

METRO FLOOD DIVERSION AUTHORITY

AGENDA

Thursday, May 23, 2019

3:30 PM

Fargo City Commission Chambers
Fargo City Hall
225 4th Street North

1. Call to order
2. Approve minutes from previous meeting Item 2. Action
3. Approve order of agenda Action
4. Management Information
 - a. PMC report
5. Administrative/Legal Information/action
 - a. Renewal and extension of Wells Fargo loans Item 5a.
6. Public Outreach Information
 - a. Committee report
 - b. Business Leaders Task Force update
7. Land Management Information/action
 - a. Committee report
 - b. Property status report Item 7b.
 - c. Ag Impact Study – Realignment of storage area Item 7c.
8. Finance Information/action
 - a. Financial report Item 8a.
 - b. Voucher approval Item 8b.
 - c. Recommended contracting actions Item 8c.
9. Other Business
10. Next Meeting – June 13, 2019
11. Adjournment

cc: Local Media

**METRO FLOOD DIVERSION AUTHORITY
APRIL 25, 2019—3:30 PM**

1. MEETING TO ORDER

A meeting of the Metro Flood Diversion Authority was held Thursday, April 25, 2019, at 3:30 PM in the Fargo City Commission Chambers with the following members present: Cass County Commissioner Mary Scherling via conference call; Cass County Commissioner Chad Peterson; Cass County Commissioner Rick Steen; Fargo City Mayor Tim Mahoney; Fargo City Commissioner Tony Grindberg; Fargo City Commissioner Dave Piepkorn; Moorhead City Mayor Johnathan Judd; Moorhead City Council Member Chuck Hendrickson; Moorhead City Council Member Joel Paulsen; Clay County Commissioner Kevin Campbell; Clay County Commissioner Grant Weyland; Cass County Joint Water Resource District Chairman Dan Jacobson; and West Fargo City Commissioner Mike Thorstad. Cass County Joint Water Resource District Manager Rodger Olson was absent.

2. MINUTES APPROVED

MOTION, passed

Mr. Steen moved and Mr. Peterson seconded to approve the minutes from the March 28, 2019, meeting as presented. Motion carried.

3. AGENDA ORDER

MOTION, passed

Mr. Steen moved and Mr. Hendrickson seconded to approve the order of the agenda. Motion carried.

4. MANAGEMENT UPDATE

Kim Daily from Jacobs provided an update on activities and accomplishments over the last month, which include the partial lifting of the federal injunction, allowing for work on USACE projects and the Public-Private Partnership (P3); coordination with the Buffalo-Red River Watershed District on review of the permit application; work with the ND Legislature on funding; submission of a revised CLOMR to FEMA; continuation of the land acquisition process; and development of the scopes for the next phases of Ag Impacts and Flowage Easement studies.

Priorities include initiating review of the financial plan with technical and financial advisors; coordinating with USACE on commencement of inlet structure construction; continuing discussions with local and state permitting agencies; requesting an extension for a State Water Commission permit for construction; awarding WP-50A (rural structure removals); and continuing with land acquisitions and appraisals for remaining property for the channel.

The project cost-to-date is \$458 million, and \$14.7 million has been spent out of the FY2019 first quarter cash budget of \$8.5 million. More work was completed during the first quarter than previously anticipated; the quarter one budget figures will be rolled into the full FY2019 cash budget.

5. PUBLIC OUTREACH UPDATE

Committee report

The Public Outreach Committee met on April 24th.

Rocky Schneider of AE2S said an educational tour opportunity to see the Red River Floodway in Winnipeg has been postponed. The tour will offer participants a chance to see the floodway in operation.

Mr. Schneider said a new “3 Questions” video with USACE Lieutenant General Semonite was recorded and posted on the website.

Business Leaders Task Force

Mr. Nisbet said he was proud of the engagement of the Business Leaders Task Force during the legislative session as an additional \$480 million in funding was secured over the past few months.

6. LAND MANAGEMENT

The Land Management Committee met on April 24th. Mr. Schneider discussed the Property Acquisition Status Report map, which is updated monthly and shows the acquisition status of all parcels required for the project.

Mr. Campbell said almost all the land needed for the inlet structure and the Wild Rice inlet have been secured.

7. FINANCE UPDATE

Committee report

The Finance Committee met on April 24th. Mr. Grindberg reviewed the financial report and said the net cash position is \$83,765,213.

FY2019 full cash budget

Michael Redlinger, Co-Executive Director and Assistant Fargo City Administrator, said the full FY2019 cash budget was reviewed and approved by the Finance Committee.

MOTION, passed

Mr. Grindberg moved and Mr. Steen seconded to approve the FY2019 Cash Budget as presented. Discussion: Mr. Steen said the cash budget does not reflect USACE project expenditures. Martin Nicholson of Jacobs said the PMC will track all expenditures against the overall program budget.

Mr. Mahoney asked if P3 expenditures will appear in the budget. Mr. Nicholson said yes; P3 expenditures will appear as progress payments.

Mr. Piepkorn asked if full funding for the P3 is needed up front. Mr. Nicholson said the P3 is a single contract that is bid as annual payments for a 30-year period. Total payments will include the \$700 million progress payments plus the 30-year annual payments. The P3 developers will look for assurance that the Diversion Authority can cover the payments. Attorney John Shockley said specifics on the financial plan will be determined over the next 60-90 days.

Mr. Piepkorn asked if the P3 payments can be paid off early if additional funding is secured. Mr. Shockley said the ability to pre-pay will be worked through during the procurement. Public debt is also a priority to pay off early if funds are available.

On roll call vote, the motion carried unanimously.

Voucher approval

The bills for the month are Cass County Joint Water Resource District (CCJWRD) for costs associated with the Metro Flood Diversion, OHB levee, and in-town levees; Dorsey & Whitney for legal services; and Ohnstad Twichell, P.C. for legal services.

MOTION, passed

Mr. Grindberg moved and Mr. Steen seconded to approve the vouchers received through April 18, 2019, in the amount of \$1,006,160.10. On roll call vote, the motion carried unanimously.

PMC Task Order No. 2

Mr. Redlinger said Task Order 2, Amendment 3, extends the period of performance for the PMC to May 24, 2019, to allow time to shape Task Order 5, which is the successor task order.

The Finance Committee recommends approval.

MOTION, passed

Mr. Grindberg moved and Mr. Steen seconded to approve PMC Task Order 2, Amendment 3, as presented. On roll call vote, the motion carried unanimously.

Mr. Grindberg left for the remainder of the meeting.

Mr. Piepkorn asked if contractors previously put on standby have been reactivated. Mr. Shockley said it is his understanding that the Corps contractor for the diversion inlet has been notified to recommence mobilization.

Ernst & Young Statement of Work

Mr. Shockley said a past work order with Ernst & Young has expired. Statement of Work 5, Amendment 0, assumes a full P3 start-up and will allow work to be completed on a new financial plan to incorporate recent funding updates.

Mr. Shockley said services are billed as requested, and this work order is included in the FY2019 budget. Hourly rates have not changed from last year and rates are consistent with the market.

The Finance Committee recommends approval.

MOTION, passed

Mr. Steen moved and Mr. Peterson seconded to approve Ernst & Young Statement of Work 5, Amendment 0, as presented. On roll call vote, the motion carried unanimously.

2019 Braun Intertec Corporation billing rates

Ms. Daily said the Braun Intertec rate increase was tabled at the March Finance Committee meeting with a request for justification on the rate increase, to which Braun Intertec provided a letter. Braun Intertec has not received a rate increase since 2017 while increasing employee wages and benefits annually, in addition to the increased costs of goods and services.

The Finance Committee recommends approval.

MOTION, passed

Mr. Steen moved and Mr. Jacobson seconded to approve the Braun Intertec 2019 rate increase as presented. Discussion: Mr. Paulsen asked if there should be a policy to escalate yearly rate increases based on a benchmark as the requests are frequent; and if contractor increases are included in the overall program budget. Ms. Daily said escalations for contractor rate increases are included in the overall program budget, and each entity is allowed to request an annual rate increase as outlined in each contract.

Mr. Campbell said he assumes all contracted services were initially bid out and at what point services must be re-bid. Ms. Daily said typically when procuring consultant services the initial rates are negotiated based on qualifications; subsequent rate increases must be requested and approved.

On roll call vote, the motion carried unanimously.

Mr. Mahoney said perhaps the Finance Committee could have a discussion on a policy for contractor rate increases. Mr. Redlinger said the topic can be discussed by the Finance Committee, and if there is a desire from the board to streamline the process for administrative review that could be discussed going forward.

8. OTHER BUSINESS, Task Orders 5 and 6

Mr. Redlinger discussed Task Order No. 5 for the continuation of Program Management services, which will include the P3 scope and activities related to the partial lifting of the federal injunction. It will be brought for approval at the May meeting.

Mr. Shockley discussed Task Order No. 6, which pertains to the PMC role in regards to the P3 procurement. The intent is to present a draft of the task order in June.

9. NEXT MEETING DATE

The next meeting is scheduled for Thursday, May 9, 2019. The meeting will be cancelled if there are no contracting actions, and the board would then meet on Thursday, May 23, 2019.

10. EXECUTIVE SESSION

North Dakota state law allows the Board to meet in private session to consult with legal counsel to discuss ongoing litigation.

MOTION, passed

Mr. Piepkorn moved and Mr. Peterson seconded that the Metro Flood Diversion Authority meet in executive session, as authorized by North Dakota Century Code § 44-04-19.1, subsections 2 and 9, to consult with its attorneys regarding the ongoing litigation in the matter of Richland/Wilkin JPA and MNDNR v. the United States Army Corps of Engineers and Fargo Moorhead Flood Diversion Authority as Intervenor, Civil File No. 0:13-cv-02262-JRT-LIB. Motion carried.

Diversion Authority Board members and key administrative staff moved to the River Room at 4:06 PM.

The executive session ended at 4:45 PM, and the meeting was re-opened to the public.

11. ADJOURNMENT

MOTION, passed

On motion by Mr. Steen, seconded by Mr. Peterson, and all voting in favor, the meeting was adjourned at 4:47 PM.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING AND CONSENTING TO TERM SHEETS FROM WELLS
FARGO BANK, N.A., TO CASS COUNTY, NORTH DAKOTA
AND TO THE CITY OF FARGO, NORTH DAKOTA

WHEREAS, the Metro Flood Diversion Authority (the “Diversion Authority”) was created by a Joint Powers Agreement¹ (“JPA”), and pursuant to Section 11.03 of the JPA the Diversion Authority’s Board must consent and approve of the issuance of Debt Obligations² for the LPP Flood Risk Management Features and the Recreation Features as generally described in the Final Feasibility Report and Environmental Impact Statement, Fargo-Moorhead Metropolitan Area Flood Risk Management Project, dated July 2011 and approved by the Chief of Engineers on December 19, 2011, as amended by the Supplemental Environmental Assessment, Fargo-Moorhead Metropolitan Area Flood Risk Management Project, dated September 2013 and approved by the District Engineer, St. Paul District on September 19, 2013 (the “Project”); and

WHEREAS, the City of Fargo, North Dakota (the “City”) and Cass County, North Dakota (the “County”) previously determined it necessary to cooperate with each other with respect to obtaining interim financing for planning, design and the construction of the Project; and

WHEREAS, the County and the City desire to prepay outstanding County and City loans from Wells Fargo, N.A. (“Wells Fargo”) by borrowing \$200,000,000 from Wells Fargo, secured by the City 3-21 Sales Tax and the County 2010-2 Sales Tax, as applicable; and

WHEREAS, the County and the City have determined that the County will be the borrower of \$100,000,000 from Wells Fargo to extend the term of the County’s 2017 loan by an additional two (2) years, which constitutes a part of the Series C Interim Debt Obligation secured by a first lien on the County 2010-2 Sales Tax and a subordinate lien on the City 3-21 Sales Tax; and

WHEREAS, the County and the City have determined that the City will be the borrower of \$100,000,000 from Wells Fargo to extend the term of the City’s 2017 loan by an additional two (2) years, which constitutes a part of the Series C Interim Debt Obligation secured by a first lien on the City 3-21 Sales Tax and a subordinate lien on the County 2010-2 Sales Tax; and

WHEREAS the County and the City have received proposals and terms from Wells Fargo to extend the terms of the County’s and City’s 2017 loans; and

¹ The Agreement effective as of June 1, 2016, between the City of Moorhead, a political subdivision of the State of Minnesota; the City of Fargo, a political subdivision of the State of North Dakota; Clay County, a political subdivision of the State of Minnesota; Cass County, a political subdivision of the State of North Dakota; and Cass County Joint Water Resource District, a political subdivision of the State of North Dakota, to establish the duties, responsibilities and obligations of each party regarding the Project.

² Any loan, note, bond, or other security instrument issued by one or more of the Member Entities to provide either temporary or permanent financing of the Project.

WHEREAS, on May 6, 2019, the County’s governing body approved the Term Sheet by and between Wells Fargo and Cass County, North Dakota dated as of April 3, 2019 (“County Term Sheet”); and

WHEREAS, on May 6, 2019, the City’s governing body approved the Term Sheet by and between Wells Fargo and the City of Fargo, North Dakota dated as of April 3, 2019 (“City Term Sheet”); and

WHEREAS, the Diversion Authority has reviewed both the County Term Sheet and the City Term Sheet.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Diversion Authority:

Section 1. Approval and Consent of Wells Fargo Term Sheet with County. The Diversion Authority hereby consents and approves of the County Term Sheet, which is found and determined to be reasonable and advantageous and hereby accepted by the Diversion Authority. A copy of the County Term Sheet is attached hereto as **Exhibit A**.

Section 2. Approval and Consent of Wells Fargo Term Sheet with City. The Diversion Authority hereby consents and approves of the City Term Sheet, which is found and determined to be reasonable and advantageous and hereby accepted by the Diversion Authority. A copy of the City Term Sheet is attached hereto as **Exhibit B**.

Section 3. Authorization to Proceed. The Authorized Officers are hereby authorized and directed to proceed with the next steps to extend the terms of the 2017 loans from Wells Fargo according to the terms and conditions contained in the County Term Sheet and City Term Sheet.

Section 4. North Dakota Law Applies. This Resolution and any transactions contemplated herein will be controlled by the laws of the State of North Dakota.

Section 5. This Resolution shall take effect immediately upon adoption.

Adopted May 23, 2019.

**METRO FLOOD DIVERSION
AUTHORITY**

Mary Scherling, Chair
Diversion Authority Board

ATTEST:

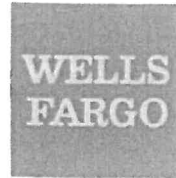
Heather Worden, Secretary

The motion for adoption of the foregoing resolution was duly seconded by Member _____, and upon roll call vote, the following Members voted in favor thereof:

_____. The following were absent and not voting:

_____. The following voted against the same: none. A majority of the Members having voted aye, the resolution was declared duly passed and adopted.

EXHIBIT A



April 3, 2019

Mr. Michael Montplaisir, CPA
County Auditor
Cass County
211 9th Street South
Fargo, ND 58103

Dear Mr. Montplaisir:

We are pleased to provide a Summary of Updated Terms and Conditions (“Term Sheet”) relating to the extension of the Maturity Date, as defined in the Loan Agreement dated as of July 1, 2017 (the “Existing Loan Agreement”), by and between the County (as hereinafter defined) and the Bank (as hereinafter defined).

Other than the terms and conditions noted below, all other terms and conditions shall remain substantially consistent with the Related Documents (as defined in the Existing Loan Agreement).

Obligor: Cass County, North Dakota (the “County” or “Obligor”).

Lender: Wells Fargo Bank, National Association (“Wells Fargo” or the “Bank”).

Facility Amount: Up to \$100,000,000 in principal.

Purpose: Extension of the Maturity Date.

Term: Two years with maturity expected to be July 30, 2021 (the “Proposed Maturity Date”).

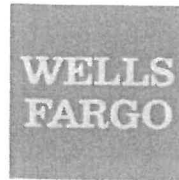
Security: Substantially similar to what is described in the Existing Loan Agreement.

Undrawn Fee: 15 bps

Interest Rate: The interest rate on the Loans will be reset monthly at 80% of One Month LIBOR plus an Applicable Spread of .47% (47 basis points)

At any time when One Month LIBOR is less than 0.0% One Month LIBOR shall be deemed to be 0.0% for purposes of calculating the Interest Rate.

The definitions in the Existing Loan Agreement relating to LIBOR will be amended to reflect the Bank’s standard definitions of such terms.



Downgrade Pricing:

The Applicable Spread and Undrawn Fee are subject to the maintenance of the current ratings assigned to the long term, General Obligation debt of the Obligor. The Applicable Spread and Undrawn Fee will be increased upon each downgrade of any Parity Debt below its current ratings of Aa1 by Moody's by the additional basis points reflected below:

Credit Rating (Moody's/S&P/Fitch)	Undrawn Fee Adjustment	Applicable Spread Adjustment
Aa3 or above/AA- or above	+0bps	+0bps
A1/A+	+5bps	+10bps
A2/A	+10bps	+15bps
A3/A-	+15bps	+25bps
Baa1/BBB+ or below	+25bps	+35bps

Tax Treatment:

Interest on the Loan shall be excludable from gross income for federal income tax purposes. The Obligor shall take all steps necessary to maintain such tax exempt status for the Loan. The Bank shall be provided an opinion of tax counsel satisfactory to the Bank which concludes that interest on the Loan is excludable from gross income for federal income tax purposes.

Other Fees:

Usual and customary for this type of financing, including amendment fees, termination fees and attorney's fees.

Margin Rate Factor:

The Interest Rate will be subject to adjustment by a Margin Rate Factor. The Margin Rate Factor means the greater of (i) 1.0, and (ii) the product of (a) one minus the prevailing Maximum Federal Corporate Tax Rate multiplied by (b) the quotient of (A) one divided by (B) (1) one minus (2) the Maximum Federal Corporate Tax Rate at closing. The effective date of any change in the Margin Rate Factor shall be the effective date of the decrease or increase (as applicable) in the Maximum Federal Corporate Tax Rate resulting in such change.

The Maximum Federal Corporate Tax Rate is currently 21% such that the current Margin Rate Factor equals 1.0. The Margin Rate Factor will not go below 1.0.



Conditions Precedent to Closing:

Substantially similar to what is set forth in the Existing Loan Agreement but considerably more narrow for execution of an amendment to the Existing Loan Agreement.

Reporting Requirements:

Substantially similar to the requirements set forth in the Existing Loan Agreement; *provided* the Bank will remove the requirement to confirm that the Sales Tax Revenues collected (from the State) and available to pay interest on the County Loan equaled or exceeded 200% of said interest (Section 5.03 (c)).

