

FARGO CITY COMMISSION AGENDA  
Monday, August 27, 2018 - 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 (Special Meeting, August 8, 2018; Regular Meeting, August 13, 2018).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. 1st reading of the following Ordinances:
  - a. Amending Section 25-1513, of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
  - b. Amending Section 01-0305, of Article 01-03 of Chapter 01 of the Fargo Municipal Code Relating to Classification of Ordinance Violations.
- 2. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Black Mountain Addition; 1st reading on 8/13/18.
- 3. Applications for property tax exemption for improvements made to buildings:
  - a. Bryan S. and Tifanie K. Gelinske, 1602 3rd Street North (5 year).
  - b. Henry R. and Barbara J. Wegter, 3232 Longfellow Road North (5 year).
  - c. Thomas A. and Donna A. Runyan, 98 Woodland Drive North (5. year).
- 4. Applications for Games of Chance:
  - a. Fargo Moorhead Derby Girls for a raffle on 9/15/18.
  - b. Fargo Angels Hockey Club for a raffle on 12/1/18.
  - c. 4 Luv of Dog Rescue for a raffle on 11/10/18.
  - d. Ava Berthiaume Cancer Benefit for a raffle and raffle board on 9/29/18; Public Spirited Resolution.
  - e. Jeff McKinnon Benefit for a raffle board from 9/1/18 to 9/29/18; Public Spirited Resolution.
  - f. Fargo-Moorhead USBC Association for a calendar raffle from 10/1/18 to 5/31/19.
  - g. Fargo-Moorhead USBC Association for a calendar raffle from 10/1/18 to 5/31/19.
  - h. NDSU Foundation and Alumni Association for a raffle on 9/22/18.
  - i. North Dakota Long Term Care Association for a raffle on 9/13/18.
- 5. Direct the City Attorney to draft an Ordinance to establish a joint and severe liability for tenants and owners with respect to City provided utility services and an Ordinance authorizing the addition of unpaid utility bills to be added to the property taxes of the benefitting property.

6. Government and Public Education Credit/Debit Card Processing Agreement with Heartland Payment Systems until August 31, 2022, subject to final legal review.
7. Receive and file the Bond Purchase Agreement for the Block Nine Project Taxable Annual Appropriation Bonds, Series 2018E.
8. Encroachment Agreements (Adjacent to Block Nine Tower and Adjacent to Block Nine Plaza) with Block 9 Partners LLC.
9. Letter-Agreement with US Bank National Association regarding terms for providing parking spaces in the Roberts Commons Parking Garage.
10. Direct the City Attorney to amend the Ordinance relating to e-cigarette and electronic smoking devices to address licensing concerns.
11. Addendum to Provision of Nursing Services for the Kindred Public School District for the school year 2018-2019 (2018 budget).
12. Addendum to Provision of Nursing Services for the Kindred Public School District for the school year 2018-2019 (2019 budget).
13. Agreement for Physician Services with Heidi Lako-Adamson, M.D.
14. Financial Award from the ND Department of Commerce for an emergency solutions grant for the Gladys Ray Shelter (CFDA #14.231).
15. Bid award for the Civic Center HVAC retrofit (AFB18249).
16. Bid award for demolition of the Old City Hall (AFB18248).
17. Selection of R.L. Engebretson Architects Fargo LLC to provide architectural services related to long-term capital planning at Newman Outdoor Stadium.
18. Community Development Block Grant Storefront Rehab project at 402 Broadway North.
19. Submission of the 2017 Consolidated Annual Performance and Evaluation Report (CAPER) for the City's Community Development Programs to HUD.
20. Agreement for the Joint Operation of Red River Valley Unmanned Aircraft Systems Team with the Fargo Police Department, Cass County Sheriff's Office, the West Fargo Fire and Police Departments.
21. Change Order No. 2 for an increase of \$33,493.10 for Project No. FP-17-A1.
22. Bid awards for Project Nos. HD-18-A1 and UR-18-A1.
23. Lease with Option to Purchase Agreement with CapFirst Equipment Finance, Inc. for one ASL refuse truck (RFP17324).
24. Bid award for one mobile pipeline inspection unit (PBC18986).
25. Bid award for an Insurance Agent at the FARGODOME (RFQ18215).

26. Amendment No. 3 to AE2S Task Order No. 76 for a change in scope for Project No. WA1301.
27. Change Orders for Project No. WA1301:
  - a. No. 19 for an increase of \$163,236.00 for the general construction contract.
  - b. No. 17 for an increase of \$29,422.00 for the mechanical construction contract.
28. Change Order No. 1 for an increase of \$23,631.00 for Project No. WA1510.
29. Sole Source Procurement with Integrated Process Solutions for a raw water quality panel (Project No. WA1851).
30. Bills.
31. Change Order No. 2 for an increase of \$15,600.00 for Improvement District No. BR-18-E1.
32. Final Balancing Change Order No. 3 for an increase of \$5,371.28 for Improvement District No. BN-17-H1.
33. Consulting Engineering Services to Apex Engineering Group for Improvement District No. BN-20-A0.
34. Bid award for Improvement District No. BN-18-F2.
35. Create Improvement District No. UN-18-B.
36. Contracts and bonds for Improvement District Nos. BN-18-K1 and BN-18-L1.

**REGULAR AGENDA:**

37. Recommendation for appointment of a Fargo Cass Public Health Director.
38. Public Hearings - 5:15 pm:
  - a. Champions Gate at Prairie Farms Addition (5501, 5535, 5565, 5601, 5643, 5684 and 5757 31st Street South); approval recommended by the Planning Commission on 6/5/18:
    1. Zoning Change from SR-1, Single-Dwelling Residential to SR-3, Single-Dwelling Residential.
    2. 1st reading of rezoning Ordinance.
    3. Plat of Champions Gate at Prairie Farms Addition.
  - b. Renaissance Zone Project for True Grit ND, Inc. for a commercial lease project located at 1100 Northern Pacific Avenue North.
  - c. Special assessments for the maintenance of the Skyway System.
  - d. Application filed by Pixeled Brewing Co. d/b/a Pixeled Brewing Co. for a Class "Y" Alcoholic Beverage License at 1100 NP Avenue, Suite 101.
  - e. Application filed by Gorkha Palace d/b/a Gorkha Palace for a Class "GH" Alcoholic Beverage License at 1000 45th Street South, Suite 300A.

- f. Application filed by Taco Trompo d/b/a Taco Trompo for a Class "H" Alcoholic Beverage License at 4265 45th Street South, Suite 113.
  - g. CONTINUE to 9/10/18 - Application filed by Enclave Development LLC for a payment in lieu of tax exemption (PILOT) for a project located at 312 11th Street North, which the applicant will use in the operation of 60-75 housing units and amenity space.
- 39. Consider ballot language that would amend the Home Rule Charter allowing voters to use Approval Voting.
- 40. Appointment to the Board of Health.
- 41. Project No. WW1701:
  - a. Bid award for Wastewater Treatment Facility - Phase IIA Improvements.
  - b. Task Order No. 21 with Apex Engineering Group in the amount of \$1,701,375.00.
  - c. Task Order No. 22 with Apex Engineering Group in the amount of \$8,900,722.00.

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

August 23, 2018

**MEMORANDUM**

**To:** Board of City Commissioners  
**From:** Bruce P. Grubb, City Administrator **BPG**  
**Re:** Recommendation for appointment of a Fargo Cass Public Health Director

**Introduction:**

The City of Fargo recently advertised and accepted applications for the position of Fargo Cass Public Health (FCPH) Director. A total of twenty-four applications were received in response to the advertisement. A screening committee was formed to review the applications and interview the top candidates. Five preferred candidates were selected for initial interviews. The screening committee was comprised of the following members:

Tim Mahoney	Mayor
John Strand	City Commissioner
Vern Bennett	Cass County Commissioner
Dr. John Baird	FCPH Medical Director
Grant Larson	FCPH Environmental Health Director
Jan Eliassen	FCPH Executive Director of Harm Reduction Services
Chelsea Smith	City Board of Health
Pat Traynor	Dakota Medical Foundation
Nicole Crutchfield	Fargo Planning Director
Michael Redlinger	Fargo Assistant City Administrator
Robert Wilson	Cass County Administrator

Jill Minette - Human Resources (Facilitator)  
Beth Wiegman - Human Resources (Facilitator)

**Initial Interviews of Preferred Candidates:**

The screening committee conducted initial interviews of the five preferred candidates on Friday, August 3. Based on results of the five initial interviews, three of the candidates were selected for advancement to a second round of interviews to be conducted with the Mayor, City Administrator and Assistant City Administrator.

**Second Interviews of Preferred Candidates:**

The second interviews were conducted on Monday, August 13. The interviews were independently rated by the Mayor, City Administrator and Assistant City Administrator. During the interviews, the preferred candidates were asked a series of questions related to the following:

- Work History
- Collaboration
- Leadership
- Prioritization
- Strengths/Weaknesses

Based on the results of the second interviews, Desi Fleming was selected as the top candidate for the position of Fargo Cass Public Health Director.

**Recommendation:**

Based upon the cumulative results of application reviews and subsequent candidate interviews, it is the recommendation of the Mayor, City Administrator and Assistant City Administrator to appoint Desi Fleming to the position of Fargo Cass Public Health Director.

Your consideration in this matter is greatly appreciated.

**SUGGESTED MOTION:**

Appoint Desi Fleming to the position of Fargo Cass Public Health Director.

C: Tim Mahoney, Mayor  
Michael Redlinger, Assistant City Administrator  
Jill Minette, Human Resources Director  
Beth Wiegman, Human Resources Generalist

38a

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Champions Gate at Prairie Farms Addition	<b>Date:</b> <b>Update:</b>	5/31/2018 8/23/2018
<b>Location:</b>	5501, 5535, 5565, 5601, 5643, 5684, and 5757 31st Street South	<b>Staff Contact:</b>	Donald Kress, planning coordinator
<b>Legal Description:</b>	Lots 9-15, Block 6, Prairie Farms Addition to the City of Fargo, Cass County, North Dakota		
<b>Owner(s)/Applicant:</b>	Prairie Grove, Inc. / Michael Domitrovich	<b>Engineer:</b>	Houston Engineering, Inc.
<b>Entitlements Requested:</b>	<b>Minor Subdivision</b> (Replat of Lots 9-15, Block 6, Prairie Farms Addition to the City of Fargo, Cass County, North Dakota) <b>Zoning Change</b> (SR-1, Single-Dwelling Residential to SR-3, Single-Dwelling Residential)		
<b>Status:</b>	City Commission Public Hearing: August 27, 2018		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Platted but not developed	<b>Land Use:</b> Attached single family residence
<b>Zoning:</b> SR-1, Single dwelling residential	<b>Zoning:</b> SR-3, Single dwelling residential
<b>Uses Allowed:</b> allows detached houses, daycare centers up to 12 children, parks and open space, religious institutions, safety services, schools, and basic utilities.	<b>Uses Allowed:</b> allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities
<b>Maximum Density Allowed:</b> 2.9 dwelling units per acre	<b>Maximum Density Allowed:</b> 8.7 dwelling units per acre

<b>Proposal:</b>
<p>The applicant requests approval of two entitlements:</p> <ol style="list-style-type: none"> <li>1. A zoning change from SR-1, Single-Dwelling Residential to SR-3, Single-Dwelling Residential; and</li> <li>2. A plat of the <b>Champions Gate at Prairie Farms Addition</b>, a replat of Lots 9-15, Block 6, Prairie Farms Addition to the City of Fargo, Cass County, North Dakota. All lots will be zoned SR-3.</li> </ol> <p>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.</p> <p><b>Surrounding Land Uses and Zoning Districts:</b></p> <ul style="list-style-type: none"> <li>• North: P/I, Public/Institutional, with park and open space use</li> <li>• East: P/I, Public/Institutional, with park and open space use; and SR-4, with single family use (not yet developed)</li> <li>• South: SR-4, with single family use (not yet developed)</li> <li>• West: City of Frontier—lots adjacent to the proposed subdivision are large lot (approximately one acre) detached single family residences.</li> </ul>

### Area Plans:

This property is designated “Low/Medium Density Residential or Parkland” in the 2001 Growth Plan. The proposed SR-3 zoning is included in the “Low/Medium Density Residential” designation.



### Schools and Parks:

**Schools:** The subject property is located within the Fargo School District and is served by Centennial Elementary, Discovery Middle and Davies High schools.

**Neighborhood:** The subject property is located within the Maple Valley neighborhood.

**Parks:** Prairie Farms Park (5970 31<sup>st</sup> Street South) is located just to the north of the subject property. This park has not yet been developed with amenities.

**Pedestrian / Bicycle:** An off-road bike facility is located along 52<sup>nd</sup> Avenue South (approximately one-quarter mile north of the subject property) and is a component of the metro area trail system.

### Staff Analysis:

**ACCESS AND SITE DESIGN:** The project will take access from 31<sup>st</sup> Street South, an existing dedicated public street. The applicant intends to have a private driveway serving the individual lots, so there are not individual driveways directly onto 31<sup>st</sup> Street South. The private drive will have two accesses onto 31<sup>st</sup> Street South (see attached site plan).

**SITE DESIGN:** The attached plat depicts an 80-foot wide access easement on the west side of the subdivision, with the residences taking access from a private driveway that will be within this access easement that will have two connections with 31<sup>st</sup> Street South. The area between 31<sup>st</sup> Street South and the private driveway is intended to be a landscaped area maintained by a homeowners association (HOA), though this area will be part of the individual homeowners' lots and not separate lots owned by the HOA.

**LOT SIZES:** The proposed lots range in size from 11,896 square feet (0.27 acre) to 22,688 square feet (0.52 acre), with most being in the 12,600 square foot (0.28 acre) range. The existing



lots are all slightly over 50,000 square feet (1.14 acres), with one lot being over 55,000 square feet (1.26 acres).

