE2S in the amount of \$432,200.00 for Project No. WA1301.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/citycommission.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA



ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 10-0304, OF ARTICLE 10-03 OF CHAPTER 10 OF THE FARGO MUNICIPAL CODE RELATING TO PUBLIC SAFETY, MORALS AND WELFARE

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Code; and,

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and,

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purposes; and,

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment.

Section 10-0304 of Article 10-03 of Chapter 10 of the Fargo Municipal Code is hereby amended to read as follows:

10-0304. Carrying, possession, discharge of dangerous weapons.—

* * *

D. Except for those persons described in N.D.C.C. § 62.1-02-05 subd. 2, it shall be unlawful within the limits of the city for a person to carry or have in his possession a dangerous weapon or firearm:

1. At a public gathering, as defined by NDCC 62.1-02-05 subd. 1; and
2. ~~In a publicly owned park, unless it is a park that has been approved by the board of city commissioners for the control of deer or other animals within the city limits; and~~
3. In a publicly owned or operated building.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

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Section 2. Penalty.

A person who willfully violates this ordinance is guilty of a Class B misdemeanor. Every person, firm or corporation violating an ordinance which is punishable as a Class B misdemeanor shall be punished by a fine not to exceed \$1,500.00, or by imprisonment not to exceed 30 days, or by both such fine and imprisonment, in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof. In addition to such fine and/or imprisonment, the court, in its discretion, may assess a fee in an amount not to exceed \$25.00 as provided in section 27-01-10, N.D.C.C.

Section 3. Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval and publication.

Timothy J. Mahoney, Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:
Publication:

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OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

(16)

AN ORDINANCE AMENDING SECTION 25-1506, OF ARTICLE 25-15 OF CHAPTER 25 OF THE FARGO MUNICIPAL CODE RELATING TO ALCOHOLIC BEVERAGES

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Code; and,

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and,

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purposes; and,

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment.

Section 25-1506 of Article 25-15 of Chapter 25 of the Fargo Municipal Code is hereby amended to read as follows:

* * *

W. Class P – A Class “P” license shall authorize the licensee to operate a domestic winery and to sell wine “on-sale” and “off-sale”, subject to the following restrictions and conditions:

1. A Class “P” license may be issued only to a domestic winery owner or operator who obtains a license from the State Tax Commissioner allowing the production of wine.
2. A Class “P” license will authorize the licensee to sell, on the winery premises, wine produced by that winery at “on-sale” or “off-sale”, in retail lots, and not for resale, in total quantities not in excess of 10,000 gallons in a calendar

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FARGO, NORTH DAKOTA

ORDINANCE NO. _____

year. In addition, a Class "P" licensee may, if so authorized by a license issued by the State of North Dakota, sell beer "on-sale" only provided, however, that such "on-sale" beer sales shall be incidental to the sale of wine. ~~Notwithstanding any other provisions of law to the contrary, sales of beer and wine shall cease at 11:00 p.m.~~

- 3. A Class "P" license will authorize the licensee to sell glassware, wine literature and accessories, cheese, cheese spreads, and other snack food items.
- 4. A Class "P" license will authorize the licensee to utilize special event permits issued by the State Tax Commissioner, provided, however, that the incidental sales of "on-sale" beer allowed by paragraph 2 above, will not be allowed at the locations where said permits are utilized.
- 5. The Class "P" license shall be governed by all the provisions of this article applicable to Class "A" licensees.

A Class "P" license shall not be required, however, for a domestic winery owner or operator having a license from the state tax commissioner allowing the production of wine and only being present within the city to utilize special event permits issued by the state tax commissioner. It is the intent of this exemption to not require licensure by domestic winery owners or operators, if properly licensed elsewhere, where the only presence in the city is to utilize special event permits.

* * * *

Section 2. Penalty.

A person who willfully violates this ordinance is guilty of an infraction. Every person, firm or corporation violating an ordinance which is punishable as an infraction shall be punished by a fine not to exceed \$1,000; the court to have power to suspend said sentence and to revoke the suspension thereof.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. Effective Date.

This ordinance shall be in full force and effect from and after its passage,
approval and publication.

Timothy J. Mahoney, Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:
Publication:

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OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

2a

ORDINANCE NO. _____

1 AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
2 LYING IN TIMBER PARKWAY SECOND ADDITION
3 TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

4 WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the
5 City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain
6 parcels of land lying in Timber Parkway Second Addition to the City of Fargo, Cass County, North
7 Dakota; and,

8 WHEREAS, the Fargo Planning Commission recommended approval of the rezoning
9 request on January 29, 2018; and,

10 WHEREAS, the rezoning changes were approved by the City Commission on October 3,
11 2017,

12 NOW, THEREFORE,

13 Be It Ordained by the Board of City Commissioners of the City of Fargo:

14 Section 1. The following described property:

15 All of Timber Parkway Second Addition to the City of Fargo, Cass County, North
16 Dakota;

17 that is currently zoned as a "GC", General Commercial, District with a "C-O", Conditional Overlay
18 will hereby retain the "GC", General Commercial, District zoning and the "C-O", Conditional
19 Overlay is repealed and re-established to read as follows:

20 A. Description

21 a. This C-O, Conditional Overlay, district is primarily intended to encourage high-
22 quality, durable, and long-lasting investments.

23 B. Design Standards

a. Building Massing

i. All buildings shall have architectural interest and variety to avoid the
effect of a single, long or massive wall; buildings shall include variation in
size and shape.

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FARGO, NORTH DAKOTA

ORDINANCE NO. _____

- ii. All building elevations or facades facing or viewable from right-of-ways or parking lots that are greater than 200 feet in length, measured horizontally from vertical edge to vertical edge, shall incorporate wall plane projections or recesses. Each projection and/or recess shall have a depth of at least five feet, and the cumulative total horizontal width of all projections and/or recesses within a façade shall equate to at least an accumulated total of 20 percent of the overall horizontal length of the façade. No uninterrupted length of any façade shall exceed 200 horizontal lengths. Attached or adjacent permanent wall projections that screen maintenance/loading/delivery/dumpster areas that exceed 9 feet in height shall count as projections and recesses.
- iii. Ground floor facades that are within 200' of the right-of-way, measured from the exterior wall, shall have arcades, display windows, entry areas, awnings, spandrel glass, ground level landscaping or other such features along no less than 60% of its horizontal length.
- iv. All building elevations or facades facing or viewable from right-of-ways or parking lots shall be designed with a similar level of design detail, respective to building massing and building materials.

b. Building Materials

- i. All walls shall be constructed or clad with natural stone, synthetic stone, brick, stucco, EIFS, fiber cement, curtain walls, glass, high quality pre-stressed concrete systems, architectural metal panels, colored precast concrete panels, or similar high quality material as may be approved by the Zoning Administrator. All materials shall be durable and have a multi-generational life span.
- ii. Prohibited materials shall be steel siding exceeding 25% of building elevation, untreated CMU's, ceramic tile walls, highly reflective wall treatments, exposed neon or color tubing that is not used in an accent capacity, un-textured concrete, untreated concrete masonry unit, or un-colored precast concrete panels; unless otherwise approved by the Zoning Administrator.

c. Screening of Dumpsters/Refuse Containers and Loading Areas

i. Dumpsters

- 1. Lot 3: Dumpster and loading areas that are attached or adjacent to the primary structure shall be screened on three sides by permanent

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FARGO, NORTH DAKOTA

ORDINANCE NO. _____

walls. The fourth side shall be screened a minimum of 40% from perpendicular view by permanent walls. Permanent walls shall be a minimum of 9 feet in height.

2. Lots 1 and 2: Dumpster and loading areas that are attached or adjacent to the primary structure shall be screened on three sides by permanent walls. Permanent walls shall be a minimum of 9 feet in height.

ii. Stand-alone outdoor dumpster areas shall be screened on three sides by permanent walls. The fourth side shall be screened by a metal gate. Permanent walls shall be a minimum of 8 feet in height.

d. Screening of Rooftop and Ground Level Mechanical Equipment

i. Rooftop mechanical equipment shall be 50% concealed from public view, when viewing angle is from the Finish Floor elevation, measured at 150' from the exterior wall.

ii. All ground level HVAC units and utility boxes shall be screened from view by a structure, wall, fence or landscaping.

e. Parking Lot Landscaping

i. A minimum of 10% of the internal surface area of the parking lot shall be landscaped with plantings, but shall be allowed to be reduced to 5% with approved landscape buffer as outlined in subparagraph B.(f)(i).

f. Landscape Buffer

i. A 50-foot landscape easement was dedicated in March 2014 by Document Number 1412948 on file with the Cass County Recorder's Office along the north side of the development. The developer shall be required to submit a landscape plan for this easement area which shall include a combination of trees and landscaped berms. And the overall landscape plan shall be approved by the Zoning Administrator. The developer intends this buffer to provide a high quality transition between residential and commercial properties while also providing an added aesthetic element to the development. If, in the opinion of the Zoning Administrator, the proposed landscape plan meets the intended objective and is reflective of high quality design and materials; the requirement for landscaping internal to parking lots as contemplated under subparagraph 2.(f)(ii) of Ordinance Number 4908 shall be reduced from 10 percent to 5 percent. The landscaping plan shall be implemented within the easement area within 12

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month following issuance of any building permit as described in Ordinance Number 4908. Trees shall be of minimum 2-inch caliper.

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C. Prohibited Uses

- a. Within the Use Category for Retail Sales/Service and Office, sales and leasing of consumer vehicles including passenger vehicles, light/medium trucks and other recreational vehicles that includes outdoor storage/display/sales are prohibited
- b. Detention Facilities
- c. Adult Entertainment Center
- d. Self-Service Storage
- e. Vehicle Repair (excluding tire sales)
- f. Industrial Service
- g. Manufacturing and Production
- h. Warehouse and Freight Movement, excluding furniture/appliance stores from the prohibition
- i. Wholesale Sales
- j. Aviation/Surface Transportation

D. Site Design

- a. Separate vehicular and pedestrian circulation systems shall be provided. An on-site system of pedestrian walkways shall be provided between building entrances and the following:
 - i. Any public sidewalk system along the perimeter streets adjacent to the development, or along the perimeter of the lot
 - ii. Primary entrances of other buildings on the site
 - iii. Adjacent pedestrian origins and destinations – including but not limited to transit stops, residential development, office buildings, and retail buildings – where deemed practical and appropriate by the Zoning Administrator.

E. Signage

- a. Off-premise Signs and digital billboards shall be prohibited.
- b. Advertising of businesses within said development is not considered off-premise advertising.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

c. Unless otherwise specified above, all other provisions within the Sign Code shall remain in full force and effect.

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Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

Timothy J. Mahoney, Mayor

(SEAL)

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

26

ORDINANCE NO. _____

1 AN ORDINANCE REZONING A CERTAIN PARCEL OF LAND
2 LYING IN VALLEY VIEW SECOND ADDITION
3 TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

4 WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the
5 City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain
6 parcels of land lying in Valley View Second Addition to the City of Fargo, Cass County, North
7 Dakota; and,

8 WHEREAS, the Fargo Planning Commission recommended approval of the rezoning
9 request on January 4, 2018; and,

10 WHEREAS, the rezoning changes were approved by the City Commission on January 29,
11 2018,

12 NOW, THEREFORE,

13 Be It Ordained by the Board of City Commissioners of the City of Fargo:

14 Section 1. The following described property:

15 Lot One (1), Block One (1), Valley View Second Addition to the City of Fargo,
16 Cass County, North Dakota;

17 is hereby rezoned from "MR-1", Multi-Dwelling Residential, District to "MR-3", Multi-Dwelling
18 Residential, District;

19 Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his
20 office so as to conform with and carry out the provisions of this ordinance.
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OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

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Timothy J. Mahoney, Mayor

(SEAL)

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

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| <p>Aaron L. Cockfield,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>City of Fargo,</p> <p style="text-align: right;">Defendant.</p> | <p>Civil No.: _____</p> <p style="text-align: center;">SUMMONS</p> |
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THE STATE OF NORTH DAKOTA TO THE ABOVE NAMED DEFENDANT:

[¶1] **YOU ARE HEREBY SUMMONED** and required to appear and defend against the Complaint in this action, which is herewith served upon you, by serving upon the undersigned an answer or other proper response within 21 (twenty-one) days after the service of the summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

Dated this 31 day of January, 2018.



 Leo F.J. Wilking (ND ID #05629)
 WILKING LAW FIRM, PLLC
 3003 32nd Ave. S., Ste. 240
 P. O. Box 3085
 Fargo, North Dakota 58108-3085
 Phone: (701) 356-6823
 Fax: (701) 478-7621
 lwilking@wilkinglaw.com
 ATTORNEY FOR THE PLAINTIFF

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

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|--|---|
| <p>Aaron L. Cockfield,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>City of Fargo,</p> <p style="text-align: right;">Defendant.</p> | <p>Civil No.: _____</p> <p style="text-align: center;">PETITION FOR WRIT OF MANDAMUS</p> |
|--|---|

[¶1] **COMES NOW** the Petitioner, Aaron L. Cockfield (hereafter "Cockfield"), and for his cause of action against the City of Fargo alleges and states as follows:

[¶2] Petitioner Cockfield is a resident of West Fargo, North Dakota who was employed by the City of Fargo in the Solid Waste Department from March 16, 2009, until he was terminated on August 22, 2017.

[¶3] Defendant City of Fargo, pursuant to its Home Rule Charter, is a municipal body politic and corporate in perpetuity, under the name of "City of Fargo."

[¶4] At all times material hereto, Cockfield was a non-probationary city employee with a legitimate expectation of continued government employment pursuant to City of Fargo Ordinance 7-0305 and City of Fargo Employment Policy 300-008.

[¶5] On July 28, 2018, Cockfield had a physical altercation with Shawn Eckre, an acting route supervisor. Cockfield characterized his actions in the altercation as self-defense. Eckre and the City characterized Cockfield's actions as an assault and act of workplace violence.

[¶6] Terry Ludlum, Director of Solid Waste Operations, conducted an investigation of the incident. This included an e-mail from Cockfield dated August 1, 2017; conversations with Shawn Eckre, Mark Steffens, and other Solid Waste Department employees, and written statements of Eckre, Steffens, Bob Gregor and Patrick English. In addition, Ludlum prepared a diagram of the break room at the Solid Waste Department where the altercation took place.

[¶7] On August 22, 2017, Cockfield was called into a meeting with Ludlum, Human Resources Director Jill Minette, Route Supervisor David Rheault, and an unidentified Fargo police officer. Ludlum told Cockfield that based on his investigation, there were grounds for Cockfield's immediate termination. Cockfield was given a letter of termination dated August 22, 2017. (Exhibit "A," attached hereto)

[¶8] In the course of the meeting on August 22, 2017, Ludlum made the following comments: 1) "After interviewing the people that were there we've got a pretty good indication we think that's what happened." 2) "But we visited with other people that were in that room." 3) Mark [Steffens] very candidly told his story. He described it." 4) "That's not what we are hearing from...."

[¶9] At no time during the meeting on August 22, 2017, did Ludlum inform Cockfield as to which "people" had been interviewed, other than Shawn Eckre and Mark Steffens, or what "other people that were in that room" had been contacted.

[¶10] At no time during the meeting on August 22, 2017, did Ludlum inform Cockfield that the evidence Ludlum had gathered to support the termination included conversations with Bob Gregor and Patrick English.

[¶11] At no time during the meeting on August 22, 2017, did Ludlum inform Cockfield of the existence of written statements secured from Eckre, Steffens, Gregor and English, nor did he show those written statements to Cockfield. In fact, the written statement of English is dated August 24, 2017, two days after the meeting of August 22, 2017. (Exhibits "B," "C," "D," and "E," attached hereto)

[¶12] At no time during the meeting on August 22, 2017, did Ludlum inform Cockfield that he had prepared a diagram of the break room or show that diagram to Cockfield. (Exhibit "F," attached hereto)

[¶13] Had Ludlum informed Cockfield on August 22, 2017, of the contents of the English statement, assuming those contents were shared with Ludlum before the written statement was prepared, Cockfield would have told Ludlum that shortly after the incident on July 28, 2017, English had admitted to Cockfield that he was standing in a position in the hallway behind Eckre and did not see what occurred in respect to the altercation.

[¶14] Had Ludlum shown Cockfield the written statements of Eckre, Steffens and Gregor, Cockfield would have indicated his disagreement with portions of those statements and the basis for his disagreement.

[¶15] Had Ludlum shown Cockfield the diagram he had prepared, Cockfield would have pointed out numerous errors in that diagram.

[¶16] Cockfield appealed his termination to the City of Fargo Civil Service Commission. A hearing was held on September 19, 2017. At that hearing, the City of Fargo introduced as exhibits all of the written statements referenced above in addition

to the diagram of the break room. Cockfield had not seen any of these documents before they were provided to his attorney shortly before the hearing.

[¶17] The City Commission voted by a 3-2 margin to uphold the termination of Cockfield.

[¶18] Cockfield appealed the decision of the Civil Service Commission to the City Commission of the City of Fargo. A hearing was held on October 30, 2017. Only three of the five commissioners were present. At the hearing, the City of Fargo introduced all of the exhibits which it had used in the hearing before the Civil Service Commission, including all the written statements and the diagram referenced above. By a unanimous 3-0 vote the City Commission upheld the decision of the Civil Service Commission that Cockfield was properly terminated.

Count 1 – Violation of Due Process

[¶19] Pursuant to the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article I, Section 9, of the Constitution of the State of North Dakota, Cockfield was entitled pre-termination notice of the charges against him and an explanation of the employer's evidence and an opportunity to present his side of the story.

[¶20] By withholding and failing to inform Cockfield of the bulk of the evidence it had gathered, the City of Fargo violated Cockfield's constitutional right to due process. He was not provided with an explanation of the employer's evidence, nor was he given a meaningful opportunity to present his side of the story in the context of the evidence obtained by the City of Fargo.

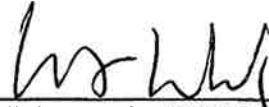
[¶21] Section 32-34-01, N.D.C.C., authorizes issuance of a writ of mandamus by the district court “to any inferior tribunal, corporation, board or person to compel the performance of an act which the law specifically enjoins as a duty resulting from an office, trust or station....”

[¶22] Cockfield has no other plain, speedy and adequate remedy in the ordinary course of law.

[¶23] **WHEREFORE**, Petitioner requests the Court issue its Writ of Mandamus to Defendant City of Fargo as follows:

1. That Aaron Cockfield be reinstated immediately as an employee of the City of Fargo and that such employment be continued unless and until such time as Cockfield is terminated in accordance with City ordinances and policies and the protection he is afforded by the United States Constitution and North Dakota Constitution.
2. That Aaron Cockfield be awarded full back pay and benefits from August 23, 2017, to the date of his reinstatement;
3. For interest on any award of money damages at the maximum rate of interest allowed by law;
4. For an award of Plaintiff's costs and disbursements, and such other and further relief as the Court may deem just and equitable in the circumstances.

Dated this 31 day of January, 2018.



Leo F.J. Wilking, (ND #03629)
WILKING LAW FIRM, PLLC
3003 32nd Ave. S., Ste. 240
P. O. Box 3085
Fargo, North Dakota 58108-3085
Phone: (701) 356-6823
Fax: (701) 478-7621
lwilking@wilkinglaw.com
ATTORNEY FOR THE PETITIONER



Division of Solid Waste

2301 8th Avenue North
Fargo, North Dakota 58102
Phone: 701-241-1449
Fax: 701-241-8109

August 22, 2017

Mr. Aaron Cockfield
518 5th Street
#207
West Fargo, ND 58078

Dear Mr. Cockfield:

Your employment with the City of Fargo is terminated today, August 22, 2017 because of the incidents that occurred on July 28, 2017. You refused a work directive from an acting supervisor without sufficient cause. When the acting supervisor inquired why you refused, you escalated the situation resulting in an assaultive physical altercation. Specifically, you shoved Shawn Eckre. Your conduct violated City of Fargo Employment Policy 300-005 Conduct / Ethics by failing to follow a work directive and further violated City of Fargo Policy 400-009 Workplace Violence by engaging in abusive and violent behavior. After a full and complete investigation, I find that your conduct violates such policies. Therefore, your assault of the acting supervisor is grounds for immediate termination.

Your final paycheck will be issued on September 1, 2017. Your accrued annual leave will be paid to you in your final check. You must surrender your City of Fargo identification card, keys, and uniforms.

A packet of information will be mailed to your home address. This packet includes information on your benefits including your options for continuation of your health, dental and vision insurance. If you have any questions or would like to schedule an exit interview to go over your benefits with a representative from Human Resources, please call 701-241-1321.

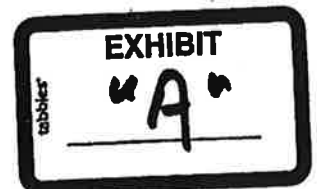
You and your family have the continued benefit of the Employee Assistance Program (EAP) through the Village Business Institute for at least 90 days following the end of your employment. You can access EAP services by calling 1-800-627-8220.

Along with this letter, you are being provided with a copy of the City of Fargo Civil Service Commission Disciplinary Action Appeal Hearing Procedures, Policy #300-008A.

Sincerely,
Terry Ludlum

A handwritten signature in black ink that appears to read "Terry Ludlum".

Employee signature acknowledges receipt of this letter and Policy #300-008A



At 3:00 pm - 3:15 pm I called BOB G to see if he would go dump HHW. He told me he was leaving at 3:30. I then asked him if Tanner was by him. Bob said Tanner was washing his truck.

I then asked Bob if anyone else was in the break room. Bob said Aaron was sitting there.

I told Bob to tell Aaron to take a truck and go dump HHW.

I could hear Aaron talking back to Bob over the phone saying fuck him he is not my fucking boss and he can't tell me what to do. I then told Bob to tell him again to go dump HHW, then I hung up the phone because I was getting a call from Pat E at the hospital about his injured eye.

I picked up Pat and came back to the shop. Tanner was sitting in my office and I asked him if Aaron dumped HHW. He said no I just went and dumped it.



I went into the Break Room where Aaron was sitting in front of the computer reading the news.

I asked Aaron why Tanner had to go dump HHW I told you to go dump it. He said FUCK YOU SHAWN YOUR NOT MY BOSS AND I AM NOT GOING TO LISTEN TO YOU. He stood up from the computer turned to me and walked a few steps toward me. I walked ~~back~~ a few steps toward him and said yes you are going to listen to me or we are going to Terry's office on Monday morning.

Aaron then said FUCK TERRY I WILL JUST CALL JENIFER AND I SAID GO RIGHT AHEAD THEN HE TOOK A STEP TOWARD ME AND PUSHED ME WITH BOTH HIS ARMS INTO THE WALL.

Aaron then clenched his fists and said BRING IT ON Fucker.

Mark Steffins was sitting right there at the table, jumped up and grabbed Aaron and pulled him away from me.

I SAID YOU JUST PUSHED ME
INTO A WALL WITH A HALF DOZEN
WITNESSES, SO YOUR PROBABLY DONE.
I THEN SAID, SEE YOU IN TERRY'S
OFFICE ON MONDAY THEN I WALKED
INTO MY OFFICE.

Shawn Ebre



On Friday, July 28th at approximately 3:50 p.m. I was in the drivers room at the table and Aaron was at the computer desk. We were the only two in there. Shawn Eckre came around the corner of the southern door, stopped and asked Aaron if he got a container at (address unknown). Aaron said, "You didn't tell me to get it, you told Gregor." Shawn said, "I'll told Gregor, then I told you."

Aaron then shouted something about how ~~Gregor~~ Gregor gets off and he wasn't bossing him. $\leftarrow \rightarrow$ I do not know the exact words as I was in disbelief how Aaron was yelling at him. Anyway, after he yelled, Shawn started at him at little more than a foot walk. Aaron got up out of his chair and used both hands to Shawn's chest to push him back about 5-6 feet into the wall.

Shawn started back at Aaron when I got up and put my arms between them. I believe I said, "Knock it off!" Shawn said, "I get you now boy," and left the room. Aaron then talked to me on how he felt threatened and used the word "boy" so many times

For the record,

I like both Shawn and Aaron, but I am telling this truthfully as I remember it.

If either one thinks its unfair, I'm sorry and hope we can still remain friends. Mick Steffens

? \downarrow as I only heard him use it once.

July 28th.

Shawn called me and asked if i have seen Tanner and i said no. then he asked me if someone could go get HHW. i told i was going to be leaving. at 3:30. he then ask if there was anybody in drivers room i ~~was~~ said Aaron was. he told me to tell him to go get HHW. Aaron said no F~~UCKING~~ way He was not going to do it used the F Bomb extremely. said Fuck him and he was not going to do it said he could write him up he didn't care he was not going to do it then tanner come in and handed Aaron the phone it was Shawn and told him to go get HHW again he said the F Bomb a lot and said he could write me up he didn't care and was not going to do it Fuck him at the end of conversation and just sat there i ask him if he was going to do it he said no, so myself and Tanner went out and Dump them, then on sat Aaron text me and ask if i got HHW on Friday and i said yes.

Bob Gregor

Aug 3. 2017.

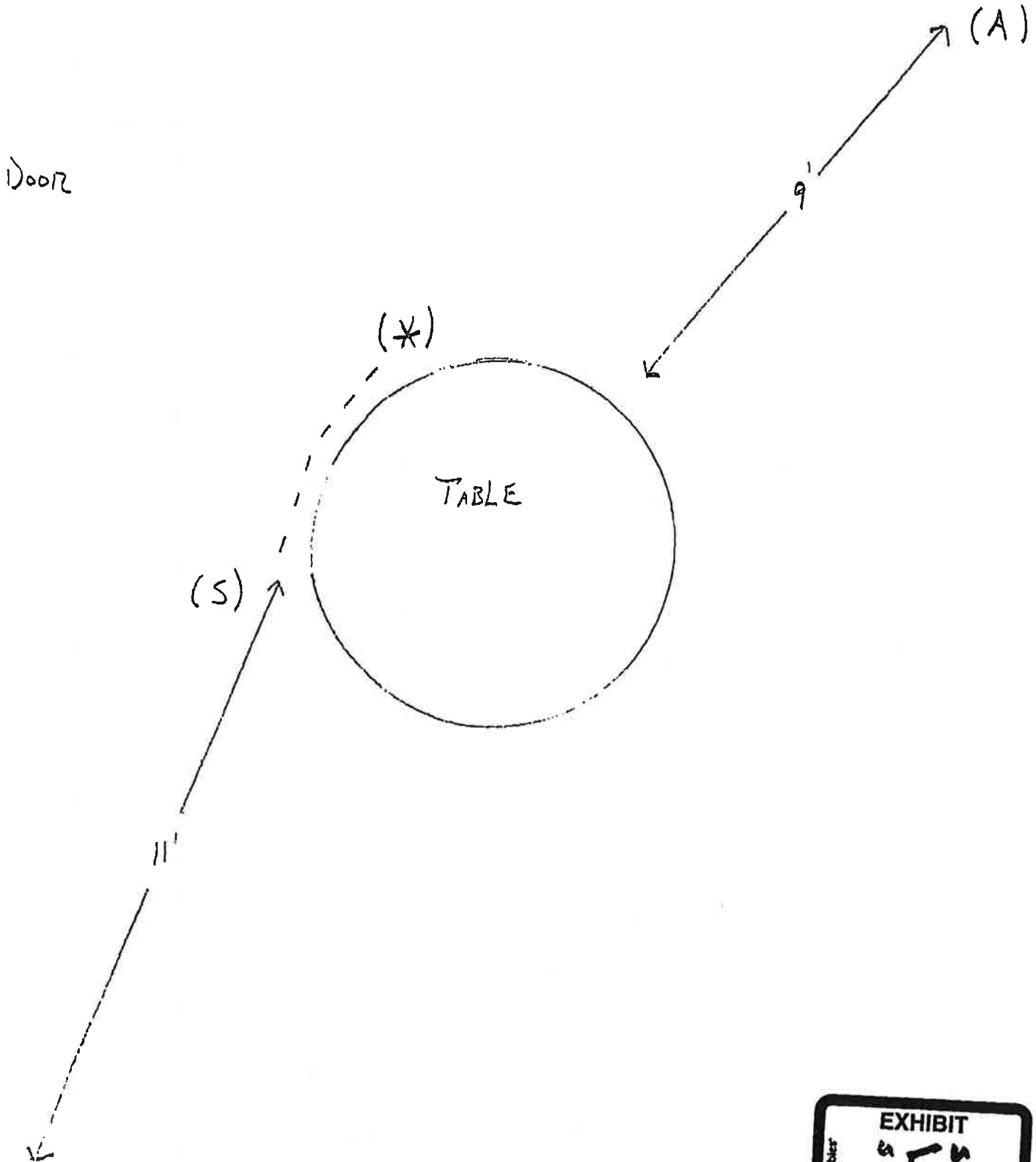
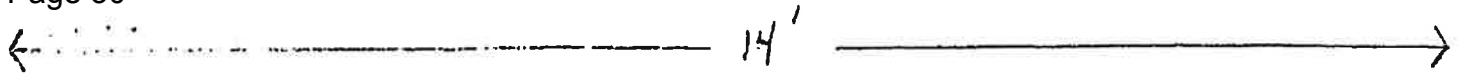


AUG 24, 2017



I, PATRICK T ENGLISH -
WHO WITNESSED THE INCIDENT ON
JULY 28 - AARON COCKFIELD - USED
PHYSICAL ASSAULT & VERBAL VIOLENCE
ON SHAWN EKCRE, HIS IMMEDIATE
SUPERVISOR, WHICH IN MY OPINION,
IS GROUNDS FOR IMMEDIATE TERMINATION.
THESE KINDS OF ACTIONS, SHOULD NEVER
BE TOLERATED, IN ANY WORKPLACE,
ENVIRONMENT, ANYWHERE OR ANYPLACE.
NO MATTER WHO THE EMPLOYEE IS,
OR AT ANY LEVEL, JUST MY
UNBIASED OPINION.

Patrick T English



Door




④

Finance Office

P.O. Box 2083
200 3rd Street North
Fargo, North Dakota 58107-2083
Phone: 701-241-1333
Fax: 701-241-1526

TO: BOARD OF CITY COMMISSIONERS

FROM: KENT COSTIN, DIRECTOR OF FINANCE 

RE: FOURTH QUARTER INVESTMENT STATUS REPORT

DATE: FEBRUARY 2, 2018

A report of City of Fargo investments is presented to you in accordance with a financial policy directive in 2014 to begin reporting this information directly to the City Commission. Our credit rating agencies best business practices include this process and we have previously discussed and concurred that this would enhance our financial reporting practices.

The report attached is a consolidated summary of our investment holdings. Individual portfolios are managed for various purposes and PFM Asset Management, LLC has been our investment advisor since 2012.

The Finance Committee periodically reviews changes in our asset management policies. The City Commission approves changes to our investment policies. Pension fund investments are not included in this report.

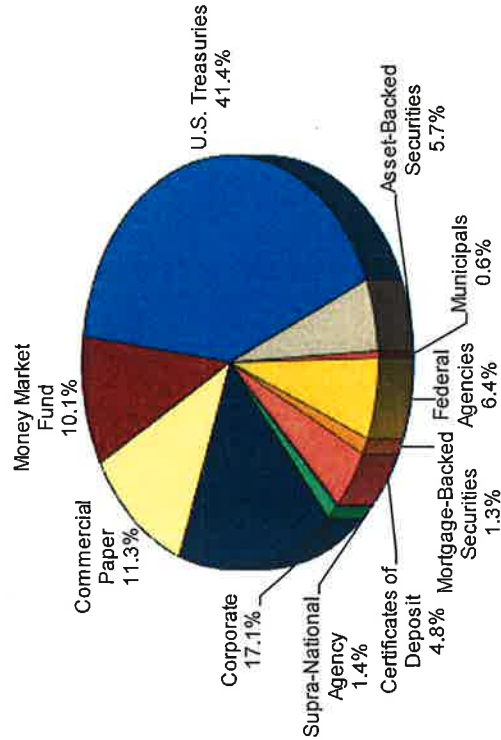
Suggested Motion:

Receive and file a report of City investment holdings as of December 31, 2017

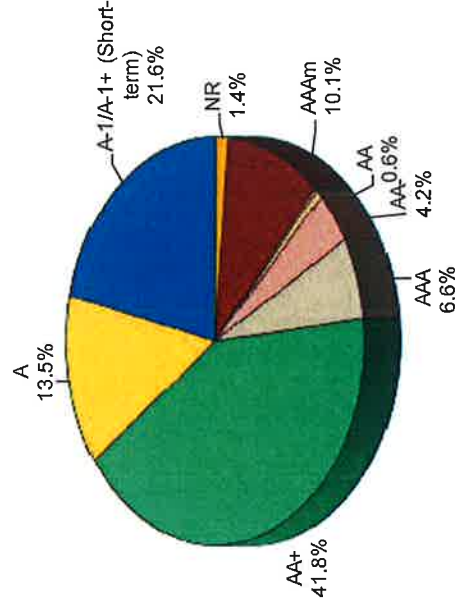
Portfolio Composition and Credit Quality Characteristics – Combined

| <u>Security Type¹</u> | <u>December 31, 2017</u> | <u>% of Portfolio</u> | <u>September 30, 2017</u> | <u>% of Portfolio</u> |
|----------------------------------|--------------------------|-----------------------|---------------------------|-----------------------|
| U.S. Treasuries | \$72,759,558 | 41.4% | \$102,425,224 | 47.6% |
| Federal Agencies | \$11,162,182 | 6.4% | \$15,734,967 | 7.3% |
| Mortgage-Backed Securities | \$2,242,733 | 1.3% | \$2,403,696 | 1.1% |
| Asset-Backed Securities / CMO | \$9,967,614 | 5.7% | \$9,055,542 | 4.2% |
| Commercial Paper | \$19,874,425 | 11.3% | \$11,991,181 | 5.6% |
| Certificates of Deposit | \$8,407,972 | 4.8% | \$13,421,736 | 6.2% |
| Corporate | \$29,990,392 | 17.1% | \$27,441,241 | 12.8% |
| Supra-National Agency | \$2,480,752 | 1.4% | \$878,672 | 0.4% |
| Municipals | \$982,789 | 0.6% | \$984,894 | 0.5% |
| Money Market Fund | \$17,790,395 | 10.1% | \$30,827,931 | 14.3% |
| Totals | \$175,658,813 | 100.0% | \$215,165,084 | 100.0% |

Portfolio Composition as of 12/31/17



Credit Quality Distribution as of 12/31/17

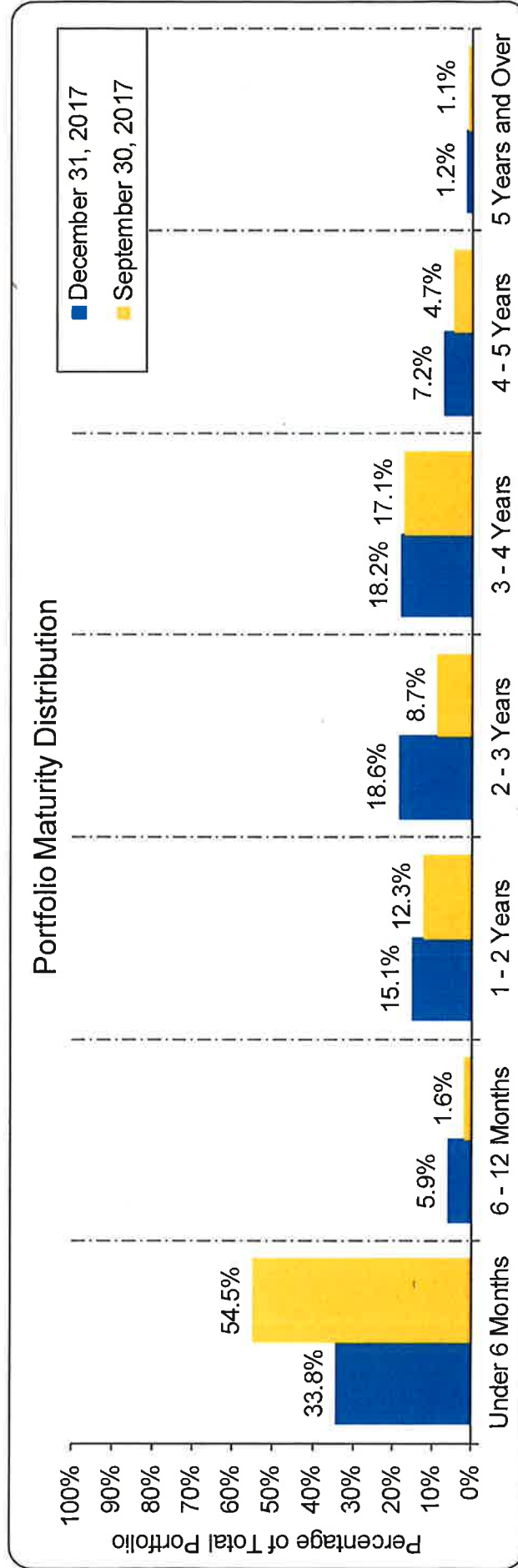


Notes:

1. End of quarter trade date market values of portfolio holdings, including accrued interest.

Portfolio Maturity Distribution – Combined

| <u>Maturity Distribution¹</u> | <u>December 31, 2017</u> | <u>September 30, 2017</u> |
|--|--------------------------|---------------------------|
| Under 6 Months | \$59,367,717 | \$117,192,866 |
| 6 - 12 Months | \$10,354,934 | \$3,499,684 |
| 1 - 2 Years | \$26,595,978 | \$26,497,311 |
| 2 - 3 Years | \$32,638,379 | \$18,806,926 |
| 3 - 4 Years | \$31,956,982 | \$36,816,539 |
| 4 - 5 Years | \$12,607,260 | \$10,062,976 |
| 5 Years and Over | \$2,137,562 | \$2,288,782 |
| Totals | \$175,658,813 | \$215,165,084 |



Notes:
 1. Callable securities and mortgage-back securities, if any, in the portfolio are included in the maturity distribution analysis to their legally stated final maturity date.

5

TO: BOARD OF CITY COMMISSIONERS

FROM: KENT COSTIN, DIRECTOR OF FINANCE *KAC*

RE: FINANCIAL STATUS REPORT FOR MAJOR OPERATING FUNDS FOR YEAR ENDING DECEMBER 31, 2017

DATE: FEBRUARY 7, 2018

The Finance Department is presenting the fourth quarter financial status report covering our major operating funds. This report covers year to date activity through December 31, 2017.

This has been prepared in accordance with the Finance Committee's policy of formal quarterly financial updates as a supplement to the monthly financial report provided each month for the General Fund.

Suggested Motion:

Approve the financial status report for the fourth quarter of FY 2017 for all major operating funds.

CITY OF FARGO, NORTH DAKOTA
FINANCIAL STATUS REPORT (Preliminary Year End)
BUDGET TO ACTUAL FOR YEAR ENDING DECEMBER 31, 2017

| REVENUES: | Budget | Actual | Variance | Variance Percentage | Footnotes |
|-------------------------------|-----------------------|-----------------------|-----------------------|----------------------------|------------------|
| General Fund | \$ 94,628,000 | \$ 92,800,000 | \$ (1,828,000) | -1.9% | |
| Enterprise Funds: | | | | | |
| Water | 25,112,000 | 23,756,000 | (1,356,000) | -5.4% | |
| Solid Waste | 15,689,000 | 15,587,000 | (102,000) | -0.7% | |
| Wastewater | 12,270,000 | 11,743,000 | (527,000) | -4.3% | |
| Forestry | 1,863,000 | 1,896,000 | 33,000 | 1.8% | |
| Street Lighting | 1,952,000 | 2,027,000 | 75,000 | 3.8% | |
| Storm Sewer | 1,650,000 | 1,663,000 | 13,000 | 0.8% | |
| Vector Control | 697,000 | 716,000 | 19,000 | 2.7% | |
| Total Enterprise Funds | 59,233,000 | 57,388,000 | (1,845,000) | -3.1% | |
| Total Operating Funds | \$ 153,861,000 | \$ 150,188,000 | \$ (3,673,000) | -2.4% | |

Reporting Basis: Modified Accrual PP 14

| EXPENDITURES: | Budget | Actual | Variance | Variance Percentage | Footnotes |
|-------------------------------|-----------------------|-----------------------|---------------------|----------------------------|------------------|
| General Fund | \$ 99,133,000 | \$ 94,945,000 | \$ 4,188,000 | 4.2% | |
| Enterprise Funds: | | | | | |
| Water | 20,707,000 | 18,643,000 | 2,064,000 | 10.0% | |
| Solid Waste | 16,878,000 | 17,462,000 | (584,000) | -3.5% | |
| Wastewater | 10,550,000 | 9,734,000 | 816,000 | 7.7% | |
| Forestry | 2,017,000 | 1,923,000 | 94,000 | 4.7% | |
| Street Lighting | 1,957,000 | 1,890,000 | 67,000 | 3.4% | |
| Storm Sewer | 1,871,000 | 1,686,000 | 185,000 | 9.9% | |
| Vector Control | 1,195,000 | 905,000 | 290,000 | 24.3% | |
| Total Enterprise Funds | 55,175,000 | 52,243,000 | 2,932,000 | 5.3% | |
| Total Operating Funds | \$ 154,308,000 | \$ 147,188,000 | \$ 7,120,000 | 4.6% | |

Reporting Basis: Modified Accrual PP 14

(6)

**CITY OF FARGO
GENERAL FUND - BUDGET TO ACTUAL
THROUGH JANUARY 31, 2018
(UNAUDITED)**

| | 2018 BUDGET | 2018 ACTUAL | VARIANCE |
|--|------------------------|------------------------|---------------------|
| REVENUES: | | | |
| Taxes | \$ 6,070,000 | \$ 7,422,073 | \$ 1,352,073 |
| Licenses & Permits | 289,161 | 219,888 | (69,273) |
| Fines & Traffic Tickets | 203,040 | 24,150 | (178,890) |
| Intergovernmental Revenue | 346,340 | 905,914 | 559,574 |
| Charges for Services | 865,110 | 465,963 | (399,147) |
| Interest | 247,166 | 426,270 | 179,104 |
| Miscellaneous Revenue | 78,130 | 24,300 | (53,830) |
| Transfers In | 2,539,998 | 2,427,167 | (112,831) |
| Total Revenues | \$ 10,638,945 | \$ 11,915,725 | \$ 1,276,780 |
| EXPENDITURES: | | | |
| City Administrator | \$ 867,793 | \$ 950,170 | \$ (82,377) |
| Finance | 542,711 | 387,165 | 155,546 |
| Planning & Development | 145,168 | 173,709 | (28,541) |
| Transit | 276,190 | 256,697 | 19,493 |
| Public Works | 773,337 | 1,169,151 | (395,814) |
| Fire Department | 1,468,884 | 1,456,423 | 12,461 |
| Police | 1,965,645 | 1,987,341 | (21,696) |
| Health | 491,570 | 542,867 | (51,297) |
| Library | 215,434 | 346,817 | (131,383) |
| Commission | 26,965 | 62,572 | (35,607) |
| Civic Center | 25,473 | 38,789 | (13,316) |
| Social Services | 29,866 | 235 | 29,631 |
| Capital Outlay | 31,123 | 24,729 | 6,394 |
| Vehicle Replacement/IT | 40,333 | 13,220 | 27,113 |
| Contingency | 83,341 | 2,598 | 80,743 |
| Transfers Out | 3,076,151 | 3,180,863 | (104,712) |
| Total Expenditures | \$ 10,059,984 | \$ 10,593,346 | \$ (533,362) |
| Excess of Revenue Over (Under) Expenditures | \$ 578,961 | \$ 1,322,379 | \$ 743,418 |

①

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: SHILOH HANSON, CLERK OF COURT
KENT COSTIN, DIRECTOR OF FINANCE

SUBJECT: INDIGENT DEFENSE SERVICE CONTRACT AWARDS TO
JOE JOHNSON AND STORMY VICKERS

DATE: JANUARY 16, 2018

The current contracts for indigent defense services expired on December 31, 2017. The incumbent attorneys Joe Johnson and Stormy Vickers desire to continue their contracts and the Municipal Court recommends the contracts be renewed. There were approximately 100 appointments more in 2017 than in 2012. It is recommended that compensation be increased from \$55,260 to \$61,200 per year for each contract holder due to the increase in appointments. It is recommended to approve a five-year contract extension with each attorney.

The Finance Committee has reviewed this contract renewal proposal and is recommending approval.

Suggested Motion:

Award indigent defense services contract to the Joe Johnson and Stormy Vickers Law Firms for a five-year contract from January 1, 2018 through December 31, 2022.

**AGREEMENT
(Indigent Defense)**

THIS AGREEMENT, is effective the 1st day of January, 2018, by and between **JOE JOHNSON**, hereinafter referred to as "Counsel" or "Johnson", and the **CITY OF FARGO, NORTH DAKOTA**, a municipal corporation, hereinafter referred to as "City".

WHEREAS, City is in need of indigent defense services; and,

WHEREAS, Counsel has offered and City has agreed to accept such services as provided by Counsel and the parties wish to reduce their agreement to writing.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

1. **LEGAL REPRESENTATION**. Counsel hereby agrees to provide representation to persons charged with misdemeanors under Fargo municipal ordinances and determined to be indigent by the Municipal Court or the Cass County District Court and thus is entitled to such representation at public expense ["Indigent Defendants"] and who are assigned to Counsel. The parties recognize that the City is entering into an agreement similar to this with Stormy Vickers, attorney at law. As such, the parties acknowledge and agree that the allocation of Indigent Defendants will be managed as follows:

1.1 The municipal court clerk's office will assign Indigent Defendants to Vickers and Johnson on an alternating week basis so that on a particular week, all Indigent Defendants will be assigned to Vickers and on the following week, all Indigent Defendants will be assigned to Johnson.

1.2 This method will not provide a perfectly equal division of cases or workload between Joe Johnson and Stormy Vickers, but the rotating week basis will provide a practical and workable method of dividing the indigent defense workload on a relatively equal basis.

1.3 Counsel agrees to communicate with, and coordinate with, any other lawyers providing indigent defense services to provide coverage in the event of sudden brief illness, vacations and the like. Counsel will also communicate with the Municipal Court regarding any adjustments or temporary scheduling changes.

2. **TERM.** The term of this agreement shall be for five years, commencing on January 1, 2018, and continuing through December 31, 2022.

3. **SCOPE OF SERVICES.** The legal representation to be provided to indigents by Counsel shall be as follows:

- a. Representation in trial court (Fargo Municipal Court).
- b. Representation in Cass County District Court on transfer cases.
- c. Representation in appeals from Fargo Municipal Court to Cass County District Court in accordance with statute.
- d. Representation in appeals to the North Dakota Supreme Court and North Dakota Court of Appeals.
- e. Re-trials following appeal or orders for new trial.

4. **DESCRIPTION OF SERVICES.** Legal representation to be provided by Counsel for indigents shall include all normal and customary services which are necessary for adequate defense, including, but not limited to, the following:

- a. Investigation
- b. Trial preparation
- c. Preparation and filing of pre-trial and post-trial motions
- d. Oral argument on motions
- e. Personal legal counseling when necessary and appropriate
- f. Preparation of briefs and other necessary work on appeal to District Court, North Dakota Court of Appeals, or the North Dakota Supreme Court
- g. Necessary re-trials following appeal or orders for new trial
- h. All necessary correspondence
- i. All other legal services which may be necessary and proper to fulfill an attorney's ethical obligations to provide competent representation as required by the North Dakota Rules of Professional Conduct

5. **MISDEMEANOR CASES.** Legal representation to be provided under the terms of this agreement shall be provided for misdemeanors only, and Counsel shall not be required to

provide such services for infractions, non-criminal offenses, or civil or administrative matters. Such cases and services are specifically excluded from this contract.

6. **ADMINISTRATION AND APPOINTMENTS.** This agreement shall be administered by the Judge of the Fargo Municipal Court and all appointments made hereunder shall be in accordance with standards currently applied by the Fargo Municipal Court for determining eligibility for indigent defense defendant's status. The parties recognize that the City is entering into another agreement for indigent defense with Joe Johnson, attorney at law, and that this contract is intended to provide for Stormy Vickers to handle the indigent defense work for one-half, more or less, of the defense cases stemming from Fargo municipal court. Counsel agrees to notify the Municipal Court should appointments increase to such extent that the city may wish to consider engaging one or more additional indigent defense attorneys.

7. **COMPENSATION.** Payment to Counsel for services rendered in accordance with the terms of this agreement shall be as follows:

- a. For all services rendered by Counsel as hereinabove described in paragraphs 3(a), 3(b), 3(c) (trial court representation -- Municipal and District), and 3(e) (re-trials following appeal or orders for new trial), the sum of \$61,200 per year prorated for the 11 months remaining in 2018 which shall be paid in equal monthly installments of \$5100.00.
- b. Monthly payments shall be on or before the 5th day of each month following the month for which services were rendered. For example, payment for services for February 2018 shall be made on or before March 5, 2018. To the extent any amount is due for services provided from the effective date of this to the date of its execution and delivery by the parties, payment shall be made within a reasonable time after such execution and delivery.
- c. For all services rendered by Counsel as hereinabove described in paragraph 3(d) (appeals to the North Dakota Court of Appeals or Supreme Court), the sum of \$85 per hour for time reasonably spent researching and drafting briefs, preparing and conducting oral argument, and traveling to and from the court. Said hourly rate on appeals shall be in addition to the annual contract rate. All billings for appeals to the North Dakota Supreme Court shall be submitted on appropriate vouchers and shall be subject to approval by the Judge of the Municipal Court.
- d. For all out-of-pocket expenses, including filing fees, mileage expenses, necessary per diem, necessary lodging, copying costs and

phone costs. Counsel shall submit appropriate vouchers for payment of expenses, as well as any requests for extraordinary expenses, which shall be subject to approval by the Judge of Municipal Court.