Taxability:

In the event a determination of taxability shall occur, in addition to the amounts required to be paid with respect to the Loan under the Related Documents, the County shall be obligated to pay to the Bank an amount equal to a) the positive difference, if any, between the amount of interest that would have been paid during the period of taxability if the Loan had borne interest at the Taxable Rate and the interest actually paid to the Bank as the owner of the Loan and b) any payments, including any taxes, interest, penalties or other charges, such Bondholder (or Beneficial Owner) or former Bondholder (or Beneficial Owner) shall be obligated to make as a result of the determination of taxability.

Taxable Rate:

The product of (i) the Interest Rate and (ii) one divided by one minus the prevailing Maximum Federal Corporate Tax Rate in effect on the date of calculation.

Bank Counsel Fee:

Estimated at \$15,000 for the proposed renewal structure.

Fees and expenses payable to Bank counsel may be increased if the transaction is not closed within 60 days, the security and/or structure of the transaction changes materially, or if other complexities develop once documentation has commenced.

Confidentiality:

This Term Sheet is confidential and proprietary, and terms herein may not be disclosed without our prior written consent, except to your professional advisors in connection with this Financing who agree to be bound by such confidentiality requirements, or as may be required by law.

Notwithstanding anything herein to the contrary, any party hereto may disclose to any and all persons, without limitation of any kind the tax treatment or tax structure of this transaction. Furthermore, the parties to this transaction may disclose, as required by federal or state laws, any information as required to comply with such federal or state laws.



Unless this term sheet is earlier rescinded, it shall expire automatically without further action or notice by the Bank 30 days from the date thereof.

Please be advised that the transaction described herein between Wells Fargo and you is a bank-purchased bond transaction ("Direct Purchase") or Loan and a product offering of Wells Fargo Bank, N.A. ("WFBNA") or Wells Fargo Municipal Capital Strategies, LLC, a subsidiary of WFBNA ("WFMCS"), as purchaser/investor ("Purchaser"). Wells Fargo Securities will not participate in any manner in any Direct Purchase or Loan transaction between you and Purchaser, and Wells Fargo employees involved with a Direct Purchase or Loan transaction are not acting on behalf of or as representatives of Wells Fargo Securities. Information contained in this document or provided to you regarding Direct Purchase or Loan is for discussion purposes only in anticipation of engaging in arm's length commercial transactions with you in which Purchaser would be acting solely as a principal to purchase securities from you or a conduit issuer (in the case of a conduit transaction), and not as a municipal advisor, financial advisor or fiduciary to you or any other person or entity regardless of whether Purchaser, or an affiliate has or is currently acting as such on a separate transaction. Additionally, Purchaser has financial and other interests that differ from your interests. Any information relating to a Direct Purchase or Loan transaction is being provided to you pursuant to and in reliance on the bank exemption under the municipal advisor rules ("Muni Advisor Rules") of the Securities and Exchange Commission ("SEC") or the SEC's guidance in its Registration of Municipal Advisors Frequently Asked Questions and Answers dated May 19, 2014 and the general information exclusion to advice under the Muni Advisor Rules. Purchaser will not have any duty or liability to any person or entity in connection with the information provided herein.

In submitting this proposal (a) Wells Fargo Bank, N.A. ("Wells Fargo") is not acting as an advisor to Cass County, North Dakota (the "County") and does not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to the County with respect to the information and material contained in this proposal; (b) Wells Fargo is acting for its own interests; and (c) the County should discuss any information and material contained in this proposal with any and all internal or external advisors and experts that it deems appropriate before acting on this information or material.

Best Regards,

A handwritten signature in black ink that reads "Thomas M. Harkless".

Thomas Harkless
Senior Vice President
Wells Fargo Bank, N.A.

EXHIBIT B



April 3, 2019

Mr. Kent Costin
Director of Finance
City of Fargo
225 4th St N
Fargo, ND 58102

Dear Mr. Costin:

We are pleased to provide a Summary of Updated Terms and Conditions ("Term Sheet") relating to the extension of the Maturity Date, as defined in the Loan Agreement dated as of July 1, 2017 (the "Existing Loan Agreement"), by and between the City (as hereinafter defined) and the Bank (as hereinafter defined).

Other than the terms and conditions noted below, all other terms and conditions shall remain substantially consistent with the Related Documents (as defined in the Existing Loan Agreement).

Obligor: City of Fargo, North Dakota (the "City" or "Obligor").

Lender: Wells Fargo Bank, National Association ("Wells Fargo" or the "Bank").

Facility Amount: Up to \$100,000,000 in principal.

Purpose: Extension of the Maturity Date.

Term: Two years with maturity expected to be July 30, 2021 (the "Proposed Maturity Date").

Security: Substantially similar to what is described in the Existing Loan Agreement.

Undrawn Fee: 15 bps

Interest Rate: The interest rate on the Loans will be reset monthly at 80% of One Month LIBOR plus an Applicable Spread of .40% (40 basis points)

At any time when One Month LIBOR is less than 0.0% One Month LIBOR shall be deemed to be 0.0% for purposes of calculating the Interest Rate.

The definitions in the Existing Loan Agreement relating to LIBOR will be amended to reflect the Bank's standard definitions of such terms.



Downgrade Pricing:

The Applicable Spread and Undrawn Fee are subject to the maintenance of the current ratings assigned to the long term, General Obligation debt of the Obligor. The Applicable Spread and Undrawn Fee will be increased upon each downgrade of any Parity Debt below its current ratings of Aa1 by Moody's by the additional basis points reflected below:

Credit Rating (Moody's/S&P/Fitch)	Undrawn Fee Adjustment	Applicable Spread Adjustment
Aa2 or above/AA or above	+0bps	+0bps
Aa3/AA	+5bps	+7.5bps
A1/A+	+5bps	+10bps
A2/A	+10bps	+15bps
A3/A-	+15bps	+25bps
Baa1/BBB+ or below	+25bps	+35bps

Tax Treatment:

Interest on the Loan shall be excludable from gross income for federal income tax purposes. The Obligor shall take all steps necessary to maintain such tax exempt status for the Loan. The Bank shall be provided an opinion of tax counsel satisfactory to the Bank which concludes that interest on the Loan is excludable from gross income for federal income tax purposes.

Other Fees:

Usual and customary for this type of financing, including amendment fees, termination fees and attorney's fees.

Margin Rate Factor:

The Interest Rate will be subject to adjustment by a Margin Rate Factor. The Margin Rate Factor means the greater of (i) 1.0, and (ii) the product of (a) one minus the prevailing Maximum Federal Corporate Tax Rate multiplied by (b) the quotient of (A) one divided by (B) (1) one minus (2) the Maximum Federal Corporate Tax Rate at closing. The effective date of any change in the Margin Rate Factor shall be the effective date of the decrease or increase (as applicable) in the Maximum Federal Corporate Tax Rate resulting in such change.

The Maximum Federal Corporate Tax Rate is currently 21% such that the current Margin Rate Factor equals 1.0. The Margin Rate Factor will not go below 1.0.



Conditions Precedent To Closing:

Substantially similar to what is set forth in the Existing Loan Agreement but considerably more narrow for execution of an amendment to the Existing Loan Agreement.

Reporting Requirements:

Substantially similar to the requirements set forth in the Existing Loan Agreement; *provided* the Bank will remove the requirement to confirm that the Sales Tax Revenues collected (from the State) and available to pay interest on the County Loan equaled or exceeded 200% of said interest (Section 5.03 (c)).

Taxability:

In the event a determination of taxability shall occur, in addition to the amounts required to be paid with respect to the Loan under the Related Documents, the City shall be obligated to pay to the Bank an amount equal to a) the positive difference, if any, between the amount of interest that would have been paid during the period of taxability if the Loan had borne interest at the Taxable Rate and the interest actually paid to the Bank as the owner of the Loan and b) any payments, including any taxes, interest, penalties or other charges, such Bondholder (or Beneficial Owner) or former Bondholder (or Beneficial Owner) shall be obligated to make as a result of the determination of taxability.

Taxable Rate:

The product of (i) the Interest Rate and (ii) one divided by one minus the prevailing Maximum Federal Corporate Tax Rate in effect on the date of calculation.

Bank Counsel Fee:

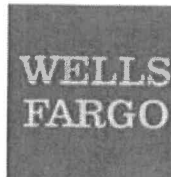
Estimated at \$15,000 for the proposed structure.

Fees and expenses payable to Bank counsel may be increased if the transaction is not closed within 60 days, the security and/or structure of the transaction changes materially, or if other complexities develop once documentation has commenced.

Confidentiality:

This Term Sheet is confidential and proprietary, and terms herein may not be disclosed without our prior written consent, except to your professional advisors in connection with this Financing who agree to be bound by such confidentiality requirements, or as may be required by law.

Notwithstanding anything herein to the contrary, any party hereto may disclose to any and all persons, without limitation of any kind the tax treatment or tax structure of this transaction. Furthermore, the parties to this transaction may disclose, as required by federal or state laws, any information as required to comply with such federal or state laws.



Unless this Term Sheet is earlier rescinded, it shall expire automatically without further action or notice by the Bank 30 days from the date thereof.

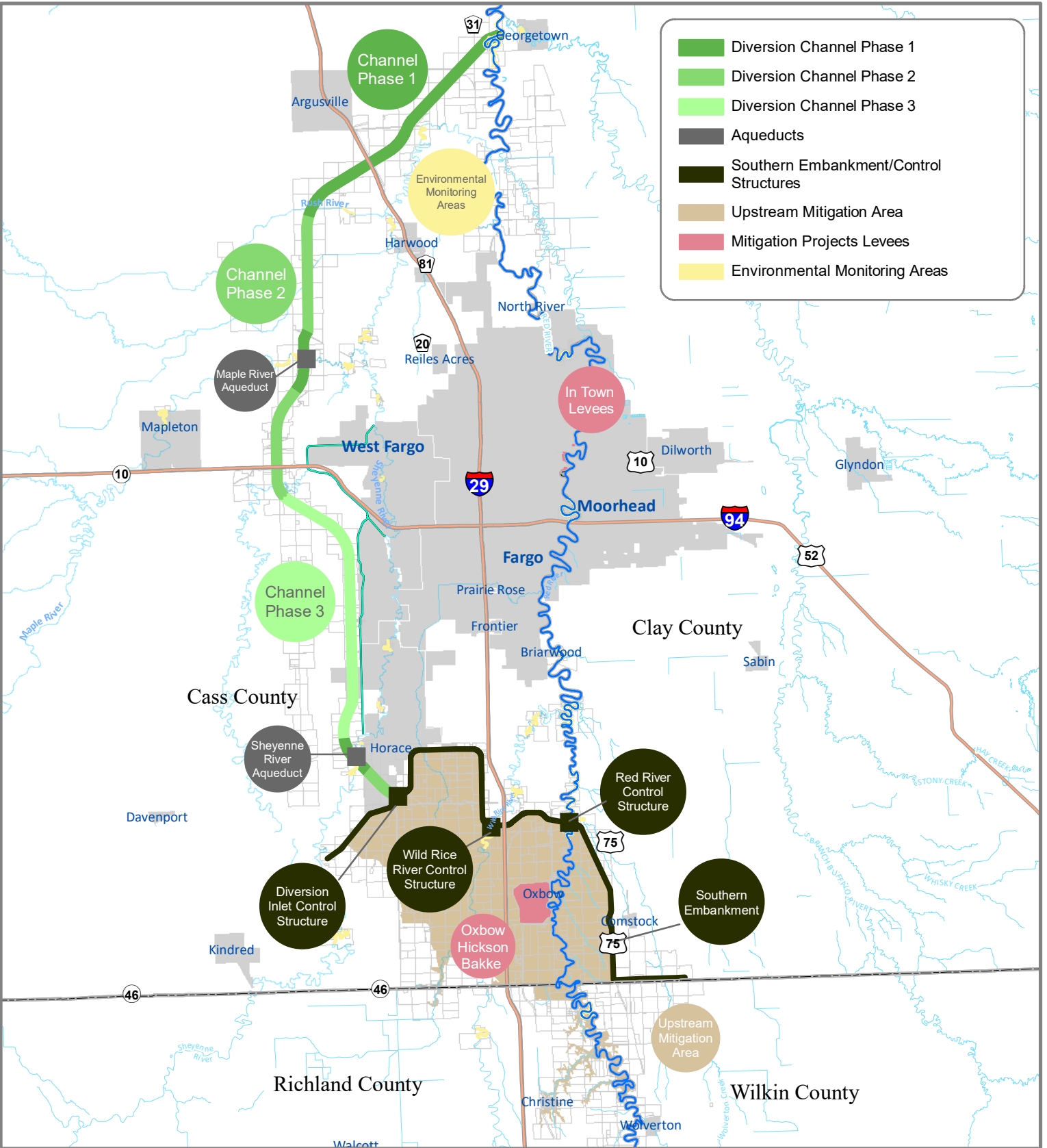
Please be advised that the transaction described herein between Wells Fargo and you is a bank-purchased bond transaction ("Direct Purchase") or Loan and a product offering of Wells Fargo Bank, N.A. ("WFBNA") or Wells Fargo Municipal Capital Strategies, LLC, a subsidiary of WFBNA ("WFMCS"), as purchaser/investor ("Purchaser"). Wells Fargo Securities will not participate in any manner in any Direct Purchase or Loan transaction between you and Purchaser, and Wells Fargo employees involved with a Direct Purchase or Loan transaction are not acting on behalf of or as representatives of Wells Fargo Securities. Information contained in this document or provided to you regarding Direct Purchase or Loan is for discussion purposes only in anticipation of engaging in arm's length commercial transactions with you in which Purchaser would be acting solely as a principal to purchase securities from you or a conduit issuer (in the case of a conduit transaction), and not as a municipal advisor, financial advisor or fiduciary to you or any other person or entity regardless of whether Purchaser, or an affiliate has or is currently acting as such on a separate transaction. Additionally, Purchaser has financial and other interests that differ from your interests. Any information relating to a Direct Purchase or Loan transaction is being provided to you pursuant to and in reliance on the bank exemption under the municipal advisor rules ("Muni Advisor Rules") of the Securities and Exchange Commission ("SEC") or the SEC's guidance in its Registration of Municipal Advisors Frequently Asked Questions and Answers dated May 19, 2014 and the general information exclusion to advice under the Muni Advisor Rules. Purchaser will not have any duty or liability to any person or entity in connection with the information provided herein.

In submitting this proposal (a) Wells Fargo Bank, N.A. ("Wells Fargo") is not acting as an advisor to The City of Fargo, North Dakota (the "City") and does not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to the City with respect to the information and material contained in this proposal; (b) Wells Fargo is acting for its own interests; and (c) the City should discuss any information and material contained in this proposal with any and all internal or external advisors and experts that it deems appropriate before acting on this information or material.

Best Regards,

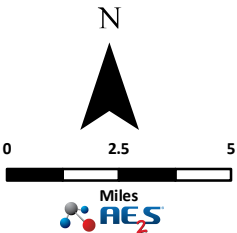
A handwritten signature in black ink that reads "Thomas Harkless".

Thomas Harkless
Senior Vice President
Wells Fargo Bank, N.A.



- Diversion Channel Phase 1
- Diversion Channel Phase 2
- Diversion Channel Phase 3
- Aqueducts
- Southern Embankment/Control Structures
- Upstream Mitigation Area
- Mitigation Projects Levees
- Environmental Monitoring Areas

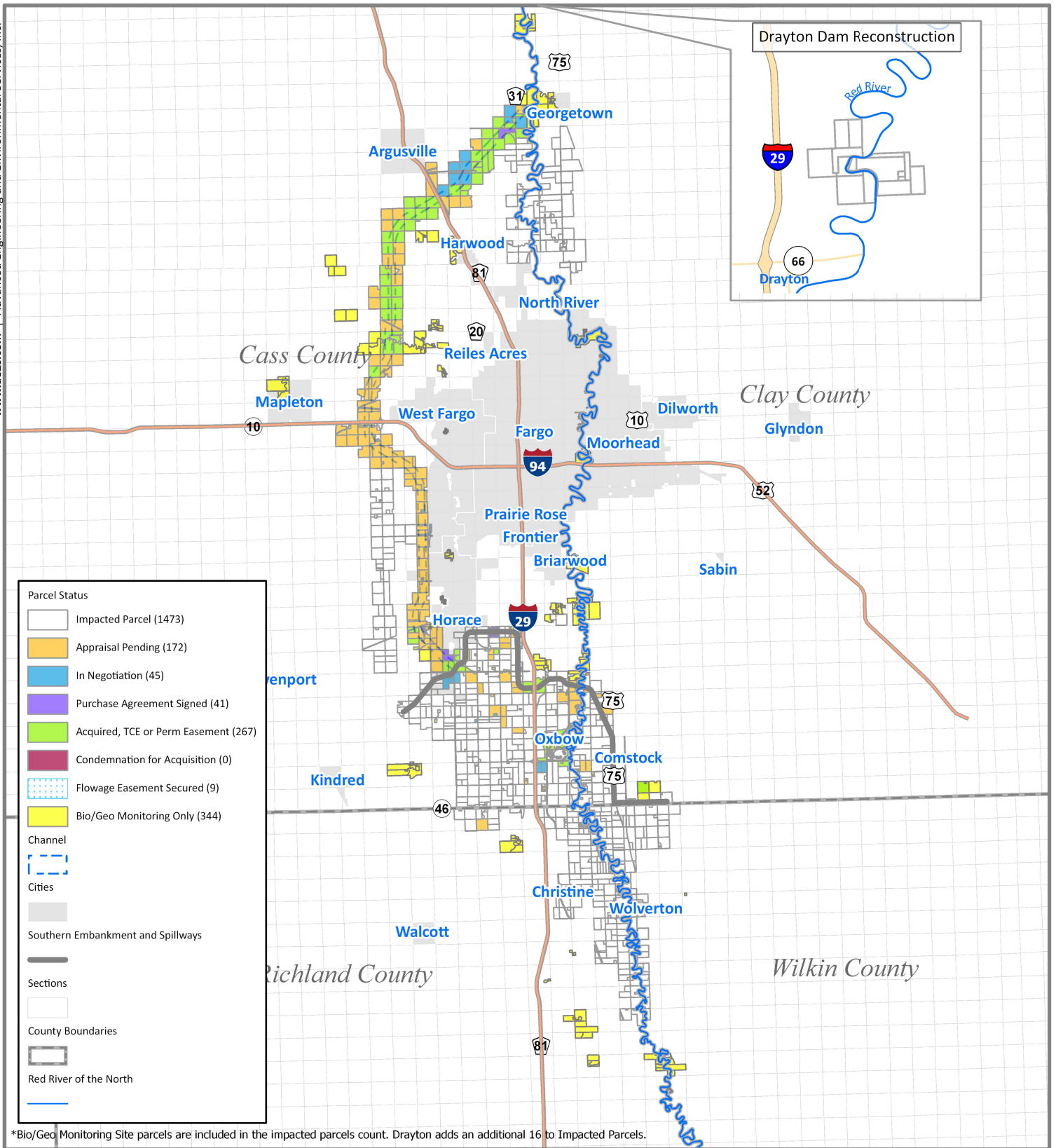
Any reliance upon this map is at user's own risk. AE2S does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use. All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey. Coordinate System: NAD 1983 UTM Zone 14N | Edited by: cwickenheiser
 C:\Data\Projects\GIS\Projects\FM Area Diversion\Projects\Land Acquisition\Project Work Package\Project Wide\Overall LA Maps\PropertyAcquisitionSevenPhaseMap8x11.mxd



FM AREA DIVERSION KEY ACQUISITION AREAS

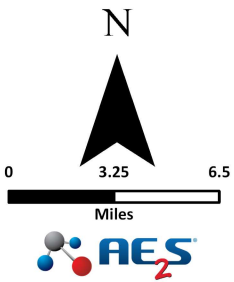
Map Date: 5/13/2019





*Bio/Geo Monitoring Site parcels are included in the impacted parcels count. Drayton adds an additional 16 to Impacted Parcels.

Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
Edited by: cwickenheiser | C:\Data\Projects\GIS Projects\FM Area Diversion\FMDiversionParcelStatus.aprx



PROPERTY ACQUISITION STATUS REPORT

Date: 5/13/2019



Cultural Mitigation Areas

Sheyenne River Site #1

(32-CS-201) Target Completion: Complete



3 parcels total

(Part of Channel Phase 1)

Phase 3 Cultural Mitigation (Excavation) planned for Summer 2019

North of Maple River Site

(32-CS-5139) Target Completion: TBD

**ON
HOLD**



3 parcels total

(Part of Channel Phase 1)

Phase 2 Cultural Investigation complete - ND SHPO Reviewing Report, results of South of Maple River Site may impact next step at this site.

Sheyenne River Site #2

(32-CS-5126) Target Completion: TBD

**ON
HOLD**



1 parcel total

(Part of Channel Phase 1)

Phase 2 Cultural Investigation ON HOLD pending results of Phase 3 work at Sheyenne River Site #1

South of Maple River Site

(32-CS-5127) Target Completion: Complete



3 parcels total

(Part of Channel Phase 1)

Phase 3 Cultural Mitigation (Excavation) planned for Summer 2019

Drain 14 Site

(32-CS-5135) Target Completion: Fall 2019



1 parcel total

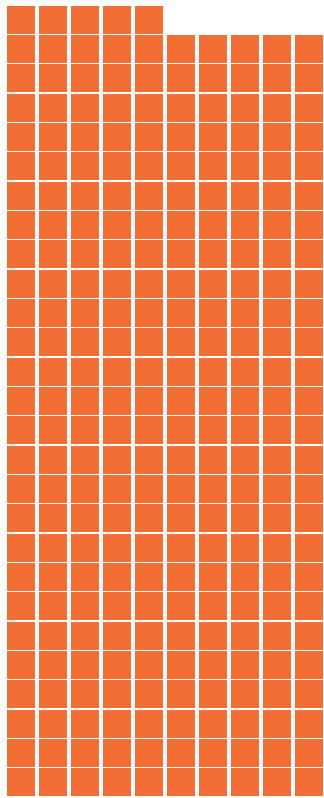
(Part of Channel Phase 2)

Phase 2 Cultural Investigation (Shovel Test) planned for Fall 2019

-  Appraisal Pending
-  In Negotiation
-  Agreement Signed
-  Acquired Parcel
-  Condemnation
-  Change from last report

Environmental Monitoring Areas (BIOGEO)

Cass County



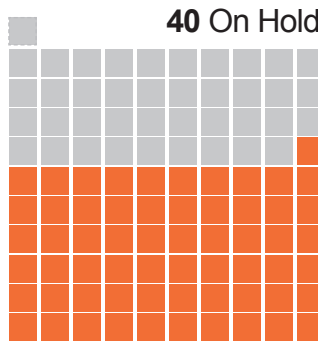
265 parcels total

Richland County



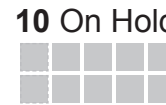
36 parcels total

Clay County



101 parcels total

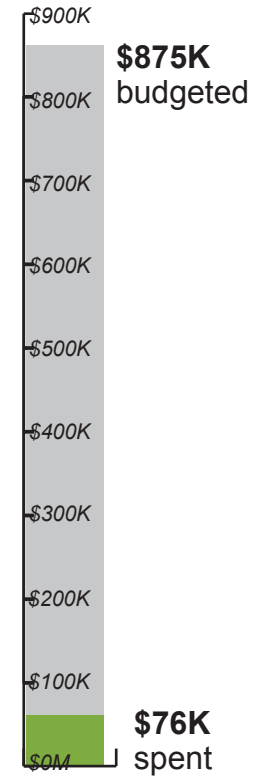
Wilkin County



10 parcels total

- ROE Sent
- ROE Granted
- USACE Easement Bounds In Work
- Preliminary COS In Work
- In Negotiations
- Bio/Geo Easement Secured
- Change from last report

Hard Costs paid to Property Owners



- Budgeted
- Purchase Agreement
- Spent

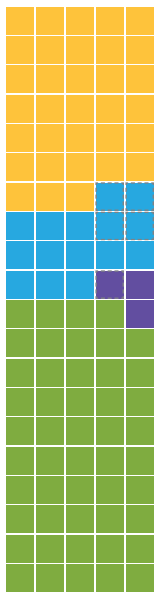
Diversion Channel



Phase 1

(WP LAP01)

Target Completion:
April 2020



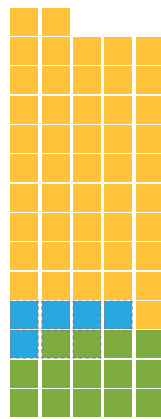
100 parcels total

- 33 Appraisal/MOU Pending
- 15 In Negotiation
- 3 Agreement Signed
- 49 Acquired Parcel
- 0 Condemnation
- Change from last report

Phase 2

(WP LAP02)

Target Completion:
April 2020



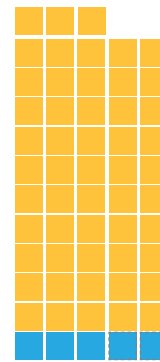
67 parcels total

- 46 Appraisal/MOU Pending
- 5 In Negotiation
- 2 Agreement Signed
- 14 Acquired Parcel
- 0 Condemnation
- Change from last report

Phase 3

(WP LAP03)

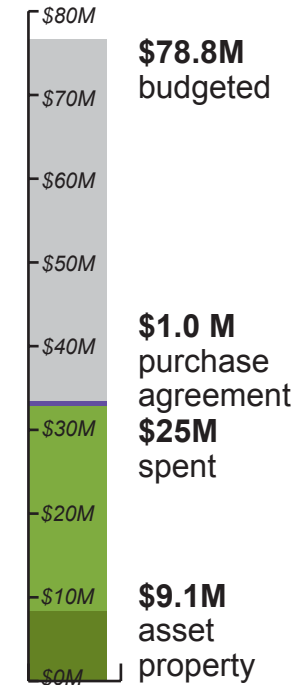
Target Completion:
April 2020



58 parcels total

- 53 Appraisal/MOU Pending
- 5 In Negotiation
- 0 Agreement Signed
- 0 Acquired Parcel
- 0 Condemnation
- Change from last report

Hard Costs paid to Property Owners



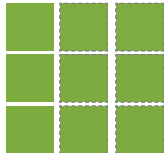
- Budgeted
- Purchase Agreement
- Spent
- Asset Property

Southern Embankment Control Structures

Diversion Inlet Control Structure

(WP 26)

Targeted Completion: Complete



9 parcels total

- Appraisal Pending
- In Negotiation
- Agreement Signed
- 9 Acquired Parcel
- Condemnation
- Change from last report

Wild Rice Control Structure

(WP 30)

Target Completion: TBD



4 parcels total

- 2 Appraisal Pending
- 0 In Negotiation
- 0 Agreement Signed
- 2 Acquired Parcel
- Changed from last report

Red River Control Structure

(WP 35)

Target Completion: TBD



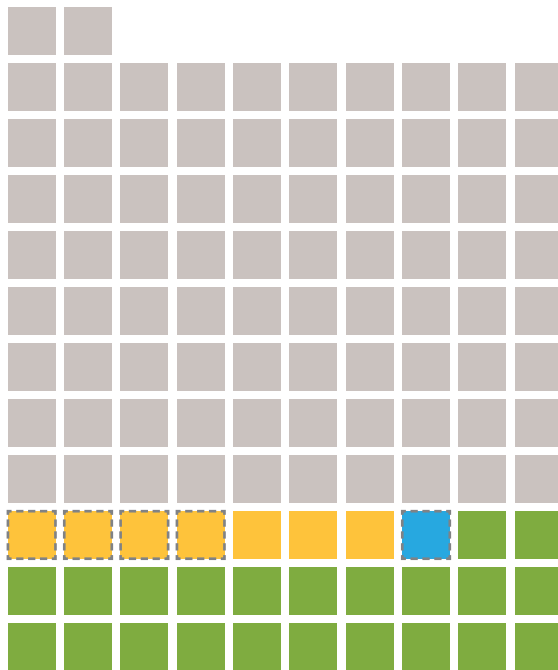
26 parcels total

- 11 Appraisal Pending
- 1 In Negotiation
- 1 Agreement Signed
- 13 Acquired Parcel
- Changed from last report

Southern Embankment

Southern Embankment

(WP Reach A-D and I29)
Targeted Completion: TBD

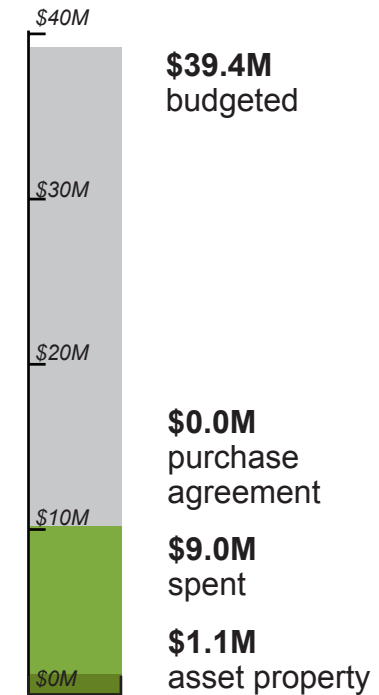


112 parcels total

- 7 Appraisal Pending
- 1 In Negotiation
- 0 Agreement Signed
- 22 Acquired Parcel
- Condemnation
- Change from last report

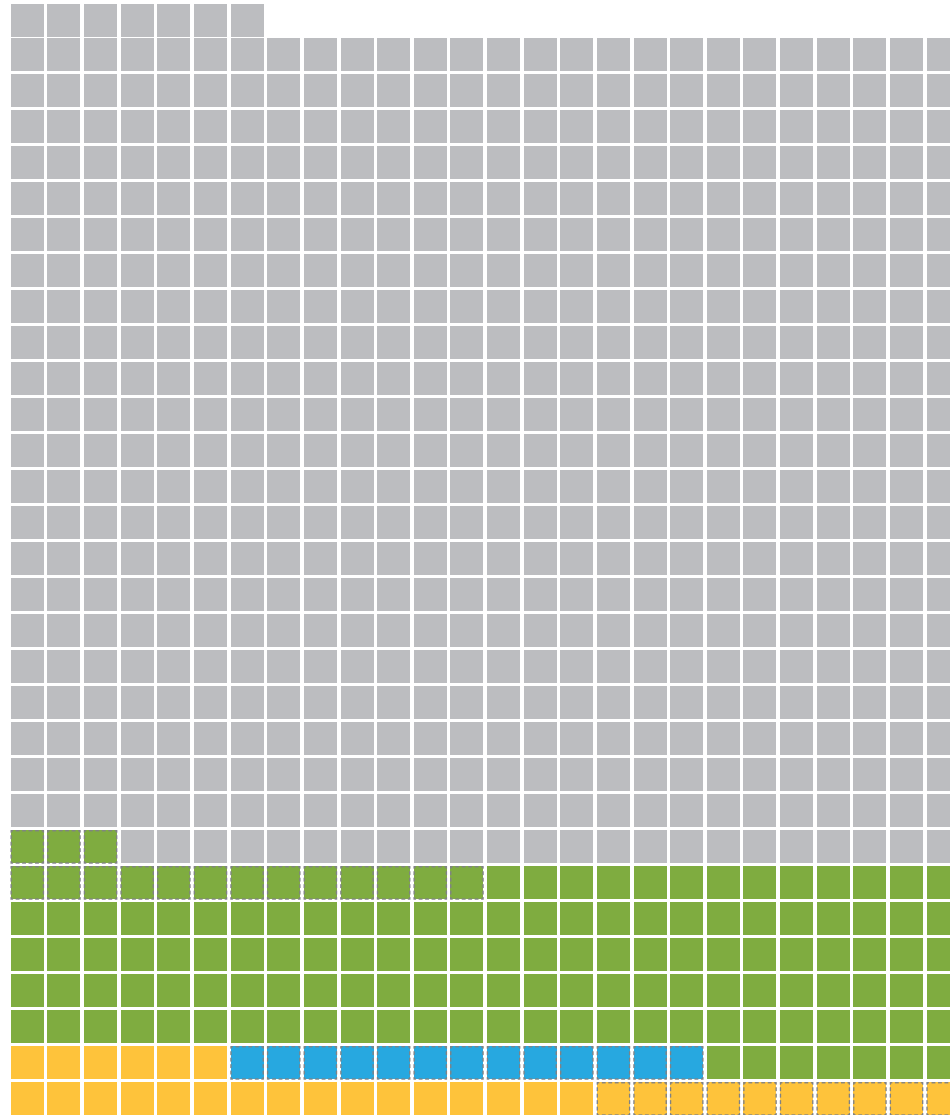
Southern Embankment & Control Structures

Hard Costs paid to Property Owners



- Budgeted
- Purchase Agreement
- Spent
- Asset Property

Upstream Mitigation Area (WP 38)

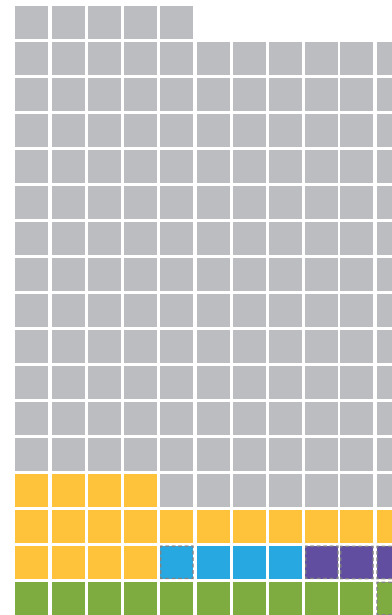


Approximately 787 parcels total

- 32 Appraisal Pending
- 13 In Negotiation
- 0 Agreement Signed
- 0 Condemnation
- 140 Flowage Easement Secured
- Changed

Flowage Easements without structures

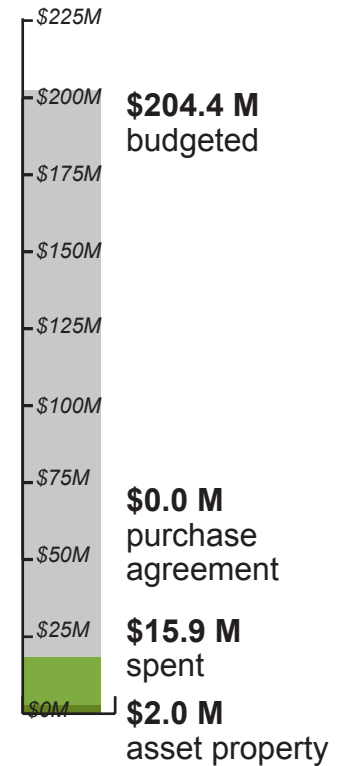
Structure Sites



Approximately 181 parcels total

- 19 Appraisal Pending
- 4 In Negotiation
- 3 Agreement Signed
- 11 Flowage Easement Secured
- Condemnation
- Changed

Hard Costs paid to Property Owners



- Budgeted
- Purchase Agreement
- Spent
- Asset Property

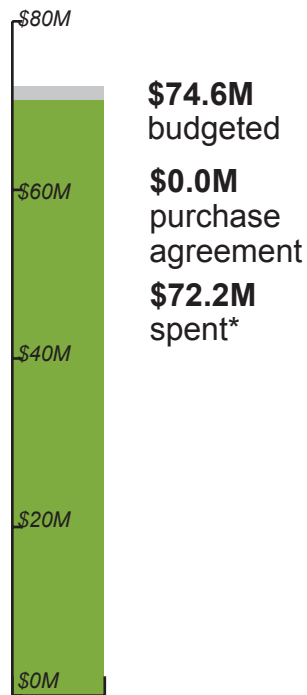
OHB Projects



OHB Ring Levee

WP 43

Hard Costs paid to Property Owners



24 parcels remaining

- 0 Appraisal Pending
- 11 In Negotiation
- 0 Agreement Signed
- 5 Acquired Parcel
- 0 Condemnation
- Changed from last report

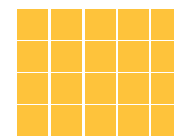
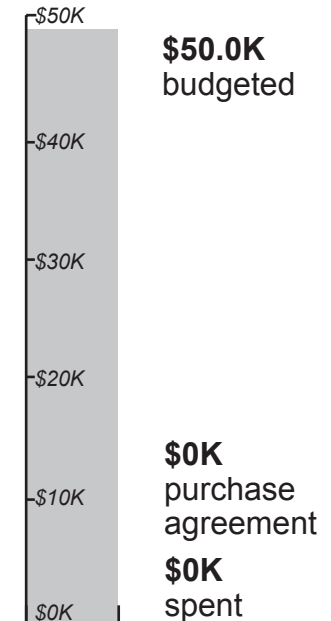
* Includes parcels purchased outside the OHB Ring Levee

- Budgeted
- Purchase Agreement
- Spent
- Asset Property

Hickson Main Ave ROW

WP 43D5

Hard Costs paid to Property Owners



20 parcels total

- 20 Appraisal Pending
- 0 In Negotiation
- 0 Agreement Signed
- 0 Acquired Parcel
- 0 Condemnation
- Changed from last report

- Budgeted
- Purchase Agreement
- Spent
- Asset Property

**Assessment of the Agricultural Risk
of Temporary Water Storage for FM Diversion:
Re-alignment of FM Diversion Storage Area**

Discussion for:

Fargo-Moorhead Diversion Authority

Principal Investigators

Dean Bangsund

Saleem Shaik, PhD

David Saxowsky

Department of Agribusiness and Applied Economics

Nancy Hodur, PhD

Center for Social Research

North Dakota State University

Fargo, ND 58108

May 2, 2019



Project Title: Revised Assessment of the Agricultural Risk of Temporary Water Storage for FM Diversion: Re-alignment of FM Diversion Storage Area

Introduction: The Department of Agribusiness and Applied Economics at North Dakota State University previously examined the potential economic effects of temporary water storage on crop yields on land affected by operation of the FM Diversion in two separate studies. The first study had a geographic scope defined by the FM Diversion Authority (Bangsund et al. 2015). The second study had an expanded geographic scope based on input from the North Dakota Legislature and the North Dakota State Water Commission (Bangsund et al. 2016). A third study was in progress when work associated with the Diversion was halted in Federal court. The Federal injunction and the work that followed changed the characteristics of water retention associated with the FM Diversion and rendered any potential outcomes from that study irrelevant.