**PUBLIC WATER AND SEWER:** Public water and sewer are available in 31st Street South.

**ATTACHED HOUSING:** This project applies Alternative Residential Development Options—Attached Housing (LDC Section 20-0506 B) that exempts attached housing from lot width, lot area, and building coverage requirements. No separate entitlement is required to apply these Alternate Residential Development Standards, as they are allowed by right but the application is confirmed for compliance with the subdivision process.

**DENSITY:** The overall density of this project is approximately 3.2 dwelling units per acre, which is less than the maximum density of 8.7 dwelling units per acre allowed by the SR-3 zone.

**PUBLIC COMMENT:** Prior to the June 5, 2018 Planning Commission hearing, Planning staff received several phone calls, e-mails, and visits from residents of the City of Frontier, which abuts this project site on the west. Comments from these residents expressed the following concerns:

- Questioned why the existing eight large lots were being subdivided into 25 smaller ones—Frontier residents believed this area was going to remain platted as large lots
- Why is an increased density development being proposed in this location?
- This development may affect property values in Frontier.

A copy of the e-mail received is attached. Planning staff has received no further comment since the Planning Commission hearing.

**OPEN HOUSE FOR CITY OF FRONTIER RESIDENTS:** On Wednesday, May 30, 2018, the applicant, Michael Domitrovich, held an open house for residents of the City of Frontier to discuss this project. Mr. Domitrovich may wish to summarize this meeting at the City Commission meeting. Planning staff did not organize this event or attend this event.

### **Zoning**

Section 20-0906. 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 applicant has applied for the SR-3 zone as this zone allows attached housing, whereas the current SR-1 zone does not. **(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 fronts on existing developed public rights-of-way which provide access and public utilities to serve the property. The applicant's utility plan indicates that each residence can be individually served with public water and sewer. **(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. Prior to the June 5, 2018, Planning Commission meeting, staff received several comments from the public on the application. One e-mailed comment is attached. Staff has received no further comments since that Planning Commission meeting. Staff finds that the approval of the zoning change 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. Specifically, the City's Go2030 Comprehensive Plan supports development within areas of the City that are already serviced with utilities. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, the 2001 Growth Plan, and other adopted policies of the City. **(Criteria Satisfied)**

The LDC stipulates that the following criteria are met before a minor plat can be approved:

- 1. Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. This property is designated "Low/Medium Density Residential or Parkland" in the 2001 Growth Plan. The proposed SR-3 zoning is included in the "Low/Medium Density Residential" designation. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. Prior to the June 5, 2018, Planning Commission meeting, staff received several comments from the public on the application. One e-mailed comment is attached. Staff has received no further comments since that Planning Commission meeting. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. These departments have found that the plat meets the standards of Article 20-06 and other applicable requirements of the Land Development Code. **(Criteria Satisfied)****

- 2. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

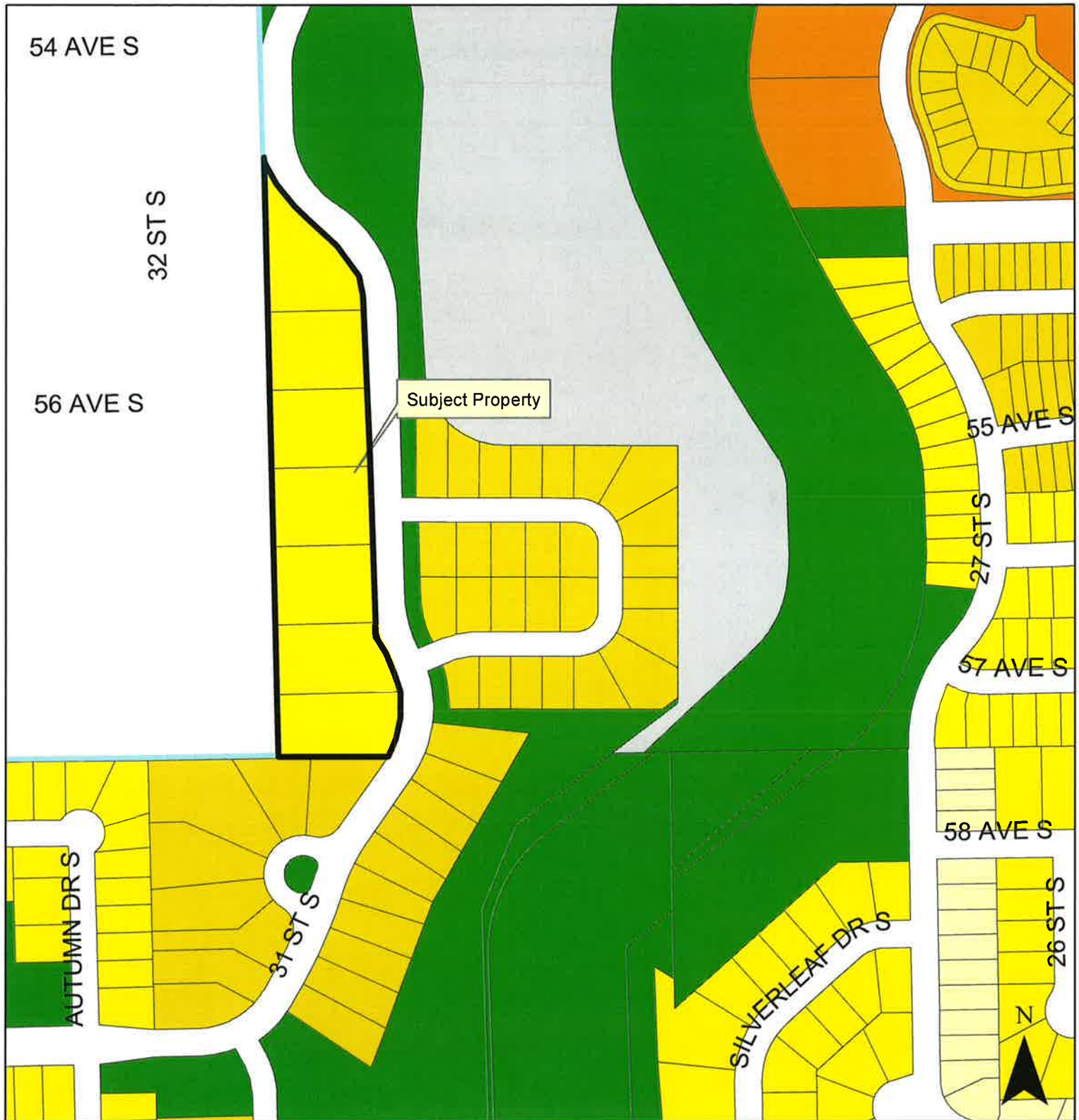
While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. **(Criteria Satisfied)**

<b>Staff Recommendation</b>
<p>Suggested Motion: "To accept the findings and recommendations of staff and the Planning Commission and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on the first reading, and move to approve the proposed 1) Zoning Change from SR-1, Single-Dwelling Residential to SR-3, Single-Dwelling Residential and 2) a plat of the <b>Champions Gate at Prairie Farms Addition</b>, as the proposal complies with the Go2030 Fargo Comprehensive Plan, 2001 Growth Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the</p>
<b>Planning Commission Recommendation: June 5, 2018</b>
<p>On June 5, 2018, by a vote of 9-0 with two Commissioners absent, the Planning Commission voted to accept the findings and recommendations of staff and moved to recommend approval to the City Commission of the proposed 1) Zoning Change from SR-1, Single-Dwelling Residential to SR-3, Single-Dwelling Residential and 2) a plat of the <b>Champions Gate at Prairie Farms Addition</b>, as the proposal complies with the Go2030 Fargo Comprehensive Plan, 2001 Growth Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC."</p>
<b>Attachments:</b>
<ol style="list-style-type: none"> <li>1. Zoning Map</li> <li>2. Location Map</li> <li>3. Preliminary Plat</li> <li>4. E-mail comment</li> </ol>

# Plat (Minor) and Zone Change (SR-1 to SR-3)

## Champions Gate at Prairie Farms Addition

5501 - 5757 31st Street South

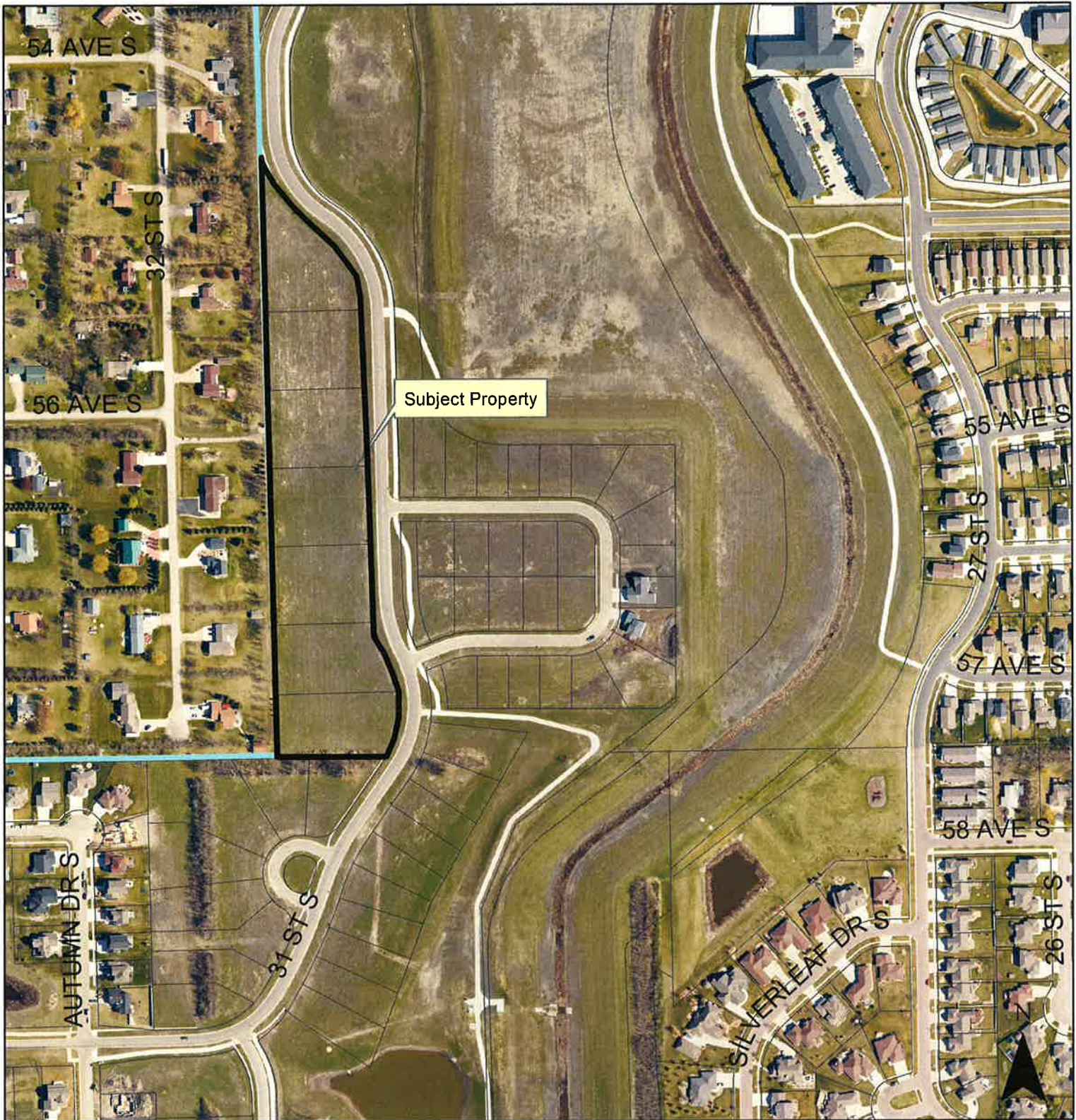




# Plat (Minor) and Zone Change (SR-1 to SR-3)

## Champions Gate at Prairie Farms Addition

5501 - 5757 31st  
Street South







CHAMPIONS GATE AT PRAIRIE FARMS ADDITION  
BEING A REPLAT OF LOTS 9 THROUGH 15, BLOCK 6,  
PRAIRIE FARMS ADDITION  
TO THE CITY OF FARGO,  
CASS COUNTY, NORTH DAKOTA  
A MINOR SUBDIVISION

OWNERS' CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS: That Prairie Grove, Inc., a North Dakota Corporation, is the owner and proprietor of Lots 9 - 15 inclusive, Block 6, Prairie Farms Addition to the City of Fargo, Cass County, North Dakota. Said tract of land contains 9.169 acres, more or less.  
And that said party has caused the same to be surveyed and replatted as CHAMPIONS GATE AT PRAIRIE FARMS ADDITION to the City of Fargo, Cass County, North Dakota, and does hereby dedicate the Acreage and Utility Easement as shown on the plat to the current and future owners of Lots 1 - 25, Block 1; and does hereby dedicate to the public for public use the Storm Sewer Easement and the Negative Access Easement as shown on the plat.

OWNER:  
Prairie Grove, Inc.  
By: [Signature]  
Gale Rommarmo, Jr., President

SURVEYORS' CERTIFICATE AND ACKNOWLEDGEMENT:  
I, Curtis A. Stangh, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this 15th day of August, 2018  
[Signature]  
Curtis A. Stangh  
Professional Land Surveyor No. 4723



CITY ENGINEER'S APPROVAL:  
Approved by the Fargo City Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
  
Brenda E. Doring, City Engineer

Notary Public: [Signature]  
State of North Dakota } ss  
County of Cass }

FARGO PLANNING COMMISSION APPROVAL:  
Approved by the City of Fargo Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

[Signature]  
Shawn Fischer, Chair  
Fargo Planning Commission

FARGO CITY COMMISSION APPROVAL:  
Approved by the Board of City Commissioners and ordered filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

[Signature]  
Timothy J. Mahoney, Mayor

Attest: [Signature]  
Steven Sprague, City Auditor

State of North Dakota } ss  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared Timothy J. Mahoney, Mayor, City of Fargo and Steven Sprague, City Auditor, and the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of Fargo.

