

**METRO FLOOD DIVERSION AUTHORITY**

**Thursday, August 25, 2016**

**3:30 PM**

Fargo City Commission Room

Fargo City Hall

200 3<sup>rd</sup> Street North

1. Call to order
2. Approve minutes from previous meeting Item 2. Action
3. Approve order of agenda Action
4. Administrative/Legal Information
5. Management
6. Technical Information/action
  - a. Recommended Contracting Actions Item 6a.
7. Other Business
8. Go into Executive Session
9. Next Meeting – September 8, 2016
10. Adjournment

cc: Local Media

**METRO FLOOD DIVERSION AUTHORITY  
AUGUST 11, 2016—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Metro Flood Diversion Authority was held Thursday, August 11, 2016, at 3:30 PM in the Fargo City Commission Room with the following members present: Cass County Commission representative Darrell Vanyo; Cass County Commissioner Mary Scherling; Cass County Commissioner Chad M. Peterson; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Dave Piepkorn; Fargo City Commissioner Tony Grindberg; Moorhead City Mayor Del Rae Williams; Moorhead City Council Member Nancy Otto; Moorhead City Council Member Chuck Hendrickson; Clay County Commissioner Kevin Campbell; Clay County Commissioner Frank Gross; Cass County Joint Water Resource District Manager Rodger Olson; and West Fargo City Commissioner Mike Thorstad.

Staff members and others present: Cass County Administrator Keith Berndt; Fargo City Administrator Bruce Grubb; Cass County Engineer Jason Benson; Moorhead City Engineer Bob Zimmerman; Mark Nisbet, Chamber of Commerce Business Leaders Taskforce; Bruce Spiller, CH2M; and Terry Williams, Project Manager, Corps of Engineers.

**2. MINUTES APPROVED**

*MOTION, passed*

**Mr. Mahoney moved and Ms. Otto seconded to approve the minutes from the July 14, 2016, meeting as presented. Motion carried.**

**3. AGENDA ORDER**

*MOTION, passed*

**Mr. Campbell moved and Mr. Peterson seconded to approve the order of the agenda with the addition of discussion on meeting format under other business. Motion carried.**

**4. MANAGEMENT UPDATE**

Program management consultant (PMC) report

Bruce Spiller provided an update on activities over the last month including signing of the Project Partnership Agreement (PPA), advertisement of the P3 Request for Qualifications (RFQ), and North Dakota State Water Commission briefing. Priority areas for August and September include submitting requested information to the MN DNR regarding the Minnesota dam safety permit, flowage easement development in the staging area, and Phase 1 land acquisition.

Ty Smith from CH2M provided an update on in-town levee work, Park East Apartments and Howard Johnson property demolitions, El Zagal Phase 2 levee construction, and Mickelson levee extension construction.

Corps of Engineers report

Terry Williams provided an update of activities by Corps of Engineers staff which includes Request for Proposals (RFP) for the diversion inlet control structure; design kick-off meetings for the Wild Rice River control structure and southern embankment; continued coordination with North Dakota and Minnesota on phased permitting for the southern embankment/dam; continued support of in-town levee design and construction; and preparing the designs for future construction contracts in FY17 and FY18.

**5. ADMINISTRATIVE/LEGAL UPDATE**Resolution Confirming Appointments to Land Management and Finance Committees

Mr. Shockley said now that all of the members have been appointed to the Land Management and Finance Committees, a resolution to confirm the final appointments is needed from the Diversion Board.

