

FARGO CITY COMMISSION AGENDA  
Monday, March 9, 2020 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://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](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, February 24, 2020).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Applications for Games of Chance:
  - a. Oak Grove Lutheran School for a raffle on 4/3/20.
  - b. NDSU Lions Club for a raffle on 4/15/20.
  - c. St. Mary's Cathedral for a raffle on 5/17/20 (amended).
  - d. Healthcare Equipment Recycling Organization for a raffle and paddlewheels on 4/23/20.
  - e. Fargo Youth Hockey Association for a raffle and raffle board on 3/26/20.
  - f. Living Waters Lutheran Church for a raffle on 3/28/20.
- 2. Receive and File an Ordinance Amending Sections 21-0601 and 21-0603 of Article 21-06 of Chapter 21 of the Fargo Municipal Code Relating to Flood Plain Management.
- 3. Extension of the Moratorium Ordinance regarding the suspension of the issuance of new Taxicab and Vehicle for Hire licenses to July 1, 2020.
- 4. Request for Proposals for a professional fundraising assessment for a proposed Fargo Performance Center.
- 5. Exercising the option to piggyback on North Dakota State Contract No. 110 – STAGEnet Network Equipment/Audio/Visual/Video and contract with AVI Systems, Inc. to replace FARGODOME meeting room video projectors and relocate current projectors.
- 6. Financial Status Report Budget to Actual for year ending 12/31/19 (unaudited).
- 7. Change Order No. 3 for an increase of \$16,463.25 for the Old City Hall Demolition Project.
- 8. Authorize the Fire Department to apply for the Assistance to Firefighters Grant in the amount of \$662,086.00 for Self-Contained Breathing Apparatus and associated equipment.
- 9. Memorandums of Understanding with Family HealthCare.
- 10. Agreement for Services with Whitney Oxendahl.
- 11. Out-of-grade pay request for Conrad Binsfeld in the Public Health Department.

13. Wildlife Management Program Report for 2019-2020 and Resolution authorizing program for 2020-2021.
14. Sole Source Procurement with Master Construction Company, Inc. for winter dozer operations (SSP20060).
15. FAA Aerial Mosquito Spraying Authorization Application for Airborne Custom Spraying.
16. Purchase Agreement between City of Fargo and Case Plaza, LLC for property at 93 NP Avenue North (Project No. FM-14-92).
17. Developer and Right of Way Use Agreement with Roer's Development and the Diocese of Fargo.
18. Memorandum of Offer to Landowner for the Purchase of an Easement (Temporary Construction Easement) and Permanent Easement (Storm Sewer) from Patrick W. and Katherine A. DeLaPointe (Project No. UR-20-A1).
19. Purchase Agreement with Roger A. and Deborah J. Thorseth for property located at 902 41st Avenue North (Project No. FM-19-A).
20. Purchase Agreement and Occupancy Agreement with Allison Kenninger for property located at 901 42nd Avenue North (Project No. FM-19-A).
21. Broadway Skyway Artwork Project License Agreement between the City of Fargo and Emily Williams-Wheeler.
22. Negative Final Balance Change Order No. 1 in the amount of -\$355,747.64 for Project No. PR-19-C1.
23. Bid advertisements for Project Nos. SR-20-A, TR-20-A and TM-20-B.
24. Bid award for Project No. PR-20-A1.
25. Sole Source Procurement with Avista Technologies, Inc. for water treatment chemicals for the reverse osmosis system in the Membrane Water Treatment Plant (SSP19057).
26. Contracts and bonds for the Ground Transportation Center Improvement Projects.
27. Contract and bond for the Newman Outdoor Field Stadium Reroofing Project.
28. Bills.
29. Resolution of the City of Fargo, North Dakota Supporting the Establishment of Railroad Quiet Zones within City Limits (Improvement District No. TR-18-B0).
30. Final Balancing Change Order No. 4 for an increase of \$12,738.36 for Improvement District No. BR-18-G1.
31. Final Balancing Change Order No. 2 for an increase of \$8,217.01 for Improvement District No. SL-17-B1.

32. Negative Final Balancing Change Order No. 3 in the amount of -\$5,033.20 for Improvement District No. NN-17-A1.
33. Change Order No. 17 for an increase of \$10,230.00 for Improvement District No. BR-18-A1.
34. Change Order No. 1 for casing pipe thickness adjustment for Improvement District No. BR-19-A1.
35. Private utility relocation payments to Cass County Electric and Xcel Energy for Improvement District No. BN-20-C1.
36. Bid awards for Improvement District Nos. BR-20-A1, UR-20-A1 and PR-20-C1.
37. Create Improvement District Nos. NN-19-A and BN-20-C.
38. Contracts and bonds for Improvement District Nos. BR-20-E1 and BR-20-C1.

#### **REGULAR AGENDA:**

39. 2019 Fargo Police Department Annual Report.
40. Public Hearings - 5:15 pm:
  - a. CONTINUE to 4/6/20 – Alley Vacation of the alley between Lot 12, Block 26 and a part of Lot 7 and all of Lots 8-12, Block 25, Roberts Second Addition (1001 NP Avenue North and 28 10th Street North); approval recommended by the Planning Commission on 7/2/19; continued from the 8/12/19, 8/26/19, 10/21/19, 11/18/19, 12/16/19, 1/27/20, 2/10/20 and 2/24/20 Regular Meetings.
  - b. Section 5307 Federal Transportation Administration Grant Preliminary Program of Projects for 2020; continued from the 2/24/20 Regular Meeting.
  - c. Bentley Place First Addition (5601 33rd Avenue South); approval recommended by the Planning Commission on 2/4/20:
    1. Zoning change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a PUD, Planned Unit Development Overlay and a request to repeal the C-O, Conditional Overlay on Lot 6, Block 1.
    2. 1st reading of rezoning Ordinance.
    3. Planned Unit Development Master Land Use Plan.
  - d. Osgood Townsite Eleventh Addition (4711, 4731, 4751 and 4781 45th Street South); approval recommended by the Planning Commission on 2/4/20:
    1. Zoning change from LC, Limited Commercial with a C-O, Conditional Overlay to GC, General Commercial with a C-O, Conditional Overlay on Lots 1-4, Block 1.
    2. 1st reading of rezoning Ordinance.
41. Engineering Services Agreement Amendment No. 2 with Apex Engineering Group in the amount of \$469,205.00 for Improvement District No. BN-20-A0 (University Drive North from 32nd to 40th Avenue North.)
42. Request for Proposals to Develop City-Owned Property (314, 320, 324 7th Street North; 712 4th Avenue North) and a Resolution Authorizing Sale of Property (11 11th Street North).

Applications for property tax exemptions for improvements made to buildings:

- a. Mary Haunson, 1812 34th Street South (3 year).
- b. Larry W. and Stacy M. Lee, 2525 32nd Street South (3 year).
- c. Donald S. and Glenda A. Haugen, 4007 17th Street South (3 year).
- d. Jane C. Vogelwede and David W. Abbott, 2961 Peterson Parkway North (3 year).
- e. Michael P. and Robin D. Bogart, 514 21st Avenue South (5 year).
- f. Roger L. II and Rebecca A. Gilbertson, 722 Southwood Drive South (5 year).
- g. Sigurd H. Johnson and Ruth A. Varland, 433 Elmwood Avenue South (5 year).
- h. Case Plaza LLC, 117 Northern Pacific Avenue North (5 year).
- i. Molly A. and Benjamin Askegaard, 1315 6th Street South (5 year).
- j. Jonathan Michael Libbrecht, 1727 5th Street South (5 year).
- k. Riley and Jennie Rude, 423 8th Street South (5 year).
- l. Shanon G. and Christine L. McLachlan, 1339 9th Street North (5 year).
- m. Brent and Laura Nichols, 1617 9th Street South (5 year).
- n. Jesse M. and Betsy A. Smith, 1709 14 ½ Street South (5 year).
- o. Richard and Kimberly Rayl, 1011 Southwood Drive South (5 year).
- p. Alexander D. and Megan J. Dornbusch, 718 25th Street North (5 year).
- q. Kenneth D. Cottrell and April E. King, 1105 7th Street South (5 year).
- r. Bakntyar Rasool Murad, 1038 25th Street North (5 year).
- s. Mark Schmidt, 505 19th Avenue North (5 year).
- t. Kristen L. Bye, 1024 11th Street North (5 year).

44. Spring Flood Update:

- a. Contract awards to KPH, Inc. and Master Construction for Rapid Deploy Products Install and Removal (Project Nos. FE-20-D1 and FE-20-D2).
- b. Contract with Northstar Safety Inc. for 2020 Flood Emergency Control Assistance (Project No. FE-20-C1).
- c. Authorization of staff to enter into an Agreement with Reile's Transfer and Delivery, Inc. for transportation and handling of filled sandbags and at-the-ready services for filled sandbags used in the primary line of protection during the 2020 flood event.
- d. Bid award for the 2020 emergency flood pump rental contract (RFP20043).
- e. Agreement with FirstLink for coordination of volunteer services during an emergency event.

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](http://www.FargoND.gov/citycommission).



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March 9, 2020

Board of City Commissioners  
City Hall - 200 N 3<sup>rd</sup> Street  
Fargo, ND 58102

Dear Commissioners:

The Federal Transit Administration made available to the City of Fargo \$2,807,164 to be used for the transit system. Grant allocations were published in the federal register and a 3% increase over last year, or \$2,732,618. Please note, \$548,915 of the 2020 apportionment is included for meeting Small Transit Intensive Cities Performance Data indicators. The City of Fargo is required to hold a public hearing prior to submitting and executing an application. The attached Program of Projects was developed by the Transit Division to be submitted and executed with the application for the funds.

The requested motion is to approve the 2020 Program of Projects and submit/execute the grant.

Sincerely,



Julie Bommelman  
Transit Director  
City of Fargo

Attachment

Page 6  
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Fargo City Commission will hold a public hearing on March 9, 2020 at 5:15 pm in the City Commission chambers for the purpose of considering the City's Section 5307 Federal Transportation Administration grant preliminary program of projects for 2020. Unless amended, the proposed POP and projects contained in this advertisement will become the final POP. People with disabilities who need special accommodations (alternative format, interpreter/signer) should contact Julie Harris in the Transit Department at 701-241-8140 or by email: [jharris@matbus.com](mailto:jharris@matbus.com). A Final Program of Projects will be available to the public at the Transit Department, 650 23rd Street N, Fargo, ND 58102.

A. The program is below:

**CITY OF FARGO, NORTH DAKOTA  
METROPOLITAN AREA TRANSIT  
2020 PROGRAM OF PROJECTS AND BUDGETS**

**URBANIZED AREA:** Fargo, ND - Moorhead, MN  
**DESIGNATED RECIPIENT:** City of Fargo, North Dakota  
**APPLICANT:** City of Fargo, North Dakota

FEDERAL APPORTIONMENT FOR FY2020	\$ 2,807,164
CARRYOVER FUNDS FROM PREVIOUS YEARS	\$0
FY2019 FUNDS AVAILABLE - NOT APPLIED FOR	\$0
 TOTAL CARRYOVER FUNDS	 \$0
 TOTAL FEDERAL FUNDS AVAILABLE	 \$2,807,164
 TOTAL FEDERAL FUNDS REQUESTED FOR 2020 PROGRAM OF PROJECTS	 \$2,807,164

PROGRAM OF PROJECTS DESCRIPTIONS	LOCAL SHARE	FEDERAL SHARE	PROJECT TOTALS
<b>I. CAPITAL PROJECTS</b>			
A. 20%/80% Funding			
1. Maintenance Cost Funded as Capital	209,002	836,010	1,045,012
2. 10% of ADA Costs Funded as Capital	56,143	224,573	280,716
 <b>II. PLANNING ASSISTANCE</b>			
A. 20%/80% Funding			
1. Transit Planning	5,000	20,000	25,000
 <b>III. OPERATING ASSISTANCE</b>			
A. Maximum Federal Funding			
1. Eligible net operating expenses of the Fargo Transit System for the period of January 1, 2020 through December 31, 2020 (50% Federal Funding Level)	1,714,595	1,714,595.4	3,429,191
2. 1% Security	11,986	11,986	28,072
 <b>Section 5307 Program of Project Totals</b>	 <b>\$1,996,727</b>	 <b>\$2,807,164</b>	 <b>\$4,807,991</b>

**B. RELOCATION**

No persons, families, or businesses will be displaced by this project.

C. ENVIRONMENT

This project will not have a significant environmental impact upon the transit services in the area identified above.

D. COMPREHENSIVE PLANNING

This preliminary program of projects is in conformance with comprehensive land use and transportation planning for the area and is consistent with the locally adopted programming of projects in the annual element of the Transportation Improvement Plan (TIP).

E. ELDERLY AND PERSONS WITH DISABILITIES

This project takes into consideration the special transportation needs of the elderly by providing elderly and paratransit services.

F. CHARTER BUS

The City of Fargo will not provide any charter bus operations without first notifying all private operators in the area who claim to be willing and able to provide such service. If a private operator claims to be willing and able to provide charter services, then the City must review the evidence to determine whether or not the private operator will physically be able to provide the charter service, and if the provider has the required legal authority and necessary safety certifications that are required. If it is found that there is at least one willing and able provider which meets all of the aforementioned legal requirements by law, the City is prohibited from using FTA funded vehicles and equipment for charter service.

G. SCHOOL BUS OPERATIONS

The City of Fargo will not be engaged in school bus operations exclusively for the transportation of students or school personnel.

H. PRIVATE ENTERPRISE

Private enterprise is considered in all potential procurement contracts and subcontracts necessary in the operation of the transit system.

Interested persons or agencies desiring an opportunity to be heard with respect to social, economical, and environmental aspects of the program of projects may be heard at a this public hearing.

A copy of the preliminary program of projects, the current Transportation Development Plan, the current Transportation Improvement Plan, and a draft copy of the proposed grant application is available for public inspection at the City Transit Office, 650 23rd Street N, Fargo, North Dakota.

Julie Bommelman  
Transit Director

(Publish Date February 24 and March 2, 2020)

40c

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	<b>Bentley Place First Addition</b>	<b>Date:</b>	12/27/2020
		<b>Update:</b>	1/30/2020
		<b>Update:</b>	3/4/2020
<b>Location:</b>	5601 33 <sup>rd</sup> Avenue South	<b>Staff Contact:</b>	Maegin Elshaug
<b>Legal Description:</b>	Lot 6, Block 1, Bentley Place First Addition		
<b>Owner(s)/Applicant:</b>	Bentley Place Properties LLC / Jon Youness	<b>Engineer:</b>	N/A
<b>Entitlements Requested:</b>	<b>Zoning Change</b> (from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development, Overlay and a request to repeal the C-O, Conditional Overlay) and a <b>PUD Master Land Use Plan</b>		
<b>Status:</b>	City Commission Public Hearing: March 9, 2020		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> vacant	<b>Land Use:</b> mixed-use development
<b>Zoning:</b> LC, Limited Commercial with a C-O, Conditional Overlay	<b>Zoning:</b> LC, Limited Commercial with a PUD, Planned Unit Development, Overlay
<b>Uses Allowed:</b> LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, <del>off-premise advertising signs</del> , commercial parking, retail sales and service, self service storage, <del>vehicle repair</del> , limited vehicle service, <del>portable signs</del>	<b>Uses Allowed:</b> LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, <del>off-premise advertising signs</del> , commercial parking, retail sales and service, self service storage, <del>vehicle repair</del> , limited vehicle service, <del>portable signs</del>  <b>and residential use</b>
<b>Maximum Lot Coverage Allowed:</b> maximum 55% building coverage	<b>Maximum Lot Coverage Allowed and Density:</b> maximum 55% building coverage  <b>And minimum of 18 dwelling units per acre</b>

<b>Proposal:</b>
<p>The applicant is seeking approval of 1) a zoning change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development overlay and a request to repeal the C-O, Conditional Overlay and 2) a PUD Master Land Use Plan. The subject property is located at 5601 33<sup>rd</sup> Avenue South. The existing Conditional Overlay is Ordinance 4900.</p> <p><u>Project Summary</u></p> <p>The applicant has applied for a zoning change and a PUD Overlay in order to tailor development standards to the specifics of the proposed project. According to the applicant, the Eagle Ridge Mixed-Use project is intended to blend the commercial and multi-family residential design standards to create an urban and vibrant live, work, play setting. The project proposes eight (8) buildings that will consist of approximately 650 residential units, 40,000 square feet of commercial space and a plaza, and will include underground and internal ground level parking. The applicant has submitted a project narrative and PUD Master Land Use Plan which further describes the proposed development. These documents are attached.</p>

### PUD Master Land Use Plan

The image to the right is a preliminary Master Land Use Plan submitted by the applicant. The applicant is contemplating the timeline of the phases, as well as the form of the two buildings on the north and the potential for only one building. Note that if the zoning change and the Master Land Use Plan are approved by the City Commission, the Planning Commission will review the Final Plans for the PUD at some point in the future.

### PUD Overlay

As permitted by Section 20-0301(E) of the LDC, a number of different zoning standards are eligible for modification by the ordinance which establishes the PUD zoning overlay. The proposed PUD overlay is intended to modify the following specific LC zoning standards:

- Allow residential use;
- Establish minimum residential density of 18 dwelling units per acre;
- Increase the maximum building height from 35 feet to 80 feet;
- Reduction in the location of plant units in front or street side setback areas from 70% to 45%;
- Modify the minimum off-street parking requirements for a mixed-use development.

Note that minimum residential density is unique and does not frequently occur. The UMU, University Mixed Use zoning district is the only zoning district that requires a minimum density.

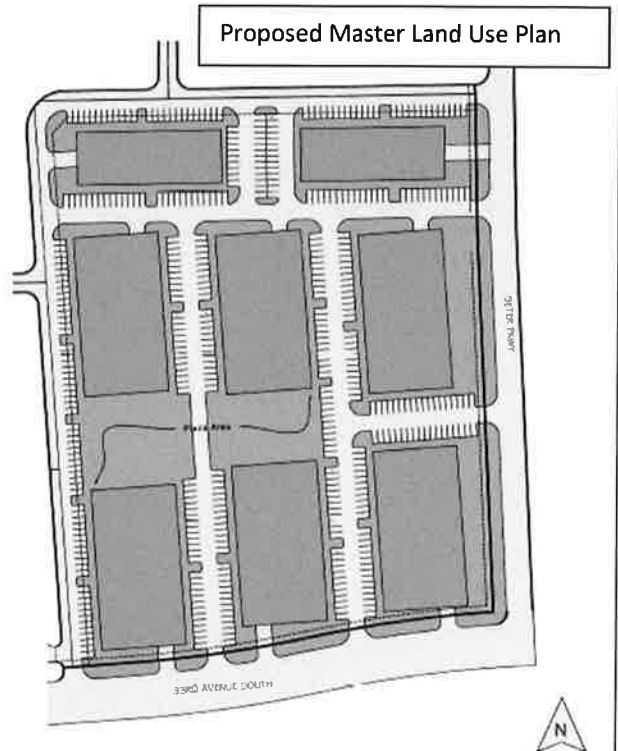
In addition to these modifications, the PUD overlay will establish design standards for the development, which are largely consistent with the Conditional Overlay proposed to be repealed. The design standards can be found in the attached draft PUD Ordinance, and are summarized below:

- Exterior building materials
- Variation of building façade
- Building facade features
- Rooftop equipment and dumpster screening
- Pedestrian connectivity

### Additional Information

Street trees exist along Seter Parkway South and 33<sup>rd</sup> Avenue South. The applicant will need to coordinate with the City Forester regarding the existing street trees.

The applicant has prepared a parking demand analysis, which was reviewed by the city's traffic engineer. Based on the report, the traffic engineer concurred with the findings, which support a reduction in parking for the site. The applicant has proposed to provide one (1) parking space per 1,000 gross square feet of floor area in order to simplify parking requirements. Staff is currently evaluating this ratio with the applicant and the City traffic engineer to verify it's congruency with the parking study.



This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

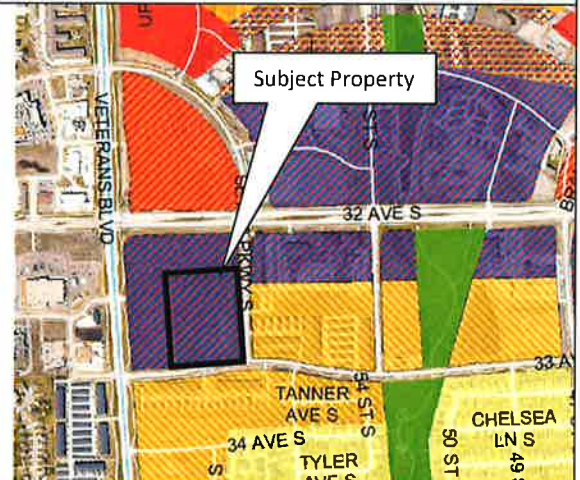
#### Surrounding Zoning Districts and Land Uses:

- North: LC, Limited Commercial with a C-O, Conditional Overlay with vacant land;
- East: Across Seter Parkway South is MR-3, Multi-Dwelling Residential;
- South: Across 33 Avenue South is MR-3, Multi-Dwelling Residential;
- West: LC, Limited Commercial with a C-O, Conditional Overlay with commercial use and vacant land.

#### Area Plans:

The subject property was originally part of the Southwest Area Plan as designated within the *Urban Fringe and Extraterritorial Area of the City of Fargo* land use plan adopted in 2001. This area was most recently updated in 2010 (see exhibit to right), which shows the subject property as being appropriate for Office or Commercial uses.

Legend	
	Proposed Parkway
	Commercial
	Commercial or Medium/High Density
	Commercial or Medium/High or Park/Open Space
	Commercial or Park/Open Space
	Either Industrial or Commercial
	Either Office or Commercial
	Either Office or Medium/High Density Residential
	Industrial
	Low/Medium Density Residential
	Low/Medium Density or Medium/High Density
	Medium/High Density Residential
	Medium/High Density or Park/Open Space
	Office
	Office or Commercial or Medium/High Density
	Park/Open Space
	Public
	Public or Commercial
	Public or Low/Medium Density
	Public or Office
	Storm Water



As illustrated to the right, the Go2030 Comprehensive Plan identifies this area as a *sustainable retail mixed-use center* (one of three types of *walkable mixed-use centers*), stating that, "These areas have the potential to become denser and incorporate more retail space. These areas can incorporate more dense residential uses, walkability improvements, and public art to become true mixed use centers and a destination for shopping and entertainment."



#### Context:

**Neighborhood:** Brandt Crossing

**Schools:** The subject property is located within the bounds of the West Fargo School District, specifically the Eastwood Elementary, Liberty Junior High and Sheyenne High Schools.

**Parks:** The subject property is located approximately a quarter-mile from Urban Plains Park (3020 51 Street South) and Brandt Crossing Park (5009 33 Avenue South), providing amenities of bike rentals, playgrounds, trails, shelters and shelter rental, basketball courts, and a dog park.

**Pedestrian / Bicycle:** A shared use trail is located along the south side of 33 Avenue South, which connects to shared use trails along Veterans Boulevard and 32<sup>nd</sup> Avenue South, which connects to the metro area trail system.