- e. Payment for all services rendered by Counsel for appeals to the North Dakota Supreme Court or the North Dakota Court of Appeals shall be made after submission of appropriate vouchers on approval of the Judge of the Municipal Court. Payment for all out-of-pocket expenses shall be made after submission of appropriate vouchers upon approval of the Judge of the Municipal Court.

8. **REPORTS.** Counsel shall maintain records for cases and services provided to clients.

9. **CONTACT WITH DEFENDANTS.** Counsel shall contact assigned defendants who are in custody within forty-eight (48) hours of the appointment or within the next working day, if the appointment is made on a Friday, a weekend or holiday. For defendants who are not in custody, counsel shall maintain regular office hours Monday through Friday including telephone answering service and return any phone messages left by defendants within 24 hours, or within the next working day, if the message is left on a Friday, a weekend or holiday. Counsel shall interview the defendant within five working days of being appointed as counsel. For defendants who fail to contact counsel or keep a scheduled appointment, counsel shall notify defendant by mail, of the consequences of failing to contact counsel or to keep a scheduled appointment. Counsel shall have a copy of the letter in their file available to the Court upon request.

10. **ATTENDANCE AT COURT.** Counsel or an approved associate attorney shall be available to attend the usual and customary schedule of Municipal Court sessions in order to avoid unwarranted rescheduling of court cases. Counsel shall, when possible, notify the court in advance of any known periods of unavailability (i.e., vacations, seminars, etc.) in order to avoid scheduling conflicts.

11. **INDEPENDENT CONTRACTORS.** The parties hereto understand and agree that Counsel is an independent contractor and shall not be deemed to be an employee of the City of Fargo for any purpose.

12. **HOLD HARMLESS AND INDEMNIFICATION.** The City shall not be responsible or liable for any claims resulting from actions of Counsel pursuant to this agreement and Counsel hereby agree to indemnify and hold the City harmless from any and all claims, demands,

causes of action, or expenses, including attorney's fees, which are incurred by the City as a result of claims asserted as a result of actions or services rendered by Counsel.

13. **MALPRACTICE INSURANCE.** Counsel shall carry malpractice insurance at his own expense during the term of this agreement and any extension thereof. Insurance to be provided shall be in the minimum amount of \$100,000 per claim/\$500,000 aggregate for each calendar year. Counsel shall yearly provide proof of such insurance to the Judge of Municipal Court. This requirement shall apply to any attorney associated and delegated a portion of the indigent defense duties by Counsel.

14. **TERMINATION.** Either party shall have the right to terminate this contract at will upon thirty (30) days' written notice to the other, without cause. Upon expiration or termination of this agreement for any reason, Counsel shall be responsible for completing any case which is pending or awaiting trial and Counsel shall be entitled to just and equitable compensation (determined at the rate of this contract) for such work.

15. **CONFLICTS OF INTEREST.** If at any time after an appointment has been made, Counsel discovers a conflict of interest pursuant to the North Dakota Code of Professional Responsibility, Counsel will notify the Court of the conflict and the Court will re-assign the particular indigent defendant to another attorney under contract with the City for representation of Indigent Defendants. In the event said other attorney under contract with the City also has a conflict of interest, then, Counsel will be responsible for engaging either associate attorney(s), approved in advance by the Municipal Judge, to handle such case or another attorney outside Counsel's law firm, approved in advance by the Municipal Judge, to handle such case. If the Judge agrees that there is a conflict of interest, the Judge shall revoke the appointment and appoint other counsel and provide compensation therefore beyond the terms of this agreement. In the event any of the above attorneys, including Counsel, are required by the Rules of Professional Conduct to withdraw or are relieved by a court having competent jurisdiction over the case due to threats, complaints or other circumstances which prevent either Counsel or such other attorney or attorneys, from representing the indigent defendant, Counsel shall promptly notify the Municipal Court and arrange for other counsel to be appointed. If the Judge agrees that such withdrawal or other release from representation is necessary or appropriate, the Judge shall revoke the appointment and appoint other counsel and provide compensation therefore beyond the terms of this agreement.

16. **CONTINUING LEGAL EDUCATION.** Counsel and associated counsel shall acquire three (3) hours of continuing legal education in the field of criminal law during each calendar year of the contract. Certification shall be made to the Municipal Court of such attendance.

17. **ASSIGNMENT.** This agreement shall not be assigned to any other person or firm.

18. **MODIFICATION AND CONSTRUCTION.** This agreement may not be modified except by written agreement, signed by all of the parties hereto and shall be construed under the laws of the State of North Dakota.

Dated the day and year first above written.

CITY OF FARGO, NORTH DAKOTA
a municipal corporation

Timothy Mahoney, Mayor

ATTEST

Steven Sprague, City Auditor

Joe Johnson

**AGREEMENT
(Indigent Defense)**

THIS AGREEMENT, is effective the 1st day of January, 2018, by and between **STORMY VICKERS**, hereinafter referred to as "Counsel" or "Vickers", and the **CITY OF FARGO, NORTH DAKOTA**, a municipal corporation, hereinafter referred to as "City".

WHEREAS, City is in need of indigent defense services; and,

WHEREAS, Counsel has offered and City has agreed to accept such services as provided by Counsel and the parties wish to reduce their agreement to writing.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

1. **LEGAL REPRESENTATION**. Counsel hereby agrees to provide representation to persons charged with misdemeanors under Fargo municipal ordinances and determined to be indigent by the Municipal Court or the Cass County District Court and thus is entitled to such representation at public expense ["Indigent Defendants"] and who are assigned to Counsel. The parties recognize that the City is entering into an agreement similar to this with Joe Johnson, attorney at law. As such, the parties acknowledge and agree that the allocation of Indigent Defendants will be managed as follows:

1.1 The municipal court clerk's office will assign Indigent Defendants to Vickers and Johnson on an alternating week basis so that on a particular week, all Indigent Defendants will be assigned to Vickers and on the following week, all Indigent Defendants will be assigned to Johnson.

1.2 This method will not provide a perfectly equal division of cases or workload between Joe Johnson and Stormy Vickers, but the rotating week basis will provide a practical and workable method of dividing the indigent defense workload on a relatively equal basis.

1.3 Counsel agrees to communicate with, and coordinate with, any other lawyers providing indigent defense services to provide coverage in the event of sudden brief illness, vacations and the like. Counsel will also communicate with the Municipal Court regarding any adjustments or temporary scheduling changes.

2. **TERM.** The term of this agreement shall be for five years, commencing on January 1, 2018, and continuing through December 31, 2022.

3. **SCOPE OF SERVICES.** The legal representation to be provided to indigents by Counsel shall be as follows:

- a. Representation in trial court (Fargo Municipal Court).
- b. Representation in Cass County District Court on transfer cases.
- c. Representation in appeals from Fargo Municipal Court to Cass County District Court in accordance with statute.
- d. Representation in appeals to the North Dakota Supreme Court and North Dakota Court of Appeals.
- e. Re-trials following appeal or orders for new trial.

4. **DESCRIPTION OF SERVICES.** Legal representation to be provided by Counsel for indigents shall include all normal and customary services which are necessary for adequate defense, including, but not limited to, the following:

- a. Investigation
- b. Trial preparation
- c. Preparation and filing of pre-trial and post-trial motions
- d. Oral argument on motions
- e. Personal legal counseling when necessary and appropriate
- f. Preparation of briefs and other necessary work on appeal to District Court, North Dakota Court of Appeals, or the North Dakota Supreme Court
- g. Necessary re-trials following appeal or orders for new trial
- h. All necessary correspondence
- i. All other legal services which may be necessary and proper to fulfill an attorney's ethical obligations to provide competent representation as required by the North Dakota Rules of Professional Conduct

5. **MISDEMEANOR CASES.** Legal representation to be provided under the terms of this agreement shall be provided for misdemeanors only, and Counsel shall not be required to

provide such services for infractions, non-criminal offenses, or civil or administrative matters. Such cases and services are specifically excluded from this contract.

6. **ADMINISTRATION AND APPOINTMENTS.** This agreement shall be administered by the Judge of the Fargo Municipal Court and all appointments made hereunder shall be in accordance with standards currently applied by the Fargo Municipal Court for determining eligibility for indigent defense defendant's status. The parties recognize that the City is entering into another agreement for indigent defense with Joe Johnson, attorney at law, and that this contract is intended to provide for Stormy Vickers to handle the indigent defense work for one-half, more or less, of the defense cases stemming from Fargo municipal court. Counsel agrees to notify the Municipal Court should appointments increase to such extent that the city may wish to consider engaging one or more additional indigent defense attorneys.

7. **COMPENSATION.** Payment to Counsel for services rendered in accordance with the terms of this agreement shall be as follows:

- a. For all services rendered by Counsel as hereinabove described in paragraphs 3(a), 3(b), 3(c) (trial court representation -- Municipal and District), and 3(e) (re-trials following appeal or orders for new trial), the sum of \$61,200 per year prorated for the 11 months remaining in 2018 which shall be paid in equal monthly installments of \$5100.00.
- b. Monthly payments shall be on or before the 5th day of each month following the month for which services were rendered. For example, payment for services for February 2018 shall be made on or before March 5, 2018. To the extent any amount is due for services provided from the effective date of this agreement to the date of its execution and delivery by the parties, payment shall be made within a reasonable time after such execution and delivery.
- c. For all services rendered by Counsel as hereinabove described in paragraph 3(d) (appeals to the North Dakota Court of Appeals or Supreme Court), the sum of \$85 per hour for time reasonably spent researching and drafting briefs, preparing and conducting oral argument, and traveling to and from the court. Said hourly rate on appeals shall be in addition to the annual contract rate. All billings for appeals to the North Dakota Supreme Court shall be submitted on appropriate vouchers and shall be subject to approval by the Judge of the Municipal Court.
- d. For all out-of-pocket expenses, including filing fees, mileage expenses, necessary per diem, necessary lodging, copying costs and

phone costs. Counsel shall submit appropriate vouchers for payment of expenses, as well as any requests for extraordinary expenses, which shall be subject to approval by the Judge of Municipal Court.

- e. Payment for all services rendered by Counsel for appeals to the North Dakota Supreme Court or the North Dakota Court of Appeals shall be made after submission of appropriate vouchers on approval of the Judge of the Municipal Court. Payment for all out-of-pocket expenses shall be made after submission of appropriate vouchers upon approval of the Judge of the Municipal Court.

8. **REPORTS.** Counsel shall maintain records for cases and services provided to clients.

9. **CONTACT WITH DEFENDANTS.** Counsel shall contact assigned defendants who are in custody within forty-eight (48) hours of the appointment or within the next working day, if the appointment is made on a Friday, a weekend or holiday. For defendants who are not in custody, counsel shall maintain regular office hours Monday through Friday including telephone answering service and return any phone messages left by defendants within 24 hours, or within the next working day, if the message is left on a Friday, a weekend or holiday. Counsel shall interview the defendant within five working days of being appointed as counsel. For defendants who fail to contact counsel or keep a scheduled appointment, counsel shall notify defendant by mail, of the consequences of failing to contact counsel or to keep a scheduled appointment. Counsel shall have a copy of the letter in their file available to the Court upon request.

10. **ATTENDANCE AT COURT.** Counsel or an approved associate attorney shall be available to attend the usual and customary schedule of Municipal Court sessions in order to avoid unwarranted rescheduling of court cases. Counsel shall, when possible, notify the court in advance of any known periods of unavailability (i.e., vacations, seminars, etc.) in order to avoid scheduling conflicts.

11. **INDEPENDENT CONTRACTORS.** The parties hereto understand and agree that Counsel is an independent contractor and shall not be deemed to be an employee of the City of Fargo for any purpose.

12. **HOLD HARMLESS AND INDEMNIFICATION.** The City shall not be responsible or liable for any claims resulting from actions of Counsel pursuant to this agreement and Counsel hereby agree to indemnify and hold the City harmless from any and all claims, demands,

causes of action, or expenses, including attorney's fees, which are incurred by the City as a result of claims asserted as a result of actions or services rendered by Counsel.

13. **MALPRACTICE INSURANCE.** Counsel shall carry malpractice insurance at his own expense during the term of this agreement and any extension thereof. Insurance to be provided shall be in the minimum amount of \$100,000 per claim/\$500,000 aggregate for each calendar year. Counsel shall yearly provide proof of such insurance to the Judge of Municipal Court. This requirement shall apply to any attorney associated and delegated a portion of the indigent defense duties by Counsel.

14. **TERMINATION.** Either party shall have the right to terminate this contract at will upon thirty (30) days' written notice to the other, without cause. Upon expiration or termination of this agreement for any reason, Counsel shall be responsible for completing any case which is pending or awaiting trial and Counsel shall be entitled to just and equitable compensation (determined at the rate of this contract) for such work.

15. **CONFLICTS OF INTEREST.** If at any time after an appointment has been made, Counsel discovers a conflict of interest pursuant to the North Dakota Code of Professional Responsibility, Counsel will notify the Court of the conflict and the Court will re-assign the particular indigent defendant to another attorney under contract with the City for representation of Indigent Defendants. In the event said other attorney under contract with the City also has a conflict of interest, then, Counsel will be responsible for engaging either associate attorney(s), approved in advance by the Municipal Judge, to handle such case or another attorney outside Counsel's law firm, approved in advance by the Municipal Judge, to handle such case. If the Judge agrees that there is a conflict of interest, the Judge shall revoke the appointment and appoint other counsel and provide compensation therefore beyond the terms of this agreement. In the event any of the above attorneys, including Counsel, are required by the Rules of Professional Conduct to withdraw or are relieved by a court having competent jurisdiction over the case due to threats, complaints or other circumstances which prevent either Counsel or such other attorney or attorneys, from representing the indigent defendant, Counsel shall promptly notify the Municipal Court and arrange for other counsel to be appointed. If the Judge agrees that such withdrawal or other release from representation is necessary or appropriate, the Judge shall revoke the appointment and appoint other counsel and provide compensation therefore beyond the terms of this agreement.

16. CONTINUING LEGAL EDUCATION. Counsel and associated counsel shall acquire three (3) hours of continuing legal education in the field of criminal law during each calendar year of the contract. Certification shall be made to the Municipal Court of such attendance.

17. ASSIGNMENT. This agreement shall not be assigned to any other person or firm.

18. MODIFICATION AND CONSTRUCTION. This agreement may not be modified except by written agreement, signed by all of the parties hereto and shall be construed under the laws of the State of North Dakota.

Dated the day and year first above written.

CITY OF FARGO, NORTH DAKOTA
a municipal corporation

Timothy Mahoney, Mayor

ATTEST

Steven Sprague, City Auditor



Stormy Vickers



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
 OFFICE OF ATTORNEY GENERAL
 SFN 9338 (08/2016)

8a

\$25.00
2-1-18
CC

Application for: Local Permit * Charity Local Permit (one event per year)

| | | | | | |
|---|--|--|--------------------------|--|--------------------------|
| Name of Non-profit Organization Josh Jensen Benefit | | Date(s) of Activity 3/10/18 to | | For a raffle, provide drawing date(s): 3/10/18 | |
| Person Responsible for the Gaming Operation and Disbursement of Net Income Darlene Jensen | | Title | | Business Phone Number | |
| Business Address | | City | | State | Zip Code |
| Mailing Address (if different) 729 14th St | | City Fargo | | State ND | Zip Code 58102 |
| Name of Site Where Game(s) will be Conducted El Zagal Shrine | | Site Address 1429 3rd St N | | | |
| City Fargo | | State ND | Zip Code 58102 | County Cass | |

Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit.
 Bingo Raffle Raffle Board Calendar Raffle Sports Pool Poker * Twenty-one * Paddlewheels *

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize | Game Type | Description of Prize | Retail Value of Prize |
|--------------|-------------------------------------|-----------------------|-----------|----------------------|--|
| Raffle Board | Fire Ring | \$200 | | | |
| Raffle Board | Fire Ring | \$200 | | | |
| Raffle Board | Autographed ^{NDU} Football | \$150 | | | |
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| Total: | | | | | (Limit \$12,000 per year) \$ 550 |

Intended uses of gaming proceeds: Alleviate financial stress of Josh Jensen - used for Medical and monthly bills

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ _____. This amount is part of the total prize limit of \$12,000 per year.

| | | | |
|---|-----------------------|-------|--|
| Signature of Organization's Top Executive Official Darlene Jensen | Date 2-1-18 | Title | Business Phone Number 701-238-8813 |
|---|-----------------------|-------|--|



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
 OFFICE OF ATTORNEY GENERAL
 SFN 9338 (08/2016)

86

\$25.00
 ✓ 70790
 1-25-18

Application for: Local Permit Charity Local Permit (one event per year)

| | | | | |
|---|--|--|---|--------------------------|
| Name of Non-profit Organization <i>St. Joseph's School</i> | | Date(s) of Event <i>March 17, 2018</i> | For a raffle, provide drawing date(s): <i>March 17, 2018</i> | |
| Person Responsible for the Gaming Operation and Disbursement of Net Income <i>Andrew Hilliker</i> | | Title <i>Principal</i> | Business Phone Number <i>218 233 0553</i> | |
| Business Address <i>1005 2nd Ave. S.</i> | | City <i>Moorhead</i> | State <i>MN</i> | Zip Code <i>56560</i> |
| Mailing Address (if different) | | City | State | Zip Code |
| Name of Site Where Game(s) will be Conducted <i>Avalon Events Center</i> | | Site Address <i>2525 9th Ave. S.</i> | | |
| City <i>Fargo</i> | | State <i>ND</i> | Zip Code <i>58103</i> | County <i>CASS</i> |
| Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. | | | | |
| <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle Raffle Board <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels * | | | | |

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize | Game Type | Description of Prize | Retail Value of Prize |
|---------------|----------------------|-----------------------|-----------|----------------------|--|
| <i>Raffle</i> | <i>Trip</i> | <i>\$ 4,650</i> | | | |
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| Total: | | | | | (Limit \$12,000 per year) <i>\$ 4,650</i> |

Intended uses of gaming proceeds: *General Operations of Organization*

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ _____. This amount is part of the total prize limit of \$12,000 per year.

| | | | |
|--|------------------------|---------------------------|--|
| Signature of Organization's Top Executive Official <i>[Signature]</i> | Date <i>1-25-18</i> | Title <i>Principal</i> | Business Phone Number <i>218-233-0553</i> |
|--|------------------------|---------------------------|--|

\$25.00
CC 6803
1-29-18

(80)



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
OFFICE OF ATTORNEY GENERAL
SFN 9338 (08/2016)

Application for: Local Permit * Charity Local Permit (one event per year)

| | | | |
|---|---|---|------------------------|
| Name of Non-profit Organization Fargo Moorhead Derby Girls | Date(s) of Activity 3/17/2018 to 3/17/2018 | For a raffle, provide drawing date(s): 3/17/2018 | |
| Person Responsible for the Gaming Operation and Disbursement of Net Income Elizabeth Mieke | Title Treasurer | Business Phone Number (218) 979-9303 | |
| Business Address 3302 Interstate Blvd | City Fargo | State ND | Zip Code 58103-0000 |
| Mailing Address (if different) Po Box 10644 | City Fargo | State ND | Zip Code 58106-0000 |
| Name of Site Where Game(s) will be Conducted Fargo Civic Center | Site Address 207 North 4th St | | |
| City Fargo | State ND | Zip Code 58102-0000 | County Cass |
| Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Raffle Board <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels * | | | |

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize | Game Type | Description of Prize | Retail Value of Prize |
|--------------|----------------------|-----------------------|-----------|----------------------|--|
| 50/50 Raffle | Cash | \$150.00 | | | |
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| Total: | | | | | (Limit \$12,000 per year) \$ 150.00 |

Intended uses of gaming proceeds: Given to the charity "Extra Life"
 Extra Life raises money for the Children's Miracle Network Hospitals

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ 328.50. This amount is part of the total prize limit of \$12,000 per year.

| | | | |
|--|-------------------|--------------------|---|
| Signature of Organization's Top Executive Official | Date 1/29/2018 | Title Treasurer | Business Phone Number (218) 979-9303 |
|--|-------------------|--------------------|---|

NDSU STUDENT ORGANIZATION APPLICATION FOR A LOCAL PERMIT TO CONDUCT GAMING

City of Fargo, Auditors Office - Gaming
 200 N 3rd Street, Fargo, ND 58102
 Phone: 701-241-1304
 Rev. 07-2015

(Ed)

25.00 CC
 1/29/18

| | | | |
|--|--|--|--------------------------|
| Name of Student Organization NDSU Men's Lacrosse Team | | Date(s) of Activity March 24, 2018 to March 24, 2018 | |
| Person Responsible for the Gaming Operation Travis Boyum | | Time of Event <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. | |
| Street Address of Student Organization MU 120 Dept. 5340 P.O. Box 6050 | | City Fargo | State ND |
| | | Zip Code 58108 | |
| Name of Site where Game(s) will be Conducted (Random Sales) Lakota Field | | Street Address | |
| City Fargo | | State ND | Zip Code 58108 |
| | | County | |
| Check the Game Types to be Conducted: <input type="checkbox"/> Bingo <input type="checkbox"/> Raffle Boards <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool | | | |

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize |
|-----------|----------------------|-----------------------|
| Raffle | Ballards Resort | \$ 2,820 |
| Raffle | Scheel's Gift Card | \$ 100 |
| Raffle | Scheel's Gift Card | \$ 100 |
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| Game Type | Description of Prize | Retail Value of Prize |
|-----------|----------------------|-----------------------|
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(Limit \$12,000 per year)
\$ 3,020

Intended uses of gaming proceeds: **Raise a portion of the funds needed to support the NDSU Men's lacrosse team for the season**

Has the organization received a local permit from this or another city or county for the fiscal year July 1 thru June 30? No Yes
 If "yes", indicate the total value of all prizes previously awarded. \$ _____. This amount is part of the total prize limit of \$12,000 per year.

ACKNOWLEDGEMENT BY NDSU - Must be signed by the Associate Director of Student Activities or Coordinator of Greek Life and Student Organizations located in the Student Activities Office - Room 120 in Memorial Union.

I acknowledge that the **NDSU Men's Lacrosse Team** isa recognized student organization is registered by the administration of North Dakota State University.

| | | | |
|---------------------------------|----------------------------------|------------------------|--|
| Signature <i>(Signature)</i> | Title Assist. Director | Date 1/29/18 | Business Phone Number 231-8242 |
|---------------------------------|----------------------------------|------------------------|--|

The policy of North Dakota State University requires that a student organization obtain a signed acknowledgment by its administration that the applicant is a registered student organization of NDSU.

| | | | |
|---|---------------------------|------------------------|--|
| Signature of Contact Person <i>(Signature)</i> | Title fund. mgr | Date 1/29/18 | Business Phone Number 651-728-0817 |
|---|---------------------------|------------------------|--|

(Se)

\$25.00
Cash
2-8-18



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
OFFICE OF ATTORNEY GENERAL
SFN 9338 (08/2016)

Application for: Local Permit * Charity Local Permit (one event per year)

| | | | | | |
|---|--|---|--------------------------|--|--------------------------|
| Name of Non-profit Organization FARGO ELKS Lodge #260 | | Date(s) of Activity 5/1/18 to 5/31/18 | | For a raffle, provide drawing date(s): | |
| Person Responsible for the Gaming Operation and Disbursement of Net Income Shilo Larson | | Title lecturing knight | | Business Phone Number 701-293-5151 | |
| Business Address 3435 Broadway N. | | City Fargo | | State ND | Zip Code 58102 |
| Mailing Address (if different) | | City | | State | Zip Code |
| Name of Site Where Game(s) will be Conducted Fargo Elks Lodge #260 Down stairs | | Site Address 3435 Broadway N | | | |
| City Fargo | | State ND | Zip Code 58102 | County Cass | |
| Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input type="checkbox"/> Raffle <input type="checkbox"/> Raffle Board <input checked="" type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels * | | | | | |

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize | Game Type | Description of Prize | Retail Value of Prize |
|-----------|----------------------|-----------------------|-----------|----------------------|--|
| Raffle | CASH Monday-Friday | \$50.00/day | | | |
| Single | Saturday | \$100.00 | | | |
| Stub | Sunday | \$100.00 | | | |
| Printed | for the month of May | | | | |
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| Total: | | | | | (Limit \$12,000 per year) \$ 1,950.00 |

Intended uses of gaming proceeds: Camp Grassick, Community Investments, Various other projects

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ _____. This amount is part of the total prize limit of \$12,000 per year.

| | | | |
|--|-----------------------|----------------------------------|--|
| Signature of Organization's Top Executive Official | Date 2/6/18 | Title lecturing knight | Business Phone Number 701-293-5151 |
|--|-----------------------|----------------------------------|--|



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT

OFFICE OF ATTORNEY GENERAL
SFN 9338 (08/2016)

8f

\$25.00
2-8-18
cc

Application for: Local Permit * Charity Local Permit (one event per year)

| | | | |
|--|---|---|-------------------------------|
| Name of Non-profit Organization United Way Of Cass-clay | Date(s) of Activity 2/24/2018 to 2/24/2018 | For a raffle, provide drawing date(s): 2/24/18 | |
| Person Responsible for the Gaming Operation and Disbursement of Net Income Kristi Huber | Title President | Business Phone Number (701) 237-5050 | |
| Business Address 219 7th Street South | City Fargo | State ND | Zip Code 58103-0000 |
| Mailing Address (if different) P.o. Box 1609 | City Fargo | State ND | Zip Code 58107-1609 |
| Name of Site Where Game(s) will be Conducted Sanctuary Events Center | Site Address 670 4th Ave N | | |
| City Fargo | State ND | Zip Code 58102-0000 | County Cass |
| Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input checked="" type="checkbox"/> Raffle Board <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels * | | | |

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize | Game Type | Description of Prize | Retail Value of Prize |
|---------------|----------------------|-----------------------|--------------|----------------------|---|
| Raffle | Brewery Package | \$100.00 | Raffle | Downtown Pkg. | \$160.00 |
| Raffle | Fargo Brew Swag | \$100.00 | Raffle | Cheese/Clothing | \$115.00 |
| Raffle | Fitness Package | \$250.00 | Raffle | ND Nail Sign | \$200.00 |
| Raffle | Wellness Package | \$300.00 | Raffle Board | Hodo/Mezzaluna | \$350.00 |
| Raffle | Massage Package | \$135.00 | Raffle Board | Thielan Jersey | \$300.00 |
| Raffle | Coffee & Cookies | \$165.00 | Raffle Board | Wine & Cheese | \$585.00 |
| Raffle | Sidestreet/Fargo | \$150.00 | Raffle Board | Fargo Theatre | \$300.00 |
| Raffle | Force/Scheels | \$250.00 | Raffle Board | Sanctuary Room | \$600.00 |
| Raffle | Downtown Dining | \$150.00 | | | |
| Total: | | | | | (Limit \$12,000 per year) \$ 4,210.00 |

Intended uses of gaming proceeds: Money to be invested in to United Way of Cass-Clay Bold Goal Initiatives.

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ 5,843. This amount is part of the total prize limit of \$12,000 per year.

| | | | |
|---|------------------|--------------------|---|
| Signature of Organization's Top Executive Official <i>Kristi Huber</i> | Date 2/8/2018 | Title President | Business Phone Number (701) 237-5050 |
|---|------------------|--------------------|---|



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
 OFFICE OF ATTORNEY GENERAL
 SFN 9338 (08/2016)

Scj

dropped with city auditor's office 2/8/18 25.00 cash

Application for: Local Permit * Charity Local Permit (one event per year)

| | | | | | |
|---|--|---|----------|--|-------------------------------|
| Name of Non-profit Organization FARGO NORTH PTSA | | Date(s) of Activity 4/21/18 to 4/22/18 | | For a raffle, provide drawing date(s): 4/22/18 | |
| Person Responsible for the Gaming Operation and Disbursement of Net Income SARA CLITES | | Title CO-CHAIR | | Business Phone Number 701 446-3816 | |
| Business Address 901 17TH AVENUE | | City FARGO | | State ND | Zip Code 58102-2226 |
| Mailing Address (if different) | | City | | State | Zip Code |
| Name of Site Where Game(s) will be Conducted FARGO NORTH H.S. & NDSU Memorial Union | | Site Address | | | |
| City FARGO | | State | Zip Code | County | |
| Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Raffle Board <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels * | | | | | |

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize | Game Type | Description of Prize | Retail Value of Prize |
|---------------------|----------------------|-----------------------|-----------|----------------------|---------------------------------|
| 50/50 Raffle | Cash | \$ 1,000.00 | | | |
| | | | | | |
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| | | | | | |
| | | | | | |
| Total: | | | | | (Limit \$12,000 per year) \$ |

Intended uses of gaming proceeds: All proceeds will be used to help fund the cost of the post prom party.

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-826-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ _____ . This amount is part of the total prize limit of \$12,000 per year.

| | | | |
|--|-----------------------|---------------------------|-----------------------|
| Signature of Organization's Top Executive Official <i>[Signature]</i> | Date 2/5/18 | Title President | Business Phone Number |
|--|-----------------------|---------------------------|-----------------------|

(gh)

CASH
25.00
2/8/18

NDSU STUDENT ORGANIZATION APPLICATION FOR A LOCAL PERMIT TO CONDUCT GAMING

City of Fargo, Auditors Office - Gaming
200 N 3rd Street, Fargo, ND 58102
Phone: 701-241-1304
Rev. 07-2015

| | | | |
|--|----------------------|---|--------------------------|
| Name of Student Organization <u>University Lutheran Center</u> | | Date(s) of Activity <u>20-26-18</u> to 20-26-18 | |
| Person Responsible for the Gaming Operation Janelle Hansen <u>Kaylee Newbauer</u> | | Time of Event <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m. | |
| Street Address of Student Organization <u>1201 13th Ave N</u> | City <u>Fargo</u> | State <u>ND</u> | Zip Code <u>58102</u> |
| Name of Site Where Game(s) will be Conducted <u>University Lutheran Center</u> | | Street Address <u>1201 13th Ave N</u> | |
| City <u>Fargo</u> | State <u>ND</u> | Zip Code <u>58102</u> | County <u>Cass</u> |
| Check the Game Types to be Conducted: <input type="checkbox"/> Bingo <input type="checkbox"/> Raffle Boards <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool | | | |

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

| Game Type | Description of Prize | Retail Value of Prize | Game Type | Description of Prize | Retail Value of Prize |
|---------------|--|-----------------------|-----------|----------------------|---------------------------------|
| <u>RAFFLE</u> | <u>Gift cards, TV money, smaller items</u> | <u>\$ 1,200.00</u> | | | \$ |
| | | | | | |
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| | | | | | |
| | | | | | |
| | | | | | (Limit \$12,000 per year) \$ |

Intended uses of gaming proceeds: Mission trip to Houston, TX

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes
 If "Yes," indicate the total value of all prizes previously awarded: \$ _____. This amount is part of the total prize limit of \$12,000 per year.

ACKNOWLEDGEMENT BY NDSU - Must be signed by the Associate Director of Student Activities and Student Organizations located in the Student Activities Office - Room 120 in Memorial Union.

I acknowledge that the University Lutheran Center student organization is registered by the Administration of North Dakota State University.

| | | | |
|----------------------------------|------------------------------|-----------------------|--|
| Signature <u>Wend Baumann</u> | Title <u>Admin. Asst.</u> | Date <u>2-8-18</u> | Business Phone Number <u>701 231-6519</u> |
|----------------------------------|------------------------------|-----------------------|--|

The policy of North Dakota State University requires that a student organization obtain a signed acknowledgment by its administration that the applicant is a registered student organization of NDSU.

| | | | |
|---|---------------------------|-----------------------|--|
| Signature of Contact Person <u>Kaylee Newbauer</u> | Title <u>President</u> | Date <u>2-8-18</u> | Business Phone Number <u>701-232-2587</u> |
|---|---------------------------|-----------------------|--|

CITY OF
Fargo
ASSESSMENT DEPARTMENT



January 26, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

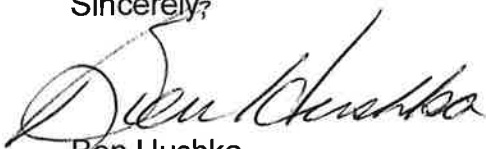
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1502 28 Ave. S as submitted by Roger C. & Diane Genoch. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, & 2020.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$125 with the City of Fargo's share being \$20.

Sincerely,



Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Roger + Diane Genoch Phone No. _____

2. Address of Property 1502 28 Ave S
City FARGO State ND Zip Code 58103

3. Legal description of the property for which the exemption is being claimed. _____
Lt 17 B1K B The Meadows

4. Parcel Number 21-1910-003800W Residential Commercial Central Business District

5. Mailing Address of Property Owner Same
City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Reside Dwelling

7. Building Permit No. 172253 8. Year Built 1984

9. Date of Commencement of making the improvement November 2017

10. Estimated market value of property before improvement \$ 194,300

11. Cost of making the improvement (all labor, material and overhead) \$ 19,000

12. Estimated market value of property after improvement \$ 203,900

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Roger Genoch Date 1/25/18

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 3 YEARS FOR QUALIFYING WORK

Assessor's Signature Dea Shultz Date 1/29/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____

CITY OF
Fargo
ASSESSMENT DEPARTMENT

96

January 24, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

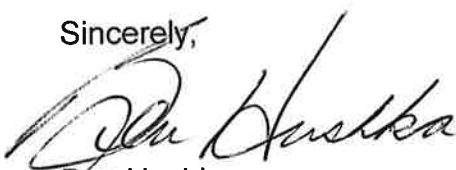
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1808 26 ½ Ct. S as submitted by Blake A. & Addie R. Fidler. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2016, 2017, & 2018.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$60 with the City of Fargo's share being \$10.

Sincerely,



Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner BLAKE & ADDIE FIDLER Phone No. _____

2. Address of Property 1808 26 1/2 CT S

City FARGO State ND Zip Code 58103

3. Legal description of the property for which the exemption is being claimed. LT 2 BLK 5
CRARYS 1ST ADDITION

4. Parcel Number 01-0505-00500-000 Residential Commercial Central Business District

5. Mailing Address of Property Owner 1808 26 1/2 CT S

City FARGO State ND Zip Code 58103

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). FINISHED EXISTING SPACE IN BASEMENT;
ADDED BEDROOM & BATHROOM

7. Building Permit No. 151625 8. Year Built 1983

9. Date of Commencement of making the improvement 8/28/15

10. Estimated market value of property before improvement \$ 173800

11. Cost of making the improvement (all labor, material and overhead) \$ \$ 35000.00

12. Estimated market value of property after improvement \$ _____

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Addie Fidler Date 1/23/18

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 3 YEARS FOR QUALIFYING WORK

Assessor's Signature Don Humbro Date 1/25/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____

CITY OF
Fargo
ASSESSMENT DEPARTMENT



January 26, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 746 Elm St. N Unit C2 as submitted by Tyler J. Leverington. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$100 with the City of Fargo's share being \$15.

Sincerely,



Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Tyler Leverington Phone No. _____

2. Address of Property 746 Elm St N Unit C2
 City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. _____
LTS 18-24 Ptof vac 8 Aven Lindsays Blk4

4. Parcel Number 01-1760-00922-020 Residential Commercial Central Business District

5. Mailing Address of Property Owner Same
 City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel Kitchen + remove wall

7. Building Permit No. 171497 8. Year Built 1976

9. Date of Commencement of making the improvement August 2017

10. Estimated market value of property before improvement \$ 117,300

11. Cost of making the improvement (all labor, material and overhead) \$ 500

12. Estimated market value of property after improvement \$ _____

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Tyler Leverington Date _____

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK

Assessor's Signature Den Christman Date 1/29/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____

CITY OF
Fargo
ASSESSMENT DEPARTMENT



January 31, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

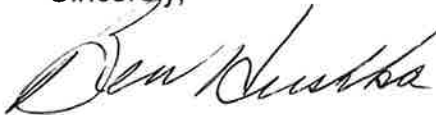
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 409 8 Ave. S as submitted by Ryan J. & Kjersten R. Nagle. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$185 with the City of Fargo's share being \$30.

Sincerely,



Ben Hushka
City Assessor

hah
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings North Dakota Century Code ch. 57-02.2 (File with the local city or township assessor)

Property Identification

1. Name of Property Owner Ryan ^{Nagle} & ^{Nelson} Kjersten ~~Nagle~~ Phone No. 651-587-3225
2. Address of Property 409 8 Ave S
City FARGO State ND Zip Code 58103
3. Legal description of the property for which the exemption is being claimed. Pt of Lt 5 B1K4 Island Park
4. Parcel Number 01-1440-010902W Residential [X] Commercial [] Central Business District []
5. Mailing Address of Property Owner Same
City State Zip Code

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Finishing Remodel started under BP #1719W - Studsto Rugs - Kitchen Remodel
7. Building Permit No. #172218 8. Year Built 1908
9. Date of Commencement of making the improvement October 2017
10. Estimated market value of property before improvement \$ 213,700
11. Cost of making the improvement (all labor, material and overhead) \$ 100
12. Estimated market value of property after improvement \$ 228,300

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature [Signature] Date 1-31-18

Assessor's Determination

14. The local assessor finds that the improvements in this application has [X] has not [] met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK
Assessor's Signature [Signature] Date 2/2/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied [] Approved []
Approval subject to the following conditions:
Chairman of Governing Body Date

Received 01/31/18 [Signature]



January 26, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 2820 Hickory St. N as submitted by Kenton R. Rodgers & Gudrun S. Lukat-Rodgers. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$120 with the City of Fargo's share being \$20.

Sincerely,

A handwritten signature in cursive script, which appears to read "Ben Hushka".

Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Kenton Rodgers & Gudrun Lukat - Phone No. _____
Rodgers

2. Address of Property 2820 Hickory St N
City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. _____
L+8 & Pto F L+9 BIK 7 Elm Tree Park 2nd

4. Parcel Number 01-0751-00130-00 Residential Commercial Central Business District

5. Mailing Address of Property Owner Same
City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel lower level bath

7. Building Permit No. 171188 8. Year Built 1970

9. Date of Commencement of making the improvement July 2017

10. Estimated market value of property before improvement \$ 237,500

11. Cost of making the improvement (all labor, material and overhead) \$ 13,100

12. Estimated market value of property after improvement \$ 246,800

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature Kenton Rodgers Date 11/30/17

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK
Assessor's Signature Don Dumbka Date 1/29/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

Kenton Rodgers
2820 Hickory St. N.
Fargo, ND 58102

Janell S. Walz
Assessor/Supervisor
City of Fargo Assessment Department
321 4th Street N.
Fargo, ND 58102

January 10, 2018

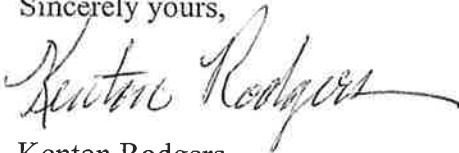
Dear Ms. Walz:

This note is intended to accompany the attached Application for Property Tax Exemption for Improvements to Commercial and Residential Buildings. We recently had some work done to rebuild the shower and vanity in an existing downstairs bathroom. The purpose of this project was to rebuild the shower, which was no longer water tight, thereby posing a risk of structural damage to a load-bearing wall and advancement of mold with the associated health risks to my family. Mold growth was stopped and it was determined that the structural integrity of the load-bearing wall had not been compromised. Hence, the only work done was to rebuild the shower stall, replace the vanity, which was afixed to the wall it shared with the shower stall, and to install new flooring to accommodate the very slight changes in footprint. From a functional point of view, the new shower and the vanity are essentially the same dimensions as their original counterparts and are fitted with fixtures comparable to those originally installed.

In summary, this project simply prevented serious damage to our home, thereby maintaining its current value. As such, it would seem appropriate that our property taxes not be raised as a result.

Thank you for your consideration of this exemption request.

Sincerely yours,

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

Kenton Rodgers

att.



af

January 26, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 2586 Willow Rd. N as submitted by Travis J. & Alison L. Hoeg. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$820 with the City of Fargo's share being \$140.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hushka". The signature is fluid and cursive.

Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Travis + Alison Hoeg Phone No. 701-893-5292
2. Address of Property 2586 Willow Rd N
City FARGO State ND Zip Code 58102
3. Legal description of the property for which the exemption is being claimed. L+10 BIK 13 Woodcrest 3rd
4. Parcel Number 01-4060-001000W Residential Commercial Central Business District
5. Mailing Address of Property Owner Same
City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Repair water damage
7. Building Permit No. 171847 8. Year Built 1972
9. Date of Commencement of making the improvement September 2017
10. Estimated market value of property before improvement \$ 258,400
11. Cost of making the improvement (all labor, material and overhead) \$ 9,000
12. Estimated market value of property after improvement \$ _____

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature Travis Hoeg Date 01/16/18

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK
Assessor's Signature Don Niska Date 1/29/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

CITY OF
Fargo
ASSESSMENT DEPARTMENT



January 30, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1302 4 St. N as submitted by Katie E. & Ryan Habgood. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$40 with the City of Fargo's share being \$5.

Sincerely,

A handwritten signature in black ink that reads 'Ben Hushka'.

Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Katie + Ryan Habgood Phone No. 541-659-1835

2. Address of Property 1302 4 STN
City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. Lt 32 BLK 2 Holes 1st

4. Parcel Number 01-1360-00570-00 Residential Commercial Central Business District

5. Mailing Address of Property Owner Same
City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel bath

7. Building Permit No. 172104 8. Year Built 1935

9. Date of Commencement of making the improvement October 2017

10. Estimated market value of property before improvement \$ 188,200

11. Cost of making the improvement (all labor, material and overhead) \$ 9533

12. Estimated market value of property after improvement \$ 191,500

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature Katie Habgood Date 1/29/18

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK
Assessor's Signature Ben Nusske Date 1/31/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____



gh

January 30, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1005 9 St. S as submitted by Thomas A. & Denise K. Eide. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$395 with the City of Fargo's share being \$65.

Sincerely,

A handwritten signature in black ink that reads "Ben Hushka". The signature is written in a cursive style.

Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**

North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Thomas + Denise Eide Phone No. _____

2. Address of Property 1605 9 Ave S
City FARGO State ND Zip Code 58603

3. Legal description of the property for which the exemption is being claimed. _____
LTS 9-11 BIKBB Erskines

4. Parcel Number 01-0780-00500W Residential Commercial Central Business District

5. Mailing Address of Property Owner Same
City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel Kitchen, remove stairway, move 1/2 bath, remodel and floor bath & new flooring

7. Building Permit No. 171576 8. Year Built 1907

9. Date of Commencement of making the improvement August 2017

10. Estimated market value of property before improvement \$ 263,600

11. Cost of making the improvement (all labor, material and overhead) \$ 110,000

12. Estimated market value of property after improvement \$ 317,900

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Denise Eide Date 1-29-18

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK

Assessor's Signature Don Chubb Date 1/31/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____

CITY OF
Fargo
ASSESSMENT DEPARTMENT

91

January 30, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1361 4 St. N as submitted by David C. & Jane E. Dahlgren. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$615 with the City of Fargo's share being \$105.

Sincerely,



Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner David & Jane Dahlgren Phone No. 952/220-1159

2. Address of Property 1361 4th St N
City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. _____
L+16 B11C3 Holes 1st

4. Parcel Number 01-1360-007302W Residential Commercial Central Business District

5. Mailing Address of Property Owner Same
City _____ State _____ Zip Code _____

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Full Kitchen Remodel - add 1/2 Bath + Pantry on main + 3/4 Bath in Basement + New Garage

7. Building Permit No. 170639 8. Year Built 1932

9. Date of Commencement of making the improvement April 2017

10. Estimated market value of property before improvement \$ 176,600

11. Cost of making the improvement (all labor, material and overhead) \$ 47,900

12. Estimated market value of property after improvement \$ 224,500

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature Dave Dahlgren Date 1/29/18

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING, NEAR
Assessor's Signature Don Swisher Date 1/31/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

CITY OF
Fargo
ASSESSMENT DEPARTMENT



January 25, 2018

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 734 College St. N as submitted by Karlgaard Properties LLC. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2018, 2019, 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$70 with the City of Fargo's share being \$10.

Sincerely,

Handwritten signature of Ben Hushka.

Ben Hushka
City Assessor

hah
attachment

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**
North Dakota Century Code ch. 57-02.2
(File with the local city or township assessor)

Property Identification

1. Name of Property Owner Karlgaard Properties LLC Phone No. 701-210-0262

2. Address of Property 734 College St N

City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. Lt 12 Blk 2 Kirkhams

4. Parcel Number 01-1620-00190200 Residential Commercial Central Business District

5. Mailing Address of Property Owner 5791 Hwy 1

City Litchville State ND Zip Code 58461

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Reside Dwelling

7. Building Permit No. 162162 8. Year Built 1909

9. Date of Commencement of making the improvement September 2017

10. Estimated market value of property before improvement \$ 101,100

11. Cost of making the improvement (all labor, material and overhead) \$ 15,000

12. Estimated market value of property after improvement \$ 106,400

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Amy Karlgaard - Karlgaard Properties Date 1-23-18

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s): 5 YEARS FOR QUALIFYING WORK

Assessor's Signature Don Anstee Date 1/25/18

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____



(10)

January 31, 2018

Fargo City Commission
200 3rd Street North
Fargo, ND 58102

Commissioners:

The Fargo Dome Authority requests your approval of their selection of Roers Construction for the contract surrounding the remodel/expansion of the permanent wheelchair seating areas in seating sections 6 & 23 here at FARGODOME. The Fargo Dome Authority contracted with TL Stroh Architecture for this project. Through a competitive bid process, and upon review of all bid submissions for each contract, the Fargo Dome Authority voted to award the bid for this project to the low bidder, Roers Construction, at their meeting on Tuesday, January 30, 2018.

The bid response form is attached for reference. This project is budgeted within the 2018 FARGODOME Capital Expenditure Budget previously approved by both the Fargo Dome Authority and the Fargo City Commission. The construction timing of this project will be from late March through July of 2018.

Requested Motion: To approve the bid of \$149,600 by Roers Construction as accepted by the Fargo Dome Authority at their meeting on January 30, 2018.

Thank you for your consideration of this matter.

Very truly yours,

Rob Sobolik
General Manager, FARGODOME

Attachment

FargoDome

Handicap Seating Upgrades

Fargo, ND

Bid Date: January 25, 2018

| Contractor | Attendance @ Mtg on 1/16 | Bond | License | | Base Bid | |
|------------------------|-----------------------------|------|---------|--|--------------|--|
| General: | | | | | | |
| Meinecke-Johnson | x | x | x | | \$213,600.00 | |
| TF Powers Construction | | | | | | |
| Smithco, Inc. | | | | | | |
| Gast Construction | x | x | x | | \$162,600.00 | |
| Roers Construction | x | x | x | | \$149,600.00 | |
| Minko Construction | | | | | | |
| Ledgestone Inc | x | x | x | | \$161,650.00 | |
| ICS, Inc. | x | x | x | | \$300,000.00 | |
| | | | | | | |



(11)

January 31, 2018

Fargo City Commission
200 3rd Street North
Fargo, ND 58102

Commissioners:

The Fargo Dome Authority requests your approval of their selection of Minko Construction for the contract surrounding the interior finishes remodel/upgrade of the eighteen (18) private suites here at FARGODOME. The Fargo Dome Authority contracted with TL Stroh Architecture for this project. Through a competitive bid process, and upon review of all bid submissions for each contract, the Fargo Dome Authority voted to award the bid for this project to the low bidder, Minko Construction, at their meeting on Tuesday, January 30, 2018.

The bid response form is attached for reference. This project is budgeted within the 2018 FARGODOME Capital Expenditure Budget previously approved by both the Fargo Dome Authority and the Fargo City Commission. The construction timing of this project will be from late March through August of 2018.

Requested Motion: To approve the bid of \$232,000 by Minko Construction as accepted by the Fargo Dome Authority at their meeting on January 30, 2018.

Thank you for your consideration of this matter.

Very truly yours,

Rob Sobolik
General Manager, FARGODOME

Attachment

FargoDome

Suite Finish Upgrades

Fargo, ND

Bid Date: January 25, 2018

| Contractor | Attendance @ Mtg on 1/16 | Bond | License | Addn #1 | Base Bid | |
|------------------------|-----------------------------|------|---------|---------|--------------|-------------|
| General: | | | | | | |
| Meinecke-Johnson | x | x | x | x | \$276,500.00 | Add \$2,000 |
| TF Powers Construction | | | | | | |
| Smithco, Inc. | | | | | | |
| Gast Construction | x | x | x | x | \$278,600.00 | |
| Roers Construction | x | x | x | x | \$251,000.00 | |
| Minko Construction | x | x | x | x | \$232,000.00 | |
| Ledgestone Inc | x | x | x | x | \$305,400.00 | |
| Naseth Construction | x | x | x | x | \$274,500.00 | |
| ICS, Inc. | x | x | x | x | \$400,000.00 | |



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FARGO CASS PUBLIC HEALTH
1240 25th Street South
Fargo, ND 58103-2367
Phone 701-241-1360
Fax 701-241-1366
FargoCassPublicHealth.com

M E M O R A N D U M

TO: BOARD OF CITY COMMISSIONERS

**FROM: RUTH ROMAN
DIRECTOR OF PUBLIC HEALTH**

DATE: FEBRUARY 2, 2018

**RE: AGREEMENT FOR SERVICES WITH JEREMIAH
PROGRAM \$300.00**

The attached agreement for services is for breastfeeding friendly environment support for the Jeremiah Program.

