BOARD OF CITY COMMISSIONERS Fargo, North Dakota

Special Meeting:

<u>Monday:</u>

April 22, 2013:

Agreeable with a call for a Special Meeting issued by Mayor Walaker, the Board of City Commissioners of the City of Fargo, North Dakota, convened in a Special Meeting in the City Commission Room at City Hall at 5:00 o'clock p.m., Monday, April 22, 2013.

The Commissioners present or absent were as shown following: Present: Mahoney, Wimmer, Sobolik, Williams, Walaker. Mayor Walaker presiding.

Bid Award for the Demolition of Homes in Oakcreek to Industrial Builders, Inc. Approved:

City Engineer April Walker said the Commission voted to proceed with the demolition of homes in the Oakcreek neighborhood; however, the bid was not officially awarded to Industrial Builders, Inc.

Commissioner Mahoney moved the bid award for demolition of homes in Oakcreek to Industrial Builders, Inc. be approved.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Wimmer and Walaker voted aye.

Commissioner Williams voted nay.

The motion was declared carried.

Trap Bag Installation Contract Awarded to Northern Improvement Company:

City Engineer April Walker said an RFP was awarded to Industrial Builders, Inc. for Trap Bag installation on the south side of Fargo. She said Engineering would like to add a second contract to the award so that there will be two teams working on Trap Bag installations. The contract should be awarded to Northern Improvement Company for installation on the north side, she said.

Commissioner Mahoney moved approval of the contract award for Trap Bag installation to Northern Improvement Company.

Second by Williams. On call of the roll Commissioners Mahoney, Williams, Wimmer, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Engineering Department Authorized to Draw from the Group of Engineering Firms to Assist with the 2013 Flood Event:

City Engineer April Walker said the Engineering Department was directed earlier this year to prepare an RFQ to solicit consultants to provide services and the City would then enter into Master Services Agreements for a three-year period with those consultants. The Engineers would then have a pool of competitively selected consultants to draw from in the event that there was not enough staff to complete a project or time was tight, she said, and specialized expertise would be needed. For example, she said, this year there have been a record number of plats coming forward and the Engineering Department will hit the practical limit of the number of developments that can be designed within the department. Therefore, she said, in order to keep on the timeline that the developers expect, Engineering will probably have to bring in outside consultants to keep those projects going. The RFQ looked at new development and master planning, as well as replacement and reconstruction projects, which are very rarely bid out, she said. The idea, she stated, is that Engineering would have a pool of up to five possible consultants and during a period of need, a task order or a scope of work would be created, sent out to multiple consultants, quotes would come back, and a selection would be made based on the quotes received. She said this has been in the works for quite awhile and Engineering thought they could accelerate the process due to the fact that there are a couple of potential task orders that could be written to assist in the flood fight.

In response to a question from Commissioner Mahoney regarding the pace of an RFQ versus doing an RFP on each individual task, Ms. Walker stated if an RFP is done for each individual project, there is a bidding and advertising period that has to take place. She continued that, in this case, the bidding and advertising has been done, and a pool of competitively selected consultants is available to draw from, which will help in shortening the time period that the work can get started.

Commissioner Williams said he feels that there is some merit to all of this; however, this is a three year agreement and this is the first that he is seeing this plan. He said that does not mean that for this flood event Engineering cannot get what is needed, but he feels that this needs to be fine tuned and brought back to the Commission with a shorter duration.

Commissioner Williams moved the Engineering Department be authorized to draw from the group of Engineering Firms to assist with the 2013 flood event, and the Master Services Agreements be brought back to the Commission for further discussion.

Second by Mahoney. On call of the roll Commissioners Williams, Mahoney, Wimmer, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Incident Commanders Appointed:

City Administrator Pat Zavoral stated, as part of any federal declaration, there is a requirement from the Corps of Engineers that an Incident Commander be appointed. He said this year it is being suggested that he and the Mayor be dually appointed.

Commissioner Wimmer moved Dennis Walaker and Pat Zavoral be appointed as Incident Commanders.

Second by Mahoney. On call of the roll Commissioners Wimmer, Mahoney, Williams, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Other Flood Related Issues:

City Engineer April Walker said staff was asked to put together a plan to protect the area south of 52nd Avenue South, south of the new Wal-Mart; therefore, an RFP was put out to build a temporary levee at that location. She said, what Engineering has asked the contractor to do is strip the top soil and push it up to build an extra wide levee at the south end of the project to keep the area dry. That area, she said, has a proposed plat, plans and specs that have been started, with the intention of building this summer. She said Master Construction came in as the low bidder with a bid in the amount of approximately \$33,000.00.

Commissioner Mahoney moved temporary levee installation for Project No. 6215-05 be awarded to Master Construction Company, Inc. in the approximate amount of \$33,000.00.

Second by Sobolik. On call of the roll Commissioners Mahoney, Sobolik, Williams, Wimmer and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Enterprise Director Bruce Grubb proposed Cleanup Week be rescheduled due to the late flooding this year. He said it is routinely scheduled the first full week in May each year and since the water may still be up and flood cleanup may not even be started, it is being proposed that it be rescheduled.

Commissioner Williams moved Cleanup Week be postponed to September 23 through September 27, 2013.

Second by Mahoney. On call of the roll Commissioners Williams, Mahoney, Wimmer, Sobolik and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

City Administrator Pat Zavoral said direction has been given to the City's home buy-out team to make additional offers.

Assistant City Attorney Nancy Morris said as of 4:30 p.m. today 76 offers have been made, 21 have been accepted, 11 purchase agreements have been sent out and 10 have been signed. She said the City has closed on three properties that were in the first phase and she has several phone calls to return.

Commissioner Wimmer moved that the Board adjourn.

Second by Sobolik. All the Commissioners voted aye and the motion was declared carried.

The time at adjournment was 5:30 o'clock p.m.