**Staff Analysis:****Zoning**

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

**1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?**

Staff is unaware of any error in the zoning map as it relates to this property. Staff finds that the requested zoning change is justified by change in conditions since the previous zoning classification was established. The PUD zoning is an overlay with an underlying zoning district of LC, Limited Commercial. The proposed PUD Overlay zoning district is intended to accommodate the development of this property and specifically identify the proposed development with a specific master land use plan that is to be reviewed concurrently with the zoning change request. **(Criteria Satisfied)**

**2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?**

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property is adjacent to existing developed public rights-of-way, which provide access and public utilities to serve the property. **(Criteria Satisfied)**

**3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**

Staff has no documentation or supporting evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. In accordance with the notification requirements of the Land Development Code, notice was provided to neighboring property owners within 300 feet of the project site. To date and prior to the January Planning Commission meeting, staff has received one inquiry related to the prohibition of off-premise advertising, portable signs, and vehicle repair. It was noted at the January meeting that the applicant has included off-premise advertising and portable signs as prohibited uses, and it was also clarified that vehicle repair was intended to continue to be a prohibited use. The proposed use section on page 1 of the staff report reflects this. The comment is attached. Staff finds that the proposal will not adversely affect the condition or value of the property in the vicinity. **(Criteria Satisfied)**

**4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?**

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed PUD is in keeping with Fargo's Comprehensive Plan. This area is identified within the Catalysts Map of Go2030 as a Walkable Mixed Use Center, specifically a Sustainable Retail Mixed Use Center. Walkable Mixed Use Centers are described as catalysts for well-designed, high density development that increase walkability, access to amenities, and provide other sustainable benefits of density. Specific initiatives of G02030 include:

- Sustainable Retail Mixed Use Centers - Noted to have the potential to incorporate more residential density and retail space, with walkability improvements, and public art to become a destination for shopping and entertainment.
- Public Gathering Spaces - Develop dedicated public gathering spaces in neighborhood centers.
- Design Standards - Improve quality of new housing by fostering strong relationship with the development and building community to promote dense, walkable communities with neighborhood centers.
- Quality New Development—Require new development to meet site design standards that result in well-designed new neighborhoods.

The plaza space will be privately owned but will have access by the public. In addition, the applicant is discussing the potential for public art within the development. To that end, staff finds that the proposed development is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City. **(Criteria Satisfied)**

### Master Land Use Plan

The LDC stipulates that the Planning Commission and Board of City Commissioners shall consider the following criteria in the review of any Master Land Use Plan:

1. **The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable base zoning district standards, based on the purpose and intent of this Land Development Code;**  
The plan represents an improvement over what could have been accomplished through strict application of the base LC zoning district. This PUD is intended to promote a walkable, aesthetically pleasing, mixed-use development pattern by providing flexibility in terms of residential use and density, height, parking requirements, open space, and landscaping, while establishing design standards, in order to provide a larger scale development and higher density housing. **(Criteria Satisfied)**
2. **The PUD Master Land Use Plan complies with the PUD standards of Section 20-0302;**  
All standards and requirements as set forth in the LDC have been met. **(Criteria Satisfied)**
3. **The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed;**  
City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property fronts on existing developed public rights-of-way, which provide access and public utilities to serve the property. **(Criteria Satisfied)**
4. **The development is consistent with and implements the planning goals and objectives contained in the Area Plan, Comprehensive Plan and other adopted policy documents;**  
The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed PUD is in keeping with Fargo's Comprehensive Plan, including initiatives of *sustainable retail mixed use centers, public gathering spaces, design standards, quality new development, and amenities and beautification as an economic development tool*. The City's Go2030 Comprehensive Plan supports development within areas that are already serviced with utilities. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan and other adopted policies of the City. **(Criteria Satisfied)**
5. **The PUD Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.**  
The PUD is consistent with sound planning practice and the development will promote the general welfare of the community by providing a walkable, mixed use development that will increase density within an area of the City that already has access to City services. **(Criteria Satisfied)**

**Update 3/4/2020:** After the Planning Commission meeting on February 4<sup>th</sup>, the applicant and staff worked to solidify several items of the Planned Unit Development, including density, parking, and open space. With each of these items, the changes do not deviate from but more closely align with the project proposal reviewed at the Planning Commission meeting. The changes are summarized below.

- **Density:** The minimum density has increased to 30 units per acre, however, the overall number of residential units is consistent, with approximately 650 units.



- **Parking:** The applicant has proposed to provide 1.31 parking spaces per residential unit, which is supported by the updated parking demand analysis provided by the applicant. All other uses will follow parking requirements of the Land Development Code. The applicant is no longer proposing (1) parking space per 1,000 gross square feet of floor area. Initially, the applicant contemplated a single ratio to account for the total gross square footage regardless of use. However, upon further review of implementation within a phased project where the exact uses and associated square footages aren't currently known, the applicant determined it would be difficult to identify one ratio that made sense. The updated study finds that the proposed ratio of 1.31 parking spaces per residential unit, along with all other uses to follow the requirements of the Land Development Code are more than adequate to meet parking needs within the development. The traffic engineer has reviewed the updated analysis and concurs with the findings.
- **Open Space:** The minimum open space has increased to 20%.

As noted for the above items, there has not been any changes to the project proposal; the details of the project have been solidified. Additionally, the applicant's project and project narrative has been updated to reflect additional commercial square footage, to approximately 72,000 square feet for the development.

**Staff Recommendation:**

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff, and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading, and approve the proposed: 1) Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development, Overlay and repeal the C-O, Conditional Overlay and 2) PUD Master Land Use Plan; as the proposal complies with the Go2030 Fargo Comprehensive Plan, Section 20-0906.F(1-4), and Section 20-0908.B(7) of the LDC, and all other applicable requirements of the LDC."

**Planning Commission Recommendation:** February 4, 2020

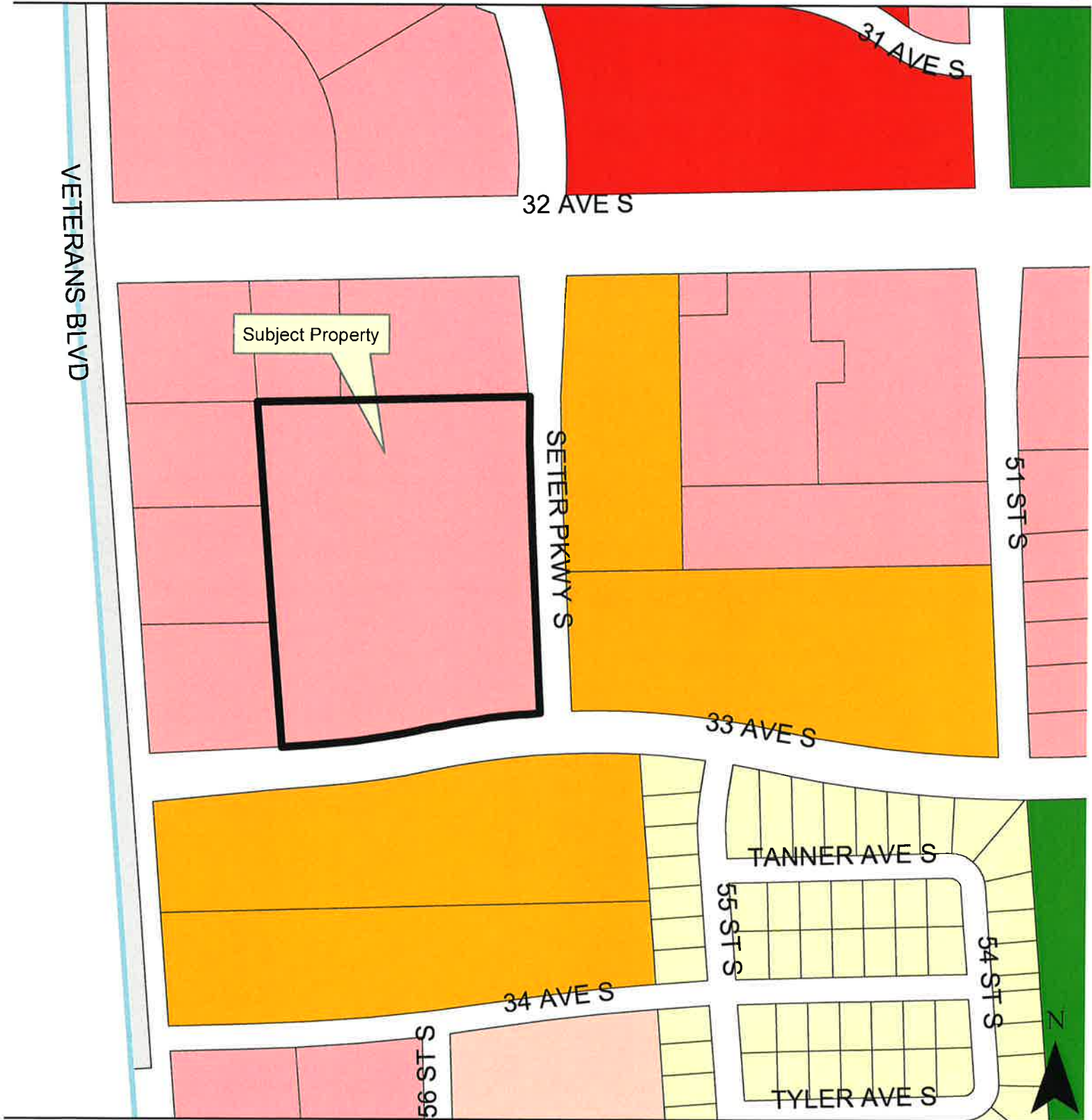
On February 4<sup>th</sup>, with an 8-0 vote with 3 members absent, the Planning Commission voted to accept the findings and recommendations of staff and recommended approval to the City Commission of the proposed 1) Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development, Overlay and repeal the C-O, Conditional Overlay and 2) PUD Master Land Use Plan; as the proposal complies with the Co2030 Fargo Comprehensive Plan, Section 20-0906.F(1-4), and Section 20-0908.B(7) of the LDC, and all other applicable requirements of the LDC.

**Attachments:**

1. Zoning Map
2. Location Map
3. PUD Master Land Use Plan
4. Additional Application Materials
5. Public Comment

# Bentley Place First Addition

5601 33rd Ave S



**Legend**



300

Feet



## Bentley Place First Addition

5601 33rd Ave S



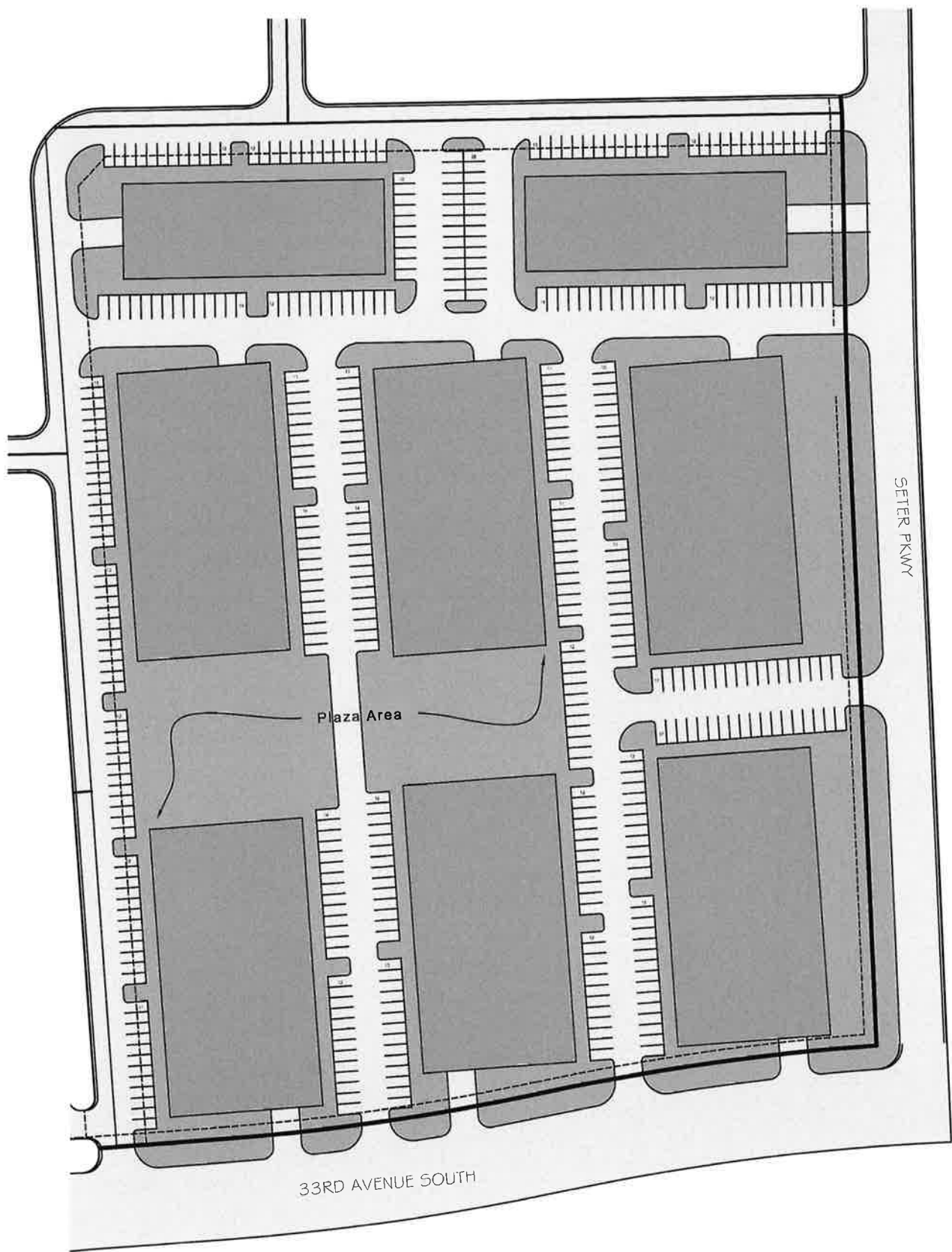
# EagleRidge Plaza Mixed Use

PUD Master Land Use Plan - January 29, 2020



EAGLERIDGE  
DEVELOPMENT

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## EagleRidge Plaza Mixed Use

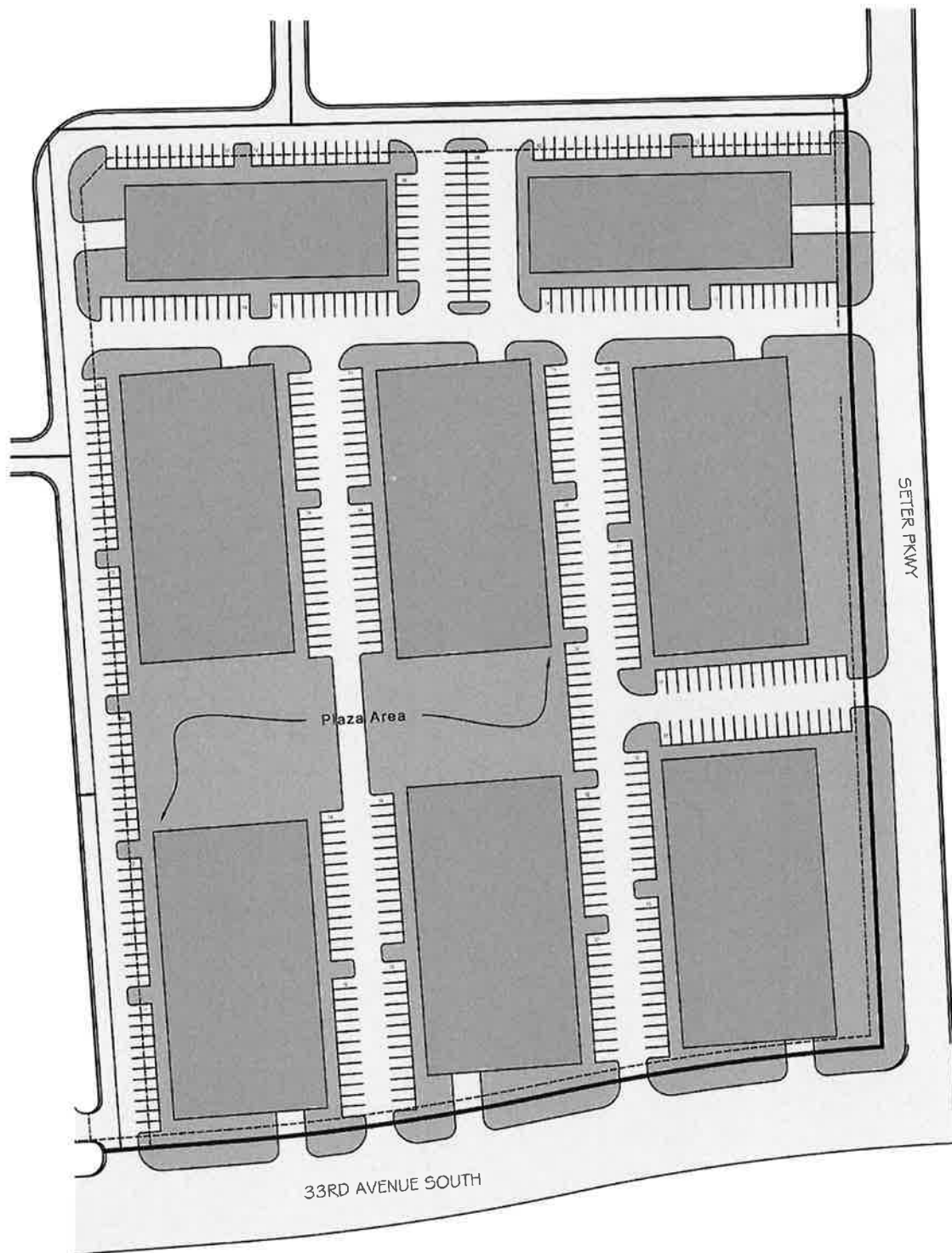


Planned Unit Development  
5601 33<sup>rd</sup> Avenue South  
Fargo, ND



EagleRidge Development  
701-540-7159  
[eagleridgedevelopment.com](http://eagleridgedevelopment.com)

# Preliminary Site Plan







## **Project Narrative**

EagleRidge Development submits this proposed planned unit development (PUD) request to create an upscale mixed-use project in south Fargo. This project will consist of approximately 650 residential units, 72,000 square feet of commercial space, and a public plaza. There will be a combination of studio, 1-bedroom, 2-bedroom, and 3-bedroom apartment options. The project will provide approximately 1.31 parking stalls per residential unit – commercial parking shall be per the LDC.

The purpose of the proposed PUD is to create a vibrant urban lifestyle setting that provides individuals with places to live and work that are within walking distance of restaurants, shopping, entertainment, and gathering spaces. The location, parking options, amenities, and commercial spaces will provide the convenience that today's renters are looking for. EagleRidge Plaza Mixed-Use will not only be a great option for renters, but commercial tenants will benefit by having 650 on site residential units within walking distance of their storefronts. As buyer habits change, it is important for communities to provide these desired housing options.

## **Statement of Intent**

The provisions of the PUD are intended to blend the commercial and multi-family residential design standards. The project will include eight (8) mixed-use buildings and a public plaza area on Lot 6, Block 1, Bentley Place 1<sup>st</sup> Addition. Buildings will include a combination of commercial space, residential units, structured parking, and building amenity spaces.

The proposed PUD will generate 4.2X more taxes than a traditional commercial project and 5.4X more taxes than a traditional apartment project. The project will provide better use of existing municipal infrastructure.





## The Team

**Architectural:** YHR Partners

**Engineering:** MBN Engineering

**Structural:** Sandman Structural Engineers

### **EagleRidge Development**

When it comes to building, EagleRidge Development is involved from start to finish. We are dedicated to building communities that not only meet the needs of residents and investors, but that also stand the test of time. That is why we follow a process that guarantees success.

By building lasting relationships with contractors and subcontractors, working with tenants to ensure their desires are met and finding investors that are as passionate about our projects as we are, we set ourselves apart from other developers.

### **Jim Bullis**

Jim Bullis has been actively engaged in the planning and development of residential and mixed-use communities in the Fargo-Moorhead and surrounding areas for more than 20 years. Mr. Bullis is an attorney licensed to practice in both North Dakota and Minnesota. His legal practice concentrates in the areas of commercial law and real estate development.

### **Jon Youness, PE**

Jon Youness joined the EagleRidge Development team in 2013 and has played an integral role in land acquisition, entitlements, and financial analysis for single family and multi-family properties. Mr. Youness also oversees and coordinates the design, permitting, and construction of multiple multi-family and commercial developments and is also actively involved in new product development for EagleRidge Development's multi-family construction affiliate.

**For more information, please contact us:**

[eagleridgedevelopment.com](http://eagleridgedevelopment.com)

[info@eagleridgecompanies.com](mailto:info@eagleridgecompanies.com)

701-540-7159



## Maegin Elshaug

---

**From:** Mantz, Keith <keith.mantz@capcu.org>  
**Sent:** Friday, January 3, 2020 3:39 PM  
**To:** Maegin Elshaug  
**Cc:** Reinbold, Vance  
**Subject:** Lot 6, Block 1, Bentley Place First Addition - Capital Credit Union  
**Attachments:** doc04541520200103151658.pdf

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi Maegin,

In response to our conversation earlier today, we would like to see the exclusions for the "Uses Allowed" to remain the same per the requested zoning changes for the Bentley Place First Addition. Specifically, we would like the "off premise advertising signs", "vehicle repair", and "portable signs" to continue to be excluded from the "Uses Allowed" section. We do not have any issue with the addition of residential uses to the zoning. I have attached a copy of page one of the staff report with the wording highlighted that we would like to continue to have excluded.

Capital Credit Union owns Lot 3, Block 1, Bentley Place 1st Addition or 3216 Veterans Boulevard. I appreciate your consideration of retaining these exclusions.

Sincerely,  
Keith Mantz

**Keith Mantz**  
**Chief Retail Officer**



Capital Credit Union  
P.O. Box 2096  
204 West Thayer Avenue  
Bismarck, ND 58501  
Direct: 701-355-7795

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	<b>Bentley Place First Addition</b>	<b>Date:</b>	12/27/2019
<b>Location:</b>	5601 33 <sup>rd</sup> Avenue South	<b>Staff Contact:</b>	Maegin Elshaug
<b>Legal Description:</b>	Lot 6, Block 1, Bentley Place First Addition		
<b>Owner(s)/Applicant:</b>	Bentley Place Properties LLC / Jon Youness	<b>Engineer:</b>	N/A
<b>Entitlements Requested:</b>	<b>Zoning Change</b> (from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development, Overlay and a request to repeal the C-O, Conditional Overlay) and a <b>PUD Master Land Use Plan</b>		
<b>Status:</b>	Planning Commission Public Hearing: January 7, 2020		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> vacant	<b>Land Use:</b> mixed-use development
<b>Zoning:</b> LC, Limited Commercial with a C-O, Conditional Overlay	<b>Zoning:</b> LC, Limited Commercial with a PUD, Planned Unit Development, Overlay
<b>Uses Allowed:</b> LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, <del>off premise advertising signs</del> , commercial parking, retail sales and service, self service storage, <del>vehicle repair</del> , limited vehicle service, <del>portable signs</del>	<b>Uses Allowed:</b> LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service, portable signs  <b>plus residential use</b>
<b>Maximum Lot Coverage Allowed:</b> maximum 55% building coverage	<b>Maximum Lot Coverage Allowed:</b> maximum 55% building coverage

**Proposal:**

The applicant is seeking approval of 1) a zoning change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development overlay and a request to repeal the C-O, Conditional Overlay and 2) a PUD Master Land Use Plan. The subject property is located at 5601 33<sup>rd</sup> Avenue South.