***MOTION, passed***

**Mr. Campbell moved and Mrs. Scherling seconded to adopt a Resolution Confirming the Appointment of Members to the Land Management and Finance Committees of the Metro Flood Diversion Authority (see Attached Exhibit A for member listing). On roll call vote, the motion carried unanimously.**

**6. TECHNICAL UPDATE**Recommended Contracting Actions SummaryTask Order Amendments

- Houston-Moore Group Task Order 01 Amendment 9 (Project Management)—add budget for additional monthly reporting; and scope and budget for completed work package GIS submittals in the amount of \$109,752.
- Houston-Moore Group Task Order 08 Amendment 14 (Work-in-Kind)—add budget to close out comments on U.S. Army Corps of Engineers diversion inlet design in the amount of \$276,569.
- Houston-Moore Group Task Order 12 Amendment 1 (CR-10 Bridge)—delete scope and budget for the design of County Road 10 Bridge within diversion channel for a deduction in the amount of \$665,000.
- Houston-Moore Group Task Order 16 Amendment 4 (Permit Submittal Preparation and Other Related Services)—review existing ordinances, develop draft and prepare updated floodplain ordinances in the amount of \$50,000.
- Houston-Moore Group Task Order 18 Amendment 2 (CR-16/17 Road and Bridge Design)—add budget to complete the design of County Road 16/County Road 17 Bridge in the amount of \$62,401.
- Terracon Task Order 01 Amendment 4 (Materials Testing Services)—add survey and asbestos sampling costs for on-going asbestos abatement and lead based sampling associated with Work Package 42 in the amount of \$167,490.

Construction Change Orders

- ICS, Inc. Change Order 04 (4<sup>th</sup> Street Pump Station)—reconcile change items that were suspended during box culvert negotiations including time extensions and multiple small cost adjustment for engineer and owner-directed items in the amount of \$15,174.67.
- Industrial Builders, Inc. Change Order 09 (2<sup>nd</sup> Street North Pump Station)—sluice gate operator covers in the amount of \$5,486.80.
- Industrial Builders, Inc. Change Order 01 (2<sup>nd</sup> Street North, North of Pump Station)—water main insulation change and floodwall cap modification in the amount of \$8,122.
- Industrial Builders, Inc. Change Order 10 (Flood Control – 2<sup>nd</sup> Street North, South of Pump Station)—disposal of 2B vault, differing subsurface conditions, silo disposal in Case Plaza and floodwall cap modification in the amount of \$32,505.68.
- Reiner Contracting, Inc. Change Order 02 (El Zagal Area Flood Risk Management Phase 2)—plugged sanitary gravity line, tree removal, storm manhole repair, standby time due to lift station/force main problem in the amount of \$34,568.20.
- Industrial Builders, Inc. Change Order 02 (Mickelson Levee Extension)—scope and budget for removal of concrete swimming pool at 16 North Terrace and additional asbestos abatement in the amount of \$6,079.

***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve the appropriation of funds for the outlined Task Order Amendments with Houston-Moore Group. On roll call vote, the motion carried unanimously.**

***MOTION, passed***

**Mr. Mahoney moved and Mr. Piepkorn seconded to approve the appropriation of funds for the outlined Task Order Amendment with Terracon and the Construction Change Orders with ICS, Inc., Industrial Builders, Inc., and Reiner Contracting, Inc. On roll call vote, the motion carried unanimously.**

**7. PUBLIC OUTREACH UPDATE**

**Committee report**

The Public Outreach Committee met on August 10<sup>th</sup>. Mr. Olson said the committee reviewed an updated communications plan which will be used as a daily tool for those communicating about the project. The committee wants to ensure when land acquisitions take place that impacted property owners, townships and the general public are informed about the process. The committee received an update on various public outreach presentations, including a presentation given to the North Dakota State Water Commission, an upcoming bus tour of area flood control efforts hosted by the North Dakota Water Education Foundation, and hosting a booth at the Minnesota Water Resources Conference in October.

**Business Leaders Task Force**

Mark Nisbet said business leaders continue to be involved in public outreach activities associated with the diversion project and pledge their support toward communication efforts to educate the public.

**8. LAND MANAGEMENT UPDATE**

**Committee report**

The Land Management Committee met on August 10<sup>th</sup>. Mrs. Scherling said the committee discussed land acquisitions and letters that have been sent to affected property owners. She said the committee also discussed the role of elected officials.

