

FARGO CITY COMMISSION AGENDA
Monday, October 9, 2017 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/citycommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, September 25, 2017).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading, waive reading and final adoption of the following Ordinances; 1st reading, 9/25/17:
 - a. Rezoning Certain Parcels of Land Lying in Reeves Addition.
 - b. Amending Sections 20-0401 and 20-0402 of Article 20-04 of Chapter 20 of the Fargo Municipal Code Relating to Use Regulations and Self-Service Storage.
- 2. Receive and file communication from Leo F.J. Wilking regarding the appeal of Aaron Cockfield appealing the decision of the Civil Service Commission and set a date for a hearing.
- 3. Receive and file communication from Mark A. Frieese regarding the appeal of David Boelke appealing the decision of the Civil Service Commission and set a date for a hearing.
- 4. Renewal of BCBSND Dental Insurance, Avesis Vision Insurance and Mutual of Omaha Life Insurance effective 1/1/18 and transition to Mutual of Omaha Long-Term Disability Insurance.
- 5. Out-of-Grade pay request for Audra Stonefish in the Public Health Department.
- 6. Sole Source Procurement with Family HealthCare for annual medical interpreting services for an estimated amount of \$36,000.00.
- 7. Amendment to Development Agreement with DFI Roberts LLC.
- 8. Roberts Commons Condominium formation documents.
- 9. Appointment of Cass County State's Attorney and Assistants as Special City Prosecutors.
- 10. Tax exemptions for improvements made to buildings:
 - a. Don R. Symington, 1110 3rd Avenue North Unit 603W (3 year).
 - b. Amy T. and Devin B. Mertes, 1537 4th Street North (5 year).
 - c. Brent A. and Jenel K. Wavra, 2719 28th Avenue South (5 year).
 - d. Ronald W. and Dawn D. Solberg, 1327 Oak Street North (5 year).
 - e. Ronald W. and Dawn D. Solberg, 1327 Oak Street North (5 year).

- f. Dennis J. and Teresa M. Steinman, 1618 10th Street South (5 year).
 - g. Thomas R. and Carol A. Gustad, 3657 River Drive South (5 year).
 - h. Benjamin J. Wenger, 2402 7th Street North (5 year).
- 11. Site Authorization for Fargo Youth Hockey Association at H.A. Thompson and Sons Arena (previously the Teamsters Arena).
- 12. Applications for Games of Chance:
 - a. Bennett PTA for bingo from 10/13/17 to 4/13/18.
 - b. Nativity Elementary School for a raffle on 2/2/18.
 - c. Dan Hedrick Benefit for a raffle on 11/1/17; Public Spirited Resolution.
 - d. Nativity Church of Fargo for a raffle on 11/5/17.
 - e. United Way of Cass-Clay for a raffle on 10/20/17.
 - f. United Way of Cass-Clay for a raffle on 11/20/17.
 - g. United Way of Cass-Clay for a raffle on 11/15/17.
 - h. Fargo North Spartans for a raffle on 12/2/17.
- 13. Request from YMCA to hang banners in the skyway from December 1st to December 14th to promote their presence in downtown.
- 14. Request to extend the 2016/2017 snow hauling contracts with Master Construction, Diesel Dogs Trucking and Industrial Builders for the 2017/2018 snow season (RFP17012, RFP17013 and RFP17014).
- 15. Sole Source Procurement for the purchase of AMP salt brine additive from EnviroTech Services at a price of \$2.76 per gallon.
- 16. Sole Source Procurement for the purchase of IceSlicer ice melt from EnviroTech Services at a price of \$180.00 per ton.
- 17. Local match commitment letter for the FEMA Pre-Disaster Mitigation Grant application associated with Project No. WW1707.
- 18. Three-year contract with Fargo Public Schools for garbage collection services with the option to renew for two additional terms ending 10/31/23 and 10/31/26.
- 19. Amendment to the Emergency Management Joint Powers Agreement.
- 20. Cost Share Agreement with Cass County ND for the Completion of the Multi-Hazard Mitigation Plan.
- 21. Fire Department budget adjustment and contract with the ND Division of Homeland Security for grant funding in the amount of \$158,345.00 for the purchase of Regional Response Equipment and Training (CFDA #97.067).
- 22. Police Department budget adjustment and contract with the ND Division of Homeland Security for grant funding in the amount of \$79,344.00 for the purchase of air-purifying respirators (CFDA #97.067.)
- 23. Police Department budget adjustment and NDDOT Grant in the amount of \$55,000.00 for Seatbelt, Impaired Driving, Distracted Driving Enforcement and Education Activities and Underage Drinking Enforcement (CFDA #20.616 and 20.600).