**Project Summary**

The applicant has applied for a zoning change and a PUD Overlay in order to tailor development standards to the specifics of the proposed project. According to the applicant, the Eagle Ridge Mixed-Use project is intended to blend the commercial and multi-family residential design standards to create an urban and vibrant live, work, play setting. The project includes five (5) mixed-use buildings and two (2) residential buildings. Each mixed-use building will include combination of approximately 8,000 square feet of commercial space, approximately 92 residential units, structured public parking, and building amenity spaces. Each residential building is intended to include 64 residential units, structured public parking, and building amenity spaces. The applicant has submitted a project narrative and PUD Master Land Use Plan which further describes the proposed development. These documents are attached.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

40 c2

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND  
LYING IN BENTLEY PLACE FIRST ADDITION  
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider a zoning map amendment of certain parcels of land lying in Bentley Place First Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the request for elimination of the existing "C-O", Conditional Overlay, District established by Fargo City Ordinance No. 4900, and approval of the planned unit development overlay and the master land use plan for development of the subject property, on February 4, 2020; and

WHEREAS, the Planned Unit Development Overlay and the Master Land Use Plan for development, were approved by the City Commission on March 9, 2020; and,

NOW, THEREFORE,

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

Section 1. The following described property:

Lot Six (6), Block One (1), Bentley Place First Addition to the city of Fargo, Cass County, North Dakota,

is hereby rezoned to retain the existing "LC", Limited Commercial, District zoning while extinguishing the existing "C-O", Conditional Overlay, District on said property as provided by City Ordinance No. 4900 and;

there is hereby established a Planned Unit Development Overlay on said described property as set forth herein and, therefore, the standards for development for the underlying zoning district shall hereby be modified as follows:

1. In addition to uses allowed within the "LC", Limited Commercial, District, residential use shall also be allowed.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

2. The minimum residential density allowed shall be 30 units per acre.
3. The minimum off-street parking required for residential shall be 1.31 stalls per unit. All other parking requirements will be per the Land Development Code.
4. The Land Development Code requires that at least 70% of the required open space landscaping be placed in the front and street-side of the property (LDC Section 20-0705). This property will require 45% of the required open space landscaping be placed in the front and street-side of the property.
5. The maximum height shall be 80 feet.
6. There shall be a minimum of 20% open space.
7. Additional Standards are as follows:
  - A. The following uses are prohibited:
    - i. Detention Facilities
    - ii. Adult Entertainment Center
    - iii. Vehicle Repair
    - iv. Industrial Service
    - v. Manufacturing and Production
    - vi. Warehouse and Freight Movement
    - vii. Aviation/Surface Transportation
    - viii. Off-Premise Advertising
    - ix. Portable Signs
  - B. Building Materials: A minimum of 85% of each wall shall be constructed or clad with natural stone; synthetic stone; brick; stucco; integrally-colored and textured concrete masonry units or systems; exterior insulation finishing system (EIFS); architectural metal panels; seamless steel siding with a ceramic hybrid paint finish; fiber cement siding; curtain walls or glass. All materials shall be commercial grade, durable, and have a multi-generational life span.
  - C. Building Façades: All buildings shall have architectural interest and variety to avoid the effect of a single, long, or massive wall with no relation to human scale. Building façades shall not exceed 150 feet in length, measured

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FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

horizontally, without articulation. An articulated façade would emphasize elements on the face of a wall including projection, recess, material change, roof pitch, or height.

D. Ground Floor Façades: Ground floor façades that face public streets shall have arcades, display windows, entry areas, awning, or other such features along no less than 40 percent of its horizontal length.

E. Flat Roofs and Rooftop Equipment: Rooftop HVAC equipment shall be totally screened from public view by parapets or screens, as viewed from the property line adjacent to public right-of-way.

F. Dumpsters: Dumpsters shall be completely screened from public view. Collection area enclosures shall contain permanent walls on three (3) sides with the service opening not directly facing any public right-of-way or residentially zoned property. The permanent walls shall be constructed or clad with the same materials used for the primary building. The fourth side shall incorporate a metal gate to visually screen the dumpster or compactor.

G. Pedestrian Connectivity: Separate vehicular and pedestrian circulation systems shall be provided. An onsite system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:

H. The primary entrance or entrances to each building, including pad site buildings.

I. Connections between the on-site (internal) pedestrian walkway network and any public or private sidewalk system located along adjacent perimeter streets or driveways shall be provided at regular intervals along the perimeter street as appropriate to provide easy access from the public sidewalks to the interior walkway network.

J. Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the development.

K. Where practical and appropriate, adjacent land uses and developments, including but not limited to residential developments, retail shopping centers and office buildings.

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his

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FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

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.

(SEAL)

Attest:

\_\_\_\_\_  
Steven Sprague, City Auditor

\_\_\_\_\_  
Timothy J. Mahoney, M.D., Mayor

First Reading:  
Second Reading:  
Final Passage:

40d

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Osgood Townsite Eleventh Addition	<b>Date:</b>	01-20-2020
		<b>Update:</b>	03-04-2020
<b>Location:</b>	4711, 4731, 4751& 4781 45 <sup>th</sup> Street South	<b>Staff Contact:</b>	Kylie Bagley
<b>Legal Description:</b>	Lots 1-4, Block 1, Osgood Townsite Eleventh Addition		
<b>Owner(s)/Applicant:</b>	Paces Lodging	<b>Engineer:</b>	N/A
<b>Entitlements Requested:</b>	<b>Zoning Change</b> (from LC, Limited Commercial, with a C-O, Conditional Overlay to GC, General Commercial, with a C-O, Conditional Overlay and a <b>Conditional Use Permit</b> for household living in the General Commercial zoning district (The Conditional Use Permit was approved by the Planning Commission on February 4, 2020)		
<b>Status:</b>	City Commission Commission Public Hearing: March 9, 2020		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Vacant	<b>Land Use:</b> Commercial and Residential Mixed-Use Building
<b>Zoning:</b> LC, Limited Commercial, with a C-O, Conditional Overlay	<b>Zoning:</b> GC, General Commercial, with a C-O Conditional Overlay, and a Conditional Use Permit
<b>Uses Allowed:</b> Colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service.	<b>Uses Allowed:</b> Colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, aviation, surface transportation, and major entertainment events.  With a Conditional Use Permit to allow household living
<b>Maximum Lot Coverage Allowed:</b> Maximum 55% building coverage	<b>Maximum Lot Coverage Allowed:</b> Maximum 85% building coverage

<b>Proposal:</b>
<p>The applicant is seeking approval of a zone change from LC, Limited Commercial, with a C-O, Conditional Overlay to GC, General Commercial, with a C-O, Conditional Overlay. The applicant will modify the existing Conditional Overlay. The applicant is also requesting approval of a Conditional Use Permit to allow for household living within the GC, General Commercial, zoning district, which was approved at the February 4, 2020 Planning Commission Meeting.</p> <p>The applicant is proposing a mixed use building that will have commercial retail on the first floor and apartment buildings on floors 2-4. In order to allow for a four story building the applicant is requesting a zone change. The Land Development Code states that when a Limited Commercial parcel is within 300ft of a SR zoning the height is restricted to 35ft. The existing Conditional Overlay also restricts structures to 35ft when they are within 300ft of any SR or MR zoning district west of 45<sup>th</sup> Street South. The applicant is proposing to rezone the subject property to General Commercial in order remove the 35ft height restriction stated in the LDC, as well as remove the condition in the Conditional Overlay that restricts the height of the structure. The General Commercial zoning district does not have a maximum height but the applicant is proposing a four story building, and will comply with the height requirements of the Residential Protection Standards.</p> <p>Staff is in support of the rezone since the Residential Protection Standards section of the LDC will still apply to the</p>



subject property. The Residential Protection Standards will restrict building height based on the distance of the structure to any SR, MR, or MHP zoning district. There is an MR-3 zoning district directly west of the subject property.

As part of the Conditional Overlay modification the applicant is proposing to modify from:

- "All building facades greater than 150 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade, and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 150 horizontal feet. An articulated façade would emphasize elements on the face of a wall including change in setback, materials, roof pitch or height."
- To state that "All building elevations/façades greater than 150 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 two 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 150 horizontal feet."

This wording is consistent with the conditional overlay that is put in place in Urban Plains.

This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

#### Surrounding Land Uses and Zoning Districts:

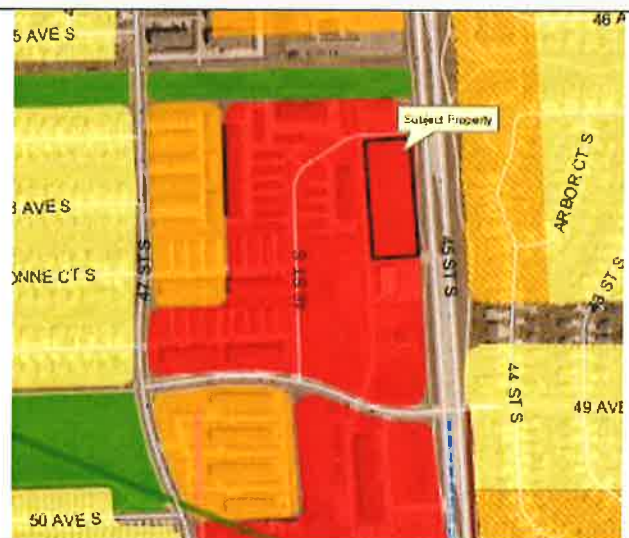
- North: LC, Limited Commercial, zoning districts with retail sales and service land use
- East: Across 45<sup>th</sup> St S parcels are zoned SR-3, Single-Dwelling Residential, with detached and attached housing
- South: LC, Limited Commercial, zoning districts with retail sales and service land use
- West: MR-3, Multi-Dwelling Residential, zoning district and GC, General Commercial with multi-dwelling structures and vacant land.

#### Area Plans:

The subject property was originally part of the 2003 Southwest Future Land Use Plan. Within this growth plan, the subject property is identified as being suitable for commercial uses.

#### Legend

- Commercial Area
- Future School
- Medium High Density or Commercial
- Proposed Park
- Residential Area - lower to medium density
- Residential Area - medium to high density



#### Schools and Parks:

**Schools:** The subject property is located within the West Fargo School District, more specifically within the Osgood Elementary, Liberty Middle and Sheyenne High schools.

**Parks:** The subject property is located within a quarter mile of the Osgood Park which provides playgrounds, large multipurpose fields, a basketball court and a small shelter.

**Neighborhood:** The subject property is located in the Osgood Neighborhood.

**Pedestrian / Bicycle:** To the south of the subject property is an off road bike facility that runs along 42nd Ave S, which connects to the metro area trail system.

**Staff Analysis:**

**Zoning**

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. **Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?**

Staff is unaware of any zoning map error in regard to the subject property. The requested zoning change is justified by a change in conditions since the previous zoning classification was established. The applicant has a clear picture of the type of development for the property.

**(Criteria Satisfied)**

2. **Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?**

The development will be served with city services (water, sewer, streets, police/fire protection, etc.) as well as other needed utility services as needed. The City Engineer and other applicable review agencies have reviewed this proposal.

**(Criteria Satisfied)**

3. **Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**

Staff has no documentation or evidence that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. The proposed zone change is in keeping with adopted plans approved via public process. In addition, written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has not received any verbal concerns or written comments regarding the proposed overlay zoning change. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity.

**(Criteria Satisfied)**

4. **Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?**

The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City. GC, General Commercial is a zoning that is included in the 2003 Land Use Plan "Commercial" land use designation. The LDC allows household living as a conditionally permitted use in the GC zone

**(Criteria Satisfied)**

**Conditional Use Permit Approval Criteria (Section 20-0909.D)**

The following is a list of criteria that must be determined satisfied in order for a Conditional Use Permit to be approved:

1. **Does the proposed conditional use comply with all applicable provisions of the LDC and will it conform to the general intent and purpose of this LDC?**

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Promoting infill development is a key initiative in the Comprehensive Plan. Table 20-0401 of the LDC states that household living is allowed in the GC zoning district with a conditional use permit. The CUP is for household living, and with the zoning district of GC

with the CUP, the property could be built as residential, commercial, or a combination. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City.

**(Criteria Satisfied)**

**2. Will the proposed conditional use at the specified location contribute to and promote the welfare or convenience of the public?**

Staff finds that this proposed conditional use permit to allow for residential use to be located within this area will contribute to and promote the welfare of the public.

**(Criteria Satisfied)**

**3. Will the proposed conditional use cause substantial injury to the value of other property in the neighborhood in which it is to be located?**

Staff has no data to suggest that the proposed use would cause substantial injury to the value of other property in the neighborhood. In accordance with Section 20-0901.F of the LDC, notices of the proposed use were sent out to property owners within 300 feet of the subject property. To date, staff has received no inquiries of calls, walk-ins and emails, with no noted concern.

**(Criteria Satisfied)**

**4. Is the location and size of the conditional use, the nature and intensity of the operation conducted in connection with it, and the location of the site with respect to streets giving access to it such that the conditional use will not dominate the immediate neighborhood so as to prevent the development and use of the neighboring property in accordance with the applicable zoning district regulations? In considering this criteria, location, nature, and height of buildings, structures, walls, and fences on the site are to be considered, as well as the nature and extent of proposed landscaping and buffering on the site.**

Staff finds that the proposed conditional use permit to allow household living should not dominate the immediate neighborhood or prevent any other sites from being used due to the fact that 1) there is a similar arrangement of uses located on west side of the subject property and 2) the proposed conditions of the CUP seek to limit the intensity of the use. The suggested conditions include the residential density allowing 24 units per acre. Based on this information, staff finds that the proposed conditional use permit meets this criterion.

**(Criteria Satisfied)**

**5. Are adequate utility, drainage, and other such necessary facilities and services provided or will they be at the time of development?**

The subject property is located within an area of the City that is largely developed with public infrastructure. Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the petitioner to utilize the property as proposed. In addition, the requested CUP has been reviewed by staff from other applicable departments and no concerns have been raised. Based on this information, staff finds that adequate utility, drainage, and other such necessary facilities and services are in place.

**(Criteria Satisfied)**

**6. Have adequate access roads or entrances and exit drives been provided and are they designed to prevent traffic hazards and to minimize traffic congestion in public streets?**

The subject property has vehicular access to 45th Street South. The Engineering Department has had an opportunity to review the proposal and no comments or concerns have been forthcoming to indicate that there is a deficiency with the access roads or entrances and exit drives. To that end, staff finds that the proposed conditional use will not create traffic hazards or traffic congestion in the public streets.

**(Criteria Satisfied)**

**Recommended Conditions:**

- 1) The maximum residential density shall be a maximum of 24 units per acre

<p><b>Update:</b> At the February 4, 2020 Planning Commission meeting the commissioners added language to the Conditional Overlay stating "with respect to the ground floor of any building or structure residential uses are prohibited".</p>
<p><b>Staff Recommendation:</b></p> <p>Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading, and move to approve the zoning change from LC, Limited Commercial, with a C-O, Conditional Overlay to GC, General Commercial, with a C-O, Conditional Overlay on the basis that it satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4), Section 20-0909.D (1-6) and all other applicable requirements of the LDC.</p>
<p><b>Planning Commission Recommendation: February 4, 2020</b></p> <p>On February 4, 2020, with a 8-0 vote with three Commissioners absent, the Planning Commission accepted the findings and recommendations of staff and recommended approval to the City Commission of the proposed zoning change from LC, Limited Commercial, with a C-O ,Conditional Overlay to GC, General Commercial, with a C-O, Conditional Overlay adding the condition "with respect to the ground floor of any building or structure residential uses are prohibited"; and approved a Conditional Use Permit for household living on the basis that it satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4), Section 20-0909.D (1-6) and all other applicable requirements of the LDC, with the following conditions:</p> <p>1) The maximum residential density shall be a maximum of 24 units per acre</p>
<p><b>Attachments:</b></p> <ol style="list-style-type: none"> <li>1. Zoning Map</li> <li>2. Location Map</li> <li>3. Conditional Overlay Modifications</li> </ol>



# Zone Change (LC with a C-O, Conditional Overlay to GC with a C-O, Conditional Overlay) & Conditional Use Permit

## Osgood Townsite Eleventh Addition

4711, 4731, 4751 & 4781 45th Street S





# Zone Change (LC with a C-O, Conditional Overlay to GC with a C-O, Conditional Overlay) & Conditional Use Permit

## Osgood Townsite Eleventh Addition

4711, 4731, 4751 & 4781 45th Street S





Conditional Overlay, District as follows:

1. Prohibited Uses
  - Detention Facilities
  - Adult Entertainment Centers
  - Self-Service Storage
  - Vehicle Repair
  - Industrial Service
  - Manufacturing and Production
  - Warehouse and Freight Movement
  - Wholesale Sales
  - Aviation/ Surface Transportation
2. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including but not limited to natural or synthetic stone; brick; stucco; integrally-colored, textured or glazed concrete masonry units; high-quality pre- stressed concrete systems; or glass. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used.
3. Color schemes shall tie building elements together, relate pad buildings within the same development to each other, and shall be used to enhance the architectural form of a building.
4. ~~All building facades greater than 150 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade, and extending at least 20 percent of the length of the façade.~~ All building elevations/façades greater than 150 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 two 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 150 horizontal feet. An articulated façade would emphasize elements on the face of a wall including change in setback, materials, roof pitch or height.
5. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length. If the façade facing the street is not the front, it shall include the same features and/ or landscaping in scale with the façade.
6. Flat roofs and rooftop equipment, such as HVAC units, shall be concealed from public view by parapets. The average height of such parapets shall not exceed one third of the height of the supporting wall, and such parapets shall not be of a constant height for a distance of greater than 150 feet.
7. Off-premise signs (billboards) and portable signs are prohibited.
8. On-premise signs shall be designed to incorporate a precise concept or theme. Provisions for consistency, placement, sign scale in relationship with the building, and sign readability shall be considered in developing the signing concept.
9. A minimum of 4.5 percent of the internal surface area of the parking lot shall be landscaped. The cumulative open space (green space) of each lot shall consist of at least 15% of the lot.
10. ~~Structures or portions of structures may not exceed 35 feet when within 300 feet of any SR or MR zoning district west of 45th Street South.~~
11. The maximum footprint of any one structure shall not exceed 80,000 square feet.
12. With respect to the ground floor of any building or structure residential uses are prohibited

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

40d2

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING A CERTAIN PARCEL  
OF LAND LYING IN OSGOOD TOWNSITE ELEVENTH ADDITION  
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Osgood Townsite Eleventh Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on February 4, 2020; and,

WHEREAS, the rezoning changes were approved by the City Commission on March 9, 2020,

NOW, THEREFORE,

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

Section 1. The following described property:

Lots One (1) through Four (4), Block One (1) of Osgood Townsite Eleventh Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "LC", Limited Commercial, District with a "C-O", Conditional Overlay, District to "GC", General Commercial, District, with a revised "C-O" Conditional Overlay, District as follows:

1. Uses under the following Use Categories, as described in LCD §20-0401, are prohibited:

- Detention Facilities,
- Adult Entertainment Centers,
- Self-Service Storage,
- Vehicle Repair,
- Industrial Service,
- Manufacturing and Production,
- Warehouse and Freight Movement,
- Wholesale Sales, and Aviation/Surface Transport.

2. With respect to the ground floor of any building or structure, residential uses are prohibited.



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FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

3. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including but not limited to natural or synthetic stone; brick; stucco; integrally-colored, textured or glazed concrete masonry units; high-quality pre-stressed concrete systems; or glass. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used.
4. Color schemes shall tie building elements together, relate pad buildings within the same development to each other, and shall be used to enhance the architectural form of a building.
5. All building elevations/façades greater than 150 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 two 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 150 horizontal feet.
6. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length. If the façade facing the street is not the front, it shall include the same features and/or landscaping in scale with the façade.
7. Flat roofs and rooftop equipment, such as HVAC units, shall be concealed from public view by parapets. The average height of such parapets shall not exceed one third of the height of the supporting wall, and such parapets shall not be of a constant height for a distance of greater than 150 feet.
8. Off-premise signs (billboards) and portable signs are prohibited.
9. On-premise signs shall be designed to incorporate a precise concept or theme. Provisions for consistency, placement, sign scale in relationship with the building, and sign readability shall be considered in developing the signing concept.

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FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

10. A minimum of 4.5 percent of the internal surface area of the parking lot shall be landscaped. The cumulative open space (green space) of each lot shall consist of at least 15% of the lot.

11. The maximum footprint of any one structure shall not exceed 80,000 square feet.

all subject to a "CUP", Conditional Use Permit, that was approved by the Planning Commission on February 4, 2020 that allowed household living within the "GC", General Commercial, District with the maximum residential density of twenty-four (24) units per acre.

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.

(SEAL)

\_\_\_\_\_  
Timothy J. Mahoney, M.D., Mayor

Attest:

\_\_\_\_\_  
Steven Sprague, City Auditor

First Reading:  
Second Reading:  
Final Passage:

## REPORT OF ACTION

## PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

41

Improvement District No. BN-20-A0 Type: Amendment #2  
 Location: University Dr N, 32<sup>nd</sup> – 40<sup>th</sup> Ave N Date of Hearing: 3/2/2020

<u>Routing</u>	<u>Date</u>
City Commission	3/9/2020
PWPEC File	X
Project File	Jeremy Gorden

The Committee reviewed the accompanying correspondence from Transportation Division Engineer, Jeremy Gorden, regarding Amendment #2, in the amount of \$469,205.00, for additional services and final design associated with the North University Drive project. The recommendation for an amendment is due to the need to couple the Environmental Documentation with the design, which are closely integrated. Upon final plans, we will issue out an RFP for construction management.

Staff is recommending approval of Amendment #2 to Apex Engineering Group.

On a motion by Kent Costin, seconded by Steve Sprague, the Committee voted to recommend approval of Amendment #2.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and approve Amendment #2 in the amount of \$469,205.00, bringing the total contract amount to \$681,791.00, to Apex Engineering Group.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Fed, Utility Funds, Sales Tax & Special Assessments


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

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>	Ryan Erickson
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>	
Brenda Derrig, City Engineer	<u>✓</u>	<u>✓</u>	<u>✓</u>	
Kent Costin, Finance Director	<u>✓</u>	<u>✓</u>	<u>✓</u>	

ATTEST:

C: Kristi Olson

  
 Brenda E. Derrig, P.E.  
 City Engineer

## Memorandum

**To:** Members of PWPEC  
**From:** Jeremy Gorden, PE, PTOE  
Division Engineer - Transportation  
**Date:** February 27, 2020  
**Re:** Improvement District No. BN-20-A0 – Contract Amendment #2 to Professional Services Agreement with Apex Engineering Group  
North University Drive – 32<sup>nd</sup> Avenue North to 40<sup>th</sup> Avenue North

---

### Background:

Attached, from Matt Kinsella with Apex Engineering Group, is proposed Contract Amendment #2 to their Professional Services Agreement for this project. The proposed Amendment covers additional services associated with the North University Drive improvements project whose limits are 32<sup>nd</sup> Avenue North to 40<sup>th</sup> Avenue North.

When we went out with the RFP for this project in the summer of 2018, we originally just scoped the environmental document to be completed for this Federal Aid Project, with our staff possibly completing the final design. A few things happened along the way that changed our thinking on this. With cost overruns on projects occurring statewide i.e. Main Avenue here, Urban Projects in Grand Forks and Bismarck, NDDOT asked us if this project could be pushed back a year and we said we could because FAA was slowing the progress on our environmental document (and that is still the case to this day). Secondly, the staff we had planned to design this project last year is now working on other projects funded locally and we don't have the availability to complete it in-house. And lastly, the project will need to be designed by the NDDOT plan preparation standards, which would make it a challenge for our staff to work within, as we do it so infrequently. The last road project we would have designed in-house using NDDOT plan sheet standards would have been 45<sup>th</sup> Street from 32<sup>nd</sup> to 52<sup>nd</sup> Avenue S in 2010, the rest we consult out.

The proposed contract amendment covers the following items:

- An additional conceptual layout requested by FAA
- Additional sub-consultant work related to wetland delineation
- Additional cost to secure an FAA Autocad file
- Final Design;
  - o Continued Project Admin
  - o Additional Survey
  - o Public and Property Owner Meeting
  - o Final Design Plan Preparation
  - o Utility Coordination and Permitting
  - o Easement Exhibits
  - o Construction Support & Engineer of Record

Once FAA, NDDOT and Federal Highway bless the project and we complete final design, the plan is to bid this project in February of 2021.

I have attached Contract Amendment No. 2 Agreement with scope of services and fee estimate for your review. This proposed Amendment is for \$ 469,205.00. The original contract with Apex Engineering Group was \$183,000.00, the first Amendment brought the contract to become \$212,586.00, and this second Amendment will bring the contract value to \$ 681,791.

The estimated construction cost for this project is around \$6M, which would make the engineering around 11%. By having to complete an environmental document to access Federal Funds, this engineering percentage is very common to see. Environmental documents that have been completed on other arterial projects have run between \$200,000 to \$600,000 to complete.

**Recommended Motion:**

Approval of Contract Amendment #2 with Apex Engineering Group for \$469,205.