Previous studies used hydrology data indicating the onset of flooding, duration of flooding, and the length of time for flood waters to recede on land south of the FM Diversion embankment. The geographic scope of the hydrology data has varied based on thresholds of flood inundation. The 2015 study used data that largely coincided with tracts of land that may experience 1 foot or more of flood water inundation in a 100-year event and omitted acreage along the rivers and tributaries in the storage area.

Concerns that the potential economic losses to producers and landowners resulting from operating the FM Diversion could extend to lands that receive less than one foot of flooding, prompted the North Dakota State legislature to direct the North Dakota State Water Commission to expand the original study area. The North Dakota State Legislature subsequently directed the study area to include lands impacted by water storage of six inches or more. Therefore, the geographic scope in the 2016 study included additional land farther upstream of the embankment that may experience 6 inches or more of inundation and included land along rivers and tributaries, which was omitted in the first assessment.

A stochastic model was used in the 2015 and 2016 studies to determine the additional potential planting delays caused by the operation of the FM Diversion in flood events equal to or larger than a 10-year flood. A Monte Carlo simulation used historical data on when floods typically occur, when planting generally begins, and yield decline functions associated with delayed planting to predict

economic effects associated with diversion operations. The previous studies revealed considerable variability in the potential range of economic losses, while the mean or average losses were generally modest. Variation in the economic losses makes generalizations of the potential economic losses difficult.

The predicted timing, duration and receding of flood waters on lands south of the FM Diversion embankment have undergone nearly continual refinement since the 2015 study as knowledge of project details improved and as additional topography, flowage, and hydraulic data became incorporated into the engineering processes.

The realignment of the FM Diversion embankment and changes to the operational aspects of temporary retention of flood waters necessitates conducting another evaluation of potential economic effects and risk to producers of delayed or prevented planting within the staging area. Hydraulic modeling is currently or will be soon submitted for Conditional Letter of Map Revision (CLOMR) approval, allowing for the use of engineering data that meets with FEMA approval in the economic study.

As the FM Diversion Authority and the US Army Corps of Engineers move towards negotiating easements on lands in the staging area, the processes used to estimate appropriate compensation necessitate the use of Federal Emergency Management Agency approved flood plain designations and project flooding. An expectation that easement values be based on the best available data suggest that the economic effects associated with delayed planting need to be re-assessed.

In a related issue to planting delays, businesses that supply production inputs and services to agricultural producers in the general region that encompasses the FM Diversion staging area have expressed concern about the effects of wide-spread prevent planting due to operation of the FM Diversion. The concern stems from the geographic footprint of the staging area being sufficiently large that foregone purchases of inputs could potentially create financial hardship on the agriculture service and supply sector.

While the concept of foregone purchases of inputs from land not farmed is relatively straightforward, the issue of predicting producer's choices relating to shifting/substituting crops or electing to take prevent planting options of Federal crop insurance instead of raising a crop are subject to myriad of factors. Recognizing that in the absence of a prevent plant option (i.e., Federal crop insurance provisions for prevent plant may not be available when floods are considered man made), producers will be reluctant to idle land.

The current treatment of prevent planting in the economic model works on the premise that producers will choose to substitute crops, if possible, before electing to forgo raising a crop. Under the existing framework and over the flood events modeled, previous evaluations have shown little, if any, land would remain unplanted. The overall reason is that land too wet to plant to sugarbeets, wheat, or corn, does not remain too wet to plant soybeans—at least not due to the operation of the FM Diversion. Also, soybeans currently represent 50 percent of crop acreage limiting the acreage of crops that require early planting.

However, the economic model has not been used to estimate prevent plant acreage under producer decision alternatives that might result in less or no crop substitution. One alternative that would help frame the issue is to model the opposite producer decision with respect to prevent plant conditions—one that results in no crop substitution.

Objectives:

The work effort contains two primary objectives.

- 1) The first objective is to examine the potential economic losses associated with planting delays on lands that may experience flooding from operation of the FM Diversion. This overriding objective will:
 - a) Replicate the same economic processes as used in the previous studies
 - b) Update all key economic inputs as data availability allows
 - c) Evaluate a 10-, 20-, 25-, 50-, 100-, 500-year, 1997-like event, 2009-like event, and a probable maximum flood (PMF) event.
 - d) Consider dry down periods of 10 days and 14 days.

- 2) The second objective would evaluate the potential range of prevent plant acreage in the staging area using the Monte Carlo simulation model with economic parameters from Objective 1. Two conditions would be evaluated:
 - a) Use current producer decision hierarchy of substituting crops in all possible conditions up to the last date (i.e., Federal crop insurance guideline dates) to plant soybeans.
 - b) Use an alternative producer decision hierarchy of not substituting any crops to forego a prevent plant condition.

Methods:

Objective 1)

The economic assessment will apply the previous studies' existing methodology with updated economic parameters to storage areas identified by the FM Diversion Authority. Hydrology data will be supplied to the research team in the same format as prior hydrology data, and will be evaluated using the same methods for estimating the

timing of flooding, duration of flooding, and the removal of flood waters. The economic effects of temporary water storage on those land tracts will be presented and reported using the same factors, groupings, and economic metrics as used in the previous studies.

Objective 2)

The acreage of land prevented from planting for sugarbeets, wheat, corn, and soybeans will be estimated using two sets of criteria. The first set of criteria would be to substitute crops to avoid prevent planting as is currently structured in the economic model. The second set of criteria would be to forego planting of a crop on acreage that cannot begin planting prior to the last recommended day of planting for that crop as defined by Federal crop insurance provisions. Federal crop provisions provide an objective set of dates to estimate conditions of prevent planting.

The Farm Financial Management Database (FINBIN) and NDSU Crop Extension production materials would be used to estimate the per-acre value of production inputs for wheat, sugarbeets, corn, and soybeans. The per-acre value of production inputs required for each crop would be used with acreage of prevent planting to generate the sales value of inputs not purchased by producers. Lost inputs would include fuel, repairs, chemical, seed, fertilizer, and custom work. An important caveat is that prevent plant acreage requires producers to control weeds, therefore it is expected some purchases of chemical, fuel, and repairs would occur even with prevent plant. Those purchases would be netted out from purchases that would occur under crop production.

Results from Objective 2 would be similar to the reporting tables used in the previous studies examining planting delays. These tables would identify acreages and lost input sales across the flood event sizes and by storage area delineation (e.g., tracts that flood longer, tracts that have new flooding). Packaging the results based on the previously developed protocols insures that treatment of flood frequencies and type of flooding behavior of tracts in the staging area are consistent between the two objectives.

Timeline:

For Objective 1, findings in the form of updated document tables will be provided to the FM Diversion authority within four months after receipt of updated hydrology modeling data. Provision of the findings prior to document completion will allow the study sponsor to use the material without potential delays due to publication of the final document. A final, published report will be delivered by six months from project initiation.

For Objective 2, preliminary findings will be summarized and delivered after document tables have been updated for Objective 1. The research team is flexible in the priority of the delivery of data for the two objectives if the FM Diversion Authority prefers an alternative priority between the two efforts.

Deliverables: For objective 1, a written report will be published that contains the same scope of economic results provided in the previous studies (Bangsund et al. 2015, Bangsund et al. 2016). The written report will provide information on all study inputs and include a comprehensive section on study methodology, providing for a stand-alone report. The content of the report therefore will not require accessing previous reports to compile components of the study. Presentations will be made to study sponsors and interested stakeholders as appropriate and as needed.

For Objective 2, a stand-alone written report will be published detailing prevent plant acreage and lost input sales for the flood events developed in Objective 1. Presentations will be made to study sponsors and interested stakeholders as appropriate and as needed.

Personnel: The research team consists of Dean Bangsund, Dr. Saleem Shaik, David Saxowsky, and Dr. Nancy Hodur, Center for Social Research, at North Dakota State University. All members of the research team have been involved in the two previous studies.

Budget: Forthcoming upon acceptance of scope.

GRANT APPLICATION TRANSMITTAL

This page indicates university endorsement of the referenced proposal and is intended to be submitted to the sponsor organization.

Sponsor Organization: FM Diversion Authority

Project Title: *Assessment of the Agricultural Risk of Temporary Water Storage for FM Diversion: Re-alignment of FM Diversion Storage Area*

Project Director: Dean Bangsund

Department: ABAE

Project Budget:

Total Direct Costs \$ 77,583
F&A/In-direct Costs \$ 34,912
F&A/IDC Rate 45%
Total Requested \$112,495

Authorized University Representative:

Title: Amy Scott Assistant Director Jill Mackenzie Award and Program Officer

Address: Office of Sponsored Programs Administration
North Dakota State University
NDSU Dept. 4000, PO Box 6050
Fargo ND 58108-6050

Phone: (701) 231-8045

Signature: Amy B Scott

Date: 5-10-19

Any future notifications regarding this proposal, including award notices, should be directed to the authorized university representative at the address listed above.

Thank you.

SPONSORED PROGRAMS ADMINISTRATION

NDSU Dept 4000 | PO Box 6050 | Fargo ND 58108-6050 | 701.231.8045 | Fax 701.231.8098 | ndsu.research@ndsu.edu

Shipping address: Research 1 | 1735 NDSU Research Park Drive | Fargo ND 58102

FM Metropolitan Area Flood Risk Management Project
 Fiscal Accountability Report Design Phase (Fund 790)
 As of 04/30/2019

	2011	2012	2013	2014	2015	2016	2017	2018	2019	Cumulative Totals
Revenues										
City of Fargo	443,138	7,652,681	7,072,961	19,373,131	28,310,373	35,212,877	31,790,784	30,068,553	9,495,479	169,419,977
Cass County	443,138	7,652,681	7,072,961	19,373,131	28,310,373	111,715,540	14,193,826	14,066,719	4,867,734	207,696,102
State Water Commission			3,782,215	602,918	31,056,740	101,436,302	23,650,143	10,229,504	1,164,714	171,922,535
Other Agencies	98,475	1,700,595	1,571,769	4,305,140	6,291,194	(13,260,368)	-	-	-	706,805
Reimbursements						33,880	49,699	31,034	-	114,613
Lease/Rental Payments			17,358	154,180	180,341	260,806	350,720	466,494	70,010	1,499,908
Asset Sales				616,774	315,892	175,190	117,079	-	-	1,224,935
Interest Income							505,157	1,246,875	663,913	2,415,945
Miscellaneous			226	626	427		-	356	-	1,635
Total Revenues	984,751	17,005,957	19,517,490	44,425,900	94,465,340	235,574,227	70,657,409	56,109,535	16,261,849	555,002,457
Expenditures										
7905 Army Corp Payments	-	-	875,000	1,050,000	2,725,000	47,279,000	1,230,000	-	-	53,159,000
7910 WIK - Administration	107,301	331,321	77,614	169,019	282,227	545,555	500,885	958,066	236,928	3,208,916
7915 WIK - Project Design	149,632	5,366,147	3,220,859	9,118,723	4,660,226	2,719,505	2,631,656	2,426,701	630,788	30,924,237
7920 WIK - Project Management	679,037	7,223,650	4,695,477	3,579,339	4,500,955	8,464,392	14,714,801	7,061,890	2,252,646	53,172,187
7925 WIK - Recreation		163,223								163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	17,013,358	55,948,209	46,717,049	40,728,316	8,758,761	8,278,518	184,099,899
7931 LERRDS - Minnesota		27,996	287,907	13,068	32,452	1,815,566	35,457	4,354	1,901	2,218,700
7940 WIK Mitigation - North Dakota				587,180			225,293	100,316	-	912,789
7941 WIK Mitigation - Minnesota										-
7950 Construction - North Dakota				1,738,638	19,269,055	42,263,916	5,976,235	805,378	4,977,371	75,030,592
7951 Construction - Minnesota										-
7952 Construction - O/H/B				11,282,504	5,044,001	776,720	7,365,462	7,478,270	229,155	32,176,112
7955 Construction Management				556,209	2,867,422	5,182,366	1,498,050	294,744	183,046	10,581,837
7980 Operations & Maintenance							6,403	28,538	41,493	76,435
7990 Project Financing		50,000	70,000	216,376	566,600	5,435,289	8,305,600	9,975,391	1,241,329	25,860,585
7995 Project Eligible - Off Formula Costs										-
7999 Non Federal Participating Costs	116						221,568			221,684
Total Expenditures	984,750	17,005,957	11,990,261	45,324,414	95,896,147	161,199,358	83,439,726	37,892,409	18,073,174	471,806,197

FM Metropolitan Area Flood Risk Management Project
Statement of Net Position
April 30, 2019

	<u>Amount</u>
Assets	
Cash	\$ 83,621,360
Receivables	
State Water Commission *	937,371
Proceeds from Oxbow Lot Sales	796,881
Total assets	<u>85,355,612</u>
Liabilities	
Vouchers payable	853,800
Retainage payable	1,303,052
Rent Deposit	2,500
Total liabilities	<u>2,159,351</u>
NET POSITION	<u><u>\$ 83,196,261</u></u>

* Receivable balance is as of 2.28.2019

FM Metropolitan Area Flood Risk Management Project
 FY 2019 Summary Budget Report (In Thousands)
 As of 30 Apr 2019

	2019 Approved Budget	Current Month	Fiscal Year To Date	% Expended	Outstanding Encumbrances	Remaining Budget Balance
Revenue Sources						
City of Fargo	-	1,565	9,495			
Cass County	-	976	4,868			
State of ND - 50 % Match	-		227			
State of ND - 100% Match	-		937			
State of Minnesota	-		-			
Other Agencies	-		-			
Financing Proceeds	-	169	673			
Reimbursements	-		-			
Sales of Assets	-		-			
Property Income	-	70	70			
Miscellaneous	-		-			
Total Revenue Sources	162,723	2,780	16,271	-	-	146,452
Funds Appropriated						
Diversion Channel & Assoc. Infrastructure	14,948	44	418	0%	2,876	11,654
Southern Embankment & Assoc. Infrastructure	1,136	4	33	3%	2,335	(1,232)
Other Mitigation Projects	3,960	67	380	10%	814	2,766
In-Town Flood Protection	50,509	949	5142	10%	6,944	38,422
Enabling Work / Other	656	-	0	0%	-	656
Land Acquisition & Mitigation	66,519	869	8165	12%	22,818	35,536
Engineering & Design Fees	3,813	377	802	21%	5,096	(2,084)
Program Management	11,154	696	1874	17%	23,426	(14,146)
Contingency	-	-	0	0%	-	-
Debt Service	9,996	342	1218	12%	630	8,148
Maintenance	32	-	41	130%	-	(9)
Total Appropriations	162,724	3,349	18,073	11%	64,939	79,711

METRO FLOOD DIVERSION AUTHORITY

Monday 13 May 2019

Data Through Date: Tuesday, April 30, 2019

Summary of Expenses

EXP-2019-04

Account_Number	Check Date	Check Number	Vendor_Name	Transaction Amount	Description	Project Number	Project_Description
790-7910-429.33-20	4/30/2019	JB04190010	CITY OF FARGO-AUDITORS OFFICE	\$5,203.31	CHARGE FOR COF TIME-04/19	V00102	General & Admin. WIK
Other Services / Accounting Services				\$5,203.31			
790-7910-429.33-25	4/4/2019	295482	ERIK R JOHNSON & ASSOCIATES	\$1,670.40	JAN-METRO FLOOD PROJECT	V00102	General & Admin. WIK
	5/4/2019	729	P CARD BMO	\$38,364.78	Ohnstad Twichell PC	V00102	General & Admin. WIK
	4/25/2019	295926	ERIK R JOHNSON & ASSOCIATES	\$348.00	2/26-3/25/19 LEGAL MATTER	V00102	General & Admin. WIK
	4/25/2019	295979	OXBOW, CITY OF	\$3,865.00	TURMAN & LANG	V02407	OXBOW MOU-LEGAL SERVICES
Other Services / Legal Services				\$44,248.18			
790-7910-429.38-68	5/4/2019	732	P CARD BMO	\$9,000.00	FREDRIKSON AND BYRON P	V00102	General & Admin. WIK
	5/4/2019	732	P CARD BMO	\$3,000.00	FREDRIKSON AND BYRON P	V00102	General & Admin. WIK
Other Services / Lobbyist				\$12,000.00			
790-7910-429.52-30	4/4/2019	295607	WARNER & CO	\$5,259.00	RENEW COMM GEN LIABILITY	V00102	General & Admin. WIK
Insurance / General Liability				\$5,259.00			
790-7915-429.33-05	4/4/2019	295511	HOUSTON-MOORE GROUP LLC	\$26,045.00	DRAFT OPERATIONS PLAN	V01615	DRAFT OPERATIONS PLAN
	4/4/2019	295511	HOUSTON-MOORE GROUP LLC	\$546.50	PERMIT SUBMITTAL PREPARAT	V01616	PERMIT SUBMITTAL PREP
	4/4/2019	295511	HOUSTON-MOORE GROUP LLC	\$11,456.00	TASK 22 MITIGATION SUPPOR	V01622	MITIGATION SUPPORT SRVCS
	4/4/2019	295511	HOUSTON-MOORE GROUP LLC	\$74,114.00	HYDROLOGY/HYDRAULIC MODEL	V01625	HYDROLOGY/HYDRAULIC MODEL
	4/11/2019	295703	MINNESOTA DNR	\$81,677.25	MINNESOTA EIS STUDY	V00701	MN DNR EIS
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$13,683.50	LEVEE DESIGN & SUPPORT	V01613	LEVEE DESIGN & SUPPORT
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$21,822.50	DRAFT OPERATIONS PLAN	V01615	DRAFT OPERATIONS PLAN
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$12,899.50	PERMIT SUBMITTAL PREP	V01616	PERMIT SUBMITTAL PREP
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$1,045.50	GRADE RAISE DESIGN	V01620	SEAI-I29 GRADE RAISE DSGN
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$7,122.50	MITIGATION SUPPORT SERVIC	V01622	MITIGATION SUPPORT SRVCS
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$60,956.00	HYDROLOGY/HYDRAULIC MODEL	V01625	HYDROLOGY/HYDRAULIC MODEL
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$18,438.50	TASK 26 WORK IN KIND	V01626	WORK-IN-KIND (WIK)
	4/25/2019	295979	OXBOW, CITY OF	\$3,685.00	MOORE ENGINEERING, INC.	V02416	OXBOW MOU-MISC INFRA ENG
	Other Services / Engineering Services				\$333,491.75		
790-7920-429.33-05	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$46,804.99	DIVERSION PROJECT MGMT	V01601	HMG - PROJECT MANAGEMENT
Other Services / Engineering Services				\$46,804.99			
790-7920-429.33-79	4/25/2019	295916	CH2M HILL ENGINEERS INC	\$521,542.90	INTERIM PROGRAM MGMT	V00208	CH2M HILL-4.2.18-10.12.18
Other Services / Construction Management				\$521,542.90			
790-7930-429.33-05	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$4,248.00	PROPERTY STRUCTURE MITIGA	V01630	PROPERTY STRUCTURE MITGTN