**CCJWRD update**

Mark Brodshaug referred to the handout regarding land acquisitions completed through August 9, 2016, which includes completed acquisitions, budget figures, and completed negotiations. He said Phase 1 acquisitions have begun with survey and appraisals beginning on the far north reach. An outreach plan has been developed to focus on occupied structures within the staging area in response to increased questions from the public about the buyout process and schedule.

Mr. Vanyo asked for an update on land acquisitions associated with the inlet structure. Mr. Brodshaug said three properties are needed and court action was taken because negotiations could not be reached with the owners. The CCJRWD now has access to the properties. Mr. Brodshaug said County Road 16/17 will need to be realigned as part of the inlet structure project—twelve additional properties will be needed for the road redesign. He said one out of the twelve owners has signed a purchase agreement at this time.

**9. FINANCE UPDATE**Committee report

The Finance Committee met on August 10<sup>th</sup>. Mr. Grindberg was elected chair of the committee, and said as a new member, he has questions about how previously approved change orders align with the overall project budget. He said it would be helpful to have that information in a report.

Mike Montplaisir, Cass County Auditor, said financial reports have been revised to better reflect the costs paid by all of the entities. There are different ways to monitor the budget, and going forward staff will look at developing different reports for the board. Staff will also monitor market interest rates and the effect on short-term financing of the project.

Resolutions for Financing through Wells Fargo Bank, N.A.

Mr. Shockley said Fargo and Cass County previously issued \$50 million each in loans through U.S. Bank for short-term financing of the project. Recently, an agreement was reached with Wells Fargo Bank, N.A. for \$200 million in loans with \$100 million to go toward paying off the U.S. Bank loans and \$100 million for upcoming project costs. He said concurrence is needed by the Diversion Board on resolutions approving an intergovernmental agreement and draw down of funds.

***MOTION, passed***

**Mr. Mahoney moved and Mrs. Scherling seconded to adopt a Resolution Approving Execution and Delivery of an Intergovernmental Agreement (Series 2016) between Cass County, North Dakota, and City of Fargo, North Dakota; Consenting to Loan Agreements between Wells Fargo Bank, N.A., and Cass County, North Dakota; Consenting to Loan Agreements between Wells Fargo Bank, N.A. and City of Fargo, North Dakota, and Consenting to Issuance of Temporary Sales Tax Revenue Notes by Cass County and City of Fargo. On roll call vote, the motion carried unanimously.**

***MOTION, passed***

**Mr. Mahoney moved and Mrs. Scherling seconded to adopt a Resolution Authorizing the Draw Down of Funds from Wells Fargo Bank Loans to Cass County, North Dakota and to the City of Fargo, North Dakota; and Authorizing the Draw Down of Funds Received from Temporary Sales Tax Revenue Notes of Cass County and the City of Fargo. On roll call vote, the motion carried unanimously.**

Voucher approval

The bills for the month are with CCJWRD for costs associated with in-town levees, access issues, Diversion Project Assessment Committee (DPAC) work, OHB levee, and Oxbow Country Club golf course construction; Erik R. Johnson & Associates, Ltd. for legal services; Dorsey & Whitney LLP for legal services; and Ohnstad Twichell, P.C. for P3 bond counsel and research work and 4<sup>th</sup> Street Pump Station litigation.

***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve the vouchers in the amount of \$4,577,766.42 for July, 2016. On roll call vote, the motion carried unanimously.**

**10. OTHER BUSINESS**

Mr. Mahoney suggested a change in the seating during meetings with only board members sitting at the table. He also suggested a change in the meeting format by adding a consent agenda to address items that have been previously approved by the other

diversion committees. He questioned how much of the information needs to be repeated at the Diversion Board meeting. Mr. Campbell said if there is a change order or task order that is not already part of the budget, it should be brought up separately. Mr. Vanyo said he supports different options to improve and expedite the meeting.

**11. EXECUTIVE SESSION**

Attorney John Shockley said under North Dakota state law the board is allowed to meet in private session to consult with legal counsel.