JMG/klb  
Attachment



Water | Transportation | Municipal | Facilities

701.373.7980  
4733 Amber Valley Parkway  
Fargo, ND 58104

**Engineering Services Agreement**  
**Amendment No. 2**  
**City of Fargo Project No. BN-20-A0**

**Project:** North University Drive Reconstruction – 32<sup>nd</sup> Avenue North to 40<sup>th</sup> Avenue North  
City of Fargo Project No. BN-20-A0  
Apex Project No. 18.103.0107

**Client:** City of Fargo (Engineering Department)  
Attn: Ron Solberg  
Civil Engineer II

**Background/Description of Work:**

Apex Engineering Group, Inc. was hired by the City of Fargo to provide engineering services for the above project on 09/05/18. The following Scope of Services tasks are added or expanded with this Amendment request:

- **Amended Tasks:**
  - **Preliminary Design: Conceptual Layouts** – The original scope and Amendment No. 1 provided for development of two (2) typical sections and build alternatives for the corridor. In actuality, the environmental document and preliminary design effort included three (3) build alternatives, to accommodate FAA's request for an additional alternative that kept the shared-use path contained within the existing right of way. ***Amended Task = 3.02***
  - **Additional Subconsultant Cost** – an Addendum Letter was required to expand the original wetland delineation by Carlson McCain, at a cost of \$600.
  - **Unanticipated Direct Cost** – Mead & Hunt charged the City \$450 to provide electronic CAD file showing the Runway Protection Zone (RPZ). This was not included in the original scope.
- **New Tasks:**
  - **Final Design and Plan Preparation** – In an email dated 01/22/20, Jeremy Gorden directed Apex to prepare an amendment for Final Design and Plan Preparation services for this project. This amendment request includes design of a roundabout intersection at 40<sup>th</sup> Ave N.

The additional scope and cost for these added or expanded tasks are represented in the following attachments:

1. Attachment #1 - Apex Scope of Services for Amendment No. 2
2. Attachment #2 – Apex Fee Estimate for Amendment No. 2
3. Attachment #3 – Copy of invoice from Mead & Hunt for providing electronic CAD file of RPZ
4. Attachment #4 – Copy of invoice from Carlson McCain for addendum letter for wetland delineation

**Fee Amendment Request:**

The total fee for work expected to be completed as part of this Amendment:

Amendment No. 2 = **\$469,205.00**

**Contract Terms & Conditions:**

Apex Engineering Group, Inc. ("Consultant") hereby proposes, and the City of Fargo ("City") hereby authorizes, the above described Amendment No. 2 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 September 5, 2018.

City of Fargo Authorization:

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

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

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

Consultant:

Signature: Matthew T. Kinsella  
Matthew T. Kinsella

Title: Vice President

Date: 02/25/20

**Attachment #1  
Amendment No. 2  
Scope of Services  
For  
Final Design and Plan Preparation  
North University Drive Reconstruction – 32<sup>nd</sup> Avenue North to 40<sup>th</sup> Avenue North  
City of Fargo Project No. BN-20-A0**

**Apex Engineering Group, Inc.**  
**Client: City of Fargo**  
**February 25, 2020**

**CLIENT/OWNER AND POINT OF CONTACT**

The City of Fargo is the client and owner. Apex will direct all technical questions, information, and coordination for the City of Fargo through Mr. Ron Solberg (or Mr. Solberg's designated representative).

**DESCRIPTION**

This Scope of Services includes tasks necessary to complete final design, plan preparation, easement exhibit preparation, and permitting for the reconstruction of North University Drive from 32<sup>nd</sup> Ave N to 40<sup>th</sup> Ave N in Fargo. This scope includes design of a roundabout intersection at 40<sup>th</sup> Ave N.

**FORMATS AND STANDARDS**

- AutoCAD and Civil 3D
- NDDOT Bid Items and Plan Format (project will bid through the NDDOT system)
- NDDOT Standard Specifications for Road and Bridge Construction (Current Edition)
- City of Fargo Standard Specifications for Construction (Current Edition)

**CITY OF FARGO PROVIDED ITEMS**

- Record plans of any pertinent past projects the City has completed.
- TIFF format digital imagery 0.5', 1.0', 2.0', 4.0', and 8.0' pixel resolution.
- Municipal infrastructure information – paving, underground utilities (sewer, water, storm), street lights, etc.
- Digital Terrain Model (DTM) to 1" – 100' National Map Accuracy Standards (LIDAR compiled). 2014 DTM.
- City-wide Comprehensive Plan of Flood Mitigation Projects
- SWMM model of project area (only within City limits) – Includes pipe 12" diameter and larger and includes existing ponds and lift stations.

**PROJECT SCHEDULE**

- This Scope of Services assumes the following project schedule (approximate and subject to change):
  - 50% Plan Submittal: 06/30/2020
  - 95% (PS&E) Plan Submittal: 09/30/2020
  - Final Plans and Project Complete: 11/20/2020
  - Project Bid Opening Date: 02/05/2021

**NOT INCLUDED IN THIS SCOPE OF WORK**

- ROW Negotiation & Acquisition and Appraisal/Valuation: not included (to be completed by City of Fargo).



## AMENDMENT NO. 2 – SCOPE OF SERVICES

### AMENDED TASKS FROM ORIGINAL SCOPE

#### TASK 3: PRELIMINARY ENGINEERING AND DESIGN

##### 3.02 Conceptual Layouts (AMENDED TASK):

- **Develop Typical Roadway Sections (AMENDED SUB-TASK):** The Documented CatEx includes three (3) build alternatives instead of the two allowed for by the Original Scope and Amendment No. 1. The additional alternative was added to accommodate FAA's request for an alternative that kept the shared-use path contained within the existing right of way. Additional hours are requested for this extra work (refer to Attachment #2).
- **Develop Preliminary Roadway Geometrics, Profiles, and Layouts (AMENDED SUB-TASK):** The Documented CatEx includes three (3) build alternatives instead of the two allowed for by the Original Scope and Amendment No. 1. The additional alternative was added to accommodate FAA's request for an alternative that kept the shared-use path contained within the existing right of way. Additional hours are requested for this extra work (refer to Attachment #2).

### NEW TASKS FOR FINAL DESIGN

#### TASK 6: PROJECT ADMINISTRATION

- 6.01 **Internal Team & Project Development Meetings:** Internal team meetings will be held among Apex staff to discuss project status, coordinate upcoming tasks, and to provide project updates to the City of Fargo. Internal team coordination will also occur by e-mail and phone calls. The project scope and budget will be tracked, and the City of Fargo will be notified of any potential changes.
- 6.02 **Coordination with City of Fargo:** Apex's Project Manager will hold coordination conference calls or informal brief meetings with the City of Fargo to discuss project issues and status. General project coordination by e-mail and phone calls will also occur through the project duration.
- 6.03 **Coordination with NDDOT Local Government:** Apex's Project Manager will hold coordination conference calls or informal brief meetings with NDDOT Local Government representatives to discuss project issues and status. General project coordination by e-mail and phone calls will also occur through the project duration.
- 6.04 **Coordination with FAA and Fargo Airport Authority:** Apex's Project Manager will hold coordination conference calls or informal brief meetings with the FAA and/or Fargo Airport Authority to discuss project issues and status. General project coordination by e-mail and phone calls will also occur through the project duration.
- 6.05 **QC/QA Reviews:** Apex will complete internal quality control reviews for key tasks and key project milestones prior to submittal to the City of Fargo.

- 6.06 **Progress Reports, Invoicing, and Contract Administration:** Apex will provide in e-mailed PDF format, bi-weekly progress reports to the City of Fargo. The progress reports will include a recap of activities completed to date, a summary of the project budget, identify any potential problems that could affect the schedule, discuss coordination with private utility companies, and summarize the information or decisions required from the City of Fargo to keep the project on schedule. Invoices will be review by the Apex Project Manager prior to submittal to the City of Fargo for payment.
- 6.07 **Design Coordination Meetings and Plan Review Meetings:** Apex will organize design coordination and plan review meetings at key points in project development, arrange for a meeting location (either at Apex or the City of Fargo), conduct the meeting and prepare detailed minutes for distribution. This scope includes five (5) design coordination and plan review meetings during the project. These meetings include; a final design kickoff meeting, 50% plan review meeting, a 95% (PS&E) plan review meeting, and two (2) additional design coordination meetings as necessary.

*Task 6 Deliverables: Progress reports, monthly invoices, and appropriate correspondence to the City of Fargo as needed.*

## **TASK 7: ADDITIONAL SURVEY**

- 7.01 **Additional Topographic Survey Data Collection for Final Design:** Additional hours have been included for supplemental topo survey needed during final design, for tie-ins to existing accesses and side streets, now that the design has progressed and these areas are known.
- 7.02 **CAD Drafting of Additional Topographic Survey:** Additional hours have been included for CAD Drafting of the additional topo data collected in Task 7.01, and to merge this information into the existing surface TIN.
- 7.03 **Property Corner/ROW Survey (Field Work):** Apex will complete the following field work tasks related to the property corner/ROW survey:

**Set Additional Site Control:** A 2-person crew will establish and set additional control points on and around the corridor, for purposes of collecting the field survey data.

**Locate and Collect Property Line/ROW Data:** A 2-person crew will locate and collect field property corner data, for the purposes of establishing the following property/ROW lines:

- North University Drive between 32<sup>nd</sup> Ave N and 40<sup>th</sup> Ave N – east and west side property lines
- 32<sup>nd</sup> Ave N – north and south side property lines on both sides of intersection
- 36<sup>th</sup> Ave N – north and south side property lines on both sides of intersection
- 40<sup>th</sup> Ave N – north and south side property lines on both sides of intersection

**Prep and Travel Time – To and From Site:** This includes daily prep time and daily travel to and from the project site (assumed to be a total of 1 hour per day).

- 7.04 **Property Corner/ROW Survey (Office Work):** Apex will complete the following office work tasks related to the property corner/ROW survey:

**Management, Review, and Preparing Deliverables:** This includes time for the Apex Survey Manager to oversee the survey effort and to review property line/ROW calculations and determinations.

Coordination with Cass County Abstract (Title Research): This includes time to coordinate with Cass County Abstract, who will be providing the title research information. Apex PLS will review the title research provided.

Determine and Calculate Property Lines and ROW: The Apex Survey Manager will review the field survey data, title information, and plat information, and calculate and establish the property/ROW line locations for the following locations:

- North University Drive between 32<sup>nd</sup> Ave N and 40<sup>th</sup> Ave N – east and west side ROW lines, also extending 100 feet south of 32<sup>nd</sup> Ave N and 100 feet north of 40<sup>th</sup> Ave N
- 32<sup>nd</sup> Ave N – north and south side ROW lines on both sides of intersection
- 36<sup>th</sup> Ave N – north and south side ROW lines on east side of intersection
- 40<sup>th</sup> Ave N – north and south side ROW lines on both sides of intersection

CAD Drafting – Property Lines/ROW: Apex will draft AutoCAD files containing the property line information.

**Task 7 Deliverables:** AutoCAD file with property lines.

## **TASK 8: PUBLIC MEETING AND PROPERTY OWNER MEETINGS**

- 8.01 Public Information Meeting (1 total):** Apex will organize and conduct one (1) Public Information Meeting (open house style with no formal presentation) for this project, after the preferred alternative is approved by City Commission. The meeting will be held near the project location in Fargo.

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. Apex will prepare a display ad for the City of Fargo's use in advertising the meeting in the Forum newspaper. The City of 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.

This task also includes coordinating the meeting time, date, and location; preparing exhibits; and conducting an open house style meeting. Preparation and presentation of a PowerPoint presentation at the meeting is not included in this scope of work.

- 8.02 Property Owner Meetings (2 total):** Apex will conduct two (2) meetings with property owners to present the project design including traffic control plan and schedule, and to receive input on access and other concerns. These meetings are anticipated to be with Riviera Heights Mobile Home Park representatives, and with the Riverwood Neighborhood Association representatives. There are no businesses located along this corridor. Apex will accept comments at the meetings, review the comments with City staff, and complete revisions to the project design as necessary.

**Task 8 Deliverables:** Public Meeting notices, Public Meeting and Property Owner meeting summaries.

## **TASK 9: FINAL DESIGN & PLAN PREPARATION**

- 9.01 Upfront Plan Sheets – Sections 1, 4, 6, 8, 10, & 11:** Apex will develop the title sheet and the applicable upfront sheets as per standard NDDOT plan format. These sheets include all the drafting and assembly required for the Title Sheet, Table of Contents, List of Standard Drawings, Scope of Work, Plan Notes, Environmental Notes, Estimate of Quantities, Basis of Estimate, Earthwork/Salvaged Base/Topsoil Summaries, and Supplemental Earthwork Tables.
- 9.02 General Details & Typical Sections – Sections 20 & 30:** Apex will provide necessary plan details and typical sections for existing pavement sections, proposed pavement sections, drainage details, approach details, paving details, erosion control details, City utility details, and other details as required.
- 9.03 Removals – Section 40:** Apex will develop the removal plan sheets showing the removal of existing pavement, culverts and pipes, obstructions, and other items as needed.
- 9.04 Storm Sewer Pipe & Structure Schedules – Section 50:** Apex will prepare storm sewer pipe and structure schedules. If required, Apex will also prepare and include the Alternative Pipe List per NDDOT Pipe Policy.
- 9.05 Stormwater Modeling and Utility Plan and Profile – Section 55:** Apex will complete the stormwater modeling required to size the storm trunk line, leads, and inlet spacing. Apex will prepare plan and profile sheets showing the storm sewer lead pipe and structures and watermain pipe and structures. It is assumed that no sanitary sewer work is included in the project scope. This task also includes time to complete the City cost participation calculations that are required per NDDOT Local Government policy.
- 9.06 Paving Plan and Profile and Intersection Layouts – Section 60:** Apex will prepare final plan sheets showing horizontal alignment, vertical profiles, geometric layouts, intersection layouts with ADA ramp layouts, and curb grades. Tie-in grades along the corridor will also be shown on the plan view.
- 9.07 Wetlands, Erosion Control and Seeding – Section 75, 76, & 77:** Apex will develop Section 75 plan sheets showing delineated wetlands and other waters, temporary and permanent wetland impacts, onsite mitigation(if applicable), and the materials, quantities and approximate locations to be used for permanent wetland mitigation and restoration of temporary wetland impacts.
- Apex will develop Section 76 plan sheets showing the materials, quantities and approximate locations to be used for temporary erosion control measures.
- Apex will develop Section 77 plan sheets showing the materials, quantities and approximate locations to be used for permanent erosion control measures, topsoil, seeding and mulching.
- 9.08 Fencing Layouts – Section 80:** Apex will develop plan sheets showing the fencing/gate layouts and quantities per NDDOT standards. It is expected that some of the airport fencing will need to be reset in the SW corner of the 40<sup>th</sup> Ave N intersection.
- 9.09 Survey, Alignment, and Coordinate Data Layouts – Sections 81 & 82:** Apex will develop Section 81 and 82 plan sheets showing survey and design alignment information and construction survey data points.

- 9.10 **Jointing – Section 90:** Concrete jointing plans will be prepared by Apex. The jointing plan will take into consideration how the project will likely be phased and where construction joints will occur.
- 9.11 **Work Zone Traffic Control Layouts – Section 100:** Apex will develop plan sheets showing construction phasing and work zone traffic control layouts and signing to accommodate the construction activities. All layouts will be in accordance with MUTCD and NDDOT guidelines and follow the requirements of the NDDOT Work Zone Safety and Mobility Policy (WZSMP). Per the current NDDOT STIP, this project is listed as a Non-Significant Project under the NDDOT WZSMP.
- 9.12 **Signing – Section 110:** Apex will develop plan sheets showing sign removals and new signing. Signing for all special panel signs will be created using GUIDESIGN design software. Designers will utilize NDDOT's sign calculator for sign support design.
- 9.13 **Pavement Marking – Section 120:** Apex will develop plan sheets showing pavement marking for the corridor.
- 9.14 **Street Lighting – Section 140:** Apex has budgeted to include the following street lighting tasks: Design lighting and prepare lighting plans for entire corridor.
- 9.15 **Traffic Signals – Section 150:** Apex has budgeted to include the following traffic signal, lighting and ITS design tasks: Design and prepare plans for a new permanent traffic signal at the 32<sup>nd</sup> Ave N intersection.
- 9.16 **ITS Plans – Section 160:** Apex has budgeted to include the following ITS design tasks: Minor intersection level ITS enhancements such as PTZ cameras and fiberoptic interconnect.
- 9.17 **Cross Sections – Section 200:** Apex will develop cross sections based on the survey and Geopak TIN file. Cross sections will be generated every 25 feet and will be used to determine limits of construction and to develop earthwork quantities.
- 9.18 **Civil 3D Modeling:** Apex will develop a model for the project using Civil 3D. The model will include the corridor mainline, 3 major intersections at 32<sup>nd</sup> Ave N, 36<sup>th</sup> Ave N, and 40<sup>th</sup> Ave N, minor intersections at Monte Carlo Dr and Gibraltar Ave, and field approaches.
- 9.19 **Construction Estimate and Quantities:** Apex will compile the quantities and construction cost estimate prior to the 95% (PS&E) and final plan submittal. Pay items will conform to NDDOT spec and code numbers. Cost estimates will be separated by different funding sources as required. Historical cost data and bid tabulations from the City of Fargo and NDDOT will be used in determining unit prices.
- 9.20 **Plan Submittals (50%, 95% (PS&E), & Final):** Apex will schedule, send notices, and prepare plan sets for distribution (by electronic PDF) two weeks prior to the 50% review and 95% (PS&E) review meetings. The plan review meetings are assumed to be held at either the City of Fargo or Apex's Fargo office. Apex will compile, summarize, and distribute the comments and responses from the meetings, and incorporate the comments into the plans as appropriate. This task also includes time for preparing the plans and certification letters for final submittal, and the preparation of Supplemental Design Data (SDD) as required by NDDOT.

**9.21 Addenda & Bid Questions:** Apex will assist NDDOT with questions received during the bid process. Apex will draft all addenda as a result of changes to the Contract Documents. 24 hours have been budgeted for this task. If this effort exceeds 24 hours, Apex will notify the City.

**9.22 Utility Coordination & Conflict Plans:** Apex will coordinate with utility companies for relocations and adjustments of their infrastructure. This task includes:

- Preparing and sending the utility notification letters.
- Preparing the utility impact plans and utility cross sections that show the affected utilities.
- Communication and coordination with utility owners which will include phone calls and e-mails. Coordination will determine utility conflict level, recommended action or resolution for the conflict, and reimbursable or non-reimbursable status. Apex will schedule and conduct one (1) Utility Coordination Meeting with the affected private utility companies on the project, to be held at Apex.

If relocation is required, Apex will work with the utility company to determine options for where the facility can be relocated to, when this relocation may take place, and the estimated duration of the relocation. One (1) submittal to utilities is assumed in this task that will occur near the end of the design process. This task also includes coordination with the NDDOT Utilities Engineer. It is assumed that the City of Fargo will process any agreements needed with utility companies – Apex will provide supporting information for this effort.

**9.23 Utility Coordination Special Provision:** Upon communication and coordination with utility companies for relocations and adjustments of their infrastructure Apex will complete the following tasks:

- Prepare a Utility Coordination Table that shows utility owner, type, and description, location of conflict, utility conflict level, recommended action or resolution for the conflict per NDDOT Guidance.
- Prepare utility encounter and conflicts sheets showing aerial image, existing survey and utility conflicts with their level of conflict.
- Prepare Special Provision to include in Contract Bid Documents.

**9.24 Permitting:** Apex will prepare and submit the required permits for this project. The following are anticipated:

- 404 permit. This task includes all documentation and coordination required to prepare these permits and have them reviewed by NDDOT Environmental Staff. Up to two (2) draft submittals to NDDOT Environmental and incorporating comments are included. The 404-permit documentation also includes preparing color copies of the Section 75, 76 & 77 sheets.
- Floodplain permit. This task includes all documentation and coordination required to prepare these permits and have them reviewed by NDDOT Environmental Staff. Up to two (2) draft submittals to NDDOT Environmental and incorporating comments are included.
- FAA permits for construction within Runway Protection Zone (RPZ).
- FAA Form 7460-1
- SE Cass Water Resource District Utility Permit

#### **TASK 10: EASEMENT EXHIBIT PREPARATION & ACQUISITION SUPPORT TO CITY**

- 10.01 Easement Exhibit Preparation:** Apex will prepare legal descriptions and exhibits for easements required for the project, up to 14 separate exhibits. The City of Fargo will use the provided exhibits to appraise, negotiate, and acquire the necessary property. This task includes time for Apex's PLS to review and stamp/sign the easement exhibits.
- 10.02 Acquisition Support to City:** Apex will provide support to the City as needed during appraisal and negotiations for the easements, to answer questions about the project design.

*Task 10 Deliverables: Easement exhibits with legal descriptions (for City's use in acquisition).*

#### **TASK 11: CONSTRUCTION SUPPORT & ENGINEER OF RECORD**

- 11.01 Design Support during Construction:** Apex will be available to answer questions and provide supporting information on the project design and landowner coordination efforts from the design phase, during construction and whenever it is in the best interest of the project. Communication methods may include face-to-face meetings, phone calls, and emails. This task assumes Apex will attend one (1) pre-construction meeting and up to five (5) on-site meetings during construction.
- Apex will provide CAD support for survey staking as needed during construction as well as electronic files and surfaces needed for machine guidance equipment.
- 11.02 Construction Questions, Change Orders, and Plan Revisions:** Apex will prepare plan changes and change orders as requested and as agreed to by the City. 40 hours have been provided for this task. If the degree and complexity of the questions/changes requires additional hours to complete this task, Apex will immediately notify the City that an amendment will be required.

*Task 11 Deliverables: Construction Surface for Machine Guidance & Staking, Change Order Documents*

## ATTACHMENT #3



## Remit payment to:

Mead & Hunt | Accounts Receivable  
 2440 Deming Way | Middleton, WI 53562-1562  
 1-888-364-7272 | AccountsReceivable@meadhunt.com

## Invoice

March 19, 2019

Project No: R2796100-190943.01

Invoice No: 288873

Matt Kinsella  
 Apex Engineering Group  
 4733 Amber Valley Parkway  
 Fargo, North Dakota 58104

Project R2796100- FAR - North University CAD Files  
 190943.01

**Professional Services from February 1, 2019 to February 28, 2019****Fee**

Phase	Fee	Percent Complete	Earned	Current
Lump Sum	450.00	100.00	450.00	450.00
Total Fee	450.00		450.00	450.00
		Previous Fee Billing	0.00	
	<b>Total</b>			<b>450.00</b>
		<b>Total this invoice</b>		<b>\$450.00</b>



## ATTACHMENT #4



## INVOICE

**PLEASE MAIL ALL PAYMENTS TO:**

Carlson McCain, Inc.  
 3890 Pheasant Ridge Dr. NE, • Suite 100 • Blaine, MN 55449  
 Tel 763-489-7900 • Fax 763-489-7959

Apex Engineering Group  
 Attn: Matt Kinsella  
 4733 Amber Valley Parkway South  
 Fargo, ND 58104

Invoice Date: February 20, 2020  
 Project: No: 7721-00  
 Invoice No: <Draft>  
 Project Manager: Gregory Meyer

Project: University Drive Fargo Wetlands

**Professional Services Through February 15, 2020**

Phase	001	Aquatic Resources Delineation		
Professional Personnel				
		Hours	Rate	Amount
G. Meyer - Wildlife Biologist/Ecologist				
	Professional Services	5.00	120.00	600.00
	Totals	5.00		600.00
	Total Labor			600.00
			Total this Phase	\$600.00
			Total this Invoice	\$600.00

Project No.	7721-00	University Drive Fargo Wetlands	Invoice No.	<Draft>
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## Billing Backup

Carlson McCain, Inc.