No budget adjustment is required for this contract.

Suggested Motion: Move to approve the contract agreement with the Jeremiah Program.

RR/LA
Enclosure

CONTRACT AGREEMENT

THIS AGREEMENT, effective the 31st day of January, 2018, by and between Fargo Cass Public Health ("FCPH"); and Jeremiah Program "Grant Partner".

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

- A. Term of Agreement:** Project plans must be implemented by December 31, 2018 after funds are received.
- B. Statement of Work:** Support worksites in their efforts to provide a breastfeeding friendly environment for their employees. Provided the activities authorized under the statement of work and contract signed by the grant partner are eligible expenditures of Fargo Cass Public Health, the City agrees to provide an amount not to exceed \$300.00. Funds shall be disbursed upon a presentation of a signed agreement.
- C. Termination:** This agreement may be terminated by either party upon the giving of thirty (30) days written notice.
- D. Accounts and Records:** The grant partner shall establish and maintain accurate and complete account and financial or other record in relation to the receipt and expenditure of all grant funds for the project so they adequately show that the grant funds were used exclusively for the purposes described in this agreement.

Special Considerations:

- A.** It is understood and agreed that the relationship created by this Agreement shall be that of grant partner and shall not be deemed an employee of Fargo Cass Public Health for any other purpose.
- B.** The laws of the State of North Dakota shall govern this contract agreement. I hereby certify that the above assurances and provisions of responsibility have been reviewed and our agency has agreed upon the conditions as set forth.
- C.** It is understood any forms or paperwork required by Fargo Cass Public Health and the City of Fargo to receive payment for services will be completed as needed.

In Witness thereof, this contract agreement has been executed between the Grant Partner and Fargo Cass Public Health on the date-executed below.

FARGO CASS PUBLIC HEALTH

By Ruth Roman
Ruth Roman
Director of Public Health

Date _____

GRANT PARTNER

By Kristin Nelson
Kristin Nelson
Jeremiah Program CDC Director

Date 2/1/18

By _____
Timothy J. Mahoney
Mayor, City of Fargo

Date _____



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FARGO CASS PUBLIC HEALTH
1240 25th Street South
Fargo, ND 58103-2367
Phone 701-241-1360
Fax 701-241-1366
FargoCassPublicHealth.com

M E M O R A N D U M

TO: BOARD OF CITY COMMISSIONERS

FROM: RUTH ROMAN
DIRECTOR OF PUBLIC HEALTH

DATE: JANUARY 30, 2018

RE: AGREEMENT FOR SERVICES WITH CONSULTANT JEFF
KNIGHT FOR \$500

The attached Agreement for Services with Jeff Knight for \$500 is to create branding for the Cass Clay Food Partners gleaning project.

If you have any questions, please call me at 241-1380.

Suggested Motion: Move to approve the Agreement for Services with Jeff Knight for gleaning project.

RR/LA
Enclosure

AGREEMENT FOR SERVICES

THIS AGREEMENT, effective the 16th day of January, 2018, by and between Fargo Cass Public Health ("FCPH"); and Jeff Knight, Independent Contracting Consultant.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

- A. **Term of Agreement:** The parties entered into a written agreement for the period of January 16, 2018, through September 30, 2018.
- B. **Services to be provided by independent contractor:** Complete the brand development, including logo and 5-6 web banner images, for the Cass Clay Food Partners gleaning project. Present mock designs to gleaning task force, modify as needed and complete final materials.
- C. **Reimbursement:** The contracting consultant shall be reimbursed \$500 for services.
- D. **Termination:** This Agreement may be terminated by either party upon the giving of thirty (30) days written notice.
- E. **Confidentiality:** The contracting consultant agrees to not, directly or indirectly, disclose, make known, divulge, publish or communicate any individually identifiable health information or other confidential information to any person, firm or corporation without consent unless that disclosure is authorized under North Dakota law.

Special Considerations:

- A. It is understood and agreed that the relationship created by this Agreement shall be that of independent contractor and contractee shall not be deemed an employee of Fargo Cass Public Health for any other purpose.
- B. The laws of the State of North Dakota shall govern this service agreement. I hereby certify that the above assurances and provisions of service have been reviewed and our agency has agreed upon the conditions as set forth.
- C. It is understood any forms or paperwork required by Fargo Cass Public Health and the City of Fargo to receive payment for services will be completed as needed.

In Witness thereof, this purchase of service agreement has been executed between the Consultant and Fargo Cass Public Health on the date-executed below.

FARGO CASS PUBLIC HEALTH

By Ruth Roman
Ruth Roman
Director of Public Health

Date 2/1/18

By _____
Timothy J. Mahoney
Mayor, City of Fargo

Date _____

CONSULTANT

By Jeff Knight
Jeff Knight
Independent Contractor

Date 1/29/18



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(14)

FARGO CASS PUBLIC HEALTH
1240 25th Street South
Fargo, ND 58103-2367
Phone 701-241-1360
Fax 701-241-1366
FargoCassPublicHealth.com

M E M O R A N D U M

TO: BOARD OF CITY COMMISSIONERS

FROM: RUTH ROMAN
DIRECTOR OF PUBLIC HEALTH

DATE: JANUARY 29, 2018

RE: PURCHASE OF SERVICE AGREEMENT WITH THE NORTH
DAKOTA DEPARTMENT OF HEALTH FOR \$17,000
CONTRACT NO: PF17.124 CFDA NO. 93.116


This is a request to approve the attached agreement with the North Dakota Department of Health for \$17,000 to direct Tuberculosis screening activities.

No budget adjustment is required for this contract.

Please feel free to call me at 241-1380 if you have any questions.

Suggested Motion: Move to approve the North Dakota Department of Health contract for Tuberculosis screening activities.

RR/LA
Enclosure

| | | | | | |
|--|---|--|---|--|-----------------|
|  | | PURCHASE OF SERVICE AGREEMENT RESTRICTED FUNDING SFN 59918 (1-2016) | | NORTH DAKOTA DEPT. OF HEALTH (NDDoH) 600 E BOULEVARD AVE, DEPT. 301 BISMARCK, ND 58505-0200 | |
| CONTRACT NUMBER | | CFDA NUMBER | | START DATE | END DATE |
| PF17.124 | Project Grants and Cooperative Agreements for Tuberculosis Control Programs | 93.116 | | 1/1/2018 | 12/31/2018 |
| FEDERAL AWARD DATE | FEDERAL AWARING AGENCY | FAIN NUMBER | CONTRACT TYPE: ACQUISITION or RESEARCH | | |
| 12/19/2017 | Department Of Health And Human Services | NUJ52PS004700 | Acquisition | | |
| THIS CONTRACT IS NOT EFFECTIVE AND EXPENDITURES RELATED TO THIS CONTRACT SHOULD NOT BE INCURRED UNTIL ALL PARTIES HAVE SIGNED THIS DOCUMENT. | | | | | |
| TITLE OF PROJECT/PROGRAM | NDDoH PROJECT CODE | | | | |
| CONTRACTOR NAME | 2201 HLH339-01 \$17000 | | | | |
| ADDRESS | PROJECT DIRECTOR | | | | |
| 1240 25th St S | Lindsey VanderBusch | | | | |
| Fargo, ND 58103 | ADDRESS | | | | |
| Ruth Roman | 2635 E Main Ave | | | | |
| CITY/STATE/ZIP | CITY/STATE/ZIP | | | | |
| Fargo, ND 58103 | Bismarck, ND 58506 | | | | |
| CONTACT NAME | CONTACT NAME | | | | |
| Ruth Roman | Lindsey VanderBusch | | | | |
| TELEPHONE NUMBER | TELEPHONE NUMBER | | | | |
| 701.241.8575 | 701.328.4555 | | | | |
| EMAIL | EMAIL | | | | |
| rroman@fargond.gov | lvanderbusch@nd.gov | | | | |
| Amount Awarded | NDDoH Cost Share | | Total Costs | | |
| \$17,000 | \$0 | | \$17,000 | | |
| Previous Funds Awarded | \$0 | | \$0 | | |
| Total Funds Awarded | \$17,000 | | \$17,000 | | |
| SCOPE OF SERVICE | Contractor agrees to: 1) direct TB screening activities ONLY to populations determined at high-risk* for TB within their jurisdiction; 2) provide appropriate referral and follow-up for persons identified with latent TB infection; 3) conduct all activities in accordance with the Centers for Disease Control and Prevention (CDC) and the ND Department of Health's recommendations and guidelines; 4) conduct all activities with the involvement of health care professionals trained and/or with experience with TB screening procedures; and 5) submit the TB Surveillance Report and Request for Reimbursement** on a quarterly basis no later than 15 days after the end of each quarter and other documentation as requested by the TB program via the PRS system. | | | | |
| REPORTING REQUIREMENTS | Quarterly expenditure and progress reports are due 15 days after the end of each quarter. Reimbursement will be processed upon Department approval of expenditure and progress reports. Expenditure report for the period ending June 30, 2018 must be received by July 13, 2018. The final expenditure report ending December 31, 2018 must be received by February 15, 2019. | | | | |
| SPECIAL CONDITIONS | *High-risk populations: refugees, migrants, or recent arrivals from high incidence countries; high-risk racial/ethnic populations within the jurisdiction; the homeless; injection drug users; recent contacts of an active TB case. Residents and employees of high-risk congregate settings (i.e. jail/prison populations, nursing homes (not employees) and other long-term care facilities for the elderly, hospitals(not employees) and other health-care facilities (not employees), residential facilities and homeless shelters); mycobacterium laboratory personnel; and persons with clinical conditions that place them at high-risk (i.e. people living with HIV/AIDS, other immunosuppressive conditions, or persons with abnormal chest x-rays, etc.).**Fee schedule is on page 2 of the TB Surveillance Report and Request for Reimbursement form. Funding for this contract is restricted to \$4250 until such time as the Federal Award is received and processed by the Department. Allowable expenses are included on the TB Surveillance Reimbursement Form. Financial obligation of the Department is contingent upon funds being made available by The Centers for Disease Control and Prevention. The Department will send notification to the Contractor when the restriction has been lifted. This notification serves as official documentation and should be filed with the Purchase of Service Agreement for documentation. | | | | |
| This Purchase of Service Agreement is subject to the terms and conditions incorporated either directly or by reference in the following: (1) Requirements Addendum for Purchase of Service Agreements issued by the North Dakota Department of Health as signed by Contractor for the period of July 1, 2017 to June 30, 2019 [Accounting Use Only ___ Requirements received] and (2) applicable State and Federal regulations. | | | | | |
| EVIDENCE OF CONTRACTOR'S ACCEPTANCE | | | | | |
| January 29, 2018 | SIGNATURE | | DATE | | |
| | <i>Ruth Roman</i> | | | | |
| TYPED NAME/TITLE OF AUTHORIZED REPRESENTATIVE | | | | | |
| Ruth Roman, Director of Public Health | | | | | |
| EVIDENCE OF NDDoH ACCEPTANCE | | | | | |
| | SIGNATURE | | DATE | | |
| TYPED NAME/TITLE OF AUTHORIZED REPRESENTATIVE | | | | | |
| Timothy J. Mahoney, Mayor, City of Fargo | | | | | |
| If attachments are referenced, they must be returned with the signed award. If you did not receive attachments as indicated, contact the Program Director, identified above. | | | | | |



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FARGO CASS PUBLIC HEALTH
1240 25th Street South
Fargo, ND 58103-2367
Phone 701-241-1360
Fax 701-241-1366
FargoCassPublicHealth.com

M E M O R A N D U M

TO: BOARD OF CITY COMMISSIONERS

FROM: RUTH ROMAN
DIRECTOR OF PUBLIC HEALTH

DATE: FEBRUARY 9, 2018

RE: AGREEMENT FOR SERVICES WITH AMERICAN LUNG
ASSOCIATION FOR \$7,670
RFP #RFP17386

The attached agreement for services is for tobacco prevention.

No budget adjustment is required for this contract.

Suggested Motion: Move to approve the contract agreement with the American Lung Association.

RR/LA
Enclosure

AGREEMENT FOR SERVICES

THIS AGREEMENT, effective the 12th day of February 2018 by and between Fargo Cass Public Health (FCPH); and American Lung Association (Contractor).

NOW, THEREFORE, it is hereby agreed by and between the parties here to as follows:

1. **Term of Agreement:** The parties entered into a written agreement for the period of January 15, 2018 through June 30, 2018.
 - A. **Services to be provided by independent contractor:** Working in collaboration with FCPH, the independent contractor will function as the Project Manager in implementing tobacco prevention, control, and cessation activities to reduce tobacco-related disparities and social norms among specific population groups. Duties will include: facilitating, recruiting, coordinating, and organizing three separate focus groups with individuals that are experiencing homelessness, are American Indian, and/or part of the LGBTQ community in Cass County with there being a focus group for each of the specific populations. After the completion of the focus groups, the Project Manager will compile a report narrative and share the results with FCPH, identifying any themes revealed during the project and provide recommendations for the next steps to help reduce tobacco related disparities. All data collected will be property of FCPH.
 - B. **Reimbursement:** The contracting consultant shall be reimbursed up to \$7,670, including: 120 hours for an ALA staff member, incentives for participants, supplies, and travel expenses. Invoices must be submitted monthly by the 7th of following month with Progress Reports with the final invoice being due on June 15, 2018.
 - D. **Termination:** This Agreement may be terminated by either party upon the giving of thirty (30) days written notice.
 - E. **Confidentiality:** The independent contracting consultant agrees to not, directly or indirectly, disclose, make known, divulge, publish or communicate any individually identifiable health information or other confidential information to any person, firm or corporation without consent unless that disclosure is authorized under North Dakota law.
 - F. **Progress Reports:** FCPH, shall throughout the effective dates of this agreement, conduct ongoing evaluation of the Contractor's performance in carrying out their tobacco prevention, control, and cessation services. Such evaluation may include, but not be limited to periodic visits by departmental representatives to review progress made by Contractor in accomplishing stated goal/objectives. Contractor will submit written reports and forms provided by FCPH. Progress reports shall be submitted by the 7th day of the following month.
 1. March 7th for February
 2. April 7th for March
 3. May 7th for April
 4. June 7th for May
 5. July 7th for June

Special Considerations:

- A. It is understood and agreed that the relationship created by this Agreement shall be that of independent contractor and contractee that shall not be deemed an employee of Fargo Cass Public Health for any other purpose.
- B. The laws of the State of North Dakota shall govern this service agreement. I hereby certify that the above assurances and provisions of service have been reviewed and our agency has agreed upon the conditions as set forth.
- C. It is understood any forms or paperwork required by Fargo Cass Public Health and the City of Fargo to receive payment for services will be completed as needed.

In **Witness** thereof, this purchase of service agreement has been executed between the Consultant and Fargo Cass Public Health on the date-executed below.

FARGO CASS PUBLIC HEALTH

By Ruth Roman
Ruth Roman
Director of Public Health

Date 2/7/2018

By _____
Timothy J. Mahoney
Mayor, City of Fargo

Date _____

CONSULTANT

By Jean A. Bumpel
American Lung Association

Date 2/5/2018

(16)

February 12, 2018

Honorable Board of City Commissioners
City of Fargo
200 3rd Street North
Fargo, North Dakota 58102

RE: Sole Source Procurement- Electric Pump Co.

Dear Commissioners:

Attached you will find three invoices from the Electric Pump Co., New Prague, MN, for impellers repair kits, wear rings, iron hardening and freight for sanitary lift stations #19, 23, & 25. The invoices delineate wear materials and parts that are associated with routine maintenance of a unique/specific series of pumps. By replacing worn impellers will increase pumping efficiencies thus reducing electricity consumption and the potential for sewer backup.

Features of "like or similar" replacement parts from other vendors will result in voiding of existing warranties, reducing efficiencies and will most certainly not fit adequately for proper installation and performance.

This purchase was included in the 2018 Budget (fund 521 3061 442.73-63) and approved by the Finance Committee. Your consideration in this matter is appreciated.

Recommended Motion

Approve Sole Source Procurement of replacement wear parts from Electric Pump Co. for sanitary lift stations #19, 23, & 25, in the amount of \$110,406.50

Respectfully Submitted,



Jim Hausauer
Wastewater Utility Director

Memorandum

January 19, 2018

To: Finance Committee

From: Jim Hausauer, Wastewater Utility Director *JA*

RE: Sole Source Procurement – Electric Pump Co.

Attached you will find three invoices from the Electric Pump Co., New Prague, MN, for impeller repair kits, wear rings and iron hardening for specific pumps associated with sanitary lift stations #19, 23, & 25. The invoice delineates an impeller repair kit that includes wear materials, iron hardening and parts that are associated with routine maintenance of a unique/specific series of pumps. By replacing old worn impellers will increase pumping efficiencies thus reducing electricity consumption and the potential for sewer backup.

Features of “like or similar” impellers and repair kits or replacement parts from other vendors will result in voiding of existing warranties, reducing efficiencies and will most certainly not fit adequately for proper installation and performance.

This purchase was included in the 2018 Budget (fund 521 3061 442-73.63). Your consideration in this matter is appreciated.

Recommended Motion

Approve Sole Source Procurement of impellers, repair kits, iron hardening & freight for wear items associated in Sanitary Lift Stations #19, 23, 25 from Electric Pump Co. in the amount of \$110,406.50

| | | | |
|------------------|--|-----------|-----------|
| Sales Tax Funded | Wastewater facilities R & R | 337,000 | |
| Sales Tax Funded | Wastewater master plan | 1,442,350 | |
| Sales Tax Funded | Flood protection | 60,000 | |
| Sales Tax Funded | Effluent force main improvements - phase 2 | 350,000 | |
| Sales Tax Funded | Broadway force main improvements | 38,599 | |
| Sales Tax Funded | Lift stations #1 & #2 improvements | 526,500 | |
| Sales Tax Funded | Lift station R & R | 408,000 | |
| Sales Tax Funded | Future lift stations & forcemains | 304,000 | - Eng. |
| Sales Tax Funded | Sewer cleaning and televising | 146,000 | - |
| Sales Tax Funded | Wastewater system GIS | 97,000 | - |
| Sales Tax Funded | Sanitary sewer rehab and replacement | 649,000 | 4,358,449 |

| | | |
|----------------------------------|------------------|------------------|
| Wastewater Sales Tax Fund | 8,358,449 | 8,358,449 |
|----------------------------------|------------------|------------------|

| | | |
|------------------------------|----------------------|----------------------|
| CAPITAL PROJECT FUNDS | \$ 32,087,345 | \$ 32,087,345 |
|------------------------------|----------------------|----------------------|

| DEPARTMENT | ACCOUNT NUMBER | DESCRIPTION OF REQUEST | AMOUNT REQUESTED | DIVISIONAL TOTALS |
|------------|----------------|------------------------|------------------|-------------------|
|------------|----------------|------------------------|------------------|-------------------|

PROPRIETARY FUNDS

| DEPARTMENT | ACCOUNT NUMBER | DESCRIPTION OF REQUEST | AMOUNT REQUESTED | DIVISIONAL TOTALS |
|-------------------------------|--------------------|--|-------------------|-------------------|
| WATER | | | | |
| Water Treatment Plant | 501-3051-441-74-10 | Gas chromatographer | \$ 100,000 | |
| | 501-3051-441-74-10 | Spyder crane | 40,000 | |
| | 501-3051-441-74-10 | Humidifier replacement | 9,000 | |
| | 501-3051-441-74-10 | HVAC filtration system | 29,500 | |
| | 501-3051-441-74-10 | LSWTP SCADA improvements | 42,000 | |
| | 501-3051-441-74-10 | Floor cleaner | 8,000 | 228,500 |
| Water Mains/Hydrants | 501-3052-441-74-10 | Articulating wheel loader | 249,000 | |
| | 501-3052-441-74-10 | GPS Survey system | 20,000 | |
| | 501-3052-441.74-11 | Computer maintenance and expansion | 4,000 | |
| | 501-3052-441-74-30 | Furniture replacements | 5,500 | |
| | 501-3052-441.72-20 | Portion of public works remodel | 705,822 | |
| | 501-3054-441.90-40 | Water main replacement | 2,800,000 | |
| | 501-3054-441.90-40 | Distribution system extension | 157,000 | 3,941,322 |
| Water Meters | 501-3053-441.74-10 | Meter replacement | 180,000 | 180,000 |
| Water Infrastructure Projects | 501-3055-441.73-62 | New downtown water tower (New SRF)* | 6,750,000 | |
| | 501-3055-441.73-62 | Red River PS flood protection (New SRF)* | 5,200,000 | |
| | 501-3055-441.73-62 | Ozone AOP improvements (New SRF)* | 4,250,000 | |
| | 501-3055-441.73-62 | Facility plan phase two | 7,500,000 | |
| | 501-3055-441.73-62 | Water tower 4 & 9 Valves | 275,000 | |
| | 501-3055-441.73-62 | Water tower 7 reconditioning | 700,000 | |
| | 501-3055-441.73-62 | Master plan update | 120,000 | |
| | 501-3055-441.73-62 | Transmission pipe lining - 10th street project | 300,000 | |
| | 501-3055-441.74-12 | Water distribution GIS | 101,000 | 25,196,000 |
| Total Water | | | 29,545,822 | 29,545,822 |
| WASTEWATER | | | | |
| | 521-3061-442-73-63 | Regional connections improvements | 500,000 | ✓ |
| | 521-3061-442-73-63 | Harwood lagoon decommissioning | 500,000 | ✓ |
| | 521-3061-442-73-63 | Lift station #19, 23, 25, 60 wear items | 120,000 | ✓ |
| | 521-3061-442-74-10 | Mower | 12,000 | ✓ |
| | 521-3061-442-74-10 | Middle lift station pump rehab | 25,000 | ✓ |
| | 521-3061-442-74-10 | Mini crawler | 40,000 | ✓ 1,197,000 |
| Total Wastewater | | | 1,197,000 | 1,197,000 |
| STORM SEWER | | | | |
| | 524-3064-443.74-50 | SCADA systems on lift station | 40,000 | |
| | 524-3064-443.74-50 | Variable frequency drive retrofits for lift stations | 40,000 | 80,000 |
| Total Storm Sewer | | | 80,000 | 80,000 |
| STREET LIGHTING | | | | |
| | 528-3035-415-74-10 | Storage yard at public safety building | 125,000 | 125,000 |
| Total Street Lighting | | | 125,000 | 125,000 |
| SOLID WASTE | | | | |
| Solid Waste - Admin | 531-3071-431-74-30 | Office equipment | 4,000 | |
| | 531-3071-431-74-30 | Office chairs | 2,000 | |
| | 531-3071-431-73-20 | Parking lot improvements | 50,000 | |
| | 531-3071-431-72-20 | Building improvements | 50,000 | 106,000 |

QUOTATION



201 4th Ave SW
New Prague, MN 56071 USA

Telephone: (952)758-6600 / FAX (952)758-7778
Toll Free 1-800-536-5394

www.electricpump.com

QUOTE NUMBER: 0173798
QUOTE DATE: 1/10/2018
EXPIRE DATE: 3/30/2018

SALESPERSON: JEFF JANIKSELA
CUSTOMER NO: 0012440
QUOTED BY: MKH

LS#25 N3536 870 IMPELLER

QUOTED TO:
CITY OF FARGO
3400 NORTH BROADWAY
FARGO, ND 58102

JOB LOCATION:
CITY OF FARGO
3400 NORTH BROADWAY
FARGO, ND 58102

CONFIRM TO:
WAYNE O 701-241-1454

*** QUOTE ORDER - DO NOT PAY ***

| CUSTOMER P.O. LS# 25 | SHIP VIA BEST WAY | F.O.B. | TERMS NET 30 DAYS | | | |
|---|----------------------|---|----------------------|------------|-----------|-----------|
| ITEM NUMBER | UNIT | ORDERED | SHIPPED | BACK ORDER | PRICE | AMOUNT |
| RE: LS # 25 IMPELLERS NT3356 870 IMPELLER | | | | | | |
| | | UPGRADE TO HARD IRON IMPELLER AND INSERT RING | | | | |
| *0000007900300 | EACH | 3.00 | 0.00 | 0.00 | 17,284.00 | 51,852.00 |
| | | IMPELLER UNIT, N 490mm HC 3356 | | | | |
| *DISCOUNT | EACH | 3.00 | 0.00 | 0.00 | 1,235.00- | 3,705.00- |
| | | CUSTOMER SALES CONSIDERATION | | | | |
| 0000007369100 | EACH | 3.00 | 0.00 | 0.00 | 2,947.00 | 8,841.00 |
| | | RING,INSERT HC | | | | |
| *DISCOUNT | EACH | 3.00 | 0.00 | 0.00 | 210.50- | 631.50- |
| | | CUSTOMER SALES CONSIDERATION | | | | |
| *FREIGHT | EACH | 1.00 | 0.00 | 0.00 | 400.00 | 400.00 |
| | | FREIGHT CHARGE FOR STANDARD OCEAN DELIVERY IN 5-6 WEEKS | | | | |

PLEASE CONTACT US TO PLACE AN ORDER.

SINCERELY--MYRA HOFFMAN 800-211-6432
CC: JEFF JANIKSELA 612-867-6219

All return goods must have written approval from Electric Pump, Inc. before returning. Credit will not be issued without written approval and if applicable there will be a Restock Fee.

Net Order: 56,756.50
Less Discount: 0.00
Freight: 0.00
Sales Tax: 0.00
Order Total: 56,756.50

ABOVE PRICING EFFECTIVE FOR 30 DAYS



Sole Source and Piggyback Procurement Form

Sole Source and Piggyback Justification for Procurement

The following information is offered for the sole source acquisition of goods or services described below. The purchase has been thoroughly researched and it has been determined that the vendor/brand is the only acceptable vendor/brand for the product or services that will fit the particular need.

Vendor Name:

Electric Pump

Estimated Dollar Amount of Purchase:

\$56,756.50

The project/service is required to:

Bring all three pumps back up to proper operating conditions and pumping capacities at Lift Station 25.

Description of features or capabilities unique to the vendor/brand being requested as related to project requirements:

These impellers and wear plates are specific to the 3356 style Flygt Pump for proper operation and pumping capacities.

Provide a brief description of how your investigation was conducted. (Internet, publications, consultations) List all sources identified and investigated to determine that no other source exists for similar products capable of meeting requirements (Must be exhaustive of all sources for the commodity being purchased. **)

Searched the Internet and consulted with Electric Pump to determine if there was another source for the correct replacement parts which there was not.

****If all sources are not investigated a competitive solicitation must be issued.**

Provide a side-by-side comparison of the features/service of all other vendors/brands considered. (List the features or capabilities required for your project and how each vendor investigated does or does not meet those requirements. A table format is recommended)

| |
|----|
| NA |
|----|

If the piggyback procurement method is being used, please provide a copy of the piggyback contract.

| |
|----|
| NA |
|----|

Signature: _____
(Requestor)

Printed Name: **Wayne Offerdahl** _____

Department: **Wastewater** _____

Title: **Public Works Supervisor** _____

Date: **1/12/2018** _____

I, hereby, certify that this justification for other than full and open competition is accurate and complete to the best of my knowledge and belief.

WO _____ (Requestor initials)

QUOTATION



201 4th Ave SW
New Prague, MN 56071 USA

Telephone: (952)758-6600 / FAX (952)758-7778
Toll Free 1-800-536-5394

www.electricpump.com

QUOTE NUMBER: 0173878
QUOTE DATE: 1/10/2018
EXPIRE DATE: 3/30/2018

SALESPERSON: JEFF JANIKSELA
CUSTOMER NO: 0012440
QUOTED BY: MKH
LS # 23 KIT & IMP

QUOTED TO:
CITY OF FARGO
3400 NORTH BROADWAY
FARGO, ND 58102

JOB LOCATION:
CITY OF FARGO
3400 NORTH BROADWAY
FARGO, ND 58102

CONFIRM TO:
WAYNE 701-730-0139

***** QUOTE ORDER - DO NOT PAY *****

| CUSTOMER P.O. | SHIP VIA BEST WAY | F.O.B. | TERMS NET 30 DAYS | | | |
|--|----------------------|---------|----------------------|------------|----------|-----------|
| ITEM NUMBER | UNIT | ORDERED | SHIPPED | BACK ORDER | PRICE | AMOUNT |
| LS #23 CT3300.181 # 0760038 - 39, CT330.180-9270501 IMPELLER WITH NICKEL ALLOY & BASIC REPAIR KIT | | | | | | |
| ELECTRIC PUMP PROPOSES: | | | | | | |
| 0000006018924 | EACH | 3.00 | 0.00 | 0.00 | 6,807.00 | 20,421.00 |
| KIT,REPAIR BASIC 3300.180 181 | | | | | | |
| 0000004346202 | EACH | 3.00 | 0.00 | 0.00 | 5,862.00 | 17,586.00 |
| IMPELLER UNIT CODE 644 3300 C.I. | | | | | | |
| *NICKEL | EACH | 3.00 | 0.00 | 0.00 | 1,340.00 | 4,020.00 |
| ELECTROLESS NICKEL ALLOY COAT AND HEAT TREAT TO MAXIMIZE NICKEL HARDNESS | | | | | | |
| *FREIGHT | EACH | 1.00 | 0.00 | 0.00 | 500.00 | 500.00 |
| FREIGHT CHARGE FOR STANDARD OCEAN DELIVERY IN 5-6 WEEKS | | | | | | |

PLEASE CONTACT US WITH ANY QUESTIONS OR TO PLACE AN ORDER.

SINCERELY--MYRA HOFFMAN 800-211-6432
CC: JEFF JANIKSELA 612-867-6219

All return goods must have written approval from Electric Pump, Inc. before returning. Credit will not be issued without written approval and if applicable there will be a Restock Fee.

| | |
|---------------------|------------------|
| Net Order: | 42,527.00 |
| Less Discount: | 0.00 |
| Freight: | 0.00 |
| Sales Tax: | 0.00 |
| Order Total: | 42,527.00 |

ABOVE PRICING EFFECTIVE FOR 30 DAYS



Sole Source and Piggyback Procurement Form

Sole Source and Piggyback Justification for Procurement

The following information is offered for the sole source acquisition of goods or services described below. The purchase has been thoroughly researched and it has been determined that the vendor/brand is the only acceptable vendor/brand for the product or services that will fit the particular need.

Vendor Name:

Electric Pump

Estimated Dollar Amount of Purchase:

\$42,527.00

The project/service is required to:

Bring all three sewage pumps back up to proper operating conditions and pumping capacities at Lift Station 23.

Description of features or capabilities unique to the vendor/brand being requested as related to project requirements:

These replacement seals and impellers are specific to the 3300 style Flygt Pump for proper operation and pumping capacities.

Provide a brief description of how your investigation was conducted. (Internet, publications, consultations) List all sources identified and investigated to determine that no other source exists for similar products capable of meeting requirements (Must be exhaustive of all sources for the commodity being purchased. **)

Searched the Internet and consulted with Electric Pump to determine if there was another source for the correct replacement parts which there was not.

****If all sources are not investigated a competitive solicitation must be issued.**

Provide a side-by-side comparison of the features/service of all other vendors/brands considered. (List the features or capabilities required for your project and how each vendor investigated does or does not meet those requirements. A table format is recommended)

| |
|----|
| NA |
|----|

If the piggyback procurement method is being used, please provide a copy of the piggyback contract.

| |
|----|
| NA |
|----|

Signature: Wayne Offerdahl
(Requestor)

Printed Name: Wayne Offerdahl

Department: Wastewater

Title: Public Works Supervisor

Date: 1/12/2018

I, hereby, certify that this justification for other than full and open competition is accurate and complete to the best of my knowledge and belief.

WO (Requestor initials)

QUOTATION



201 4th Ave SW
New Prague, MN 56071 USA

Telephone: (952)758-6600 / FAX (952)758-7778
Toll Free 1-800-536-5394

www.electricpump.com

QUOTE NUMBER: 0173877
QUOTE DATE: 1/10/2018
EXPIRE DATE: 3/30/2018

SALESPERSON: JEFF JANIKSELA
CUSTOMER NO: 0012440
QUOTED BY: MKH
LS # 19 IMP & INSERT RI

QUOTED TO:
CITY OF FARGO
3400 NORTH BROADWAY
FARGO, ND 58102

JOB LOCATION:
CITY OF FARGO
3400 NORTH BROADWAY
FARGO, ND 58102

CONFIRM TO:
WAYNE 701-730-0139

***** QUOTE ORDER - DO NOT PAY *****

| CUSTOMER P.O. | SHIP VIA BEST WAY | F.O.B. | TERMS NET 30 DAYS |
|---------------|----------------------|--------|----------------------|
|---------------|----------------------|--------|----------------------|

| ITEM NUMBER | UNIT | ORDERED | SHIPPED | BACK ORDER | PRICE | AMOUNT |
|---------------|------|---|---------|------------|----------|-----------|
| | | LS #19 NT3153.091 434 IMPELLER: UPGRADE TO HARD IRON, SERIAL # S0880073 - 75 | | | | |
| | | ELECTRIC PUMP PROPOSES: | | | | |
| 0000007692917 | EACH | 3.00 | 0.00 | 0.00 | 3,641.00 | 10,923.00 |
| | | KIT,IMPELLER N MT CODE 434 HC | | | | |
| *FREIGHT | EACH | 1.00 | 0.00 | 0.00 | 200.00 | 200.00 |
| | | FREIGHT CHARGE FOR STANDARD OCEAN DELIVERY IN 5-6 WEEKS | | | | |

PLEASE CONTACT US WITH ANY QUESTIONS OR TO PLACE AN ORDER.

SINCERELY--MYRA HOFFMAN 800-211-6432
CC: JEFF JANIKSELA 612-867-6219

All return goods must have written approval from Electric Pump, Inc. before returning. Credit will not be issued without written approval and if applicable there will be a Restock Fee.

| | |
|---------------------|------------------|
| Net Order: | 11,123.00 |
| Less Discount: | 0.00 |
| Freight: | 0.00 |
| Sales Tax: | 0.00 |
| Order Total: | 11,123.00 |

ABOVE PRICING EFFECTIVE FOR 30 DAYS



Sole Source and Piggyback Procurement Form

Sole Source and Piggyback Justification for Procurement

The following information is offered for the sole source acquisition of goods or services described below. The purchase has been thoroughly researched and it has been determined that the vendor/brand is the only acceptable vendor/brand for the product or services that will fit the particular need.

Vendor Name:

Electric Pump

Estimated Dollar Amount of Purchase:

\$11,123.00

The project/service is required to:

Bring all three sewage pumps back up to full pumping capacity at Lift Station 19.

Description of features or capabilities unique to the vendor/brand being requested as related to project requirements:

These impellers and wear plates are specific to the N style Flygt Pump.

Provide a brief description of how your investigation was conducted. (Internet, publications, consultations) List all sources identified and investigated to determine that no other source exists for similar products capable of meeting requirements (Must be exhaustive of all sources for the commodity being purchased. **)

Searched the Internet and consulted with Electric Pump to determine if there was another source for the correct replacement parts which there was not.

****If all sources are not investigated a competitive solicitation must be issued.**

Provide a side-by-side comparison of the features/service of all other vendors/brands considered. (List the features or capabilities required for your project and how each vendor investigated does or does not meet those requirements. A table format is recommended)

| |
|----|
| NA |
|----|

If the piggyback procurement method is being used, please provide a copy of the piggyback contract.

| |
|----|
| NA |
|----|

Signature: Wayne Offerdahl
(Requestor)

Printed Name: Wayne Offerdahl

Department: Wastewater

Title: Public Works Supervisor

Date: 1/12/2018

I, hereby, certify that this justification for other than full and open competition is accurate and complete to the best of my knowledge and belief.

WO (Requestor initials)

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

(17)

Project No. SN-18-A1
 NDDOT Project # TAU-8-984(163), PCN 21962

Type: Programmatic Categorical Exclusion Document
 for Shared Use Path Project

Location: Dill Hill – 6th Ave S to 7th Ave S

Date of Hearing: 2/5/2018

| <u>Routing</u> | <u>Date</u> |
|-----------------|----------------------|
| City Commission | <u>2/12/2018</u> |
| PWPEC File | <u>X</u> |
| Project File | <u>Jeremy Gorden</u> |

The Committee reviewed a communication from Transportation Division Engineer, Jeremy Gorden, regarding the Dill Hill Shared Use Path Project. We applied for and were awarded federal Transportation Alternatives Program (TAP) funds for this project in early 2017. This project would fill in a missing connection between 5th St and Island Park, and also further to the north, the Broadway district. The project would eliminate one ball field located in the park.

This project was included in the 2018 CIP plan approved on December 18, 2017 by the City Commission. The project will be bid in Bismarck in May and the work will be completed by October 15th. Engineering Staff is recommending approval of the Programmatic Categorical Exclusion document with the selection of "Yes" on question 1 and the selection of "Alternative B" on question 2 on the Decision Document.

Staff is recommending approval.

On a motion by Mark Bittner, seconded by Nicole Crutchfield, the Committee voted to recommend approval of the Programmatic Categorical Exclusion document with the selection of "Yes" on question 1 and the selection of "Alternative B" on question 2 on the Decision Document.

RECOMMENDED MOTION

Concur with PWPEC and approve the Programmatic Categorical Exclusion document with selection of "Yes" on question 1 and the selection of "Alternative B" on question 2 on the Decision Document.


PROJECT FINANCING INFORMATION:

| | | | |
|--|---|------------|----|
| Recommended source of funding for project: | <u>Federal, Sales Tax & Fargo Park District Funds</u> | Yes | No |
| Developer meets City policy for payment of delinquent specials | | <u>N/A</u> | |
| Agreement for payment of specials required of developer | | <u>N/A</u> | |
| Letter of Credit required (per policy approved 5-28-13) | | <u>N/A</u> | |

COMMITTEE

| | <u>Present</u> | <u>Yes</u> | <u>No</u> | <u>Unanimous</u> |
|--|----------------|------------|-----------|----------------------|
| | | | | <u>✓</u> |
| Tim Mahoney, Mayor | <u>✓</u> | <u>✓</u> | <u>☐</u> | |
| Nicole Crutchfield, Director of Planning | <u>✓</u> | <u>✓</u> | <u>☐</u> | |
| Steve Dirksen, Fire Chief | <u>✓</u> | <u>✓</u> | <u>☐</u> | <u>Ryan Erickson</u> |
| Mark Bittner, Director of Engineering | <u>✓</u> | <u>✓</u> | <u>☐</u> | |
| Bruce Grubb, City Administrator | <u>✓</u> | <u>✓</u> | <u>☐</u> | |
| Ben Dow, Director of Operations | <u>☐</u> | <u>☐</u> | <u>☐</u> | |
| Steve Sprague, City Auditor | <u>✓</u> | <u>✓</u> | <u>☐</u> | |
| City Engineer | <u>✓</u> | <u>✓</u> | <u>☐</u> | <u>Brenda Derrig</u> |
| Kent Costin, Finance Director | <u>☐</u> | <u>☐</u> | <u>☐</u> | |

ATTEST:


 Brenda E. Derrig, P.E.
 Division Engineer



200 3rd Street North
Fargo, North Dakota 58102
Phone: (701) 241-1545
Fax: (701) 241-8101
E-Mail: feng@cityoffargo.com

Memo

January 31, 2018

To: Members of PWPEC
From: Jeremy M. Gorden, PE, PTOE *Jmh*
Division Engineer - Transportation
Subject: Approval of Programmatic Categorical Exclusion Document for
The Dill Hill Shared Use Path Project – 6th Avenue S to 7th Avenue S
Project No. SN-18-A1
NDDOT Project # TAU-8-984(163), PCN 21962

I have attached a programmatic categorical exclusion document (PCE) for this shared use path project along what would be the 5th Street alignment between 6th Avenue S and 7th Avenue S, known as Dill Hill. We applied for and were awarded federal Transportation Alternatives Program (TAP) funds for this project in early 2017.

The proposed project is approximately 425' long and is located very near to the Fargo School District's Hawthorne Elementary School. There is an existing shared use path in Island Park that extends from 1st Avenue S to 5th Avenue S and then terminates at that point. Pedestrians and bicyclists at that point wishing to continue further south must either proceed to 7th Street or over to 4th Street to continue. 5th Street from the south ends at 7th Avenue S in this part of the city. It is designated as a "Share the Road" facility between 24th Avenue S and 13th Avenue S, and does pass by the city's largest park, Lindenwood Park. This project would fill in a missing connection between 5th Street and Island Park, and also further to the north, the Broadway district. This project would eliminate one ball field located in the park.

The construction cost estimate of the project is estimated at \$260,167, with cost splits of \$210,000 federal funds, \$25,084 sales tax funds and \$25,084 Fargo Park District funds. This project was included in the 2018 CIP plan approved on December 18, 2017 by the City Commission. This project will be bid in Bismarck in May and the work will be completed by October 15.

Recommended Motion

I recommend approval of the attached Programmatic Categorical Exclusion document, with the selection of "Yes" on question 1, and the selection of "Alternative B" on question 2 of the Decision Document.

SHARED USE PATH

Project No.

PCN

TAU-8-984(163)

21962

From 7th Avenue South to 6th Avenue South

PROGRAMMATIC CATEX

Prepared by

CITY OF FARGO ENGINEERING DEPARTMENT
FARGO, NORTH DAKOTA

<http://www.fargond.gov>

CITY ENGINEER
Mark Bittner, P.E.

Principal Author: Jeremy M. Gorden, P.E., City of Fargo
Environmental Reviewer: Kent Leben, Local Government
January 2018

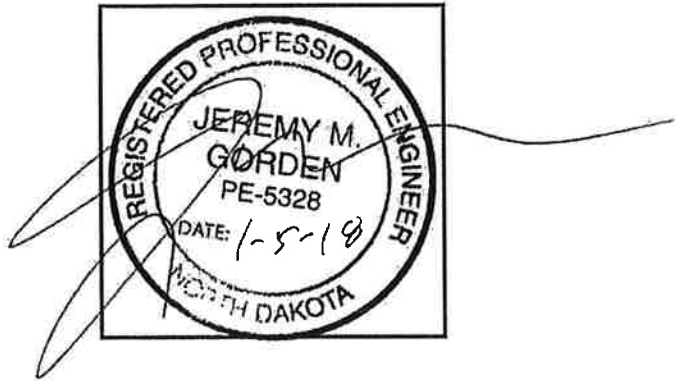
23 USC § 409
NDDOT Reserves All Objections

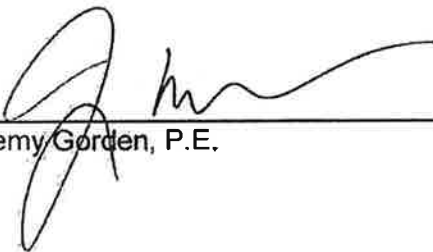
5TH STREET SOUTH SHARED USE PATH

Fargo, North Dakota

CERTIFICATION

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly registered professional engineer under the laws of the State of North Dakota. This document was originally issued and sealed by Jeremy Gorden, Registration number PE-5328 on 1/5/18 and the original document is stored at the City of Fargo Engineering Department.





Jeremy Gorden, P.E.

1-5-18

Date

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Appendices

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I. Executive Summary

A. Project Description

This project would provide a consistent 10' wide concrete shared use path on what would be the 5th Street alignment between 5th Avenue S and 7th Avenue S, crossing Fargo Park District property. This would fill in a missing connection between 5th Street and Island Park and further to the north, the Broadway district.

Highway: NA

District: Fargo District

Limits: 5th Street South between 6th and 7th Avenues South

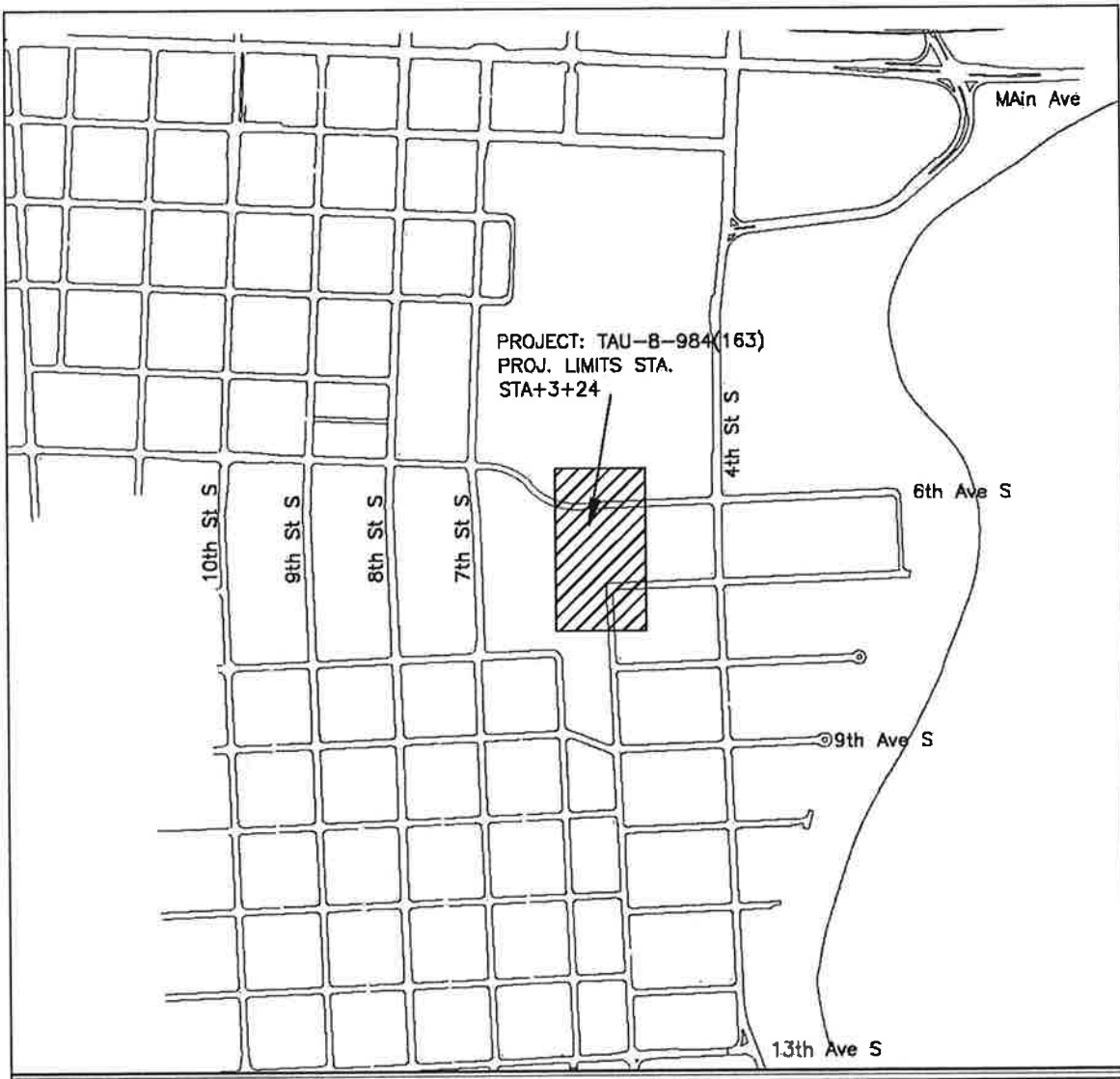


Table 1 - Traffic Data

| | Year | Passengers | Trucks | Totals |
|----------|------|------------|--------|--------|
| Current | | NA | | NA |
| Forecast | | NA | | NA |

B. Project Schedule

Project: 5th Street South Shared Use Path through Dill Hill
 Plans Complete: 3/2/2018
 Bid Opening: 5/11/2018

C. Purpose of Project

City of Fargo in cooperation with the North Dakota Department of Transportation and Federal Highway Administration, is proposing a shared use path improvement connecting 5th Street South to Island Park from 7th to 6th Avenues South.

The project consists of connecting 7th Avenue South to 6th Avenue South with a shared use path. 5th Street South ends at 7th Avenue South which is the north end of Hawthorne Elementary. The path will be 10' wide and will go through City of Fargo Park District Land. Fill will be needed because of the grade difference of 19' between 7th and 6th Avenues South.

D. Need for Project

There is an existing shared use path in Island Park that extends from 1st Avenue S to 6th Avenue S and then terminates. Pedestrians and bicyclists wishing to continue further south must proceed to 7th or to 4th Streets S. 5th Street S is designated as a "Share the Road" facility between 24th and 13th Avenues S and passes by the City's largest park, Lindenwood Park. 5th Street S ends at 7th Avenue S. This project will fill in a missing connection between 5th Street and Island Park, and also further to the north, the Broadway district.

Existing Conditions: The project goes through an existing fargo park consisting of a softball field.

Deficiencies: There is a worn dirt path connecting the park to the intersection of 5th Street South and 7th Avenue South.

E. Scope of Work

2017 STIP: \$120,000
 2018 Documented CatEx: \$260,167.20

F. Description of Alternatives

1. Alternative A: No Build

The “No Build” alternative will not enhance transportation opportunities for alternate modes of travel for areas south of downtown.