24. Advertisement of Request for Proposals for general engineering services for the Solid Waste, Water and Wastewater Utilities.
25. ND DOT State Aid Contract in the amount of \$426,711.00 for transit funding.
26. Road Use Agreement with KCM, Kilbourne Construction Management, and DFI Roberts LLC for 625 2nd Avenue North.
27. Bid advertisement for Project No. UR-17-C.
28. Bid award for Project No. TR-17-B1.
29. Contracts and bonds for Project Nos. FM-17-B1 and WA1510.
30. Bills.
31. Requests from the following contractors to conduct work on Sundays as needed to meet deadlines and complete projects prior to winter.
 - a. Master Construction, Improvement District Nos. BN-17-A1, BN-17-B1, BR-17-C1 and BR-17-F1.
 - b. Shermans LLC, Improvement District No. BR-17-G1.
 - c. Excavating Inc., Project Nos. FM-14-63 AND FM-15-B2.
 - d. ICS, Project No. FM-15-J1.
 - e. Opp Construction, Improvement District No. PR-17-F1.
32. Time extension to 9/12/18 for Improvement District No. BN-17-A1.
33. Time extension to 10/13/17 for Improvement District No. BN-17-B1.
34. Early Build Permit for Properties in Cottagewood 3rd Addition (Improvement District No. BN-17-H1).
35. Early Build Permit for Property at 5002 19th Avenue North (Improvement District No. BN-17-A1).
36. Contract Amendment No. 1 for an increase of \$75,877.00 for Improvement District No. BN-17-A0.
37. Final Balancing Change Order No. 2 for an increase of \$2,751.15 for Improvement District No. NR-16-A1.
38. Negative Final Balancing Change Order No. 3 in the amount of -\$4,146.11 for Improvement District No. NN-14-21.
39. Negative Final Balancing Change Order No. 5 in the amount of -\$31,583.90 for Improvement District No. BR-16-A1.
40. Negative Final Balancing Change Order No. 4 in the amount of -\$12,735.00 for Improvement District No. NN-15-A1.
41. Contract and bond for Improvement District No. AN-17-G1.

REGULAR AGENDA:

- 42. Commissioner Gehrig would like to discuss special assessments.
- 43. Commissioner Piepkorn would like to discuss property tax reform.