***MOTION, passed***

**Mr. Piepkorn moved and Mr. Peterson seconded that the Metro Flood Diversion Authority meet in executive session pursuant to North Dakota Century Code 44-04-19.1 for the purposes of attorney client communications and update regarding matters arising out of or related to the on-going litigation matters of: (i) the Richland County WRD vs. ND State Engineer; (ii) The Richland Wilkin JPA vs. MN DNR; and (iii) Richland/Wilkin Joint Powers Auth. v. Army Corps of Eng'rs. and City of Oxbow as intervenors. Motion carried.**

Diversion Authority board members, key administrative and engineering staff, Attorney Erik Johnson and Attorney John Shockley moved to the River Room at 4:33 PM. Also present via conference call was Attorney Robert Cattnach from Dorsey & Whitney LLP.

The executive session ended at 5:25 PM and the meeting was re-opened to the public.

**12. NEXT MEETING DATE**

The next meeting will be held on Thursday, August 25, 2016.

**13. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Mahoney, seconded by Mr. Grindberg, and all voting in favor, the meeting was adjourned at 5:25 PM.**

# Recommended Contracting Actions Summary

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Date: August 25, 2016

Description	Company	Budget Estimate (\$)
<b>Construction Change Orders</b>		
<b>7.a.1 WP-42A2 (2nd Street North Pump Station), Change Order 10</b> <ul style="list-style-type: none"> <li>• Decorative Fence Modifications,</li> <li>• Differing Subsurface Conditions - Removals</li> </ul>	Industrial Builders, Inc.	42,312.57
<b>7.a.2 WP-42F1S (Flood Control – 2nd St. N, South of Pump Station), Change Order 11</b> <ul style="list-style-type: none"> <li>• Differing Subsurface Conditions - July Removals,</li> <li>• Repair Existing Storm Manholes,</li> <li>• Contaminated Soils Removal,</li> <li>• Storm Structure ST-8 Cover Modification,</li> <li>• Impressioned Concrete Addition,</li> <li>• Administrative – Bid Item Accounting Correction,</li> <li>• Administrative – Update Owner’s Rep and Engineer Roles and Responsibilities</li> </ul>	Industrial Builders, Inc.	52,242.85

**Technical Advisory Group Recommendation**

Meeting Date: 8/16/2016

**RECOMMENDATION FOR ACTION:**

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

**SUMMARY OF CONTRACTING ACTION:**

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

List description of Contract Action(s):

Description	Budget Estimate (\$)
<b>Industrial Builders, Inc.</b>	
<i>Change Order #10</i>	<b>\$42,312.57</b>
<ul style="list-style-type: none"> <li>WP-42A.2, 2<sup>nd</sup> Street North Pump Station – Decorative Fence Modifications and Differing Subsurface Conditions - removals</li> </ul>	

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

Original Agreement or Amendment	Budget (\$) Change	Previous Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	8,069,000.00	0.00	8,069,000.00	9-Oct-14	31-Jan-16	Contract Award recommended to lowest responsive bidder, Industrial Builders, Inc.
Change Order 1	66,920.00	8,069,000.00	8,135,920.00	9-Oct-14	31-Jan-16	Revisions to traffic control
Change Order 2	67,397.00	8,135,920.00	8,203,317.00	9-Oct-14	31-Jan-16	Accommodate unforeseen subsurface conditions (remove concrete structure and dispose of contaminated soil)
Change Order 3	225,056.00	8,203,317.00	8,428,373.00	9-Oct-14	16-Feb-16	Change in design requirements for backfill of structure
Change Order 4	238,871.75	8,428,373.00	8,667,244.75	9-Oct-14	25-Apr-16	Baffle wall, sheeting, and 2 <sup>nd</sup> Street road closure
Change Order 5	7,614.93	8,667,244.75	8,674,859.68	9-Oct-14	25-Apr-16	Physical model tests, vacuum line, pump station veneer, and cold weather construction costs.
Change Order 6	43,488.99	8,674,859.68	8,718,348.67	9-Oct-14	7-Dec-16	Completion Milestone Changes, Extended Warranty Duration, Modifications to Trash Rack and Rake, and Check Valve Replacement.
Change Order 7	1,870.32	8,718,348.67	8,720,218.99	9-Oct-14	7-Dec-16	Pump Station Beacons
Change Order 8	(47,876.36)	8,720,218.99	8,672,342.63	9-Oct-14	7-Dec-16	Deduct unused budget for hazardous material removal