METRO FLOOD DIVERSION AUTHORITY

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Summary of Expenses

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Account_Number	Check Date	Check Number	Vendor_Name	Transaction Amount	Description	Project Number	Project_Description
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$1,402.50	HOUSTON-MOORE GROUP	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$306.00	PROSOURCE TECHNOLOGIES	V01203	Cass Joint Water OHB
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$17,643.59	HOUSTON-MOORE GROUP	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$24,090.28	ULTIEG ENGINEERS	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$7,015.28	PROSOURCE TECHNOLOGIES LL	V01201	Cass Joint Water ROE
Other Services / Engineering Services				\$54,705.65			
790-7930-429.33-25	5/4/2019	729	P CARD BMO	\$703.00	Ohnstad Twichell PC	V00103	General & Admin. LERRDS
	5/4/2019	729	P CARD BMO	\$186,077.60	DORSEY AND WHITNEY LLP	V00101	Dorsey Whitney Legal
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$12,587.84	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$12,089.50	OHNSTAD TWICHELL, P.C.	V01203	Cass Joint Water OHB
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$4,056.00	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$2,460.00	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$1,714.50	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$508.00	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$11,460.26	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$55.00	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$6,127.00	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$110.00	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
Other Services / Legal Services				\$237,948.70			
790-7930-429.33-79	4/25/2019	295916	CH2M HILL ENGINEERS INC	\$10,254.00	PROPERTY ACQUISITION MGMT	V00210	CH2M HILL-LAND ACQUISITON
Other Services / Construction Management				\$10,254.00			
790-7930-429.41-05	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$32.00	CASS RURAL WATER USERS	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$32.00	CASS RURAL WATER USERS	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$32.00	CASS RURAL WATER USERS	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$32.00	CASS RURAL WATER USERS	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$27.00	CASS RURAL WATER USERS	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$32.00	CASS RURAL WATER USERS	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$118.20	CITY OF FARGO	V01703	ND LAND PURCH - IN TOWN
Utility Services / Water and Sewer				\$305.20			
790-7930-429.52-10	5/2/2019	JB04190021	CITY OF FARGO-AUDITORS OFFICE	\$15,163.80	CASS COUNTY JOINT WATER R	V01701	ND LAND PURCH-OUT OF TOWN
Insurance / Property Insurance				\$15,163.80			
790-7930-429.52-30	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$15,163.80	MARSH & MCCLENNEN	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	JB04190021	CITY OF FARGO-AUDITORS OFFICE	-\$15,163.80	CASS COUNTY JOINT WATER R	V01701	ND LAND PURCH-OUT OF TOWN

METRO FLOOD DIVERSION AUTHORITY

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Summary of Expenses

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Account_Number	Check Date	Check Number	Vendor_Name	Transaction Amount	Description	Project Number	Project_Description
Insurance / General Liability				\$0.00			
790-7930-429.62-50	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$379.80	XCEL ENERGY	V01703	ND LAND PURCH - IN TOWN
Energy / Natural Gas				\$379.80			
790-7930-429.62-51	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$223.68	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$986.64	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$724.76	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$9.26	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$258.64	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$334.69	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$173.97	XCEL ENERGY	V01703	ND LAND PURCH - IN TOWN
Energy / Electricity				\$2,711.64			
790-7930-429.71-30	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$733,126.76	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
Land / Land Purchases				\$733,126.76			
790-7931-429.62-51	5/2/2019	296066	CASS COUNTY JOINT WATER RESOURCE DI	\$486.63	RED RIVER VALLEY COOP POW	V02302	MN LAND PURCHASE-HARDSHIP
Energy / Electricity				\$486.63			
790-7950-429.73-52	4/11/2019	295679	INDUSTRIAL BUILDERS INC	\$835,970.00	2 ST & MAIN AVE MITIGATIO	V02825	2ND ST S FLOOD MITIGATION
Infrastructure / Flood Control				\$835,970.00			
790-7952-429.33-05	4/4/2019	295511	HOUSTON-MOORE GROUP LLC	\$32,227.25	WP 43 SERVUCES DURING CON	V01623	CONSTRUCTN/BID SVCS WP43
Other Services / Engineering Services				\$32,227.25			
790-7955-429.33-05	4/4/2019	295511	HOUSTON-MOORE GROUP LLC	\$47,382.95	SERVICES DURING CONSTRUCT	V02806	CONSTRUCTION SVCS WP42
	4/11/2019	295673	HOUSTON-MOORE GROUP LLC	\$65,932.50	WORK PKG 42 CONST SERVICE	V02806	CONSTRUCTION SVCS WP42
Other Services / Engineering Services				\$113,315.45			
790-7990-429.33-25	5/4/2019	729	P CARD BMO	\$1,547.00	Ohnstad Twichell PC	V00102	General & Admin. WIK
Other Services / Legal Services				\$1,547.00			
790-7990-520.80-20	4/11/2019	295633	CASS COUNTY TREASURER	\$237,309.31	MARCH INTEREST-DIVERSION	V02906	\$100M 2017 CASS WF ADVANC
	4/30/2019	JB04190012	CITY OF FARGO-AUDITORS OFFICE	\$104,806.26	3.1.19 WF INTEREST PMT	V02905	\$100M 2017 COF WF ADVANCE
Debt Service / Interest on Bonds				\$342,115.57			
Total Amount Invoiced this period				\$3,348,807.58			
				<u> </u>	Less Paid Retainage		

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Account_Number	Check Date	Check Number	Vendor_Name	Transaction Amount	Description	Project Number	Project_Description
\$3,348,807.58 Total Less Paid Retainage							

FM Metropolitan Area Flood Risk Management Project
Cumulative Vendor Payments Since Inception
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Vendors	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
CASS COUNTY JOINT WATER RESOUR	\$ 201,840,772.66	\$ 179,023,119.98	\$ 22,817,652.68	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
CH2M HILL ENGINEERS INC	\$ 70,719,715.97	\$ 48,002,207.57	\$ 22,717,508.40	Program, Project, Construction and Land Management
ARMY CORP OF ENGINEERS	\$ 53,159,000.00	\$ 53,159,000.00	\$ -	Local Share
HOUSTON-MOORE GROUP LLC	\$ 49,192,497.44	\$ 42,294,923.95	\$ 6,897,573.49	Engineering Services
INDUSTRIAL BUILDERS INC	\$ 48,045,411.01	\$ 41,235,372.68	\$ 6,810,038.33	Const - 2nd St North Pump Station Project and 2nd Street Floodwall
INDUSTRIAL CONTRACT SERVICES I	\$ 17,605,821.19	\$ 17,493,762.16	\$ 112,059.03	Const - 4th St Pump Station and 2nd Street Floodwall
OXBOW, CITY OF	\$ 15,523,791.94	\$ 15,139,520.22	\$ 384,271.72	MOU Agreement
CITY OF FARGO	\$ 13,426,520.23	\$ 13,426,520.23	\$ -	Digital Imagery Project, Utility Relocation, Accounting Svcs, and Bank Loan Advance DS Payments
MEYER CONTRACTING INC	\$ 12,149,874.79	\$ 11,945,893.15	\$ 203,981.64	Construction/Demolition Services
DORSEY & WHITNEY LLP	\$ 6,747,903.57	\$ 6,747,903.57	\$ -	Legal Services
ASHURST LLP	\$ 6,715,133.70	\$ 3,895,542.81	\$ 2,819,590.89	PPP (P3) Legal Counsel
CASS COUNTY TREASURER	\$ 5,225,551.43	\$ 5,225,551.43	\$ -	Property Taxes and Bank Loan Advance DS Payments
JP MORGAN CHASE-LOCKBOX PROCES	\$ 3,377,000.00	\$ 2,746,626.73	\$ 630,373.27	Financial Advisor
OHNSTAD TWICHELL PC	\$ 2,955,039.46	\$ 2,955,039.46	\$ -	ROE and Bonding Legal Fees
MINNESOTA DNR	\$ 2,776,684.35	\$ 2,632,755.60	\$ 143,928.75	EIS Scoping
CENTURYLINK	\$ 2,586,742.00	\$ 2,586,742.00	\$ -	Utility Relocation
LANDWEHR CONSTRUCTION INC	\$ 2,316,627.66	\$ 2,305,622.16	\$ 11,005.50	Const - In-Town Demolition Contracts
URS CORPORATION	\$ 1,922,118.42	\$ 1,805,670.90	\$ 116,447.52	Engineering Services
KENNELLY & OKEEFFE	\$ 1,729,110.56	\$ 1,729,110.56	\$ -	Home Buyouts
HOUGH INCORPORATED	\$ 1,639,524.33	\$ 1,639,524.33	\$ -	Const - 2nd Street South Flood Control
REINER CONTRACTING INC	\$ 1,599,646.21	\$ 1,599,646.21	\$ -	Const - El Zagal Flood Risk Management
CONSOLIDATED COMMUNICATIONS	\$ 1,063,096.11	\$ 1,063,096.11	\$ -	Utility Relocation
ORACLE AMERICA, INC	\$ 1,015,290.00	\$ 306,856.00	\$ 708,434.00	Electronic Data Mgmt and Record Storage System
TERRACON CONSULTING ENGINEERS	\$ 909,149.49	\$ 830,520.16	\$ 78,629.33	Materials Testing
RILEY BROTHERS CONSTRUCTION	\$ 807,871.82	\$ 807,871.82	\$ -	Construction - County Roads 16 & 17 Realignment
XCEL ENERGY	\$ 753,515.88	\$ 753,515.88	\$ -	Utility Relocation
MOORE ENGINEERING INC	\$ 662,468.17	\$ 662,468.17	\$ -	Engineering Services
US BANK	\$ 626,849.03	\$ 626,849.03	\$ -	Loan Advance DS Payments
DUCKS UNLIMITED	\$ 587,180.00	\$ 587,180.00	\$ -	Wetland Mitigation Credits
HOUSTON ENGINEERING INC	\$ 576,669.57	\$ 576,669.57	\$ -	Engineering Services
ERIK R JOHNSON & ASSOCIATES	\$ 557,078.03	\$ 557,078.03	\$ -	Legal Services
CROWN APPRAISALS INC	\$ 500,000.00	\$ 500,000.00	\$ -	Flowage Easements Valuation
RED RIVER BASIN COMMISSION	\$ 500,000.00	\$ 500,000.00	\$ -	Retention Projects - Engineering Services
HOFFMAN & MCNAMARA NURSERY&LAN	\$ 486,502.29	\$ 464,141.16	\$ 22,361.13	Construction - Landscape
NORTHERN TITLE CO	\$ 484,016.00	\$ 484,016.00	\$ -	Land Purchases
AT & T	\$ 461,031.30	\$ 461,031.30	\$ -	Utility Relocation
BRAUN INTERTEC CORP	\$ 431,381.25	\$ 372,643.04	\$ 58,738.21	Quality Testing
SCHMIDT AND SONS CONSTRUCTION	\$ 351,178.00	\$ 351,178.00	\$ -	Oxbow Housing Relocation
ACONEX (NORTH AMERICA) INC	\$ 306,856.00	\$ 306,856.00	\$ -	Electronic Data Mgmt and Record Storage System
BEAVER CREEK ARCHAEOLOGY	\$ 291,990.00	\$ 146,109.77	\$ 145,880.23	Engineering Services
702 COMMUNICATIONS	\$ 266,892.07	\$ 266,892.07	\$ -	Utility Relocation
SPRINT	\$ 256,409.37	\$ 256,409.37	\$ -	Utility Relocation

FM Metropolitan Area Flood Risk Management Project
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Vendors	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
FARGO MOORHEAD METROPOLITAN	\$ 253,858.35	\$ 253,858.35	\$ -	Lidar Imaging
AON RISK SERVICES CENTRAL, INC	\$ 240,000.00	\$ 183,813.50	\$ 56,186.50	P3 Risk Advisory Services
NDSU BUSINESS OFFICE	\$ 231,650.00	\$ 183,408.50	\$ 48,241.50	Ag Risk Study Services
BUFFALO-RED RIVER WATERSHED DI	\$ 221,568.00	\$ 221,568.00	\$ -	Retention Projects - Engineering Services
CASS RURAL WATER USERS DIST	\$ 213,335.00	\$ 213,335.00	\$ -	Utilities and Utility Relocation
ROBERT TRENT JONES	\$ 200,000.00	\$ 200,000.00	\$ -	Oxbow MOU - Golf Course Consulting Agreement
FREDRIKSON & BYRON, PA	\$ 181,230.06	\$ 181,230.06	\$ -	Lobbying Services
SPRINGSTED INCORPORATED	\$ 178,010.15	\$ 178,010.15	\$ -	Financial Advisor
S & S LANDSCAPING CO INC	\$ 150,528.50	\$ 31,123.00	\$ 119,405.50	Construction - Landscape
PFM PUBLIC FINANCIAL MANAGEMEN	\$ 146,460.00	\$ 146,460.00	\$ -	Financial Advisor
GRAY PANNELL & WOODWARD LLP	\$ 143,800.68	\$ 143,800.68	\$ -	Legal Services
AT&T NETWORK OPERATIONS	\$ 125,238.30	\$ 125,238.30	\$ -	Utility Relocation
CENTURYLINK ASSET ACCOUNTING-B	\$ 118,871.82	\$ 118,871.82	\$ -	Utility Relocation
ENVENTIS	\$ 115,685.62	\$ 115,685.62	\$ -	Utility Relocation
UNITED STATES GEOLOGICAL SURVE	\$ 104,600.00	\$ 104,600.00	\$ -	Stage Gage Installation
CASS COUNTY ELECTRIC-4100 32 A	\$ 104,195.00	\$ 97,995.00	\$ 6,200.00	Utility Services / Relocation
EL ZAGAL TEMPLE HOLDING CO	\$ 76,000.00	\$ 76,000.00	\$ -	Easement Purchase for El Zagal Levee
HKA GLOBAL, INC	\$ 74,353.00	\$ 74,353.00	\$ -	Professional Services
GERSON LEHRMAN GROUP, INC.	\$ 60,819.00	\$ 60,819.00	\$ -	Legal Services
NIXON PEABODY LLC	\$ 60,000.00	\$ 60,000.00	\$ -	Legal Services
ADVANCED ENGINEERING INC	\$ 50,000.00	\$ 50,000.00	\$ -	Public Outreach
IN SITU ENGINEERING	\$ 47,973.00	\$ 47,973.00	\$ -	Quality Testing
US GEOLOGICAL SURVEY	\$ 46,920.00	\$ 46,920.00	\$ -	Stage Gage Installation
WARNER & CO	\$ 40,567.00	\$ 40,567.00	\$ -	General Liability Insurance
MIDCONTINENT COMMUNICATIONS	\$ 37,318.95	\$ 37,318.95	\$ -	Utility Relocation
CLAY COUNTY AUDITOR	\$ 34,538.71	\$ 34,538.71	\$ -	Property Tax, Home Buyout Demo
AMERICAN ENTERPRISES INC	\$ 34,000.00	\$ 34,000.00	\$ -	Test Pits
GEEKON INC	\$ 33,815.36	\$ 33,815.36	\$ -	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	\$ 33,066.02	\$ 33,066.02	\$ -	Property Management Services
CPS HR CONSULTING	\$ 32,793.22	\$ 32,793.22	\$ -	HR Consulting
NAASTAD BROTHERS, INC	\$ 30,856.40	\$ -	\$ 30,856.40	Roadway Ditch Work
WESTERN AREA POWER ADMINSTRAT	\$ 30,000.00	\$ 30,000.00	\$ -	P3 Support Services
ND WATER USERS ASSOCIATN	\$ 25,000.00	\$ 25,000.00	\$ -	Membership Dues
XCEL ENERGY-FARGO	\$ 16,275.85	\$ 16,275.85	\$ -	Utility Relocation
PRIMORIS AEVENIA INC	\$ 16,230.00	\$ 16,230.00	\$ -	Utility Relocation
MOORHEAD, CITY OF	\$ 15,062.90	\$ 15,062.90	\$ -	ROE Legal Fees
BRIGGS & MORGAN PA	\$ 12,727.56	\$ 12,727.56	\$ -	Legal Services
PROSOURCE TECHNOLOGIES, INC	\$ 8,324.94	\$ 8,324.94	\$ -	Vibrating Wire Piezometer Equipment
MAP SERVICE CENTER	\$ 7,250.00	\$ 7,250.00	\$ -	Permit fee
NEWMAN SIGNS INC	\$ 5,816.00	\$ 5,816.00	\$ -	Sinage
ONE	\$ 3,575.00	\$ 3,575.00	\$ -	Legal Services
MCKINZIE METRO APPRAISAL	\$ 3,200.00	\$ 3,200.00	\$ -	Appraisal Services
STUDIO 7 PRODUCTIONS	\$ 3,170.00	\$ 3,170.00	\$ -	Video Productions
BUILDING & GROUNDS MANAGEMENT	\$ 2,592.50	\$ 2,592.50	\$ -	Lawn Mowing Services