Invoice Dated 2/20/2020

Project: University Drive Fargo Wetlands

Phase	001	Acquatic Resources Delineation
-------	-----	--------------------------------

### Professional Personnel

	Hours	Rate	Amount
<b>G. Meyer - Wildlife Biologist/Ecologist</b>			
Professional Services			
2/7/2020 Project Management addendum	2.00	120.00	240.00
2/10/2020 Project Management addendum	3.00	120.00	360.00
Totals	5.00		600.00
<b>Total Labor</b>			<b>600.00</b>

<b>Total this Phase</b>	<b>\$600.00</b>
-------------------------	-----------------

<b>Total this Report</b>	<b>\$600.00</b>
--------------------------	-----------------

COPY

## REPORT OF ACTION

## CONSULTANT SELECTION COMMITTEE

Requesting: CONSULTING ENGINEERING SERVICES

Proposal Improvement District No. BN-20-A0

Location: N University Drive – 32nd Ave N to 40th Ave N

Date of Hearing: 8/22/2018

Requested Services: Environmental Clearance and Preliminary Design for Street Reconstruction Project

RoutingDate

City Commission

8/27/2018

Consultant File

Project File

Petitioners

Selection Committee

X

X

Proposals were received from the following consultants:

Houston Engineering

Moore Engineering

Apex Engineering Group

KLJ

Stantec

The Selection Committee evaluated proposals based on the criteria outlined within the RFP. The evaluated criteria were:

<u>Selection Criteria</u>	<u>Points</u>
Understanding of Project Objectives	10
Project Team's Experience with Similar Sized Projects	25
Project Team's Past Performance on Other Local Projects	25
Expertise of the Technical and Professional Staff assigned to Project	25
<u>Cost Proposal</u>	<u>15</u>
Total	100

This project includes the environmental clearance documents and preliminary planning for the reconstruction of University Drive between 32nd Avenue N and 40th Avenue N. A preliminary survey, roadway and utility alignment, and determining right-of-way requirements will be part of this project. This project is anticipated to be under construction in year 2020.

The purpose of this project is to reconstruct the roadway and bring it up to urban road standards. Pedestrian safety is the biggest concern on this one-mile stretch of road. There is no existing storm sewer system; this stretch of roadway utilizes ditches, which drain to a legal drain near the south end of the project. The plan for the project is to install curb and gutter with the project to collect the roadway drainage while also using ditches for some of the drainage. There is no water main in this stretch of roadway; we are planning to have it installed with the project. There is an existing sanitary sewer; it should be in good condition - this will be televised to determine what the actual condition is. There are two larger intersections along the corridor, at 32nd Ave N and 40th Ave N. The intersection at 32nd Ave N currently meets traffic signal warrants; a permanent system will be installed at this intersection as part of this project. The intersection at 40th Ave N has a 4-way stop controlled intersection; we are looking to install either a new traffic signal or a large diameter roundabout to assign right of way at this location. The consultant will also be responsible for coordinating all design requirements with both Hector International Airport personnel and the Federal Aviation Administration (FAA) and for obtaining all required FAA permits.

Staff met on August 22, 2018 to review proposals submitted for the project and selected Apex Engineering Group as the preferred firm for the project. The cost for this work is estimated to be \$183,000. The other proposals cost estimates were as follows; Houston Engineering \$238,150, KLJ \$242,000, Moore Engineering \$248,000, and Stantec \$289,000.

I have attached the proposal received from Apex Engineering Group for your review.

RECOMMENDED MOTION

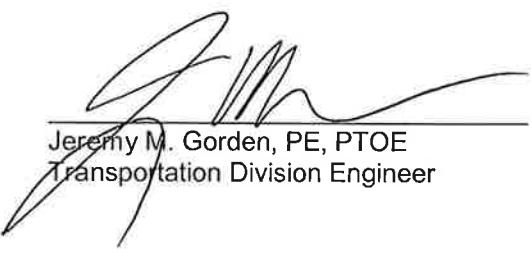
Selection Committee ROA  
8/22/2018 -- Page 2

Concur with the Consultant Selection Committee and recommend contract award for consulting services to Apex Engineering Group.

COMMITTEE

Tom Knakmuhs, Division Engineer – Construction  
Brenda Derrig, City Engineer  
Jeremy Gorden, Division Engineer - Transportation  
Ron Solberg, Civil Engineer II – Transportation

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

  
\_\_\_\_\_  
Jeremy M. Gorden, PE, PTOE  
Transportation Division Engineer

C: Jeremy McLaughlin (HEI), Matt Kinsella (Apex), Travis Wieber (KLJ), Nick Gludt (Moore), Joel Paulsen (Stantec)

Attachment



42

**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: NICOLE CRUTCHFIELD, PLANNING DIRECTOR** *NC*

**DATE: MARCH 4, 2020**

**RE: REQUEST FOR PERMISSION TO ISSUE REQUEST FOR PROPOSALS FOR 314, 320, 324 7TH STREET NORTH AND 712 4TH AVENUE NORTH AND FOR PUBLIC SALE OF 11 11TH STREET NORTH**

In May 2018, the City Commission approved exchanging properties at 708 4th Avenue North (owned by Kilbourne Group) and at 11 11th Street North owned by the City. However, the 11 11th Street North property was acquired using Community Development Block Grant (CDBG) funds from the Department of Housing and Urban Development to eliminate initial conditions of slum and blight. With HUD requirements related to property disposition, the process became much slower than originally planned. The intention of the exchange was based on the fact that the City had acquired a group of properties surrounding 708 4th Avenue and cleared three blighted and hazardous homes (712/324/314). In addition to clearing slum and blight, the Community Development Committee had declared this cluster of properties to be used for future affordable housing, which is another CDBG-eligible activity.

Today we now move forward, terminating the concept of the exchange, and instead following two steps in order to proceed with the disposition of both City-owned properties as follows.

- 1) Proceed with a 30-day public comment period for processing a Change of Use with HUD on City-owned properties.
- 2) Begin action:
  - a. For properties on 7th Street North, the CD Committee and staff desire to issue an RFP seeking proposals that would meet a CDBG activity; such as affordable housing as defined by HUD. The RFP would include the review of development activities that would meet the intent of CDBG rules, objectives and City goals. We seek the future development activity to stay an eligible CDBG activity. The intent is to donate the land to the eligible developer in order to meet CDBG intent and create affordable housing.



- b. For the 11 11th Street property, staff proposes a sale of the property, thus removing it from future CDBG activities. The City would seek bids in the form of proposals. The bid conditions would include a minimum bid aligned with the fair market value of the property, currently \$127,500 according to an August 2019 appraisal. In addition, bid conditions would require the bid proposal to reflect that the property will be used to meet objectives of the Downtown InFocus plans. The proceeds from the sale would replenish the City's line of credit with HUD for future CDBG activities.

The disposal of both properties will be approved by the City Commission. The requests for proposal and bid, respectively, are scheduled to be published beginning March 9th and will be due March 31st. Attached is the draft request for proposal for the 7th Street property (subject to final review by the City Auditor and City Attorney). A notice of sale and request for bid proposals will be published containing the bid terms contained in the resolution.

**Recommended Motion:** Authorize staff to release the Request for Proposals for redevelopment of 314, 320, 324 7th Street North, and 712 4th Avenue North.

**Recommended Motion:** Approve the resolution authorizing the sale of the city-owned property at 11 11th Street North, as presented.

## **REQUEST FOR PROPOSALS TO DEVELOP CITY-OWNED PROPERTY**

**CDBG Program – 314, 320, 324 7th Street North; 712 4th Avenue North**

*March 16, 2020*

The City of Fargo is seeking proposals from housing developers to redevelop City-owned vacant property at 314, 320, 324 7th Street North and 712 4th Avenue North. Proposals must propose a land use that meets CDBG national objectives to include either mixed-use with affordable housing, or a 100% housing project. Proposed housing (rental or owner-occupied) must be for households earning 80% or below Area Median Income (AMI). **Proposals are due March 31, 2020.** Cost alone will not be the primary deciding factor. Project will be awarded to the developer who most effectively addresses the following goals.

### **PROPOSED REDEVELOPMENT OF SITE MUST:**

- Highest and best use of land – units can be a mix of sizes to suit varying household sizes;
- Be affordable for individuals or families whose incomes do not exceed 80% of Fargo's AMI;
- Be consistent with the character of the surrounding neighborhood;
- Provide evidence that the proposed redevelopment will create quality affordable housing upon completion;
- Be completed or substantially complete no more than 24 months after the date of the signed Redevelopment Agreement.

### **DESCRIPTION OF SUBJECT PROPERTY**

Address: 314 7th Street North

- Legal Description: Lot 4, Block 10, Roberts 2nd Addition
- Lot size: 7,000 sq. ft.
- Dimensions: 50' x 140'
- Zoning: DMU, Downtown Mixed Use

Address: 320 7th Street North

- Legal Description: Lot 5, Block 10, Roberts 2nd Addition
- Lot size: 7,000 sq. ft.
- Dimensions: 50' x 140'
- Zoning: DMU, Downtown Mixed Use

Address: 324 7 Street North

- Legal Description: East 53.5 feet of Lot 6, Block 10, Roberts 2nd Addition
- Lot size: 2,675 sq. ft.
- Dimensions: 50' x 53.5'
- Zoning: DMU, Downtown Mixed Use

Address: 712 4 Avenue North

- Legal Description: West 43 feet of Lot 6, Block 10, Roberts 2nd Addition
- Lot size: 2,150 sq. ft.
- Dimensions: 43' x 50'
- Zoning: DMU, Downtown Mixed Use

#### PARAMETERS OF PROJECT

- The City will provide the building site, which was paid for with Community Development Block Grant (CDBG) funds.
- The activity carried out under this Agreement will meet the Low-to-Moderate Income Housing National Objective under 24 CFR Part 570.208(a)(3) including the following requirements:
  - At least 51% of the residents must have income at or below 80% of the area median income at the time of occupancy;
  - Rents must be set at levels which are affordable to low-to-moderate income persons as provided by 24 CFR Part 570.483(b)(3); and,
  - Rent and income levels shall align with published limits for the Low Income Housing Tax Credit (LIHTC) program.

[Referred to herein as the "Low-to-Moderate Income Housing National Objective"]. The HUD Income Limits change annually and are available at the HUD User website ([www.huduser.gov](http://www.huduser.gov)) under "Data Sets". The most up to date Income Limits must be used to calculate income of residents. HUD Income Limits are set by the Department of Housing and Urban Development (HUD), which determine eligibility for assisted housing programs. Income limits are based on Median Family Income estimates and Fair Market Rent area definitions for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county. Income, race, and ethnicity data for each resident will be provided to the City upon occupancy of at least 51% of units by low and moderate income households (e.g., at least 20 units in a 39 unit complex are occupied by LMI households).

- Residential occupancy of the Property must be occupied and rented to residents meeting the Low-to-Moderate Income Housing National Objective for five (5) years following the date of the Certificate of Occupancy.



- Progress Reports & Data Collection – Regular progress reports shall be submitted upon request of the City in the form, content, and frequency as required by the City.
- The Developer must follow all CDBG rules for redevelopment, including awarding construction contracts by competitive bid procurement.
- Davis Bacon Labor Standards and Prevailing Wages will apply. Preference may be given to contractors with this experience.
- Contractors and Subcontractors must be registered in the System for Award Management ([www.sam.gov](http://www.sam.gov)) within 30 days of awarding the contract and before execution of the contract.
- Construction contracts (by competitive bid procurement) must be awarded by a mutually agreed upon timeline by City and project developer.
- Developer must negotiate and sign a Redevelopment Contract that outlines the nature of the project and its consistency with the parameters outlined in this RFP and CDBG requirements. This Agreement will be negotiated and executed between the City and the proposer(s) at the end of the RFP process. The Redevelopment Contract will outline the responsibilities of both parties, define the terms of the agreed upon project, and set up the process for transferring ownership of the property.
- The City will not dispose of CDBG properties for speculation, land banking, or any other purpose that is not intended for timely redevelopment.

## **SUBMISSION REQUIREMENTS**

All proposals must be **received by March 31, 2020 at 4:00 p.m.** Any proposals received after that time will be rejected. Submit proposals containing the required information, along with a signed copy of page 4 of this request to:

Auditor's Office  
225 4th Street North, Fargo, ND 58102  
Attn: Tia Braseth  
Re: CDBG Infill RFP – 314, 320, 324 7th Street North, 712 4th Avenue North

The following information must be provided about the developer:

- Name and Mailing Address
- Legal status (e.g., for-profit corporation, individual, non-profit, etc)
- Qualifications to undertake proposed redevelopment
- Relevant Experience
- Demonstrated financial capacity to complete the proposed project (e.g., performance bond)

The following information must be provided about the proposal:

- Project description
- Timeline
- Proposed project budget and financing/pro-forma
- Preliminary plans (Minimal preparation suggested – concept and diagrammatic only)
  - Drawing/elevations of the proposed structure

- Site plans
- Preliminary/schematic floor plans and/or descriptions of the proposed structure, including number of bedrooms, square feet, parking, etc.

All information should be submitted in a format that is concise, clear, and responsive to the RFP.

### EVALUATION OF PROPOSALS

The City reserves the right, in its sole discretion, to reject any and all proposals or accept any proposal in whole or in part. The City's review committee will evaluate proposals based on the following criteria:

- Consistency with CDBG goals and regulations
- Project's consistency with character of surrounding neighborhood
- Experience and proven capacity of managing facility during monitoring period
- Experience and knowledge of managing construction with federal grant requirements
- Experience and knowledge of working with HUD CDBG or HOME funds
- Quality of and processes for public engagement and inclusion of neighborhood input
- Timeliness of completion of proposed project (submitted timeline will be reviewed)
- Consistency with stated City goals
- Impact on the neighborhood
- Proposer's ability to complete the project
- Proposer's previous project management and construction administration experience
- Proposer's experience with related projects and past project history

*I the undersigned attest by my signature that I have read the terms and conditions outlined in this request for proposals and intend to submit a proposal in conformance with said guidance.*

---

Signature (for)

Printed Name

Date

COMMISSIONER \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING SALE OF PROPERTY**

[11 11<sup>th</sup> Street North]

**WHEREAS**, the city of Fargo is the owner of real property located at 11 11<sup>th</sup> Street North and is legally described as follows:

The West Seventy (70) Feet of Lots One (1) and Two (2), in Block Twenty-six (26), Roberts Second Addition to the City of Fargo, Cass County, North Dakota.

[hereinafter the "Subject Property"]

**WHEREAS**, it is the wish and desire of the Board of City Commissioners that the Subject Property be sold, so that the property can be returned to the tax rolls and put into good use.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF CITY COMMISSIONERS,**

1. The Subject Property is no longer required for a public purpose and, therefore, should be offered for public sale;
2. The Director of Planning and Development is hereby authorized to dispose of the above described property by way of public sale.
3. Notice of the sale, together with the conditions and limitations to be placed on the sale, shall be published in the City's official newspaper once each week for two consecutive weeks with the last publication being at least ten (10) days prior to the date of the sale and said notice shall seek sealed bids containing both a bid price offered by the bidder along with a proposal for development that meets the following conditions and limitations:
  - a. The minimum acceptable bid price will be \$127,500.
  - b. The bid must be accompanied by a proposal for development and use of the property meeting the following conditions and limitations:
    - i. The proposed development will achieve the highest and best use of the land.
    - ii. The proposed development will meet the intent of the future land use plan as designated in the Downtown InFocus Plan, approved by the Fargo board of city commissioners on December 4, 2017.

- iii. The proposed development will be consistent with the character of the surrounding neighborhood.
- iv. The proposed development may include the Subject Property in a larger land development plan to ensure maximum public good and long-term value.
- v. The proposal for development will include a timetable for the development to include dates for commencement of construction of the development and for substantial completion and occupancy.

4. The Director of Planning and Development shall coordinate the opening of the bid proposals and make a recommendation to the City Commission.

5. The City Commission will select the successful bid, which selection will be a conditional approval that will be subject to the City and the selected bidder agreeing upon terms of a development agreement that will be finally approved by the City Commission before execution of the agreement.

The motion for the adoption of the foregoing resolution was duly seconded by COMMISSIONER \_\_\_\_\_, and upon roll call vote, the following voted in favor thereof: COMMISSIONERS \_\_\_\_\_. The following were absent and not voting: \_\_\_\_\_, and the following voted against the same: \_\_\_\_\_, whereupon the resolution was declared duly passed and adopted.



432

February 24, 2020

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 1812 34 St. S as submitted by Mary Haunson. 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 2020, 2021, & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$505 with the City of Fargo's share being \$85.

Sincerely,

A handwritten signature in dark 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 <u>Mary Haunson</u>	Phone No. <u>(701) 400-2708</u>
2. Address of Property <u>1812 34 St. S</u>	
City <u>FARGO</u>	State <u>ND</u> Zip Code <u>58103</u>
3. Legal description of the property for which the exemption is being claimed. <u>Lot 1 Blk 1 Points West</u>	
4. Parcel Number <u>01-2315-00010-000</u> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner <u>Same</u>	
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). <u>Remove non-bearing wall b/t kitchen and living room</u> <u>Build new wall in living room to create 2nd bedroom. Add washer and dryer to master bath</u>	
7. Building Permit No. <u>19080759</u>	8. Year Built <u>1986</u>
9. Date of Commencement of making the improvement <u>10/25/2019</u>	
10. Estimated market value of property before improvement	\$ <u>221,000.00</u>
11. Cost of making the improvement (all labor, material and overhead)	\$ <u>29,500.00</u>
12. Estimated market value of property after improvement	\$ <u>250,500.00</u>

**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 <u>Mary Haunson</u>	Date <u>2/14/2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>3 YEARS FOR QUALIFYING WORK</u>	
Assessor's Signature <u>Don Hushka</u>	Date <u>2/24/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>	
Approval subject to the following conditions: _____	
Chairman of Governing Body _____	Date _____



CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

436

February 20, 2020

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 2525 32 St. S as submitted by Larry W. & Stacy M. Lee. 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 2020, 2021, & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$150 with the City of Fargo's share being \$25.

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	<u>Larry &amp; Stacy Lee</u>	Phone No.	<u>701-367-1721</u>
2. Address of Property	<u>2525 32 St. S</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58103</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Lot 4 Blk 1 Grove 3rd</u>		
4. Parcel Number	<u>01-1077-00040-000</u>	Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	<u>Same</u>		
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).	<u>Reside 2400sf of home</u> <u>Replacing Siding From June 2019 wind storm</u>		
7. Building Permit No.	<u>19090179</u>	8. Year Built	<u>1994</u>
9. Date of Commencement of making the improvement	<u>10/25/2019</u>		
10. Estimated market value of property before improvement	\$	<u>275,000</u>	
11. Cost of making the improvement (all labor, material and overhead)	\$	<u>26,000</u>	
12. Estimated market value of property after improvement	\$	<u>275,000</u>	

**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 <u>Larry Lee</u> Date <u>2/18/2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s) <u>3 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>Allen Anshel</u> Date <u>2/20/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body _____ Date _____

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

430

February 20, 2020

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 4007 17 St. S as submitted by Donald S. & Glenda A. Haugen. 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 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,



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	<u>Donald &amp; Glenda Haugen</u>	Phone No.	<u>701/238-9416</u>
2. Address of Property	<u>4007 17 St S</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58104</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Lt 25, pt of Lt 26, Blk 2, Rosewood Park</u>		
4. Parcel Number	<u>01-2490-00620-000</u>	Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	<u>Same</u>		
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).	<u>Remodel master bath-changed from full to 3/4</u>
7. Building Permit No.	<u>19080592</u>
8. Year Built	<u>1986</u>
9. Date of Commencement of making the improvement	<u>August 2019</u>
10. Estimated market value of property before improvement	\$ <u>372,300</u>
11. Cost of making the improvement (all labor, material and overhead)	\$ <u>11,000</u>
12. Estimated market value of property after improvement	\$ <u>377,800</u>

**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 <u>Donald &amp; Glenda Haugen</u> Date <u>2/8/20</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>3 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>Ken Kustke</u> Date <u>2/20/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____



ASSESSMENT DEPARTMENT

43d

March 3, 2020

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 2961 Peterson Pkwy N as submitted by Jane C Vogelwede & David W Abbott. 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 2020, 2021, & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$115 with the City of Fargo's share being \$20.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hushka".

Ben Hushka  
City Assessor

bsb  
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 Jane Vogelwede & David Abbott Phone No. 701/238-8200

2. Address of Property 2961 Peterson Pkwy N  
City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. Lt 20, Blk 4,  
Edgewood Farms

4. Parcel Number 01-0735-00770-000 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). Master bath remodel

7. Building Permit No. 19120038 8. Year Built 1984

9. Date of Commencement of making the improvement December 2019

10. Estimated market value of property before improvement \$ 369,500

11. Cost of making the improvement (all labor, material and overhead) \$ ~~15,000~~ 35,000

12. Estimated market value of property after improvement \$ 378,100

**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 Jane Vogelwede Date 2/26/2020

**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 Alan Nunn Date 3/3/20

**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

43e

February 26, 2020

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 514 21 Ave. S as submitted by Michael P. & Robin D. Bogart. 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$375 with the City of Fargo's share being \$65.

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	Michael & Robin Bogart	Phone No. _____
2. Address of Property	514 21 Ave S	
City	FARGO	State ND Zip Code 58103
3. Legal description of the property for which the exemption is being claimed.	Lot 6 Blk 1 Thoms	
4. Parcel Number	01-3200-00060-000 Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
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).	
Remove and replace sheetrock and insulation in sunroom. Replace sheetrock in kitchen. Replace windows in sunroom. New flooring.	
7. Building Permit No.	19080034
8. Year Built	1966
9. Date of Commencement of making the improvement	08/01/2019
10. Estimated market value of property before improvement	\$ 241,000
11. Cost of making the improvement (all labor, material and overhead)	\$ 9,500
12. Estimated market value of property after improvement	\$ 250,500

**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 <u>M. &amp; R. Bogart</u>	Date <u>2-17-20</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>	
Assessor's Signature <u>Don [Signature]</u>	Date <u>2/27/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>	
Approval subject to the following conditions: _____	
Chairman of Governing Body _____	Date _____

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

43 f

February 26, 2020

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 722 Southwood Dr. S as submitted by Roger L. II & Rebecca A. Gilbertson. 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 2019, 2020, 2021, 2022, & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$675 with the City of Fargo's share being \$115.

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	<u>Roger L. II &amp; Rebecca A. Gilbertson</u>	Phone No.	_____
2. Address of Property	<u>722 Southwood Dr. S</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58103</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Lot 23 Southwood</u>		
4. Parcel Number	<u>01-2860-00230-000</u>	Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	<u>Same</u>		
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).	<u>Remodel existing kitchen and existing bathrooms.</u> <u>Work incl flooring, fixtures, vent, pl and elec. Remove and const wall to alter main fl plan</u>		
7. Building Permit No.	<u>182135</u>	8. Year Built	<u>1969</u>
9. Date of Commencement of making the improvement	<u>12/21/2018</u>		
10. Estimated market value of property before improvement	\$	<u>325,000</u>	
11. Cost of making the improvement (all labor, material and overhead)	\$	<u>80,000</u>	
12. Estimated market value of property after improvement	\$	<u>385,000</u>	

**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 <u>[Signature]</u> Date <u>2/25/20</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>[Signature]</u> Date <u>2/27/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

439

February 26, 2020

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 433 Elmwood Ave. S as submitted by Sigurd H. Johnson & Ruth A. Varland. 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$765 with the City of Fargo's share being \$130.

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	<u>Sigurd H. Johnson &amp; Ruth A. Varland</u>			Phone No.	<u>701-460-2844</u>
2. Address of Property	<u>433 Elmwood Ave. S</u>				
City	<u>FARGO</u>	State	<u>ND</u>	Zip Code	<u>58103</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Lot E 20 FT OF 178 &amp; W 30 FT OF 179 BELMONT PARK</u>				
4. Parcel Number	<u>01-0120-01650-000</u>	Residential	<input checked="" type="checkbox"/>	Commercial	<input type="checkbox"/>
		Central Business District	<input type="checkbox"/>		
5. Mailing Address of Property Owner	<u>Same</u>				
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).	<u>Remodel main floor of existing home. Replace wndws, doors, and siding. Install egress window in bdrm. Remove wall b/t kitchen and living</u>	
7. Building Permit No.	<u>19080092</u>	8. Year Built
		<u>1948</u>
9. Date of Commencement of making the improvement	<u>08/05/2019</u>	
10. Estimated market value of property before improvement	\$	<u>147,000</u>
11. Cost of making the improvement (all labor, material and overhead)	\$	<u>95,000.00</u>
12. Estimated market value of property after improvement	\$	<u>245,000</u>

**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	<u>[Signature]</u> Date <u>2-20-2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):	<u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature	<u>[Signature]</u> Date <u>2/27/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body _____ Date _____



CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

43W

February 25, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

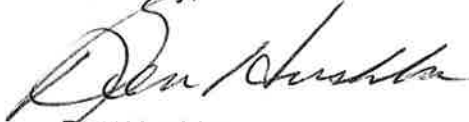
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 117 Northern Pacific Ave. N as submitted by Case Plaza 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$2,470 with the City of Fargo's share being \$420.