Change Order 9	5,486.80	8,672,342.63	8,677,829.43	9-Oct-14	7-Dec-16	Sluice Gate Operator Covers
Change Order 10	42,312.57	5,677,829.43	8,720,142.00	9-Oct-14	7-Dec-16	Decorative Fence Modifications and Differing Subsurface Conditions - removals

DISCUSSION

Change Order No. 10 will add \$42,312.57 to the project cost to accommodate City of Fargo requested modifications to the existing decorative fence design.

- Decorative Fence Modifications:** The City of Fargo requested a change to the pump station decorative fence design to accommodate better truck access to the pump station. The total cost of this change is \$36,342.02. The modified gates have an approximately six week lead time from date of approval. Because of this, the decorative fence will not be included in the substantial completion but will be included as a punch-list item for the final completion. The substantial completion and final completion dates will remain the same.
- Differing Subsurface Conditions – Removals:** IBI encountered unsuitable soil on the project site while excavating for the North Screenwall and floodwall. The total cost of this change item is \$5,970.55 which includes labor and equipment costs for subcut of the unsuitable soil, hauling off-site, and disposal. CH2M has reviewed this cost and finds it acceptable.

ATTACHMENT(S):

- Draft Change Order No. 10
- Contractor’s Change Proposal dated 8/10/2016

Submitted by:



John Glatzmaier  
 CH2M HILL  
 Project Manager  
 Metro Flood Diversion Project

August 16, 2016

Date

Keith Berndt, Cass County Administrator  
 Concur: August 17, 2016 Non-Concur: \_\_\_\_\_

April Walker, Fargo City Engineer  
 Concur: August 17, 2016 Non-Concur \_\_\_\_\_

Mark Bittner, Fargo Director of Engineering  
 Concur: August 17, 2016 Non-Concur: \_\_\_\_\_

Jason Benson, Cass County Engineer  
 Concur: August 17, 2016 Non-Concur \_\_\_\_\_

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

Robert Zimmerman, Moorhead City Engineer  
 Concur: August 17, 2016 Non-Concur \_\_\_\_\_

Nathan Boerboom, Diversion Authority Project Manager  
 Concur: August 17, 2016 Non-Concur: \_\_\_\_\_

**Technical Advisory Group Recommendation**

Meeting Date: 8/17/2016

**RECOMMENDATION FOR ACTION:**

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

**SUMMARY OF CONTRACTING ACTION:**

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

List description of Contract Action(s):

<b>Description</b>	<b>Budget Estimate (\$)</b>
<b>WP-42F.1S: Industrial Builders Inc.</b>	
<i>Change Order #11</i>	<b>\$52,242.85</b>
<ul style="list-style-type: none"> <li><b>WP-42F.1S, 2nd Street North (South of Pump Station) – Differing Subsurface Conditions July Removals, Repair Storm Manholes, Contaminated Soils Removal, Storm Structure ST-8 Cover, Impressed Concrete Modifications, Administrative – Accounting Change, Administrative – Owner's Rep and Engineer Roles and Responsibilities Change</b></li> </ul>	