FM Metropolitan Area Flood Risk Management Project
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Vendors	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
SEIGEL COMMUNICATIONS SERVICE	\$ 2,345.00	\$ 2,345.00	\$ -	Public Outreach
BNSF RAILWAY CO	\$ 2,325.00	\$ 2,325.00	\$ -	Permits for In-Town Levee Projects
COUGAR TREE CARE INC	\$ 2,300.00	\$ 2,300.00	\$ -	Tree Removal
FORUM COMMUNICATIONS (LEGALS)	\$ 2,224.20	\$ 2,224.20	\$ -	Advertising Services
FORUM COMMUNICATIONS (ADVERT)	\$ 1,743.77	\$ 1,743.77	\$ -	Advertising Services
NORTH DAKOTA TELEPHONE CO	\$ 1,697.00	\$ 1,697.00	\$ -	Communication
ERBERT & GERBERTS SUBS	\$ 1,232.29	\$ 1,232.29	\$ -	lunches for the task force meetings
HUBER, STEVE	\$ 1,056.43	\$ 1,056.43	\$ -	Home Buyouts
WARREN TOWNSHIP	\$ 1,023.72	\$ 1,023.72	\$ -	SEEDING, ROAD REPAIR, DUST CONTROL
DEPT OF NATURAL RESOUR	\$ 1,000.00	\$ 1,000.00	\$ -	DNR Dam Safety Permit Application Fee
TRIO ENVIRONMENTAL CONSULTING	\$ 747.60	\$ 747.60	\$ -	Asbestos and LBP Testing - Home Buyouts
NDSU-DINING-STORE 685	\$ 701.75	\$ 701.75	\$ -	Meeting Incidentals
RED RIVER TITLE SERVICES INC	\$ 675.00	\$ 675.00	\$ -	Abstract Updates
HEARTLAND SEEDS, INC.	\$ 600.00	\$ 600.00	\$ -	Lawn Mowing Services
BNSF RAILWAY COMPANY	\$ 600.00	\$ 600.00	\$ -	MOU Agreement
CIVIL DESIGN INC	\$ 595.00	\$ 595.00	\$ -	MOU Agreement
RED RIVER VALLEY COOPERATIVE A	\$ 536.96	\$ 536.96	\$ -	Electricity - Home Buyouts
FERRELLGAS	\$ 496.00	\$ 496.00	\$ -	Propane - Home Buyouts
BROKERAGE PRINTING	\$ 473.33	\$ 473.33	\$ -	Custom Printed Forms
DAWSON INSURANCE AGENCY	\$ 388.52	\$ 388.52	\$ -	Property Insurance - Home Buyouts
KOCHMANN, CARTER	\$ 315.00	\$ 315.00	\$ -	Lawn Mowing Services
GALLAGHER BENEFIT SERVICES INC	\$ 250.00	\$ 250.00	\$ -	Job Description Review
DONS PLUMBING	\$ 240.00	\$ 240.00	\$ -	Winterize - Home Buyouts
HARWOOD TOWNSHIP, CASS, ND	\$ 208.91	\$ 208.91	\$ -	Township Meeting Expenses
WALMART STORE #4352	161.97	\$ 161.97	\$ -	Meeting Incidentals
CURTS LOCK & KEY SERVICE INC	138.1	\$ 138.10	\$ -	Service Call - Home Buyouts
GOOGLE LOVEINTHEOVEN	116	\$ 116.00	\$ -	Meeting Incidentals
LANE, BARRET	108.77	\$ 108.77	\$ -	Lodging Expense
FEDERAL EXPRESS CORPORATION	71.89	\$ 71.89	\$ -	Postage
Grand Total	\$ 536,745,560.40	\$ 471,806,196.38	\$ 64,939,364.02	

FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 30, 2019

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Commercial Relocations - Fargo						
Park East Apartments - 1 2nd St S	6/23/2015	9,240,246.10	-	708,126.94	-	9,948,373.04
Howard Johnson - 301 3rd Ave N	11/2/2015	3,266,079.60	-	3,752,607.61	(1,100.00)	7,017,587.21
Fargo Public School District - 419 3rd St N	3/16/2016	1,903,475.78	-	6,469,727.55	-	8,373,203.33
Mid America Steel - NP Ave, North	6/21/2016	437,371.41	-	5,370,000.00	-	5,807,371.41
Case Plaza - 117 NP Ave N	1/12/2017	250,449.12	-	-	-	250,449.12
Shakey's Pizza - DFI AP LLC - 203 4th Ave N	3/21/2017	1,002,367.69	-	-	-	1,002,367.69
Home Buyouts - Fargo						
1322 Elm St N	11/19/2014	347,270.27	-	47,168.14	-	394,438.41
1326 Elm St N	12/23/2014	230,196.41	-	8,001.02	-	238,197.43
1341 N Oak St	1/29/2015	309,888.24	-	78,889.24	-	388,777.48
1330 Elm St N	2/12/2015	229,982.44	-	62,362.63	-	292,345.07
18 North Terrace N	4/2/2015	129,698.25	-	44,688.72	-	174,386.97
1318 Elm St N	5/29/2015	229,012.67	-	55,452.01	-	284,464.68
724 North River Road	6/8/2015	194,457.83	-	35,615.30	-	230,073.13
1333 Oak Street N	6/24/2015	238,513.23	-	5,249.00	-	243,762.23
26 North Terrace N	9/11/2015	138,619.58	-	12,620.00	-	151,239.58
16 North Terrace N	9/24/2015	227,987.50	-	96,717.14	-	324,704.64
24 North Terrace N	11/25/2015	182,437.38	-	29,269.60	-	211,706.98
1314 Elm Street N	12/18/2015	225,800.09	-	42,025.00	-	267,825.09
12 North Terrace N	2/9/2016	10,191.00	-	-	-	10,191.00
1313 Elm Street N	1/23/2017	350,000.00	-	3,360.00	-	353,360.00
Home Buyouts - Moorhead						
387 170th Ave SW	11/1/2013	281,809.91	-	-	(8,440.00)	273,369.91
16678 3rd St S		214,000.00	-	84,060.80	-	298,060.80
Home Buyouts - Oxbow						
105 Oxbow Drive	11/28/2012	216,651.85	-	-	(181,249.54)	35,402.31
744 Riverbend Rd	12/3/2012	343,828.30	-	2,435.00	-	346,263.30
121 Oxbow Drive	7/31/2013	375,581.20	-	-	(186,918.33)	188,662.87
333 Schnell Drive	9/20/2013	104,087.79	-	-	-	104,087.79
346 Schnell Drive	2/13/2014	512,970.73	-	7,200.00	-	520,170.73
345 Schnell Drive	10/24/2014	478,702.98	-	6,869.44	-	485,572.42
336 Schnell Drive	1/29/2015	310,888.51	-	185,620.00	-	496,508.51
5059 Makenzie Circle	5/21/2015	2,698,226.97	-	10,549.70	-	2,708,776.67
357 Schnell Dr / 760 River Bend Rd	6/18/2015	466,720.80	-	176,524.79	-	643,245.59
349 Schnell Dr / 761 River Bend Rd	6/26/2015	306,725.20	-	309,992.53	-	616,717.73
748 Riverbend Rd / 755 River Bend Rd	9/1/2015	480,783.92	-	205,699.82	-	686,483.74
361 Schnell Dr / 764 River Bend Rd	9/2/2015	490,091.32	-	267,757.65	-	757,848.97
752 Riverbend Rd / 768 River Bend Rd	9/4/2015	469,078.13	-	507,103.56	-	976,181.69
353 Schnell Dr / 772 River Bend Rd	9/11/2015	494,342.87	-	312,212.95	-	806,555.82
SE 1/4-23-137-49 & NW 1/4 SW 1/4 24-137-49 - Heitman	9/30/2015	1,328,151.00	-	-	-	1,328,151.00
350 Schnell Dr / 769 River Bend Rd	12/15/2015	491,024.01	-	279,237.35	-	770,261.36
365 Schnell Drive	1/7/2016	125,077.88	-	-	-	125,077.88
852, 856, 860, & 864 Riverbend Rd	1/11/2016	1,222,608.19	-	10,891.60	-	1,233,499.79
334 Schnell Dr / 751 River Bend Rd	1/15/2016	321,089.77	-	284,349.88	-	605,439.65
749 Riverbend Rd / 433 Trent Jones Dr	2/1/2016	598,885.43	-	469,875.64	-	1,068,761.07
326 Schnell Drive	2/19/2016	326,842.17	-	225,073.09	-	551,915.26
309 Schnell Dr / 325 Trent Jones Dr	5/12/2016	539,895.97	-	574,412.28	-	1,114,308.25
810 Riverbend Rd / 787 River Bend Rd	6/6/2016	672,125.84	-	640,625.43	-	1,312,751.27
833 Riverbend Rd / 446 Trent Jones Dr	7/14/2016	801,671.69	-	590,292.66	-	1,391,964.35
328 Schnell Dr / 347 Trent Jones Dr	7/14/2016	320,803.64	-	329,117.70	-	649,921.34
839 Riverbend Road	7/20/2016	1,775,311.60	-	10,631.50	-	1,785,943.10
332 Schnell Dr / 335 Trent Jones Dr	8/2/2016	328,639.47	-	356,643.81	-	685,283.28
317 Schnell Dr / 409 Trent Jones Dr	9/7/2016	548,393.52	-	558,413.52	-	1,106,807.04
330 Schnell Drive	10/4/2016	328,134.82	-	125,072.50	-	453,207.32
329 Schnell Dr / 417 Trent Jones Dr	10/4/2016	549,277.00	-	499,811.00	-	1,049,088.00
321 Schnell Dr / 410 Trent Jones Dr	10/7/2016	471,534.69	-	514,952.53	-	986,487.22
813 Riverbend Rd / 449 Trent Jones Dr	10/14/2016	660,997.62	-	797,937.65	-	1,458,935.27
325 Schnell Drive / 426 Trent Jones Dr	11/3/2016	403,498.66	-	402,935.97	-	806,434.63
844 Riverbend Road	11/11/2016	716,599.40	-	15,118.84	-	731,718.24
828 Riverbend Rd	11/30/2016	955,928.53	-	-	-	955,928.53
341 Schnell Dr / 343 Trent Jones Dr	12/8/2016	480,921.52	-	673,954.16	-	1,154,875.68
840 Riverbend Rd / 442 Trent Jones Dr	12/21/2016	547,075.19	-	423,662.02	-	970,737.21
816 Riverbend Rd / 441 Trent Jones Dr	12/27/2016	567,413.07	-	338,694.70	-	906,107.77
821 Riverbend Rd / 438 Trent Jones Dr	1/13/2017	580,617.35	-	331,100.87	-	911,718.22
805 Riverbend Rd / 776 River Bend Rd	2/10/2017	508,203.01	-	395,757.84	-	903,960.85
808 Riverbend Road / 254 South Schnell Dr	2/24/2017	713,814.95	-	533,475.96	-	1,247,290.91
338 Schnell Dr / 775 River Bend Rd	2/28/2017	560,402.15	-	407,961.34	-	968,363.49
313 Schnell Drive/ 413 Trent Jones Dr	4/7/2017	389,370.50	-	357,043.95	-	746,414.45
809 Riverbend Rd	5/3/2017	112,304.99	-	-	-	112,304.99
337 Schnell Dr / 353 Trent Jones Dr	5/17/2017	456,146.62	-	524,447.89	-	980,594.51
829 Riverbend Rd / 788 River Bend Rd	7/7/2017	1,056,438.13	-	1,383,489.59	-	2,439,927.72
848 Riverbend Rd / 783 River Bend Rd	7/27/2017	781,361.81	-	1,410,330.68	-	2,191,692.49
817 Riverbend Road / 421 Trent Jones Dr	7/18/2017	445,728.05	-	465,264.50	-	910,992.55
843 Riverbend Rd / 445 Trent Jones Dr	9/21/2017	978,292.23	-	1,207,474.57	-	2,185,766.80

**FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 30, 2019**

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
477 Oxbow Drive - OIN 9614 - Henry & Suzanne Mertz	10/27/2017	25,020.58	-	-	-	25,020.58
354 & 358 Schnell Drive	12/6/2018	199,512.06	-	-	-	199,512.06
872 Riverbend Rd	10/17/2018	14,329.43	-	-	-	14,329.43
869 Riverbend Rd	10/17/2018	13,029.43	-	-	-	13,029.43
873 Riverbend Rd	10/17/2018	13,029.43	-	-	-	13,029.43
Home Buyouts - Hickson						
17495 52nd St SE	4/28/2015	785,747.66	-	27,604.74	-	813,352.40
4985 and 4989 Klitzke Drive, Pleasant Twp	7/20/2016	245,926.71	-	92,817.44	-	338,744.15
Home Buyouts - Horace						
2914 124th Ave S	12/29/2016	50,981.00	-	-	-	50,981.00
17471 49th St SE - Campbell - OIN 9403	2/16/2017	883,581.00	-	154,196.55	-	1,037,777.55
17465 49th St SE - Campbell - OIN 9411	2/21/2017	828,561.00	-	190,389.56	-	1,018,950.56
17474 52nd St SE - Leher - OIN 1889/1990/2182	7/11/2017	909,905.00	-	5,482.81	-	915,387.81
17449 50th Street SE - Scott Young	9/1/2017	398,936.66	-	-	-	398,936.66
4848 CR 81 S, Horace, ND _ OIN 9405	9/15/2017	451,185.00	-	36,153.08	-	487,338.08
17568 Pflifer Drive - OIN 9387	3/6/2018	505,925.70	-	3,590.00	-	509,515.70
15-0000-02690-010 & 15-0000-02690-020 - Cossette _ OIN 229 & 230	11/29/2017	2,433,020.59	-	-	-	2,433,020.59
5021 171st Ave. Southeast, Horace, ND _ OIN 1955	12/18/2017	248,677.89	-	-	-	248,677.89
17554 Pflifer Drive _OIN 9382	1/14/2019	505,498.26	-	30,665.38	-	536,163.64
Home Buyouts - Argusville						
2351 173rd Ave SE - Johnson - OIN 1222	2/6/2017	215,030.91	-	6,912.57	-	221,943.48
Easements - Fargo						
Part of Lot 5 El Zagal Park	10/9/2014	76,000.00	-	-	-	76,000.00
72 2nd St N - Bortnem	4/13/2016	37,020.00	-	-	-	37,020.00
Oak Terrace Condos - 2 N Terrace N	3/30/2016	5,588.00	-	-	-	5,588.00
Fercho Family Farms,	3/25/2015	50,000.00	-	-	-	50,000.00
Part of Lot 3 Block 4 R2 Urban Renewal Addition	3/15/2018	336,108.00	-	-	-	336,108.00
Easements - Hickson						
Hickson Village Lot 8 BLK 11	5/11/2016	500.00	-	-	-	500.00
Easements - Oxbow						
Oxbow Parcel 57-0000-10356-070 - Pearson	10/13/2014	55,500.00	-	-	-	55,500.00
Easements - Diversion Inlet Control Structure						
15-0000-02690-020 - Cossette	6/1/2016	-	-	-	-	-
64-0000-02730-000 - Sauvageau	6/1/2016	1,113,101.57	-	-	-	1,113,101.57
64-0000-027400-000 - Duboard	9/15/2016	177,399.29	-	-	-	177,399.29
64-0000-02700-010 - Rheault	1/31/2017	2,243.06	-	-	-	2,243.06
15-141-49 NW1/4 160.00 AC **12-31-98 COMB FRM 44-0000-00580-000 & 44-0000-00570-000 - Larson Trust (Nygren)	6/20/2017	32,340.00	-	-	-	32,340.00
Southwest corner of County Road 17 S and 112th Avenue S (condemnation) - SAUVAGEAU LIFE EST.		373,437.00	-	-	-	373,437.00
16835 47 ST SE - Buster Farms LLLP		1,755.00	-	-	-	1,755.00
Easements - Piezometer						
67-0000-12719-010 - Adams - OIN-1201	3/13/2017	1,500.00	-	-	-	1,500.00
Easements - Minnesota						
Askegaard Hope Partnership	10/14/2016	1,542,370.79	-	-	-	1,542,370.79
Farmland Purchases						
SE 1/4 11-140-50 (Raymond Twp, ND) - Ueland	1/20/2014	959,840.00	-	-	-	959,840.00
2 Tracts in the E 1/2-2-137-49 - Sorby/Maier	1/24/2014	1,636,230.00	-	-	-	1,636,230.00
3 Tracts NW1/4 1-140-50, NW1/4 11-140-50, & S1/2 25-141-50 - Rust (OINs 0511,0512,0880,0897)	2/18/2014	3,458,980.70	-	-	-	3,458,980.70
11-140-50 NE1/4 (Raymond Twp) - Diekrager	4/15/2014	991,128.19	-	-	-	991,128.19
NW 1/4 36-141-50 - Monson	5/7/2014	943,560.05	-	-	-	943,560.05
W 1/2 SE 1/4 SW 1/4 & SW 1/4 SW 1/4 2-137-49 - Gorder	5/13/2014	321,386.00	-	-	-	321,386.00
SW 1/4-11-140-50 - Hogle	7/21/2014	989,706.03	-	-	-	989,706.03
NW 1/4 14-140-50 - Hogle	10/23/2014	948,782.22	-	-	-	948,782.22
SW 1/4 2-140-50 -Rust	10/29/2014	955,901.00	-	-	-	955,901.00
2-140-50 S 1/2 of NW 1/4 & Lot 4A - Pile	3/4/2015	594,108.00	-	-	-	594,108.00
Fercho Family Farms,	3/25/2015	464,600.00	-	-	-	464,600.00
W 1/2 NW 1/4 2-141-49 - Heiden	4/24/2015	433,409.00	-	-	-	433,409.00
(Raymond Twp) - Subdivision: Part of 23-140-50, 155.82 acres - Henke	6/17/2015	857,144.00	-	-	-	857,144.00
(Raymond Twp) - Subdivision: Part of Sec. 23., Less Gust Sub and Jason Sub			-	-	-	
T140N R50W - Henke	6/17/2015	339,071.00	-	-	-	339,071.00
15-141-49 NW1/4 160.00 AC **12-31-98 COMB FRM 44-0000-00580-000 & 44-0000-00570-000 - Larson Trust (Nygren)	6/20/2017	291,840.00	-	-	-	291,840.00
64-0000-02720-000 - Ulstad (Condemnation)	11/10/2016	1,221,931.50	-	-	-	1,221,931.50
Peter Biegler, Jr - OIN 9748	7/17/2017	250,185.00	-	3,175.00	-	253,360.00
19-141-49 NE 1/4 A 160.00 - Schoenberg Farms	7/18/2017	3,470,167.12	-	-	-	3,470,167.12

**FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 30, 2019**

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
SHEY RIV - Chose	7/28/2017	60,128.07	-	-	-	60,128.07
W 1/2d 1/2 10-141-49 & NW 1/4 10-141-49 - Larson Family Farm Trust	8/1/2017	1,402,847.99	-	-	-	1,402,847.99
S1/2 W1/2 NW1/4 - Conyers	8/3/2017	33,150.00	-	-	-	33,150.00
27th St SE, between 169th Ave SE and I-29 - Nelson	8/3/2017	1,024,189.50	-	-	-	1,024,189.50
Meridian, Cass County, ND - Heiden Family, LLLP	8/4/2017	1,326,882.11	-	-	-	1,326,882.11
2368 173rd Ave SE & Rural Land Part of SE1/4 35-142-49, Wiser, ND - Kevin & Pamela Heiden	8/4/2017	614,439.02	-	-	-	614,439.02
20-141-49 SW 1/4 A 160.00 - Lloyd & Alice Amundson	8/9/2017	123,563.38	-	-	-	123,563.38
5251 174 1/2 Ave SE, Pleasant Township, ND 58047	8/18/2017	254,354.28	-	-	-	254,354.28
35-142-49 SW 1/4 A 160.00 - Burley _ OIN 1218	8/31/2017	167,091.47	-	-	-	167,091.47
S-1/2 of N1/2 of Section 36-142-49, Wayne & Gary Ohnstad_OIN 1223	12/13/2017	200,135.00	-	-	-	200,135.00
2-141-49 S 1/2 OF NE 1/4 & N 1/2 OF SE 1/4	12/20/2017	251,668.74	-	-	-	251,668.74
County Rd 32 between 167th Ave SE and 169th Ave SE, 25-141-50 NE 1/4	1/19/2018	831,853.08	-	-	-	831,853.08
County Rd 32 between 167th Ave SE and 169th Ave SE, 30-141-50 NW 1/4	3/23/2018	831,535.25	-	-	-	831,535.25
NE 1/4 Section 14 Township 140 North of Range 50 West of 5th Principle Meridian LESS the East 85 feet of said NE Quarter	2/22/2018	707,530.88	-	-	-	707,530.88
East Half (E1/2), Section 3 Township 141 North, Range 49 West	5/18/2017	733,126.76	-	-	-	733,126.76
NE Quarter of NE Quarter of Section 33 Township 138 North of Range 49	1/7/2019	587,650.00	-	-	-	587,650.00
Land Purchases						
Hayden Heights Land, West Fargo ND	10/12/2012	484,016.00	-	-	(730,148.14)	(246,132.14)
Lot 4, Block 4, ND R-2 Urban Renewal Addition, Fargo ND - Professional Associates	5/14/2015	39,900.00	-	-	-	39,900.00
BNSF Railway Company	10/28/2015	27,000.00	-	-	-	27,000.00
City of Fargo - OIN 2366 & OIN 2367	3/9/2017	1,022,533.30	-	-	-	1,022,533.30
Edwin and Margaret Ployhart OIN 8852	4/5/2017	5,121.18	-	-	-	5,121.18
Arthur Mathison RT OIN 1994	5/19/2017	750.00	-	-	-	750.00
Ideal Ag Corp OIN 9789 / 9790	5/25/2017	30,120.68	-	-	-	30,120.68
OIN 1195 / 1196 - Mark Thorson	9/15/2017	203,678.32	-	-	-	203,678.32
Block 1 W. Shorr Subdivision of Eagle Township (Lots 1,2,3,4,5,10,11,12,13,14,15,16)	2/28/2019	3,395,663.23	-	-	-	3,395,663.23
NE Quarter of section 28 in Township 138 North of Range 49 West of the 5th Principle Meridian less the South 67 feet of the North 100 feet of the NE Quarter of section 28 Township 138 North of Range 49 West of 5th Principle Meridian, Auditors Lot 1 and East 33 feet	1/10/2019	2,158,545.00	-	-	-	2,158,545.00
		<u>97,231,319.61</u>	-	<u>34,586,944.29</u>	<u>(1,107,856.01)</u>	<u>130,710,407.89</u>
			(32,000.00)		10,000.00	
				Property Management Expense		2,098,239.48
					Grand Total	<u>\$ 132,808,647.37</u>

**FM Metropolitan Area Flood Risk Management Project
In-Town Levee Work
as of April 30, 2019**

Vcode #	Vendor Name	Descriptions	Contract Amount	Amount Paid
V02801	Industrial Builders	WP42.A2 - 2nd Street North Pump Station	\$ 8,696,548.46	\$ 8,696,548.46
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	\$ 909,149.49	\$ 830,520.16
V02803	Consolidated Communications	2nd Street Utility Relocation	\$ 1,178,781.73	\$ 1,178,781.73
V02804	702 Communications	2nd Street Utility Relocation	\$ 266,892.07	\$ 266,892.07
V02805	ICS	WP-42A.1/A.3 - 4th St Pump Station & Gatewell and 2nd St Floodwall S	\$ 17,612,237.19	\$ 17,500,178.16
V02806	HMG	WP42 - Services During Construction	\$ 6,130,655.82	\$ 5,455,993.51
V02807	CCJWRD	In-Town Levee Work	\$ 5,886,140.36	\$ 5,886,140.36
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	\$ 397,906.52	\$ 397,906.52
V02809	AT & T	2nd Street Utility Relocation	\$ 586,269.60	\$ 586,269.60
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	\$ 769,791.73	\$ 769,791.73
V02812	Industrial Builders	WP-42F.1S - 2nd Street North Floodwall, South of Pump Station	\$ 16,720,591.15	\$ 16,720,591.15
V02813	Landwehr Construction	Park East Apartments Demolition	\$ 1,169,651.74	\$ 1,169,651.74
V02814	Primoris Aevenia	2nd Street Utility Relocation	\$ 16,230.00	\$ 16,230.00
V02815	Centurylink Communications	2nd Street Utility Relocation	\$ 2,660,937.92	\$ 2,660,937.92
V02816	Landwehr Construction	WP-42C.1 - In-Town Levees 2nd Street/Downtown Area Demo	\$ 907,999.08	\$ 907,999.08
V02817	Reiner Contracting, Inc	WP-42H.2 - El Zagal Area Flood Risk Management	\$ 1,599,646.21	\$ 1,599,646.21
V02818	Industrial Builders	WP-42I.1 - Mickelson Levee Extension	\$ 738,880.50	\$ 738,880.50
V02819	Industrial Builders	WP42F.1N - 2nd Street North	\$ 13,362,906.82	\$ 13,362,906.82
V02820	CH2M Hill	WP42 - Construction Management Services	\$ 851,775.30	\$ 851,775.30
V02821	Hough Incorporated	WP42F.2 - 2nd Street South	\$ 1,639,524.33	\$ 1,639,524.33
V02822	City of Fargo	COF - 2016 O&M on Lifts	\$ 76,434.40	\$ 76,434.40
V02823	Hoffman & McNamara Nursery & Lan	WP-42G General Landscaping and Planting	\$ 486,502.29	\$ 464,141.16
V02824	City of Fargo	COF – In-Town Flood Protection Debt Payments	\$ 6,296,650.00	\$ 6,296,650.00
V01703	Various	In-Town Property Purchases	\$ 39,430,540.44	\$ 38,184,054.42
V02825	Industrial Builders	WP-42E - 2nd Street South and Main Avenue Flood Mitigation	\$ 8,528,809.08	\$ 1,718,770.75
V05401	City of Fargo	FM15F2 - Harwood, Hackberry & River Drive - Demo/ Levee	\$ 749,375.28	\$ 749,375.28
V05402	City of Fargo	FM15K1 - Rosewood Addition - Demo/Levee/Floodwall	\$ 2,622,612.82	\$ 2,622,612.82
V05403	City of Fargo	HD18A1 - Oakcreek, Copperfield & University - Demo	\$ 95,083.25	\$ 95,083.25
			\$ 140,388,523.58	\$ 131,444,287.43

**Fargo-Moorhead Metropolitan Area Flood Risk Management Project
 State Water Commission Funds Reimbursement Worksheet
 Fargo Flood Control Project Costs - HB1020 & SB2020**

Time Period for This Request: March 1, 2019 - March 31, 2019 - OHB Related Costs

Drawdown Request No: 87	
Requested Amount:	\$ 59,863.29
Total Funds Expended This Period:	59,863.29
Total Funds Requested at 100% Match	59,863.29
Total Funds Requested:	59,863.29

STATE AID SUMMARY:		
Summary of State Funds Appropriated		
Appropriations from 2009 Legislative Session	\$	45,000,000
Appropriations from 2011 Legislative Session		30,000,000
Appropriations from 2013 Legislative Session		100,000,000
Appropriations from 2015 Legislative Session		69,000,000
Appropriations from 2015 Legislative Session - Interior Flood Control		60,000,000
Appropriations from 2017 Legislative Session	-	66,500,000
Anticipated appropriations to be funded in 2019 Legislative Session	66,500,000	
Anticipated appropriations to be funded in 2021 Legislative Session	66,500,000	
Anticipated appropriations to be funded in 2023 Legislative Session	66,500,000	
Total State Funds	199,500,000	370,500,000
Less: Payment #1 through #35 - City of Fargo		(55,510,209.00)
Less: Payment #1 - Cass County		(136,039.36)
Less: Payment #1 through #7 - Interior Flood Control		(60,000,000.00)
Less: Payment #1 through #28 - FM Diversion Authority		(38,049,107.00)
Less: Payment #29 through #75 - FM Metro Area Flood Risk Management Project		(93,470,290.00)
Less: Payment #76 - FM Metro Area Flood Risk Management Project		(433,312.97)
Less: Payment #77 - FM Metro Area Flood Risk Management Project		(11,892.35)
Less: Payment #78 - FM Metro Area Flood Risk Management Project		(244,521.99)
Less: Payment #79 - FM Metro Area Flood Risk Management Project		(255,691.15)
Less: Payment #80 - FM Metro Area Flood Risk Management Project		(121,908.95)
Less: Payment #81 - FM Metro Area Flood Risk Management Project		(105,433.98)
Less: Payment #82 - FM Metro Area Flood Risk Management Project		(135,130.77)
Less: Payment #83 - FM Metro Area Flood Risk Management Project		(13,901.70)
Less: Payment #84 - FM Metro Area Flood Risk Management Project		(558,592.20)
Less: Payment #85 - FM Metro Area Flood Risk Management Project		(229,746.00)
Less: Payment #86 - FM Metro Area Flood Risk Management Project		(6,421,825.21)
Less: Payment #87 - FM Metro Area Flood Risk Management Project		(59,863.29)
Total Funds Reimbursed		(255,757,465.92)
Total State Fund Balances Remaining		114,742,534.08

LOCAL MATCHING FUNDS SUMMARY:		
Matching Funds Expended To Date - FM Metro Area Flood Risk Management Project	\$	82,970,092
Less: Match Used on Payment #1 through #35 - City of Fargo		(41,506,620)
Less: Match used on Payment #1 - Cass County		(136,039)
Less: Match Used on Payment #1-28 - FM Diversion Authority		(11,052,710)
Less: Match Used on Payment #29 - 75 - FM Metro Area Flood Risk Management Project		(22,172,839)
Less: Match Used on Payment #82 - FM Diversion Authority		(135,131)
Less: Match Used on Payment #83 - FM Diversion Authority		(13,902)
Less: Match Used on Payment #84 - FM Diversion Authority		(558,592)
Less: Match Used on Payment #85 - FM Diversion Authority		(229,746)
Less: Match Used on Payment #86 - FM Diversion Authority		(6,421,825)
Less: Match Used on Payment #87 - FM Diversion Authority		(59,863)
Balance of Local Matching Funds Available	\$	682,824

Finance Committee Bills from May 2019

Vendor	Description		
Cass County Joint Water Resource District	Diversion Bills	\$	2,266,661.37
Dorsey & Whitney	Legal services rendered through March 31, 2019	\$	127,021.50
Ohnstad Twichell, P.C.	Professional services rendered	\$	131,147.93
FEMA	CLOMR review fee for Plan B	\$	7,250.00
			<hr/>
Total Bills Received through May 17, 2019		\$	<hr/> 2,532,080.80 <hr/>



Cass County
Joint Water
Resource
District

April 29, 2019

Dan Jacobson
Chairman
West Fargo, North Dakota

Rodger Olson
Manager
Leonard, North Dakota

Lance Yohe
Manager
West Fargo, North Dakota

Ken Lougheed
Manager
Gardner, North Dakota

Jacob Gust
Manager
Fargo, North Dakota

Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

Greetings:

RE: Metro Flood Diversion Project
Oxbow-Hickson-Bakke Ring Levee Project
In-Town Levees Project

Enclosed please find copies of bills totaling \$2,266,661.37 regarding the above referenced projects. The breakdown is as follows:

Metro Flood Diversion	\$2,255,282.27
Oxbow-Hickson-Bakke Ring Levee	2,077.81
In-Town Levees	9,301.29

At this time, we respectfully request 100% reimbursement as per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated June 1, 2015.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis
Secretary-Treasurer

Carol Harbeke Lewis
Secretary-Treasurer

1201 Main Avenue West
West Fargo, ND 58078-1301

Enclosures

701-298-2381
FAX 701-298-2397
wrđ@casscountynd.gov
casscountynd.gov

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES

Updated 4/29/19

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
4/2/2019	4/2/2019	OIN-1120, 1121, 1123		724,254.52	The Title Company	Joan Crooks property purchase
4/11/2019	3/28/2019	161502	160007	77.00	Ohnstad Twichell, P.C.	Legal-Diversion Acq-1099 Preparation
4/11/2019	3/28/2019	161495	130007	15,275.57	Ohnstad Twichell, P.C.	Legal-Diversion ROW Acquisition
4/11/2019	3/28/2019	161517	187007	1,393.00	Ohnstad Twichell, P.C.	Legal-Southern Embankment
4/11/2019	3/28/2019	161511	170007	4,992.00	Ohnstad Twichell, P.C.	Legal-Upstream Mitigation Area
4/11/2019	3/28/2019	161503	160007	3,081.00	Ohnstad Twichell, P.C.	Legal-Channel Phase I
4/11/2019	3/28/2019	161504	160007	5,678.50	Ohnstad Twichell, P.C.	Legal-Channel Phase II
4/11/2019	3/28/2019	161505	160007	434.50	Ohnstad Twichell, P.C.	Legal-Channel Phase III
4/11/2019	3/27/2019	20629	19706	360.00	Moore Engineering, Inc.	Engineering - Memo of Understanding Review
4/11/2019	3/29/2019	1783	2001	3,252.50	Houston-Moore Group	Engineering - Right-of-Entry Services
4/11/2019	3/29/2019	1784	2004	26,476.93	Houston-Moore Group	Engineering - Project Mgmt, ROW Services & Relocation Assistance
4/11/2019	4/4/2019	9142001		355.95	Red River Valley Coop Power Assoc	Service to 16678 3rd St S Moorehead
4/11/2019	4/11/2019	OIN-938		825,430.39	The Title Company	Mark and Susan Andrews property purchase
4/11/2019	4/11/2019	OIN-1914		200,120.00	The Title Company	George and Sharon Richard property purchase
4/15/2019	4/15/2019	OIN-2370		336,646.65	The Title Company	Bart and Lori Marvel property purchase
4/25/2019	4/3/2019	83111	R12.00049	20,240.38	Ultieg Engineers	Engineering - Project Mgmt, ROW services, and Bio-Geo Services
4/25/2019	3/31/2019	20110	3283-00	9,294.00	ProSource Technologies LLC	Project Management and acquisition
4/25/2019	4/15/2019	124-2019-0078		3,750.00	Integra Realty Resources	property appraisal services for OIN 235
4/25/2019	4/25/2019	171349		710.00	Clay County Auditor-Treasurer	property taxes for OIN 1802
4/25/2019	3/8/2019	822276		52.28	Marsh & McClennen	liability insurance for addl properties
4/25/2019	4/8/2019	1125415		46.24	Cass County Electric Cooperative	Service to 4510 112 Av S
4/25/2019	4/15/2019	1129748		220.06	Cass County Electric Cooperative	Service to 5021 171 Ave SE
4/25/2019	4/8/2019	1108711		170.46	Cass County Electric Cooperative	Service to 16657 38th St SE
4/25/2019	4/8/2019	1123339		520.27	Cass County Electric Cooperative	Service to 17465 49 St S
4/25/2019	4/8/2019	1122560		741.80	Cass County Electric Cooperative	Service to 17471 49 St S
4/25/2019	4/8/2019	1132078		234.44	Cass County Electric Cooperative	Service to 17568 Pfiffer Dr
4/25/2019	4/17/2019	401531		560.00	All American Plumbing & Heating Inc	Disconnect fuel from demo houses
4/25/2019	4/24/2019	OIN-9382		70,913.83	Jonathan and Kristen Kutzer	RHDP reimb and moving costs
Total				2,255,282.27		

OXBOW-HICKSON-BAKKE RING LEEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Purchase Order No.	Project No.	Amount	Vendor	Description
4/11/2019	3/28/2019	161496		140007	5,567.16	Ohnstad Twichell, P.C.	Legal-Oxbow-Hickson-Bakke Levee project
4/25/2019	3/8/2019	822276			5.72	Marsh & McClennen	liability insurance for addl properties
6/25/2017	12/15/2017	12792			8.58	Diversion Authority	Overpymt per 4/18/19 email
2/2/2016	1/15/2016	150166852-0			-3,503.65	Diversion Authority	Reimb for returned tax payment
Total					2,077.81		

IN-TOWN LEEVES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
4/11/2019	4/1/2019	632311205		99.72	Xcel Energy	Electric service to 419 3rd St N
4/11/2019	4/1/2019	632317752		238.43	Xcel Energy	Gas service to 419 3rd St N
4/25/2019	4/5/2019	6000052129		118.20	City of Fargo	Service to 419 3 St N
3/14/2016	3/10/2016	OIN-9259		6,072.00	The Bank of New York Mellon Trust Co	BNSF Parcel 27 property purchase
3/14/2016	3/10/2016	OIN-9259		2,000.00	BSNF Railway Co	Broker processing fee for Parcel 27 purchase
2/6/2017	1/26/2017	160108670-0		772.94	Diversion Authority	Per 4/18/19 email
Total				9,301.29		

Grand Total 2,266,661.37



received
4-17-19

MINNEAPOLIS OFFICE
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Fargo-Moorhead Flood Diversion Bd of Authority
c/o Erik R. Johnson & Associates, Ltd.
Attn: Erik Johnson
505 Broadway, Suite 206
Fargo, ND 58102

April 15, 2019
Invoice No. 3490971

Client-Matter No.: 491379-00001
Red River Diversion Project

For Legal Services Rendered Through March 31, 2019

INVOICE TOTAL

Total For Current Legal Fees	\$126,882.00
Total For Current Disbursements and Service Charges	\$139.50
Total For Current Invoice	\$127,021.50
Summary of Account	
*Prior Balance Due	\$76,054.50
Total Amount Due	\$203,076.00

*If payment has been submitted for prior balance due, please disregard.