Notary Public: \_\_\_\_\_

State of North Dakota } ss  
County of Cass }

On this 14th day of August, 2018, before me personally appeared Gale Rommarmo, Jr., President of Prairie Grove, Inc., a North Dakota Corporation, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the said Corporation.

Notary Public: [Signature]  
State of North Dakota } ss  
County of Cass }

On this 15th day of August, 2018, before me personally appeared Curtis A. Stangh, Professional Land Surveyor known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: [Signature]  
State of North Dakota } ss  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared Brenda E. Doring, Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same as her free act and deed.

Notary Public: \_\_\_\_\_  
State of North Dakota } ss  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared Shawn Fischer, Chair, Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same on behalf of the Fargo Planning Commission.

Notary Public: \_\_\_\_\_  
State of North Dakota } ss  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared Shawn Fischer, Chair, Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same on behalf of the Fargo Planning Commission.

Notary Public: \_\_\_\_\_  
State of North Dakota } ss  
County of Cass }

**From:** Terry and Cindy Petrich [mailto:tcpetrich@hotmail.com]  
**Sent:** Tuesday, May 22, 2018 3:22 PM  
**To:** Donald Kress <dkress@FargoND.gov>; michaeld@urbanconceptsfn.com  
**Cc:** Tom Molm <tmolm@hotmail.com>; Wade Borth <wade.borth@gmail.com>;  
bj.blanchette@frontier-nd.com  
**Subject:** Re: Champion's Gate Addition

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

Donald/Michael,

Thank you for sending the proposed plat. It is unfortunate that they are going to waste the size of the existing lots and change to SR-3. SR-1 allows them to go down to 80' lot width which would be perfect to give people a sense of ownership and still provide a nice sized lot and home. They could easily put the same "Champions Way S." closer to 31st ST. and get approx. 15-80'x200' lots. All of this would still meet the criteria for the SR-1 Zoning. I don't feel that the proposed replat is acceptable.

Any thoughts or questions, please feel free to contact me.

Thank you,  
Terry Petrich  
701-715-3027



OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

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

38a-2

1 AN ORDINANCE REZONING A CERTAIN PARCEL OF LAND  
2 LYING IN CHAMPIONS GATE AT PRAIRIE FARMS ADDITION  
3 TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

4 WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the  
5 City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain  
6 parcels of land lying in the proposed Champions Gate at Prairie Farms Addition to the City of  
7 Fargo, Cass County, North Dakota; and,

8 WHEREAS, the Fargo Planning Commission recommended approval of the rezoning  
9 request on June 5, 2018; and,

10 WHEREAS, the rezoning changes were approved by the City Commission on August 27,  
11 2018,

12 NOW, THEREFORE,

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

14 Section 1. The following described property:

15 All of Champions Gate at Prairie Farms Addition to the City of Fargo, Cass County,  
16 North Dakota;

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

19 Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his  
20 office so as to conform with and carry out the provisions of this ordinance.  
21  
22  
23

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

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

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

(SEAL)

Attest:

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

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

First Reading:  
Second Reading:  
Final Passage:



PLANNING AND DEVELOPMENT  
200 Third Street North  
Fargo, North Dakota 58102  
Phone: (701) 241-1474  
Fax: (701) 241-1526  
E-Mail: [planning@fargond.gov](mailto:planning@fargond.gov)  
[www.fargond.gov](http://www.fargond.gov)

386

**MEMORANDUM**

**TO:** Fargo City Commission

**FROM:** Barrett Voigt, Assistant Planner

**DATE:** August 20, 2018

**RE:** Renaissance Zone Project Lease Application from True Grit ND, Inc. (Project 277-F) located at 1100 Northern Pacific Avenue North

---

The following Renaissance Zone project application was reviewed and recommended for approval by staff per Renaissance Zone Authority Policy:

True Grit ND, Inc. (Project 277-F) is proposing to lease commercial space located at 1100 Northern Pacific Avenue North. This project application met all of the State and local requirements for approval including that, the use is consistent with the goals and objectives as set forth within the Fargo Renaissance Zone Development Plan. The applicant is proposing to lease 2,907 feet and is looking to occupy the space by January 2019. The applicant estimates a \$20,635 income tax exemption over the 5-year term.

According to the Renaissance Zone Development Plan, the prospective tenant must be leasing a space from a building that has been approved as a Renaissance Zone project. A Renaissance Zone application for *1026 NP Avenue, LLC* (234-F) was approved by the City of Fargo on March 31, 2014 and final approval was granted by the State on September 25, 2017.

Recommended Action: To approve the Renaissance Zone project application (True Grit ND, Inc.) for a lease project at 1100 Northern Pacific Avenue North and to grant state income tax exemptions as recommended by staff per Renaissance Zone Authority policy.

**True Grit ND**  
(DBA Dale Carnegie of ND/NW MN)  
**2<sup>nd</sup> floor, North ½ of building**  
**1100 NP AVENUE**  
**FARGO, NORTH DAKOTA**



**Dale Carnegie**

**CITY OF FARGO**  
**RENAISSANCE ZONE**

**LEASE APPLICATION**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**

**200 N 4<sup>TH</sup> STREET, FARGO, ND**

**August, 2018**

## CITY OF FARGO RENAISSANCE ZONE PROJECT APPLICATION

1. Completion of Cover Sheet
2. Street address, legal description, and Renaissance Zone Block number of proposed project. If the proposed project involves more than one parcel, please provide relevant information for each parcel.
3. Current property owner(s).
4. Name of applicant(s), mailing address, Federal ID number or SSAN, and type of entity (partnership, LLC, S-corporation, etc.).
5. Current use of property.
6. Square footage of the lot, the building, and the space leased. (List each floor separately and provide a floor plan of the leased space)
7. Project Description. Describe the anticipated tenant activities, scope of the activities that the tenant will undertake, and describe and the expected date of occupancy and lease.
8. Describe how the project enhances the stated Renaissance Zone goals and objectives being as specific as possible. Describe how this project addresses the needs and interests of the community (**Attachment B**).
9. Describe how the project fits under the Zone's development guidelines (**Attachment C**).
10. List of public and private financial commitments. If the project is funded by the Renaissance Zone Fund, describe type of funding and amounts.
11. Estimated tax impact of Zone incentives to the applicant: Estimate the potential annual income tax savings.
12. Provide evidence that the applicant is current on state and local taxes (Certificate of Good Standing from State Tax Commissioner (see Attachment E) and receipt showing proof that local taxes have been paid.

## APPLICATION FOR RENAISSANCE ZONE

Property owners, business owners, developers or investors interested in pursuing a Renaissance Zone project should review the *2015 RZ Plan*. The RZ Plan delineates the current geographical boundaries of the program (only certain blocks within the downtown core are included) and provides additional detail on minimum investment requirements and applicable program goals and objectives that must be met.

<b>Contact Information</b> Name ( <i>printed</i> ): <u>Jay Peltier</u> Address: <u>361 Edgewater Dr</u> Primary Phone: <u>701-476-8962</u> Alternative Phone: <u>701-476-8962</u> Email: <u>jay.peltier@gmail.com</u>	<b>Representation Information (<i>if applicable</i>)</b> Name ( <i>printed</i> ): _____ Address: _____ Primary Phone: _____ Alternative Phone: _____ Email: _____
--	--

<b>Location of property involved in the application decision</b> Address or Parcel Number: <u>1100 NP Ave, Fargo ND 58102 2nd floor</u> Legal Description ( <i>attach separate sheet if more space is needed</i> ): _____ _____
--

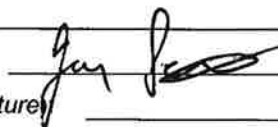
  

<b>Application Type</b> (Please place "X" next to corresponding application type requested) New Construction _____ Rehabilitation _____ Residential Purchase _____ Lease <u>  x  </u>
---

<b>Project Description</b> ( <i>Brief project summary</i> ) <u>Dale Carnegie of ND/NW MN is a leadership consulting company that provides training and facilitations publicly and customized to enhance organizations objectives with the ultimate goal of creating a better community.</u>
--

<b>Acknowledgement</b> – We hereby acknowledge that we have familiarized ourselves with the rules and regulations to the preparation of this submittal and that the forgoing information is true and complete to the best of our knowledge.	
Owner ( <i>Signature</i> ): <u></u>	Date: <u>8-8-15</u>
Representative ( <i>Signature</i> ): _____	Date: _____

<b>Office Use Only</b>	
Date Filed: _____	Planning Office Contact: _____

**Legal Description**

PT OF THE NW 1/4 OF THE NW 1/4 OF SEC 7 TWP 139N RGE 48W DESC AS FOLL: BEG AT THE NW COR OF SD NW 1/4; THEN N 87 DEG 53 MIN 56 SEC E ON THE N LN OF SD NW 1/4 FOR A DIST OF 463.28 FT; THEN S 02 DEG 06 MIN 04 SEC E FOR A DIST OF 41.40 FT TO THE S R/W LN OF NP AVE & THE PT OF BEG; THEN N 87 DEG 53 MIN 56 SEC E ON SD R/W LN FOR A DIST OF 89.01 FT; THEN N 89 DEG 04 MIN 18 SEC E ON SD R/W LN FOR A DIST OF 161.26 FT; THEN N 87 DEG 53 MIN 56 SEC E ON SD S R/W LN FOR A DIST OF 66.13 FT; THEN S 02 DEG 06 MIN 04 SEC E FOR A DIST OF 139.61 FT; THEN N 87 DEG 33 MIN 32 SEC W, PARA WITH & 70.00 FT NLY OF THE CTRLN OF THE S MAIN LN RAILS OF BNSF RR CO (FORMERLY KNOW AS BURLINGTON NORTHERN SANTA FE RR CO) FOR A DIST OF 317.36 FT; THEN N 02 DEG 06 MIN 04 SEC W FOR A DIST OF 117.78 FT TO THE PT OF BEG. CONT 40,752 SF, MORE OR LESS, & IS SUBJ TO ALL EASE & R/W OF REC

## PROJECT APPLICATION

2. Street address, legal description, and Renaissance Zone Block number of proposed project. If the proposed project involves more than one parcel, please provide relevant information for each parcel.

Street Address: 1100 NP Avenue

Legal Address:

PT OF THE NW 1/4 OF THE NW 1/4 OF SEC 7 TWP 139N  
RGE 48W DESC AS FOLL: BEG AT THE NW COR OF SD  
NW 1/4; THEN N 87 DEG 53 MIN 56 SEC E ON THE N LN  
OF SD NW 1/4 FOR A DIST OF 463.28 FT; THEN S 02 DEG  
06 MIN 04 SEC E FOR A DIST OF 41.40 FT TO THE S R/W  
LN OF NP AVE & THE PT OF BEG; THEN N 87 DEG 53 MIN  
56 SEC E ON SD R/W LN FOR A DIST OF 89.01 FT; THEN N  
89 DEG 04 MIN 18 SEC E ON SD R/W LN FOR A DIST OF  
161.26 FT; THEN N 87 DEG 53 MIN 56 SEC E ON SD S R/W  
LN FOR A DIST OF 66.13 FT; THEN S 02 DEG 06 MIN 04  
SEC E FOR A DIST OF 139.61 FT; THEN N 87 DEG 33 MIN  
32 SEC W, PARA WITH & 70.00 FT NLY OF THE CTRLN OF  
THE S MAIN LN RAILS OF BNSF RR CO (FORMERLY  
KNOW AS BURLINGTON NORTHERN SANTA FE RR CO)  
FOR A DIST OF 317.36 FT; THEN N 02 DEG 06 MIN 04 SEC  
W FOR A DIST OF 117.78 FT TO THE PT OF BEG. CONT  
40,752 SF, MORE OR LESS, & IS SUBJ TO ALL EASE &  
R/W OF REC

Supplemental Description: \*02/28/92 CHGD FR/48427 &  
570240 \*FORMERLY KNOWN AS BNSF LEASE  
#547139 \*5/15/08 SPL/FR 01-9200-01270-000  
Block number: 11A

### 3 Current property owner(s)

1026 NP Avenue, LLC

### 4. Name of applicant(s) mailing address, Phone, email, and type of entity (partnership, LLC, S-corporation, etc.).

True Grit, ND DBA Dale Carnegie of ND/ NW MN  
361 Edgewater Dr. West Fargo ND 58078

701-476-8962, jay.peltier@dalecarnegie.com

Type of entity: S Corp

### 5. Current use of property

The space (2<sup>nd</sup> floor, north side) of the property is not currently occupied.



**6. Square footage of the lot, the building, and the space leased. List each floor separately and provide a floor plan of the leased space.**

Lease will be 2<sup>nd</sup> floor, north ½ of building.