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

<b>Original Agreement or Amendment</b>	<b>Budget (\$) Change</b>	<b>Original Project Cost</b>	<b>Revised Project Cost</b>	<b>Project Start</b>	<b>Project Completion</b>	<b>Comments</b>
Original Contract	\$0.00	\$16,184,905.85	\$16,184,905.85	08-Oct-15	15-Jun-17	Contract Award recommended to lowest responsive bidder, Industrial Builders, Inc.
Change Order No. 1	\$0.00	\$16,184,905.85	\$16,184,905.85	08-Oct-15	15-Jul-17	Adds 30 days to the Contract Time, revises Interim Milestone A work items, and adds an option for descoping a portion of the Work
Change Order No. 2	\$169,490.20	\$16,184,905.85	\$16,354,396.05	08-Oct-15	15-Jul-17	Incorporates Work revisions to allow work around utility lines
Change Order No. 3	\$96,806.17	\$16,354,396.05	\$16,451,202.22	08-Oct-15	15-Jul-17	Water main, traffic poles, traffic control plan, Milestone A scope
Change Order No. 4	\$6,985.96	\$16,451,202.22	\$16,458,188.18	08-Oct-15	15-Jul-17	Bridge Lighting, concrete disposal, winter traffic control, extend 4 <sup>th</sup> St signal mods requirement
Change Order No. 5	\$68,743.01	\$16,458,188.18	\$16,526,931.19	08-Oct-15	15-Jul-17	Concrete grading within pump station, Unit price change, additional H Pile, bridge abutment seal, traffic signals, bridge abutment concrete disposal and floodwall connections.

Original Agreement or Amendment	Budget (\$) Change	Original Project Cost	Revised Project Cost	Project Start	Project Completion	Comments
Change Order No. 6	89,243.21	16,526,931.19	16,616,174.40	08-Oct-15	15-Jul-17	10 Feet of additional flood wall, incentive and disincentive changes to the Agreement.
Change Order No. 7	16,378.55	16,616,174.40	16,632,552.95	08-Oct-15	25-Jul-17	Tee Manhole Addition, SS-10 Manhole Revision
Change Order No. 8	257,901.37	16,632,552.95	16,890,454.32	08-Oct-15	25-Jul-17	Differing Subsurface Conditions, floating castings
Change Order No. 9	(55,349.74)	16,890,454.32	16,835,104.58	08-Oct-15	25-Jul-17	Differing Subsurface Condition, Wall Penetrations, CenturyLink Concrete Removal, Furnish and Install Signal Light Pull Boxes, City Hall Construction Accommodation and Misc. Items
Change Order No. 10	32,505.68	16,835,104.58	16,867,610.26	08-Oct-15	25-Jul-17	Disposal of 2B Vault, Differing Subsurface Conditions – Silo Disposal in Case Plaza, and Floodwall Cap Modification
Change Order No. 11	52,242.85	16,867,610.26	16,919,853.11	08-Oct-15	25-Jul-17	Differing Subsurface Conditions July Removals, Repair Storm Manholes, Contaminated Soils Removal, Storm Structure ST-8 Cover, Impressed Concrete Modifications, Administrative – Accounting Change, Administrative – Owner’s Rep and Engineer Roles and Responsibilities Change

**DISCUSSION**

Change Order No. 11 adds new and modifies existing scope elements to total an increase of \$52,242.85 to the Contract Price. The Change Order consists of the following items:

1. **Differing Subsurface Conditions – July Removals** – During excavation for floodwall footings, the Contractor has continued to encounter structurally unsuitable soils, that cannot be used on-site. During the month of July the Contractor encountered additional unsuitable soils. This change item includes labor and equipment costs for the removal of unsuitable soils during the month of July and adds \$35,818.25 to the Contract cost (This was reduced from the Contractor’s change proposal of \$36,329.30 to accommodate the Administrative Change in Item 6 below). There is no schedule change associated with this change item.
  
2. **Repair Storm Manholes** – While conducting work on-site it was noticed that two existing storm sewers near the project work needed repair. The City of Fargo requested that these storm sewer manholes be repaired as part of the 42F.1S Contract to reduce future maintenance concerns associated with these manholes. This work was not previously scoped under the Contract. The total cost for this change item is \$12,913.20. This cost includes materials and labor for fixing one storm manhole and removing another storm manhole.
  