2. Alternative B: Build Alternative

The project consists of connecting 7th Avenue South to 6th Avenue South with a shared use path. 5th Street South ends at 7th Avenue South which is the north end of Hawthorne Elementary. The path will be 10' wide and will go through City of Fargo Park District Land. Fill will be needed because of the grade difference of 19' between 7th and 6th Avenues South. At 6th Avenue South a raised crosswalk will be installed to connect Dill Hill Park on the south to Island Park on the north.

3. Traffic Control Work Zone Safety and Mobility

The project will follow MUTCD guidelines. Vehicles and pedestrians will be detoured around the project where applicable.

4. Work Zone Traffic Control

6th Avenue South will be closed to through traffic during the construction of the raised crosswalk. A signed detour will direct vehicles to 1st Avenue South via 7th Street and 4th Streets South. Pedestrians will be directed to the north side of 6th Avenue South as this path will remain open throughout construction.

5. Maintenance Responsibility Discussion

City of Fargo and Fargo Parks will maintain their respective area within their own right of way.

6. Summary of Engineering Issues

Fill will be needed because of the grade difference of 19' between 7th and 6th Avenues South. In this area the path will be constructed at about a 6% grade. A raised crosswalk is proposed at 6th Avenue South to connect Dill Hill Park to Island Park. Inlets will need to be installed to capture storm water runoff on the west side of the crosswalk.

7. Summary of Environmental Issues

The project will go through an existing City of Fargo Park. The park district is in full support of this project. The Dill Hill Park consists of two softball fields that are not used for scheduled games or other organized activities throughout the year. After this project the park will still have one softball field that can still be used by the general public. The path will be open to all users and will provide easier access to Hawthorne Elementary School and the neighborhood to the south to both Dill Hill and Island Parks. There are two LWCF project sites near this project

but both are completely outside of this project's scope and the LWCF sites will not be affected. One site is the school park on the south side of Hawthorne Elementary School and the other is the Fargo Island Park Pool on the northwest corner of Island Park. Fill will be needed to not exceed maximum grade values for the new path. A floodplain development permit is not need because the area is protected by a levee and the flood risk has been reduced. No trees will be affected by the new path. There are no environmental impacts with this project.

Table 2 - Right of Way Summary

| Alternatives | Temporary ROW Needed | Permanent ROW Needed | US Fish & Wildlife Property Interest? | US Forest Service Property Interest? |
|---------------|----------------------|----------------------|---------------------------------------|--------------------------------------|
| Alternative A | 0 Acres | 0 Acres | No | No |
| Alternative B | 0 Acres | 0 Acres | No | No |

Table 3 – Summary of Estimated Costs

| Spec | Code | Description | Unit | Quantity | Unit Cost | Extended Price |
|------------------------------|------|-----------------------------------|-------|----------|-----------|----------------------|
| 103 | 100 | Contract Bond | L Sum | 1 | 3,000 | 6,000 |
| 202 | 112 | Removal of Concrete | SY | 572 | 10 | 5,720 |
| 202 | 130 | Removal of Curb and Gutter | LF | 110 | 8 | 880 |
| 203 | 109 | Topsoil | CY | 400 | 8 | 3,200 |
| 203 | 140 | Borrow Excavation | CY | 2500 | 18 | 45,000 |
| 251 | 100 | Seeding Class 1 | Acre | .67 | 1,300 | 871 |
| 253 | 201 | Hydraulic Mulch | Acre | .67 | 1,809 | 2,700 |
| 550 | 106 | 7" Concrete Pavement | SY | 140 | 90 | 10,920 |
| 702 | 100 | Mobilization | L Sum | 1 | 10,000 | 10,000 |
| 704 | 1100 | Traffic Control | L Sum | 1 | 6,000 | 6,000 |
| 706 | 1540 | Inlet Protection – Special | EA | 11 | 230 | 2,530 |
| 706 | 1541 | Remove Inlet Protection – Special | EA | 11 | 100 | 1,100 |
| 714 | 105 | 12" RCP Pipe | LF | 50 | 90 | 4,500 |
| 722 | 3499 | Inlet | EA | 2 | 2,500 | 5,000 |
| 722 | 3600 | Inlet Saddle Base Type 1 | EA | 1 | 4,500 | 4,500 |
| 748 | 100 | Curb & Gutter | LF | 85 | 30 | 3,825 |
| 750 | 115 | Sidewalk concrete 4IN | SY | 498 | 65 | 32,370 |
| 750 | 140 | Sidewalk Concrete 6IN | SY | 50 | 70 | 3,500 |
| 750 | 2115 | Detectable Warning Panels | SF | 88 | 60 | 5280 |
| 754 | 9095 | Signing | L Sum | 1 | 1,500 | 1,500 |
| 762 | 1224 | Plastic Pvmt MK Film 24IN Line | LF | 177 | 30 | 5,310 |
| 762 | 128 | Plastic Pvmt MK Film - MSG | SF | 50 | 22 | 1,100 |
| 770 | 9404 | Lighting System (Landscape) | L Sum | 1 | 25,000 | 25,000 |
| 772 | 2160 | Flashing Beacon | EA | 2 | 12,000 | 24,000 |
| 772 | 3 | Signal Standard Foundation | EA | 2 | 3,000 | 6,000 |
| Estimated Total Construction | | | | | | 216,806 |
| Contingency (20%) | | | | | | 43,361.20 |
| Total Estimated Cost | | | | | | \$ 260,167.20 |

G. Comments from the Programmatic CatEx

- With the amount of fill required for the project is there concern about settlement?
 - City of Fargo had a predesign meeting and the Engineers did not think that there will be any issues with the fill.

- Discuss the impacts to 4(f) or 6(f) property.
 - The two 6(f) properties that are in the vicinity of this project will not be affected and this project does not encroach into those properties. The project will go through an existing City of Fargo Park. The park district is in full support of this project. The Dill Hill Park consists of two softball fields that are not used for scheduled games or other organized activities throughout the year. After this project the park will still have one softball field that can still be used. The path will be open to all users and will provide easier access to Hawthorne Elementary School and the neighborhood to the south to both Dill Hill and Island Parks.

- Was there any public meeting for this project?
 - There is a public meeting now scheduled for January 30. Fargo Engineering also reached out to the two nearest local neighborhood associations to the project and have met with both respective presidents of the associations.

H. Public Concerns / Need for Public Input

Solicitation of Views (SOV) letter were mailed out in early November, 2017. The SOV letters and responses received are included in Appendix A as well as summarized in Table 4. A public meeting will be held on January 30.

Table 4 – Summary of Comments/Responses

| Topic | Comments | Responses |
|---|--|--|
| Environmental | Impacts will be minor and to follow proper construction methods | Noted and Contractor will follow best practices. |
| Safe midblock crossing on 6 th Ave S | Make it obvious to motorists that pedestrians and bicyclists will be crossing. Slow traffic on 6 th Ave S for improved safety | City plans to install a raised crosswalk that will be striped and signed with push button activated flashing beacons |

Table 5 – Comparison of Alternatives

| Alternative/ Option | Advantages | Disadvantages |
|------------------------|---|---|
| A | No Cost | Doesn't enhance alternative transportation connectivity nor address the crossing of 6 th Ave S |
| B | Improves the safety of the crossing at 6 th Ave S. Improves connectivity of Island Park/Downtown to Hawthorne Neighborhood and further south | Cost, more maintenance |

I. Executive Decisions

1. Do you concur with the project concepts as proposed?

_____ Yes

_____ No

2. Which alternative should proceed with the project?

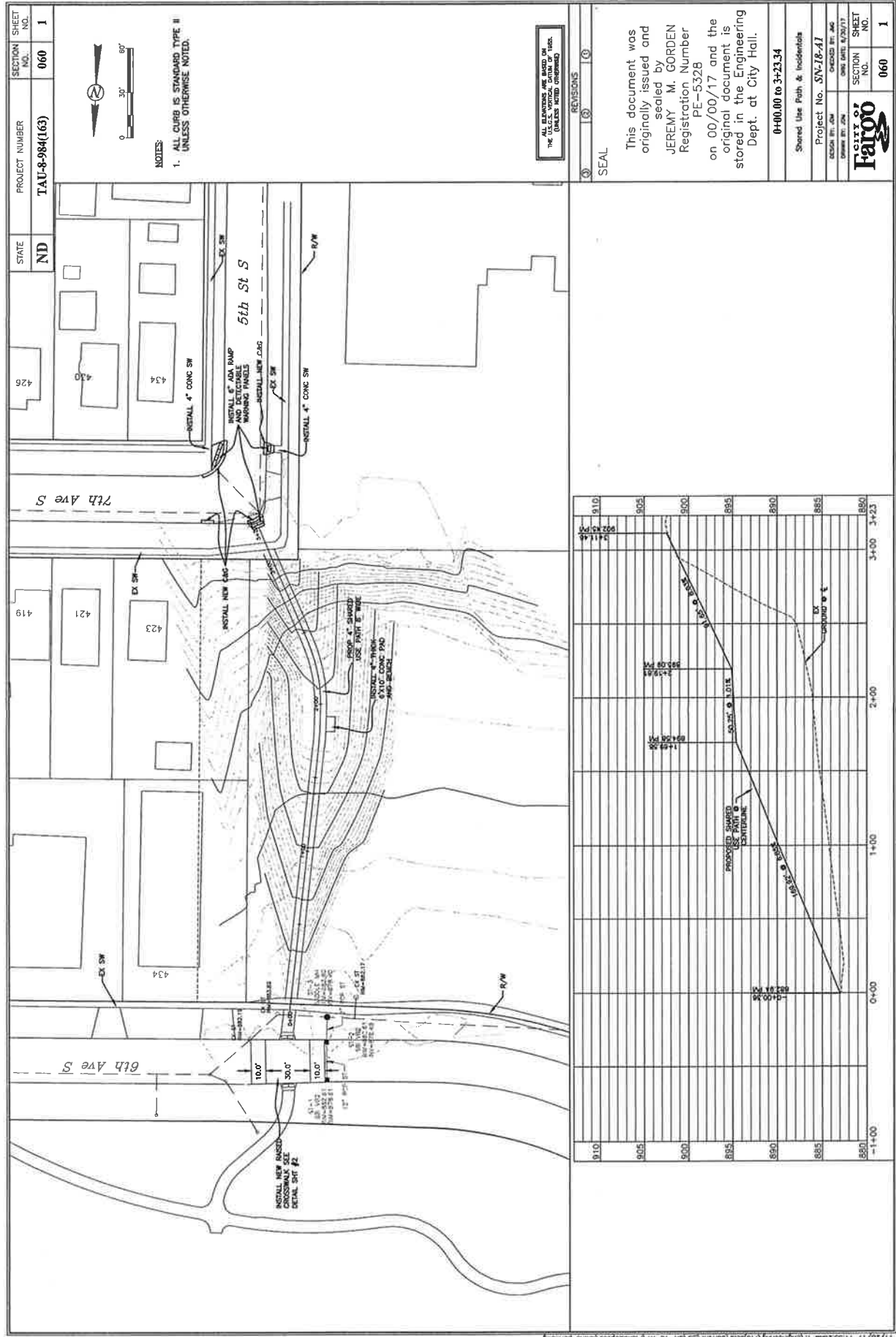
_____ Alternative A – No-Build Alternative (Cost)

_____ Alternative B – Proposed Build Alternative (Cost)

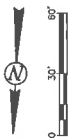
Amendments/Comments for Project No. TAU-8-984(163):

Dr. Tim Mahoney, Mayor

Date



NOTES:
 1. ALL CURB IS STANDARD TYPE II UNLESS OTHERWISE NOTED.



ALL DIMENSIONS ARE BASED ON THE U.S.C.S. VERTICAL DATUM OF 1985. EXCEPT AS NOTED OTHERWISE.

REVISIONS

SEAL

This document was originally issued and sealed by JEREMY M. GORDEN Registration Number PE-5328 on 00/00/17 and the original document is stored in the Engineering Dept. at City Hall.

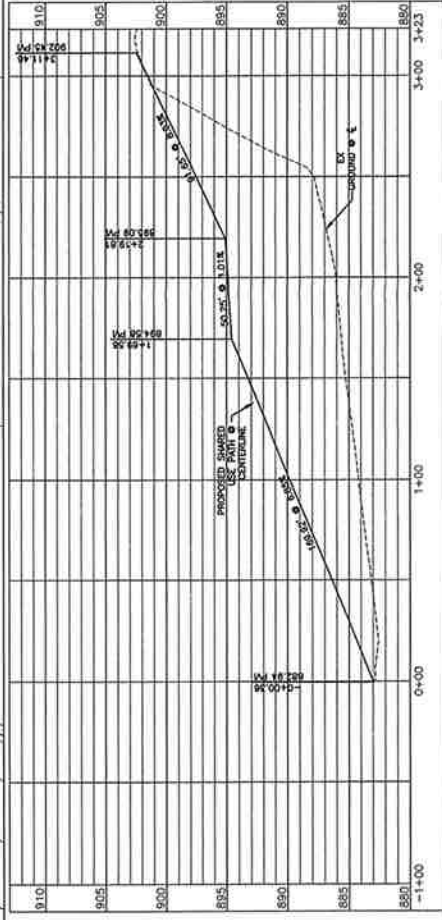
0+00.00 to 3+23.34

Shared Use Path & Incidents

Project No. **SN-18-417**

DESIGN BY: JMG
 CHECKED BY: JMG
 DATE: 8/29/17

Fargo
 CITY OF FARGO
 SECTION NO. **060**
 SHEET NO. **1**



REPORT OF ACTION

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Project No. FM-15-F2 (6259) Type: Amendment #3
 Location: Harwood, Hackberry & River Drive Date of Hearing: 2/5/2018

| | |
|-----------------|----------------------|
| Routing | Date |
| City Commission | <u>2/12/2018</u> |
| PWPEC File | <u>X</u> |
| Project File | <u>Jody Bertrand</u> |

The Committee reviewed the accompanying correspondence from Division Engineer, Jody Bertrand, related to Amendment #3 in the amount of \$155,002.00 for addition work required for plan preparation and phase 2 inspection services along with Hydraulic Modeling. The costs will be paid through the City Flood Sales Tax (50%) and reimbursement from the State Water Commission (50%) through Fund 460.

Staff is recommending approval.

On a motion by Mark Bittner, seconded by Steve Sprague, the Committee voted to recommend approval of Amendment #3.

RECOMMENDED MOTION

Concur with PWPEC recommendation and approve Amendment #3 with Houston Engineering in the amount of \$155,002, with costs to be split 50/50 between the City Flood Sales Tax and reimbursement from the State Water Commission.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Flood Sales Tax & State Water Commission

| | <u>Yes</u> | <u>No</u> |
|--|------------|-----------|
| Developer meets City policy for payment of delinquent specials | <u>N/A</u> | <u> </u> |
| Agreement for payment of specials required of developer | <u>N/A</u> | <u> </u> |
| Letter of Credit required (per policy approved 5-28-13) | <u>N/A</u> | <u> </u> |

COMMITTEE

| | <u>Present</u> | <u>Yes</u> | <u>No</u> | <u>Unanimous</u> |
|--|-------------------------------------|-------------------------------------|--------------------------|---|
| | | | | <u> </u> <input checked="" type="checkbox"/> |
| Tim Mahoney, Mayor | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Nicole Crutchfield, Director of Planning | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Steve Dirksen, Fire Chief | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Ryan Erickson</u> |
| Mark Bittner, Director of Engineering | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Bruce Grubb, City Administrator | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Ben Dow, Director of Operations | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Steve Sprague, City Auditor | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| City Engineer | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Brenda Derrig</u> |
| Kent Costin, Finance Director | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

ATTEST:

C: Kristi Olson


 Brenda E. Derrig, P.E.
 Division Engineer



Memorandum

To: PWPEC

From: Jody Bertrand, Division Engineer *JMB*

Date: 2/5/2018

Re: Project #6259; FM-15-F2 – Harwood, Hackberry and River Drive Area Flood Risk Management Project Phase 2
Contract Amendment #3 – Hydraulic Modeling and Project Design and Inspection Modifications

The Harwood, Hackberry and River Drive flood protection project will be completing phase 2 of the flood protection levee to be construction in the summer/fall of 2018. The project was started in 2015 with the construction of a new storm sewer lift station and levee construction on about half of the identified river lots. The second phase of the project has been on hold until additional buyouts could be purchased. Over the last three years, additional homes that have been purchased and demolished have partially cleared the way for the construction of additional levee sections. The City presently owns 5 additional homes through this reach for flood improvements. Engineering is proposing to add the remaining demolitions to the existing Houston contract to allow for a quicker construction timeline and eliminate the coordination of schedules between contractors. As such, this will require the modification of the contract presently held by Houston Engineering to allow for additional design and inspection services. The present contract with Houston has design funds remaining for phase 2 of the levee improvements with the exception of the added demolitions but the construction timeline for phase 1 exceeded the estimated length for the inspection services and an additional 5 months of construction inspection funds are necessary. The additional plan design and phase 2 inspection services are estimated to be \$130,734.00.

Additional quality control testing services by Braun Intertec will also be necessary for the demolitions and phase 2 levee construction in the estimated amount of \$4,500.

To obtain a State Water Commission permit for additional levee construction, the state reviewer has requested a modeling effort be completed to determine the impacts

created by the full construction of the levee segments through this reach. Multiple modeling runs will be completed for the standard rainfall events to evaluate the river level impacts. Houston presently has a base model created for this work. Engineering is requesting to complete the modeling efforts for the three remaining areas for the completion of the revised in-town comprehensive flood plan. Combining and completing these modeling efforts for the remaining areas will have an overall cost savings for the City versus three individual modeling efforts. This project area along with the Rosewood improvements and the Oakcreek/Copperfield segments are the remaining areas needed for review. The total estimated cost of the hydraulic modeling work is \$19,768.00.

Houston Engineering Inc. has provided a proposal to complete the additional work requested for the phase 2 flood protection improvements for the Harwood, Hackberry and River Drive area and the hydraulic model effort, which is estimated to be \$155,002.00. The Houston proposal with the cost breakdowns and assumptions is attached.

Recommended Motion

Approve Contract Amendment #3 in the amount of \$155,002.00 to Houston Engineering Inc. for the additional work required for plan preparation and phase 2 inspection services along with Hydraulic Modeling for the flood protection impacts. These costs will be paid through the City flood sales tax (50%) and the reimbursement from the State Water Commission (50%) through Fund 460.

JRB/klo

Attachments

Fargo Corporate Office 701.237.5065 701.237.5101

1401 21st Avenue North Fargo ND 58102



ENGINEERING SERVICES AGREEMENT

AMENDMENT NO. 3

Project: River Drive Area Flood Risk Management Project (FM-15-F1)
HE Project No. 10_6059_072 (#6259)

Client: City of Fargo
200 North 3rd Street
Fargo, ND 58102
Phone (701) 241-1545
Attn: Jody Bertrand

Location of Project: City of Fargo, Cass County, North Dakota

Description of Work: This contract amendment is to provide additional services, as requested by city staff, to assist with changes to project scope for the River Drive Area Flood Risk Management Project; and also for additional hydraulic modeling requested by city staff to analyze the impacts of the three separate flood control levee systems as described below.

The additional services fee is based on the following breakdown.

1. Additional Design and Construction Services (Phase 2)
2. Additional Quality Control Testing Services (Phase 2)
3. Additional Hydraulic Analysis

1. Additional Design and Construction Phase Services (Phase 2)

The Additional Design efforts associated with Phase 2 will include the incorporation of 5 home demolitions in to the Plans and Specifications for the project. As asbestos inspections and associated efforts will be completed by the city under other contracts and thus were not part of this scope.

The original Construction Services budget for this project as per the RFP was based on an estimated 6.5 month duration for all phases of the project. As defined in Amendment No. 2, the duration of Phase 1 exceeded this timeframe and thus all

Page 2

Construction Services time associated with Phase 2 has been added to this Amendment. We currently anticipate that Phase 2 will take 5 months:

The estimated costs of the **Additional Design and Construction Phase Services (Phase 2)** services is \$130,734 as outlines in Attachment No. 1.

2. **Additional Quality Control Testing Services (Phase 2)**

The extended total construction duration for the levee construction will result in additional staff time associated with the Quality Control Testing Services by Braun Intertec.

The estimated costs of the **Additional Geotechnical Construction Services** to be performed by Braun is \$4,500. All services will be completed on an hourly basis as per the original contract.

3. **Additional Hydraulic Analysis**

Additional hydraulic analysis will be conducted to analyze the impacts of three separate flood control levee systems as described below.

- Task 1 – Hydraulic impact analysis for levees to be constructed along the Red River between 32nd Avenue S. and 40th Avenue S., known as River Drive/Hackberry Drive/Harwood Grove area, including Lemke Park Levee.
- Task 2 – Hydraulic Impact analysis for the flood protection that has been and is proposed to be constructed on both sides of Rose Coulee, between University Drive and 25th Street.
- Task 3 – Hydraulic impact analysis for levees to be constructed through Copperfield Court and the Oak Creek areas along Drain 27.

The hydraulic analyses will include independent evaluation of each of the three levee segments, and a technical memorandum will be developed for each levee so that each can be submitted for individual permitting to the Office of the State Engineer. The analyses and memorandums will document the impacts from the associated levee segments. However, the scope of the analyses does not include additional evaluation for alternatives to reduce impacts.

The estimated fee for the **Additional Hydraulic Analysis** is \$19,768 as detailed in Attachment No. 1.



Page 3

Basis of Proposal

This amendment covers the additional services as described above. Actual construction services will be billed on an hourly basis as per the original contract conditions.

Fee:

The total additional estimated fee for the above described tasks is \$155,002. Additional work required beyond the scope listed above will be billed at our current hourly rates. Houston Engineering, Inc. (with assistance from Braun Intertec, Inc.) will perform the services as outlined above and detailed in Attachment 1. Tasks will be performed in accordance with our current hourly rates (Attachment 2).

Conditions: Services will be invoiced monthly and are due and payable upon receipt.

Limitation of Liability: Houston Engineering, Inc. agrees to indemnify and save the client harmless from any loss, cost, or expense including attorney fees, claimed by third parties for property damage or bodily injury, including death, caused by the negligence of Houston Engineering, Inc. or its employees in connection with Houston Engineering, Inc.'s services. The client agrees to indemnify and save Houston Engineering, Inc. harmless from any loss, cost, or expense, including attorney fees, claimed by third parties for property damage or bodily injury including death, caused by the negligence of the client or its employees in connection with the operations of the client. If the negligence of both Houston Engineering, Inc. and the client (or a person identified above for whom each is liable) is the cause of such damage or injury, the loss, cost, or expense shall be shared between Houston Engineering, Inc. and the client in proportion to their relative degrees of negligence and the right of indemnity shall apply for such proportion. Neither party hereto shall be liable to the other for incidental, special or indirect damages nor shall Houston Engineering, Inc. be liable for any cost or expense that provides betterment, upgrade or enhancement of the project.

Houston Engineering, Inc. hereby proposes, and the client hereby authorizes, the above described services to be performed by Houston Engineering, Inc. under the terms and conditions set forth.

Authorization:

Client: City of Fargo

Signature: _____

Timothy J. Mahoney

Title: _____

Mayor

Date: _____

Proposal: Houston Engineering, Inc.

Signature: _____

Aeng Bul

Title: _____

Project Manager

Date: _____

1/26/2018

ATTACHMENT 1
Additional Hourly Services

Project FM-15-F1 - Amendment No 3
Cost Estimate

| Notes | Task Cost | PM | Eng./General Design | Structural | Permit | Easement | Survey | Inspection | CADD | Subcontract | Mileage |
|---|-----------|---------|---------------------|-------------|---------|----------|------------------|------------|---------|-------------|---------|
| | | \$178 | \$163 \$130 | \$163 \$130 | \$147 | \$135 | \$172 \$25 | \$117 | \$104 | \$1 | \$0.74 |
| Additional Design and Plan Preparation | \$11,832 | 4 | 12 8 | | | | 20 20 | | 40 | | 32 |
| Construction Staking | \$7,904 | | | | | | 40 40 | | | | 32 |
| Survey Crew | \$0 | | | | | | | | | | |
| Construction Inspection | \$40,040 | 20 | 160 80 | | | | | 600 | | | 350 |
| Material Testing | \$70,959 | | | | | | | 600 | 40 | 0 | 414 |
| Engineer | | 24 | 172 88 | 0 0 | 0 0 | 0 0 | 60 60 | \$70,200 | \$4,160 | \$0 | \$306 |
| Inspector | | \$4,272 | \$28,036 \$11,440 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$10,320 \$1,500 | \$0 \$0 | \$0 \$0 | \$0 \$0 | |
| Total Hours | | | | | | | | | | | |
| Total Costs | \$130,734 | | | | | | | | | | |
| Additional Quality Control Testing Services | \$4,500 | 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 4500 | 0 |
| Quality Control Testing Services | \$4,500 | \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$4,500 | \$0 |
| Total Hours | | | | | | | | | | | |
| Total Costs | \$4,500 | | | | | | | | | | |
| Hydraulic Analysis | \$19,768 | 16 | 40 80 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 | 0 0 |
| Hydraulic Analysis | \$19,768 | \$2,848 | \$6,520 \$10,400 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$0 \$0 |
| Total Hours | | | | | | | | | | | |
| Total Costs | \$19,768 | | | | | | | | | | |
| Total Project Costs | | 40 | 212 168 | 0 0 | 0 0 | 0 0 | 60 60 | \$70,200 | \$4,160 | \$4,500 | \$306 |
| | | \$7,120 | \$34,556 \$21,840 | \$0 \$0 | \$0 \$0 | \$0 \$0 | \$10,320 \$1,500 | \$0 \$0 | \$0 \$0 | \$4,500 | \$306 |

Summary
 1) Additional Design and Construction Phase Services (Phase 2) Cost \$130,734
 2) Additional Quality Control Testing Services \$4,500
 3) Additional Hydraulic Analysis \$19,768
Total Proposed Amount = \$155,002

ATTACHMENT 2
Current Hourly Rates



2018 FEE SCHEDULE

The following is a schedule of hourly rates and charges for engineering and surveying services offered by Houston Engineering, Inc.

| Category | 2018 Rates |
|-------------------------------------|------------|
| Engineer I | \$117 |
| Engineer II | 130 |
| Engineer III | 146 |
| Project Engineer | 163 |
| Project Manager | 178 |
| Sr Project Manager | 196 |
| Scientist I | \$117 |
| Scientist II | 130 |
| Scientist III | 147 |
| Project Mgr – Environmental | 172 |
| Sr Project Mgr – Environmental | 196 |
| Construction Engineer | \$135 |
| Sr Construction Engineer | 160 |
| Land Surveyor I | \$117 |
| Land Surveyor II | 135 |
| Land Surveyor III | 148 |
| Project Mgr – Land Surveying | 160 |
| Sr Project Manager – Land Surveying | 178 |
| Survey Crews: | |
| 1-Person Crew (+ equipment) | \$142 |
| 2-Person Crew (+ equipment) | 172 |
| 3-Person Crew (+ equipment) | 215 |
| 4-Person Crew (+ equipment) | 240 |
| CAD Technician I | \$79 |
| CAD Technician II | 92 |
| CAD Supervisor | 104 |
| Designer I | \$123 |
| Designer II | 132 |
| Sr Designer | 141 |
| Engineering Specialist | 150 |
| Technician Intern (all areas) | \$79 |
| Technician I | \$92 |
| Technician II | 104 |
| Sr Technician | 117 |
| Right-of-Way Technician | \$106 |
| Right-of-Way Specialist | 178 |

| Category | 2018 Rates |
|------------------------------|------------|
| GIS Analyst I | \$87 |
| GIS Analyst II | 102 |
| GIS Analyst III | 117 |
| Sr GIS Analyst | 135 |
| Project Manager – GIS | 147 |
| Sr Project Manager – GIS | 172 |
| Software Engineer I | \$102 |
| Software Engineer II | 117 |
| Software Engineer III | 135 |
| Sr Software Engineer | 147 |
| Computer Technician | \$141 |
| Communications Specialist | \$79 |
| Sr Communications Specialist | 87 |
| Administrative Assistant | \$74 |
| Sr Administrative Assistant | 79 |
| Planner | \$129 |
| Senior Planner | 178 |
| Legislative/Grant Specialist | \$166 |
| Expert Witness | 215 |
| Drone Pilot | \$125 |
| Drone Visual Observer | 47 |

| Chargeable Expenses | Rate |
|--|------------------------------------|
| Subsistence | Actual Cost |
| Mileage-Vehicles: | |
| 2-Wheel Drive | IRS Standard Rate |
| 4-Wheel Drive | IRS Standard Rate + \$0.20/Mile |
| GPS Equipment | \$25/hour/unit |
| Robotic Total Station | \$40/hour |
| ATV/Snowmobile/Boat | \$15/hour |
| ATV with Tracks | \$30/hour |
| Hydrone RCV | \$50/hour |
| Small UAS | \$25/hour |
| Delivery, Postage, Printing | Actual Cost |
| Surveying Materials, Special Equipment, and other Materials required | Actual Cost |
| Subconsultants | Actual Cost + 10% |

REPORT OF ACTION

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

119

Project No. TR-17-B1 Type: Change Order #1
 Location: Citywide Date of Hearing: 2/5/2018

| | |
|-----------------|-------------|
| <u>Routing</u> | <u>Date</u> |
| City Commission | 02/12/2018 |
| PWPEC File | X |
| Project File | Jacob Rick |

The Committee reviewed the accompanying correspondence from Project Manager, Jacob Rick, for Change Order #1 in the amount of \$51,600 for 40 additional fiber/Ethernet switches., bringing the total contract amount to \$314,010.

Staff is recommending approval of Change Order #1.

On a motion by Mark Bittner, seconded by Steve Sprague, the Committee voted to recommend approval of Change Order #1.

RECOMMENDED MOTION

Approve Change Order #1 in the amount of \$51,600 to Ernst Trenching, bringing the total contract amount to \$314,010.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Traffic Engineering Funds & Sales Tax

Developer meets City policy for payment of delinquent specials
 Agreement for payment of specials required of developer
 Letter of Credit required (per policy approved 5-28-13)

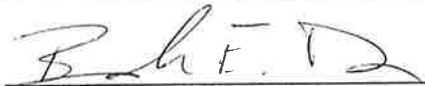
| | |
|------------|-----------------|
| Yes | No |
| <u>N/A</u> | <u> </u> |
| <u>N/A</u> | <u> </u> |
| <u>N/A</u> | <u> </u> |

COMMITTEE

Tim Mahoney, Mayor
 Nicole Crutchfield, Director of Planning
 Steve Dirksen, Fire Chief
 Mark Bittner, Director of Engineering
 Bruce Grubb, City Administrator
 Ben Dow, Director of Operations
 Steve Sprague, City Auditor
 City Engineer
 Kent Costin, Finance Director

| Present | Yes | No | Unanimous |
|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ryan Erickson |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Brenda Derrig |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |


ATTEST:


 Brenda E. Derrig, P.E.
 Division Engineer

C: Kristi Olson



Memorandum

To: Members of PWPEC
From: Jacob Rick, Project Manager 
Date: February 1st, 2018
Re: Project #TR-17-B1– Change Order # 1

Background:

Project #TR-17-B1 is aimed to improve the citywide fiber optic communications network by filling in two gaps; a short gap on 13th Ave S between 10th St S and University Dr, and longer gap on 12th Ave N from 35th St N to 45th St N then to Public Safety building. This project will also include 60 fiber/Ethernet switches that will used with the existing traffic controller cabinets to improve communications.

With the change order, the project would be adding 40 additional fiber/Ethernet switch to the contract. By doing this, the City of Fargo traffic signal system would be able to have a fiber/Ethernet switch in every cabinet, and be able to implement an IP addressable system. This would give the City of Fargo a more current traffic system, and allow more control with coordination, monitoring, updates, etc.

This work added an additional:

| | |
|--|--------------------|
| -40 EA of Fiber/Ethernet Switch @ \$1290.00/EA | <u>\$51,600.00</u> |
| Total | \$51,600.00 |

With this change order, no extra work added to this contract, therefore no change to the substantial and final completion dates.

Recommended Motion:

Approve Change Order # 1 for \$51,600.00.

JJR/jmg
Attachment

C: Jeremy Gordon



**CITY OF FARGO
ENGINEERING DEPARTMENT
CHANGE ORDER REPORT**

| | | | |
|---------------------|--|------------------------|-----------------------|
| Project No | TR-17-B1 | Change Order No | 1 |
| Project Name | Fiber Optic Cable Installation & Incidentals | | |
| Date Entered | 1/26/2018 | For | Ernst Trenching, Inc. |

This change is made under the terms of or is supplemental to your present contract, if and when approved, you are ordered to perform the work in accordance with the additions, changes, or alterations hereinafter described.

EXPLANATION OF CHANGE: Adding Fiber Optic Switches
Adding 40 fiber optic switches to the contract.

| Section | Line No | Item Description | Unit | Orig Cont Qty | Prev C/O Qty | Prev Cont Qty | Curr C/O Qty | Tot Cont Qty | Unit Price (\$) | C/O Ext Price (\$) |
|---------------------------------------|---------|---------------------------|------|---------------|--------------|---------------|--------------|--------------|-----------------|--------------------|
| Traffic Signals | 6 | F&I Fiber/Ethernet Switch | EA | 60.00 | 0.00 | 60.00 | 40.00 | 100.00 | 1,290.00 | 51,600.00 |
| Traffic Signals Sub Total (\$) | | | | | | | | | | |
| 51,600.00 | | | | | | | | | | |

Summary

| | |
|---|---|
| Source Of Funding | Sales Tax Funds - Infrastructure - 420, Traffic Engineering Funds - 101 |
| Net Amount Change Order # 1 (\$) | 51,600.00 |
| Previous Change Orders (\$) | 0.00 |
| Original Contract Amount (\$) | 262,410.00 |
| Total Contract Amount (\$) | 314,010.00 |

I hereby accept this order both as to work to be performed and prices on which payment shall be based.

CONTRACT TIME

| | | | | | | | | | |
|--|------------|---|------|---|------|--|------------|----------------------------------|--|
| Current Substantial Completion Date | 06/01/2018 | Additional Days Substantial Completion | 0.00 | Additional Days Final Completion | 0.00 | New Substantial Completion Date | 06/01/2018 | New Final Completion Date | |
|--|------------|---|------|---|------|--|------------|----------------------------------|--|

APPROVED

APPROVED DATE

For Contractor

Department Head

2/7/18



CITY OF FARGO
ENGINEERING DEPARTMENT
CHANGE ORDER REPORT

| | | | |
|-------|----|-------|--------|
| Title | PM | Mayor | Attest |
|-------|----|-------|--------|

COVER SHEET
CITY OF FARGO PROJECTS

20-1

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of the Project as it will appear in the Contract:

Rosewood Addition Flood Risk Management Project

Project No. FM-15-K

Call For Bids February 12, 2018

Advertise Dates February 19, 26, 2018

Bid Opening Date March 21, 2018

Substantial Completion Date October 17, 2018

Final Completion Date November 14, 2018

N/A PWPEC Report (Attach Copy) – **Part of 2018 CIP**

X Engineer's Report (Attach Copy)

X Direct City Auditor to Advertise for Bids

X Bid Quantities (Attach Copy for Auditor's Office Only)

N/A Notice to Property Owners (Dan Eberhardt)

Project Engineer Roger E. Kluck, P.E. C.F.M.

Phone No. 241-1537

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

N/A Create District (Attach Copy of Legal Description)

N/A Order Plans & Specifications

N/A Approve Plans & Specifications

N/A Adopt Resolution of Necessity

N/A Approve Escrow Agreement (Attach Copy for Commission Office Only)

N/A Assessment Map (Attach Copy for Auditor's Office Only)

ENGINEER'S REPORT
ROSEWOOD ADDITION FLOOD RISK MANAGEMENT PROJECT
PROJECT NO. FM-15-K

Nature & Scope

This project is planned to build the flood control levee, floodwalls, gate well structure, new storm sewer lift station, storm sewer piping, removal of existing storm sewer lift station, and related improvements for the Rosewood Addition flood control. This project will tie in the flood protection improvements currently on the north side of Rose Creek and complete the flood protection in this area east to University Avenue.

Purpose

To provide flood protection for the Rosewood Addition area. This project was included in the Master Comprehensive Flood Mitigation Plan.

Feasibility

The estimated construction cost is approximately \$2,853,757.50. Funding for this project will consist of State Water Commission Funding and Flood Sales Tax Funding. The project's cost breakout is as follows:

| | |
|--|-----------------------|
| Flood Sales Tax (Fund 460) | \$1,426,878.75 |
| plus fees: | |
| 4% Engineering: | \$57,075.15 |
| 7% Legal & Misc.: | \$99,881.51 |
| 4% interest: | \$57,075.15 |
| Outside Engineering: | \$226,784.00 |
| Utility Relocations: | \$110,000.00 |
| Land acquisition: | <u>\$817,850.00</u> |
| Total Estimated Flood Sales Tax (460) Funded Cost | \$2,795,544.56 |
| | |
| State Water Commission Funding | \$1,426,878.75 |
| plus fees: | |
| 4% Engineering: | \$57,075.15 |
| 7% Legal & Misc.: | \$99,881.51 |
| 4% interest: | \$57,075.15 |
| Outside Engineering: | \$226,784.00 |
| Utility relocations: | \$110,000.00 |
| Land Acquisition: | <u>\$817,850.00</u> |
| Total Estimated State Water Commission Funded Cost | \$2,795,544.56 |
| | |
| Total Estimated Project Cost | \$5,591,089.12 |

Project Funding Summary

| | | |
|-------------------------------------|-------|-----------------------|
| Flood Sales Tax (Fund 460) | 50.0% | \$2,795,544.56 |
| State Water Commission | 50.0% | \$2,795,544.56 |
| Total Estimated Project Cost | | \$5,591,089.12 |

We believe this project to be cost effective.



A handwritten signature in cursive script that reads "Roger E. Kluck".

Roger E. Kluck, P.E., C.F.M
Engineer II

February 2018

COVER SHEET
CITY OF FARGO PROJECTS

20-2

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of Project as it will appear in the Contract:

Street Rehabilitation & Incidentals

Project No. PR-18-A

Call For Bids February 12, 2018

Advertise February 19 & 26, 2018

Bid Opening Date March 21, 2018

Substantial Completion Date June 8, 2018

Completion Date July 8, 2018

N/A PWPEC Report (Attach Copy) **Part of 2018 CIP**

X Engineer's Report (Attach Copy)

X Direct City Auditor to Advertise for Bids

X Bid Quantities (Attach Copy for Auditor's Office Only)

N/A Notice to Property Owners (Dan Eberhardt)

Project Engineer Jason Hoogland

Phone No. 241-1545

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

N/A Create District (Attach Copy of Legal Description)

N/A Order Plans & Specifications

N/A Approve Plans & Specifications

N/A Adopt Resolution of Necessity

N/A Approve Escrow Agreement (Attach Copy for Commission Office Only)

N/A Assessment Map (Attach Copy for Auditor's Office Only)

ENGINEER'S REPORT

STREET REHABILITATION & INCIDENTALS

PROJECT NO. PR-18-A

Nature & Scope

Under this project, the City will be performing routine joint sealing on various roadways throughout the City.

Purpose

Sealing the joints which have opened up in the roadways due to freeze/thaw conditions has proved to be a very cost effective process. Sealing the joints at this time, prior to roadway deterioration, helps preserve the ride as well as extend the life of the streets.


Feasibility

The total construction cost is estimated to be \$75,000. It will be paid for by Street Rehabilitation funds. The cost breakdown is as follows:

| | |
|-------------------------------------|--------------|
| Estimated Construction Cost: | \$75,000 |
| Engineering Fees (6%): | 4,500 |
| Legal Fees (3%): | 2,250 |
| Interest Fees (4%): | <u>3,000</u> |
| Total Cost (Street Rehabilitation): | \$84,750 |

We believe this project to be cost effective.




Tom Knakmuhs, P.E.
Division Engineer

February 2018



Bid Sheet
Project # PR-18-A1
Street Rehabilitation & Incidentals

Various areas of the city.

Note: Unit prices will govern and shall be in whole cents.

| Line Name | Base Bid | | Unit Value in \$ | Extended Value in \$ |
|---------------------------|-----------|------|------------------------------|----------------------|
| | Quantity | Unit | | |
| crack seal | | | | |
| 1 Mobilization | 1.00 | LS | | |
| 2 Repair Crack - Fill | 33,000.00 | LB | | |
| 3 Repair Crack - Level | 3,000.00 | LF | | |
| 4 Traffic Control - Minor | 1.00 | LS | | |
| | | | crack seal Sub-Total: | |
| | | | Grand Total in \$ | |

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Type: Flood Project – Home Acquisitions

Location: 1213 El Cano Drive S
4003 Copperfield Court

Date of Hearing: 2/5/2018

| <u>Routing</u> | <u>Date</u> |
|-----------------|----------------------|
| City Commission | <u>2/12/2018</u> |
| PWPEC File | <u>X</u> |
| Project File | <u>Jody Bertrand</u> |

The Committee reviewed a letter from Division Engineer, Jody Bertrand, regarding a request for authorization to extend offers for properties located at 1213 El Cano Drive S and 4003 Copperfield Court. These properties are not identified as required in the Comprehensive Plan, however, Public Works and Engineering have identified these properties as desired for flood protection measures. Acquisition of these will enable the construction of improved flood protection measures and eliminate the need for expenditure of emergency flood protection resources in larger flood events.

The property located at 1213 El Cano Drive S has a current assessed value for property and structures of \$311,400. Purchase of this property would be at 110% assessed value (\$342,540).

An easement on the property located at 4003 Copperfield Court is presently identified in the revised Comprehensive Flood plan. A levee easement on this property is necessary for the continuous construction of the levee segment from 40th Avenue S to 25th Street S. The property owner has requested a complete buyout of the property. The expected need to enter the property in order to construct the closure on 40th Avenue is complicated by the continued existence of the structure. Full acquisition of this property would be a better long term solution. An appraisal was completed several months ago and is currently being updated.

Staff is recommending approval.

On a motion by Tim Mahoney, seconded by Brue Grubb, the Committee voted to recommend approval of the purchase of the property located at 1213 El Cano Drive S, and negotiate the purchase of 4003 Copperfield Court once an updated appraisal is received.

RECOMMENDED MOTION

Concur with PWPEC and approve the purchase of property located at 1213 El Cano Drive S and approve Engineering Staff to negotiate the purchase of 4003 Copperfield Court once an updated appraisal has been received.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Flood Sales Tax & State Water Commission

| | <u>Yes</u> | <u>No</u> |
|--|------------|-------------------|
| Developer meets City policy for payment of delinquent specials | <u>N/A</u> | <u> </u> |
| Agreement for payment of specials required of developer | <u>N/A</u> | <u> </u> |
| Letter of Credit required (per policy approved 5-28-13) | <u>N/A</u> | <u> </u> |

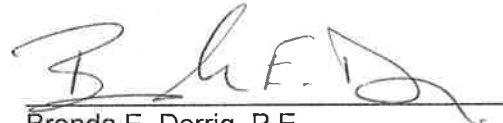
PWPEC ROA
Flood Project – Home Acquisitions
02/05/2018 -- Page 2

COMMITTEE

Tim Mahoney, Mayor
Nicole Crutchfield, Director of Planning
Steve Dirksen, Fire Chief
Mark Bittner, Director of Engineering
Bruce Grubb, City Administrator
Ben Dow, Director of Operations
Steve Sprague, City Auditor
City Engineer
Kent Costin, Finance Director

| Present | Yes | No | Unanimous |
|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Ryan Erickson |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Brenda Derrig |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

ATTEST:


Brenda E. Derrig, P.E.
Division Engineer



Memorandum

To: PWPEC
From: Jody Bertrand, Division Engineer *JRB*
Date: 2/5/2018
Re: Flood Project – Home Acquisitions

This memo outlines the request for authority to extend offers for the properties located at 1213 El Cano Drive South and 4003 Copperfield Court. Although not identified as required in the Comprehensive Plan, both Public Works and Engineering have identified these properties as desired for flood protection measures. Owning the properties will enable the construction of improved flood protection measures and eliminate the need for the expenditure of emergency flood protection resources in larger flood events.

The property at 1213 El Cano Drive South is located on the east side of University Drive, outside of the primary line of flood protection. During recent flood events, the City constructed a sandbag levee around the two structures located on this parcel. During recent conversations with the homeowner concerning flood insurance, the homeowner asked if the City would be willing to purchase the property. The present assessed amount for the property and structures is \$311,400.00. The material resources for flood protection on this property are estimated to be around 40,000 sand bags for a 44-foot flood event. If an estimated sand bag cost ranges from \$2 to \$3 each, the flood protection cost for this property could approach \$100,000.00 per large flood event.

An easement on the property located at 4003 Copperfield Court is presently identified in the revised Comprehensive Flood plan. A levee easement on this property is necessary for the continuous construction of the levee segment from 40th Avenue South to 25th Street South. The property owner has requested a complete buyout of the property. An appraisal was completed to determine the value of the easement several months ago, and is presently being updated. The expected need to enter the property in order to construct the closure on 40th Avenue is complicated by the continued existence of the structure. Accordingly, full acquisition would be a better long term solution for this property.

The Engineering Department is requesting authority to extend offers for both locations as part of the City wide flood protection improvements. If the City is unable to negotiate a purchase, only the easement at 4003 Copperfield is subject to potential eminent domain proceedings.

Recommended Motion:

Move to approve the purchase of the property located at 1213 El Cano Drive South at 110% assessed value (\$342,540), and negotiate the purchase of 4003 Copperfield Court, based on the updated appraised amount (\$572,800 as of 4/7/2017) when received. Neither property is eligible for additional relocation expenses, moving costs or special assessment credit. The funding for the purchases would be City flood sales tax (50%) and State Water Commission (50%) reimbursement.

JRB/jmg



City of Fargo, ND

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1213 El Cano Dr S

1:2,257

1/25/2018 10:39:29 AM

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





UNIVERSITY CITY PARK

City of Fargo, ND

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1213 El Cano Dr S - Contours

1:1,128

1/25/2018 10:43:20 AM

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





4003 Copperfield Ct

1:1,128

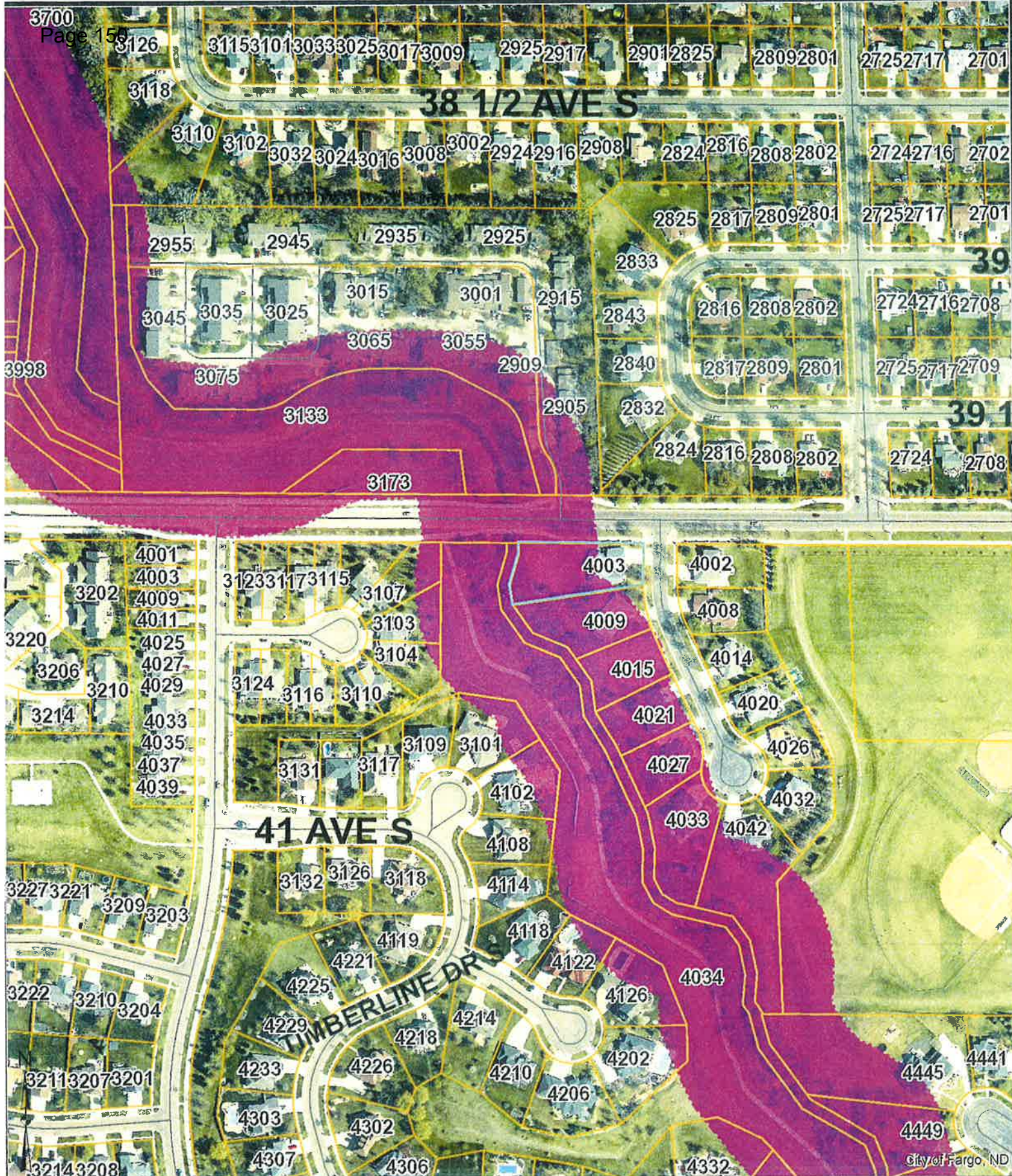
1/25/2018 10:48:23 AM

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features

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City of Fargo, ND



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

4003 Copperfield Ct - Drain Setback

1:4,514

1/25/2018 10:49:16 AM

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features





22a-d

**OFFICE OF THE CITY ADMINISTRATOR
Bruce P. Grubb**

February 8, 2018

MEMORANDUM

To: Board of City Commissioners
From: Bruce P. Grubb, City Administrator *BPG*
Re: City Hall Construction – General Contract Change Order #18
Mechanical Contract Change Orders #10 and #11
Electrical Contract Change Order #10

Attached, please find copies of Change Orders associated with the General, Mechanical and Electrical Contracts for the City Hall construction project. A description of the change orders and associated dollar amounts is shown below:

General Contract

- Change Order #18** **\$4,042.00**
- Furnish and install Phantom 5000 low-profile egress window in CW-180.