**Lot Area:** Approximately

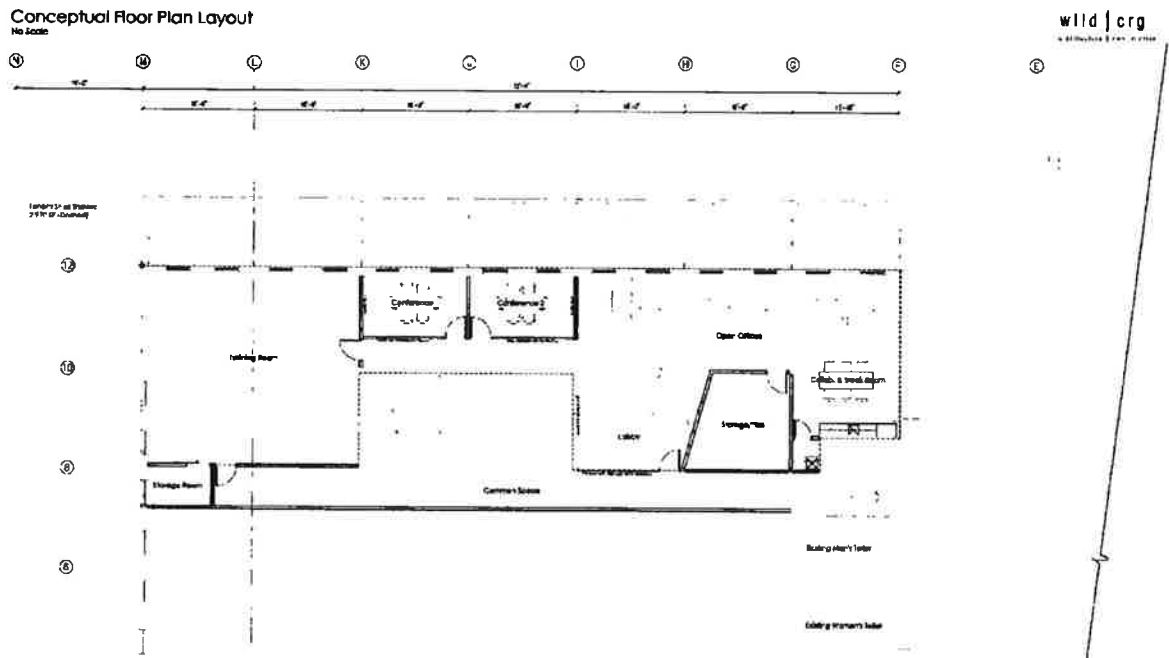
40,7

53 SF

**Building:**

Basement	8,500 SF
1st Floor	8,500 SF
2nd Floor	8,500 SF
3rd Floor	8,500 SF

34,0  
00  
SF



**7. Project Description.** Describe the anticipated tenant activities, scope of the activities that the tenant will undertake and describe the expected date of occupancy for the lease.

Dale Carnegie of ND/NW MN is a leadership consulting company working with other organizations to build courage, confidence and compassion among workforces and the community. We deliver on site as well as customized training programs for individuals and organizations which will

be housed in our space. Occupancy date will be January 1, 2019.

**8. Describe how the project enhances the stated Renaissance Zone Goals and Objectives being as specific as possible. Describe how this project addresses the needs and interests of the community.**

We help all companies of all sizes create a vibrant sustainable workforce by fostering an environment that thrives on positive, productive relationships. We do this through in house workshops, public course offerings, customized training and executive coaching. The space will provide us the opportunity to bring in hundreds of local businesses to the downtown area with a look and feel like no other in downtown.

**Activity Generators** – Development activity generating enterprises along the Renaissance Zone’s major commercial corridors: Broadway/Roberts Street and NP/1<sup>st</sup> Avenues.

*As a corporate training facility we will generate a variety of activities among many different industries and professions.*

**Walkable Districts** – Create “walkable districts” (10 minute walk from one end to the other) that integrate a wide range of activities and land uses, including cultural attractions; thus encouraging on-street activity and interaction while discouraging unnecessary auto traffic, parking problems and congestion.

*The location is on NP Avenue and walkable to all NDSU campus buildings, Broadway, and many areas of Downtown. The project is likely to increase foot traffic downtown as people will be able to park in a large parking lot that will be added to the east of the Union Storage building and walk to various Downtown locations from there.*

**Ground Floor Uses** – Reserve ground floor land uses to those that will encourage streets to come to life – shops, offices, cafes, restaurants and other “public” facilities.

*The ground floor of the west side of the building is available for lease as a retail or commercial office space tenant(s). Although we have not solicited tenants it is our goal to focus on retail tenants to not only provide amenities to our residents, but also bring life to that block of the downtown neighborhood.*

**Neighborhood Center** – Make “Broadway” Fargo’s “Main Street” – a pedestrian friendly, mixed-use magnet that anchors downtown neighborhoods. It is a natural neighborhood center because it is a connection between the MeritCare and Island Park areas, as well as between the west side and riverfront districts.

*This project isn’t located on Broadway but helps extend downtown on NP Avenue between 10<sup>th</sup> Street and University.*

**Transportation Issues** – Manage downtown transportation, accessibility and parking issues in a manner that will allow for further commercial development and will make the entire area more user-friendly.

*Part of this project involves developing current railroad land into paved, landscaped, well-lit parking. On-site and underground parking will be provided to meet the needs of this entire project.*

**Safe Streets – Safe Neighborhoods** – Encourage safe streets and safe neighborhoods by relying on a utilizing the “natural surveillance” of lively and active streets.

*This project will increase daytime and evening activities in this area. Also, the building and site improvements will include improved lighting to a blighted portion of downtown.*

**Housing Amenities** – Integrate quality housing with public open space and neighborhood amenities, requiring the enhancement of existing amenities in conjunction with the creation of new ones.

*This project will include landscaping and green spaces to the east and south of the building. The new parking lot will provide parking to visitors to the neighborhood.*

**Downtown Entryways** – Enhance auto entry experiences with landscaping improvements to all major corridors (Broadway/Roberts, 1<sup>st</sup>/NP Avenues, Main Avenue) and gateway statements at Broadway/Main Avenue, Broadway/6<sup>th</sup> Avenue N, 1<sup>st</sup> Avenue/River, Main Avenue/River, and Main Avenue/10<sup>th</sup> Street.

*The project includes improving the exterior of the building, existing sidewalks and adding landscaping, site lighting and adding a paved parking lot along NP Avenue between both University Avenue and 10<sup>th</sup> Street, which are both major corridors to Downtown.*

**The Place to Be** – Make downtown the entertainment/cultural/recreational center of the city: “If you’re looking for something to do – downtown is the place to be”. Make downtown a key destination for visitors/conventioners and a key destination for residents.

*Unique retail, office and residential spaces will help draw people downtown. Also, the target audience for our residential apartments are young professionals. People with disposable income who like a unique and accommodating living environment will live in our apartments and look for entertainment downtown and within walking distance to their home.*

**A Place Like No Other** – Highlight the unique historic character of the Renaissance Zone by placing a high value on historic preservation and overall awareness of the history of the area.

*Our space on the 2<sup>nd</sup> floor will remain an open concept featuring the brick walls and windows to show off the original structure.*

*The interior and exterior of the existing 1929 structure will be preserved and all improvements will respect the unique characteristics of the historic structure. The exterior of the west building will be restored to nearly the exact same as it was constructed in 1929.*

**Riverfront Open Space** – Provide additional riverfront parks and open spaces for downtown resident and visitor recreation and for riverfront image enhancement.

*Not Applicable.*

**Spruce Up the Area** – Encourage artists to use place-based artwork (ex. River themed or historic-themed murals) to spruce up buildings and the entire area in a way that brings a sense of community pride and excitement to downtown Fargo.

*We don’t anticipate any murals or place-based artwork to be a part of this project.*

**Riverfront as an Asset** – Recognize and utilize the riverfront as one of the city's greatest assets while respecting its role as a powerful and active river. Make the downtown riverfront a source of pride and enjoyment for local residents.

*This property is an easy walk from the Riverfront. Adding residents and convenient parking to a walkable distance to the river will promote and increase the utilization of the Riverfront.*

**24 hours a day – 7 days a week – 365 days a year** – Design spaces, facilities and features that will attract people to the area both day and night, on weekdays and weekend and during all seasons of the year.

*Combining retail, office and residential tenants promotes activities during the daytime and evenings, year round.*

**Connections and Coordination** – Coordinate public and private efforts to ensure that projects enhance, rather than detract from the connectivity of the area. Strong connections between people, places and things to do are vital to creating a strong sense of community.

*Dale Carnegie of ND/NW MN thrives off of connecting community leaders with each other and creating solutions to enhance community initiatives. We foster teamwork and bring members of the community together to create a vibrant workforce serving both the public and private industries.*

**9. Describe how the project fits under the Zone's development guidelines**

1. High Priority Land Use
  - The current unoccupied space in the building will be used to house public and customized training for multiple different companies in a variety of industries.
2. Targeted Areas
  - The space has been vacant since the building project began.
3. Public Space
  - The storefront including sidewalks and adjacent undeveloped area will be improved to include a parking lot.
4. Investment
  - Pending Final fit-up costs for space.
5. Relocation
  - Relocating from 4310 17<sup>th</sup> Ave, Fargo ND 58103.

**10. List of public and private financial commitments**

- Currently, there is no public financing or private financing of the fit-up for our space. Our current revenue will be paying the balance of the fit-up as well as our lease. Estimated tax impact of Zone incentives to the applicant: Estimate the potential annual income tax savings.

Current approximate income:	\$1,000,000
First \$50,000 tax incentive	\$1,240
Next \$450,000 tax incentive	\$19,395
Total	\$20,635

**11. Provide evidence that the applicant is current on state and local taxes (Certificate of Good Standing from State Tax Commissioner (see Attachment E) and receipt showing proof that local taxes have been paid.**

Submitted for Certificate – will forward when received. Below is a document stating we are in good standing.

6/22/2018 Business Records Search: North Dakota Secretary of State

North Dakota nd.gov Official Portal for North Dakota State Government

**SECRETARY OF STATE**  
**NORTH DAKOTA**

Home | Business Records Search

**TRUE GRIT ND, INC.**

**Corporation Details**

System ID: 45391700 Phone: Not on file  
 Type: BUSINESS CORPORATION  
 Status: Active & Good Standing  
 Original File Date: 06/22/2018 Effective Date: 06/22/2018  
 State of Origin: North Dakota

**Nature of Business**

PROVIDE PROFESSIONAL DEVELOPMENT TRAINING/EDUCATION SERVICES

**Principal Office**

361 EDGEWATER DR WEST FARGO, ND 58078-4248

**Registered Agent**

JAY PELTIER  
 361 EDGEWATER DR  
 WEST FARGO, ND 58078-4248  
 Established Date: Jun 22, 2018

**Authorized Shares**

Class	Number	Par Value
	50000.000000	\$ .010000

**Generate an Annual Report To File**

To Generate a Annual Report form to be filed with the Secretary of State, select the appropriate year of the report you intend to file. This report does not contain details of a report previously filed with the Secretary of State. The annual report years reflected are an indication of the various report forms available in this site and is not an indication that an entity needs to file reports for all years. Missing years indicate that the forms for the missing year have not yet been deployed to the website, or have already been removed, and can be obtained by contacting the Secretary of State.

2017 (generates a forms-fillable pdf in a new pop-up window)

[Return to Search Results](#)

[Contact Us](#) [Disclaimer](#) [Privacy Policy](#)

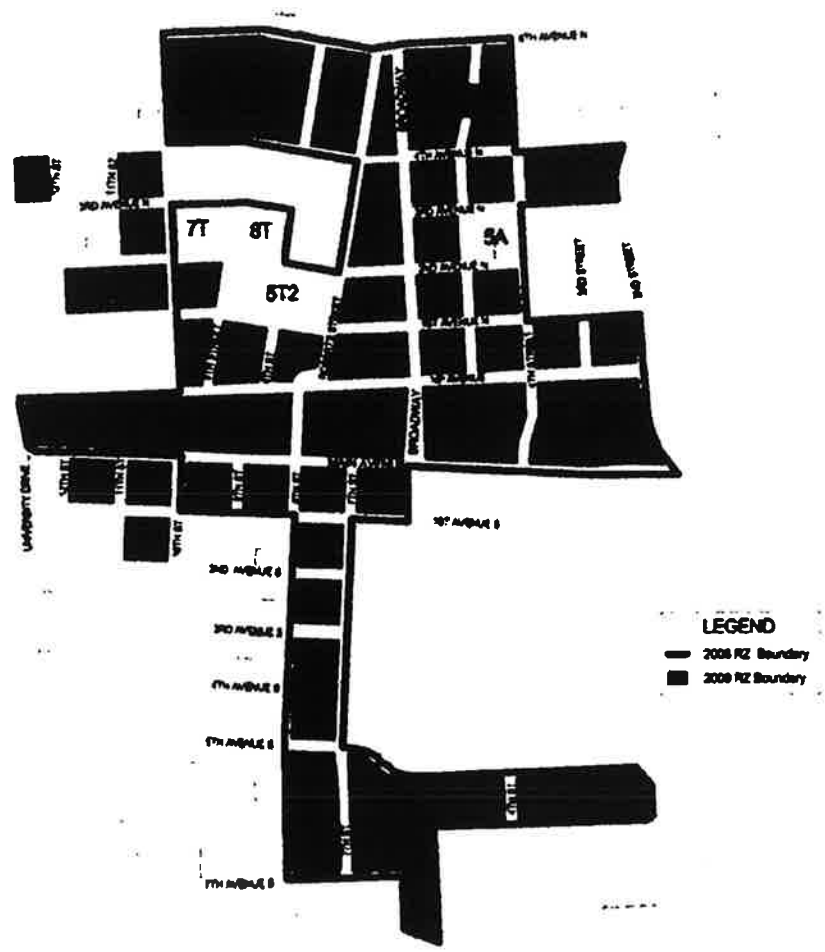
We use Secure Sockets Layer (SSL) encryption technology to ensure your information is secure and protected.  
 Will open a new window (pop-up).  
 W3C WAI AA, CSS, XHTML Compliant | Copyright 2006 All Rights Reserved The State of North Dakota

https://apps.nd.gov/web/business/buinsSearch.htm#Search\_Results

ATTACHMENT A

Union Storage Building is located in zone 11A

2009 Renaissance Zone



38d

## **MEMORANDUM**

---

TO: Board of City Commissioners

FROM: Steven Sprague, City Auditor

SUBJECT: Liquor License Application – Pixeled Brewing Co.