3. **Contaminated Soils Removal** – Add lump sum bid item *0243 Contaminated Soil Removal* for \$200,000 to accommodate removing contaminated soil on a time and materials basis. The level of contamination of the soil in the Case Plaza and MidAmerica lots for bid item 0199 Removal of

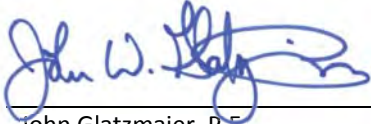
Contaminated Soils was less than expected which allowed the project to dispose of the contaminated soil in the Fargo Landfill for use as daily cover for a reduced cost to the project. Bid Items 0199 and 0200 involving the contaminated soil will remain open in the event that material needs to be transported to a different facility if their level of contamination increases from what we are encountering onsite presently. Bid item *0199 Removal of Contaminated Soil* was reduced \$200,000 to show that the new bid item 0243 is not anticipated to be a change to the project cost and will likely lead to a project deduct. The attached Change Order 11 Unit Price Schedule dated 8/25/2016 shows the detail. There is no schedule change associated with this change item.

4. **Storm Structure ST-8 Cover** – The City of Fargo’s existing temporary, mobile pump to be installed in the ST-8 manhole could not be utilized. After further input from the City of Fargo’s Public Works and Wastewater Utility Departments, the overflow connection from SS-1 was revised. The ST8.1 manhole cover was revised to allow safer and easier access to the overflow pipes within the ST8.1 manhole during an emergency rainfall event. HMG has reviewed this cost and finds it acceptable. The total net cost for this change item is \$2,748.35. There is no schedule change associated with this change item.
5. **Impressed Concrete Modification** – Add bid item 0245 F&I Impressed 6” Thick Reinf Conc for a square yardage cost of \$252.00. Currently only 1 square yard of this bid item is planned. This bid item was required with revisions being made to the plaza area in the northeast corner of 2nd Street N and 1st Ave North. The attached Change Order 11 Unit Price Schedule dated 8/25/2016 shows the price increase and decrease. There is no schedule change associated with this change item.
6. **Administrative – Accounting Change** – The Contractor requested that a minor modification be made to the bid item list to correct for an accounting discrepancy. The change includes adding \$511.05 into the Contract under Bid Item 009 and reducing the cost added to Bid Item 0233 Differing Subsurface Condition by \$511.05 as described in item 1 above. This change item has no cost or schedule impact.
7. **Administrative – Owner’s Rep and Engineer Roles and Responsibilities Change** – Members of the Diversion Authority requested that slight modifications be made regarding the roles and responsibilities of the Owner’s Representative (CH2M) and Engineer (HMG). These changes were put in place to increase efficiency and clarify roles and responsibilities. The attached change order provides changes to the 42F.1S Construction Contract Documents to contractually obligate the Contractor to follow these changes. There is no cost or schedule impact associated with this change item.

#### ATTACHMENT(S):

1. Change Order No. 11
2. Contractor’s Change Proposal Dated 8/10/2016 (Differing Subsurface Conditions – July Removals)
3. Contractor’s Change Proposal Dated 8/2/2016 (Repair Storm Manholes)
4. Contractor’s Change Proposal Dated 8/10/2016 (Contaminated Soils Removal)
5. Contractor’s Change Proposal Dated 8/10/2016 (Storm Structure ST-8 Cover)
6. Contractor’s Change Proposal Dated 8/15/2016 (Impressed Concrete Modification)

**Submitted by:**



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John Glatzmaier, P.E.  
CH2M  
Project Manager  
Metro Flood Diversion Project

August 17, 2016

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Date

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Keith Berndt, Cass County Administrator  
Concur: August 19, 2016 Non-Concur: \_\_\_\_\_

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

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Mark Bittner, Fargo Director of Engineering  
Concur: August 17, 2016 Non-Concur: \_\_\_\_\_

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Jason Benson, Cass County Engineer  
Concur: August 17, 2016 Non-Concur \_\_\_\_\_

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David Overbo, Clay County Engineer  
Concur: August 17, 2016 Non-Concur: \_\_\_\_\_

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Robert Zimmerman, Moorhead City Engineer  
Concur: August 17, 2016 Non-Concur \_\_\_\_\_

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Nathan Boerboom, Diversion Authority Project  
Manager  
Concur: August 17, 2016 Non-Concur: \_\_\_\_\_