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:
Dorsey & Whitney LLP
P.O. Box 1680
Minneapolis, MN 55480-1680

Wire Instructions:
U.S. Bank National Association
800 Nicollet Mall
Minneapolis, MN 55402

(This account is only for Wire/ACH payments)
ABA Routing Number: 091000022
Account Number: 1047-8339-8282
Swift Code: USBKUS44INT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY



Office of the City Attorney

City Attorney
Erik R. Johnson

Assistant City Attorney
Nancy J. Morris

April 22, 2019

Kent Costin
Finance Director
City of Fargo
225 4th Street North
Fargo, ND 58102

Re: Metro Flood Diversion Project

Dear Kent:

I am enclosing a Summary Invoice dated April 15, 2019 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through March 31, 2019 on the Metro Flood Diversion Project. If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,

A handwritten signature in black ink, appearing to be "ERJ", written over a horizontal line.

Erik R. Johnson

ERJ/lmw
Enclosure
cc: Bruce Grubb



OHNSTAD TWICHELL, P.C.
Attorneys at Law

P.O Box 458
 West Fargo, ND 58078-0458
 701-282-3249

15-1395

JTS Invoice # 162198

Flood Diversion Board
 Bond Counsel Work - PPP

Date: May 7, 2019

To: Flood Diversion Board
 P.O Box 2806
 Fargo, ND 58108-2806

PROFESSIONAL SERVICES RENDERED

	Hours	Rate	Totals
JTS	171.3	\$310.00	\$53,103.00
CMM	18.4	\$310.00	\$5,704.00
ADC	66.4	\$310.00	\$20,584.00
SNW	1	\$310.00	\$310.00
RGH	6.9	\$310.00	\$2,139.00
KJB	18.2	\$295.00	\$5,369.00
TJL	77.8	\$265.00	\$20,617.00
LWC	25.4	\$260.00	\$6,604.00
JDR	32.5	\$165.00	\$5,362.50
AJR	42.6	\$170.00	\$7,242.00
Total Fees:	460.5		\$127,034.50
Westlaw			\$400.27
Travel			\$3,645.38
UPS			\$20.20
Flash Drive			\$47.58
Total Expenses:			\$4,113.43
Grand Total			\$131,147.93

	2019 Rates
JTS John T. Shockley, Partner, Supervising Attorney	\$310.00
CMM Christopher M. McShane, Partner	\$310.00
ADC Andrew D. Cook, Partner	\$310.00
SNW Sarah M. Wear, Partner	\$310.00
RGH Robert G. Hoy, Partner	\$310.00
KJB Katie J. Bertsch, Associate	\$295.00
TJL Tyler J. Leverington, Associate	\$265.00
CBC Calley B. Campbell, Associate	\$250.00
LWC Lukas W. Croaker, Associate	\$260.00
SRH Stephen R. Hanson, Associate	\$250.00
ABG Bo Gruchala, Associate	\$250.00
CAS Carol A. Stillwell, Paralegal	\$165.00
JDR Joshua D. Roaldson, Paralegal	\$165.00
AJR Andrea J. Roman, Paralegal	\$170.00
LRK Lisa R. Kilde, Paralegal	\$160.00
CRA Christie R. Axness, Paralegal	\$140.00
KJS Kelsey J. Stock, Law Clerk	\$100.00

PROFESSIONAL SERVICES RENDERED

15-1395 JTS Invoice # 162198		Flood Diversion Board	Bond Counsel Work - PPP
FILE NUMBER	MATTER DESCRIPTION	INVOICE - TOTAL FEES	
151395-1	General Topics (Includes General Governance Questions, Notices, etc.)	\$19,540.00	
151395-3	P3 Procurement	\$937.50	
151395-4	Public Finance Issues	\$1,720.00	
151395-5	Consultant Contract Review/Development	\$596.50	
151395-6	Support of External Litigation Counsel	\$467.00	
151395-7	Coordination with Member Entities	\$4,511.00	
151395-8	MNDNR Permit Issues	\$9,180.50	
151395-9	Environmental Permitting Issues/NEPA	\$62.00	
151395-11	Legislative Interface/Lobbying Support	\$39,794.00	
151395-12	USACE Interface/Questions	\$674.50	
151395-13	Third Party Utility MOU's	\$21,781.00	
151395-14	ICS Issues	\$27,770.50	
TOTAL		\$127,034.50	

FEDERAL EMERGENCY MANAGEMENT AGENCY
PAYMENT INFORMATION FORM

Community Name:

Project Identifier: FM Diversion Project

THIS FORM MUST BE MAILED, ALONG WITH THE APPROPRIATE FEE, TO THE ADDRESS BELOW OR FAXED TO THE FAX NUMBER BELOW.

Please make check or money order payable to the National Flood Insurance Program.

Type of Request:

- MT-1 application }
 MT-2 application }

LOMC Clearinghouse
3601 Eisenhower Ave. Suite 500
Alexandria, VA 22304-6426
Attn.: LOMC Manager

- EDR application }

FEMA Project Library
3601 Eisenhower Ave. Suite 500
Alexandria, VA 22304-6426
FAX (703) 960-9125

Request No. (if known): _____ Check No.: _____ Amount: \$7,250

INITIAL FEE* FINAL FEE FEE BALANCE** MASTER CARD VISA CHECK MONEY ORDER

*Note: Check only for EDR and/or Alluvial Fan requests (as appropriate).

**Note: Check only if submitting a corrected fee for an ongoing request.

LOMC Type	Proposed fee	Proposed online submission fee
Single-lot/single-structure LOMR-F based on as-built information (CLOMR-F previously issued by FEMA)	425	325
Multiple-lot/multiple-structure CLOMA	800	700
Multiple-lot/multiple-structure CLOMR-F and LOMR-F	900	800
Multiple-lot/multiple-structure LOMR-F based on as-built information (CLOMR-F previously issued by FEMA)	800	700

Note that for digital submissions, the fees for these products have been reduced by \$100, since the costs for handling, scanning, and transportation will be lower. The higher costs associated with handling, scanning, and transportation of hardcopy submissions will continue to be recovered.

Fee Schedule for Requests for Letters of Determination Review

Based on a review of actual cost data for Fiscal Years 2010, 2011, 2012, and 2013, FEMA established the following review and processing fee for requests for Letters of Determination Review, which is to be submitted with all requests:

Product type	Proposed fee
LODR	\$80

Fee Schedule for Requests for Conditional Letters of Map Revision

Based on a review of actual cost data for Fiscal Years 2010, 2011, 2012, and 2013, FEMA established the following

review and processing fees, which are to be submitted with all requests that are not otherwise exempted under 44 CFR 72.5 and/or the Homeowner Flood Insurance Affordability Act of 2014, Public Law 113-89, section 22, Mar. 21, 2014, 128 Stat. 1028, 42 U.S.C. 4101e.:

LOMC Type	Proposed fee	Proposed online submission fee
CLOMR based on new hydrology, bridge, culvert, channel, or any combination thereof	\$6,750	\$6,500

Note that for digital submissions, the fee for this product has been reduced by \$250, since the costs for handling, scanning, and transportation will be lower. The higher costs associated with handling, scanning, and transportation of hardcopy submissions will continue to be recovered.

Fees for Conditional Letters of Map Revision Based on a Levee, Berm, or Other Structural Measure

Based on a review of actual cost data for Fiscal Years 2010, 2011, 2012, and 2013, FEMA has established \$7,250 as the initial fee for requests for CLOMRs based on a levee, berm, or other

structural measure. For digital submissions, the fees for this product have been reduced by \$250, since the costs for handling, scanning, and transportation will be lower. The higher costs associated with handling, scanning, and transportation of hardcopy submissions will continue to be recovered. FEMA will also continue

to recover the remainder of the review and processing costs by invoicing the requester before issuing a determination letter, consistent with current practice. The prevailing private-sector labor rate charged to FEMA (\$60 per hour) will continue to be used to calculate the total fees to be submitted to FEMA.

LOMC Type	Proposed fee	Proposed online submission fee
CLOMR based on a levee, berm, or other structural measure	\$7,250 (plus \$60/h) ...	\$7,000 (plus \$60/h).

Note that for digital submissions, the fee for this product has been reduced by \$250, since the costs for handling, scanning, and transportation will be lower. The higher costs associated with handling, scanning, and transportation of hardcopy submissions will continue to be recovered.

Fee Schedule for Requests for Letters of Map Revisions

Based on a review of actual cost data for Fiscal Years 2010, 2011, 2012, and 2013, FEMA established the following

review and processing fees, which are to be submitted with all requests that are not otherwise exempted under 44 CFR 72.5 and/or the Homeowner Flood Insurance Affordability Act of 2014, Public Law 113-89, section 22, Mar. 21,

2014, 128 Stat. 1028, 42 U.S.C. 4101e. Requesters must submit the review and processing fees shown below with requests for LOMRs dated February 20, 2015, or later that are not based on structural measures on alluvial fans.

LOMC Type	Proposed fee	Proposed online submission fee
LOMR based on a bridge, culvert, channel, hydrology, or combination thereof	\$8,250	\$8,000
LOMR based on as-built information submitted as a follow-up to a CLOMR	8,250	8,000

Note that for digital submissions the fees have been reduced by \$250 for these products since there will be less handling, scanning, and transportation costs on these products. The higher costs associated with handling, scanning, and transportation of hardcopy submissions will continue to be recovered.



Contracting Actions

May 2019

DA Board Approval Contract Actions (Recommendation)

Description	Company	Budget Estimate (\$)
<i>Task Orders – Diversion Authority</i>		
PMC Task Order 2, Amendment 4	CH2MHill	\$775,000.00
WP-50A Property Structure Mitigation	Schmidt & Sons	\$109,680.00

AMENDMENT NO. 4 to Task Order 2
Metro Flood Diversion Authority
Fargo-Moorhead Area Diversion Project
Interim Program Management and Related Services

This Amendment No. 4 is to CH2M Hill's Task Order 2 - Interim Program Management and Related Services for the Fargo-Moorhead Metro Flood Diversion Project.

The purpose of this Amendment No. 4 is to extend the period of performance for services and increase the total budget amount by \$775,000 for services under Task Order 2, and other revisions as described in this Amendment.

1. Modify Term as follows:
 - a. In the first sentence, replace "terminate on May 24, 2019" with "terminate on June 28, 2019."
2. In the second paragraph under Description, delete "including the approved FY 2018 Project Budget of \$82.6 million".
3. In the fourth paragraph under Description, replace "Jeffrey Ebsch" with "Jason Benson".
4. Modify Task A as follows:
 - a. In Section 1, subsection c. delete the second sentence in its entirety and delete "on the first Tuesday of" in the first sentence.
 - b. In Section 1, subsection d. delete the third sentence including the footnote and the last sentence.
 - c. In Section 1, subsection e. delete the last sentence.
 - d. In Section 1, subsection f. delete the last sentence.
5. Modify Task I as follows:
 - a. Delete the last sentence of the first paragraph.
 - b. In Section 1, subsection c. add "and in preparing for re-initiating P3 procurement activities" after "proposers".
6. Modify the Times for Rendering Services as follows:
 - a. Replace "End: May 24, 2019" with "End: June 28, 2019".
7. Modify the Budget and Payments to CONSULTANT as follows:
 - a. Replace "\$6,400,000" with "\$7,175,000."
 - b. Replace the table with the following table:

Task Order 2 Budgetary Breakdown		
Billing Group	Description	Budget Amount
Group 1 Services	Core Program Management	\$4,078,894.60
	Task A – Program Level Services	
	Task B – Financial Support	
	Task C – Program Controls and Reporting	
	Task D – Contract Administration	
	Task E – Technical and PROJECT Support	
	Task G – Federal and Legislative Support	
	Task H – Public Involvement and Outreach	
Group 2 Services	P3 Procurement and Implementation	\$1,218,207.00
	Task I – P3 Procurement Support	
Group 3 Services	Lands and Impact Mitigation	\$1,524,282.40
	Task K – Lands Rights Management and Impact Mitigation	
	Sub-Task K.1 – Property Acquisition Management	
	Sub-Task K.2 – Property Surveying Services	
	Sub-Task K.3 – Property Management	
	Sub-Task K.4 – Impact Mitigation Support	
Group 4 Services	Construction Management	\$353,616.00
	Task L – Construction Contract Management and Administration for non-P3 Work	
	Task Order 2 Total Budgetary Amount	\$7,175,000.00

This Amendment and the services covered by this Amendment will be performed in accordance with the Provisions and any attachments or schedules of the Agreement. This Amendment will become a part of the referenced Agreement when executed by both parties. All other terms and conditions of Task Order 2 not otherwise modified, superseded or replaced by this Amendment shall continue to be in full force and effect.

Metro Flood Diversion Authority:

Metro Flood Diversion Authority:

Signature _____
Name Michael Redlinger
Title Co-Executive Director, DA
Date _____

Signature _____
Name Robert W. Wilson
Title Co-Executive Director, DA
Date _____

CH2M HILL ENGINEERS, INC.:

Signature _____
Name _____
Title _____



64 4th Street North
Suite 300
Fargo, ND 58102

May 15, 2019

Metro Flood Diversion Authority
Attention: Mary Scherling, Chair
211 9th Street South, Box 2806
Fargo, ND 58108

Subject: Work Package 50A, Property Structure Mitigation
Recommendation of Award

Dear Board Members:

The contract for construction of Work Package 50A (WP-50A), Property Structure Mitigation was publicly bid and three (3) bids were received at the public bid opening on May 14, 2019.

Jacobs, Program Management Consultant (PMC), has reviewed and evaluated the bids and recommends the Metro Flood Diversion Authority award the construction contract for WP-50A to Schmidt and Sons Construction Inc. in the amount of \$109,680.00 as the lowest responsive bidder.

Their bid price is approximately sixty (60) percent lower than the Engineer's Opinion of Probable Cost and it appears to be a full and valid bid. The Contractor is allowed to demolish or move the structures in this contract, and moving (and selling) the structures typically costs less than demolishing them. This is the primary reason for the low bid. Enclosed are the project Bid Summary and a copy of Schmidt and Sons Construction Inc.'s bid.

Please contact me at john.glatzmaier@jacobs.com if you have any questions regarding this recommendation.

Sincerely,

John Glatzmaier/Jacobs
PMC Project Manager
Owner's Representative

Encl.

c: Mike Redlinger/City of Fargo
Robert Wilson/Cass County
Nathan Boerboom/City of Fargo

Matt Stamness/Cass County
Chris Gross/HMG
John Shockley/Ohnstad Twichell

Glatzmaier, John/FMD

From: Tammy <schmidtandsonsinc@gmail.com>
Sent: Wednesday, May 15, 2019 8:46 AM
To: Glatzmaier, John/FMD
Subject: [EXTERNAL] RE: FM Diversion, WP-50A bid form
Attachments: IMG_20190515_0001.pdf

Schmidt and Sons Construction Inc. agrees to Article 1 thru Article 4 of Bid Form for WP-50A
Thank you

Tammy Schmidt
Schmidt and Sons Inc.
DBA:
Schmidt and Sons Building Movers Inc
Schmidt and Sons Construction Inc
Schmidt and Sons Trucking Inc

5427 E River Rd
Kindred ND 58051
office/ fax 701-428-3088
Bob 701-388-2045, John 701-388-8436
Brandon 701-388-0745,
Skyler 701-630-3353

From: [Glatzmaier, John/FMD](#)
Sent: Wednesday, May 15, 2019 8:38 AM
To: [Tammy](#)
Subject: FM Diversion, WP-50A bid form

Hi Tammy,

After the WP-50A bid opening yesterday, I reviewed the submitted bids and noticed that pages 1 and 2 of the Schmidt and Sons Construction Inc. bid form were not included in bid packet. The full bid form is attached.

Please confirm that Schmidt and Sons Construction Inc. agrees to the acknowledgments and certifications, Articles 1 through 4, on pages 1 and 2 of the bid form.

Thanks.

[John Glatzmaier](#)
[Jacobs](#)
Project Manager
651.253.5910 mobile
651.365.8526 direct
John.Glatzmaier@jacobs.com

www.jacobs.com

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BID FORM

Property Structure Mitigation

Work Package 50A

ARTICLE 1 – BID RECIPIENT

- 1.01 This Bid is submitted to:
Metro Flood Diversion Authority
c/o Cass County Auditor
211 Ninth Street South Box 2806
Fargo, ND 58108-2806
- 1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

- 2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 30 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

- 3.01 In submitting this Bid, Bidder represents that:
- A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - B. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - C. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.



- D. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- E. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- F. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- G. Bidder has given Owner's Representative written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Owner's Representative is acceptable to Bidder.
- H. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- I. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

Schmidt and Sons Construction Inc agrees to
 Article 1 thru Article 4
 Schmidt
 sec/Treas

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE
1.	Mobilization	LS	1.0	9,000	9,000
2.	Clearing & Grubbing	LS	1.0	9,000	9,000
3.	Removals - 2351 173rd Ave SE, ND	LS	1.0	5,000	5,000
4.	Removals - 2368 173rd Ave SE, ND	LS	1.0	8,500	8,500
5.	Removals - 16657 38th St SE, ND	LS	1.0	7,500	7,500
6.	Removals - 17568 Pfiffer Dr., ND	LS	1.0	7,500	7,500
7.	Removals - 17465 49th St SE, ND	LS	1.0	7,500	7,500
8.	Removals - 17471 49th St SE, ND	LS	1.0	7,500	7,500
9.	Removals - 5021 171st Ave SE, ND	LS	1.0	8,500	8,500
10.	Removals - 17474 52nd St SE, ND	LS	1.0	8,500	8,500
11.	Top Soil Import	CY	2,335	2.00	4,670
12.	Imported Fill	CY	4,870	2.00	9,740
13.	Seeding and Mulching	SY	27,950	.60	16,770
Total of All Unit Price Bid Items					\$109,680

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

Total Bid Price (words) One hundred nine thousand six Dollars
hundred eighty dollars and no cents and Cents

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
 - A. Required Bid security;
 - B. Contractor's North Dakota License No.: 51192
 - C. Acknowledgment of Addenda

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

BIDDER: *[Indicate correct name of bidding entity]*

Schmidt and Sons Construction Inc.

By:
[Signature]




[Printed name]

Robert Schmidt

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:
[Signature]



[Printed name]

Tammy Schmidt

Title:

Sec/Treas

Submittal Date:

5/14/19

Address for giving notices:

5427 E. River Rd.

Kindred ND 58051

Telephone Number:

701-428-3088

Fax Number:

Contact Name and e-mail address:

Tammy Schmidt

schmidtandsonsinco@gmail.com

Bidder's License No.:

ND 51192 Class A

END OF SECTION