DATE: August 10, 2018

The following application for a liquor license was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: Y Brewery Tap Room, Beer only  
Business Name: Pixeled Brewing Co.  
Location: 1100 NP Avenue, Suite 101  
Applicants: Nathan Hill  
John-Paul Klien

Being no significant concerns, the Liquor Control Board voted to approve the issuance of the license. The complete application is available for review in the Auditor's Office.

**Recommended Motion:**

**Move to approve the issuance of a Class Y alcoholic beverage license to Pixeled Brewing Co.**

## MEMORANDUM

**TO:** Chief David Todd  
**FROM:** Sergeant Matt Christensen  
**DATE:** August 2<sup>nd</sup>, 2018

**SUBJECT:** Application for a Class "Y" Alcoholic Beverage License for Pixeled Brewing Co. d/b/a: Pixeled Brewing Co. to be located at 1100 NP Avenue, Suite 101, Fargo, ND.

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

**John-Paul William Klein – Owner**

Criminal History- No areas of concern.

Credit History- No areas of concern.

**Nicholas Alan Hill – Owner/Manager**

Criminal History- Arrested for DWI (greater than .08) in Moorhead, MN in 2007. Pled guilty and received 2 years unsupervised probation and \$500 fine.

Credit History- No areas of concern.

**Investigation Notes**

Pixelated Brewing Co. is going to operate as a brewery as well as a vintage arcade. The business model will be that of a taproom and arcade combined. Their goal is to provide a location where friends can get together to play nostalgic video games and enjoy locally brewed craft beers. The location will be in the newly renovated Union Storage building in Fargo. Through my investigation there did not appear to be any issues or concerns that would lead me to believe the issuance of this license would cause any issues for Law Enforcement.



**Business Location**

Pixeled Brewing Co. will be located at 1100 NP Avenue, Suite 101, Fargo, ND. Other businesses in the area with an alcoholic beverage license include; Duffy's and Amvets Post 7.

**Conclusion**

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief David Todd for his review and recommendation.



A handwritten number "38e" inside a hand-drawn circle.

**MEMORANDUM**

---

TO: Board of City Commissioners

FROM: Steven Sprague, City Auditor

SUBJECT: Liquor License Application – Gorkha Palace

DATE: August 10, 2018

The following application for a liquor license was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: GH Beer & Wine, with food sales, no bar  
Business Name: Gorkha Palace  
Location: 1000 45<sup>th</sup> Street South, Suite 300A  
Applicants: Tika Bhattarai  
Dal Rai  
Victor Rai  
Shyam Rai  
Harka Subba

Being no significant concerns, the Liquor Control Board voted to approve the issuance of the license. The complete application is available for review in the Auditor's Office.

**Recommended Motion:**

**Move to approve the issuance of a Class GH alcoholic beverage license to Gorkha Palace.**



## MEMORANDUM

**TO:** Chief David Todd

**FROM:** Sergeant Matt Christensen

**DATE:** July 25<sup>th</sup>, 2018

**SUBJECT:** Application for a Class "GH" Alcoholic Beverage License for Gorkha Palace d/b/a: Gorkha Palace to be located at 1000 45<sup>th</sup> Street South, Suite 300A, Fargo, ND 58103.

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

**Tika Ram Bhattarai – Owner/Manager**

Criminal History- No areas of concern

Credit History- No areas of concern

**Dal Bahadur Rai - Owner**

Criminal History- No areas of concern

Credit History- No areas of concern

**Victor Rai – Owner**

Criminal History- No areas of concern

Credit History- No areas of concern

**Shyam Kumar Rai – Owner**

Criminal History- No areas of concern

Credit History- No areas of concern

**Harka Bahadur Subba – Owner/Manager**

**Criminal History-**

In July 2017 the Fargo Police Department responded to a possible domestic incident involving Subba and his wife. Officers determined it was most likely a verbal argument over the two separating and who would get their 6 month old child. There was alleged physical violence and threats against Subba, but the evidence did not match the victim's statements. No arrests were made and no charges were pursued after being reviewed by the State's Attorney. From the officers' investigation, it appears the statements made by the victim were possibly false.

**Credit History-**

No areas of concern

**Investigation Notes**

Gorkha Palace will be operating as a restaurant specializing in Bhutanese/Nepali foods. They are applying for a GH license to be able to serve wine and sparkling wine as well as beer "on-sale" only. Through my investigation, I have not found any issues with the applicants that would predict any problems with Law Enforcement, or their business model.

**Business Location**

Gorkha Palace will be located at 1000 45<sup>th</sup> Street South, Suite 300A, Fargo, ND. Other businesses in the area with an alcoholic beverage license include; Super Buffet & Mongolian Grill and Passage to India.

**Conclusion**

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief David Todd for his review and recommendation.

38f

**MEMORANDUM**

---

TO: Board of City Commissioners

FROM: Steven Sprague, City Auditor

SUBJECT: Liquor License Application – Taco Trompo

DATE: August 10, 2018

The following application for a liquor license was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: H Beer, with food sales, no bar  
Business Name: Taco Trompo  
Location: 4265 45<sup>th</sup> Street South, Suite 113  
Applicants: Fernando Delgadillo Hernandez  
Sara Hernandez

Being no significant concerns, the Liquor Control Board voted to approve the issuance of the license. The complete application is available for review in the Auditor's Office.

**Recommended Motion:**

**Move to approve the issuance of a Class H alcoholic beverage license to Taco Trompo.**

## MEMORANDUM

**TO:** Chief David Todd

**FROM:** Sergeant Matt Christensen

**DATE:** August 6<sup>th</sup>, 2018

**SUBJECT:** Application for a Class "H" Alcoholic Beverage License for Taco Trompo d/b/a: Taco Trompo to be located at 4265 45<sup>th</sup> Street South, Suite 113, Fargo, ND.

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

### **Fernando Delgadillo Hernandez – Owner**

Criminal History- Arrested for DUI in August 2004 in Oakdale, MN. Pled Guilty to Careless Driving and received \$598 in fines as well as supervised probation.

Credit History- No areas of concern.

### **Sara Jo Hernandez – Owner**

Criminal History- No areas of concern.

Credit History- No areas of concern.

### **Investigation Notes**

Taco Trompo is currently operating as an Authentic Mexican Food Restaurant. Taco Trompo is applying for an "H" License to serve "on-sale" beer to their customers. They will continue their current business as a Mexican restaurant with authentic food, just with the added option to order different beers. There have been no issues with this establishment for Law Enforcement and after reviewing their business model plan, there is nothing to lead me to believe the addition of beer sales would cause any concerns.

**Business Location**

Taco Trompo is located at 4265 45<sup>th</sup> Street South, Suite 113, Fargo, ND. Other businesses in the area with an alcoholic beverage license include; The Bulldog Tap, Lake Mode Liquors, 47 Degrees North, Hennessy's Irish Pub and Lucy's North China Cuisine.

**Conclusion**

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief David Todd for his review and recommendation.

39

## **MEMORANDUM**

---

TO: Board of City Commissioners

FROM: Steven Sprague, City Auditor

SUBJECT: 2018 Home Rule Charter Amendment Ballot Language – Approval Voting

DATE: August 14, 2018

Attached please find the ballot language drafted by the City Attorney's office for the citizen initiated proposed Home Rule Charter Amendment to elect city officials so that voters may vote for all the candidates the voter approves of in each race. The candidates receiving the most votes will be elected until all necessary seats are filled in each race. This methodology is commonly known as approval voting.

### **Recommended Motion:**

**Approve ballot language for the citizen initiated proposed Home Rule Charter amendment to elect city officials so that voters may vote for all the candidates the voter approves of in each race and place the question on the ballot for the November 6<sup>th</sup> General Election.**



**BALLOT LANGUAGE**

City of Fargo Measure No. \_\_\_\_

**HOME RULE CHARTER AMENDMENT**

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"Shall the Home Rule Charter of the City of Fargo be amended so that 'City officials will be elected so that each voter may vote for all the candidates the voter approves of in each race. Candidates receiving the most votes will be elected until all necessary seats are filled in each race. For each candidate's result in each race, the reported vote percentages are calculated by taking the number of votes for that candidate divided by the total ballots cast.' All as provided in the Notice of Proposed Home Rule Charter Amendment as published in THE FORUM on the \_\_\_\_ day of \_\_\_\_, 2018?"

SHALL SUCH AMENDMENT BE APPROVED?

( ) YES

( ) NO

---




**Dr. Timothy J. Mahoney, Mayor**

Fargo City Hall  
200 3rd Street North  
Fargo, ND 58102  
Phone 701.241.1310 | Fax: 701.476.4136  
[TMahoney@FargoND.gov](mailto:TMahoney@FargoND.gov)

40

**MEMORANDUM**

**TO:** BOARD OF CITY COMMISSIONERS

**FROM:** MAYOR TIMOTHY J. MAHONEY 

**DATE:** AUGUST 20, 2018

**SUBJECT:** BOARD OF HEALTH APPOINTMENT

There has been a vacancy on the Board of Health for a community representative for quite some time. Evelyn Telford has expressed interest in serving on the Board of Health; therefore, I am recommending her appointment for a three-year term. A web application for Ms. Telford is attached for your reference.

Your favorable consideration of this recommendation is greatly appreciated.

**RECOMMENDED MOTION:** To approve the appointment of Evelyn Telford to the Board of Health for a three-year term ending December 31, 2021.

mmappt18boh

Attachment

**Kember Anderson**

---

**From:** noreply@cityoffargo.com  
**Sent:** Monday, July 02, 2018 2:34 PM  
**To:** Commissions Applications  
**Subject:** New Form Submission: Getting involved in government  
**Attachments:** EJT resume 2018.pdf

**Name:**

*[Evelyn Telford]*

**Mailing Address:**

*[4349 46th Ave S]*

**City:**

*[Fargo]*

**State:**

*[North Dakota]*

**Zip:**

*[58104]*

**Work Phone:**

*[701-364-7678]*

**Home Phone:**

*[701-799-0396]*

**E-mail:**

*[lyn.telford@essentiahealth.org]*

**Which boards or commissions would you like to be considered for?**

*[Board of Health, Community Development Committee]*

**Briefly state why you would like to be on this panel:**

*[I am interested in contributing to the development and sustainment of a vibrant and healthy community. I would like to contribute to the work being done to help our community meet its goals.]*

**How many hours per month could you volunteer as a panel member?**

*[4-8]*

**Please list any past experience you have with city government here or in other cities:**

*[n/a]*

**Please describe any professional experience you have related to the responsibilities of the panel you are interested in:**

*[I have sat on the North Dakota Emergency Nurses' Association (ENA) board as the government affairs chair for 3 years. I also represent the national ENA on the American College of Emergency Physicians Federal Government Affairs committee. I am interested in becoming more involved with my government at the local level.]*

**We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.**



August 22, 2018

Honorable Board of City Commissioners  
City of Fargo  
200 3<sup>rd</sup> Street North  
Fargo, North Dakota 58102

**RE: Bid Award Project WW1701**  
**Wastewater Treatment Facility – Phase II A Improvements**

Dear Commissioners:

Bids were opened at 11:30 AM on Wednesday, August 22, 2018 for improvements associated with the Wastewater Treatment Facility - Phase IIA Improvements. These improvements are included in the Wastewater CIP, with the project costs being funded through a 30 year 2% Clean Water SRF Loan with a rate funded debt service. The Phase IIA improvements will increase treatment capacity to accommodate Fargo growth and further regionalization.

The bids were as follows:

Contractor	Contract A (General)	Contract B (Mechanical)	Contract C (Electrical)	Contract D (Combined)	Alt.1 (Deduct)
John T. Jones	\$15,449,000	No Bid	No Bid	\$22,664,000	No Bid
<b>PKG Contr.</b>	\$15,126,900	\$1,300,000	No Bid	<b>\$22,329,600</b>	No Bid
Rice Lake Const	\$19,793,388	No Bid	No Bid	\$24,144,820	No Bid
JDP Electric	No Bid	No Bid	\$6,658,620	No Bid	No Bid
Muth Electric	No Bid	No Bid	\$8,053,087	No Bid	No Bid
Rick Electric	No Bid	No Bid	\$7,865,000	No Bid	No Bid
<b>Engineers Estimate:</b>	<b>\$20,800,000</b>	<b>\$500,000</b>	<b>\$8,500,000</b>	<b>\$29,800,000</b>	

The apparent low base bid, which is below the engineers estimate and within budget, is the Combined Contract D from PKG Contracting in the amount of \$22,329,600.

**Recommended Motion**

Wastewater Utility Staff recommend bid award of Combined Contract D to PKG Contracting, as the lowest and best bid for Project WW1701.

Respectfully Submitted,

Jim Hausauer  
Wastewater Utility Director



Water | Transportation | Municipal | Facilities

701.373.7980  
4733 Amber Valley Parkway South  
Fargo, ND 58104

August 22, 2018

Mr. Jim Hausauer  
Utility Director, Wastewater Division  
City of Fargo  
3400 North Broadway  
Fargo, ND 58102

**RE: Fargo Wastewater Treatment Facility - Phase IIA Expansion  
Bid Recommendation**

Dear Mr. Hausauer:

Bids have been received for the Wastewater Treatment Facility Phase IIA Expansion project and are summarized on the attached Bid Tabulation. Contract A – General Construction, Contract B – Mechanical Construction, Contract C – Electrical Construction, Contract D – Combined, and Deductive Alternate 1 were all bid. Project specifications state the contract must be awarded on base bid (no alternates), which is the lowest of the combination of Contracts A, B, and C or Contract D. The alternates will be considered separately as project budget allows.