Mechanical Contract

- Change Order #10** **\$2,165.00**
- Fuel costs for temporary heat during winter construction.
- Change Order #11** **\$4,881.00**
- Furnish and install two additional fire smoke dampers in Data Room E308.

Electrical Contract

- Change Order #10** **(\$1,303.00)**
- First floor lighting revisions and third floor power/data revisions.

With approval of the above referenced change orders, an updated summary of the construction contracts would be as follows:

| PROJECT SUMMARY | | | | | |
|-----------------|---------------|---------------------|------------------|---------------------|--------------|
| Contract | Contractor | Original Bid | Change Orders | Current Amount | % Change |
| General | Olaf Anderson | \$16,442,900 | \$698,147 | \$17,141,047 | 4.25% |
| Mechanical | Robert Gibb | \$3,447,000 | \$106,184 | \$3,553,184 | 3.08% |
| Electrical | Sun Electric | \$2,607,000 | \$48,718 | \$2,655,718 | 1.87% |
| Total | | \$22,496,900 | \$853,049 | \$23,349,949 | 3.79% |

Similarly, a summary of the overall project budget would be as follows:

| BUDGET SUMMARY | | | |
|------------------------|---------------------|---------------------|---------------------|
| Budget Category | Original Total | Current Total | Paid To-Date |
| City Hall Construction | \$22,000,000 | \$23,349,949 | \$19,194,966 |
| FF&E | \$1,775,000 | \$1,495,000 | \$0 |
| Centennial Hall Demo | \$600,000 | \$772,468 | \$772,468 |
| Professional Fees | \$1,400,000 | \$1,605,027 | \$1,605,027 |
| Contingency | \$1,940,767 | \$493,323 | NA |
| Total | \$27,715,767 | \$27,715,767 | \$21,572,461 |

Your consideration in this matter is greatly appreciated.

Suggested Motion:

Approve the following change order associated with the City Hall construction project:

- Olaf Anderson Change Order #18 in the amount of \$4,042.00.
- Robert Gibb Change Order #10 in the amount of \$2,165.00.
Change Order #11 in the amount of \$4,881.00
- Sun Electric Change Order #10 in the amount of (\$1,303.00).

C: Mike Redlinger, Assistant City Administrator
Kent Costin, Finance Director
Erik Johnson, City Attorney
Terry Stroh, TL Stroh Architects

City Hall Construction Report - Contractor Progress Payments (2/8/18)

| Contract | Contractor | Bid Amount | Change Orders | Present Amount | Paid To-date | Balance |
|--------------|---------------|----------------------|-------------------|----------------------|----------------------|---------------------|
| General | Olaf Anderson | \$ 16,442,900 | \$ 698,147 | \$ 17,141,047 | \$ 14,122,448 | \$ 3,018,599 |
| Mechanical | Robert Gibb | \$ 3,447,000 | \$ 106,184 | \$ 3,553,184 | \$ 3,156,220 | \$ 396,964 |
| Electrical | Sun Electric | \$ 2,607,000 | \$ 48,718 | \$ 2,655,718 | \$ 1,916,298 | \$ 739,420 |
| Total | | \$ 22,496,900 | \$ 853,049 | \$ 23,349,949 | \$ 19,194,966 | \$ 4,154,983 |

PROJECT BUDGET SUMMARY

| Budget Category | Original Total | Current Total | Paid To-Date |
|------------------------|----------------------|----------------------|----------------------|
| City Hall Construction | \$ 22,000,000 | \$ 23,349,949 | \$ 19,194,966 |
| FF&E | \$ 1,775,000 | \$ 1,495,000 | \$ - |
| Centennial Hall Demo | \$ 600,000 | \$ 772,468 | \$ 772,468 |
| Professional Fees | \$ 1,400,000 | \$ 1,605,027 | \$ 1,605,027 |
| Contingency | \$ 1,940,767 | \$ 493,323 | \$ - |
| Total Budget | \$ 27,715,767 | \$ 27,715,767 | \$ 21,572,461 |

CHANGE ORDER SUMMARY

| General Contract | | \$ | 698,147 |
|------------------|---|----|---------|
| #1 | Addition of curtain wall windows. | \$ | 396,565 |
| #2 | Revisions to generator building to accommodate mechanical changes. | \$ | 3,260 |
| #3 | Removal of existing foundation that was not known prior to construction. Lower footings to accommodate underground piping. Connection of City Hall & Civic Center roof and sump drainage system to new storm sewer. | \$ | 26,160 |
| #4 | Provide additional point load to three joists per structural engineer. | \$ | 46,014 |
| #5 | Design revisions to third floor. | \$ | 18,918 |
| #6 | Commission chamber revisions to remove windows and replace with Pre- | \$ | 45,463 |

| | | | |
|-----|---|----|----------------|
| #7 | Fin metal wall panels for televising clarity and security. Add a new downstream storm sewer defender manhole, water main extension and hydrant, reroute storm sewer to avoid transformer/conduits. Existing 12" and 15" pipes deeper than proposed storm sewer. To connect Civic Center roof drains, the first 5 manholes coming off 66" storm sewer on 3rd Ave. need to be extended. Also extend downstream defender manhole. | \$ | 61,866 |
| #8 | Labor and materials associated with revisions to the interior floor plans. Construct a fire pump room block wall enclosure & door. IS request to install 3/4" CDX plywood backing behind gypsum board. Changes associated with Inspections Department request to add exterior pedestrian ramps to side entrance. | \$ | 13,774 |
| #9 | Geofoam foundation system. | \$ | 20,801 |
| #10 | Floor plan revisions to Commission offices. Plywood backing behind gypsum board sheathing in IS Department. Tile work trim change from stainless steel to aluminum with nickel finish. Delete geo-foam at SE Chambers corner to accommodate wall and ramp. Provide heavier framing at Chambers. | \$ | 5,000 |
| #11 | Provide a 1-hour rating around beam at north Chamber wall. | \$ | 240 |
| #12 | Eliminate some lockers and one bench in E107. | \$ | (23,168) |
| #13 | Change from single tier lockers to two tier lockers. | \$ | 2,350 |
| #14 | Provide painted drywall access doors in Rooms W118 and Lobby A101. | \$ | (2,854) |
| #15 | Finish change to bottom side of soffits at Chambers, Admin, IS, HR, etc. | \$ | 6,961 |
| #16 | Install Phantom 5000 low-profile egress window in CW-180. | \$ | 4,042 |
| #17 | Mechanical Contract | \$ | 106,184 |
| #18 | Addition of sump pits and domestic water service. | \$ | 13,222 |
| #19 | Pricing reduction for control dampers. | \$ | (4,100) |
| #20 | Design revisions to third floor and HVAC modifications. | \$ | 36,016 |
| #21 | Omit finned tube radiation, add CO/NO2 monitors and VFD | \$ | 20,956 |
| #22 | Revised ductwork routing and sizing associated with floor plan revisions. Revise boiler venting to achieve 4' separation per State inspector. | \$ | 13,072 |
| #23 | Revise location of fire protection riser, fire pump, jockey pump, dry system valve and air compressor in the added fire pump room. | \$ | |
| #24 | Revise air ductwork routing and RA opening locations in IS data center room. | \$ | 4,930 |

| | | | |
|----------------------------|---|----|---------|
| #7 | Change location of natural gas meter and provide additional piping, etc. | \$ | 3,023 |
| #8 | Ductwork revisions at W106, W107, W108 and W128. | \$ | 5,627 |
| #9 | Additional sprinklers at A/V room and stair 3-STR-D. | \$ | 6,392 |
| #10 | Fuel costs for temporary heating during winter construction. | \$ | 2,165 |
| #11 | Fuel costs for temporary heating during winter construction. | \$ | 4,881 |
| | Two additional fire smoke dampers in Data Room E308. | \$ | 48,718 |
| Electrical Contract | | | |
| #1 | Relocate emergency generator for City Hall and Civic temporary power. | \$ | 12,960 |
| #2 | Design revisions to third floor. | \$ | 2,797 |
| #3 | Revise voltage of UPS to 480V in lieu of 208V. | \$ | (3,341) |
| #4 | Connect exhaust fan EF-8 to 20A/3P circuit breaker at HEM11 in lieu of 15A/3P circuit breaker at switchboard. Connect generator room damper motors to panel LEM11 in lieu of panel LG1. | \$ | 1,396 |
| #5 | IS requested revisions to training room. | \$ | 29,075 |
| #6 | Floor plan revisions for lighting and lighting control. | \$ | 1,857 |
| #7 | Electrical work associated with the added fire pump room. | \$ | 1,359 |
| #8 | Floor plan revisions to Commission offices. | \$ | 1,744 |
| #9 | Rough-ins for future panic buttons in reception areas. | \$ | 2,174 |
| #10 | First floor office revisions for Inspections Department. | \$ | (1,303) |
| | First floor lighting revisions and third floor power/data revisions. | \$ | |

AIA Document G701™ – 2001

Change Order

| | | |
|--|--|--|
| PROJECT <i>(Name and address):</i> | CHANGE ORDER NUMBER: Gen#018 | OWNER: <input checked="" type="checkbox"/> |
| Fargo City Hall Fargo, ND | DATE: 12/20/17 | ARCHITECT: <input checked="" type="checkbox"/> |
| TO CONTRACTOR <i>(Name and address):</i> | ARCHITECT'S PROJECT NUMBER: 2015.49 | CONTRACTOR: <input checked="" type="checkbox"/> |
| Olaf Anderson Construction PO Box 2766 Fargo, ND 58108 | CONTRACT DATE: 6/7/16 | FIELD: <input type="checkbox"/> |
| | CONTRACT FOR: General Construction | OTHER: <input type="checkbox"/> |

THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

RFC 025: Provide and install Phantom 5000 low profile egress window in CW-180. ADD \$4,042.00

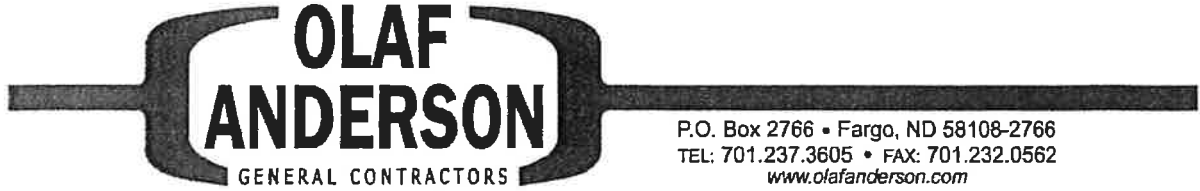
| | |
|--|------------------|
| The original Contract Sum was | \$ 16,442,900.00 |
| The net change by previously authorized Change Orders | \$ 694,105.00 |
| The Contract Sum prior to this Change Order was | \$ 17,137,005.00 |
| The Contract Sum will be increased by this Change Order in the amount of | \$ 4,042.00 |
| The new Contract Sum including this Change Order will be | \$ 17,141,047.00 |

The Contract Time will be increased by Zero (0) days.
 The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

| | | |
|-------------------------------------|--------------------------------------|---------------------------------|
| T.L. Stroh Architects, Ltd | Olaf Anderson Construction | City of Fargo |
| ARCHITECT <i>(Firm name)</i> | CONTRACTOR <i>(Firm name)</i> | OWNER <i>(Firm name)</i> |
| 8 Seventh St. N., Fargo, ND 58102 | PO Box 2766, Fargo, ND 58108 | 200 3rd St. N., Fargo, ND 58102 |
| ADDRESS | ADDRESS | ADDRESS |
| | | |
| BY <i>(Signature)</i> | BY <i>(Signature)</i> | BY <i>(Signature)</i> |
| Terry L. Stroh | Olaf Anderson Construction | |
| <i>(Typed name)</i> | <i>(Typed name)</i> | <i>(Typed name)</i> |
| 12/20/17 | 12-20-17 | |
| DATE | DATE | DATE |



December 20, 2017

T.L. Stroh Architects, Ltd
8 Seventh St. N.
Fargo, ND 58102

Re: Fargo City Hall – RFC 025

Dear: Mr. Stroh,

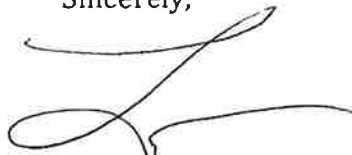
The following is a proposed change to the original scope of work. Please review and authorize items below.

| | | | |
|--|----------|------------|-----|
| | Accepted | Y | N |
| 1. Provide and install Phantom 5000 low profile egress window in CW-180. | Add | \$4,042.00 | — — |

Pricing Breakdown is attached. Excludes Structural Calculations, field testing and temporary enclosures.

Once again, we thank you for giving us the opportunity to work with you on this project. If you have any questions please do not hesitate to call.

Sincerely,



Lyn Narum
Construction Manager
Olaf Anderson Construction, Inc.

Accepted by: _____

Date: _____

CHANGE PROPOSAL

Change Proposal #: RFC 025

Date of Proposal: 12/20/17

Description of Work: Egress Window

| Labor Breakdown (use additional sheets of necessary) | | | | |
|---|-------------|-------|---------------|--------------------|
| Labor Classification: | # of People | Hours | Labor Rate/Hr | Labor Amount |
| CM | 1 | 3 | \$65.00 | \$195.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| Total Labor Costs: | | | | \$195.00 |
| Material Breakdown (use additional sheets of necessary) | | | | |
| Material Description: | Quantity | Unit | Unit Cost | Materials Amounts |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| Tax | 7.50% | | | \$0.00 |
| Total Material Costs: | | | | \$0.00 |
| OTHER DIRECT COSTS (Subcontractors, Equipment, Travel, etc.) | | | | |
| Description: | Quantity | Unit | Unit Cost | Other Cost Amounts |
| | | | | \$0.00 |
| Red River Glazing | 1 | LS | 3645 | \$3,645.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| | | | | \$0.00 |
| Total Direct Costs: | | | | \$3,645.00 |
| 1. Total Labor Costs..... \$195.00 | | | | |
| 2. Total Material Costs..... \$0.00 | | | | |
| 3. Total Other Direct Costs..... \$3,645.00 | | | | |
| 4. Total Labor, Materials & Other Direct Costs..... \$3,840.00 | | | | |
| 5. Profit & Overhead (10 %) of Line 1..... \$19.50 | | | | |
| 6. Profit & Overhead (5%) of Line 2..... \$0.00 | | | | |
| 7. Profit & Overhead (5%) of Line 3..... \$182.25 | | | | |
| 8. Total Change Proposal Costs (lines 4, 5, 6 &7)..... \$4,041.75 | | | | |

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Change Order

| | | |
|---|--|--|
| PROJECT <i>(Name and address):</i> | CHANGE ORDER NUMBER: Mech-010 | OWNER: <input checked="" type="checkbox"/> |
| Fargo City Hall Fargo, ND | DATE: 1/4/18 | ARCHITECT: <input checked="" type="checkbox"/> |
| TO CONTRACTOR <i>(Name and address):</i> | ARCHITECT'S PROJECT NUMBER: 2015.49 | CONTRACTOR: <input checked="" type="checkbox"/> |
| Robert Gibb & Sons 205 40 th St SW Fargo, ND 58103 | CONTRACT DATE: 6/7/16 | FIELD: <input type="checkbox"/> |
| | CONTRACT FOR: Mechanical Construction | OTHER: <input type="checkbox"/> |

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)


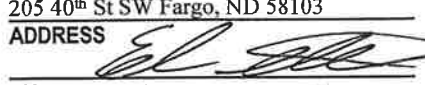
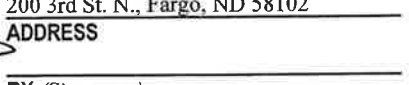
Costs associated with fuel consumption for temporary heat.
ADD \$2,165.00

| | |
|--|-----------------|
| The original Contract Sum was | \$ 3,447,000.00 |
| The net change by previously authorized Change Orders | \$ 99,138.00 |
| The Contract Sum prior to this Change Order was | \$ 3,546,138.00 |
| The Contract Sum will be increased by this Change Order in the amount of | \$ 2,165.00 |
| The new Contract Sum including this Change Order will be | \$ 3,548,303.00 |

The Contract Time will be increased by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

| | | |
|---|--|---|
| T.L. Stroh Architects, Ltd ARCHITECT <i>(Firm name)</i> | Robert Gibb & Sons CONTRACTOR <i>(Firm name)</i> | City of Fargo OWNER <i>(Firm name)</i> |
| 8 Seventh St. N., Fargo, ND 58102 ADDRESS | 205 40 th St SW Fargo, ND 58103 ADDRESS | 200 3rd St. N., Fargo, ND 58102 ADDRESS |
|  BY <i>(Signature)</i> |  BY <i>(Signature)</i> |  BY <i>(Signature)</i> |
| Terry L. Stroh <i>(Typed name)</i> | Ed Thuedt <i>(Typed name)</i> | <i>(Typed name)</i> |
| 1/4/18 DATE | 1/22/18 DATE | DATE |



2011 Great Northern Drive
FARGO, NORTH DAKOTA 58102
PHONE: 701.282.5900
FAX: 701.281.0819

January 3, 2018

T.L. Stroh
Mr. Terry Stroh
8 Seventh St. N.
Fargo, ND 58102

RE: New Fargo City Hall
Temp Heat Fuel Usage

Dear Mr. Stroh

Please find listed below our costs associated with fuel consumption for temporary heat.

Propane Usage – Ferrell Gas: \$ 2,165

Grand Total Add: \$ 2,165

Please contact our office with any questions or concerns at 701.282.5900.

Sincerely,
ROBERT GIBB & SONS, INC.

Ed Thvedt



INVOICE

Term: Net 30 Days
 Date: October 30, 2017
 Account #: 46034031
 Sold To: 46034031
 ROBERT GIBB & SONS-city hall
 city hall
 200 3RD ST N
 FARGO, ND 58102-4809

Invoice Number: 1098276473
 PO Number:

| Product | Quantity | Unit Price | Total |
|--------------------|------------|------------|------------|
| DISTANCE_CHECK_MET | 1.00 EA | \$0.0000 | \$0.00 |
| PROPANE | 805.30 GAL | \$1.5990 | \$1,287.67 |
| HAZMAT_FEE | 1.00 EA | \$9.4900 | \$9.49 |
| | | Sub-Total | \$1,297.16 |
| | | Taxes | \$0.00 |
| | | Total Sale | \$1,297.16 |

ALL SALES FINAL PER TERMS OF AGREEMENT
 PRODUCT HAS BEEN ODORIZED
 UN1075, LIQUEFIED PETROLEUM GAS, 2.1

REMIT PAYMENT TO: FERRELLGAS
 PO BOX 173940, DENVER CO 80217-3940

INCLUDE YOUR ACCOUNT # AND INVOICE #
 OR A COPY OF THIS INVOICE WITH PAYMENT



INVOICE

Term: Net 30 Days
 Date: November 1, 2017
 Account #: 46034031
 Sold To: 46034031
 ROBERT GIBB & SONS-city hall
 city hall
 200 3RD ST N
 FARGO, ND 58102-4809

Invoice Number: 1098322759
 PO Number:

| Product | Quantity | Unit Price | Total |
|--------------------|------------|------------|----------|
| DISTANCE_CHECK_MET | 1.00 EA | \$0.0000 | \$0.00 |
| PROPANE | 536.60 GAL | \$1.5990 | \$858.02 |
| HAZMAT_FEE | 1.00 EA | \$9.4900 | \$9.49 |
| | | Sub-Total | \$867.51 |
| | | Taxes | \$0.00 |
| | | Total Sale | \$867.51 |

ALL SALES FINAL PER TERMS OF AGREEMENT
 PRODUCT HAS BEEN ODORIZED
 UN1075, LIQUEFIED PETROLEUM GAS, 2.1

REMIT PAYMENT TO: FERRELLGAS
 PO BOX 173940, DENVER CO 80217-3940

INCLUDE YOUR ACCOUNT # AND INVOICE #
 OR A COPY OF THIS INVOICE WITH PAYMENT

Joe Jenni

From: Ed Thvedt <ethvedt@robertgibb.com>
Sent: Wednesday, January 03, 2018 2:17 PM
To: Joe Jenni
Subject: City Hall Propane Usage
Attachments: Temp Heat Fuel Usage 2_Gibb.pdf

Joe,

We had two other invoices that got lost in the shuffle. See attached for final costs associated with propane usage for temp heat.

Let me know if there are any questions,

Ed Thvedt

Robert Gibb & Sons, Inc.

2011 Great Northern Dr | Fargo, ND 58102
Office: 701.282.5900 | Mobile: 701.219.3226
Direct: 701-404-2682



100 YEARS Preparing for Tomorrow

AIA® Document G701™ – 2001

Change Order

| | | |
|---|--|--|
| PROJECT <i>(Name and address):</i> | CHANGE ORDER NUMBER: Mech-011 | OWNER: <input checked="" type="checkbox"/> |
| Fargo City Hall Fargo, ND | DATE: 1/8/18 | ARCHITECT: <input checked="" type="checkbox"/> |
| TO CONTRACTOR <i>(Name and address):</i> | ARCHITECT'S PROJECT NUMBER: 2015.49 | CONTRACTOR: <input checked="" type="checkbox"/> |
| Robert Gibb & Sons 205 40 th St SW Fargo, ND 58103 | CONTRACT DATE: 6/7/16 | FIELD: <input type="checkbox"/> |
| | CONTRACT FOR: Mechanical Construction | OTHER: <input type="checkbox"/> |

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

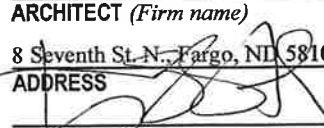
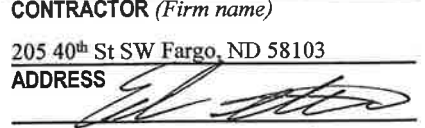
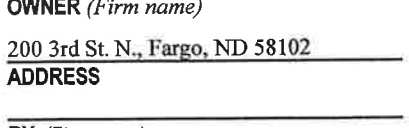
Provide combination fire/smoke dampers at duct penetrations into Data Room E308.
ADD \$4,881.00

| | |
|--|-----------------|
| The original Contract Sum was | \$ 3,447,000.00 |
| The net change by previously authorized Change Orders | \$ 101,303.00 |
| The Contract Sum prior to this Change Order was | \$ 3,548,303.00 |
| The Contract Sum will be increased by this Change Order in the amount of | \$ 4,881.00 |
| The new Contract Sum including this Change Order will be | \$ 3,553,184.00 |

The Contract Time will be increased by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

| | | |
|---|--|---|
| T.L. Stroh Architects, Ltd ARCHITECT <i>(Firm name)</i> | Robert Gibb & Sons CONTRACTOR <i>(Firm name)</i> | City of Fargo OWNER <i>(Firm name)</i> |
| 8 Seventh St. N., Fargo, ND 58102 ADDRESS | 205 40 th St SW Fargo, ND 58103 ADDRESS | 200 3rd St. N., Fargo, ND 58102 ADDRESS |
|  BY <i>(Signature)</i> |  BY <i>(Signature)</i> |  BY <i>(Signature)</i> |
| Terry L. Stroh <i>(Typed name)</i> | Ed Muedt <i>(Typed name)</i> | <i>(Typed name)</i> |
| 1/8/18 DATE | 1/22/18 DATE | DATE |



2011 Great Northern Drive
FARGO, NORTH DAKOTA 58102
PHONE: 701.282.5900
FAX: 701.281.0819

January 5, 2018

T.L. Stroh
Mr. Terry Stroh
8 Seventh St. N.
Fargo, ND 58102

RE: New Fargo City Hall
PR M18

Dear Mr. Stroh

Please find listed below our costs associated with PR M18. Cost figured for the two fire smoke dampers includes a 7 day rush build.

| | | |
|---|-------------------------|-----------------|
| Fire Smoke Dampers and Misc. Materials: | | \$ 1,544 |
| | Tax: | <u>\$ 116</u> |
| | Subtotal: | \$ 1,660 |
| Sheet Metal Labor: | | \$ 2,170 |
| Insulation rework: | | \$ 350 |
| | Subtotal: | <u>\$ 4,180</u> |
| | Overhead: | \$ 418 |
| | Profit: | \$ 230 |
| | Bond: | <u>\$ 53</u> |
| | Grand Total Add: | \$ 4,881 |

Please contact our office with any questions or concerns at 701.282.5900.

Sincerely,
ROBERT GIBB & SONS, INC.

Ed Thvedt



PROPOSAL REQUEST – M18

| | |
|------------------|------------------------------|
| Date | 1/5/18 |
| Project # | 2015231 |
| Project Name | Fargo City Hall |
| Project Location | Fargo, ND |
| Description | Data Room Fire/Smoke Dampers |

Please submit an itemized quotation for the change(s) described below to the proposed modifications to the Contract Documents. Cost proposal to include a detailed itemized breakdown indicating the specific amounts, lengths, quantities, types, sizes, etc. of material including labor, O&P, taxes, and other incidental charges to be used. Proposal shall also indicate credits, deducts, and/or offsets for material and labor originally included in contract. THIS IS NOT A CHANGE ORDER OR DIRECTION TO PROCEED WITH WORK STATED HEREIN.

State the amount to be changed to the contract to provide combination fire/smoke dampers at duct penetrations into Data Room E308 as shown below. Dampers shall be listed in accordance to the latest edition of UL 555, UL 555S Class I and shall demonstrate the capacity to operate under dynamic conditions as a part of the U.L. qualification. Fire/smoke dampers shall consist of airfoil shaped double skin construction blades in a 16-gauge hat channel frame. Dampers shall be opposed blade type with blade edge seals of silicone rubber and jamb seals of spring stainless steel. Motors for operation of fire/smoke dampers shall be spring return, normally closed type, 110 volt and shall be furnished complete with damper linkage, etc., by the damper manufacturer. Damper shall be furnished with a two-position indicator switch linked to the damper blades to provide remote indication of damper position. "Out of wall" fire/smoke dampers where required shall be furnished with thermal blanket around the sleeve. All thermal insulating blankets shall be a part of an approved assembly. Fire/smoke dampers shall be installed with access panel located in ductwork on both sides of wall arranged to provide access to fusible link, actuator and blades for servicing.

BUILDING SYSTEMS CONSULTANTS

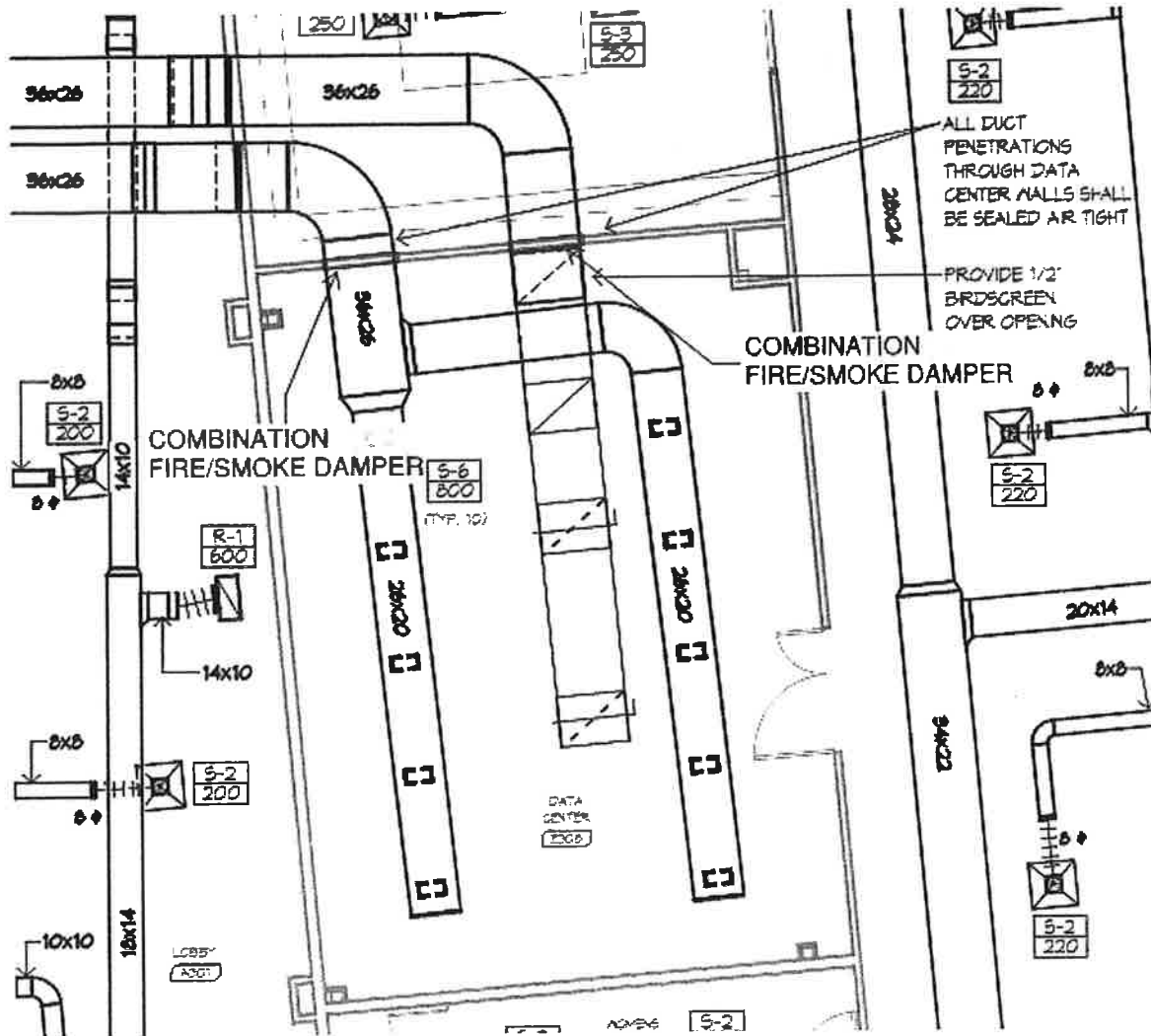
FARGO
2201 12th St. N Suite E
701.280.0500

GRAND FORKS
311 4th St. S Suite 203
701.775.2594

BISMARCK
233 West Rosser Ave.
701.222.0520

ALEXANDRIA
503 Hawthorne St. Suite 141
320.846.0300

MINNEAPOLIS
1400 Van Buren St. NE Suite 130
877.380.0501



Respectfully,
 Obermiller Nelson Engineering, Inc.

Ross Young

Attachment(s): None
 Cc: File

F:\Projects\2015231\CA\PROPOSAL REQUEST\MECH\2015231 PR M18 - Data Room Fire-Smoke Dampers\2015231 PR M18 - Data Room Fire-Smoke Dampers.docx

OBERMILLER NELSON ENGINEERING

FARGO
 2201 12th St. N Suite E
 701.280.0500

GRAND FORKS
 311 4th St. S Suite 203
 701.775.2594

BISMARCK
 233 West Rosser Ave.
 701.222.0520

ALEXANDRIA
 503 Hawthorne St. Suite 141
 320.846.0300

MINNEAPOLIS
 1400 Van Buren St. NE Suite 130
 877.380.0501

Joe Jenni

From: Joe Jenni
Sent: Monday, January 08, 2018 11:27 AM
To: 'Ross Young'
Subject: RE: PR M18

Ross,

Thanks

Joe

From: Ross Young [mailto:ross.young@obernel.com]
Sent: Monday, January 08, 2018 11:05 AM
To: Joe Jenni
Subject: RE: PR M18

Joe,

Pricing seems reasonable for the work being done. Labor may be a little high but with the demo and work around things already done, I'm guessing that pushing the time they are figuring up for this.

Thanks,



Ross Young
Mechanical Engineer-In-Training

Obermiller Nelson Engineering
2201 12th St. N. Suite E, Fargo, ND 58102

📞 (701) 280-0500
☎ (701) 551-5762
📠 (701) 799-0055



From: Joe Jenni [mailto:joej@tlstroh.com]
Sent: Monday, January 8, 2018 8:29 AM

Subject: FW: PR M18

Ross,

Let me know what you think about this number please.

Thanks

Joe

From: Ed Thvedt [<mailto:ethvedt@robertgibb.com>]

Sent: Friday, January 05, 2018 2:20 PM

To: Joe Jenni

Cc: Ross Young (ross.young@obernel.com)

Subject: RE: PR M18

Joe,

I just loaded the attached into Submittal Exchange. Please review or notify me so I can get the dampers on order. This is going to be a messy rework/install for us so I would like to make it happen before too many more finishes take place.

Let me know if there are questions, thanks.

Ed Thvedt

Robert Gibb & Sons, Inc.

2011 Great Northern Dr | Fargo, ND 58102

Office: 701.282.5900 | Mobile: 701.219.3226

Direct: 701-404-2682



100 YEARS Preparing for Tomorrow

From: Joe Jenni [<mailto:joej@tlstroh.com>]

Sent: Friday, January 05, 2018 10:44 AM

To: Ed Thvedt

Cc: Ross Young (ross.young@obernel.com)

Subject: PR M18

Ed,

Please see the attached, I'm having trouble up-loading to the SE site.

Joseph Jenni, AIA





701.239.4198—OFFICE

701.239.9643—FAX

8 Seventh Street N Fargo, ND 58102

www.tlstroh.com

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AIA Document G701™ – 2001

Change Order

| | | |
|---|--|--|
| PROJECT (Name and address): Fargo City Hall Fargo, ND | CHANGE ORDER NUMBER: Elec#010 DATE: 12/5/17 | OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/> |
| TO CONTRACTOR (Name and address): Sun Electric Inc 411 39th St NW Fargo, ND 58102 | ARCHITECT'S PROJECT NUMBER: 2015.49 CONTRACT DATE: 6/7/16 CONTRACT FOR: Electrical Construction | |

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

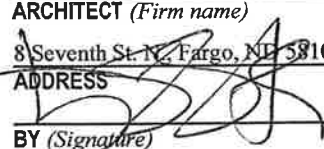
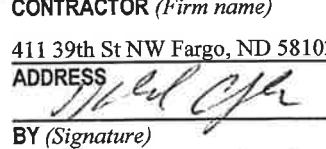
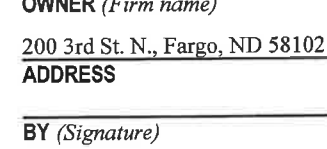
E14: 3rd Floor and ATM power/data revisions. NO CHANGE E15: Lighting revisions: site plan, first floor Area A, and first floor Area B. DEDUCT (\$1,303.00)

| | |
|--|-----------------|
| The original Contract Sum was | \$ 2,607,000.00 |
| The net change by previously authorized Change Orders | \$ 50,021.00 |
| The Contract Sum prior to this Change Order was | \$ 2,657,021.00 |
| The Contract Sum will be decreased by this Change Order in the amount of | \$ 1,303.00 |
| The new Contract Sum including this Change Order will be | \$ 2,655,718.00 |

The Contract Time will be increased by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

| | | |
|--|---|--|
| T.L. Stroh Architects, Ltd ARCHITECT (Firm name) | Sun Electric Inc CONTRACTOR (Firm name) | City of Fargo OWNER (Firm name) |
| 8 Seventh St. N., Fargo, ND 58102 ADDRESS | 411 39th St NW Fargo, ND 58102 ADDRESS | 200 3rd St. N., Fargo, ND 58102 ADDRESS |
|  BY (Signature) |  BY (Signature) |  BY (Signature) |
| Terry L. Stroh (Typed name) | Harold Clyke (Typed name) | (Typed name) |
| 12/5/17 DATE | 1-4-2018 DATE | DATE |



HVPROPOSAL REQUEST – E14

Date | 09-13-17
 Project # | 2015231
 Project Name | New Fargo City Hall
 Project Location | Fargo, ND
 Description | 3rd Floor & ATM Power/ Data Revisions

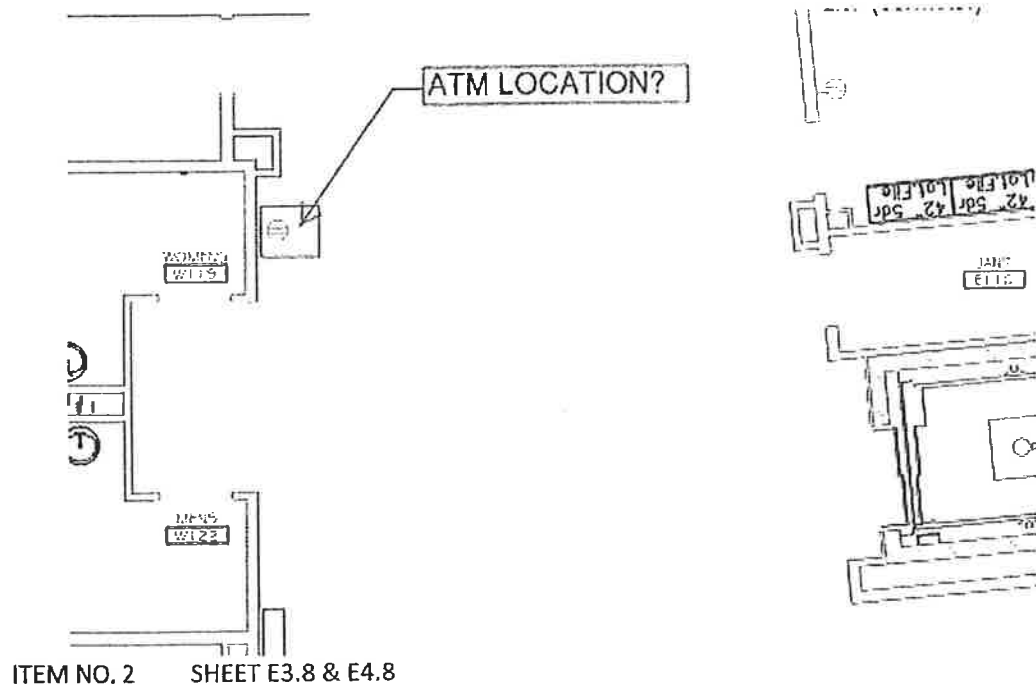
Please submit an itemized quotation for the change(s) described below to the proposed modifications to the Contract Documents. Cost proposal to include a detailed itemized breakdown indicating the specific amounts, lengths, quantities, types, sizes, etc. of material including labor, O&P, taxes, and other incidental charges to be used. Proposal shall also indicate credits, deducts, and/or offsets for material and labor originally included in contract. THIS IS NOT A CHANGE ORDER OR DIRECTION TO PROCEED WITH WORK STATED HEREIN.

Utilize spare materials as listed in spec for work listed below. Extra materials were included in the raceway, wiring, devices, communications specs, etc. Indicate quantities and/ or lengths used.

ITEM NO. 1 SHEET E3.4 & E4.4

A101 – Lobby

1. Move data 1D outlet & duplex receptacle noted for ATM to location as indicated below. Coordinate exact location. Move convenience receptacle to accessible location as required, by new ATM location.



ITEM NO. 2 SHEET E3.8 & E4.8

BUILDING SYSTEMS CONSULTANTS

FARGO
 2201 12th St. N Suite E
 701.280.0500

GRAND FORKS
 311 4th St. S Suite 203
 701.775.2594

BISMARCK
 233 West Rosser Ave.
 701.222.0520

ALEXANDRIA
 503 Hawthorne St. Suite 141
 320.846.0300

MINNEAPOLIS
 1400 Van Buren St. NE Suite 130
 877.380.0501

E312 – Storage

1. Provide (1) additional duplex receptacle at east wall of room (coordinate exact location and mounting height w/ Architect). Connect to receptacle circuit nearby.
2. Provide (1) additional 2D data outlet at east wall of room (coordinate exact location and mounting height w/ Architect).

E315 – Workroom

1. Provide (8) double duplex receptacles in lieu of (8) duplex receptacles at casework (locations remain the same).
2. Provide (2) additional data cables at each of the data outlet locations shown on the drawings (4D in lieu of 2D, 7 total).

Respectfully,
Obermiller Nelson Engineering, Inc.

Tony Nelson

Attachment(s): None
Cc: ONE File

OBERMILLER NELSON ENGINEERING

FARGO
2201 12th St. N Suite E
701.280.0500

GRAND FORKS
311 4th St. S Suite 203
701.775.2594

BISMARCK
233 West Rosser Ave.
701.222.0520

ALEXANDRIA
503 Hawthorne St. Suite 141
320.846.0300

MINNEAPOLIS
1400 Van Buren St. NE Suite 130
877.380.0501



Industrial - Commercial

September 22, 2017

T.L. Stroh
Mr. Terry Stroh
8 Seventh St. N
Fargo, ND 58102

Re: New Fargo City Hall

Proposal Request – E114

Proposal is labor and material for electrical work associated with the 3rd Floor & ATM Power/Data Revisions. Utilize spare materials as listed in spec.

| Extra Material | Quantity | Previous Quantity Used | Quantity Used This PR | Remaining |
|-------------------------|----------|------------------------|-----------------------|-----------|
| #10 THHN CU wire | 3,000' | 546' | 0 | 1,529' |
| 3/4" EMT | 1,000' | 370' | 0 | 630' |
| 3/4" EMT CONN S/S | 250 | 17 | 0 | 233 |
| 3/4" EMT COUP S/S | 300 | 23 | 0 | 277 |
| 3/4" EMT 1 HOLE STRAP | 300 | 46 | 0 | 254 |
| 8x3/4" TEK SCREW | 100 | 46 | 0 | 64 |
| RED 3M WIRE NUT | 300 | 0 | 0 | 300 |
| SP TOGGLE SW, 20A SPEC | 5 | 1 | 0 | 4 |
| 1G SP SWITCH PLATE | 5 | 1 | 0 | 4 |
| 1G DUPL REC PLATE | 15 | 0 | 1 | 14 |
| DPLX 5-20R COMMERCIAL | 15 | 0 | 9 | 6 |
| 4/S BOX 2-1/8" DP PLAIN | 50 | 9 | 0 | 41 |
| 4/S BLANK COVER | 50 | 9 | 0 | 41 |
| 10-32 GROUND SCREW | 50 | 9 | 1 | 40 |

Proposed Price-----No Change

Respectfully submitted,


Tyler Wanzek
Project Manager



Data Technologies Inc.

Fargo: 705 Main Avenue Suite D • West Fargo, North Dakota 58078
 (701) 282-7847 • FAX (701) 282-7623
 Bismarck: 3355 Saratoga Avenue #4 • Bismarck, North Dakota 58503
 Phone/Fax : (701) 223-2228

COMMERCIAL INSTALLATION, SALES AND SECURITY AGREEMENT AND PROMISSORY NOTE

Purchaser
Sun Electric

Project
Fargo City Hall – Change Order E14

Address
411 39th Street NW
City/State/Zip
Fargo, ND 58102

Contact
Tyler

Phone
701-281-9140

Consultant
Mark Vernon

Scope:

Received Change Order Request E14. Utilize spare materials as listed in the spec for work listed below. Extra materials were included in the raceway, wiring, devices, communications spec, etc. Indicate quantities and/or lengths used.

- A101 – Lobby – Item 1 – Move data 1D outlet and duplex receptacle noted for ATM location as indicated below.
- E312 – Storage – Item 2 – Provide (1) additional 2D data outlet at east wall of room (coordinate exact location and mounting height w/ Architect).
- E315 – Workroom – Item 2 – Provide (2) additional data cables at each of the data outlet locations shown on the drawings (4D in lieu of 2D, 7 total)

| PART No. | PRODUCT DESCRIPTION | UM | Act Qty | Qty Used | Remainder |
|----------|---|-----|---------|----------|-----------|
| 7131819 | General Cable - Category 6A - Plenum - Blue | FT | 3,000 | 2,602 | 398 |
| CJ6X88TG | Panduit - Category 6A Jack - (Color TBD) | EA | 40 | 16 | 24 |
| CFPL4 | Panduit 4 Port Faceplate with Label Strip | EA | 40 | 0 | 40 |
| 2275V | Commscope RG 6 Plenum - 60 ^A Braid | FT | 1,000 | 0 | 1,000 |
| FS6U | Belden RG 6 Universal Connector | EA | 10 | 0 | 10 |
| CMF | Panduit F-Connector | EA | 10 | 0 | 10 |
| CFPL4 | Panduit 4 Port Faceplate with Label Strip | EA | 10 | 0 | 10 |
| CMB | Blanks - Bag of 10 | BAG | 3 | 0 | 3 |

| | Total |
|--------------|----------------|
| Materials | \$0.00 |
| Labor | \$0.00 |
| Total | \$ 0.00 |

Electrical contractor responsible for all conduit, boxes, plywood, grounding bus bar, cable tray, fire rated penetrations.

TERMS: 30 days; 1.5% per month; 18% annual on past due balances. This quote is good for 30 days from date. Purchaser agrees to pay all collection costs if account balance is not paid in a timely manner. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to a standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. NOTE: Will not work or be responsible for any cost involving asbestos.

ABT Data Technologies, Inc.

Sun Electric

By: Mark Vernon

By: _____

Date: September 19, 2017

Date: _____


HVPROPOSAL REQUEST – E15

| | |
|------------------|---------------------|
| Date | 09-20-17 |
| Project # | 2015231 |
| Project Name | New Fargo City Hall |
| Project Location | Fargo, ND |
| Description | Lighting Revisions |

Please submit an itemized quotation for the change(s) described below to the proposed modifications to the Contract Documents. Cost proposal to include a detailed itemized breakdown indicating the specific amounts, lengths, quantities, types, sizes, etc. of material including labor, O&P, taxes, and other incidental charges to be used. Proposal shall also indicate credits, deducts, and/or offsets for material and labor originally included in contract. THIS IS NOT A CHANGE ORDER OR DIRECTION TO PROCEED WITH WORK STATED HEREIN.

Below is a list of revisions proposed for the lighting and lighting control portion of the project. Pricing shall include all revisions required to the power and lighting control circuitry.

ITEM NO. 1 Sheet E0.2 Lighting Site Plan

1. Delete three type AA2-16 poles from the east side of the west parking lot along with associated concrete bases and underground circuitry.
2. Relocate type AA4-16 from location west of the new building to on top of retaining wall as shown on plans. Incorporate anchor bolts for the light pole into the retaining wall. Conduits for circuitry and lighting control to be routed thru the poured retaining wall up to the light base. The original 18 inch diameter concrete base for this light pole to be deleted from project.
 - a. Refer to attached shop drawing for modification to pole luminaire configuration and luminaire distribution type.
3. Relocate the type AA3-20 light pole to the east along the north wall of the parking garage. The new location shall also be shifted north to accommodate Geo Foam material.

ITEM NO. 2 Sheet E2.3 First Floor Area 'A'
G100 – Generator Building Exterior

1. Remove type DD1 exterior luminaire from west wall to be relocated to north face of north stair of City Hall building.

Exterior North Wall of City Hall Building

1. New location of type DD1 luminaire removed from west wall of Generator Building. Provide connection to H11-13.

Exterior West Wall of City Hall Building

1. Mount new wall mounted type WAA2 luminaire at grid line 9. Provide connection to H11-13.

ITEM NO. 3 Sheet E2.4 First Floor Area 'B'
Exterior West Wall of City Hall Building

1. Mount new wall mounted type WAA2 luminaire at grid line 13. Provide connection to H11-13.

BUILDING SYSTEMS CONSULTANTS

FARGO
2201 12th St. N Suite E
701.280.0500

GRAND FORKS
311 4th St. S Suite 203
701.775.2594

BISMARCK
233 West Rosser Ave.
701.222.9520

ALEXANDRIA
503 Hawthorne St. Suite 141
320.846.0300

MINNEAPOLIS
1400 Van Buren St. NE Suite 130
877.380.0501

2. Mount new wall mounted type WAA2 luminaire at 3'-6" north of grid line 21. Provide connection to H11-13.

Additional Information

1. Refer to attached partial Luminaire Schedule for revised type AA4-16 and new luminaire type WAA2.
2. Refer to attached type AA4-16 revised cutsheet. Revisions include the following:
 - a. Luminaires to be mounted at 90°.
 - b. Both luminaires to have forward throw medium distribution.
3. Refer to attached type WAA2 wall mounted luminaire cutsheet.

Respectfully,
Obermiller Nelson Engineering, Inc.