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	CASE PLAZA LLC	Phone No.	
2. Address of Property	117 NORTHERN PACIFIC AVE N		
City	FARGO	State	ND
Zip Code	58102		
3. Legal description of the property for which the exemption is being claimed.	KEENEY & DEVITTS 2ND BLOCK PT OF 17, DESC AS FOLL: BEG AT SW COR OF 17 THEN NLY ALG W LN OF 17 FOR A DIST OF 275		
4. Parcel Number	01-1540-01092-000	Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	PO BOX 3024		
City	FARGO	State	ND
Zip Code	58108		

**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 existing offices on the 2nd floor West side for Metro COG		
7. Building Permit No.	19050248	8. Year Built	1908
9. Date of Commencement of making the improvement			
10. Estimated market value of property before improvement	\$	2,758,000	
11. Cost of making the improvement (all labor, material and overhead)	\$	339,050	
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 <u>Charlin Cobb</u> Date <u>02/18/2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>[Signature]</u> Date <u>2/25/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

**CITY OF**  
**Fargo**  
**ASSESSMENT DEPARTMENT**

431

February 24, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

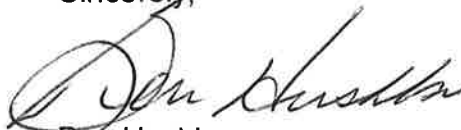
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1315 6 St. S as submitted by Molly A. & Benjamin Askegaard. 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 2019, 2020, 2021, 2022, & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$1,190 with the City of Fargo's share being \$200.

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 <u>Molly &amp; Benjamin Askegaard</u>	Phone No <u>Molly 701-219-5006 Ben 701-371-0427</u>
2. Address of Property <u>1315 6 St. S</u>	
City <u>FARGO</u>	State <u>ND</u> Zip Code <u>58103</u>
3. Legal description of the property for which the exemption is being claimed. <u>Lot 4 Blk 2 Benedicts</u>	
4. Parcel Number <u>01-0140-00190-000</u> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner <u>Same</u>	
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). <u>Const 30'x16' 2 Sty Addn to Existing SFD</u>	
7. Building Permit No. <u>181644</u>	8. Year Built <u>1931</u>
9. Date of Commencement of making the improvement <u>09/21/2018</u>	
10. Estimated market value of property before improvement	\$ <u>210,000</u>
11. Cost of making the improvement (all labor, material and overhead)	\$ <u>225,313.24</u>
12. Estimated market value of property after improvement	\$ <u>395,000</u>

**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 <u>[Signature]</u>	Date <u>2-18-2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>	
Assessor's Signature <u>[Signature]</u>	Date <u>2/24/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>	
Approval subject to the following conditions: _____	
Chairman of Governing Body _____	Date _____

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

February 24, 2020

43j

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

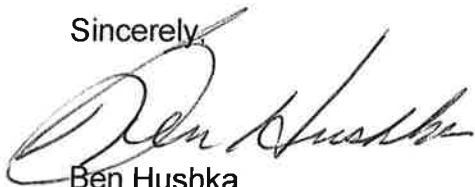
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1727 5 St. S as submitted by Jonathan Michael Libbrecht. 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,



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 <u>JONATHAN LIBBRECHT</u>	Phone No. <u>701-200-7532</u>
2.	Address of Property <u>1727 5 ST S</u>	
	City <u>FARGO</u>	State <u>ND</u> Zip Code <u>58103</u>
3.	Legal description of the property for which the exemption is being claimed. <u>BLOCK 1</u> <u>LOT S 25 FT OF 6 &amp; N 40 FT OF 7 FARGO INVESTMENT CO 1ST</u>	
4.	Parcel Number <u>01-0820-00060-000</u> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5.	Mailing Address of Property Owner <u>SAME AS PROPERTY</u>	
	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). <u>INSTALL EGRESS WINDOW, RELOCATE WALL, REMODEL BATH IN LOWER LEVEL</u>	
7.	Building Permit No. <u>171395</u>	8. Year Built <u>1954</u>
9.	Date of Commencement of making the improvement <u>2/4/2020</u>	
10.	Estimated market value of property before improvement	\$ <u>227,800</u>
11.	Cost of making the improvement (all labor, material and overhead)	\$ <u>30,000</u>
12.	Estimated market value of property after improvement	\$ <u>257,800</u>

**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 <u>[Signature]</u>	Date <u>2/17/2020</u>

**Assessor's Determination**

14.	The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>	
	Assessor's Signature <u>[Signature]</u>	Date <u>2/24/20</u>

**Action of Governing Body**

15.	Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>	
	Approval subject to the following conditions: _____	
	Chairman of Governing Body _____	Date _____



CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

February 24, 2020

43K

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

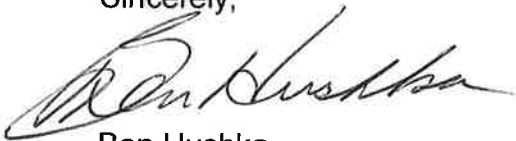
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 423 8 St. S as submitted by Riley & Jennie Rude. 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 2019, 2020, 2021, 2022, & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$604 with the City of Fargo's share being \$110.

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 <u>RILEY &amp; JENNIE RUDE</u>	Phone No. <u>701-388-6226</u>
2.	Address of Property <u>423 8 ST S</u>	
	City <u>FARGO</u>	State <u>ND</u> Zip Code <u>58103</u>
3.	Legal description of the property for which the exemption is being claimed. <u>S 1/2 OF LTS 10, 11, &amp; 12 BLK 36 NORTHERN PACIFIC ADDN</u>	
4.	Parcel Number <u>01-2140-00170-000</u> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5.	Mailing Address of Property Owner <u>SAME</u>	
	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). <u>LIFT EXISTING HOME, REMOVE FOUNDATION, REPLACE FOUNDATION; 9' X 11' ADDITION TO NW OF THE HOME</u>	
7.	Building Permit No. <u>180463</u>	8. Year Built <u>1899</u>
9.	Date of Commencement of making the improvement <u>Apr 1 2018</u>	
10.	Estimated market value of property before improvement	\$ <u>319,400</u>
11.	Cost of making the improvement (all labor, material and overhead)	\$ <u>93,000</u>
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 <u>[Signature]</u>	Date <u>2/18/20</u>

**Assessor's Determination**

14.	The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>	
	Assessor's Signature <u>[Signature]</u>	Date <u>2/24/20</u>

**Action of Governing Body**

15.	Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>	
	Approval subject to the following conditions: _____	
	Chairman of Governing Body _____ Date _____	

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

436

February 24, 2020

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 1339 9 St. N as submitted by Shanon G. & Christine L. McLachlan. 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$685 with the City of Fargo's share being \$115.

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	Shanon & Christine McLachlan		Phone No.	701-261-8582
2. Address of Property	1339 9 St N			
	City	FARGO	State	ND Zip Code 58102
3. Legal description of the property for which the exemption is being claimed.	Pt of Lt 31, Ohmers			
4. Parcel Number	01-2220-01700-000	Residential	<input checked="" type="checkbox"/>	Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>
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 main floor, bath, remove 2 walls & replace windows, Kitchen, replace doors	
7. Building Permit No.	19090761	8. Year Built 1951
9. Date of Commencement of making the improvement	September 2019	
10. Estimated market value of property before improvement	\$ 219,600	
11. Cost of making the improvement (all labor, material and overhead)	<del>\$ 60,000</del> 80,000	
12. Estimated market value of property after improvement	\$ 271,800	

**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	Christy McLachlan Date 2/20/2020

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):	5 YEARS FOR QUALIFYING WORK
Assessor's Signature	Den Vlasak Date 2/24/20

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body _____ Date _____

**CITY OF**  
**Fargo**  
**ASSESSMENT DEPARTMENT**

4/3m

February 20, 2020

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 1617 9 St. S as submitted by Brent & Laura Nichols. 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$245 with the City of Fargo's share being \$40.

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	Brent & Laura Nichols	Phone No.	
2. Address of Property	1617 9 St. S		
City	FARGO	State	ND
Zip Code	58103		
3. Legal description of the property for which the exemption is being claimed.	Lot 5 Blk 3 Lewis		
4. Parcel Number	01-1720-00210-000	Residential <input checked="" type="checkbox"/>	Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>
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 existing bathrooms
7. Building Permit No.	19061068
8. Year Built	1940
9. Date of Commencement of making the improvement	06/28/2019
10. Estimated market value of property before improvement	\$ 307,500
11. Cost of making the improvement (all labor, material and overhead)	\$ 92,000
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	Date 2/12/20

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):	5 YEARS FOR QUALIFYING NOTICE
Assessor's Signature	Date 2/20/20

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body
Date

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

43.2

February 20, 2020

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 1709 14 ½ St. S as submitted by Jesse M. & Betsy A. Smith. 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 2019, 2020, 2021, 2022, & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$140 with the City of Fargo's share being \$25.

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	<u>Jesse &amp; Betsy Smith</u>	Phone No.	_____
2. Address of Property	<u>1709 14 1/2 St. S</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58103</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Lot 3 Blk 4 Bohnsacks 1st</u>		
4. Parcel Number	<u>01-0161-00640-000</u>	Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	<u>Same</u>		
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).	<u>Remodel existing bath, expand. Add wall to separate bedroom from living room. Replace windows in bed, bath and walk-in closet.</u>		
7. Building Permit No.	<u>180820</u>	8. Year Built	<u>1955</u>
9. Date of Commencement of making the improvement	<u>06/05/2018</u>		
10. Estimated market value of property before improvement	\$	_____	
11. Cost of making the improvement (all labor, material and overhead)	\$	_____	
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 <u>[Signature]</u> Date <u>2/17/2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):	<u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>[Signature]</u> Date <u>2/20/20</u>	

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

February 20, 2020

43a

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 1011 Southwood Dr. S as submitted by Richard & Kimberly Rayl. 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$480 with the City of Fargo's share being \$80.

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	<u>Richard &amp; Kimberly Rayl</u>			Phone No.	<u>701-799-1080</u>
2. Address of Property	<u>1011 Southwood Drive S.</u>				
City	<u>FARGO</u>	State	<u>ND</u>	Zip Code	<u>58103</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Southwood E 100' Lot 58</u>				
4. Parcel Number	<u>01286000590000</u>	Residential	<input checked="" type="checkbox"/>	Commercial	<input type="checkbox"/>
		Central Business District	<input type="checkbox"/>		
5. Mailing Address of Property Owner	<u>1011 Southwood Drive S.</u>				
City	<u>Fargo</u>	State	<u>ND</u>	Zip Code	<u>58103</u>

**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).	<u>Complete remodel of main floor - finishing basement</u>	
7. Building Permit No.	<u>1910-0735</u>	8. Year Built
		<u>1968</u>
9. Date of Commencement of making the improvement	<u>3/2019</u>	
10. Estimated market value of property before improvement	\$	<u>290,000</u>
11. Cost of making the improvement (all labor, material and overhead)	\$	<u>135,000</u>
12. Estimated market value of property after improvement	\$	<u>425,000</u>

**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 <u>Richard Rayl</u> <u>Kimberly Rayl</u> Date <u>2/8/20</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>Don Johnston</u> Date <u>2/20/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

**CITY OF**  
**Fargo**  
**ASSESSMENT DEPARTMENT**

43p

February 20, 2020

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 718 25 St. N as submitted by Alexander D. & Megan J. Dornbusch. 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$285 with the City of Fargo's share being \$50.

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	<u>Alexander + Megan Dornbusch</u>			Phone No.	
2. Address of Property	<u>718 25<sup>th</sup> St. N.</u>				
City	<u>FARGO</u>	State	<u>ND</u>	Zip Code	<u>58102</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Block 32 ; Lot South 1/2 of 4 + all of 5</u>				
4. Parcel Number	<u>01-0480-08400-000</u>	Residential	<input checked="" type="checkbox"/>	Commercial	<input type="checkbox"/>
				Central Business District	<input type="checkbox"/>
5. Mailing Address of Property Owner	<u>Same</u>				
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).	<u>Main Floor Remodel</u>	
7. Building Permit No.	<u>180012</u>	8. Year Built <u>1900</u>
9. Date of Commencement of making the improvement	<u>1/4/18</u>	
10. Estimated market value of property before improvement	\$ <u>134,400</u>	
11. Cost of making the improvement (all labor, material and overhead)	\$ <u>12,500</u>	
12. Estimated market value of property after improvement	\$ <u>190,300</u>	

**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	<u>[Signature]</u> Date <u>2-13-20</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):	<u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature	<u>[Signature]</u> Date <u>2/20/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body _____ Date _____

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

438

February 20, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

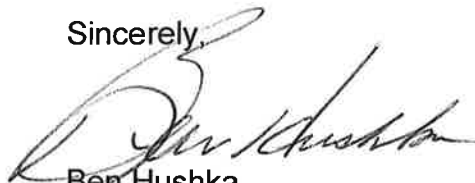
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1105 7 St. S as submitted by Kenneth D. Cottrell & April E. King. 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 2019, 2020, 2021, 2022, & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$630 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	<u>KENNETH COTTRELL</u>	Phone No.	<u>817 600 5694</u>
2. Address of Property	<u>1105 7<sup>th</sup> ST S</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58103</u>
3. Legal description of the property for which the exemption is being claimed.	<u>PRIMARY PERSONAL RESIDENCE</u>		
4. Parcel Number	<u>01-0780-00830-000</u>	Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	<u>1105 7<sup>th</sup> ST S</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58103</u>

**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).	<u>FULL ELECTRICAL REWIRE, KITCHEN REMODEL, ADDITION OF MASTER BATH &amp; CLOSET</u>		
7. Building Permit No.	<u>20180149</u>	8. Year Built	<u>1925</u>
9. Date of Commencement of making the improvement	<u>JANUARY 2018</u>		
10. Estimated market value of property before improvement	\$ <u>276,900</u>		
11. Cost of making the improvement (all labor, material and overhead)	\$ <u>250,000</u>		
12. Estimated market value of property after improvement	\$ <u>324,900</u>		

**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 <u>K. Cottrell</u> Date <u>2/6/20</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s): <u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>Don Winkler</u> Date <u>2/20/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____



CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

4/3r

February 20, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

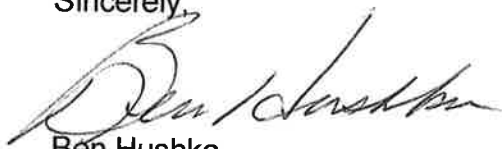
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1038 25 St. N as submitted by Bakntyar Rasool Murad. 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 2020, 2021, 2022, 2023, & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$1,315 with the City of Fargo's share being \$225.

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 BAKNTYAR RASOOL MURAD Phone No. 218-790-7298

2. Address of Property 1038 25 ST N

City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. BLOCK 16 LOT

PT OF 1 & ALL OF 2 & 3, DESC AS: 1, LESS POLL DED FOR ST, BEG AT NE COR OF 1, THEN S ALG W/RW LN OF 25 ST N FOR A DIST OF 40 FT TO SE COR OF SD LT, THEN NWLY TO A PT ON S/RW LN OF 11 AVE N BG 80 FT W OF PT OF

4. Parcel Number 01-0480-01541-000 Residential ☒ Commercial ☐ Central Business District ☐

5. Mailing Address of Property Owner 1552 90 AVE N

City MOORHEAD State MN Zip Code 56560

**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). REPLACE SIDING, DECK, ROOF, WINDOWS BATH AND KITCHEN REMODEL

7. Building Permit No. 19100039, 19080676, 8. Year Built 1960

→ 9. Date of Commencement of making the improvement August 2019

10. Estimated market value of property before improvement \$ 186,000

→ 11. Cost of making the improvement (all labor, material and overhead) \$ 125,000

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 [Signature] Date 02-06-2020

**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 [Signature] Date 2/20/20

**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 \_\_\_\_\_



March 3, 2020

432

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 505 19 Ave. N as submitted by Mark Schmidt. 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 2019, 2020, 2021, 2022, & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$375 with the City of Fargo's share being \$65.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hushka".

Ben Hushka  
City Assessor

bsb  
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	<u>Mark Schmidt</u>	Phone No.	<u>701-367-8484</u>
2. Address of Property	<u>505 19<sup>th</sup> ave N</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58102</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Lot: 31 Block: 1</u> <u>Halland Newman 1st Lot 31 Blk 1</u>		
4. Parcel Number	<u>01-1100-00310-000</u>	Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	<u>505 19<sup>th</sup> ave N</u>		
City	<u>Fargo</u>	State	<u>ND</u> Zip Code <u>58102</u>

## **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).	<u>Removed and installed all new windows and doors, new siding, roof, and stone</u>		
7. Building Permit No.	<u>180026</u>	8. Year Built	<u>1951</u>
9. Date of Commencement of making the improvement	<u>01/09/18</u>		
10. Estimated market value of property before improvement	\$	<u>184,900</u>	
11. Cost of making the improvement (all labor, material and overhead)	\$		
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 <u>M Schmidt</u> Date <u>02/29/2020</u>

## **Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):	<u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>Don Albrecht</u>	Date <u>3/3/20</u>

## **Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body _____ Date _____

CITY OF  
**Fargo**  
ASSESSMENT DEPARTMENT

March 3, 2020

43+

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

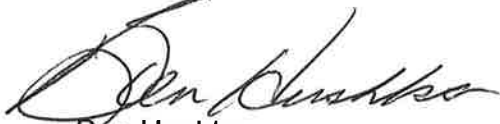
Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1024 11 St. N as submitted by Kristen L. Bye. 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 2019, 2020, 2021, 2022, & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$780 with the City of Fargo's share being \$130.

Sincerely,



Ben Hushka  
City Assessor

bsb  
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	<u>Kristen Bye</u>	Phone No.	<u>701-610-3184</u>
2. Address of Property	<u>1024 11 St. N</u>		
City	<u>FARGO</u>	State	<u>ND</u> Zip Code <u>58102</u>
3. Legal description of the property for which the exemption is being claimed.	<u>Lot 19 Blk 11 Chapins</u>		
4. Parcel Number	<u>01-0440-02210-000</u>	Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>	
5. Mailing Address of Property Owner	<u>Same</u>		
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).	<u>Const. 12'x37'5" addn to existing sfd. Use to be kitchen on main and bedroom on upper lvl.</u>		
7. Building Permit No.	<u>180201</u>	8. Year Built	<u>1907</u>
9. Date of Commencement of making the improvement	<u>03/02/2018</u>		
10. Estimated market value of property before improvement	\$ <u>90,700</u>		
11. Cost of making the improvement (all labor, material and overhead)	\$ <u>90,000</u>		
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 <u>Kristen Bye</u> Date <u>2-26-2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s) <u>5 YEARS FOR QUALIFYING WORK</u>
Assessor's Signature <u>Don Vasek</u> Date <u>3/3/20</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions: _____
Chairman of Governing Body _____ Date _____

REPORT OF ACTION  
**CONTRACTOR SELECTION COMMITTEE**  
**Rapid Deploy Products Install & Removal**

(44)a

Date of Hearing: March 9, 2020

<u>Routing</u>	<u>Date</u>
City Commission	<u>3/9/20</u>
Consultant File	<u>                    </u>
Project File	<u>          X          </u>
Petitioners	<u>                    </u>
Selection Committee	<u>          X          </u>

Proposals Received for:

<u>Project</u>	<u>Location</u>
FE-20-D1	2020 Flood – Rapid Deploy Products Install & Removal
FE-20-D2	2020 Flood – Rapid Deploy Products Install & Removal

Proposals were received from the following Contractors:

Northern Improvement  
 Industrial Builders Inc.  
 Dakota Underground  
 KPH, Inc.  
 Dirt Dynamics  
 Master Construction

The Selection Committee evaluated proposals based on the criteria outlined within the RFP:

Criteria

1. Evaluation was based upon past performance and experience, price, availability, and experience of staff.

Following review of the proposals, the Selection Committee evaluated the contractors for selection of the preferred contractor or contractors. The Committee also looked at the ability of the contractors to field enough crews should it become necessary.

Based upon the sensitivities of the flood schedule and the potential short time frames to install rapid deploy products, it was decided to award the contracts to two separate contractors. Based on the evaluation criteria, the Committee selected the following as the preferred contractors for the projects:



Contractor Selection Committee  
 Rapid Deploy Products Install  
 FE-20-D1 & FE-20-D2  
 March 3, 2020  
 Page 2

<u>Project</u>	<u>Vendor</u>
FE-20-D1	KPH, Inc
FE-20-D2	Master Construction

RECOMMENDED MOTION:

Concur with contractor selection and removal contract awards, for the following projects:

<u>Project</u>	<u>Vendor</u>
FE-20-D1	KPH, Inc.
FE-20-D2	Master Construction

COMMITTEE:

Thomas Knakmuhs, Assistant City Engineer  
 Nathan Boerboom, Division Engineer  
 Roger E. Kluck, Engineer II

<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Unanimous</u>
			<u>X</u>
			<u>Proxy</u>
<u>X</u>	<u>X</u>		
<u>X</u>	<u>X</u>		
<u>X</u>	<u>X</u>		

  
 Brenda E. Derrig, PE  
 City Engineer

## REPORT OF ACTION

## CONTRACTOR SELECTION COMMITTEE

446

## 2020 Flood Emergency Traffic Control Contractor Assistance

Date of Hearing: March 3, 2020

<u>Routing</u>	<u>Date</u>
City Commission	3/9/2020
Consultant File	
Project File	X
Petitioners	X
Selection Committee	X

Proposal Received for:

2020 Flood Emergency Traffic Control Contractor Assistance - City Wide – Project No. FE-20-C1

Proposals were received from the following contractors:

1. Northstar Safety Inc.
2. 3D Specialties Inc.

The Selection Committee evaluated proposals based on the criteria outlined within the RFP:

<u>Criteria</u>	<u>Points</u>
1. Past Performance	25
2. Cost Proposal	25
3. Available Equipment and Manpower	25
4. Work Experience	25


Following review of the proposals, the Selection Committee met to jointly rank the firms for selection of the preferred contractor. The top firm was identified as Northstar Safety Inc.

The work will be paid by unit rates for installation.

Recommended Motion:

Concur with contractor selection and recommend contract award to Northstar Safety Inc.

<u>Committee:</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Unanimous</u>
Jeremy Gorden, Division Engineer, Transportation	X	X		X
Al Schumacher, Signals and Lighting Operations Manager	X	X		



Jeremy Gorden, PE, PTOE  
Division Engineer, Transportation



## **Request for Proposals**

for

**2020 Flood Emergency Traffic Control Contractor Assistance –**

**Citywide**

**Project No. FE-20-C1**

**Proposals Due:**

**February 28, 2020**

**11:30 AM**

Approved:

Jeremy M. Gorden /s/

Jeremy Gorden, PE, PTOE

Division Engineer

2/6/2020

Date

This document was originally issued  
and sealed by  
Jeremy M. Gorden  
PE-5328  
on 2/6/2020 and the original document  
is stored in the Engineering Dept. at  
City Hall.

RFP – Traffic Control Contractor Assistance  
Project No. FE-20-C1  
Page 2

**Purpose of Request**

The City of Fargo is currently soliciting proposals from local contractors for emergency traffic control assistance in the upcoming 2020 flood. It is still unclear what the extent of the 2020 event will be, however, the City has laid out a traffic control plans that would be used in the event that a repeat of the 2009 flood would occur.

Selection of traffic control contractor assistance will be based equally on cost, work experience, past performance, and the ability to place devices in the field within 2 hours from the initial request between the hours of 6 a.m. and 10 p.m. The selection of the Contractor will be made by Traffic Engineering staff.