The low bids for each respective contract is as follows:

- |   |                 |
|---|-----------------|
| ▪ General Construction bid (Contract A) from PKG Contracting    | \$15,126,900.00 |
| ▪ Mechanical Construction bid (Contract B) from PKG Contracting | \$1,300,000.00  |
| ▪ Electrical Construction bid (Contract C) from JDP Electric    | \$6,658,620.00  |
| ▪ Combined Construction bid (Contract D) from PKG Contracting   | \$22,329,600.00 |
| ▪ Combination of Contract A plus Contract B plus Contract C     | \$23,085,520.00 |

Therefore, the lowest bid was Contract D in the amount of \$22,329,600.00 from PKG Contracting. This bid is under the Engineer's Estimate of \$29,800,000.00. There was one Deductive Alternate: to supply Cummins generators in lieu of Base Bid manufacturer Caterpillar. No deductive alternate bids were received.

Based on the bids received, we recommend the City of Fargo award the project to PKG Contracting. The plans and specifications were submitted and approved by the North Dakota Department of Health. The project was under budget and a State Revolving Fund loan is in place for financing these improvements.

***The total project cost for the base bid Contract D is \$22,329,600.00. A Notice of Award in this amount to PKG Contracting is attached for your consideration.***

If you have any questions or need further information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Karla J. Olson". The signature is fluid and cursive, with a large loop at the end.

Karla J. Olson, PE  
Project Engineer





Water | Transportation | Municipal | Facilities



## Bid Tab

### Fargo, North Dakota, Wastewater Treatment Facility - Phase IIA Expansion

Wednesday, August 22, 2018 | 11:30 AM | Fargo City Hall

Apex Project No. 18.102.0001

Plan Holder	Addenda 1-2	5% Bid Bond	Contr. License	MBE/WBE	Contract A General	Contract B Mechanical	Contract C Electrical	Contract D Combined	Alternate 1 (Deduct)
<b>General Contractors</b>									
John T. Jones	X	X	X	X	\$15,449,000.00	No Bid	No Bid	\$22,664,000.00	No Bid
PKG Contracting	X	X	X	X	\$15,126,900.00	See below	No Bid	\$22,329,600.00	No Bid
Rice Lake Construction	X	X	X	X	\$19,793,388.00	No Bid	No Bid	\$24,144,820.00*	No Bid
<b>Mechanical Contractors</b>									
PKG Contracting	X	X	X	X	See above	\$1,300,000.00	No Bid	See above	No Bid
<b>Electrical Contractors</b>									
JDP Electric	X	X	X	X	No Bid	No Bid	\$6,658,620.00	No Bid	No Bid
Muth Electric	X	X	X	X	No Bid	No Bid	\$8,053,087.00	No Bid	No Bid
Rick Electric	X	X	X	X	No Bid	No Bid	\$7,865,000.00	No Bid	No Bid
<b>Summary</b>									
Lowest Each Contract					\$15,126,900.00	\$1,300,000.00	\$6,658,620.00	<b>\$22,329,600.00</b>	-
Lowest Combination A+B+C								\$23,085,520.00	-
Engineer's Estimate					\$20,800,000.00	\$500,000.00	\$8,500,000.00	\$29,800,000.00	-

\* Corrected amount. Math error on Bid Form, as submitted was \$24,119,820.00.

#### Certification:

I certify that these bids were received and opened on Wednesday, August 22 at 11:30 AM at Fargo City Hall, Centennial Hall Lobby, 207 4 St N, Fargo, ND.

Karla J. Olson, PE

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**NOTICE OF AWARD**

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Date of Issuance: August 27, 2018

Owner: City of Fargo, ND

Owner's Contract No.: WW1701

Engineer: Apex Engineering Group

Engineer's Project No.: 18.102.0001

Project: Phase IIA WWTF Expansion

Contract Name: Combined Construction

Bidder: PKG Contracting, Inc.

Bidder's Address: 4301 University Drive South, Fargo, ND 58104

**TO BIDDER:**

You are notified that Owner has accepted your Bid dated August 22, 2018 for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

**Contract D – Combined General, Mechanical and Electrical Construction for Phase IIA Wastewater Treatment Facility Expansion project.**

The Contract Price of the awarded Contract is: **Lump Sum Bid Price of \$ 22,329,600.00.**

[ 5 ] unexecuted counterparts of the Agreement accompany this Notice of Award

☒ a set of the Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner [ 5 ] counterparts of the Agreement, fully executed by Bidder.
2. Deliver with the executed Agreement(s) the Contract security *[e.g., performance and payment bonds]* and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): N/A

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

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Owner:

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

By: Timothy J. Mahoney

Title: Mayor

Copy: Engineer

REPORT OF ACTIONUTILITY COMMITTEE

416

Project No. WW1701

Type: Apex Engineering Task Order #21

Location: Wastewater Treatment Facility Phase IIA Improvements

Date of Hearing: 8-23-2018

<u>Routing</u>	<u>Date</u>
City Commission	8-27-2018
Project File	

Jim Hausauer, Wastewater Utility Director, presented the attached Task Order #21 from Apex Engineering Group for project management and construction administration associated with the WWTF Phase IIA Improvements.

The WWTF Facility Plan Phase II recommendations were prioritized via a phased approach based on needs to meet the 20 year wastewater requirements for Fargo growth and regionalization. To meet the schedule outlined in the Wastewater Service Agreement with West Fargo and Horace, portions of the expansion must be completed by the end of 2018. The Phase II-A portion, will include items necessary to bridge the existing facility capacity until the full expansion is complete in late 2021. Design and bidding are complete, thus this Task Order is for construction administration, observation and startup services for Phase IIA.

The Wastewater Utility CIP has a placeholder for the Phase II Expansion and is funded with a 30 year 2% CWSRF Loan with the debt service programmed to be funded with rate revenue.

Note: Apex Engineering was selected through a competitive proposal process in the fall of 2017.

**MOTION:**

On a motion by Troy Hall, seconded by Terry Ludlum, the Utility Committee voted to approve Apex Engineering Task Order #21 in the amount of \$1,701,375 for program management, construction administration and observation associated with the Phase IIA Improvements

<u>COMMITTEE:</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Unanimous X</u>
				<u>X</u>
				<u>Proxy</u>
Anthony Gehrig, City Commissioner	<u>X</u>			
Kent Costin, Director of Finance	<u>X</u>			
Brian Ward, Water Plant Superintendent	<u>X</u>			
Mark Miller, Wastewater Plant Supt.	<u>X</u>			
Bruce Grubb, City Administrator	<u>X</u>			
Scott Liudahl, City Forester	<u>X</u>			
Terry Ludlum, Solid Waste Utility Director	<u>X</u>			
Jim Hausauer, Wastewater Utility Director	<u>X</u>			
Troy Hall, Water Utility Director	<u>X</u>			
Ben Dow, Public Works Operations Director	<u>X</u>			
Brenda Derrig, City Engineer				

ATTEST:

  
 \_\_\_\_\_  
 Jim Hausauer  
 Wastewater Utility Director

C: Mayor Mahoney  
 Commissioner Strand  
 Commissioner Piepkorn  
 Commissioner Grindberg



## MEMORANDUM

August 23, 2018

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**To: Utility Committee**  
**From: Jim Hausauer, Wastewater Utility Director** *JA*  
**Re: Task Order #21 - Apex Engineering Group**  
**Project WW1701-Phase II A Improvements**

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### Background

The City of Fargo completed a Wastewater Treatment Facility (WWTF) Facility Plan to review the existing facilities condition & capacity. The facility plan assessed all process equipment and structural components of the WWTP, as well as deficiencies associated with capacity, condition, and future regulations. The Facility Plan recommendations were prioritized via a phased approach based on immediate needs and deficiencies, with a goal to adequately treat projected hydraulic and organic loading over the next 20-plus years. The Phase II recommendations in the Facility Plan focused on the expansion needs to meet the 20 year wastewater capacity requirements for Fargo growth and regionalization. A Preliminary Engineering Report (PER) in 2017 identified the basis of design for the facility improvements, recommended treatment technologies and presented opinions of probable costs.

The capacity of the WWTF will be reached in the near future based on current planning numbers and regionalization with surrounding communities. As a result wastewater treatment expansion is necessary due to the WWTF current limitations.

### Phase II A Improvements

The PER also identified updates to the facility to meet future capacity requirements. To meet the schedule outlined in the Wastewater Service Agreement with West Fargo and Horace, portions of the expansion project must need to be completed by the end of 2018. The first phase (Phase IIA) will include items necessary to bridge the existing facility capacity until the full expansion is complete in late 2021. In addition, while certain areas of the plant are under construction, it will be cost effective to do all necessary work for Phase II B in those areas. Therefore, a number of components were prioritized into Phase II A, based on the need for immediate growth, regionalization and cost savings.

The Phase II Expansion is proposed to be completed as follows:

- Phase II A (2018-2019) – Important for the West Fargo & Horace connection
  - Centrifuge, UV Disinfection, Yard, Process & Discharge Piping, Storm Water LS Repairs, Odor Control, Digester Covers, Site Security, Trickling Filter Equipment,
  - Engineers Estimate ~\$30 Million
- Phase II B (2018-2021)
  - Engineering Design/Bidding
  - Procurement Equipment for full expansion (Pumps, Controls, Mechanisms)
  - Excavation, Bricks, Mortar Installation of Equipment
  - Estimate = ~\$100 Million

The design of Phase II A is complete and the bidding is finished. This task order is for construction administration, construction observation and startup services for Phase II A.

The Wastewater Utility has a placeholder in the 20 year CIP for the Phase II Expansion. The project will be funded with a 2% Clean Water State Revolving Fund (SRF) loan, and the debt service is programmed to be rate funded.

Note: Apex Engineering was selected through a competitive proposal process in the fall of 2017.

**Recommended Motion**

Approve the attached Task Order 21 from Apex Engineering Group in the amount of \$1,701,375 for Construction Administration and Commissioning for Project WW1701. (Wastewater Treatment Plant Phase II A Improvements.)

August 23, 2018

Mr. James Hausauer  
City of Fargo  
3400 North Broadway  
Fargo, ND 58102

RE: Fargo Wastewater Treatment Facility  
Task Order 21 – WWTF Phase IIA Expansion  
Apex Project No. 18.102.0001.1

Dear Mr. Hausauer,

Thank you for the opportunity to provide the enclosed Task Order 21 regarding the construction engineering services for the Fargo Wastewater Treatment Facility (WWTF) Phase IIA Expansion project. The capacity of the WWTF will be reached in the near future based on current City of Fargo planning numbers and regionalization with surrounding communities. As a result, a wastewater treatment expansion is necessary due to the facility's current capacity limitations.

A Preliminary Engineering Report (PER) has identified the necessary updates to the facility to meet future capacity requirements. Portions of the future updates must be completed within the next year to provide capacity for Fargo growth and regionalization with West Fargo per the Wastewater Service Agreement. The first phase of expansion (Phase IIA) will include items necessary to bridge the existing facility capacity until the entire expansion is complete in December 2021. In addition, the process components in the north area of the existing plant will be expanded to the ultimate capacity needed for the 20-year planning period. By completing these items now, the north area of the plant will be constructed in one phase, providing cost savings to the City. The Phase IIA project was recently advertised and bid; as such, construction activities will begin soon.

The project will be funded through the Clean Water State Revolving Fund (SRF) loan program. The SRF loan will provide an immediate funding source for the Phase II construction contract and engineering services at a low interest rate of 2% for 30 years.

Task Order 21 for Engineering Services includes project management and construction engineering services for Phase IIA as outlined herein. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Karla Olson, PE  
Project Manager

CC: Bruce Grubb, PE – City of Fargo

This is Task Order No. 21,  
consisting of 11 pages.

## Task Order

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated January 1, 2018 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

- A. Title: Construction Admin. Services for WWTF Improvements – Phase IIA
- B. Description: Construction Administration, Observation and Startup services for Phase IIA at the Fargo Wastewater Treatment Facility.
- C. Number of Construction Contracts

The Specific Project is anticipated to be constructed under 1 Construction Contracts.

2. Services of Engineer

- ☐ Study and Report Services
- ☐ Design Services
- ☐ Bidding or Negotiating Services
- ☒ Construction and Commissioning Services
- ☒ Resident Project Representative Services  
Engineer will provide Resident Project Representative services pursuant to Part 4 of Exhibit A; Exhibit D of the main agreement is expressly incorporated by reference.
- ☐ Other Services
- ☐ Additional Services Requiring an Amendment to Task Order

Part 6 of Exhibit A is incorporated by reference unless otherwise noted.

## 3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: No exceptions.

## 4. Times for Rendering Services:

<u>Phase</u>	<u>Completion Date (week of)</u>
<u>Execute Eng. Agreement</u>	<u>August 20<sup>th</sup>, 2018</u>
<u>Begin Construction Services</u>	<u>August 27<sup>th</sup>, 2018</u>
<u>Substantial Completion</u>	<u>Dec 31<sup>st</sup>, 2019</u>
<u>Final Completion</u>	<u>May 1<sup>st</sup>, 2020</u>

## 5. Payments to Engineer

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

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum, or Estimate of Compensation for Services</i>
Study/Report Phase	A. Lump Sum	N/A
Design and Bidding/Negotiating	A. Lump Sum	N/A
Construction Administration, Commissioning, Resident Project Representative	B. Standard Hourly Rates	\$1,701,375
Reimbursables		Included
<b>Total Project Fee</b>		<b>\$1,701,375</b>

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

6. Consultants: **Carollo Engineers, MBN Engineering, Solien & Larson Engineering, TL Stroh Architects, Terracon**
7. Other Modifications to Agreement: N.A.
8. Attachments: Attachment No.1 – Scope and Schedule
9. Documents Incorporated by Reference: N.A.
10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is August 23<sup>rd</sup>, 2018.