Tony Nelson

Attachment(s): Partial luminaire schedule, WAA2 & revised AA4-16 cutsheets, Sheet E0.2, E2.3, & E2.4
Cc: ONE File

OBERMILLER NELSON ENGINEERING

FARGO
2201 12th St. N Suite E
701.280.0500

GRAND FORKS
311 4th St. S Suite 203
701.775.2594

BISMARCK
233 West Rossor Ave.
701.222.0520

ALEXANDRIA
503 Hawthorne St. Suite 141
320.846.0300

MINNEAPOLIS
1400 Van Buren St. NE Suite 130
877.380.0501



Industrial - Commercial

October 6, 2017

T.L. Stroh
Mr. Terry Stroh
8 Seventh St. N
Fargo, ND 58102

Re: New Fargo City Hall

Proposal Request – E15

Proposal is labor and material for electrical work associated with the Lighting Revisions as described in PR E15.

Proposed Price-----Deduct \$1,303.00

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tyler Wanzek", is written over a horizontal line.

Tyler Wanzek
Project Manager

Bid Summary Report

Fargo City Hall Estimator: Ryan

Job #812

Job Name: Fargo City Hall

Contractor:

Estimator: Ryan

Notes:

Bid Date: 5/26/16

| Summary Description | Material | | Labor | | Adjusted |
|---------------------|------------|---------|----------|---------|----------|
| | Extended | % | Extended | % | |
| PR E15 | (\$117.63) | 100.00% | -3.48 | 100.00% | -3.48 |

Top Sheet

| | | | |
|----------------------|--------------|-----------------------|--------|
| Raw Cost | (\$1,226.43) | Sales per Month | \$0.00 |
| Tax | (\$76.32) | Return per Month | \$0.00 |
| Raw Cost with Tax | (\$1,302.76) | Price per Square Foot | \$0.00 |
| Overhead | \$0.00 | Hours per Square Foot | 0.00 |
| Profit | \$0.00 | Square Feet | 0.00 |
| Total Return Amount | \$0.00 | Job Months | 0.00 |
| Total Return % | 0.00% | Hours per Week | 40.00 |
| Price | (\$1,302.76) | Workers per Day | 0.00 |
| Bond | \$0.00 | Total Hours | -3.48 |
| Sell Price | (\$1,302.76) | Mark Up Sales Tax | No |
| Adjusted Sell () | \$0.00 | Use Bond Table | No |
| Adjusted Sell Return | 0.00 % | | |

Labor

| Class Description | Percent of Total | Hours Distributed | Hourly Rate | Burden | | Labor Cost |
|-------------------|------------------|-------------------|----------------|---------------|--------------|-------------------|
| | | | | Rate | Percent | |
| ND Journeyman | 100.00% | (3.48) | \$60.00 | \$0.00 | 0.00% | (\$208.80) |
| Totals | 100.00% | (3.48) | \$60.00 | \$0.00 | 0.00% | (\$208.80) |

Mark Ups

| | OVERHEAD | | PROFIT | |
|--------------------|--------------|-------|--------------|-------|
| | Total | % | Amount | % |
| Materials | (\$117.63) + | 0.00% | (\$117.63) + | 0.00% |
| Labor | (\$208.80) + | 0.00% | (\$208.80) + | 0.00% |
| Supplier Quotes | (\$900.00) + | 0.00% | (\$900.00) + | 0.00% |
| SubContractors | \$0.00 + | 0.00% | \$0.00 + | 0.00% |
| Direct Job Expense | \$0.00 + | 0.00% | \$0.00 + | 0.00% |
| Equipment Rental | \$0.00 + | 0.00% | \$0.00 + | 0.00% |

Bid Summary Report

Fargo City Hall Estimator: Ryan

Job #812

| | | | | | |
|--------|--------------|-------|--------------|-------|--------------|
| Totals | (\$1,226.43) | 0.00% | (\$1,226.43) | 0.00% | (\$1,226.43) |
|--------|--------------|-------|--------------|-------|--------------|

Tax Report

| | Taxed Amount | Tax Rate % | Tax Amount |
|--------------------|--------------|-------------------|------------------|
| Materials | (\$117.63) | 7.50% | (\$8.82) |
| Labor | (\$208.80) | 0.00% | \$0.00 |
| Supplier Quotes | (\$900.00) | 7.50% | (\$67.50) |
| SubContractors | \$0.00 | 0.00% | \$0.00 |
| Direct Job Expense | \$0.00 | 0.00% | \$0.00 |
| Equipment Rental | \$0.00 | 0.00% | \$0.00 |
| | | Total Tax: | (\$76.32) |

Supplier Quotes

| Name | Supplier | Tax (7.5 %) | Unit Cost | Multiplier | Amount |
|--------------------|----------|-------------|---------------|------------|-------------------|
| Fixtures/ Controls | Graybar | Yes | (\$900.00) | 1.00 | (\$900.00) |
| | | | Total: | | (\$900.00) |

Job Name: Fargo City Hall
 Job Number: 812
 Extension Name: PR E15

| Item Name | Quantity | Price 2 | U | Ext Price 2 | NECA 1 | U | Labor 1 Ext | % of Extended Price | % of Extended Hours |
|--|----------|----------|---|--------------|--------|---|-------------|---------------------|---------------------|
| Label Set: Combined, Combined, Combined, Combined, Combined | | | | | | | | | |
| 10 THHN CU STRANDED | 345.00 | \$281.74 | M | (\$117.63) | 7.00 | M | -3.48 | 100 % | 100 % |
| 6 THHN CU STRANDED | 690.00 | \$705.69 | M | \$97.20 | 11.00 | M | 2.41 | | |
| 3/4 EMT | -25.00 | \$77.57 | C | \$486.93 | 5.00 | C | 7.59 | | |
| 1 1/4 EMT | 360.00 | \$218.24 | C | (\$19.39) | 6.20 | C | -1.25 | | |
| 3/4 EMT CONN S/S | -1.25 | \$37.16 | C | \$785.65 | 0.10 | E | 22.32 | | |
| 1 1/4 EMT CONN S/S | 12.00 | \$138.82 | C | (\$0.46) | 0.16 | E | -0.13 | | |
| 3/4 EMT COUP S/S | -2.50 | \$43.53 | C | \$16.66 | 0.05 | E | 1.92 | | |
| 1 1/4 EMT COUP S/S | 36.00 | \$143.25 | C | (\$1.09) | 0.07 | E | -0.13 | | |
| 3/4 EMT 1 HOLE STRAP | -3.13 | \$25.18 | C | \$51.57 | 4.00 | C | 2.52 | | |
| 1 1/4 EMT STRUT STRAP | 45.00 | \$203.60 | C | (\$0.79) | 4.00 | C | -0.13 | | |
| 1-5/8" UNISTRUT | 40.00 | \$328.45 | C | \$91.62 | 7.00 | C | 1.80 | | |
| 1 1/4 PVC 40 | -200.00 | \$87.30 | C | \$131.38 | 4.25 | C | 2.80 | | |
| 4/5 BOX 2-1/8" DP PLAIN | 6.00 | \$231.20 | C | (\$174.60) | 30.00 | C | -8.50 | | |
| 4/5 BLANK COVER | 6.00 | \$63.71 | C | \$13.87 | 8.00 | C | 1.80 | | |
| 1" Core Drill | 3.00 | \$0.00 | X | \$3.82 | 1.00 | E | 0.48 | | |
| AA2-16 FIXTURES | -3.00 | \$0.00 | Q | \$0.00 | 6.00 | E | 3.00 | | |
| LIGHT BASES | -4.00 | \$400.00 | E | \$0.00 | 8.00 | E | -18.00 | | |
| Set anchor bolts in retaining wall | 1.00 | \$0.00 | Q | (\$1,600.00) | 2.00 | E | -32.00 | | |
| WAA2 Fixture | 3.00 | \$0.00 | Q | \$0.00 | 2.00 | E | 2.00 | | |
| Add fixture head to AA4-16 | 1.00 | \$0.00 | Q | \$0.00 | 2.00 | E | 6.00 | | |
| | | | | (\$117.63) | | | 2.00 | | |
| | | | | | | | -3.48 | | |

QUOTATION
GRAYBAR ELECTRIC

PO BOX 2944
FARGO, ND 58108
PH# 701-237-0107; 1-800-753-0107
FAX # 701-237-9261

TO: SUN ELECTRIC
ATT'N TYLER

JOB NAME: CITY HALL C/O E15

DATE: 10/3/17 QUOTE NUMBER 052616DZE15

WE ARE PLEASED TO QUOTE THE FOLLOWING:

DELETE THREE TYPE AA2-16 POLES WITH ONE FIXTURE
ADD THREE TYPE WAA2 LED LUMINAIRES WITH WALL BRACKET
REVISE THE TYPE AA4-16 POLE SO IT HAS TWO LUMINAIRES AT
90 DEGREES WITH TFTM FORWARD THROW OPTICS

DEDUCT 900.00 LOT FOR THIS CHANGE IF MADE BEFORE
ANY OF THE SITE LIGHTING IS RELEASED

THANK YOU
DEAN

CD TERMS: 1% 15 DAYS, NET 30. GRAYBAR ELECTRIC COMPANY'S
STANDARD TERMS AND CONDITIONS OF SALE APPLY. TERMS AND
CONDITIONS OF SALE ARE AVAILABLE UPON REQUEST. ABOVE QUOTE
IS FIRM FOR 30 DAYS. FOB: SHIPPING POINT-_____

LF-FAND-29

23a-b

IMAGE
Group
Architecture
& Interiors

January 2, 2018



Richard
Moorhead
AIA, NCARB

City of Fargo
Police Department
222 4th Street North
Fargo, North Dakota 58102
Attention: Deputy Chief Anderson

RE: City of Fargo
BSE Police Department Remodeling
Fargo, North Dakota Image 1703

Marcia
Pulczynski
AIA, NCARB,
LEED AP

Dear Deputy Chief Anderson;

Enclosed please find three (3) copies each of AIA Document G701 Change Order G-4 in the amount of \$2,421.00 and Change Order E-4 in the amount of \$10,826.50 for the above referenced project.

If the documents meet with your approval please obtain appropriate signatures and return Architect's and Contractor's copies to this office.

225 Fourth
Avenue North
Suite 3
Fargo
North Dakota
58102

Sincerely,

IMAGE GROUP, INC.

Richard A. Moorhead, NCARB, AIA

403 Center
Avenue
Suite 300
Moorhead
Minnesota
56560

IG: jrg

Enc.

Telephone
218.233.2062

Facsimile
218.233.2575

IMAGE
Group
Architecture
& Interiors

January 25, 2018



City of Fargo
Police Department
222 4th Street North
Fargo, North Dakota 58102
Attention: Deputy Chief Anderson

Richard
Moorhead
AIA, NCARB

RE: City of Fargo
BSE Police Department Remodeling
Fargo, North Dakota Image 1703

Marcia
Pulczynski
AIA, NCARB,
LEED AP

Deputy Chief Anderson,

Enclosed please find CB & Son's Electric's Application for Payment No. 6 in the amount of \$24,539.65 for the BSE Police Department project:

This application is approved for payment directly to CB & Son's Electric.

225 Fourth
Avenue North
Suite 3
Fargo
North Dakota
58102

In addition, please find three (3) sets of replacement copies of Change Order G-4 in the amount of \$2,421.00 and Change Order E-4 in the amount of \$10,826.50 for the above referenced project.

If the documents meet with your approval please obtain appropriate signatures and return Architect's and Contractor's copies to this office.

403 Center
Avenue
Suite 300
Moorhead
Minnesota
56560

Sincerely,

IMAGE GROUP, INC.


Richard A. Moorhead, NCARB, AIA

Telephone
218.233.2062

IG: rm

Enc.

Facsimile
218.233.2575

AIA Document G701™ - 2001

Change Order

| | | |
|---|--|---|
| PROJECT: <i>(Name and address)</i> City of Fargo BSE Police Department Remodeling Fargo, ND | CHANGE ORDER NUMBER: G-4 DATE: December 18, 2017 | OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> FIELD <input type="checkbox"/> OTHER <input type="checkbox"/> |
| TO CONTRACTOR: <i>(Name and address)</i> Meinecke-Johnson Company PO Box 2643 Fargo, ND 58108 | ARCHITECT'S PROJECT NUMBER: 1703 CONTRACT DATE: May 19, 2017 CONTRACT FOR: General Construction | |

The Contract is changed as follows:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives.)

- | | | |
|---|-----|------------|
| 1. Provide robe hooks and additional corner guards (ASI-G5. | ADD | \$1,713.00 |
| 2. Provide sealed resilient base at south wall of garage. | ADD | \$708.00 |

| | | |
|--|----|-------------------|
| The original (Contract Sum) (Guaranteed Maximum Price) was | \$ | <u>522,700.00</u> |
| The net change by previously authorized Change Orders | \$ | <u>21,779.00</u> |
| The (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was | \$ | <u>544,479.00</u> |
| The (Contract Sum) (Guaranteed Maximum Price) will be (increased) (decreased) (unchanged) by this Change Order in the amount of | \$ | <u>2,421.00</u> |
| The new (Contract Sum) (Guaranteed Maximum Price) including this Change Order, will be | \$ | <u>546,900.00</u> |
| The Contract Time will be (increased) (decreased) (unchanged) by zero | | (0) days. |

The date of Substantial Completion as of the date of this Change Order, therefore, is **unchanged**


NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Inage Group, Inc.
ARCHITECT *(Firm name)*
403 Center Avenue, #300
Moorhead, MN 56560
ADDRESS

Meinecke-Johnson Company
CONTRACTOR *(Firm name)*
PO Box 2643
Fargo, ND 58108
ADDRESS

City of Fargo
OWNER *(Firm name)*
200 North 3rd Street
Fargo, ND 58102
ADDRESS


BY *(Signature)*


BY *(Signature)*

BY *(Signature)*

RICHARD MOURADIAN
(Typed name)

Roger D. Olson
(Typed name)

(Typed name)

JAN 2, 2018
DATE

December 29, 2017
DATE

DATE

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

MEINECKE - JOHNSON COMPANY

BOX 2643
FARGO, ND 58108

701-293-1040

FAX 701-293-8072

www.meineckejohnsoncompany.com

RANDALL E. JOHNSON, CHAIRMAN
ERIC M. JOHNSON, PRESIDENT
ROGER D. OLSON, SENIOR VICE PRESIDENT
WESLEY D. LEIER, VICE PRESIDENT
BRADY J. HASBARGEN, SECRETARY
KATIE M. HASBARGEN, TREASURER

OFFICE LOCATED AT
5 NORTH FOURTEENTH ST.
FARGO, NORTH DAKOTA 58102

December 11, 2017

Image Group Architecture & Interiors
403 Center Avenue, Suite #300
Moorhead, MN 56560

Attention: Mr. Richard Moorhead

Re: BSE Police Department Remodeling
Fargo, North Dakota

Dear Richard:

Please find enclosed the following proposals for the above referenced project:

ASI-G-5:
Furnish and install robe hooks and additional corner guards..... \$1,713.00

If this proposal meets with your approval, please issue a change order at your convenience. If you have any questions, don't hesitate to contact our office.

Sincerely,

MEINECKE-JOHNSON COMPANY

Brady Hasbargen
Project Manager

BH:cj

Enclosures

Emailed this date only ~ December 11, 2017

GENERAL CONTRACTOR



CONSTRUCTION MANAGEMENT

CONCRETE CONTRACTOR

MEINECKE-JOHNSON COMPANY

Project PSF PD
 Owner _____
 Location _____
 Architect _____

Sheet No. AI 6-5
 Estimator _____
 Square Feet _____
 Date 2/11/14

| Code | DETAIL | Quantity | Unit Price | Material Cost | Unit Price | Labor Cost | Unit Price | Sub-contract |
|------|------------------------------|----------|------------|---------------|------------|------------|------------|--------------|
| | Mixed Accessories | | | | | | | |
| | General Conditions | | | 50 | | 60 | | |
| | Corner Guards | 5 | | 390 | 15 | 75 | | |
| | Robe Hook | 18 | | 170 | 15 | 270 | | |
| | Clean up | | | | | 175 | | |
| | | | | 610 | | 580 | | |
| | | | 12 | 46 | | 232 | | |
| | | | | 656 | | 812 | | |
| | | | | 812 | | | | |
| | | | | 1468 | | | | |
| O | | | | 132 | | | | |
| P | | | | 96 | | | | |
| B | | | | 17 | | | | |
| | | | | 1713 | | | | |



403 Center Avenue / Suite 300 / Moorhead, Minnesota 56560

Architect's Supplemental Instructions

ASI-G5

PROJECT/OWNER: BSE Police Department Remodeling
Fargo, North Dakota

ARCHITECT'S PROJECT NUMBER: 1703

TO: Meinecke-Johnson Company
3001 First Avenue North
P.O. Box 302
Fargo, ND 58107

CONTRACT FOR: General Construction

DATE: December 6, 2017

The work shall be carried out in accordance with the following supplemental instructions issued in accordance with the Contract Documents. Proceeding with the Work in accordance with these instructions indicates your acknowledgment that there will be no change in the Contract Sum or Contract Time.

DESCRIPTION:

Robe Hooks

1. Provide all labor and materials to provide complete installation of robe hooks equal to Bradley Model 912, one each mounted to door inside at all Mens and Women's Locker rooms AND shower end walls opposite the controls.

Corner guards

1. Provide all labor and materials to provide five (5) additional corner gaurds at locations as indicated.

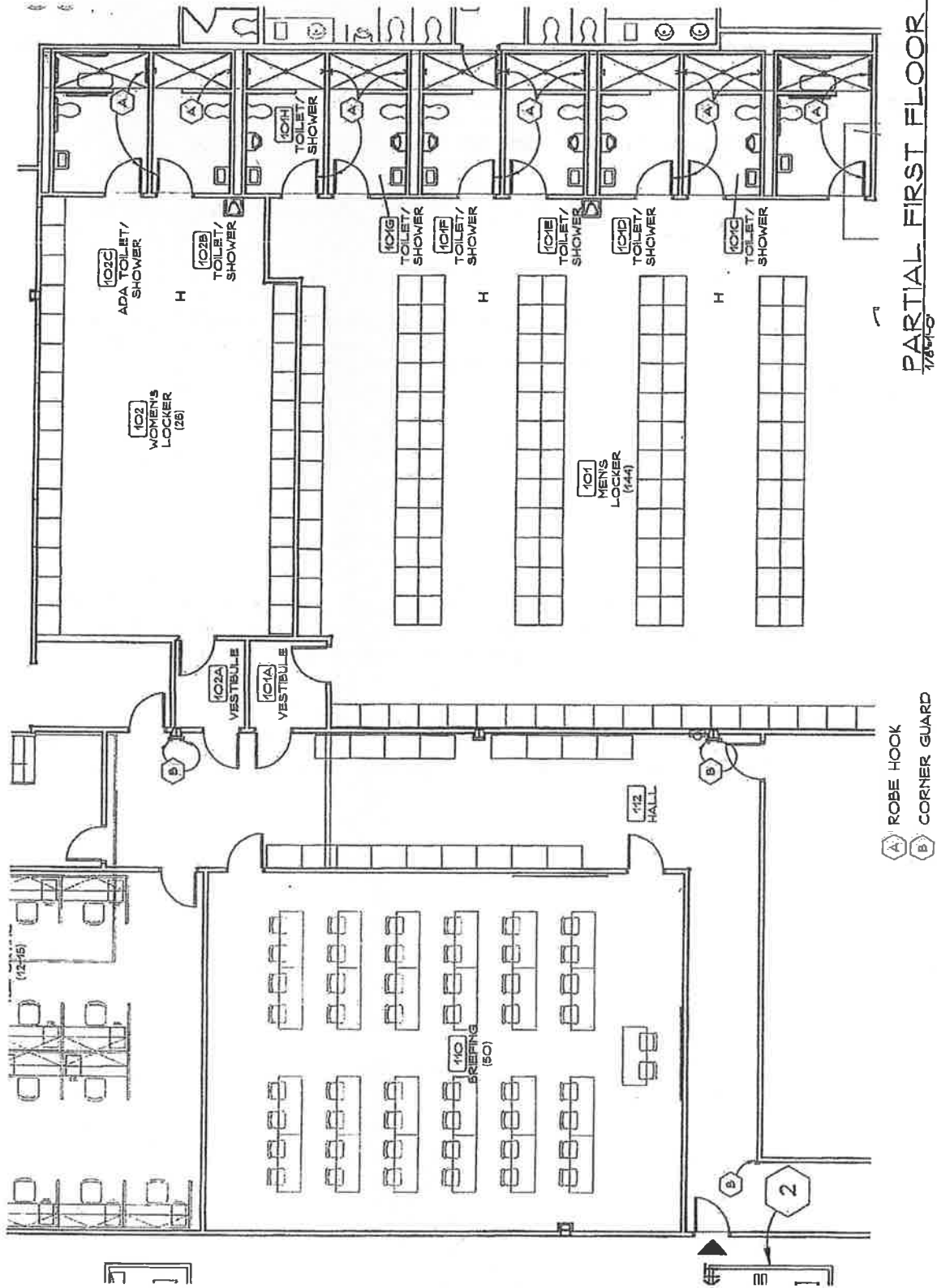
ATTACHMENTS:

PARTIAL FIRST FLOOR PLAN

ISSUED BY:

A handwritten signature in black ink, appearing to read "Dan Maurer".

IMAGE Group Architecture & Interiors



PARTIAL FIRST FLOOR PLAN
1/8" = 1'-0"



Tri-State Specialties

MAILING ADDRESS: P.O. Box 1184
 Moorhead, MN 56561-1184
 PHYSICAL ADDRESS: 3345 Fourth Street East, #2
 West Fargo, ND 58078

T701-540-6758
 C701-306-1241
 F701-552-7205
 E-Mail: joey_tss@yahoo.com

DATE: 5/17/17
 TO: All Contractors

ESTIMATE #3748
 EXPIRATION DATE: 12/31/17
 (See Terms Below for Conditions of Expiration Date)

**BSE POLICE DEPARTMENT REMODELING
 FARGO, ND**
 We Acknowledge Addendums: 1

Section #101114 – Marker Boards
 Base Bid: Includes (1) 8' x 4' Marker Board \$490.00
 Alt. Bid G-1: Delete Above Marker Board (\$490.00)

Section #102600 – Wall Protection
 Base Bid: Corner Guards Per Plans & Specs – Architect Verbally
 Approved Construction Specialties as Manufacturer (Must
 be Equal to InPro's Model 160 Series \$439.00
 Alt. Bid G-1: Delete (1) Corner Guard (\$25.00)

ASI-G5: Net Cost Add for (5) Corner Guards 2" x 2" x 9'-0" High \$390.00

Section #102813 – Toilet Accessories
 Includes (2) 18" Grab Bars, (2) 36" Grab Bars, (2) 42" Grab Bars, (4) 24"
 Grab Bars, (4) 48" Grab Bars, (9) #59462 Towel Dispensers, (9) #52053
 Soap Dispensers, (9) #56784 Toilet Paper Dispensers, (2) Sanitary
 Napkin Disposals, (2) Rubbermaid Baby Changing Stations
 Above Georgia Pacific Items are being Quoted in the Color "Smoke" \$1,539.00
 Net Cost Add for Adding (2) Shower Seats & Deleting (2) 48" Grab Bars \$495.00

Qualifying Notes:

- 1) Shower Seat (Bradley Model #9558) Listed in ASI-G1 has been Discontinued. Quoting Bradley Model #9591 White Phenolic Shower Seats

ASI-G5: Net Cost Add for (18) #912 Double Robe Hook \$170.00

Section #104400 – Fire Protection Specialties
 Base Bid: Includes (3) Red Fire Extinguisher Cabinets with Extinguisher \$438.00
 Alt. Bid G-1: Delete (1) Fire Extinguisher Cabinet with Extinguisher (\$110.00)
 Continued...

Terms: This proposal is subject to the following terms and conditions: (1) Net 30 Days, No Retainage (2) We are a material supply only. Labor and field verification of dimensions & quantities is to be by general contractor. (3) Quote does NOT include sales tax. (4) Quote includes freight (1 shipment to 1 designation) unless otherwise stated. (5) Signature at time of delivery signifies that you received the material in fair and good condition. Any concealed or visible damage must be noted on the Bill of Lading at time of delivery, or the freight carrier will reject your claim. (6) The manufacturer's standard warranty will be apply in all cases. (7) Materials will be delivered as promptly as possible or per your requested delivery date, subject to delays occasioned by fire, accident, labor strikes or any other cause beyond our control. (8) No liquidated damages or backcharges are allowed. (9) Any change which necessitates alterations or extra material not included in our proposal shall be charged for accordingly. (10) In the event you accept this proposal, yet use your own contract form, it is understood that all terms and conditions of this proposal are to be incorporated and made a part thereof. (11) Acceptance of this quote must be made within 30 days to have it price protected through the above stated expiration date. The material must also ship on or before the expiration date. (12) Accounts past due shall bear interest at the rate of 1.5% per month,



Accessories

Brass Accessories

- Chrome-Plated
- Surface-Mounted

Product Materials

UNITS: forged or cast brass, nickel-plated with highly polished chrome finish.

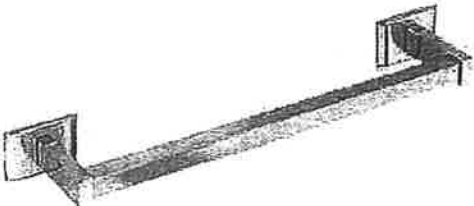
ESCUTCHEONS: 2½"W x 1¾"H, where applicable, unless otherwise indicated.

Installation

Verify all rough-in dimensions prior to installation. Secure tenon plate to wall with mounting screws (included) at holes provided. Snap escutcheon over tenon plate.

Guide Specification


Surface-mounted accessory shall be fabricated of chrome-plated brass.



907
 Towel Bar
 18" W
 24" W
 36" W



914 Bradex®
 Double Hook, projects 1½" and 3½"
 Diameter Is 2½"
 914-US
 Domestic



915 Bradex®
 Hook and Bumper, projects 3"
 915-US
 Domestic



911 Bradex®
 Single Robe Hook,
 projects 3¾"



912 Bradex®
 Double Robe Hook, projects 2"



901
 Soap Dish (shown)
 901-60
 Soap Dish with Drain Holes

Orders composed of products indicated as **Bradex®** will be available to ship in three days after receipt of order at the factory. There is no pricing penalty for this service from Bradley.

Page 1 of 1
 This information is subject to change without notice.
 Bradley_ChromePlatedBrassAccessories

4/6/2017

© 2017 Bradley
 P.O. Box 308, Menomonee Falls, WI 53052-0309
 800 BRADLEY (800 272 3539) +1 262 251 6000
 bradleycorp.com

MEINECKE - JOHNSON COMPANY

BOX 2643
FARGO, ND 58108

701-293-1040

FAX 701-293-8072

www.meineckejohnsoncompany.com

RANDALL E. JOHNSON, CHAIRMAN
ERIC M. JOHNSON, PRESIDENT
ROGER D. OLSON, SENIOR VICE PRESIDENT
WESLEY D. LEIER, VICE PRESIDENT
BRADY J. HASBARGEN, SECRETARY
KATIE M. HASBARGEN, TREASURER

OFFICE LOCATED AT
5 NORTH FOURTEENTH ST.
FARGO, NORTH DAKOTA 58102

December 5, 2017

Image Group Architects
403 Center Avenue, Suite #300
Moorhead, MN 56560

Attention: Mr. Richard Moorhead

Re: BSE Police Department Remodeling

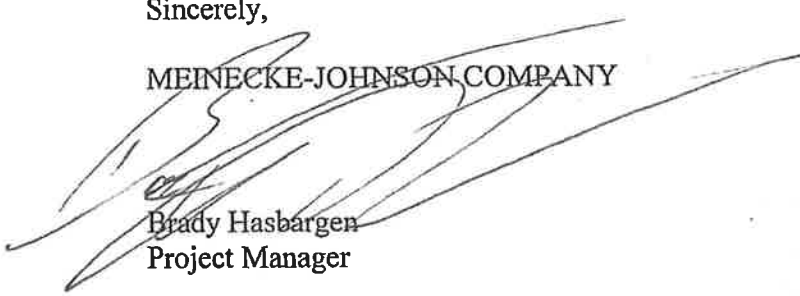
Dear Richard:

Please find attached our proposal to add resilient base and seal it to the floor on the south demising wall of the garage for seven hundred eight dollars & no/100 (\$708.00) as per the attached breakdown.

If this price meets with your approval, please issue a change order at your earliest convenience. If you have any questions, don't hesitate to notify our office.

Sincerely,

MEINECKE-JOHNSON COMPANY


Brady Hasbargen
Project Manager

BH:cj

Enclosure

GENERAL CONTRACTOR

CONSTRUCTION MANAGEMENT



CONCRETE CONTRACTOR

AIA® Document G701™ – 2001

Change Order

| | | |
|---|--|---|
| PROJECT: <i>(Name and address)</i> City of Fargo BSE Police Department Remodeling Fargo, ND | CHANGE ORDER NUMBER: E-4 DATE: December 21, 2017 | OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> FIELD <input type="checkbox"/> OTHER <input type="checkbox"/> |
| TO CONTRACTOR: <i>(Name and address)</i> CB & Sons Electric, Inc. 1020 Center Ave. Moorhead, MN 56560 | ARCHITECT'S PROJECT NUMBER: E1703 CONTRACT DATE: May 19, 2017 CONTRACT FOR: Electrical Construction | |

The Contract is changed as follows:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives.)

| | | |
|---------------------------------------|-----|------------|
| 1. Overhead Door Controls (ASI-E9) | ADD | \$2,726.82 |
| 2. 400A/3P Fused Disconnect (ASI-E10) | ADD | \$3,212.32 |
| 3. GFI Circuit Breakers (ASI-E10) | ADD | \$2,526.62 |
| 4. Snow Melt Tape | ADD | \$2,360.74 |

TOTAL ADD \$10,826.50

The original (Contract Sum) ~~(Guaranteed Maximum Price)~~ was \$ 215,900.00

The net change by previously authorized Change Orders \$ 29,496.41

The (Contract Sum) ~~(Guaranteed Maximum Price)~~ prior to this Change Order was \$ 245,396.41

The (Contract Sum) ~~(Guaranteed Maximum Price)~~ will be (increased) ~~(decreased)~~ (unchanged) by this Change Order in the amount of \$ 10,826.50

The new (Contract Sum) ~~(Guaranteed Maximum Price)~~, including this Change Order, will be \$ 256,222.91

The Contract Time will be ~~(increased)~~ ~~(decreased)~~ (unchanged) by zero (0) days.

The date of Substantial Completion as of the date of this Change Order, therefore, is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Image Group, Inc.
 ARCHITECT *(Firm name)*
 403 Center Avenue, #300
 Moorhead, MN 56560
 ADDRESS

CB & Sons Electric, Inc.
 CONTRACTOR *(Firm name)*
 1020 Center Avenue
 Moorhead, MN 56560
 ADDRESS

City of Fargo
 OWNER *(Firm name)*
 200 North 3rd Street
 Fargo, ND 58102
 ADDRESS

Richard Morrison
 BY *(Signature)*

Steve Basak
 BY *(Signature)*

 BY *(Signature)*

RICHARD MORRISON
 (Typed name)

Steve Basak
 (Typed name)

 (Typed name)

12/22/2018
 DATE

12-28-17
 DATE

 DATE

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

CB & SONS ELECTRIC INC.

1020 Center Ave
Moorhead, MN 56560
Phone (218) 233-4775
Fax (218) 233-1938

Steven Bosak, President
Greg Bosak, Vice President
Doug Bosak, Vice President

October 4, 2017

Image Group 403 Center Ave
Moorhead, MN

Attn: Mr. Richard Moorhead

Re: BSE/Police Department
ASI-E9

Overhead door controls

Cost breakdown:

| | |
|----------------------------|---------------|
| Twin City Garage Door | \$ 1,667.00 |
| Conduit, Boxes & wire | 75.00 |
| Labor 9 hours @ 50.00 each | <u>450.00</u> |
| | \$ 2,192.00 |
| 10 % Overhead | 219.20 |
| 6 % Profit | 144.67 |
| Tax | 130.65 |
| Bond @ 1.5 % | <u>40.30</u> |
| Total cost for this work | \$ 2,726.82 |

Sincerely,

CB & SONS ELECTRIC, INC.


Steven Bosak, President

| | | | |
|--|----------------------|--|--------------------------|
| PROPOSAL SUBMITTED TO CB Electric Attn: Steve | | PHONE (218) 233-4775 | DATE 10/3/2017 |
| STREET | | JOB NAME Fargo P.D. (Old Border States Building) | |
| CITY, STATE, ZIP | | JOB LOCATION Fargo, ND | |
| ARCHITECT | DATE OF PLANS | Email cbsonselec@yahoo.com | JOB PHONE |

We hereby submit specifications and estimates for:

- 4 - Sets of Autonics Photo Eyes. (2 Sets per Door)
- 2 - Timers to Close (1 Timer on the Entrance Door & 1 Timer on the Exit Door)
- 1 - Airswitch (Airswitch, Treadle hose & Anchor on the Exit Door)
- 50ft of Treadle Hose
- 1 - Treadle Hose Anchor

Material Only

Electrical Wiring by Others

Twin City Garage Door will make final connections after wires are run by CB Electric

We Propose hereby to furnish materials and labor - complete in accordance with above specifications, for the sum of:

One Thousand Six Hundred Sixty Seven and No/100----- dollars \$1,667.00

PAYMENT TO BE MADE AS FOLLOWS:

Upon Completion.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation insurance.

Authorized Signature _____ Chad Hegg

Note: This proposal may be
 withdrawn by us if not accepted within _____ 30 days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Date of Acceptance: _____ Signature: _____



403 Center Avenue / Suite 300 / Moorhead, Minnesota 56560

Architect's Supplemental Instructions

ASI-E9

PROJECT/OWNER: BSE Police Department Remodeling ARCHITECT'S PROJECT NUMBER: 1703
Fargo, North Dakota

TO: CB & Sons Electric, Inc.
1020 Center Avenue
Moorhead, MN 56560

CONTRACT FOR: Electrical Construction

DATE: September 27, 2017

The work shall be carried out in accordance with the following supplemental instructions issued in accordance with the Contract Documents. Proceeding with the Work in accordance with these instructions indicates your acknowledgment that there will be no change in the Contract Sum or Contract Time.

DESCRIPTION:

OVERHEAD DOOR CONTROLS

1. Furnish and install the following Overhead Door Controls, for Entrance and Exit Garage Doors, in addition to scheduled entrance door card reader:
 - a. Four (4) sets of Autonics Photo Eyes. (2 sets for each door at 6" and 18" above grade).
 - b. Two (2) timers to close doors. (1 timer at entrance door and 1 timer at exit door)
 - c. One (1) Airswitch at exit door. (including Airswitch, 50ft length of treadle hose and Treadle Hose Anchor)

2. Photo Eyes, Timers and Airswitch equal to products furnished by Twin City Garage Door, Contact: Chad Hegg, 701-281-4759, cheegg@tcgdwf.com.

ISSUED BY:

A handwritten signature in black ink that reads "Ron Meenan".

IMAGE Group Architecture & Interiors

CB & SONS ELECTRIC INC.

1020 Center Ave
Moorhead, MN 56560
Phone (218) 233-4775
Fax (218) 233-1938

Steven Bosak, President
Greg Bosak, Vice President
Doug Bosak, Vice President

October 31, 2017

Image Group
403 Center Ave.
Moorhead, MN

Attn: Mr. Richard Moorhead

Re: BSE/ Police department remodeling
ASI-E10

Line #1 Install a 400 amp fused disconnect. Cost breakdown

| | |
|--|---------------|
| Fused disconnect | \$ 1,150.00 |
| 3- 225 amp fuses @ \$ 50.30 each | 150.90 |
| 1-24" X 24" junction box | 85.00 |
| 20' - 2 1/2" EMT @ 302.00 per C | 60.40 |
| 3 - 2 1/2" EMT connectors @ \$ 6.10 each | 18.30 |
| 2 - 2 1/2" EMT couplings @ \$ 4.90 each | 9.80 |
| 3 straps @ 6.00 each | 18.00 |
| Plywood | 20.00 |
| 4 Insulated lugs @ 22.30 each | 89.20 |
| 120' of 250 KcMil aluminum @ 0.85 per foot | <u>102.00</u> |
| Total material cost | \$ 1,703.60 |
| Labor 18 hours @ \$50.00 each | <u>900.00</u> |
| | 2,603.60 |
| 10 % Overhead | 260.36 |
| 6 % Profit | 171.84 |
| Tax | 127.77 |
| Bond @ 1.5 % | <u>48.75</u> |
| Total cost to install disconnect | \$ 3,212.32 |

CB & SONS **ELECTRIC INC.**

1020 Center Ave
Moorhead, MN 56560
Phone (218) 233-4775
Fax (218) 233-1938

Steven Bosak, President
Greg Bosak, Vice President
Doug Bosak, Vice President

November 6, 2017

Image Group
403 Center ave
Moorhead, MN

Attn: Mr. Richard Moorhead

Re: BSE/Police
GFI breakers for lockers

Our first proposal was based on commercial grade equipment that would fit directly into the new panels that were installed as part of this project. But since that equipment is currently out of stock at the factory this proposal is for using residential equipment that is available.

We would use Cutler series CH equipment.

Cost breakdown:

| | |
|--------------------------------------|---------------|
| Border States Electric | \$ 1,552.19 |
| Misc material | 30.00 |
| Labor 9 hours @ 50.00 each | <u>450.00</u> |
| | \$ 2,032.19 |
| 10 % Overhead | 203.22 |
| 6 % Profit | 134.12 |
| Tax | 118.66 |
| Bond @ 1.5 % | <u>38.43</u> |
| Total cost using CH series equipment | \$ 2,526.62 |

Sincerely,

CB & SONS ELECTRIC, INC.


Steven Bosak, President



BORDER STATES
Supply Chain Solutions™

Border States Electric Supply
Sheehy Electrical Wholesalers | Kruz-Davis
K-D Chapman Metering

Border States Electric - FGO
605 25th St S
Fargo ND 58103
Phone: 701-293-5833

Quote

BSE Quote: 24518944
Sold-To Acct #: 342
Valid From: 10/27/2017 To: 11/03/2017
PO No: GFCI BREAKERS

Created By: Ryan Blumstark
Tel No: 701-476-3158
Fax No: 701-232-7673

CB Elec-BSE Police Department Remod
Job-BSE Police Department Remodel
1020 Center Ave
Moorhead MN 56560-2019

Inco Terms:
FOB ORIGIN

Payment Terms:
1.0 % 10th prox net 25th (25)

Taxes, if applicable, are not included.

| Cust Item | BSE Item | Material MFG - Description | Quantity | Price Per | UoM | Value |
|-----------|----------|---|----------|------------|-----|----------|
| | 000030 | 1774308 CUTL - CH30L3225D LDCNTR 3PH 225A MLO N1 BSE FARGO STOCK | 1 EA | 158.76 / 1 | EA | 158.76 |
| | 000040 | 1774798 CUTL - CH8DF LDCNTR CVR FL SURF-MNT SZD BSE FARGO STOCK | 1 EA | 21.15 / 1 | EA | 21.15 |
| | 000050 | 3248729 CUTL - CHFGFT120 3/4IN GRND FLT W FLAG 1P20A10K BSE FARGO STOCK | 6 EA | 39.66 / 1 | EA | 237.96 |
| | 000060 | 3304725 CUTL - CH220GFT CKT-BKR 2P 240V 20A FLGON GFCI 2 IN FARGO BSE STOCK THE REMAINING BREAKERS IN BSE LOCATIONS CLOSE TO FARGO | 10 EA | 102.21 / 1 | EA | 1,022.10 |
| | 000070 | 1774268 CUTL - GBK2120 LDCNTR GND BAR KIT 21TERM BSE FARGO STOCK | 1 EA | 13.93 / 1 | EA | 13.93 |
| | 000100 | 1942383 CUTL - BAB3100H CKT-BKR 3P 240V 100A BLTON BSE FARGO STOCK | 1 EA | 98.29 / 1 | EA | 98.29 |

Total Value

1,552.19

To access BSE's Terms and Conditions of Sale, please go to <https://www.borderstateselectric.com>

Shipping and handling fees in this quote are an estimate only and will be finalized at the time of invoice.

This quote has not been reviewed for compliance with the Buy American Act or the American Recovery and Reinvestment Act requirements. BSE reserves the right to amend both our bill of material and our proposal accordingly if BAA/ARRA compliance is required.



403 Center Avenue / Suite 300 / Moorhead, Minnesota 56560

Architect's Supplemental Instructions

ASI-E10

PROJECT/OWNER: BSE Police Department Remodeling ARCHITECT'S PROJECT NUMBER: 1703
Fargo, North Dakota

TO: CB & Sons Electric, Inc.
1020 Center Avenue
Moorhead, MN 56560

CONTRACT FOR: Electrical Construction
DATE: October 17, 2017

The work shall be carried out in accordance with the following supplemental instructions issued in accordance with the Contract Documents. Proceeding with the Work in accordance with these instructions indicates your acknowledgment that there will be no change in the Contract Sum or Contract Time.

DESCRIPTION:

GFCI CIRCUIT BREAKERS SERVING LOCKERS

1. Provide a 400A/3P fused disconnect with 225A fuses at the secondary of the wall mounted transformer.
2. Provide GFCI circuit breakers for the circuits serving the lockers in the locker rooms (replace existing non-GFCI breakers). Provide 20A/1P breakers for single circuits. Provide 20A/2P breakers for the 2-circuit multiwire branch circuits at the lockers. All breakers shall have GFCI trip units.

ISSUED BY:

A handwritten signature in black ink, appearing to read "Russ Mearns".

IMAGE Group Architecture & Interiors

CB & SONS ELECTRIC INC.

1020 Center Ave
Moorhead, MN 56560
Phone (218) 233-4775
Fax (218) 233-1938

Steven Bosak, President
Greg Bosak, Vice President
Doug Bosak, Vice President

October 31, 2017

Image Group
403 Center Ave
Moorhead, MN

Attn: Mr. Richard Moorhead

Re: BSE/Police department remodeling
Installing snow melt cable at overhead door

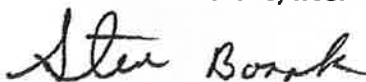
Our price does not include any concrete removal or replacement, but once the concrete has been removed we will install 3 snow melt cable each cable will be 200' in length which is equivalent to what was there and we will connect to the existing circuit.

Cost breakdown:

| | |
|--|---------------|
| 3 snow melting cables @ 295.88 each | \$ 887.64 |
| Labor to install new cable 14 hours @ 50.00 each | 700.00 |
| Labor we already have into this problem 7 hours @ 50.00 each | <u>350.00</u> |
| | \$1,937.64 |
| 10 % Overhead | 193.76 |
| 6 % Profit | 127.88 |
| Tax | 66.57 |
| Bond @ 1.5 % | <u>34.89</u> |
| Total cost to replace snow melt cables | \$ 2,360.74 |

Sincerely,

CB & SONS ELECTRIC, INC.



Steven Bosak, President

605 25th St S
 Fargo ND 58103
 Phone: 701-293-5833

Created by: ~~BYRON BAUGSTAD~~
 Tel No: 701-476-3158
 Fax No: 701-232-7673

CB Elec-BSE Police Department Remod
 Job-BSE Police Department Remodel
 1020 Center Ave
 Moorhead MN 56560-2019

Inco Terms:
 FOB ORIGIN

Payment Terms:
 1.0 % 10th prox net 25th (25)

Job Name:
 NOTE VERIFY ALL BEFORE ORDERING
 NOTE CENTER TO FIT, SQ Ft quoted
 NOTE DO NOT CROSS ANY EXPANSION JOINTS
 NO CONTROLS REQUESTED

| Cust Item | BSE Item | Material MFG - Description | Quantity | Price | Per | UoM | Value |
|-----------|----------|---|----------|--------|-----|-----|--------|
| | 000010 | - 088L3644 48 SF AREA GX Cable- 480V, 200 ft | 1 EA | 295.88 | / 1 | EA | 295.88 |
| | 000020 | - 088L3644 56 SF AREA GX Cable- 480V, 200 ft | 1 EA | 295.88 | / 1 | EA | 295.88 |
| | 000030 | - 088L3644 64 SF AREA GX Cable- 480V, 200 ft | 1 EA | 295.88 | / 1 | EA | 295.88 |

30' cable Leads

| | | | |
|----------------------|---------|-------|---------------|
| Total \$ | | | 887.64 |
| State Tax \$ | 6.875 % | 61.02 | |
| County Tax \$ | 0.500 % | 4.44 | |
| Local Tax \$ | 0.000 % | 0.00 | |
| Other Tax1 \$ | 0.000 % | 0.00 | |
| Other Tax2 \$ | 0.000 % | 0.00 | |
| Other Tax3 \$ | 0.000 % | 0.00 | |
| Tax Subtotal \$ | | | 65.46 |
| Net Amount \$ | | | 953.10 |

To access BSE's Terms and Conditions of Sale, please go to
<https://www.borderstateelectric.com>

The quoted sales tax is an estimate only based upon the information provided in this quote and will be finalized at the time of invoice based upon the material purchased, quantity purchased, and delivery location.

Shipping and handling fees in this quote are an estimate only and will be finalized at the time of invoice.

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF 1 PAGES

TO OWNER: City of Fargo
 200 N 3rd St
 Fargo ND 58102

PROJECT: City of Fargo
 BSE Police Department Remodeling
 Fargo ND 58102

APPLICATION NO.: 6
 PERIOD TO: 01/19/2018
 PROJECT NOS.:
 DISTRIBUTION TO:
 OWNER
 ARCHITECT
 CONTRACTOR

FROM CONTRACTOR: CB & Sons Electric, Inc.
 1020 Center Ave
 Moorhead MN 56560

VIA ARCHITECT: Image Group, Inc.
 403 Center Ave Suite 300
 Moorhead MN 56560

CONTRACTOR: *Steve Borch*
 By: _____ Date: 01/23/2018

CONTRACT DATE: 05/19/2017

CONTRACT FOR: Electrical Package

CONTRACTOR'S APPLICATION FOR PAYMENT
 Application is made for payment, as shown below, in connection with the Contract.
 Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 215,900.00

2. Net change by Change Orders \$ 29,496.41

3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 245,396.41

4. TOTAL COMPLETED & STORED TO DATE \$ 245,396.41
 (Column G on G703)

5. RETAINAGE:

a. 0 % of Completed Work \$.00
 (Columns D + E on G703)

b. _____ % of Stored Material \$ _____
 (Column F on G703)

Total Retainage (Line 5a + 5b or Total in Column I of G703) \$ _____

6. TOTAL EARNED LESS RETAINAGE \$ 245,396.41
 (Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 220,856.76
 (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE \$ 24,539.65

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$.00
 (Line 3 less Line 6)

| CHANGE ORDER SUMMARY | ADDITIONS | DEDUCTIONS |
|--|-----------|--------------|
| Total changes approved in previous months by Owner | 29,496.41 | .00 |
| Total approved this Month | .00 | .00 |
| TOTALS | 29,496.41 | .00 |
| NET CHANGES by Change Order | | \$ 29,496.41 |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:
 By: *Sheila Marie Leier*
 State of: Minnesota
 County of: Clay
 Subscribed and sworn to before me this 23rd day of January, 2018
Sheila Marie Leier
 Notary Public:
 My Commission expires:



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 24,539.65
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:
 By: *Kevin Moorhead*
 Date: *JAN 25, 2018*

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703

Page 1 of 1 Pages

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing

APPLICATION NO: 6

Contractor's signed certification is attached.

APPLICATION DATE: 01/23/2018

In tabulations below, amounts are stated to the nearest dollar.

PERIOD TO: 01/19/2018

Use Column I on Contracts where variable retainage for line items may apply.