**General Instructions**

Proposals shall be submitted in person on paper by 11:30 AM CDT, February 28, 2020 to:

Office of the City Auditor  
c/o City Hall  
225 4<sup>th</sup> Street N  
Fargo, ND 58102

Proposals shall be clearly identified and marked as follows:

Name of Contractor: NorthStar Safety, Inc.  
2020 Flood Emergency Traffic Control Contractor Assistance – Citywide  
City of Fargo Project No. FE-20-C1

Any questions or comments regarding the proposal should be submitted to Jeremy Gorden or Al Schumacher at 241-1545.

**Scope of Work**

Duties include providing temporary traffic control devices as requested by the City from 40<sup>th</sup> Avenue North (Cass Co Hwy 20) to 76<sup>th</sup> Avenue South to aid in the flood fight along the Red River and the County Drain system in south and southwest Fargo. Contractor shall have a response time of 2 hours or less when given notice by the City to complete work in certain reaches at given times. Traffic control plan sheets are attached to this RFP and are also available upon request from the Engineering Department at 241-1545. The actual number of devices and hours necessary to complete the work is unknown at this time, but the Contractor should have all devices on hand in case a top 5 flood event occurs. As of January 27, the National Weather Service released a Probabilistic Outlook for the Red River at Fargo for its spring runoff, and they have 95% confidence that the river will reach a flood stage of 27.6', have a 50% confidence that the river will reach a flood stage of 35.9', and have a 10% confidence that the river will reach a flood stage of 39.6'. The 2009 flood event had a flood stage of roughly 40.8'. After devices are installed in the field, the daily maintenance of deployed devices shall be the Contractor's responsibility until flood event is completed and field devices can be removed from field.

There are six (6) locations where concrete jersey barriers may need to be installed on either a street or a path; on Elm Street at 15<sup>th</sup> Avenue N and near 13<sup>th</sup> Avenue N, on 2<sup>nd</sup> Street N at the opening in the flood wall at 4<sup>th</sup> Ave N and at 1<sup>st</sup> Avenue N, and the final two would be on 2<sup>nd</sup> Street S near Main Ave and near 4<sup>th</sup> Street S. None of these barriers would be necessary at a flood stage less than 30', four locations would be necessary at a flood stage of 35', and all would be necessary at a flood stage over 38'.

Payment: Revenue will be made in two (2) ways. It will be made in the form of 1) daily rent paid for devices placed in the field, and 2) with an hourly rate for staff assigned to the project when placing, removing and completing the daily maintenance of the devices, with the exception of the jersey barriers. Delivery to and placement on site, removal from site and delivery back to Contractor property shall all be included in the price bid for each location of the Jersey Barrier locations. There will be a daily rental rate for each of the Jersey Barrier locations as well. All rental rates shall consist of a daily rental rate, and labor rates should be given for the Project Manager, Foreman with Vehicle & Trailer, and a Laborer rate. Daily time reporting per employee will be required during the course of the flood event. No bond is necessary to complete this work.

**Submittal & Other Responsibilities**

All submittals shall include a daily rate for field devices, labor rates for Project Manager, Foreman with Vehicle with and without Trailer, and Laborers by the hour, a roster of all personnel that may be working on the project, and 2 points of contact from the company that will coordinate with City staff. The attached "Traffic Control Devices Bid Sheet" shall be filled out in its entirety and accompany your proposal to be eligible for consideration for this project. The points of contact information shall include a work phone number, a 24-hr cell phone number, and an e-mail address.

**Notice to Proceed**

The Contractor that is selected as the preferred Contractor will be notified by 9:00 AM CDT on Tuesday, March 10 and shall be ready to assist the City at any time after that Notice.

3-3-2020

---

Date

**NorthStar Safety, Inc.**

794 West Main Avenue  
West Fargo, ND 58078  
Tel: 701-282-2110  
Fax: 701-281-1400  
www.northstarsafety.com

<u>Project</u>	<u>Job No.</u>	<u>Location</u>	<u>State</u>	<u>Bid Date</u>
2019 Flood Emergency Traffic Control Contractor Assistance - Citywide	FE-20-C1	Fargo	North Dakota	2/28/2020

NorthStar Safety, Inc. (NSI) will supply and install all signs, barricades and channelization devices requested for the rates listed below. All daily maintenance would be NSI's responsibility as needed for the rates listed below. NSI would return upon completion of the project to remove all items supplied by us. Our quote is based on a Spring 2020 completion and does NOT include flagging, providing notifications, or removal and resetting existing permanent signs.

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Bid Amount</u>
1	Type III Barricade	EA	1	\$ 2.00	\$ 2.00
2	Delineator Drums	EA	1	\$ 0.75	\$ 0.75
3	Tubular Markers	EA	1	\$ 0.30	\$ 0.30
4	Linear Delineator Panels	EA	1	\$ 0.60	\$ 0.60
5	Sequencing Arrow Panels - TYPE C	EA	1	\$ 15.00	\$ 15.00
6	Portable Changeable Message Sign	EA	1	\$ 40.00	\$ 40.00
7	Road Closed (sign only)	EA	1	\$ 1.00	\$ 1.00
8	Road Closed To Thru Traffic (sign only)	EA	1	\$ 1.00	\$ 1.00
9	Detour (sign only)	EA	1	\$ 0.70	\$ 0.70
10	Stop Sign w/Skid	EA	1	\$ 1.30	\$ 1.30
11	Do Not Enter Sign w/Skid	EA	1	\$ 1.30	\$ 1.30
12	One Way Sign w/Skid	EA	1	\$ 1.30	\$ 1.30
13	No Parking (sign only)	EA	1	\$ 0.70	\$ 0.70
14	No Parking w/Skid	EA	1	\$ 1.30	\$ 1.30
15	Detour Sign w/Skid	EA	1	\$ 1.30	\$ 1.30
16	Standard 24 x 24 Sign	EA	1	\$ 0.70	\$ 0.70
17	Standard 24 x 30 Sign	EA	1	\$ 0.70	\$ 0.70
18	Standard 30 x 30 Sign	EA	1	\$ 0.70	\$ 0.70
19	Standard 36 x 12 Sign	EA	1	\$ 0.70	\$ 0.70
20	Standard 36 x 36 Sign	EA	1	\$ 0.70	\$ 0.70
21	Standard 48 x 18 Sign	EA	1	\$ 0.70	\$ 0.70
22	Standard 48 x 24 Sign	EA	1	\$ 0.70	\$ 0.70
23	Standard 48 x 30 Sign	EA	1	\$ 1.00	\$ 1.00
24	Standard 48 x 48 Sign	EA	1	\$ 1.00	\$ 1.00
25	Standard 48 x 60 Sign	EA	1	\$ 1.25	\$ 1.25
26	Standard 60 x 30 Sign	EA	1	\$ 1.25	\$ 1.25
27	Project Manager	HR	1	\$ 65.00	\$ 65.00
28	Foreman w/Vehicle	HR	1	\$ 65.00	\$ 65.00
29	Foreman w/Vehicle & Trailer	HR	1	\$ 65.00	\$ 65.00
30	Laborer	HR	1	\$ 45.00	\$ 45.00
31	Concrete Jersey Barrier Location #1	LS	1	\$ 720.00	\$ 720.00
32	Concrete Jersey Barrier Location #2	LS	1	\$ 720.00	\$ 720.00
33	Concrete Jersey Barrier Location #3	LS	1	\$ 635.00	\$ 635.00
34	Concrete Jersey Barrier Location #4	LS	1	\$ 1,075.00	\$ 1,075.00
35	Concrete Jersey Barrier Location #5	LS	1	\$ 785.00	\$ 785.00
36	Concrete Jersey Barrier Location #6	LS	1	\$ 720.00	\$ 720.00
37	Concrete Jersey Barrier Location #1 Daily Rate	EA	1	\$ 1.65	\$ 1.65
38	Concrete Jersey Barrier Location #2 Daily Rate	EA	1	\$ 1.65	\$ 1.65
39	Concrete Jersey Barrier Location #3 Daily Rate	EA	1	\$ 1.10	\$ 1.10
40	Concrete Jersey Barrier Location #4 Daily Rate	EA	1	\$ 4.40	\$ 4.40
41	Concrete Jersey Barrier Location #5 Daily Rate	EA	1	\$ 2.20	\$ 2.20
42	Concrete Jersey Barrier Location #6 Daily Rate	EA	1	\$ 1.65	\$ 1.65
				Total	\$ 4,985.60

Payments are to be made by progress payments. If a bond is required, add \$4.50/M (\$100.00 Minimum). Our quote does NOT include Railway Protection Insurance, TERO or any other contract charges. This proposal may be withdrawn if not accepted within 30 days.

Authorized  
Acceptance  
Signature \_\_\_\_\_

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

Authorized  
Signature

Stephan Lindemann  
Cell: 701-219-1731  
E-mail: slindemann@northstarsafety.com



## Traffic Control Devices Bid Sheet

2020 Flood Emergency Traffic Control Contractor Assistance - Citywide

5-Feb-20

Unit	Description	Quantity	Unit Cost/Day	Extended Price
EA	Type III Barricade	1	2.00	2.00
EA	Delineator Drums	1	.75	.75
EA	Tubular Markers	1	.30	.30
EA	Linear Delineator Panels	1	.60	.60
EA	Sequencing Arrow Panels -TYPE C	1	15.00	15.00
EA	Portable Changeable Message Sign	1	40.00	40.00
EA	Road Closed (sign only) on Type III	1	1.00	1.00
EA	Road Closed to Thru Traffic (sign only) on Type III	1	1.00	1.00
EA	Detour (sign only) on Type III	1	.70	.70
EA	Stop sign - 30x30 with skid	1	1.30	1.30
EA	Do Not Enter sign - 30x30 with skid	1	1.30	1.30
EA	One Way sign - 36x12 with skid	1	1.30	1.30
EA	No Parking (sign only) - 24x24	1	.70	.70
EA	No Parking - with skid/post - 24x24	1	1.30	1.30
EA	Detour sign - with skid	1	1.30	1.30
EA	Standard 24 x 24 sign	1	.70	.70
EA	Standard 24 x 30 sign	1	.70	.70
EA	Standard 30 x 30 sign	1	.70	.70
EA	Standard 36 x 12 sign	1	.70	.70
EA	Standard 36 x 36 sign	1	.70	.70
EA	Standard 48 x 18 sign	1	.70	.70
EA	Standard 48 x 24 sign	1	.70	.70
EA	Standard 48 x 30 sign	1	1.00	1.00
EA	Standard 48 x 48 sign	1	1.00	1.00
EA	Standard 48 x 60 sign	1	1.25	1.25
EA	Standard 60 x 30 sign	1	1.25	1.25
HR	Project Manager	1	65.00	65.00
HR	Foreman w/ Vehicle	1	65.00	65.00
HR	Foreman w/ Vehicle & Trailer	1	65.00	65.00
HR	Laborer	1	45.00	45.00
LS	Concrete Jersey Barrier Location #1 - Elm & 15th Ave N - 30' long	1	NA	720.00
LS	Concrete Jersey Barrier Location #2 - Elm & N of 13th Ave N - 30' long	1	NA	720.00
LS	Concrete Jersey Barrier Location #3 - 2nd St & 4th Ave N - 20' long	1	NA	635.00
LS	Concrete Jersey Barrier Location #4 - 2nd St & 1st Ave N - 80' long	1	NA	1,075.00
LS	Concrete Jersey Barrier Location #5 - 2nd St near Main Ave - 40' long	1	NA	785.00
LS	Concrete Jersey Barrier Location #6 - 2nd St S near 4th St S - 30' long	1	NA	720.00
EA	Concrete Jersey Barrier Location #1 - Daily Rental Rate	1	1.65	1.65
EA	Concrete Jersey Barrier Location #2 - Daily Rental Rate	1	1.65	1.65
EA	Concrete Jersey Barrier Location #3 - Daily Rental Rate	1	1.10	1.10
EA	Concrete Jersey Barrier Location #4 - Daily Rental Rate	1	4.40	4.40
EA	Concrete Jersey Barrier Location #5 - Daily Rental Rate	1	2.20	2.20
EA	Concrete Jersey Barrier Location #6 - Daily Rental Rate	1	1.65	1.65



## Division of Solid Waste

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

March 5, 2020

Honorable Board of City Commissioners  
 City of Fargo  
 225 4<sup>th</sup> Street North  
 Fargo ND 58102

44c

**RE: Proposals for Transportation and Handling of Filled Sandbags and "At-The-Ready" Services.**

Dear Commissioners:

Proposals were due to on Tuesday, March 3, 2020, for the Transportation and Handling of Filled Sandbags and "At-Ready-Services" for filled sandbags used in the primary line of protection during the 2020 Red River spring flood event. The proposals were submitted based on a production schedule with a goal of 400,000 filled sandbags. Given current National Weather Service (NWS) projections, it is anticipated that sandbag production will be a four-day period of 12-hour days. The evaluation of proposals is as follows:

Description	Hours	Reile's Transportation		Industrial Builders	
		Unit Price	Total	Unit Price	Total
Tractor/Trailer (8)	48	\$95.20/hr	\$36,556.80	\$110.00/hr	\$42,240.00
Forklift (8)	48	\$55.38/hr	\$21,265.92	\$85.00/hr	\$32,640.00
Manual Labor (6 est.)	48	\$30.00/hr	\$8,640.00	\$25.00/hr	\$7,200.00
<b>Bid Evaluation Total (est.)</b>			<b>\$66,462.72</b>		<b>\$82,080.00</b>

Based upon the evaluation, staff would respectfully request authorization to enter into a formal agreement with Reile's Transfer and Delivery Inc., for Transportation and Handling of Filled Sandbags and At-The-Ready Services for filled sandbags used during the 2020 Red River Flood Event. Please note that the evaluation shown does not include the estimated total cost for At-The-Ready Services, or handling and deployment of filled sandbags, whose exact costs will be based on future NWS projections. In 2019 the handling and placing of filled sandbags in areas designated for storage was approximately \$32,000. Your consideration in this matter is greatly appreciated.

**Suggested Motion:**

Authorize staff to enter into a formal agreement with Reile's Transfer and Delivery Inc., for Transportation and Handling of Filled Sandbags and At-The-Ready Services for filled sandbags used during the 2020 Red River Spring Flood Event.

Respectfully Submitted,

Terry Ludlum  
 Solid Waste Utility Director

Cc: Bruce Grubb, City Administrator  
 Chris Brucks, Reile's, President & Dean Mertz, General Manager  
 Erik Diederich, IBI, Director of Business Development

**2020 RED RIVER FLOOD**  
**CITY OF FARGO DIVISION OF SOLID WASTE**  
**REQUEST FOR PROPOSALS**  
**TRANSPORTATION AND HANDLING AND "AT-THE-READY" SERVICES**

				Reile's Transfer	Industrial Builders
Bid Item	Quantity	Unit	Unit Price	Unit Price	
1. Tandem Tractor with Flatbed Trailer and Operator	8	Each	\$95.20/hour	\$110.00/hour	
2. 5,000 LB Capacity Forklift with Operator	8	Each	\$55.38/hour	\$85.00/hour	
3. Tandem Tractor with Flatbed Trailer and Operator - "At-The-Ready"	8	Each	\$95.20/hour	\$110.00/hour	
4. 5,000 LB Capacity Forklift with Operator - "At-The-Ready"	8	Each	\$55.38/hour	\$85.00/hour	
5. Manual Labor	TBD	Per Person	\$30.00/hour	\$25.00/hour	

TBD-To Be Determined  
Overtime rates as quoted.

**2020 RED RIVER FLOOD -  
CITY OF FARGO DIVISION OF SOLID WASTE  
REQUEST FOR PROPOSALS (RFP)  
TRANSPORTATION AND HANDLING OF FILLED SANDBAGS AND  
“AT-THE-READY” SERVICES**

The City of Fargo is requesting proposals for the transportation and handling of filled sandbags and “At-The-Ready” services for the 2020 spring flood event.

**Services to be performed.**

Shall include delivery of sandbag filled pallets from the City’s Sandbag Central Production facility to the sandbag storage facilities, to include City Public Works Facilities (area of 402 23<sup>rd</sup> Street North), Landfill Baling Facility (4501 7<sup>th</sup> Avenue North), and Cass County Highway Department (1201 Main Avenue W., West Fargo). Shall also include delivery from the City of Fargo sandbag storage facilities to various designated sandbag dike protection areas. Contractor shall be responsible for the handling of sandbag filled pallets at the City of Fargo storage facilities. City shall be responsible for handling sandbag filled pallets at the Central Production Facility and at the various designated sandbag dike protection areas. Cass County will be responsible for offloading at the Cass County Highway Department.

Shall also include:

- Proper material handling of sandbags in City of Fargo storage facilities.
- Prompt and satisfactory hauling of orders for sandbags per City of Fargo instruction.
- Manual labor to restack pallets with filled sandbags.
- “At-The-Ready” services.
- Separate invoicing for filled sandbags delivered to Cass County Highway Department.

**Access to Products.**

- Access to sandbags by contractor shall be restricted to duly authorized persons employed by contractor. Access to sandbags by duly authorized City personnel and agents shall not be restricted.
- Contractor shall not allow access to sandbags by any other person, firm, or corporation without prior written consent of City.

**Hours of Operation.**

Normal business hours to be 7:00am to 7:00pm, Mondays through Saturdays. Contractor agrees to operate beyond normal business hours so long as City gives contractor reasonable notice of City’s need. Overtime rates will apply beyond normal business hours and on Sundays.

**Loss and Notice of Loss.**

In the event of any destruction, damage, or loss to sandbags, contractor as soon as it has knowledge of the same, shall notify City of Fargo of the particular matters.

**Ownership.**

Ownership of all sandbags and pallets shall remain solely with the City. Contractor agrees that all sandbags and pallets shall be hauled separately and identified as being City-owned. Contractor shall not allow any lien or other encumbrance to be placed on the City.

**Hold Harmless.**

Contractor agrees to pay on behalf of and hold harmless City, it's directors, officers, and its employees from all loss, costs, damage, and/or expense arising out of any demand, claim, suit, or judgment for damages or injuries to any person, firm, or corporation what-so-ever. (including, but not limited to, third parties, employees of the City, employees of the contractor, or of any subcontractor and their dependents or personal representatives) or for the death of any person, or for injury or damage to property caused or alleged to have been caused by contractor or any of contractor's subcontractors, or the employees or agents of either or any of them in connection with work performed by reason of this request for proposals.

**Independent Contractor.**

Contractor is not and shall not act or purport to act as an employee, agent, or representative of the City, but is and shall act as an independent contractor.

**Taxes.**

City shall pay any and all taxes, charges, and/or assessments associated with the production of sandbags and contractor shall pay any and all taxes, charges, and/or assessments associated with transportation and storage of sandbags.

**Term.**

The term for this request of proposals shall be March 10th, 2020, through May 31st, 2020.

## PROPOSAL FORM

2020 RED RIVER FLOOD -  
CITY OF FARGO DIVISION OF SOLID WASTE  
REQUEST FOR PROPOSALS (RFP)  
TRANSPORTATION AND HANDLING OF FILLED SANDBAGS AND "AT-THE-READY" SERVICES

DESCRIPTION	QUANTITY (MIN)	UNITS	RATE
Tandem Tractor with Flatbed Trailer and Operator	8	Each	<b>\$95.20/hour*</b>
5,000 LB Capacity Forklift with Operator	8	Each	<b>\$55.38/hour*</b>
Tandem Tractor with Flatbed Trailer and Operator – "At the Ready"***	8	Each	<b>\$95.20/hour*</b>
5,000 LB Capacity Forklift with Operator – "At the Ready"***	8	Each	<b>\$55.38/hour*</b>
Manual Labor	To Be Determined	Per Person	<b>\$30.00/hour*</b>

\*Dollar per hour per unit.

\*\*\*"At the Ready" shall mean on-call availability 24/7 as requested.

Contracting Firm: Reile's Transfer & Delivery, Inc.

Authorized Representative (Print): Chris Brucks

Title: President

Signature: 

Date: 3-2-20

**2020 RED RIVER FLOOD -  
CITY OF FARGO DIVISION OF SOLID WASTE  
REQUEST FOR PROPOSALS (RFP)  
TRANSPORTATION AND HANDLING OF FILLED SANDBAGS AND  
“AT-THE-READY” SERVICES**

The City of Fargo is requesting proposals for the transportation and handling of filled sandbags and “At-The-Ready” services for the 2020 spring flood event.

**Services to be performed.**

Shall include delivery of sandbag filled pallets from the City’s Sandbag Central Production facility to the sandbag storage facilities, to include City Public Works Facilities (area of 402 23<sup>rd</sup> Street North), Landfill Baling Facility (4501 7<sup>th</sup> Avenue North), and Cass County Highway Department (1201 Main Avenue W., West Fargo). Shall also include delivery from the City of Fargo sandbag storage facilities to various designated sandbag dike protection areas. Contractor shall be responsible for the handling of sandbag filled pallets at the City of Fargo storage facilities. City shall be responsible for handling sandbag filled pallets at the Central Production Facility and at the various designated sandbag dike protection areas. Cass County will be responsible for offloading at the Cass County Highway Department.

Shall also include:

- Proper material handling of sandbags in City of Fargo storage facilities.
- Prompt and satisfactory hauling of orders for sandbags per City of Fargo instruction.
- Manual labor to restack pallets with filled sandbags.
- “At-The-Ready” services.
- Separate invoicing for filled sandbags delivered to Cass County Highway Department.

**Access to Products.**

- Access to sandbags by contractor shall be restricted to duly authorized persons employed by contractor. Access to sandbags by duly authorized City personnel and agents shall not be restricted.
- Contractor shall not allow access to sandbags by any other person, firm, or corporation without prior written consent of City.

**Hours of Operation.**

Normal business hours to be 7:00am to 7:00pm, Mondays through Saturdays. Contractor agrees to operate beyond normal business hours so long as City gives contractor reasonable notice of City’s need. Overtime rates will apply beyond normal business hours and on Sundays.

**Loss and Notice of Loss.**

In the event of any destruction, damage, or loss to sandbags, contractor as soon as it has knowledge of the same, shall notify City of Fargo of the particular matters.

**Ownership.**

Ownership of all sandbags and pallets shall remain solely with the City. Contractor agrees that all sandbags and pallets shall be hauled separately and identified as being City-owned. Contractor shall not allow any lien or other encumbrance to be placed on the City.

**Hold Harmless.**

Contractor agrees to pay on behalf of and hold harmless City, its directors, officers, and its employees from all loss, costs, damage, and/or expense arising out of any demand, claim, suit, or judgment for damages or injuries to any person, firm, or corporation what-so-ever. (including, but not limited to, third parties, employees of the City, employees of the contractor, or of any subcontractor and their dependents or personal representatives) or for the death of any person, or for injury or damage to property caused or alleged to have been caused by contractor or any of contractor's subcontractors, or the employees or agents of either or any of them in connection with work performed by reason of this request for proposals.

**Independent Contractor.**

Contractor is not and shall not act or purport to act as an employee, agent, or representative of the City, but is and shall act as an independent contractor.

**Taxes.**

City shall pay any and all taxes, charges, and/or assessments associated with the production of sandbags and contractor shall pay any and all taxes, charges, and/or assessments associated with transportation and storage of sandbags.

**Term.**

The term for this request of proposals shall be March 10th, 2020, through May 31st, 2020.



## PROPOSAL FORM

2020 RED RIVER FLOOD -  
CITY OF FARGO DIVISION OF SOLID WASTE  
REQUEST FOR PROPOSALS (RFP)  
TRANSPORTATION AND HANDLING OF FILLED SANDBAGS AND "AT-THE-READY" SERVICES

DESCRIPTION	QUANTITY (MIN)	UNITS	RATE
Tandem Tractor with Flatbed Trailer and Operator	8	Each	\$ 110 /hour*
5,000 LB Capacity Forklift with Operator	8	Each	\$ 85 /hour*
Tandem Tractor with Flatbed Trailer and Operator – "At the Ready"***	8	Each	\$ 110 /hour*
5,000 LB Capacity Forklift with Operator – "At the Ready"***	8	Each	\$ 85 /hour*
Manual Labor	To Be Determined	Per Person	\$ 25 /hour*

\*Dollar per hour per unit.

\*\*\*"At the Ready" shall mean on-call availability 24/7 as requested.

Contracting Firm: Industrial Builders, Inc.