**OWNER:**

By: City of Fargo

Name: Dr. Tim Mahoney

Title: Mayor

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

**ENGINEER:**

By: Apex Engineering Group, Inc.

Name:  Thomas J. Welle, PE

Title: President

Engineer License or  
Firm's Certificate No. COCP #975

State of: North Dakota

Date Signed: 8/22/18

Address for giving notices:

200 3rd Street North

Fargo, North Dakota 58103

Address for giving notices:

4733 Amber Valley Parkway South

Fargo, North Dakota 58104

**OWNER:**

**DESIGNATED REPRESENTATIVE FOR TASK  
ORDER:**

Name: James Hausauer

Title: Utility Director

Address: 3400 North Broadway  
Fargo, ND 58102

Email  
Address: JHausauer@FargoND.gov

Phone: 701-476-6692

**ENGINEER:**

**DESIGNATED REPRESENTATIVE FOR TASK  
ORDER:**

Name: Karla Olson, PE

Title: Project Manager

Address: 4733 Amber Valley Parkway S.  
Fargo, North Dakota, 58104

Email  
Address: Karla.Olson@apexenggroup.com

Phone: 701-373-7985





# Scope of Services

## Wastewater Treatment Facility Improvements – Phase IIA Fargo, ND

City of Fargo, ND  
*August 23<sup>rd</sup>, 2018*

Task No.	Description
1	Project Management
2	Construction Services

## Project Background

The City of Fargo completed a Wastewater Treatment Facility (WWTF) Plan in 2014 to review the existing facility's condition and capacity; assess all process equipment and structural components of the WWTF; identify deficiencies regarding capacity, condition, safety and future regulations; and develop strategies to alleviate deficiencies and adequately treat the projected hydraulic and organic requirements of the facility over the next twenty-plus years.

The Facility Plan recommendations were prioritized via a phased approach based on the most immediate needs. Phase I of the Facility Plan included equipment replacement and upgrades to existing facility components due to equipment age, condition, workers' safety and capacity. The Phase I improvement project was recently completed and addressed age and equipment condition issues necessary for reliable wastewater treatment; however, the improvements did not add additional capacity to the facility. The Phase II recommendations in the Facility Plan focused on the expansion needs for the facility to meet the projected 20-year wastewater capacity requirements for City of Fargo growth and regionalization. A Preliminary Engineering Report (PER) in 2017 identified the basis of design for the facility improvements, recommended treatment technologies to meet projected effluent limits and presented opinions of probable costs.

To meet the schedule outlined in the Wastewater Service Agreement with West Fargo, portions of the expansion project must be completed by the end of 2018. In addition, while those areas of the plant are excavated and under construction, it will be cost effective to complete all necessary work for Phase II in those locations. Therefore, a number of components were prioritized into Phase IIA, based on the need for immediate growth capacity, regionalization with West Fargo and based on project cost savings.

The components included in Phase IIA include:

- Centrifuge to increase capacity
- Centrifuge surge tank
- Building expansion to house centrifuge and ancillary equipment
- Vault H centrifuge feed pump
- Centrifuge feed forcemain
- Centrate piping and plant sewer re-route
- Thickened solids forcemain
- Disinfection expansion and conversion to ultraviolet (UV) disinfection
- UV Control Building
- Effluent pumping and effluent piping expansion
- Disinfection feed piping re-route for existing and new treatment trains
- Re-route effluent forcemain to ponds for future construction
- Miscellaneous process piping, electrical, plumbing and HVAC site work in north area of plant
- Chlorine building equipment/chemical removal and building repurposing
- Final clarifier mechanism replacement
- Nitrification trickling filter distributor replacement
- Site security improvements
- Instrumentation and controls for intermediate and final clarifier solids handling
- Submersible effluent pump to ponds
- Vac truck grit handling system
- Primary sludge pump replacement
- Secondary digester floating covers
- Site restoration and paving

August 23<sup>rd</sup>, 2018

- Paint and protective coating systems
- Geotechnical investigation and report

The project components included in Phase IIA will complete the 20-year construction requirements in the north and east part of the WWTF as shown by the orange items in the following figure.



The design of Phase IIA is complete and the bidding process is nearly finished. This task order is for construction administration, construction observation and startup services for Phase IIA.

A Clean Water State Revolving Fund (SRF) loan application was submitted to the North Dakota Department of Health (NDDH) for funding approval during the PER phase of this project. The SRF program will provide a 2% interest loan available immediately for the Phase II costs incurred by the City, including the construction contract and all engineering services.

## **Task No. 1.0 – Project Management**

### **Objective:**

Management of engineers and technicians through all phases of the project, including contract administration and coordination of quality assurance and quality control. Provide point of contact for City of Fargo.

### **Activities:**

1. Review and execute contract between City of Fargo and Apex Engineering Group (Apex).
2. Oversee Engineers and Technicians assigned to the project.
3. Attend and report at project update meetings, as necessary.
4. Provide communications and coordination between City of Fargo, Sub-consultants, and Apex.
5. Provide quality assurance and quality control.

### **City of Fargo Responsibilities:**

- ✓ Execute contract between City of Fargo and Apex.
- ✓ Provide requested information in a timely manner.
- ✓ Attend construction progress meetings.

### **Apex Responsibilities and Deliverables:**

- ✓ Review and execute contract with City of Fargo in a timely manner.
- ✓ Gather, organize, review and return (if applicable) any necessary information.
- ✓ Schedule and attend project meetings.
- ✓ Communicate with City of Fargo on project updates and schedule.

## **Task No. 2.0 – Construction Services**

### **Objective:**

Administer construction of Phase IIA improvements including construction observation of all on site activities by various contractors.

### **Activities:**

1. Execute Agreement, Notice of Award, and Notice to Proceed documents.
2. Conduct weekly progress meetings at the WWTF between Owner, Engineer and Contractors.
3. Conduct shop drawing review.
4. Provide full time Resident Project Representative from Apex for construction observation.
5. Answer all requests for information (RFIs).
6. Process partial pay applications.
7. Develop preliminary and final punch lists.
8. Determine actual substantial and final completion dates.
9. Provide startup services and coordination.

### **City of Fargo Responsibilities:**

- ✓ Attend progress meetings.
- ✓ Execute contract, notice of award and notice to proceed in a timely manner.
- ✓ Approve pay applications in a timely manner.
- ✓ Attend punch list inspections.

### **Apex Responsibilities and Deliverables:**

- ✓ Develop Agreement, Notice of Award, and Notice to Proceed documents.
- ✓ Conduct weekly progress meetings at the WWTF.
- ✓ Provide a Resident Project Representative during construction.
- ✓ Approve pay applications.
- ✓ Develop punch list for submittal to contractor.
- ✓ Develop substantial and final completion documents.
- ✓ Assist Owner during startup of various facilities and equipment.
- ✓ Final set of record drawings.
- ✓ Final operation & maintenance manuals.

**Project Schedule**

<u>Task/Activity</u>	<u>Date (Week of)</u>
- Execute Agreement for Engineering Services	August 20 <sup>th</sup> , 2018
- Begin Construction Services Contract	August 27 <sup>th</sup> , 2018
- Substantial Completion	December 31 <sup>st</sup> , 2019
- Final Completion/Project Closeout	May 1 <sup>st</sup> , 2020

REPORT OF ACTIONUTILITY COMMITTEE

4/c

Project No. WW1701

Type: Apex Engineering Task Order #22

Location: Wastewater Treatment Facility Phase IIB Improvements

Date of Hearing: 8-23-2018

<u>Routing</u>	<u>Date</u>
City Commission	8-27-2018
Project File	

Jim Hausauer, Wastewater Utility Director, presented attached Task Order #22 from Apex Engineering Group for program management, design and bidding services associated with the WWTF Phase IIB Improvements. The WWTF Facility Plan Phase II recommendations were prioritized via a phased approach based on needs to meet the 20 year wastewater requirements for Fargo growth and regionalization. To meet the schedule outlined in the Wastewater Agreement with West Fargo and Horace, Phase IIA has been bid with a scheduled completion for 2019.

Phase IIB is focused on a facility expansion to meet the treatment needs for the 20 year hydraulic and organic capacity requirements. Components of the Phase IIB design include a combined head works building, IFAS biological treatment, final clarifiers, blower building, return and waste activated sludge (RAS/WAS) pump station, thickening building, primary digester, odor control, ancillary pumps, vaults, and piping. Once operation the facility will have the capacity to treat 29 million gallons per day, serving a regional population of 270,700. To meet deadlines in the West Fargo Sewer Agreement, Phase IIB should begin as soon as possible.

The Wastewater Utility CIP has a placeholder for the Phase II Expansion and will be funded with a 30 year 2% CWSRF Loan with the debt service programmed to be funded with rate revenue.

Note: Apex Engineering was selected through a competitive proposal process in the fall of 2017

**MOTION:**

On a motion by Troy Hall, seconded by Terry Ludlum, the Utility Committee approved Apex Engineering Task Order #22 in the amount of \$8,900,722 for program management, design and bidding services associated with the Phase IIB Improvements.

<u>COMMITTEE:</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Unanimous</u>
				<u>X</u>
				<u>Proxy</u>
Anthony Gehrig, City Commissioner	<u>X</u>			
Kent Costin, Director of Finance	<u>X</u>			
Brian Ward, Water Plant Superintendent	<u>X</u>			
Mark Miller, Wastewater Plant Supt.	<u>X</u>			
Bruce Grubb, City Administrator	<u>X</u>			
Scott Liudahl, City Forester	<u>X</u>			
Terry Ludlum, Solid Waste Utility Director	<u>X</u>			
Jim Hausauer, Wastewater Utility Director	<u>X</u>			
Troy Hall, Water Utility Director	<u>X</u>			
Ben Dow, Public Works Operations Director	<u>X</u>			
Brenda Derrig, City Engineer				

ATTEST:



Jim Hausauer  
Wastewater Utility Director

C: Tim Mahoney, Mayor  
Commissioner Strand  
Commissioner Piepkorn  
Commissioner Grindberg



**MEMORANDUM**

August 23, 2018

**To: Utility Committee**

**From: Jim Hausauer, Wastewater Utility Director** 

**Re: Task Order #22 - Apex Engineering Group  
 Project WW1701-Phase II B Improvements**

**Background**

The City of Fargo completed a Wastewater Treatment Plant (WWTP) Facility Plan to review the existing facilities condition & capacity. The facility plan assessed all process equipment and structural components of the WWTP, as well as deficiencies associated with capacity, condition, and future regulations. The Facility Plan recommendations were prioritized via a phased approach based on immediate needs and deficiencies, with a goal to adequately treat projected hydraulic and organic loading over the next 20-plus years. The Phase II recommendations in the Facility Plan focused on expansion needs to meet the 20 year capacity requirements for Fargo growth and regionalization. A Preliminary Engineering Report (PER) in 2017 identified the basis of design for the facility improvements, recommended treatment technologies and opinions of probable costs.

To meet the schedule outlined in the Wastewater Sewer Agreement with West Fargo and Horace, portions of the expansion project need to be completed by the end of 2018-(Phase II A). While certain areas are under construction, it will be cost effective to do all necessary work for Phase II B in those areas. Design of Phase II A is complete and bidding is finished.

**Phase II B Improvements**

Components of the Phase II B design include a combined head works building, IFAS for biological treatment, final clarifiers, blower building, return and waste activated sludge (RAS/WAS) pump station, thickening building, primary digester, odor control, and ancillary pumps, vaults and piping. Once operational the facility will have the capacity to treat 29 million gallons per day, serving a regional population of 270,700. To meet the deadline for providing in the Wastewater Sewer Agreement with West Fargo, Phase IIB should begin as soon as possible.

The Phase II improvements will increase current capacities as follows:

<b>Actual -12 mgd</b>	<b>Ave. Daily Flow</b>	<b>Peak Flow</b>	<b>Pop. Equivalent</b>
Current	15.0 mgd	25 mgd	135,000
Phase II B Exp.	29.0 mgd	50 mgd	270,700



The Phase II Expansion is proposed to be completed as follows:

- Phase II A (2018-2019) – Important for the West Fargo and Horace connection
  - Centrifuge, UV Disinfection, Yard, Process & Discharge Piping, Storm Water LS Repairs, Odor Control, Digester Covers, Clarifier Equipment, Site Security.
  - Engineers Estimate ~\$30 Million
- Phase II B (2018-2021)
  - Engineering Design/Bidding
  - Procurement Equipment for full expansion (Pumps, Controls, Mechanisms)
  - Excavation, Bricks, Mortar, Installation of Equipment
  - Estimate ~ \$100 Million

The Wastewater Utility has a placeholder in the 20 year CIP for the Phase II Expansion. The project will be funded with a 2% Clean Water State Revolving Fund (SRF) loan, and programmed to be repaid with rate funds.

Note: Apex Engineering was selected through a competitive proposal process in the fall of 2017.

#### Recommended Motion

Approve the attached Task Order 22 from Apex Engineering Group in the amount of \$8,900,722 for Design & Bidding Services for Project WW1701 (Wastewater Treatment Plant Phase II B Improvements).

August 23, 2018

Mr. James Hausauer  
City of Fargo  
3400 North Broadway  
Fargo, ND 58102

RE: Fargo Wastewater Treatment Facility  
Task Order 22 – WWTF Phase IIB Expansion  
Apex Project No. 18.102.0114

Dear Mr. Hausauer,

Thank you for the opportunity to provide the enclosed Task Order 22 regarding the design and bidding services for the Fargo Wastewater Treatment Facility (WWTF) Phase IIB Expansion project. The WWTF capacity will be reached in the near future based on current City of Fargo planning numbers and regionalization with surrounding communities. As a result, a wastewater treatment expansion is necessary due to the facility's current capacity limitations.