44. Public Hearings - 5:15 pm:

- a. CONTINUED to 11/6/17 - Appeal of a Board of Adjustment decision on a variance request at 3931 and 3949 37th Avenue South to allow a proposed building to be constructed to a lower elevation than would otherwise be required by the City's Floodproofing Code, as referenced by Article 21-06 of the Fargo Municipal Code; denied by the Board of Adjustment on 8/22/17; continued from 9/25/17 Regular Meeting.
- b. Special Assessment lists for the following Improvement Districts, all having been approved by the Special Assessment Commission on 9/6/17; set the interest rate at 1% per annum over the net rate on bonds financing said projects:
 - (1) Drain 10 Channel Repairs Improvement District No. 6237.
 - (2) P.C. Concrete Alley Paving Improvement District No. AN-16-A.
 - (3) P.C. Concrete Alley Paving Improvement District No. AN-16-B.
 - (4) P.C. Concrete Alley Paving Improvement District No. AN-16-C.
 - (5) P.C. Concrete Alley Paving Improvement District No. AN-16-E.
 - (6) Sanitary Sewer, Water Main, Storm Sewer, Concrete Curb and Gutter, Asphalt Paving, Street Lights Improvement District No. BN-15-K.
 - (7) Sanitary Sewer, Water Main, Storm Sewer, Concrete Paving, Street Lights Improvement District No. BN-15-N.
 - (8) Sanitary Sewer, Water Main, Storm Sewer, Grading, Paving, Street Lights Improvement District No. BN-16-E.
 - (9) Water Main, Storm Sewer, P.C. Concrete Paving, Street Lights Improvement District No. BN-16-F.
 - (10) Sanitary Sewer, Storm Sewer, Paving, Street Lights Improvement District No. BN-16-L.
 - (11) Water Main Replacement, Street Reconstruction Improvement District No. BR-15-A.
 - (12) Water Main Replacement, Force Main Construction, Street Reconstruction Improvement District No. BR-16-B.
 - (13) P.C. Concrete Pavement, Concrete Curb and Gutter, Asphalt Pavement Improvement District No. PN-14-7.
 - (14) Concrete Curb and Gutter, Asphalt Pavement, Street Lights Improvement District No. PN-15-E.
 - (15) P.C. Concrete Pavement, Concrete Curb and Gutter, Asphalt Pavement Improvement District No. PN-15-L.
 - (16) Concrete Curb and Gutter, Asphalt Pavement, Street Lights Improvement District No. PN-15-M.
 - (17) Concrete Curb and Gutter, Asphalt Pavement, Street Lights Improvement District No. PN-15-N.
 - (18) Grading, P.C.C. Pavement, Storm Sewer, Traffic Signals, Street Lights, Sidewalks Improvement District No. PR-14-0.
 - (19) Traffic Signals Improvement District No. TN-16-B.
 - (20) Traffic Signals Improvement District No. TN-16-E.
 - (21) Sanitary Sewer, Water Main, Storm Sewer Improvement District No. UN-15-M.

- (22) Sanitary Sewer, Water Main, Storm Sewer Improvement District No. UN-15-N.
- (23) Water Main Replacement Improvement District No. UR-16-A.

- c. Renaissance Zone Project for DFI BG LLC for a rehabilitation project located at 115, 117 and 119 Broadway North.
- 45. Easement Agreement with DFI Dillard and DFI Kesler that provides access between the Dillard Building and the Roberts Parking Garage and parking priority for residential tenants.
 - 46. Consider contract award for consulting services for Apex Engineering Group in the amount of \$1,029,065.00 (Improvement District No. BR-18-C0).
 - 47. Consider Resolution Supporting an Inclusive Community.
 - 48. Commissioner Grindberg would like to discuss election reform proposals.
 - 49. Commissioner Gehrig would like to discuss the injunction on the FM Diversion.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/citycommission.

(42)

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: COMMISSIONER TONY GEHRIG T.G.

DATE: OCTOBER 9, 2017

SUBJECT: SPECIAL ASSESSMENTS BROWN BAG MEETING

Commissioner Strand and I request that we have a brown bag meeting with all pertinent City departments in order to discuss special assessments for new developments. Many residents have expressed concerns and we think it would be helpful for all of us to take a strong look at how we assess new developments and ask questions about how we might improve this practice.

While we understand there are multiple types of special assessments, we would like to just focus on new developments for the purpose of this particular brown bag meeting.

RECOMMENDED MOTION: Move to hold a brown bag meeting within the month in order to learn more about special assessments for new developments and explore alternative options available.

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
DRAIN 10 CHANNEL REPAIRS
IMPROVEMENT DISTRICT NO. 623700

44b1-23

44b1

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Drain 10 Channel Repairs, Improvement District No. 623700, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

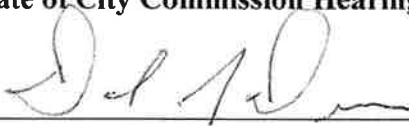
Special Assessment List for Cass County Drain 10 Channel Repairs

Improvement District No. 623700, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
PC CONCRETE ALLEY PAVING
IMPROVEMENT DISTRICT NO. AN-16-A

4462

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of PC Concrete Alley Paving, Improvement District No. AN-16-A, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

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(40-23-13)

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Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for PC Concrete Alley Paving & Incidentals

Improvement District No. AN-16-A, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