Authorized Representative (Print): Erik Diederich

Title: Director of Business Development

Signature: 

Date: 2/26/2020

**TRANSPORTATION/HANDLING AGREEMENT**

THIS AGREEMENT, made and entered into as of the 3<sup>rd</sup> day of March, 2019, by and between City of Fargo, located at 2301 8<sup>th</sup> Ave North Fargo, ND. 58102. (hereinafter referred to as "City of Fargo") and Reile's Transfer & Delivery Inc., located at 4007 33<sup>rd</sup> St. NW, Fargo, North Dakota (hereinafter referred to as "Reile's").

WITNESSETH:

WHEREAS, City of Fargo is in need of handling, transportation and "At the Ready" services for filled sandbags and

WHEREAS, Reile's has capabilities and related equipment and is willing to provide handling, transportation and "At the Ready" services to City of Fargo.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

1. Services to be Performed. Reile's hereby agrees to handle at storage facilities, transport to and from storage facilities and provide "At the Ready" services for filled sandbags as defined in this Agreement on specified pallets and to provide the following services with respect thereto:

- (a) Proper material handling of filled sandbags in storage facilities
- (b) Prompt and satisfactory hauling of orders for filled sandbags per City of Fargo instructions.
- (c) Provide "At the Ready" transportation and handling as requested by the City of Fargo.

2. Access to Products.

- (a) Access to filled sandbags by Reile's personnel shall be restricted to duly authorized persons employed by Reile's rendering services as provided in this Agreement. Access to filled sandbags by duly authorized City of Fargo personnel and agents shall not be restricted

- (b) Other than as provided in Section 2(a) above, Reile's shall not allow access to filled sandbags by any other person, firm, or corporation without prior written consent of City of Fargo.

3. Hours of Operation. Normal business days and hours of operation of Reile's shall be Monday through Saturday between the hours of 7:00 A.M. and 7:00 P.M. with the exception of holidays. Reile's agrees to operate beyond normal business hours so long as City of Fargo gives Reile's reasonable notice of City of Fargo needs for these special arrangements. (Overtime Rates will apply beyond normal business hours and for Sundays.)

4. Handling and Transportation Charges.

Refer to Appendix "A" attached.

5. Loss and Notice of Loss. In the event of any destruction, damage, or loss to filled sandbags, Reile's as soon as it has knowledge of the same, shall notify City of Fargo Solid Waste Utility Manager by telephone of the particulars thereof and confirm the same in writing to City of Fargo.

6. Title. Title to all filled sandbags shall remain solely with City of Fargo. Reile's agrees that all filled sandbags will be hauled separately and identified solely as City of Fargo. Reile's shall not allow any lien or other encumbrance to be placed on City of Fargo.

7. Hold Harmless. Reile's agrees to pay on behalf of and hold harmless City of Fargo, its directors, officers, and employees from all loss, costs, damage, and/or expense arising out of any demand, claim, suit, or judgment for damages or injuries to any person, firm, or corporation whatsoever (including, but not limited to, third parties, employees of City of Fargo, employees of Reile's, or of any subcontractor and their dependents or personal representatives), or for the death of any person, or for injury or damage to property caused or alleged to have been caused by Reile's or any of Reile's subcontractors, or the employees or agents of either or any of them in connection with work performed by reason of this Agreement. City of Fargo agrees to pay on behalf of and hold harmless Reile's, its directors, officers, and employees from all loss, costs, damage, and/or expense arising out of any demand, claim, suit, or judgment for damages or injuries to any person, firm, or corporation whatsoever (including, but not limited to, third parties, employees of City of Fargo, employees of Reile's, or of any subcontractor and their dependents or personal representatives), or for the death of any person, or for injury or damage to property caused or alleged to have been caused by the nature of filled sandbags.

8. Independent Contractor. Reile's is not, and shall not act or purport to act as, an employee, agent, or representative of City of Fargo, but is and shall act as an independent contractor.

9. Taxes. City of Fargo shall pay any and all taxes, charges, and/or assessments on or with respect to the filled sandbags and Reile's shall pay any and all taxes, charges, and/or assessments on or with respect to its real property, plant, equipment, and/or services.

10. Default. In the event Reile's shall become insolvent or shall commit any act of bankruptcy or shall fail to comply with appropriate federal statutes and regulations for the benefit of debtors or Reile's creditors or a receiver shall be appointed for Reile's or for any of Reile's property or Reile's shall fail to comply with any of the terms or conditions of this Agreement, City of Fargo may then, or thereafter, with or without legal process and with five (5) day's prior written notice to Reile's: (a) refuse to employ Reile's services and facilities hereunder and remove all filled sandbags therefrom; (b) terminate this Agreement, and (c) exercise such other and further rights and remedies as it may have to pursuant to law without liability to City of Fargo. The rights herein given City of Fargo may be exercised from time to time, individually or in combination, and the exercise of one or more of such rights shall not be deemed a waiver of any one or more of the others; and no delay or course of dealing by City of Fargo shall impair any such right or be construed to be a waiver of any default or an acquiescence therein.

11. Notice. Any notice, statement, or other communication required or permitted under this Agreement shall be in writing and shall be sufficiently given when delivered in person or when deposited in the U.S. or Canadian mail, registered or certified, postage prepaid, and addressed as follows:

If to City of Fargo:	City of Fargo. 2301 8 <sup>th</sup> Ave N. Fargo, ND. 58102 Attention: Terry Ludlum
----------------------	--

If to Reile's Transfer:	Reile's Transfer & Delivery PO Box 9161 4007 33st NW Fargo, North Dakota 58106 Attention: Dean Mertz
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12. Term. Except as otherwise provided herein, the term of this Agreement shall be for the period commencing on March 10, 2020 and terminating on May 31, 2020

13. Sole Agreement. This Agreement supersedes and cancels all other agreements, if any, whether written or oral, between the parties hereto and relating to the subject matter of this Agreement, controls over the provisions of any documents submitted by Reile's prior or subsequent to the date hereof, constitutes the full understanding of the parties hereto and is a complete and exclusive statement of the terms and conditions of their agreement. If any Exhibits are attached hereto and incorporated herein which contain any terms and conditions inconsistent with those in Paragraphs 1 through 17 hereof, then the provisions of this Agreement, Paragraphs 1 through 17, shall expressly control. No waiver by either City of Fargo or Reile's with respect to any breach or default of any right or remedy and no course of dealing shall be deemed to

constitute a waiver of any other breach or default or of any other right or remedy, unless such waiver is expressed in writing and signed by the party to be bound.

14. Paragraph Headings. Headings as to the contents of particular paragraphs are provided for convenience only and are in no way to be construed as part of the Agreement or as a limitation of the scope or the particular paragraph to which they refer.

15. Controlling Law. The validity, interpretation, and performance of this Agreement and any dispute connected herewith shall be governed and construed in accordance with the laws of the State of North Dakota. The parties hereto herewith submit to the jurisdiction of the District Court, Cass County, North Dakota, and agree that forum is the proper venue and forum for adjudication of all disputes between the parties with respect to the transactions contemplated or arising out of this Agreement. To this end, Reile's herewith irrevocably appoints the Secretary of the State of the State of North Dakota as its agent for the services of all legal process. The provisions of this paragraph shall survive the termination of this Agreement, whether by expiration of its term or act of either party.

16. Severability. If any term or provision of this Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Agreement or any other application of such term or provision shall not be affected thereby. This Agreement may not be effectively amended, modified, or altered except by way of writing executed by both City of Fargo and Reile's.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the day and year first above written.

Reile's Transfer & Delivery Inc

By: 

Date: 3-4-2020

CITY OF FARGO,  
a North Dakota municipal corporation

By: \_\_\_\_\_  
Timothy J. Mahoney, M.D., Mayor

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

ATTEST:

By: \_\_\_\_\_  
Steve Sprague, City Auditor

**APPENDIX A**  
**Schedule of Fees and Explanation of**

1. Transportation. Reile's will transport product between the production facility and the storage facility and the storage facility and any area deemed necessary within the city limits of City of Fargo
  - A. In Town Cross Town Loads ( Normal Business Hours Rate. Normal Business Hours as Defined in Paragraph 3. )  
\$95.20 per truck per hour
  - B. In Town Cross Town Loads ( Overtime Business Hours Rate. Overtime Business Hours as defined in Paragraph 3. )  
\$119.00 per truck per hour
  - C. "At the Ready" Tractor/Flatbed Trailer with Operator  
\$95.20 per truck per hour
  
2. Handling. Reiles shall handle all materials receiving or shipping from any City of Fargo storage facility.
  - A. Handling Rate Forklift ( Normal Business Hours Rate. Normal Business hours as Defined in Paragraph 3. )  
\$55.38 per operator per hour
  - B. Handling Rate Forklift ( Overtime Business Hours Rate. Overtime Business Hours as Defined in Paragraph 3. )  
\$83.07 per operator per hour
  - C. "At the Ready" Forklift with Operator  
\$55.38 per machine per hour
  - D. Manual Labor ( Normal Business Hours. Normal Business Hours as Defined in Paragraph 3)  
\$30.00per operator per hour.
  
3. Pallets. Reiles shall not be held responsible for any pallets or take part in any Pallet exchange program.
  
4. Payment. Payment shall be received within 10 days from invoice date in full.

March 2, 2020

The Honorable Board of City Commissioners  
City of Fargo  
Fargo, ND 58102

**RE: Award Bierschbach Equipment and Supply the 2020 Emergency  
Flood Pump Rental Contract**

Commissioners:

Proposals were opened on Friday, February 14, 2020, in response to a Request for Proposal (RFP) issued by Public Works for "2020 Emergency Flood Pump Rental". A total of three (3) sealed responses were received.

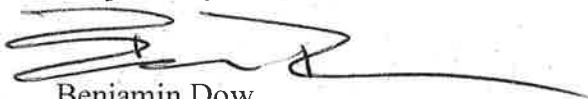
A proposal selection committee made up of Allan Erickson (Fleet Services Manager), Tanner Smedshammer (Fleet Purchasing Agent), and myself have reviewed the proposals received and evaluated them on the following criteria:

- Past Work Experience,
- Available Resources,
- Proposed Fees (Attached Bid Tab).

Based on the review of the stated criteria, the committee is recommending award of the 2020 emergency flood pump rental contract to Bierschbach Equipment and Supply.

**RECOMMENDED MOTION:** I/we hereby move based on the request for proposal (RFP20043) to award Bierschbach Equipment and Supply the 2020 emergency flood pump rental contract.

Respectfully submitted,



Benjamin Dow  
Director of Public Works

## Emergency Flood Pump Rental Bid Tab

<b>BIERSCHBACH EQUIPMENT AND SUPPLY</b>			
Item	1 Week	2 Week	Monthly
6" Diesel Pump	\$ 702.00	\$1,404.00	\$2,106.00
4" Diesel Pump	\$ 498.00	\$996.00	\$1,494.00
10' - 6" Suction hose	\$ 42.00	\$84.00	\$126.00
50' - 6" Discharge	\$ 90.00	\$180.00	\$270.00
10' - 4" Suction hose	\$ 30.00	\$60.00	\$90.00
50' - 4" Discharge hose	\$ 45.00	\$90.00	\$135.00
	<u>\$ 1,407.00</u>	<u>\$2,814.00</u>	<u>\$5,628.00</u>
Freight			
	<u><u>\$ 1,407.00</u></u>	<u><u>\$2,814.00</u></u>	<u><u>\$5,628.00</u></u>

<b>UNITED RENTALS FLUID SOLUTIONS</b>			
Item	1 Week	2 Week	Monthly
6" Diesel Pump	\$638.28	\$1,276.56	\$1,914.84
4" Diesel Pump	\$537.71	\$1,075.42	\$1,654.80
10' - 6" Suction hose	\$94.85	\$189.70	\$294.45
50' - 6" Discharge	\$64.39	\$128.78	\$193.17
10' - 4" Suction hose	\$34.21	\$68.42	\$102.63
50' - 4" Discharge hose	\$37.24	\$74.48	\$111.73
Strainers/90 degree bend	\$30.70	\$61.40	\$96.35
	<u>\$1,437.38</u>	<u>\$2,874.76</u>	<u>\$5,749.52</u>
Freight			
	<u><u>\$1,437.38</u></u>	<u><u>\$2,874.76</u></u>	<u><u>\$5,749.52</u></u>

<b>General Equipment and Supplies</b>			
Item	Price	2 Week	Monthly
6" Diesel Pump	\$1,000.00		\$3,000.00
4" Diesel Pump	\$900.00		\$2,700.00
10' - 6" Suction hose		Sell \$20.50 per Foot	
50' - 6" Discharge		Sell \$2.93 per Foot	
10' - 4" Suction hose		Sell \$10.00 per Foot	
50' - 4" Discharge hose		Sell \$1.46 per Foot	
	<u>\$1,900.00</u>	<u>\$0.00</u>	<u>\$5,700.00</u>
Freight			
	<u><u>\$1,900.00</u></u>	<u><u>\$0.00</u></u>	<u><u>\$5,700.00</u></u>



TO: BOARD OF CITY COMMISSIONERS  
FROM: KENT COSTIN, DIRECTOR OF FINANCE *KAC*  
RE: VOLUNTEER COORDINATION CONTRACT WITH FIRSTLINK  
DATE: MARCH 5, 2020

442

The City of Fargo will be conducting a sandbagging operation next week that will utilize volunteers to fill bags. FirstLink has provided volunteer coordination services in past events. Management desires to update the existing contract since the last one was approved 2011. Planning meetings with City staff and FirstLink have been conducted and we are recommending a contract renewal for this event.

The agreement is structured with a \$5,000 annual retainer and reimbursement of direct expenses incurred by FirstLink.

**Suggested Motion:**

Approve a volunteer coordination contract with FirstLink.

THIS AGREEMENT is made and entered into effective the 10th day of March 2020, by and between FirstLink, a North Dakota nonprofit corporation, whose address is 13th Avenue South, Suite 107L, Fargo, North Dakota 58103, and the City of a municipal corporation, whose address is 225 4th Street North, Fargo, North Dakota 58102.

WHEREAS, FirstLink is a nonprofit corporation whose purpose is to help people identify, access, and use community resources and which provides volunteer coordination and community hotline services for the City of Fargo; and

WHEREAS, the City of Fargo, from time to time, is in need of volunteer coordination of their volunteers and community hotline services that may be provided by FirstLink; and

WHEREAS, the parties previously entered into an agreement, a copy of which is attached hereto as Exhibit A, allowing the City access to FirstLink's volunteer coordination and hotline capabilities and to provide a means of compensation for FirstLink for such services; and

WHEREAS, the parties wish to dissolve and terminate their prior agreement and enter into a new agreement concerning use of FirstLink's volunteer coordination and hotline capabilities of the City of Fargo's volunteers during a local emergency; and

WHEREAS, the agreement herein shall replace the former agreement between the parties in all respects;

NOW, THEREFORE, IT IS HEREBY AGREED:

1. In the event of a local emergency, as determined by mayoral declaration authorized by Fargo Municipal Code section 10-0318, and when requested by the City to do so, FirstLink will help establish and coordinate a volunteer call center to provide information to people in regards to coordination of volunteers for the City of Fargo. From this volunteer center, FirstLink will operate its hotline, which will serve as the first point of contact for persons seeking to volunteer during a local emergency.
2. During an emergency, local officials will identify the location(s) of volunteer centers and staging areas for dispatching volunteers. Possible sites for volunteer centers include the following:
  1. Fargo Coliseum
  2. Fargo Solid Waste Building
  3. Fargo Civic Center
  4. Fargodome
  5. Area churches
  6. Any other location approved by the City.
3. During an emergency, FirstLink will provide staff and volunteers to receive calls from people needing assistance and from people seeking to volunteer. In doing so,

FirstLink will record relevant information, including names of volunteers, hours worked, location of work, and duties performed and any incentive affiliation organization name pursuant to any City volunteer incentive programs which have been approved by the City Commission. Volunteer information will be packaged and sent to the City Planning Office on a systematic and frequent basis (preferably daily) during the life of the disaster event so that the City of Fargo can compile volunteer hours worked in a manner suitable for FEMA cost recovery. FirstLink will assist volunteers in the check-in process prior to going into the field. FirstLink will coordinate with other agencies (Red Cross, Salvation Army, etc.) when volunteers are dispatched into the field so that those agencies can provide refreshments or other supplies to volunteers. FirstLink will provide volunteer updates to Public Information Officers, Emergency Managers, and neighboring communities regarding the status of volunteers. FirstLink will not arrange or provide transportation for volunteers.

4. FirstLink will provide source documentation suitable for presentation to FEMA for City's cost recovery efforts since this expenditure will be a direct federal cost charged to the flood recovery fund. This includes detailed payroll records indicating names of employees, dates worked, and what flood functions that they worked under this contract. Summary financial data will be provided at the end of the emergency with all supporting detailed documentation attached. This shall be forwarded to the City Auditor's Office in support of FirstLink's request for payment from the City. If the disaster event continues beyond a period of 30 days FirstLink may provide monthly billings, in lieu of end of event billings. The City will need to provide the location, equipment, and supplies necessary to complete the assigned duties. If needed, the City may provide personnel to assist FirstLink in staffing the hotline and volunteer centers.
5. The City will pay FirstLink the sum of \$5,000 per year as a nonrefundable retainer. In return, the City shall have access to, and use of, FirstLink's volunteer coordination and hotline services.
6. If the City receives assistance from FirstLink, the City will reimburse FirstLink for costs incurred by FirstLink in providing such services to the City. If FirstLink provides services for the benefit of other political subdivisions or other agencies in addition to that of the City, and as a result of such efforts, FirstLink incurs costs over and above its ordinary operational costs, the City will reimburse FirstLink for the additional costs commensurate with the City's use of FirstLink's services.
7. This agreement may be terminated by either party upon thirty (30) days written notice; provided, however, that if FirstLink terminates the agreement prior to October 1 of any year, FirstLink shall be responsible for returning to the City a pro-rata share of the \$5,000 annual retainer.

DATED effective the date and year first above written.

THE CITY OF FARGO, NORTH DAKOTA,  
municipal corporation

BY:

\_\_\_\_\_  
Dr. Tim Mahoney Mayor

ATTEST:

\_\_\_\_\_  
Steven Sprague, City Auditor

FirstLink

*Cindy Miller, FirstLink*  
\_\_\_\_\_  
Cindy Miller, Executive Director

Axe Project No. 18.103.010											
Task	Classification	Project Engineer	Lead Engineer	Design Engineer	Project Engineer	Graduate Engineer	Sc-Eng Tech	Survey Manager	Sc-Survey Crew Chief	Survey Tech	Total
Task Description											
Task 3.0 Preliminary Engineering and Design											
3.01	Geotechnical Layout (AMENDED TASK)	8	0	0	0	0	40	0	0	0	128
Task 3 SUBTOTAL											
6.01	Internal Team & Project Development Meetings	16	4	2	16	16	16	4	2	76	
6.02	Coordination with the City of Fargo	24	4	2	12	16	16	4	2	44	
6.03	Coordination with NDDOT Local Government	8	8	8	8	8	8	8	8	44	
6.04	Coordination with FAA and Fargo Airport Authority	8	8	8	8	8	8	8	8	44	
6.05	QCDQA Reviews	16	4	4	8	4	8	8	8	48	
6.06	Progress Reports, Invoicing, Contract Administration	32	8	8	20	20	20	20	20	128	
6.07	Design Coordination Meetings and Plan Review Meetings	24	8	8	64	20	52	4	2	128	
Task 6 SUBTOTAL											
Additional Survey											
7.01	Additional Topographic Survey Data Collection for Final Design	8	16	8	16	16	16	16	16	80	
7.02	QCD Drafting of Additional Topographic Survey	8	8	8	8	8	8	8	8	40	
7.03	Propose Construction Survey (Final Work)	8	8	8	8	8	8	8	8	40	
7.04	Propose Construction Survey (Office Hours)	8	8	8	8	8	8	8	8	40	
Task 8 SUBTOTAL											
Public Meeting and Property Owner Meetings											
8.01	Public Information Meeting (1 hour)	8	8	8	16	16	16	12	60	112	
8.02	Property Owner Meetings (2 total)	16	8	8	16	16	16	12	60	112	
Task 8 SUBTOTAL											
Final Design & Plan Preparation											
9.01	Urban Plan Sheets (Sections 1, 2, 4, 6, 8, 10, & 11)	16	16	16	16	16	24	0	0	62	
9.02	General Details and Typical Sections (Sections 20 & 30)	8	4	12	32	16	32	0	0	62	
9.03	Removals (Section 40)	4	4	4	24	24	48	0	0	104	
9.04	Storm Sewer Pipe and Structure Schedules (Section 50)	4	8	48	48	16	48	0	0	104	
9.05	Sanitary Sewer Pipe and Structure Schedules (Section 55)	4	8	48	48	16	48	0	0	104	
9.06	Sanitary Sewer Manholes and Box Culverts (Section 60)	16	16	80	40	80	80	76	76	352	
9.07	Wellhead, Erosion Control and Seeding (Sections 7, 16, & 17)	16	100	40	100	40	100	240	240	640	
9.08	Fencing Layouts (Section 60)	4	24	48	48	16	100	150	150	356	
9.09	Survey, Alignment and Coordination Data Layouts (Sections 81 & 82)	2	24	16	24	16	80	28	28	100	
9.10	Joining (Section 90)	16	48	48	48	48	24	104	104	312	
9.11	Work Zone Traffic Control Layouts (Section 100)	16	32	32	32	32	24	88	88	204	
9.12	Sealing (Section 110)	8	48	48	48	48	48	204	204	528	
9.13	Streetmark Marking (Section 130)	4	32	32	32	32	24	47	47	112	
9.14	Streetmark Marking (Section 140)	4	48	48	48	32	32	60	60	152	
9.15	Traffic Signs (Section 150)	32	48	48	48	32	32	112	112	288	
9.16	ITS (Section 160)	24	16	16	16	16	16	108	108	272	
9.17	Cross Sections	16	16	16	16	16	100	40	40	152	
9.18	Civil 3D Modeling	8	4	3	24	36	100	200	200	532	
9.19	Construction Estimate and Quantities	16	8	8	24	20	16	200	200	532	
9.20	Plan Submittals (50%, 85%, & Final)	4	4	3	24	20	60	8	8	140	
9.21	Assestos and Bid Questions	16	4	4	8	8	8	8	8	52	
9.22	Utility Coordination and Conflict Plans	16	32	32	60	60	16	124	124	312	
9.23	Utility Coordination Special Provision	40	20	20	24	24	20	40	40	184	
9.24	Permitting	190	192	448	448	468	916	0	0	2720	
Task 9 SUBTOTAL											
External Exhibit Preparation & Acquisition Support to City											
10.01	Exhibit Exhibit Preparation (4 exhibits assumed)	8	8	8	8	16	16	42	70	136	
10.02	Acquisition Support to City	16	0	0	8	0	16	42	70	136	
Task 10 SUBTOTAL											
Construction Support & Engineer of Record											
11.01	Design Support during Construction	4	8	20	12	24	24	0	0	48	
11.02	Postconstruction Questions, Change Orders, and Plan Revisions	4	28	22	22	0	34	0	0	88	
Task 11 SUBTOTAL											
Additional Preliminary Design Labor Hours / Costs - Total											
		0	8	0	0	0	40	0	0	128	
		10	360	236	466	80	488	1110	16	3442	
Estimated Direct Expenses											
Additional Expenses Preliminary Design											
Change from Mead & Hunt for electronic CAD (6x of RPZ)											
Additional Subcontractor Fee - Carlson Mecklen Willard Anderson											
Direct Expense Subtotal											
\$1,050											
Expenses Shared Design											
Vehicle Mileage, Maps & Site Visits - 10 trips x 20 miles @ \$0.575/Mile											
Survey Vehicle Mileage Survey Trucks - 5 trips x 24 Miles @ \$0.75/Mile											
Site Reports from Cass County Abstract - 8 properties @ 2250/property											
Miscellaneous Printing and Supplies											
Direct Expense Subtotal											
\$2,705											
Additional Fee for Preliminary Design (Task 3.0)											
Final Design Fee Estimate (Tasks 6.0 thru 11.0)											
Total Fee Estimate - This Amendment											
\$469,205											