A Preliminary Engineering Report (PER) has identified the necessary updates to the facility to meet future capacity requirements. Portions of the future updates must be completed within the next year to provide capacity for Fargo growth and regionalization with West Fargo. The first phase of expansion (Phase IIA) included items necessary to bridge the existing facility capacity in the short term and process components in the north area of the existing plant. Phase IIA expansion design and bidding are complete and construction will begin soon. The next phase of the expansion (Phase IIB) includes a combined headworks building, IFAS for biological treatment and nutrient reduction, final clarifiers, blower building, RAS/WAS pump station, thickening building, primary digester, odor control and ancillary pumps, vaults and piping. Once the expansion is operational in December of 2021, the facility will have capacity to treat 29 million gallons per day, serving a regional population of 270,700. To meet the required deadline for providing wastewater service to West Fargo in December of 2021, design of Phase IIB must begin immediately.

The project will be funded through the Clean Water State Revolving Fund (SRF) loan program. The SRF loan will provide an immediate funding source for the Phase II construction contract and engineering services at a low interest rate of 2% for 30 years.

Task Order 22 for Engineering Services includes project management, design and bidding services for Phase IIB as outlined herein. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Karla Olson, PE  
Project Manager

CC: Bruce Grubb, PE – City of Fargo

This is Task Order No. 22,  
consisting of 12 pages.

## Task Order

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated January 1, 2018 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

- A. Title: Wastewater Treatment Facility Improvements - Phase IIB
- B. Description: Design and Bidding Services for Phase IIB Improvements at the Fargo Wastewater Treatment Facility.
- C. Number of Construction Contracts

The Specific Project is anticipated to be constructed under 3 Construction Contracts.

2. Services of Engineer

- ☐ Study and Report Services
- ☒ Design Services
- ☒ Bidding or Negotiating Services
- ☐ Construction and Commissioning Services
- ☐ Resident Project Representative Services  
Engineer will provide Resident Project Representative services pursuant to Part 4 of Exhibit A; Exhibit D of the main agreement is expressly incorporated by reference.
- ☐ Other Services
- ☐ Additional Services Requiring an Amendment to Task Order

Part 6 of Exhibit A is incorporated by reference unless otherwise noted.

## 3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: No exceptions.

## 4. Times for Rendering Services:

<u>Phase</u>	<u>Completion Date (week of)</u>
<u>Execute Eng. Agreement</u>	<u>August 20<sup>th</sup>, 2018</u>
<u>Begin Design Phase</u>	<u>August 27<sup>th</sup>, 2018</u>
<u>Complete Design Phase</u>	<u>November 4, 2019</u>
<u>Advertise for Bids</u>	<u>November 18, 2019</u>
<u>Open Bids</u>	<u>December 18, 2019</u>
<u>Award Contracts</u>	<u>December 23, 2019</u>

## 5. Payments to Engineer

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

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum, or Estimate of Compensation for Services</i>
Study/Report Phase	A. Lump Sum	N/A
Design and Bidding/Negotiating	A. Lump Sum	\$8,900,722
Construction Administration, Commissioning, Resident Project Representative	B. Standard Hourly Rates	N/A
Reimbursables		Included
<b>Total Project Fee</b>		<b>\$8,900,722</b>

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

6. Consultants: **Carollo Engineers, TL Stroh Architects, Terracon**
7. Other Modifications to Agreement: N.A.
8. Attachments: Attachment No.1 – Scope and Schedule
9. Documents Incorporated by Reference: N.A.
10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is August 23<sup>rd</sup>, 2018.

**OWNER:**

By: City of Fargo

Name: Dr. Tim Mahoney

Title: Mayor

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

**ENGINEER:**

By: Apex Engineering Group, Inc.

Name:  Thomas J. Welle, PE

Title: President

Engineer License or  
Firm's Certificate No. COCF #975

State of: North Dakota

Date Signed: 8/22/18

Address for giving notices:

200 3rd Street North

Fargo, North Dakota 58103

Address for giving notices:

4733 Amber Valley Parkway South

Fargo, North Dakota 58104

**OWNER:**

**DESIGNATED REPRESENTATIVE FOR TASK  
ORDER:**

Name: James Hausauer

Title: Utility Director

Address: 3400 North Broadway  
Fargo, ND 58102

Email  
Address: JHausauer@FargoND.gov

Phone: 701-476-6692

**ENGINEER:**

**DESIGNATED REPRESENTATIVE FOR TASK  
ORDER:**

Name: Karla Olson, PE

Title: Project Manager

Address: 4733 Amber Valley Parkway S.  
Fargo, North Dakota, 58104

Email  
Address: Karla.Olson@apexenggroup.com

Phone: 701-373-7985



# Scope of Services

## Wastewater Treatment Facility Improvements Phase IIB – Design and Bidding

City of Fargo Wastewater Treatment Facility  
*August 23<sup>rd</sup>, 2018*

Task No.	Description
1	Project Management
2	Preliminary and Final Design
3	Bidding, Awards and Contracts



## Project Background

The City of Fargo completed a Wastewater Treatment Facility (WWTF) Plan in 2014 to review the existing facility's condition and capacity; assess all process equipment and structural components of the WWTF; identify deficiencies regarding capacity, condition, safety and future regulations; and develop strategies to alleviate deficiencies and adequately treat the projected hydraulic and organic requirements of the facility over the next twenty-plus years.

The Facility Plan recommendations were prioritized via a phased approach based on the most immediate needs. Phase I of the Facility Plan included equipment replacement and upgrades to existing facility components due to equipment age, condition, workers' safety and capacity. The Phase I improvement project was recently completed and addressed age and equipment condition issues necessary for reliable wastewater treatment; however, the improvements did not add additional capacity to the facility. The Phase II recommendations in the Facility Plan focused on the expansion needs for the facility to meet the projected 20-year wastewater capacity requirements for City of Fargo growth and regionalization. A Preliminary Engineering Report (PER) in 2017 identified the basis of design for the facility improvements, recommended treatment technologies to meet projected effluent limits and presented opinions of probable costs.

Several improvements for Phase IIA are out for bid and are ready to be constructed. They include:

- Centrifuge and surge tank with building expansion
- Vault H centrifuge feed pump and forcemain
- Centrate piping and plant sewer re-route
- Thickened solids forcemain
- Disinfection expansion and conversion to ultraviolet (UV) disinfection with UV Control Building
- Effluent pumping and effluent piping expansion
- Disinfection feed piping re-route for existing and new treatment trains
- Re-route effluent forcemain to ponds for future construction
- Miscellaneous process piping, electrical, plumbing and HVAC site work in north area of plant
- Chlorine building equipment/chemical removal and building repurposing
- Final clarifier mechanism replacement
- Nitrification trickling filter distributor replacement
- Site security improvements
- Vac truck grit handling system
- Primary sludge pump replacement
- Secondary digester gas holding covers
- Geotechnical investigation and report

To meet the schedule outlined in the Wastewater Service Agreement with West Fargo and continued growth of Fargo's regional facility, design for the rest of the Phase II improvements must begin immediately.

The components in Phase IIB design include:

- A new headworks facility with influent pumping, screening and grit removal
- A new west treatment train including biological nutrient removal
- Two final clarifiers
- Blower building and associated electrical equipment
- Return and Waste activated sludge pumping
- Scum pumping

- RAS/WAS pump station with process control laboratory
- Thickening for scum and waste activated sludge
- New primary digester
- Digester Gallery addition
- Primary digester rehabilitation
- Digester gallery pipe and valve rehabilitation
- Energy and Resource Recovery
- Odor and corrosion control
- Splitter structures and vaults
- Underground piping and valves
- Protective coating systems
- Grit Building rehabilitation
- Geotechnical investigation and report
- Storm sewer improvements, site grading, paving and landscaping

Project components included in Phase IIB will complete the 20-year construction requirements of the WWTF as shown in the following figure. The Phase IIB Expansion will provide capacity for approximately 270,700 people.



The design for Phase IIA is complete and the bidding process is nearly finished. This task order is for design and bidding services for Phase IIB, which will include the improvements necessary for long term growth of Fargo, regionalization, nutrient removal and solids treatment.

A Clean Water State Revolving Fund (SRF) loan application was submitted to the North Dakota Department of Health (NDDH) for funding approval during the PER phase of this project. The SRF program will provide a 30-year 2% interest loan available immediately for the Phase II project, including the construction contract and all engineering services.

## **Task No. 1.0 – Project Management**

### **Objective:**

To provide management of engineers and technicians through all phases of the project, including contract administration and quality assurance / quality control. To provide a single point of contact for the City of Fargo throughout the duration of the project.

### **Activities:**

1. Review and execute task order agreement between City of Fargo and Apex Engineering Group (Apex).
2. Oversee Engineers and Technicians assigned to the project.
3. Attend and report at project update meetings, as necessary.
4. Provide communications and coordination between City of Fargo, Subconsultants and Apex.
5. Coordinate and attend regulatory, permitting and funding meetings with the North Dakota Department of Health.
6. Coordinate and attend any City of Fargo Building Department and Planning meetings.
7. Provide quality assurance/quality control throughout all phases of the project.

### **City of Fargo Responsibilities:**

- ✓ Execute task order between City of Fargo and Apex.
- ✓ Provide requested information in a timely manner.
- ✓ Attend project update meetings.

### **Apex Responsibilities and Deliverables:**

- ✓ Review and execute contract with City of Fargo in a timely manner.
- ✓ Gather, organize, review and return (if applicable) any necessary information.
- ✓ Coordinate with Subconsultants.
- ✓ Schedule and attend project update meetings.
- ✓ Communicate with City of Fargo on project updates and schedule.

## Task No. 2.0 – Preliminary and Final Design

### Objective:

To prepare Contract Document (plans and specifications) for the Phase IIB Expansion Project. Provide 60%, 90% and 100% Contract Documents for milestone review with City of Fargo. Follow all North Dakota Department of Health (NDDH) and State Revolving Fund (SRF) requirements for Contract Documents.

### Activities:

1. Provide survey services at WWTF site.
2. Review site geotechnical information.
3. Review and incorporate City-supplied site information and critical infrastructure.
4. Review site constraints and constructability issues.
5. Review City of Fargo building department standards and requirements.
6. Review City of Fargo Planning department requirements.
7. Design development for Civil, Process, Architectural, Structural, Mechanical and Electrical components of Phase IIB Expansion.
8. Develop updated opinions of probable costs for improvements.
9. Prepare 60% plans.
10. Conduct 60% review meeting with City and Apex.
11. Prepare 90% plans and specifications.
12. Conduct 90% review meeting with City and Apex.
13. Prepare 100% plans and specifications.
14. Conduct 100% review meeting with City and Apex.
15. Submit final plans and specifications to the NDDH.

### City of Fargo Responsibilities:

- ✓ Provide documents as requested.
- ✓ Provide wastewater sampling equipment and analysis, as needed.
- ✓ Attend scheduled meetings.
- ✓ Review milestone contract documents (60%, 90% and 100%) and provide comments.

### Apex Responsibilities and Deliverables:

- ✓ Secure Subconsultants as needed to aid in design (Geotechnical, Architect, Structural & Mechanical).
- ✓ Review site constraints and constructability issues with City Personnel.
- ✓ Prepare and present updated opinions of probable costs to City.
- ✓ Prepare 60%, 90% and 100% plans and specifications. Submit three (3) copies to the city for review and comment.
- ✓ Provide City with (2) two copies of final plans and specifications.
- ✓ Provide NDDH with (3) three copies of final plans and specifications.

### **Task No. 3.0 – Bidding, Awards and Contracts**

#### **Objective:**

Advertise project, answer questions during bidding, conduct a pre-bid conference, open bids and recommend award of the Phase IIB expansion project.

#### **Activities:**

1. Prepare Advertisement for Construction Bids.
2. Work with the City of Fargo regarding the Advertisement for Bid.
3. Post plans electronically to Quest CDN for download by prospective Bidders.
4. Provide Plans and Specifications to prospective Bidders as requested.
5. Document and answer contractor questions during bidding.
6. Issue Addenda, as appropriate, to clarify Contract Documents.
7. Conduct a pre-bid conference for the project.
8. Attend bid opening and assist City of Fargo in review of the Bids.
9. Prepare tabulation of Bids and make recommendation regarding Award.
10. Prepare Notice of Award and Construction Contracts. Distribute to Contractor.

#### **City of Fargo Responsibilities:**

- ✓ Placement of Advertisement for Bids in appropriate publications.
- ✓ Attend pre-bid conference, as needed.
- ✓ Attend Bid Opening.
- ✓ Review of contractor's bids by City Attorney, if necessary.

#### **Apex Responsibilities and Deliverables:**

- ✓ Provide electronic copy of Bidding Documents for download by prospective Bidders.
- ✓ Provide electronic copy of Bidding Documents for local Builder's Exchanges.
- ✓ Provide any 'hard copy' Bidding Documents to prospective Bidders, as needed.
- ✓ Answer and document Contractor questions during bidding.
- ✓ Issue Addenda to clarify Bidding Documents, as required.
- ✓ Develop bid tabulation for bid opening.
- ✓ Complete bid tabulation with contractors' bids.
- ✓ Provide recommendation of award letter to City.

**Project Schedule**

<b><u>Task/Activity</u></b>	<b><u>Date (Week of) <sup>(1)</sup></u></b>
- Execute Agreement for Engineering Service	August 20, 2018
- Begin Design Phase	August 27, 2018
- Complete 60% Design	September 2, 2019
- Complete 90% Design	October 7, 2019
- Complete Final Design	November 4, 2019
- Advertise for Bids	November 18, 2019
- Open Bids	December 18, 2019
- Award Construction Contract	December 23, 2019

<sup>(1)</sup> Schedule is based on Task Order 22 approval the week of August 20<sup>th</sup>, 2018