4463

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
PC CONCRETE ALLEY PAVING
IMPROVEMENT DISTRICT NO. AN-16-B

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of PC Concrete Alley Paving, Improvement District No. AN-16-B, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

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City Auditor's Office
(September 11, 2017)

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Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the


Special Assessment List for PC Concrete Alley Paving & Incidentals

Improvement District No. AN-16-B, **delivered to you herewith**


is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
PC CONCRETE ALLEY PAVING
IMPROVEMENT DISTRICT NO. AN-16-C

44864

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of PC Concrete Alley Paving, Improvement District No. AN-16-C, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

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Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for PC Concrete Paving & Incidentals

Improvement District No. AN-16-C, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
PC CONCRETE ALLEY PAVING
IMPROVEMENT DISTRICT NO. AN-16-E

4465

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of PC Concrete Alley Paving, Improvement District No. AN-16-E, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

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Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for PC Concrete Alley Paving & Incidentals

Improvement District No. AN-16-E, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

4464

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
SANITARY SEWER, WATER MAIN, STORM SEWER, CONCRETE CURB & GUTTER, ASPHALT
PAVING, STREET LIGHTS
IMPROVEMENT DISTRICT NO. BN-15-K

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Sanitary Sewer, Water Main, Storm Sewer, Concrete Curb & Gutter, Asphalt Paving, Street Lights, Improvement District No. BN-15-K, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

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Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights

Improvement District No. BN-15-K, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

4467
NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
SANITARY SEWER, WATER MAIN, STORM SEWER, CONCRETE PAVING, STREET LIGHTS
IMPROVEMENT DISTRICT NO. BN-15-N

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Sanitary Sewer, Water Main, Storm Sewer, Concrete Paving, Street Lights, Improvement District No. BN-15-N, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

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City Auditor's Office
(September 11, 2017)

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City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Sanitary Sewer, Water Main, Storm Sewer, PC Concrete Paving,

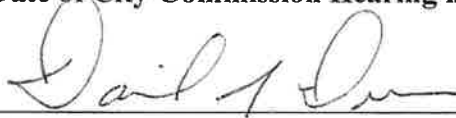
Street Lights

Improvement District No. BN-15-N, **delivered to you herewith**

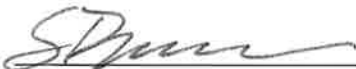
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Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

4468

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
SANITARY SEWER, WATER MAIN, STORM SEWER, GRADING, PAVING, STREET LIGHTS
IMPROVEMENT DISTRICT NO. BN-16-E

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Sanitary Sewer, Water Main, Storm Sewer, Grading, Paving, Street Lights, Improvement District No. BN-16-E, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

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Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Sanitary Sewer, Water Main, Storm Sewer, Site Grading, Paving


Street Lighting

Improvement District No. BN-16-E, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

4469

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
WATER MAIN, STORM SEWER, PC CONCRETE PAVING, STREET LIGHTS
IMPOVEMENT DISTRICT NO. BN-16-F

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Water Main, Storm Sewer, PC Concrete Paving, Street Lights, Improvement District No. BN-16-F, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

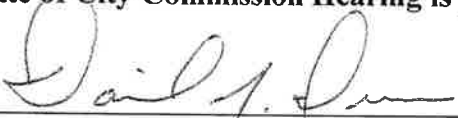
Special Assessment List for Water Main, Storm Sewer, PC Concrete Paving, Street Lights & Incidentals

Improvement District No. BN-16-F, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm


Joe Burgum

There were protests or protestors as follows:

*Curtis Goroski representing John Deere Electronic Solutions
4101 14th AV N*

44610

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
SANITARY SEWER, STORM SEWER, PAVING, STREET LIGHTS
IMPOVEMENT DISTRICT NO. BN-16-L

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Sanitary Sewer, Storm Sewer, Paving, Street Lights, Improvement District No. BN-16-L, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Sanitary Sewer, Storm Sewer, Paving, Street Lights & Incidentals

Improvement District No. BN-16-L, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None



NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
WATER MAIN REPLACEMENT, STREET RECONSTRUCTION
IMPROVEMENT DISTRICT NO. BR-15-A