ARCHITECT'S PROJECT NO:

| A ITEM NO. | B DESCRIPTION OF WORK | C SCHEDULED VALUE | D WORK COMPLETED | | F MATERIALS PRESENTLY STORED (NOT IN D OR E) | G TOTAL COMPLETED AND STORED TO DATE (D+B+F) | H BALANCE TO FINISH (C-G) | I RETAINAGE (IF VARIABLE RATE) |
|------------------|---------------------------------|-------------------------|---------------------------------------|-------------|---|---|------------------------------------|---|
| | | | FROM PREVIOUS APPLICATION (D+E) | THIS PERIOD | | | | |
| | General Requirements | 3,500.00 | 3,500.00 | .00 | | 3,500.00 | .00 | .00 |
| | Demo | 2,500.00 | 2,500.00 | .00 | | 2,500.00 | .00 | .00 |
| | Conduit | 41,550.00 | 41,550.00 | .00 | | 41,550.00 | .00 | .00 |
| | Boxes | 1,000.00 | 1,000.00 | .00 | | 1,000.00 | .00 | .00 |
| | Conductors | 15,000.00 | 15,000.00 | .00 | | 15,000.00 | .00 | .00 |
| | Wiring Devices | 2,000.00 | 2,000.00 | .00 | | 2,000.00 | .00 | .00 |
| | Power Poles | 350.00 | 350.00 | .00 | | 350.00 | .00 | .00 |
| | Electric Distribution Equipment | 25,000.00 | 25,000.00 | .00 | | 25,000.00 | .00 | .00 |
| | Light Fixtures | 22,000.00 | 22,000.00 | .00 | | 22,000.00 | .00 | .00 |
| | Lighting Controls | 5,000.00 | 5,000.00 | .00 | | 5,000.00 | .00 | .00 |
| | Communications Structured | | | | | | | |
| | Cabling System | 58,000.00 | 58,000.00 | .00 | | 58,000.00 | .00 | .00 |
| | Door Access | 16,000.00 | 16,000.00 | .00 | | 16,000.00 | .00 | .00 |
| | Fire Alarm System | 24,000.00 | 24,000.00 | .00 | | 24,000.00 | .00 | .00 |
| | Change Order #1 | 24,658.36 | 24,658.36 | .00 | | 24,658.36 | .00 | .00 |
| | Change Order #2 | 3,431.60 | 3,431.60 | .00 | | 3,431.60 | .00 | .00 |
| | Change Order #3 | 1,406.45 | 1,406.45 | .00 | | 1,406.45 | .00 | .00 |
| | GRAND TOTALS | 245,396.41 | 245,396.41 | | | 245,396.41 | .00 | .00 |

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

REPORT OF ACTIONUTILITY COMMITTEE

24

Project No. N/A

Type: Procurement of GC/MS Instrument
for Environmental Laboratory

Location: Water Treatment Plant

Date of Hearing: 2/1/2018

| <u>Routing</u> | <u>Date</u> |
|-----------------|-------------|
| City Commission | 2/12/18 |
| Project File | |

Troy Hall, Water Utility Director, presented the attached memo regarding procurement of a Gas Chromatography/Mass Spectrometry (GC/MS) instrument for the Environmental Laboratory in the Water Treatment Plant. Funding for this instrument is in the approved 2018 budget in the amount of \$100,000 (Fund 501 – Water Treatment Plant Operations). Four proposals from four different manufacturers were received as follows:

| <u>Vendor</u> | <u>Proposal Price</u> |
|--------------------------|-----------------------|
| Thermo Fisher Scientific | \$85,896.68 |
| Shimadzu | \$87,679.42 |
| Perkin Elmer | \$114,006.25 |
| Agilent Technologies | \$105,674.16 |

Water Utility staff is recommending approval of the lowest priced proposal with Thermo Fisher Scientific for \$85,896.68. This instrument will be used to test concentrations of taste & odor compounds in river water and through both treatment plants, once the Membrane Water Treatment Plant (MWTP) is in operation.

By knowing the exact concentrations of taste & odor compounds, Water Utility staff can work to improve water quality and be cost efficient in treatment. Humans are sensitive to some of these compounds in the low parts per trillion (ppt) range (very low concentrations). Since it was known to Water Utility staff that taste & odor breakthrough sometimes occurs in the existing water plant (even with ozone), the MWTP taste & odor scheme was design specifically for increased removal under cold water conditions with a goal of no customer complaint. Taste & odor in drinking water is not a health risk, but can be unappealing to customers.

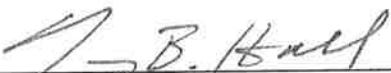
While not scalable to the Fargo system, the City of Minneapolis saved an estimated \$200,000 in the first year of using a GC/MS for this purpose through optimization of their taste & odor processes. It is assumed (but not confirmed) that they realize similar savings annually.

MOTION:

On a motion by Bruce Grubb, seconded by Mark Bittner, the Utility Committee voted to approve the procurement of a GC/MS from Thermo Fisher Scientific in the amount of \$85,896.68.

| COMMITTEE: | Present | Yes | No | Unanimous |
|--|---------|-----|----|-----------|
| | | | | X |
| | | | | Proxy |
| Anthony Gehrig, City Commissioner | X | | | |
| Mark Bittner, Director of Engineering | X | | | |
| Kent Costin, Director of Finance | | | | |
| Brian Ward, Water Plant Supt. | X | | | |
| Mark Miller, Wastewater Plant Supt. | X | | | |
| Bruce Grubb, City Administrator | X | | | |
| Scott Liudahl, City Forester | | | | |
| Terry Ludlum, Solid Waste Utility Director | X | | | |
| James Hausauer, Wastewater Util. Director | X | | | |
| Troy Hall, Water Utility Director | X | | | |
| Ben Dow, Public Works Operations Director | X | | | |
| Brenda Derrig, Assistant City Engineer | X | | | |

ATTEST:



 Troy B. Hall
 Water Utility Director

C: Tim Mahoney, Mayor
 Commissioner Strand
 Commissioner Piepkorn
 Commissioner Grindberg



Water Treatment Plant
435 14th Avenue South
Fargo, ND 58103
Office: 701.241.1469 | Fax: 701.241.8110
www.FargoND.gov

MEMORANDUM
January 29, 2018

To: Utility Committee

From: Troy B. Hall, Water Utility Director T B H

Re: Procurement of Gas Chromatographer/Mass Spectrometer (GC/MS) for the Environmental Lab

Attached, please find four proposals for a Gas Chromatographer/Mass Spectrometer (GC/MS) for the Environmental Lab. This was a line item in the approved 2018 budget under Fund 501. The Environmental Laboratory personnel researched and received proposals from four different vendors. Water Utility staff is recommending approval of the lowest priced option as seen below.

| <u>Vendor</u> | <u>Proposal Price</u> |
|--------------------------|-----------------------|
| Thermo Fisher Scientific | \$85,896.68 |
| Shimadzu | \$87,679.42 |
| Perkin Elmer | \$114,006.25 |
| Agilent Technologies | \$105,674.16 |

This instrument will be used to optimize the removal of taste & odor compounds from raw water in both the existing Water Treatment Plant (WTP) and Membrane WTP. It will also be used for pilot study purposes. A case study in using a GC/MS for this purpose is the City of Minneapolis, MN. Minneapolis realized a treatment cost savings of approximately \$200,000 in the first year of using the GC/MS by optimizing their taste & odor treatment. It is assumed by Water Utility personnel that this cost savings is repeated annually. While the Fargo WTP processes will be different compared to Minneapolis, Water Utility staff intends to use the GC/MS to improve finished water quality and save treatment costs.

Plan of Financing

Funding for the GC/MS is a line item in the approved 2018 budget for \$100,000. The proposal from Thermo Fisher Scientific is \$85,986.68 and is the lowest cost of the four proposals that meets the requirements for the duty served.

SUGGESTED MOTION:

Approve the procurement of a Gas Chromatographer/Mass Spectrometer (GC/MS) from Thermo Fisher Scientific in the amount of \$85,896.68.

Your consideration in this matter is greatly appreciated.



*01122018B rev 01122018 ISQ - NA.BrTh - City of
Fargo Water Treatment Plant - Amundson*

CPQ-00105527

January 24, 2018

City of Fargo Water Treatment Plant

Matthew Amundson

435 14TH AVE S
Fargo North Dakota 58103
United States

ThermoFisher
SCIENTIFIC

(\$85,986.68

(

Matthew Amundson
City of Fargo Water Treatment Plant
435 14TH AVE S
Fargo North Dakota 58103
United States

January 24, 2018

**01122018B rev 01122018 ISQ - NA.BrTh - City of Fargo Water Treatment
Plant - Amundson**

Pricing includes installation and familiarization.

Pricing includes PC and Monitor.

GC Voucher is quoted. This can be used on any Thermo GC consumable.

2nd year warranty of GCMS and SSL inlet is included. No PM in 2nd year.

2nd year warranty of autosampler (Triplus RSH and SPME) is quoted as optional.

3 days GCMS instrument training at Thermo Institute (TI) or Customer site is optional.

Application Support is quote per day. 2 days is preferable for Geosmin and MIB application. Quoted as optional.

| Quote Number | Version | Quotation Date | Page |
|--|-------------------------------------|----------------------------|-----------------|
| CPQ-00105527 | 1.00 | January 24, 2018 | 3 |
| Lead Time | Payment Terms | Freight Terms | Expiration Date |
| 6-8 weeks | NET 30 DAYS UPON INVOICE DATE | Origin - Prepay And Add | March 10, 2018 |
| Company Name | | Customer Name | |
| City of Fargo Water Treatment Plant | | Matthew Amundson | |
| * See end pages of quote for PO Submission details | | | |

Thermo Electron North America LLC
5225 Verona Road
Madison WI 53711

1400 Northpoint Parkway
West Palm Beach FL 33407

This quotation contains time bound promotional offerings that require order placement by the expiration date shown above. These time bound promotional offerings may not be repeated or extended beyond the expiration date.

Customer Information:

Customer Name: Matthew Amundson
Company Name: City of Fargo Water Treatment Plant
Address: 435 14TH AVE S
Fargo North Dakota 58103
United States
Phone: (701) 241-1506
Email: mamundson@cityoffargo.com

Sales Contact Information:

Contact Name: Brian Thoreen
Phone: +1 (651) 253-1891
Email: brian.thoreen@thermofisher.com

01122018B rev 01122018 ISQ - NA.BrTh - City of Fargo Water Treatment Plant - Amundson

| Item | Description | Unit Price | Qty | Discount | Total Price |
|------|---|-------------|-----|-------------|-------------|
| 1.1 | ISQELTL ISQ MASS SPECTROMETER EI LT LARGE TURBO ISQ LT Single Quadrupole GC-MS Sales Text ISQ LT single quadrupole GC-MS is for high-throughput, analytically-demanding laboratories, requiring utmost sensitivity and unstoppable productivity, the ISQ LT from Thermo Scientific offers the future-proof investment into the Leading Technology, Simply Intelligent GC-MS platform. Unlike other systems, the ISQ LT does not need to be vented to exchange the source, while enjoying industry-best sensitivity, lowest detection limits, and unlimited flexibility. Electron Impact Ionization (EI), with Full Scan (FS), SIM, and FS/SIM simultaneous within sample injection. Timed acquisition (t-SIM) mode and AutoSIM are included as standard. Optional (not included as standard) chemical ionization, including PCI, NCI, Thermo Scientific PPINICI, and EI/PCI/NCI Combination (requires extended capacity turbomolecular pump). Thermo Scientific ExtractaBrite EI source, with repeller, source lenses, RF lens and dual filaments in all ionization modes, programmable to 350 °C and removable without breaking the vacuum via vacuum interlock (included as standard). Dual-stage mass filter with off-axis S-shaped ion guide for noise reduction and solid, homogeneous, non-coated quadrupole rods. DynaMax XR detection system, with off-axis dynode, discrete dynode electron multiplier and electrometer, linear from 0 to 68 #A. Mass Range 1.2 – 1100.0 u. Ability to acquire more than 240 scans/s in SIM. Ability to acquire more than 97 scans/s in full scan when scanning over a range of 125 u. Extended capacity (300 L/s) turbomolecular pump. Mechanical rotary vane | \$78,155.00 | 1 | \$29,698.90 | \$48,456.10 |

| Quote Number | Version | Quotation Date | Page |
|--|-------------------------------------|----------------------------|-----------------|
| CPQ-00105527 | 1.00 | January 24, 2018 | 4 |
| Lead Time | Payment Terms | Freight Terms | Expiration Date |
| 6-8 weeks | NET 30 DAYS UPON INVOICE DATE | Origin - Prepay And Add | March 10, 2018 |
| Company Name | | Customer Name | |
| City of Fargo Water Treatment Plant | | Matthew Amundson | |
| * See end pages of quote for PO Submission details | | | |

Thermo Electron North America LLC
5225 Verona Road
Madison WI 53711

1400 Northpoint Parkway
West Palm Beach FL 33407

| Item | Description | Unit Price | Qty | Discount | Total Price |
|------|--|-------------|-----|------------|-------------|
| 1.2 | <p>oil pump. Optional (not included as standard) oil-free scroll pump. Electron energy adjustable from 0 eV to 150 eV. Emission current up to 350 #A. Transfer line temperature up to 400 °C. Choice of gas chromatographs to match GC performance to the analytical needs of your lab. Compatible with additional sample introduction techniques, such as thermal desorption, purge and trap, canisters, gas sampling valves, and solid phase microextraction (SPME) as well as with FT-IR, direct sample probes (DEP, DIP), and hydrogen carrier gas.</p> <p>14800402</p> <p>TRACE 1310 MAINFRAME MS 230V</p> <p>Trace 1310 Mainframe 230V dedicated for MS, includes: '1000-holes' fast GC oven with operating T range ambient +3 to 450°C; optional cooling to -100°C with LN2 or -50°C with CO2; Multiple-level temperature program with 32-ramp/33-plateaux with maximum heating rate of 125°C/min; Cooling down from 450°C to 50°C in less than 4 minutes; Six independent heated zones for individual control of injectors and detectors plus auxiliary zone; LAN interface; USB port; Color touch-screen interface with local status update of the oven, injectors and detectors, maintenance commands, run log, multiple language capabilities and video tutorials</p> | \$11,160.31 | 1 | \$4,129.31 | \$7,031.00 |
| 1.3 | <p>19070010</p> <p>TRACE 1300 SSL INJECTOR MODULE</p> <p>Instantaneously Connected-Split/Splitless Injector module, includes: complete injector with integrated electronic gas control (IEC) featuring constant Flow and Pressure modes, programmable Flow and Pressure modes, Leak check and Column Evaluation; Max T = 400°C; split ratio up to 12500:1; Control of split flow in 1mL/min from 0 to 1250 mL/min; Purge flow from 0 to 50 ml/min (electronic control); Suitable for all capillary columns (50 #m to 530 #m id); Large Volume splitless injection up to 50 uL using specific liners and pre-column; Compatible with 1/8' and 1/16' packed column (using adapters); Supports P<(>&<)>T/TD/.. by special adapter; Compatible with Merlin Microseal® septum</p> | \$3,238.34 | 1 | \$1,198.19 | \$2,040.15 |
| 1.4 | <p>19050720</p> <p>GC/GCMS Start-up Kit TRC1300</p> <p>Trace 1300/1310 Start-up Kit</p> | \$732.24 | 1 | \$146.45 | \$585.79 |

| Quote Number | Version | Quotation Date | Page |
|--|-------------------------------------|----------------------------|-----------------|
| CPQ-00105527 | 1.00 | January 24, 2018 | 5 |
| Lead Time | Payment Terms | Freight Terms | Expiration Date |
| 6-8 weeks | NET 30 DAYS UPON INVOICE DATE | Origin - Prepay And Add | March 10, 2018 |
| Company Name | | Customer Name | |
| City of Fargo Water Treatment Plant | | Matthew Amundson | |
| * See end pages of quote for PO Submission details | | | |

Thermo Electron North America LLC
5225 Verona Road
Madison WI 53711

1400 Northpoint Parkway
West Palm Beach FL 33407

| Item | Description | Unit Price | Qty | Discount | Total Price |
|------|---|-------------|-----|------------|-------------|
| 1.5 | 1R120404-4100 EI ION SOURCE ASSY (LOW ACTIVITY) EI Ion Source Cartridge, complete assembly for ISQ and TSQ 8000. | \$2,516.61 | 1 | \$1,258.31 | \$1,258.31 |
| 1.6 | 1R77010-0800 TRIPLUS RSH BASE SPME ARROW CONFIG | \$26,459.82 | 1 | \$5,291.96 | \$21,167.86 |
| 1.7 | 1R77010-1020 RSH TOOL RELEASING STATION Tool Releasing Station for manual change of syringe tools. Syringe Tool type must be edited during set-up | \$460.72 | 1 | \$92.14 | \$368.58 |
| | 1R77010-1038 RSH HAND-HELD TERMINAL Handheld controller for TriPlus RSH. ~ It displays the status of the autosampler and facilitates instrument setup | \$2,507.05 | 1 | \$250.71 | \$2,256.35 |
| 1.9 | 1R77010-1005 RSH TRACE 1300/1310 MOUNTING KIT Mounting Kit for Thermo Scientific Trace 1300/1310. It also includes one kit of adapters for Trace 1300/1310 injectors consisting of one adapter suitable for SSL or PTV injector | \$552.22 | 1 | \$110.44 | \$441.78 |
| 1.10 | 1R77010-1154 Adapter kit, SPME Arrow-TRACE13XX SSL | \$1,004.39 | 1 | \$200.88 | \$803.51 |
| 1.11 | 1R77010-1158 Adapter for SPME Heatex Stirrer | \$80.99 | 1 | \$8.10 | \$72.89 |
| 1.12 | 1R77010-1068 RSH AGITATOR ADAPTER FOR 10 ML VIAL Set of 6x Insert for the Agitator to place 10ml vials instead of the 20ml vials. | \$335.61 | 1 | \$67.12 | \$268.49 |
| 3 | 1R96000-98071 | \$40.61 | 2 | \$81.22 | \$0.00 |

| Quote Number | Version | Quotation Date | Page |
|--|-------------------------------------|----------------------------|-----------------|
| CPQ-00105527 | 1.00 | January 24, 2018 | 6 |
| Lead Time | Payment Terms | Freight Terms | Expiration Date |
| 6-8 weeks | NET 30 DAYS UPON INVOICE DATE | Origin - Prepay And Add | March 10, 2018 |
| Company Name | | Customer Name | |
| City of Fargo Water Treatment Plant | | Matthew Amundson | |
| * See end pages of quote for PO Submission details | | | |

Thermo Electron North America LLC
5225 Verona Road
Madison WI 53711

1400 Northpoint Parkway
West Palm Beach FL 33407

| Item | Description | Unit Price | Qty | Discount | Total Price |
|------|---|------------|-----|---|-------------|
| | Power Cord N. America 125V 20A 2.5M C19 | | | | |
| 1.14 | 00825-01-00024 ETHERNET SW,5PORT,10/100TX,INT. PS,RoHS | \$293.67 | 1 | \$58.73 | \$234.94 |
| 1.15 | 1R76505-0036 OIL MIST FILTER w/NW25 ADAPTER/CLAMP Oil Mist Filter with MW25 Adaptor/Clamp | \$219.93 | 1 | \$43.99 | \$175.94 |
| | | | | Instrument Subtotal: \$127,798.12 | |
| | | | | Instrument Discount: - \$42,636.45 | |
| | | | | Instrument Total: \$85,161.67 | |
| 1.16 | 7050.0104A-GC-GCMS Chromleon 7 License Key - New | \$0.01 | 1 | \$0.00 | \$0.01 |
| 1.17 | 7100.0108-GCMS Chromleon SE GC/MS Promo | \$2,404.70 | 1 | \$2,404.70 | \$0.00 |
| 1.18 | 1R120393-2017 NIST 2017 MS Library with RI & MS/MS | \$3,407.14 | 1 | \$3,407.14 | \$0.00 |
| | | | | Software Subtotal: \$5,811.85 | |
| | | | | Software Discount: - \$5,811.84 | |
| | | | | Software Total: \$0.01 | |
| 1.19 | GCCONSUMABLESTMO14 GC CONSUMABLES VOUCHER | \$1,000.00 | 1 | \$500.00 | \$500.00 |
| | | | | Consumables Subtotal: \$1,000.00 | |
| | | | | Consumables Discount: - \$500.00 | |
| | | | | Consumables Total: \$500.00 | |
| 1.20 | 701-054331 EXTENDED WARRANTY ISQELTL W/GC - R2L | \$8,686.00 | 1 | \$8,686.00 | \$0.00 |
| | | | | Services Subtotal: \$8,686.00 | |
| | | | | Services Discount: - \$8,686.00 | |

Sales Quotation

| Quote Number | Version | Quotation Date | Page |
|--|-------------------------------------|----------------------------|-----------------|
| CPQ-00105527 | 1.00 | January 24, 2018 | 7 |
| Lead Time | Payment Terms | Freight Terms | Expiration Date |
| 6-8 weeks | NET 30 DAYS UPON INVOICE DATE | Origin - Prepay And Add | March 10, 2018 |
| Company Name | | Customer Name | |
| City of Fargo Water Treatment Plant | | Matthew Amundson | |
| * See end pages of quote for PO Submission details | | | |

Thermo Electron North America LLC
 5225 Verona Road
 Madison WI 53711

 1400 Northpoint Parkway
 West Palm Beach FL 33407

| Item | Description | Unit Price | Qty | Discount | Total Price |
|------|-------------|------------|-----|----------|-------------------------------|
| | | | | | Services Total: \$0.00 |

| | |
|------------------------------------|----------------------|
| Quote Subtotal: | \$143,295.97 |
| Promotions / Discounts: | - \$57,634.29 |
| Quote total less discounts: | \$85,661.68 |

| | |
|--------------------------|--------------------|
| Shipping: | \$325.00 |
| Quotation Totals: | \$85,986.68 |

Sales tax exemption/resale certificates or direct pay permits must be provided with the order documents, if applicable. If valid sales tax exemption documentation is not provided, buyer shall pay all applicable federal, state & local taxes in addition to the price stated on this quotation.

Competitive monthly payment options are available. For more information, please contact financialservices@thermofisher.com or call (800) 986-9731 ext. 7.

Options / Recommendations

| Item | Description | Unit Price | Qty | Discount | Total Price |
|------|--|------------|-----|------------|-------------|
| 1.21 | 702-024500 3 DAY GC/GC-MS TRNG COURSE-TI LOCATION | \$2,300.00 | 1 | \$460.00 | \$1,840.00 |
| 1.22 | 702-025900 3-D SG QUAD GC-MS LCMS TRNG-CUST SITE Training expires 12 months from purchase. 3-day single quadupole GC-MS training course at customer site | \$7,000.00 | 1 | \$1,400.00 | \$5,600.00 |
| 1.23 | 701-628000 ONSITE GC/MS APPLICATIONS SUPPORT Onsite GC/MS Applications Support ~ This service will provide the customer with onsite applications support and assist with transferring analytical methods from their existing instrumentation to a TFS GC/MS (Single Quad or Ion Trap) | \$3,200.00 | 2 | \$1,280.00 | \$5,120.00 |

| Quote Number | Version | Quotation Date | Page |
|--|-------------------------------------|----------------------------|-----------------|
| CPQ-00105527 | 1.00 | January 24, 2018 | 8 |
| Lead Time | Payment Terms | Freight Terms | Expiration Date |
| 6-8 weeks | NET 30 DAYS UPON INVOICE DATE | Origin - Prepay And Add | March 10, 2018 |
| Company Name | | Customer Name | |
| City of Fargo Water Treatment Plant | | Matthew Amundson | |
| * See end pages of quote for PO Submission details | | | |

Thermo Electron North America LLC
 5225 Verona Road
 Madison WI 53711

 1400 Northpoint Parkway
 West Palm Beach FL 33407

product.

~ The number of days of support will be predetermined prior to quoting and requires pre-approval of a Regional Sales Manager and Applications Support Manager.

Important note:

~ This is not a formal training course and should not be substituted for any training course currently offered by TFS.

~ A prerequisite will be that the customer has prior GC/MS experience and/or has experience with the TFS GC/MS product.

~ It is also strongly recommended that the customer has completed one of the formal GC/MS training programs offered by TFS.

| | | | | | |
|------|---|------------|---|----------|------------|
| 1.24 | 701-745900 EXTENDED WARRANTY RSH SPME KIT | \$1,487.00 | 1 | \$297.40 | \$1,189.60 |
| | 701-039001 BAS EXT WAR TRIPLUS RSH LIQ & HEAD INJ Basic Extended Warranty, Triplus RSH Liquid (>&<) Headspace Injection | \$2,540.00 | 1 | \$508.00 | \$2,032.00 |

Options Total: \$15,781.60

| Quote Number | Version | Quotation Date | Page |
|--|-------------------------------|-------------------------|-----------------|
| CPQ-00105527 | 1.00 | January 24, 2018 | 9 |
| Lead Time | Payment Terms | Freight Terms | Expiration Date |
| 6-8 weeks | NET 30 DAYS UPON INVOICE DATE | Origin - Prepay And Add | March 10, 2018 |
| Company Name | | Customer Name | |
| City of Fargo Water Treatment Plant | | Matthew Amundson | |
| * See end pages of quote for PO Submission details | | | |

Thermo Electron North America LLC
5225 Verona Road
Madison WI 53711

1400 Northpoint Parkway
West Palm Beach FL 33407

Find additional information about Thermo Fisher products, by visiting these valuable sources:

Chromatography

Product Family Resources: chromatography

Product Brochure: *ISQ MASS SPECTROMETER EI LT LARGE TURBO*

www.thermoscientific.com/content/dam/tfs/ATG/CMD/CMD%20Documents/Product%20Manuals%20&%20Specifications/Mass%20Spectrometry/GC%20MS/BR-51881-ISQ-Series-Single-Quadrupole-GC-MS-BR51881-E.pdf

Product Specifications: *ISQ MASS SPECTROMETER EI LT LARGE TURBO*

www.thermoscientific.com/content/dam/tfs/ATG/CMD/CMD%20Documents/Product%20Manuals%20&%20Specifications/Mass%20Spectrometry/GC%20MS/PS-51872-ISQ-Single-Quadrupole-GC-MS-PS51872-EN.pdf

Services

www.unitylabservices.com

26

REPORT OF ACTION

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Improvement District No. BR-18-C0 Type: Amendment #1
 Location: 13th Ave S, 45th St to 12th St (WF) Date of Hearing: 2/5/2018

| | |
|-----------------|----------------------|
| <u>Routing</u> | <u>Date</u> |
| City Commission | <u>2/12/2018</u> |
| PWPEC File | <u>X</u> |
| Project File | <u>Jeremy Gorden</u> |

The Committee reviewed the accompanying correspondence from Transportation Division Engineer, Jeremy Gorden, related to Amendment #1 in the amount of \$37,026 for addition tasks outside of the original scope of work.

Staff is recommending approval.

On a motion by Mark Bittner, seconded by Steve Sprague, the Committee voted to recommend approval of Amendment #1.

RECOMMENDED MOTION

Concur with PWPEC recommendation and approve Amendment #1 with Apex Engineering Group in the amount of \$37,026, bringing the total contract amount to \$1,066,091.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Special Assessments

Developer meets City policy for payment of delinquent specials
 Agreement for payment of specials required of developer
 Letter of Credit required (per policy approved 5-28-13)

| | |
|------------|------------|
| Yes | No |
| <u>N/A</u> | <u>N/A</u> |
| <u>N/A</u> | <u>N/A</u> |
| <u>N/A</u> | <u>N/A</u> |


COMMITTEE

Tim Mahoney, Mayor
 Nicole Crutchfield, Director of Planning
 Steve Dirksen, Fire Chief
 Mark Bittner, Director of Engineering
 Bruce Grubb, City Administrator
 Ben Dow, Director of Operations
 Steve Sprague, City Auditor
 City Engineer
 Kent Costin, Finance Director

| <u>Present</u> | <u>Yes</u> | <u>No</u> | <u>Unanimous</u> |
|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ryan Erickson |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Brenda Derrig |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

ATTEST:

C: Kristi Olson


 Brenda E. Derrig, P.E.
 Division Engineer

January 31, 2018

To: Members of PWPEC

From: Jeremy M. Gorden, PE, PTOE *Jmg*
Division Engineer - Transportation

Subject: Amendment #1 to Professional Services Agreement with Apex Engineering Group for Design and Construction Services for Street Reconstruction Project Improvement District No. BR-18-CO
13th Avenue S – 45th Street to 12th Street (WF)

I have attached Amendment #1 to the Professional Services Agreement from Matt Kinsella with Apex Engineering Group that covers their additional services for work associated with the 13th Avenue S street reconstruction project whose limits are 45th Street to 12th Street in West Fargo. This project will be bid on March 7.

This proposed amendment is necessary to address tasks that were outside of the original scope of work. I have attached Amendment No. 1 agreement with scope of services and fee estimate for your review.

The original contract with Apex Engineering Group was \$1,029,065.00, with this amendment in the amount of \$37,026.00, the contract will become \$1,066,091.00.

Recommended Motion

Approval of Amendment #1 with Apex Engineering Group in the amount of \$37,026.00.

Attachment



Water | Transportation | Municipal | Facilities

701.373.7980
4733 Amber Valley Parkway
Fargo, ND 58104

Engineering Services Agreement
Amendment No. 1
City of Fargo Project No. BR-18-C0

Project: 13th Avenue Reconstruction – 45th Street (Fargo) to 12th Street East (West Fargo)
City of Fargo Project No. BR-18-C0; City of West Fargo Project No. 2251
Apex Project No. 17.103.0120

Client: City of Fargo (Engineering Department)
Attn: Jeremy Gorden, PE, PTOE
Division Engineer - Transportation

Background/Description of Work:

Apex Engineering Group, Inc. was hired by the City of Fargo (in partnership with the City of West Fargo) to provide engineering services for the above project on 10/19/17. The following Scope of Services tasks are added or expanded with this Amendment request:

- Topo Survey – Some topo survey field data collection and topo CAD drafting within the portion of the project area lying within West Fargo city limits was needed for design purposes, and was completed by Apex. Task 2.0 in Apex's original Scope of Services stated that topo field data collection and CAD drafting for the portion of the project area lying within West Fargo city limits was not included in the scope of work. ***New or Amended Tasks = 2.01A, 2.02A***
- Cadastral surveying (PLSS Elements) – Field data collection and office calculation work was required to establish property corners for purposes of acquiring easements. Task 6.17 in Apex's original Scope of Services stated that it was anticipated that this project can be constructed within the existing right of way, and if it is determined that additional right of way is needed during design, surveying and calculating the property corners would be an additional task outside this scope of work. ***New or Amended Tasks = 2.04***
- Extension of project limits – At PRC Meeting #2 on 11/08/17, West Fargo requested that Apex extend the third westbound lane west of 12th St E to connect with the right turn lane at 9th St E, and collect additional survey data for this area as needed. This is additional work to the original scope which ended the project at 12th St E. ***New or Amended Tasks = 6.03, 6.04, 6.05, 6.06, 6.08, 6.12***
- 2nd public meeting – During discussions with the PRC, the Cities directed Apex to hold a 2nd public meeting in late March or early April. The original Scope of Services included only one public meeting. ***New or Amended Tasks = 5.01A***
- Additional lighting design work – At a review meeting with City of Fargo staff, Dave Helland directed Apex to include lighting design work along several side streets and areas outside the original project limits, which expanded the lighting design effort beyond what was originally scoped. ***New or Amended Tasks = 6.11***
- Additional parcels for easement exhibits and legal descriptions – Apex originally scoped to prepare easement exhibits and legal descriptions for up to 6 parcels (Task 6.17 of original Scope of Services). A total of 20 parcels were actually needed. ***New or Amended Tasks = 6.17***

The additional scope and cost for these added or expanded tasks are represented in the following attachments:

1. Attachment #1 - Scope of Services for Amendment No. 1
2. Attachment #2 – Fee Estimate for Amendment No. 1

Fee Amendment Request:

The total fee for work expected to be completed as part of this Amendment:

Amendment No. 1 = **\$37,026.00**

Contract Terms & Conditions:

Apex Engineering Group, Inc. ("Consultant") hereby proposes, and the City of Fargo ("City") hereby authorizes, the above described Amendment No. 1 and additional services described herein, including attachments, to be completed under the same Terms & Conditions of the Original Agreement signed by both parties and approved by the City of Fargo on October 19, 2017.

City of Fargo Authorization:

Signature: _____
Timothy J. Mahoney

Title: Mayor

Date: _____

Consultant:

Signature: 
Dain L. Miller

Title: VICE PRESIDENT

Date: 1-18-18

**ATTACHMENT #1
Amendment No. 1
Scope of Services
for
13th Avenue Reconstruction – 45th Street (Fargo) to 12th Street East (West Fargo)
City of Fargo Project No. BR-18-C0
January 18, 2018**

Apex Engineering Group, Inc.
Client: City of Fargo

AMENDMENT NO. 1 – SCOPE OF SERVICES

PHASE 1: PRELIMINARY AND FINAL DESIGN, AND OTHER PRE-CONSTRUCTION ACTIVITIES

TASK 2: PRELIMINARY TOPO SURVEY

Notes from the original Scope of Services:

- *Field survey data collection and CAD drafting of the portion of the project area lying within West Fargo city limits (12th St E to 17th St E) is not included in this scope of work.*
- *This task (2.0) does not include survey or CAD drafting for PLSS elements such as property corners and section corners. It is anticipated that this project can be constructed within the existing right of way. If it is determined that additional right of way is needed during design, surveying the property corners would be an additional task outside this scope of work.*

2.01A Field Topographic Survey Data Collection in West Fargo Portion (NEW TASK): Apex collected additional topographic field survey data in the West Fargo portion of the project, that was required for design purposes, or that was needed to supplement the survey data that had been provided by the City of West Fargo. This task was not included in the original Scope of Services.

2.02A CAD Drafting of Topographic Survey in West Fargo Portion (NEW TASK): Apex completed CAD drafting (AutoCAD/Civil 3D) of the additional topographic survey data that was collected in the West Fargo portion of the project, and merged the data into the overall project topo file and TIN model. This task was not included in the original Scope of Services.

2.04 Cadastral Survey (PLSS Elements) – Field Data Collection and Office Calculations (NEW TASK): Apex collected cadastral survey data (PLSS elements) as necessary to prepare easement exhibits and legal descriptions under the supervision of a Registered Land Surveyor. This task included field collection of the property corner data, and office calculation work to establish the property boundaries and cross-check them against recorded plat information. This task was not included in the original Scope of Services.

TASK 5: PUBLIC MEETING AND PROPERTY OWNER MEETINGS

5.01A 2nd Public Meeting (NEW TASK): Apex will organize and conduct a 2nd Public Meeting (open house style with no formal presentation) for this project, just prior to the start of the Construction Phase (estimated to be in late March/early April 2018). The meeting will be held near the project location in Fargo or West Fargo. The original Scope of Services included only one public meeting, which was held on November 30, 2017.

Apex will develop a project description (maximum of 2 pages) explaining the need for the project, outlining the project area, giving contact information, and summarizing the project schedule. An invitation will be sent out for the public meeting. The Cities of Fargo and West Fargo will compile the mailing lists, print, and distribute (mail) copies of the Public Meeting Notice and Project Description to the Special Assessment District footprint. The meeting notice will also be emailed to the email contact list that has been compiled over the course of the project by Flint Group.

This task also includes coordinating the meeting time, date, and location; preparing exhibits; conducting an open house style meeting; and compiling public comments and a meeting summary. Preparation and presentation of a PowerPoint presentation at the meeting is not included in this scope of work.

TASK 6: DESIGN AND PLAN PREPARATION

6.03 Removals (Section 40) (AMENDED TASK): Additional removal design, plan preparation, and quantity calculations were required to cover the extended project area in West Fargo west of 12th St E.

6.05 Utility Plan and Profiles (Section 55) (AMENDED TASK): Additional storm sewer design, plan preparation, and quantity calculations were required due to the extended project area in West Fargo west of 12th St E. An inlet and pipe laterals serving a private property on the north side of 13th Avenue were affected by the extension.

6.06 Paving Plan and Profile and Intersection Layouts (Section 60) (AMENDED TASK): Additional plan and profile design, plan preparation, and quantity calculations were required to cover the extended project area in West Fargo west of 12th St E.

6.08 Jointing (Section 90) (AMENDED TASK): Additional jointing design, plan preparation, and quantity calculations were required to cover the extended project area in West Fargo west of 12th St E.

6.11 Street Lighting, Signals, and ITS Plans (Sections 140, 150, & 160) (AMENDED TASK): At a 01/08/18 meeting at Fargo City Hall with City staff, Dave Helland from City of Fargo directed Apex to include lighting design and plan preparation work for the following areas that were outside the original scoped project limits:

- 50th St – 3 additional lights south of project limits
- 48th St – 2 lights south of project limits, feed point south of project limits, 1 light north of project limits
- 45th St – 2 lights north of project limits, 2 lights south of project limits, 4 lights east of project limits

- 6.12 **Cross Sections (AMENDED TASK):** Additional Civil 3D modeling and earthwork calculations were required to cover the extended project area in West Fargo west of 12th St E.

- 6.17 **ROW Exhibits (AMENDED TASK):** The original Scope of Services included preparation of legal descriptions and exhibits for easements required for the project, up to 6 separate parcels. As of January 18, 2018, the project design has required 20 easement parcels. This is 14 additional parcels for which legal descriptions and exhibits were prepared by Apex.

ATTACHMENT #2
Apex Engineering Group, Inc.
Fee Estimate
AMENDMENT NO. 1
13th Avenue Reconstruction
45th St (Fargo) to 12th St E (West Fargo)
 January 18, 2018

| Task No. | Classification | Hourly Rate | Senior Engineer | | Lead Engineer | | Design Engineer | | Project Engineer | | Graduate Engineer | | Sr. Svy Crew Chief | | Survey Tech | | Sr. Eng Tech | | Total | | | | |
|--------------------|--|-------------|-----------------|---------|---------------|-------|-----------------|---------|------------------|------|-------------------|---------|--------------------|---------|-------------|---------|--------------|----------|----------|---------|-------|----------|----------|
| | | | Hours | Cost | Hours | Cost | Hours | Cost | Hours | Cost | Hours | Cost | Hours | Cost | Hours | Cost | Hours | Cost | Hours | Cost | Hours | Cost | |
| 2.0 | Preliminary Topo Survey (Fargo Side) & QC/QA Survey | | | | | | | | | | | | | | | | | | | | | | |
| 2.01A | Field Topo Survey Data Collection in West Fargo | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | |
| 2.02A | CAD Drafting of Topo Survey in West Fargo | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | |
| 2.04 | Cadastral Survey (PLSS Elements) - Field/Office Work | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | | |
| 5.0 | Public Meeting and Property Owner Meetings | | | | | | | | | | | | | | | | | | | | | | |
| 5.01A | 2nd Public Meeting | | 12 | \$1,800 | | | 8 | \$880 | | | | 10 | \$850 | | | | | 12 | \$1,260 | | | 42 | \$4,790 |
| 6.0 | Design and Plan Preparation | | | | | | | | | | | | | | | | | | | | | | |
| 6.03 | Removals (Section 40) | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 6.05 | Utility Plan & Profiles (Section 55) | | 2 | \$300 | | | 4 | \$440 | | | | | | | | | | 2 | \$210 | | | 6 | \$650 |
| 6.06 | Paving Plan and Profile (Section 60) | | 2 | \$300 | | | 6 | \$660 | | | | | | | | | | 8 | \$840 | | | 10 | \$1,140 |
| 6.08 | Joining (Section 90) | | 2 | \$300 | | | | | | | | | | | | | | 4 | \$420 | | | 6 | \$720 |
| 6.11 | Street Lighting (Section 140) | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 8 | \$840 | | | 10 | \$1,080 |
| 6.12 | Cross Sections | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 55 | \$5,880 | | | 70 | \$6,880 |
| 6.17 | ROW Exhibits | | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 154 | \$16,170 | | | 358 | \$37,026 |
| Total Costs | | | 18 | \$2,700 | 2 | \$240 | 18 | \$1,980 | 0 | \$0 | 22 | \$1,870 | 86 | \$9,890 | 58 | \$4,176 | 154 | \$16,170 | 70 | \$7,490 | 358 | \$37,026 | |

Total Amendment No. 1 Estimate = \$37,026

Apex Proj. No. 17-103.0120

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Improvement District No. PR-16-F1 Type: Final Balancing Change Order #3

Location: 12th Ave N, I-29 to 45th St Date of Hearing: 02/05/2018

| | |
|-----------------|-----------------|
| <u>Routing</u> | <u>Date</u> |
| City Commission | 02/12/2018 |
| PWPEC File | X |
| Project File | Jeremy Engquist |

The Committee reviewed the accompanying correspondence from Project Manager, Jeremy Engquist, for Final Balancing Change Order #3 in the amount of \$6,551.60 bringing the total contract amount to \$503,982.92.

Staff is recommending approval of Final Balancing Change Order #3.

On a motion by Mark Bittner, seconded by Steve Sprague, the Committee voted to recommend approval of Final Balancing Change Order #3.

RECOMMENDED MOTION

Approve Final Balancing Change Order #3 in the amount of \$6,551.60 to LM Armstrong/Bridgefjord Construction, LLC.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Street Rehab, Sales Tax & Special Assessments

Developer meets City policy for payment of delinquent specials
Agreement for payment of specials required of developer
Letter of Credit required (per policy approved 5-28-13)


| Yes | No |
|-----|-----|
| | N/A |
| | N/A |
| | N/A |

COMMITTEE

- Tim Mahoney, Mayor
- Nicole Crutchfield, Director of Planning
- Steve Dirksen, Fire Chief
- Mark Bittner, Director of Engineering
- Bruce Grubb, City Administrator
- Ben Dow, Director of Operations
- Steve Sprague, City Auditor
- City Engineer
- Kent Costin, Finance Director

| Present | Yes | No | Unanimous |
|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| | | | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ryan Erickson |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Brenda Derrig |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

ATTEST:


 Brenda E. Derrig, P.E.
 Division Engineer

C: Kristi Olson



Memorandum

To: Members of PWPEC
From: Jeremy Engquist, Project Manager *Je*
Date: January 25, 2018
Re: Improvement District #PR-16-F1 – Final Balancing Change Order

Background:

Improvement District #PR-16-F1 is for the concrete pavement repairs and incidentals on the following streets and avenues:

- On 12th Avenue North from I-29 to 45th Street
- On Aggregate Industries Drive North from 7th Avenue to 12th Avenue
- On 40th Street North from 7th Avenue to 12th Avenue
- On 38th Street North from 7th Avenue to 12th Avenue

LM Armstrong/Bridgford Construction, LLC is the prime contractor.

Attached is a final balancing change order in the amount of \$6,551.60 for Improvement District #PR-16-F1 that reconciles the estimated quantities used in the contract with the final quantities as measured in the field. The change order reflects an unanticipated overrun of storm sewer castings being replaced on this project. Several of the existing castings throughout the project were damaged and had to be replaced.

The original contract bid price for this project was \$448,254.30, the previous change order #2 brought the contract to \$497,431.32 and this FBCO will bring the project final amount to \$503,982.92 (11% Increase to Original Contract Amount).

Recommended Motion:

Approve the final balancing change order in the amount of \$6,551.60 to LM Armstrong/Bridgford Construction, LLC.

JJE/klb
Attachment

| | | | |
|-------------------------|--|-----------------|--|
| Improvement District No | PR-16-F1 | Change Order No | 3 |
| Project Name | Concrete Pavement Rehabilitation and Incidentals | | |
| Date Entered | 1/24/2018 | For | LM Armstrong/Bridgford Construction, LLC |

This change is made under the terms of or is supplemental to your present contract, if and when approved, you are ordered to perform the work in accordance with the additions, changes, or alterations hereinafter described.

EXPLANATION OF CHANGE: Change Order #3 FBCO

This change order reconciles the estimated quantities used in the contract with the final quantities as measured in the field.

| Section | Line No | Item Description | Unit | Orig Cont Qty | Prev C/O Qty | Prev Cont Qty | Curr C/O Qty | Tot Cont Qty | Unit Price (\$) | C/O Ext Price (\$) | |
|---------|------------------------------|--|------|---------------|--------------|---------------|--------------|--------------|-----------------|--------------------|-----------------|
| Paving | 2 | Repair Pavement - Partial Depth Conc | SF | 300.00 | 0.00 | 300.00 | 199.00 | 499.00 | 10.00 | 1,990.00 | |
| | 3 | Rem & Repl Pavement 8" Thick Reinf Conc | SY | 914.00 | -134.00 | 780.00 | 0.24 | 780.24 | 90.00 | 21.60 | |
| | 4 | Rem & Repl Pavement 10" Thick Doweled Conc | SY | 1,750.00 | 400.00 | 2,150.00 | -14.00 | 2,136.00 | 130.00 | -1,820.00 | |
| | 5 | Rem & Repl Pavement 10.5" Thick Doweled Conc | SY | 300.00 | 0.00 | 300.00 | -35.00 | 265.00 | 130.00 | -4,550.00 | |
| | 6 | F&I Casting - Inlet | EA | 4.00 | 0.00 | 4.00 | 6.00 | 10.00 | 1,500.00 | 9,000.00 | |
| | 7 | F&I Casting - Std Manhole | EA | 2.00 | 0.00 | 2.00 | 1.00 | 3.00 | 1,000.00 | 1,000.00 | |
| | 8 | F&I Casting - Floating Manhole | EA | 4.00 | 0.00 | 4.00 | 2.00 | 6.00 | 1,500.00 | 3,000.00 | |
| | 10 | GV Box to Grade - w/Conc | EA | 2.00 | 0.00 | 2.00 | -1.00 | 1.00 | 800.00 | -800.00 | |
| | 11 | Mulching Type 1 - Hydro | SY | 100.00 | 0.00 | 100.00 | 132.00 | 232.00 | 2.50 | 330.00 | |
| | 12 | Seeding Type B | SY | 100.00 | 0.00 | 100.00 | 132.00 | 232.00 | 2.50 | 330.00 | |
| | 13 | Inlet Protection - Existing Inlet | EA | 43.00 | 0.00 | 43.00 | -3.00 | 40.00 | 150.00 | -450.00 | |
| | 18 | Construction Signing | SF | 50.00 | 0.00 | 50.00 | -50.00 | 0.00 | 18.00 | -900.00 | |
| | 19 | F&I Detection In-Ground Loop | EA | 4.00 | 0.00 | 4.00 | -0.50 | 3.50 | 1,200.00 | -600.00 | |
| | Paving Sub Total (\$) | | | | | | | | | | 6,551.60 |

Summary

Source Of Funding

| | |
|----------------------------------|------------|
| Net Amount Change Order # 3 (\$) | 6,551.60 |
| Previous Change Orders (\$) | 49,177.02 |
| Original Contract Amount (\$) | 448,254.30 |
| Total Contract Amount (\$) | 503,982.92 |

I hereby accept this order both as to work to be performed and prices on which payment shall be based.

CONTRACT TIME

| Current Substantial Completion Date | Current Final Completion Date | Additional Days Substantial Completion | Additional Days Final Completion | New Substantial Completion Date | New Final Completion Date |
|-------------------------------------|-------------------------------|--|----------------------------------|---------------------------------|---------------------------|
| 11/14/2016 | | 0.00 | 0.00 | 11/14/2016 | |

Description

CALL

APPROVED DATE

For Contractor
LM Armstrong Bridgeford Construction

Department Head
[Signature]
Mayor

2/7/18

Title
Managing Member

Attest



200 3rd Street North
Fargo, North Dakota 58102
Phone: (701) 241-1545
Fax: (701) 241-8101
E-Mail: feng@cityoffargo.com

January 31, 2018

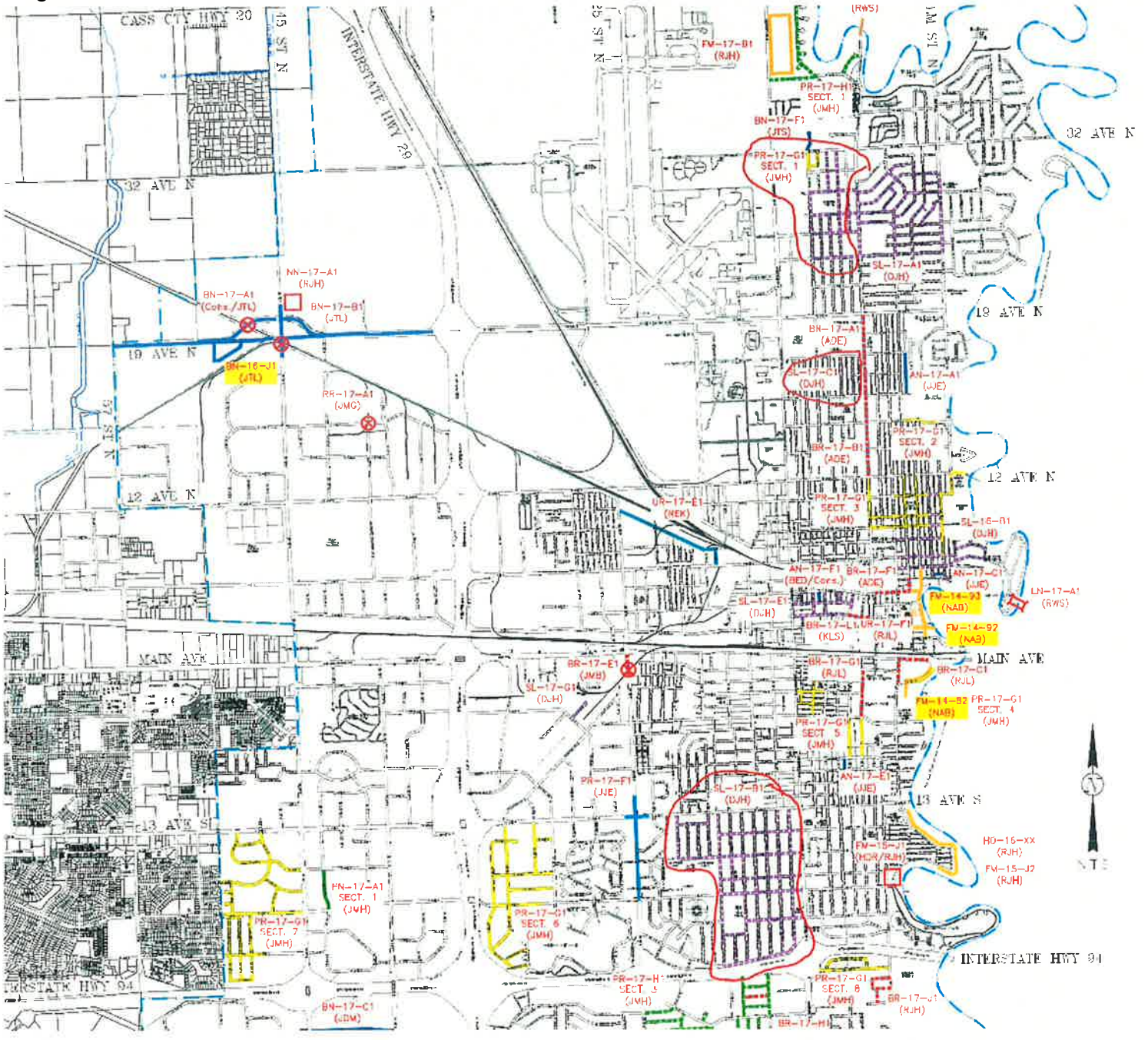
To: Members of PWPEC
From: Jeremy M. Gorden, PE, PTOE *Jmg*
Division Engineer-Transportation
Subject: Request to add Street Lighting Projects to 2018 Capital Improvement Plan
Improvement District Nos. SL-17-A, SL-17-B, and SL-17-C

In December of 2015 PWPEC approved nine (9) areas of the city for street lighting only projects to be completed in them as they don't have existing city owned street lights. We have completed the Roosevelt neighborhood and the Oak Grove Neighborhoods, and will be finishing the western area of downtown this summer. We had three (3) projects listed for 2017 that didn't get designed or bid out that we'd like to roll into 2018. The first area is just west of the Northport shopping center, 8th Street to 10th Street, between 25th Avenue N and 32nd Avenue N. The second area is a large area that is a combination of the Lewis & Clark Neighborhood as well as South High School. The third area would be a small area, 7th and 8th Streets from 15th to 17th Avenues N. These projects will be 100% special assessed as per our policy for new installations of street lights.

Recommended Motion

Approve the request to roll over the three projects noted above into the 2018 CIP.

Attachment



CASS CITY HWY 20
15 ST N
INTERSTATE HWY 26
32 AVE N
19 AVE N
12 AVE N
MAIN AVE
13 AVE S
INTERSTATE HWY 94

32 AVE N
19 AVE N
12 AVE N
MAIN AVE
13 AVE S
INTERSTATE HWY 94
BN-17-A1 (R,JH)
NN-17-A1 (R,JH)
BN-17-B1 (.TL)
BN-17-A1 (Cots./JTL)
BN-16-J1 (.TL)
RR-17-A1 (UMC)
PR-17-H1 SECT. 1 (J,MH)
PR-17-G1 SECT. 1 (J,MH)
FM-17-B1 (R,JH)
SL-17-A1 (O,H)
BR-17-A1 (A,DE)
AN-17-A1 (J,JE)
PR-17-G1 SECT. 2 (J,MH)
BR-17-B1 (A,DE)
AN-17-F1 (BED/Cors.) (A,DE)
SL-17-E1 (D,H)
AN-17-G1 (J,JE)
LN-17-A1 (R,W,S)
FM-14-91 (NAD)
FM-14-92 (NAB)
BR-17-G1 (R,L)
BR-17-G1 SECT. 3 (J,MH)
BR-17-F1 (A,DE)
AN-17-E1 (J,JE)
BR-17-G1 (R,L)
BR-17-G1 SECT. 4 (J,MH)
PR-17-G1 SECT. 5 (J,MH)
AN-17-E1 (J,JE)
FM-15-J1 (MOR/R,JH)
HO-15-XX (R,JH)
FM-15-J2 (R,JH)
BR-17-G1 SECT. 6 (J,MH)
PR-17-F1 (J,JE)
SL-17-G1 (D,H)
PR-17-E1 (J,MH)
BR-17-E1 (J,MH)
SL-17-G1 (D,H)
PR-17-F1 (J,JE)
BR-17-G1 (R,L)
PR-17-G1 SECT. 7 (J,MH)
PN-17-A1 SECT. 1 (J,MH)
PR-17-G1 SECT. 8 (J,MH)
BR-17-G1 (R,JH)
BR-17-G1 SECT. 9 (J,MH)
PR-17-H1 SECT. 3 (J,MH)
BR-17-H1 (R,JH)



PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

29

Improvement District No. BR-17-L1 Type: Road Use Agreement
 Location: 625 2nd Ave S Date of Hearing: 1/22/2018
 Roberts Common

| | |
|-----------------|-----------------------|
| <u>Routing</u> | <u>Date</u> |
| City Commission | <u>2/12/2018</u> |
| PWPEC File | <u>X</u> |
| Project File | <u>Kristy Schmidt</u> |

We have received a request from the Kilbourne Group to extend the road use of right of way adjacent to Roberts Common at 625 2nd Avenue North. The original road use agreement was approved by PWPEC on October 2, 2017 and Commission on October 10, 2017.

Staff is recommending to extend the road use agreement with the following stipulations:

- Hold the City harmless against any and all expenses, demands, claims or losses sustained through use of the public right of way by the encroacher.
- Will be responsible for paying all costs above and beyond those the City would have incurred to return the area to the current conditions.
- All items outlined in the original Road Use Agreement

On a motion by Bruce Grubb, seconded by Jim Gilmour, the Committee voted to recommend approval of the road use agreement subject to the terms outlined above.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and approve the Encroachment Agreement waiving the application fee and the annual fee.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: N/A

Developer meets City policy for payment of delinquent specials Agreement for payment of specials required of developer Letter of Credit required (per policy approved 5-28-13)

| | |
|------------|------------|
| Yes | No |
| <u>N/A</u> | <u>N/A</u> |
| <u>N/A</u> | <u>N/A</u> |
| <u>N/A</u> | <u>N/A</u> |

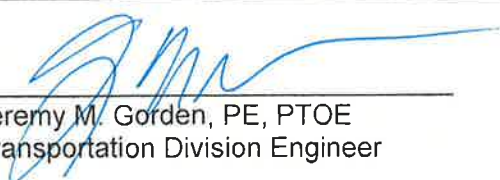
COMMITTEE

Tim Mahoney, Mayor
 Jim Gilmour, Director of Planning
 Steve Dirksen, Fire Chief
 Mark Bittner, Director of Engineering
 Bruce Grubb, City Administrator
 Ben Dow, Director of Operations
 Steve Sprague, City Auditor
 City Engineer
 Kent Costin, Finance Director

| Present | Yes | No | Unanimous |
|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Jeremy Gorden |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

ATTEST:

C: Kristi Olson



 Jeremy M. Gorden, PE, PTOE
 Transportation Division Engineer

On this ____ day of _____, 2018, before me, a notary public in and for said county and state, personally appeared **TIMOTHY J. MAHONEY** and **STEVEN SPRAGUE**, to me known to be the Mayor and City Auditor, respectively, of the **CITY OF FARGO, NORTH DAKOTA**, a municipal corporation described in and that executed the within and foregoing instrument, and acknowledged to me that said municipal corporation executed the same.

(SEAL)

Notary Public
Cass County, North Dakota

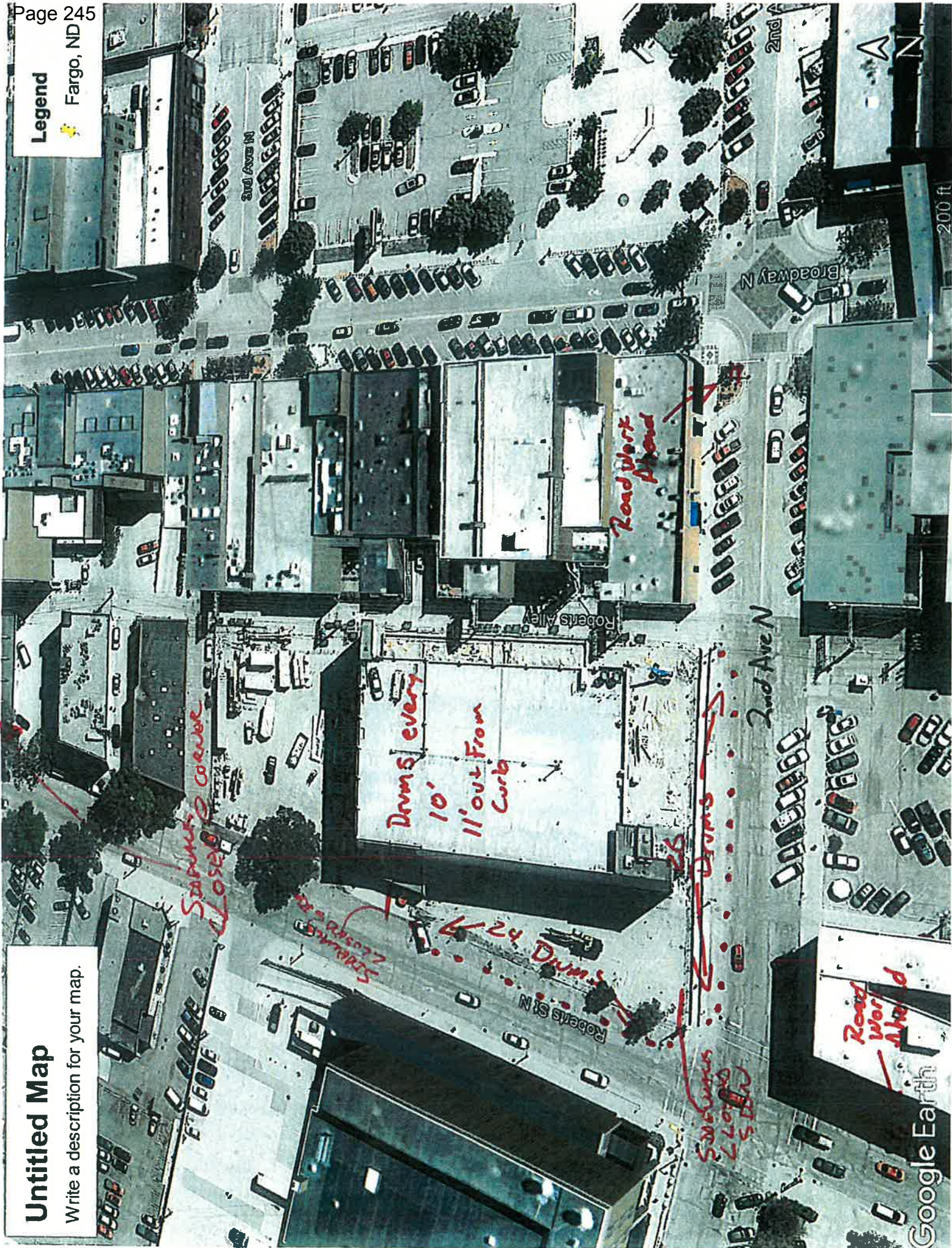
Legend



Fargo, ND

Untitled Map

Write a description for your map.



COVER SHEET
CITY OF FARGO PROJECTS

(30-1)

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of Improvement District as it will appear in the Contract:

Storm Sewer, PC Concrete Paving & Incidentals

Improvement District No. BN-18-G

Call For Bids February 8, 2018

Advertise Dates February 19 & 26, 2018

Bid Opening Date March 21, 2018

Substantial Completion Date August 1, 2018

Final Completion Date August 31, 2018

N/A PWPEC Report (Attach Copy) **Part of 2018 CIP**

X Engineer's Report (Attach Copy)

X Direct City Auditor to Advertise for Bids

X Bid Quantities (Attach Copy for Auditor's Office Only)

X Notice to Property Owners (Dan Eberhardt)

Project Engineer Jason Leonard

Phone No. 241-1545

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

X Create District (Attach Copy of Legal Description)

X Order Plans & Specifications

X Approve Plans & Specifications

X Adopt Resolution of Necessity

N/A Approve Escrow Agreement (Attach Copy for Commission Office Only)

X Assessment Map (Attach Copy for Auditor's Office Only)

ENGINEER'S REPORT
STORM SEWER, PC CONCRETE PAVING & INCIDENTALS
IMPROVEMENT DISTRICT NO. BN-18-G

Nature & Scope

This project is for the new construction of underground utilities, concrete pavement and incidentals on 33rd Street North.

Purpose

This project will allow for development of the land along 33rd Street North as requested by the developer.

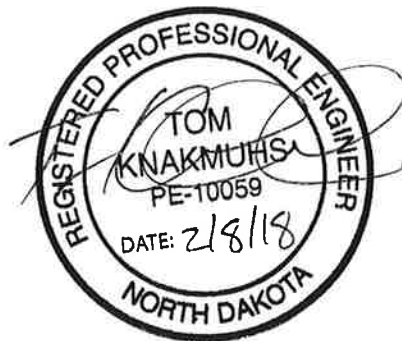
Feasibility


The estimated cost of construction is \$2,366,596.91.

The entire cost of the project will be assessed as follows:

| | |
|--|---------------------|
| <u>Estimated Construction Cost:</u> | \$ 2,366,596.91 |
| Engineering Fees (11%): | \$ 260,325.66 |
| Legal & Misc Fees (3%): | \$ 70,997.91 |
| Administration Fees (6%): | \$ 141,995.81 |
| Interest Fees (4%): | \$ <u>94,663.88</u> |
| Total Estimated Assessed Cost: | \$ 2,934,580.17 |

We believe this project to be cost effective.




Thomas Knakmuhs, P.E.
Division Engineer

January 2018

CITY OF FARGO
ENGINEERING DEPARTMENT

LOCATION & COMPRISING

STORM SEWER, PC CONCRETE PAVING & INCIDENTALS

IMPROVEMENT DISTRICT NO. BN-18-G

LOCATION:

On 33rd Street North from 40th Avenue North to 46th Avenue North.

COMPRISING:

Lots 1 through 2, Block 1.

Lots 1 through 7, Block 2.

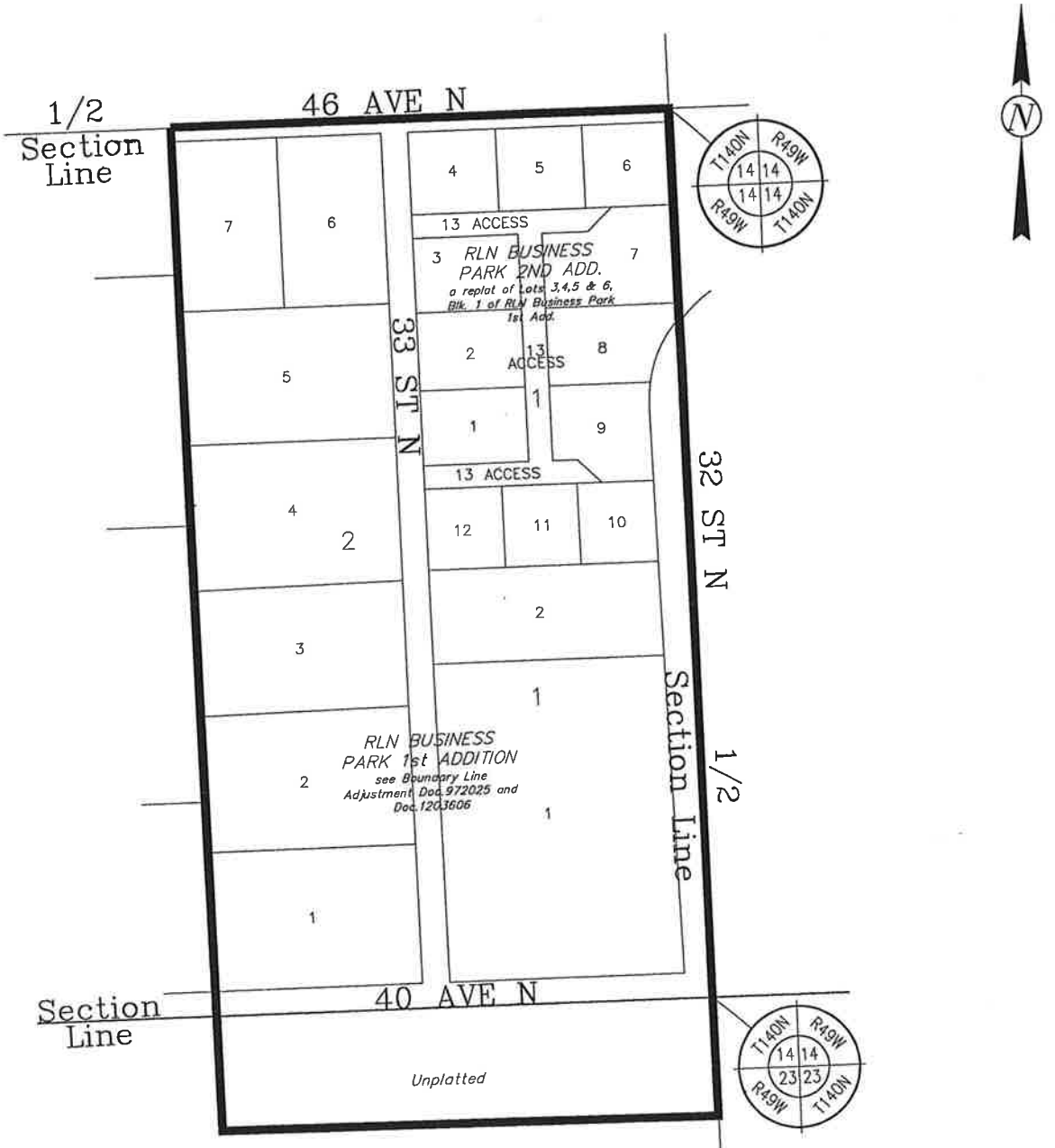
All platted in RLN Business Park First Addition.

Lots 1 through 13, Block 1.

All platted in RLN Business Park Second Addition.

The unplatted land located in the Northwest quarter of Section 23, Township 140 N, Range 49 W. Bounded to the north by the north section line of said Section 23 and to the south by a line parallel to said section line a distance of 523' south. Bounded to the east by the half section line of said section 23 and to the west by a line parallel to said half section line a distance of 1,478' west.

All of the foregoing located in the City of Fargo, Cass County, North Dakota.



CITY OF FARGO
ENGINEERING DEPARTMENT

LOCATION & ASSESSMENT AREA

STORM SEWER, PC CONCRETE PAVING
& INCIDENTALS

IMPROVEMENT DISTRICT NO. BN-18-G

COVER SHEET
CITY OF FARGO PROJECTS

30-2

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of the Project as it will appear in the Contract:

Bison Meadows Levee & Pond Project
Improvement District FM-17-C

Improvement District No. FM-17-C

Call For Bids February 12, 2018

Advertise Dates February 19, 26, 2018

Bid Opening Date March 21, 2018

Substantial Completion Date September 15, 2018

Final Completion Date October 15, 2018

N/A PWPEC Report (Attach Copy) – **Part of 2018 CIP**

X Engineer's Report (Attach Copy)

X Direct City Auditor to Advertise for Bids

X Bid Quantities (Attach Copy for Auditor's Office Only)

X Notice to Property Owners (Dan Eberhardt)

Project Engineer Roger E. Kluck, P.E. C.F.M.

Phone No. 241-1537

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

X Create District (Attach Copy of Legal Description)

X Order Plans & Specifications

X Approve Plans & Specifications

X Adopt Resolution of Necessity

N/A Approve Escrow Agreement (Attach Copy for Commission Office Only)

X Assessment Map (Attach Copy for Auditor's Office Only)

ENGINEER'S REPORT
BISON MEADOWS LEVEE & POND PROJECT
IMPROVEMENT DISTRICT FM-17-C

Nature & Scope

This project is planned to build the flood control levee for the Bison Meadows housing development. This project will complete excavation of the regional storm water detention ponds north of Bison Meadows, create a park area with a recreation path, trees, and native grasses around the regional detention ponds, and build a recreation path across the Park Land that the new levee will be built upon, along the west side of University Drive.

Purpose

New housing developments within the Base Flood Zone are required to build flood protection to the Base Flood Elevation plus four feet. The special assessment portion of this project will include hauling and stockpiling excess excavation from the regional storm water detention ponds for use by the Bison Meadows developer to build up the development land to LOMR requirements. Bison Meadows special assessment work will also include installation of the back yard drainage system on the east and north sides of the development. A recreation path will be built along the east side of the Bison Meadows for use by the public and special assessed to the Park.

The portion of the project funded by the Flood Sales Tax will be used to complete the landscape work, which will include new trees and native grass plantings and a regional recreation path around the detention ponds north of Bison Meadows and build the flood control levee on the east side of Bison Meadows. The fill for the new levee will come from Park land west of Bison Meadows and from excavation of the west storm water pond north of Bison Meadows. The storm water detention pond areas have been used in the past to provide fill for previous flood fights and for constructing the current flood control levees in south Fargo. This project will complete those pond excavations and restore the slopes with native prairie grasses.

Feasibility

The estimated construction cost is approximately \$2,541,760.00. Funding for this project will consist of Special Assessment Funds and Flood Sales Tax. The project's cost breakout is as follows:

| | |
|---|--------------------|
| Bison Meadows Assessed Project Costs | \$1,019,185.00 |
| plus fees: | |
| 11% Engineering | \$112,110.35 |
| 6% Administrative | \$61,151.10 |
| 3% Legal & Misc. | \$30,599.55 |
| 4% Interest | \$40,767.40 |
| Total Estimated Bison Meadows Assessed Cost | \$1,263,789.40 |
| Flood Sales Tax (Fund 460) | \$1,389,175.00 |
| plus fees: | |
| 6% Engineering | \$83,350.50 |
| 3% Legal & Misc. | \$41,675.25 |

| | |
|--|-----------------------|
| 4% interest | \$55,567.00 |
| Total Estimated Flood Sales Tax (460) Funded Cost | \$1,569,767.75 |

| | |
|--|---------------------|
| Park Land Assessed Recreation Path Project Costs | \$133,400.00 |
| plus fees: | |
| 11% Engineering | \$14,674.00 |
| 6% Administrative | \$8,004.00 |
| 3% Legal & Misc. | \$4,002.00 |
| 4% Interest | \$5,336.00 |
| Total Estimated Park Land Assessed Cost | \$165,416.00 |

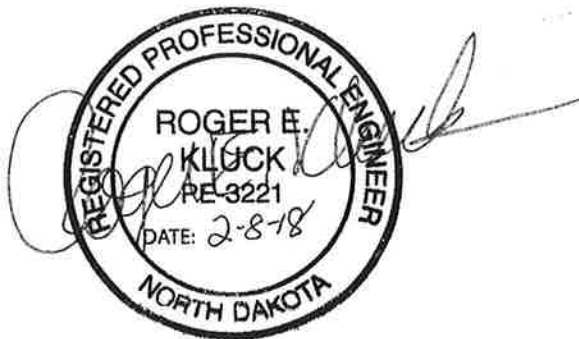
Total Estimated Project Cost **\$2,998,973.15**

Project Funding Summary

| | | |
|-------------------------------------|-------|-----------------------|
| Special Assessment Bison Meadows | 42.1% | \$1,263,789.40 |
| Flood Sales Tax (Fund 460) | 52.3% | \$1,569,767.75 |
| Special Assessment Park Land | 5.5% | \$165,416.00 |
| Total Estimated Project Cost | | \$2,998,973.15 |

The assessed cost to the property owners will be per City policy.

We believe this project to be cost effective.



Roger E. Kluck
Roger E. Kluck, P.E., C.F.M
Engineer II

February 2018

CITY OF FARGO
ENGINEERING DEPARTMENT

LOCATION & COMPRISING

BISON MEADOWS LEVEE & POND PROJECT

IMPROVEMENT DISTRICT NO. FM-17-C

LOCATION:

Unplatted lots 6469 University Drive South and 6475 University Drive South, lying South of Glen Van Enk subdivision, East of Crofton Coves, West of South University Drive, and North of Bison Meadows.

Bison Meadows Second Addition lying south of unplatted lots 6469 University Drive South and 6475 University Drive South, East of Crofton Coves, West of South University Drive, and North of 70th Avenue South.

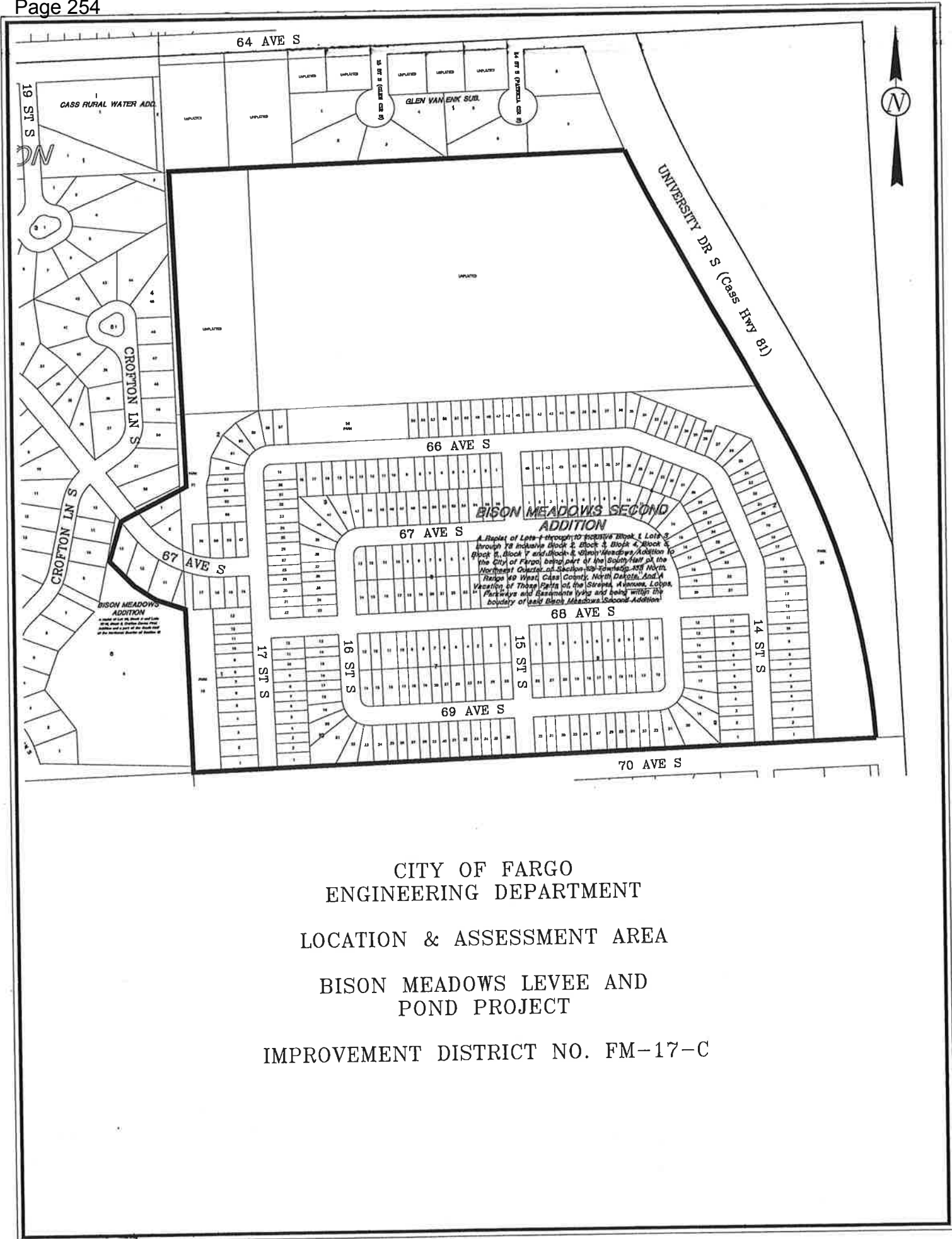
COMPRISING:

- Lots 1-18, Block 1.
- Lots 1-71, Block 2.
- Lots 1-56, Block 3.
- Lots 1-45, Block 4.
- Lots 1-21, Block 5.
- Lots 1-26, Block 6.
- Lots 1-26, Block 7.
- Lots 1-22, Block 8.
- Lots 1-32, Block 9.
- Lots 1-36, Block 10.

All platted within Bison Meadows Second Addition.

Unplatted lots 6469 University Drive South and 6475 University Drive South lying within the North half of the northeast quarter of Section 12, Township 138 North, Range 49 West, Fargo, North Dakota.

All of the foregoing, unless mentioned, is located in the City of Fargo, Cass County, North Dakota.



CITY OF FARGO
 ENGINEERING DEPARTMENT

LOCATION & ASSESSMENT AREA

BISON MEADOWS LEVEE AND
 POND PROJECT

IMPROVEMENT DISTRICT NO. FM-17-C

COVER SHEET
CITY OF FARGO PROJECTS

30-3

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of Improvement District as it will appear in the Contract:

Seal Coat & Incidentals

Improvement District No. PR-18-E

Call For Bids February 12, 2018

Advertise Dates February 19 & 26, 2018

Bid Opening Date March 21, 2018

Substantial Completion Date July 30, 2018

Final Completion Date August 30, 2018

N/A PWPEC Report (Attach Copy) **PART OF 2018 CIP**

X Engineer's Report (Attach Copy)

X Direct City Auditor to Advertise for Bids

X Bid Quantities (Attach Copy for Auditor's Office Only)

X Notice to Property Owners (Dan Eberhardt)

Project Engineer Jason Hoogland

Phone No. 241-1545

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

X Create District (Attach Copy of Legal Description)

X Order Plans & Specifications

X Approve Plans & Specifications

X Adopt Resolution of Necessity

N/A Approve Escrow Agreement (Attach Copy for Commission Office Only)

X Assessment Map (Attach Copy for Auditor's Office Only)

ENGINEER'S REPORT
SEAL COAT & INCIDENTALS
IMPROVEMENT DISTRICT NO. PR-18-E

Nature & Scope

This project involves installing a seal coat on the asphalt surfaced streets in several sections of the City as follows:

Section 1:

On Riverwood Drive North from 515' north of 43rd Avenue North to north end of road.

Section 2:

On Umber Court South.

On 28th Avenue South from 42nd Street South to Umber Court South.

On 30th Avenue South from 42nd Street South to 43rd Street South.

On Russet Avenue South from Sienna Drive South to 43rd Street South.

On 31st Avenue South from 42nd Street South to 43rd Street South.

On Auburn Avenue South from Sienna Drive South to 43rd Street South.

On Sienna Drive South from 32nd Avenue South to 30th Avenue South.

On Saffron Drive South from 30th Avenue South to Umber Court South.

On 43rd Street South from 32nd Avenue South to 30th Avenue South.

Section 3:

On Coventry Drive South from 43rd Avenue South to 44th Avenue South.

On 43rd Avenue South from 43rd Street South to Coventry Drive South.

On 44th Street South from 43rd Avenue South to 44th Avenue South.

Section 4:

On Great Plains Drive South from 38th Street South to 42nd Street South.

On 40th Street South from 40th Avenue South to Great Plains Drive South.

Section 5:

On 47th Avenue South from 53rd Street South to end of cul de sac west of 56th Street South.

On 48th Avenue South from 54th Street South to Veterans Boulevard South.

On 49th Avenue South from 53rd Street South to 55th Street South.

On 54th Street South from 47th Avenue South to 49th Avenue South.

On 55th Street South from 48th Avenue South to end of cul de sac south of 49th Avenue South.

On 56th Street South from 47th Avenue South to 48th Avenue South.

Section 6:

On 53rd Avenue South from 25th Street South to 27th Street South.

On Prairie Grove Avenue South from 25th Street South to 27th Street South.

On 54th Avenue South from 26th Street South to 27th Street South.

On 55th Avenue South from 26th Street South to 27th Street South.

On 56th Avenue South from 26th Street South to 27th Street South.

On 57th Avenue South from 26th Street South to 27th Street South.

On 26th Street South from 53rd Avenue South to 57th Avenue South.
On 27th Street South from 52nd Avenue South to 190' south of 57th Avenue South.

Section 7:

On 55th Avenue South from 58th Street South to Deer Creek Parkway.
On 56th Avenue South from 58th Street South to Deer Creek Parkway.
On 57th Avenue South from 58th Street South to 61st Street South.
On 58th Street South from 55th Avenue South to 150' south of 57th Avenue South.
On 59th Street South from 55th Avenue South to 56th Avenue South.
On 60th Street South from 55th Avenue South to 56th Avenue South.
On 61st Street South from 56th Avenue South to 140' south of 57th Avenue South.
On 62nd Street South from 55th Avenue South to 56th Avenue South.

Section 8:

On Broadway North from 25th Avenue North to 28th Avenue North.
On 7th Street North from 28th Avenue North to 32nd Avenue North.
On 8th Street North from 25th Avenue North to 28th Avenue North.
On 25th Avenue North from Broadway North to 8th Street North.
On 28th Avenue North from Broadway North to 8th Street North.

Section 9:

On 28th Street North from 7th Avenue North to 12th Avenue North.
On 29th Street North from 11th Avenue North to 12th Avenue North.
On 34th Street North from 7th Avenue North to north end of cul de sac.
On 8th Avenue North from 28th Street North west ½ block.
On 10th Avenue North a ½ block east and west of 28th Street North.
On 11th Avenue North from ½ block east of 28th Street North to 29th Street North.

Section 10:

On 7th Street North from ½ block south of 16th Avenue North to 17th Avenue North.
On 8th Street North from ½ block south of 16th Avenue North to 17th Avenue North.
On 16th Avenue North from Broadway North to 9th Street North.

Section 11:

On 27th Street South from 3rd Avenue South to 5th Avenue South.
On 27th Circle South.
On Leahy Avenue South from 5th Avenue south to 27th Street South.
On 7th Avenue South from 25th Street South to 28th Street South.
On Fiechtner Drive South from 5th Avenue South to 13th Avenue South.
On 4th Avenue South from Fiechtner Drive South to 36th Street South.
On 34th Street South from Main Avenue to 877' south of 4th Avenue South.
On 34th Street South from Westrac Drive South to Interstate Boulevard South.
On Interstate Boulevard South from Westrac Drive South to 36th Street South.
On Nodak Drive South from Fiechtner Drive South to 13th Avenue South.
On Westrac Drive South from Interstate Boulevard South to 13th Avenue South.
On Page Drive South from Fiechtner Drive South to 13th Avenue South.

Section 12:

On 42nd Street South from 13th Avenue South to 19th Avenue South.

Section 13:

On Prairiewood Drive South.

On Birch Lane South from Prairiewood Drive South to 32nd Street South.

On 32nd Street South from 17th Avenue South to Prairiewood Drive South.

On Prairiewood Xing South.

On 20th Avenue South from 25th Street South to Prairiewood Drive South.

Section 14:

On 33rd Avenue South from 42nd Street South to 45th Street South.

On 34th Avenue South from Washington Street South to Van Buren Street South.

On Washington Street South.

On Adams Street South.

On Jefferson Street South.

On 43rd Street South from 32nd Avenue South to 35th Avenue South.

On Monroe Street South.

On Jackson Street South.

On Van Buren Street South.

Section 15:

On 15th Street South from 32nd Avenue South to 35th Avenue South.

On 15th Street South from 37 ½ Avenue South to 40th Avenue South.

On 17th Street South from 33rd Avenue South to 35th Avenue South.

On 33rd Avenue South from 15th Street South to 17th Street South.

On 34th Avenue South from 15th Street South to 17th Street South.

On 34 ½ Avenue South from 15th Street South to 17th Street South.

On 40th Avenue South from 15th Street South to 189' west of 17th Street South.

Section 16:

On 39th Avenue South.

On 39 ½ Avenue South.

On 41st Avenue South from Woodhaven Street South to Ashton Court South.

On 42nd Avenue South from Ashton Court South to 43rd Street South.

On 43rd Avenue South from Woodhaven Street South Ashton Court South.

On 44th Avenue South from 42nd Street South to 45th Street South.

On Woodhaven Street South from 41st Avenue South to 44th Avenue South.

On 42 ½ Street South from 39 ½ Avenue South to 40th Avenue South.

On Ashton Court South from 41st Avenue South to 43rd Avenue South.

On 43rd Street South from 39 ½ Avenue south to 44th Avenue South.

Section 17:

On 39th Avenue South.

On 33rd Street South from 39th Avenue South to 40th Avenue South.

On 34th Street South from 39th Avenue South to 40th Avenue South.

Section 18:

On Rose Creek Drive South from 40th Avenue South to 25th Street South.
On cul de sacs off of Rose Creek Drive South.
On Sterling Rose Lane South.
On Centennial Rose Drive South.
On Victoria Rose Drive South.
On Victoria Rose Lane South.

Section 19:

On alley between 12th Avenue North and Dakota Drive North west of 19th Street North.
On alley from 11th Avenue North to Dakota Drive North between 18th Street North and 19th Street North.
On alley from 12th Avenue North and Dakota Drive North between 17th Street North and 18th Street North.
On alley from 11th Street North and University Drive North between 2nd Avenue North and 3rd Avenue North.
On alley from 1st Avenue North to 2nd Avenue North between 8th Street North and 10th Street North.
On alley from 15th Street South to 16th Street South between 5th Avenue South and 6th Avenue South.
On alleys from 9th Street South to University Drive South between 4th Avenue South and 5th Avenue South.
On alley from 6th Avenue South to 7th Avenue South between University Drive South and 14th Street South.
On alley from 5th Avenue South to 7th Avenue South between 10th Street South to 11th Street South.
On alleys from 9th Avenue South to 12th Avenue South between 6th Street South and 7th Street South.
On alleys from 8th Avenue South to 13th Avenue South between 7th Street South and 8th Street South.
On alley from 10th Avenue South to 11th Avenue South between 8th Street South and 9th Street South.
On alleys from 8th Avenue South to 11th Avenue South between 9th Street South and 10th Street South.
On alley from 10th Avenue South to 11th Avenue South between 10th Street South and 11th Street South.
On alley from 11th Street South to University Drive South between 9th Avenue South and 10th Avenue South.
On alleys from 10th Avenue South to 12th Avenue South between University Drive South and 14th Street South.
On alleys from University Drive South to 15th Street South between 10th Avenue South and 11th Avenue South.

Purpose

Installation of a seal coat at this time will extend the life of these roadways considerably.


Feasibility

The total construction cost is estimated to be \$923,609.00. It will be paid by Street Rehabilitation funds and Special Assessments. The cost breakdown is as follows:

| | |
|--|-----------------------|
| <u>Sections 1 - 7:</u> | |
| Estimated Construction Cost: | \$ 192,778.00 |
| Plus Engineering Fees (11%): | 21,206.00 |
| Plus Administration Fees (6%): | 11,567.00 |
| Plus Legal/Misc Fees (3%): | 5,783.00 |
| Plus Interest (4%): | 7,711.00 |
| Assessed Cost: | <u>\$ 239,045.00</u> |
| <u>Sections 8 - 19:</u> | |
| Estimated Construction Cost: | \$ 730,831.00 |
| Plus Engineering Fees (6%): | 43,850.00 |
| Plus Legal/Misc Fees (3%): | 21,925.00 |
| Plus Interest (4%): | 29,233.00 |
| City Cost (Street Rehabilitation Funds): | <u>\$ 825,839.00</u> |
| Total: | |
| Estimated Construction Cost: | \$ 923,609.00 |
| Plus Engineering Fees (7.04%): | 65,055.00 |
| Plus Administration Fees on Assessed Sections (1.26%): | 11,567.00 |
| Plus Legal/Misc. Fees (3%): | 27,708.00 |
| Plus Interest (4%): | 36,944.00 |
| Total Cost: | <u>\$1,064,883.00</u> |
| Assessed Cost (22.4%): | \$ 239,045.00 |
| City Cost (Street Rehabilitation Funds) (77.6%): | \$ 825,839.00 |

We believe this to be cost effective.




Tom Knakmuhs, P.E.
Division Engineer

**CITY OF FARGO
ENGINEERING DEPARTMENT**

LOCATION & COMPRISING

SEAL COAT & INCIDENTALS

IMPROVEMENT DISTRICT NO. PR-18-E

LOCATION (Section 1):

On Riverwood Drive North from 515' north of 43rd Avenue North to north end of road.

LOCATION (Section 2):

On Umber Court South.
On 28th Avenue South from 42nd Street South to Umber Court South.
On 30th Avenue South from 42nd Street South to 43rd Street South.
On Russet Avenue South from Sienna Drive South to 43rd Street South.
On 31st Avenue South from 42nd Street South to 43rd Street South.
On Auburn Avenue South from Sienna Drive South to 43rd Street South.
On Sienna Drive South from 32nd Avenue South to 30th Avenue South.
On Saffron Drive South from 30th Avenue South to Umber Court South.
On 43rd Street South from 32nd Avenue South to 30th Avenue South.

LOCATION (Section 3):

On Coventry Drive South from 43rd Avenue South to 44th Avenue South.
On 43rd Avenue South from 43rd Street South to Coventry Drive South.
On 44th Street South from 43rd Avenue South to 44th Avenue South.

LOCATION (Section 4):

On Great Plains Drive South from 38th Street South to 42nd Street South.
On 40th Street South from 40th Avenue South to Great Plains Drive South.

LOCATION (Section 5):

On 47th Avenue South from 53rd Street South to end of cul de sac west of 56th Street South.
On 48th Avenue South from 54th Street South to Veterans Boulevard South.
On 49th Avenue South from 53rd Street South to 55th Street South.
On 54th Street South from 47th Avenue South to 49th Avenue South.
On 55th Street South from 48th Avenue South to end of cul de sac south of 49th Avenue South.
On 56th Street South from 47th Avenue South to 48th Avenue South.

LOCATION (Section 6):

On 53rd Avenue South from 25th Street South to 27th Street South.
On Prairie Grove Avenue South from 25th Street South to 27th Street South.
On 54th Avenue South from 26th Street South to 27th Street South.
On 55th Avenue South from 26th Street South to 27th Street South.
On 56th Avenue South from 26th Street South to 27th Street South.
On 57th Avenue South from 26th Street South to 27th Street South.
On 26th Street South from 53rd Avenue South to 57th Avenue South.
On 27th Street South from 52nd Avenue South to 190' south of 57th Avenue South.

LOCATION (Section 7):

On 55th Avenue South from 58th Street South to Deer Creek Parkway.
On 56th Avenue South from 58th Street South to Deer Creek Parkway.
On 57th Avenue South from 58th Street South to 61st Street South.
On 58th Street South from 55th Avenue South to 150' south of 57th Avenue South.
On 59th Street South from 55th Avenue South to 56th Avenue South.
On 60th Street South from 55th Avenue South to 56th Avenue South.
On 61st Street South from 56th Avenue South to 140' south of 57th Avenue South.
On 62nd Street South from 55th Avenue South to 56th Avenue South.

COMPRISING (Section 1):

Lots 1 through 10, Block 1.
Lots 1 through 10, Block 2.
All in Riverwood 1922 1st Addition.

Lot 1, Block 1, Votava 2007 Addition.

COMPRISING (Section 2):

Lots 2 through 23, Block 1.
Lots 1 through 10, Block 2.
Lots 1 through 10, Block 3.
Lots 1 through 11, Block 4.
Lots 1 through 22, Block 5.
Lots 1 through 19, Block 6.
Lots 1 through 9, Block 7.
Lot 1, Block 8.
Lot 1, Block 9.
All in Autumn Fields Addition.

Lots 1 through 3, Block 1, Autumn Fields 2nd Addition.

Lot 1, Block 1, Replat of Bethany South 1st Addition.

Lot 1, Block 2, Calico Prairie Addition.

Location & Comprising
Improvement District No. PN-16-A
Page 3

Lots 3 and 6, Block 1, King 2nd Addition.

COMPRISING (Section 3):

Lots 1 through 6 and 8, Block 1.
Lots 1 through 3, Block 2.
Lot 1, Block 3.
Lot 1, Block 4.
All in Woodhaven 3rd Addition.

Lots 1 and 2, Block 1, Country Grove Addition.

COMPRISING (Section 4):

Lot 1, Block 1.
Lot 1, Block 2.
All in Great Plains Software Addition.

Lots 2 through 4, Block 1.
Lot 1, Block 3.
All in Prairie Tech Addition.

Lot 2, Block 1, Titan Machinery Addition.

Lot 1, Block 1, Vista Addition.

Lots 1 through 8, Block 1, Woodhaven Plaza Addition.

COMPRISING (Section 5):

Lots 1 through 19, Block 1.
Lots 1 through 24, Block 2.
Lots 1 through 34, Block 3.
Lots 1 through 26, Block 4.
Lots 1 through 59, Block 5.
All in Veterans Park 1st Addition.

COMPRISING (Section 6):

Lots 3 through 16, Block 1.
Lot 1, Block 4.
Lots 1 through 16, Block 5.
Lots 18 through 36, Block 5.
Lots 38, through 46, Block 5.
Lots 1 through 24, Block 6.
Lots 1 through 13, Block 7.
All in Prairie Grove 1st Addition.

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Lots 1 and 2, Block 1, JOAW Addition.

Lots 3 and 4, Block 1, Prairie Grove 2nd Addition.

Lots 1 through 4, Block 1, Prairie Grove 3rd Addition.

Lots 1 through 23, Block 1, Whispering Creek 1st Addition.

Lots 1 through 3, Block 1, Prairie Grove 4th Addition.

COMPRISING (Section 7):

Lots 1 through 70, Block 11.

Lots 1 through 17, Block 12.

Lots 1 through 22, Block 13.

Lots 1 through 26, Block 14.

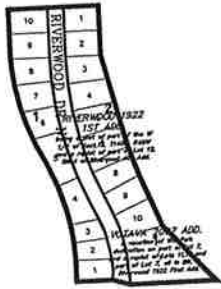
Lots 1 through 35, Block 15.

Lots 1 through 16, Block 16.

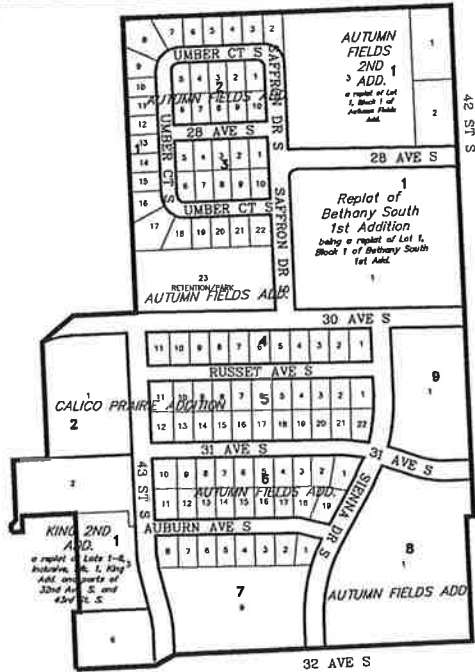
Lots 1 through 27, Block 17.

All in Deer Creek Addition.

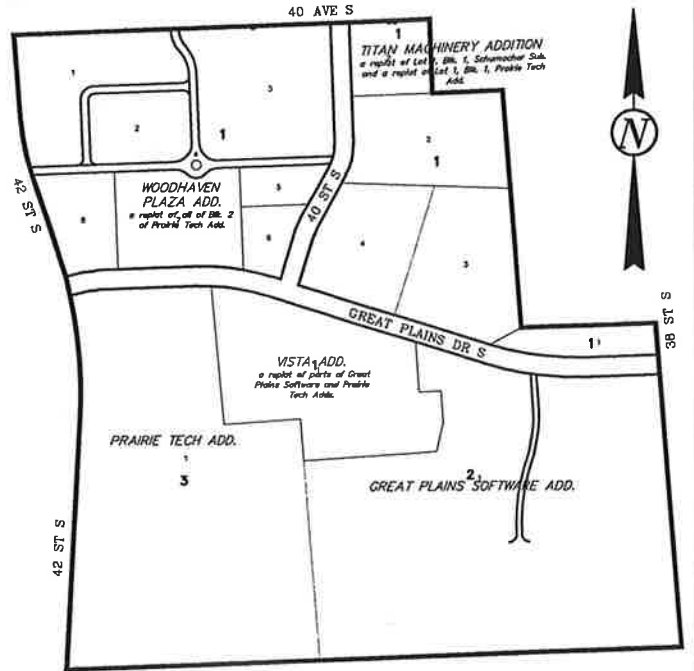
All of the foregoing is located in the City of Fargo, Cass County, North Dakota.



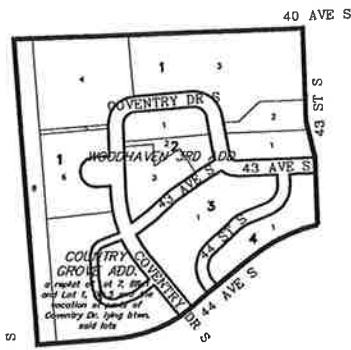
SECTION 1



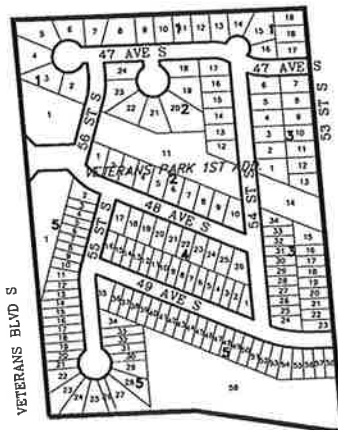
SECTION 2



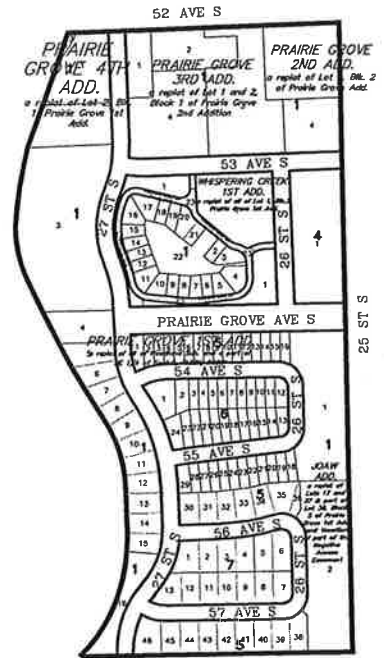
SECTION 4



SECTION 3



SECTION 5



SECTION 6



SECTION 7

CITY OF FARGO
ENGINEERING DEPARTMENT

LOCATION & ASSESSMENT AREA

SEAL COAT
& INCIDENTALS

IMPROVEMENT DISTRICT NO. PR-18-E