44611

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Water Main Replacement, Street Reconstruction, Improvement District No. BR-15-A, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

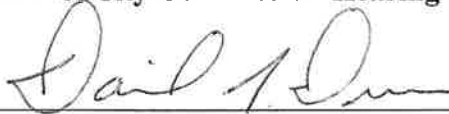
Special Assessment List for Water Main Replacement, Street Reconstruction

Improvement District No. BR-15-A, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

NONE

44612

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
WATER MAIN REPLACEMENT, FORCE MAIN CONSTRUCTION, STREET RECONSTRUCTION
IMPROVEMENT DISTRICT NO. BR-16-B

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Water Main Replacement, Force Main Construction, Street Reconstruction, Improvement District No. BR-16-B, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

To The Board of City Commissioners
Fargo, North Dakota

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

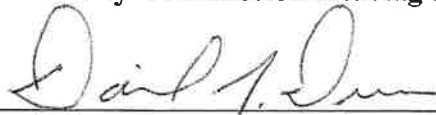
Special Assessment List for Water Main Replacement, Force Main Construction, Street
Reconstruction & Incidentals

Improvement District No. BR-16-B, delivered to you herewith

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

Ivan Sauvageau	2314 Broadway N
Kevin Olson	2218 Broadway N
Emmett North	2414 Broadway N

44/613

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
PC CONCRETE PAVEMENT, CONCRETE CURB & GUTTER, ASPHALT PAVEMENT
IMPROVEMENT DISTRICT NO. PN-14-7

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of PC Concrete Pavement, Concrete Curb & Gutter, Asphalt Pavement, Improvement District No. PN-14-7, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for PC Concrete Pavement, Concrete Curb & Gutter, Asphalt Pavement

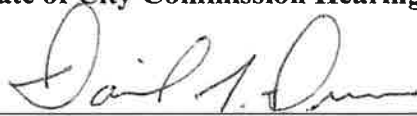
& Incidentals

Improvement District No. PN-14-7, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

44614

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
CONCRETE CURB & GUTTER, ASPHALT PAVEMENT, STREET LIGHTS
IMPOVEMENT DISTRICT NO. PN-15-E

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Concrete Curb & Gutter, Asphalt Pavement, Street Lights Improvement District No. PN-15-E, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

To The Board of City Commissioners
Fargo, North Dakota

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Concrete Curb & Gutter, Asphalt Paving, Street Lights

Improvement District No. PN-15-E, delivered to you herewith

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

44615

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
PC CONCRETE PAVEMENT, CONCRETE CURB & GUTTER, ASPHALT PAVEMENT
IMPROVEMENT DISTRICT NO. PN-15-L

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of PC Concrete Pavement, Concrete Curb & Gutter, Asphalt Pavement Improvement District No. PN-15-L, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

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Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for PC Concrete Paving, Concrete Curb & Gutter, Asphalt Pavement

Improvement District No. PN-15-L, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

44616

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
CONCRETE CURB & GUTTER, ASPHALT PAVEMENT, STREET LIGHTS
IMPROVEMENT DISTRICT NO. PN-15-M

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Concrete Curb & Gutter, Asphalt Pavement, Street Lights Improvement District No. PN-15-M, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Concrete Curb & Gutter, Asphalt Paving, Street Lights

Improvement District No. PN-15-M, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

NONE

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
CONCRETE CURB & GUTTER, ASPHALT PAVEMENT, STREET LIGHTS
IMPROVEMENT DISTRICT NO. PN-15-N

44617

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Concrete Curb & Gutter, Asphalt Pavement, Street Lights Improvement District No. PN-15-N, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

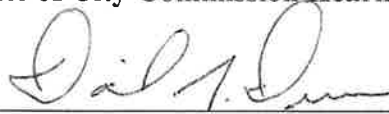
Special Assessment List for Concrete Curb & Gutter, Asphalt Paving, Street Lights

Improvement District No. PN-15-N, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

NONE

446 18

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
GRADING, PC CONCRETE PAVEMENT, STORM SEWER, TRAFFIC SIGNALS, STREET LIGHTS,
SIDEWALKS
IMPROVEMENT DISTRICT NO. PR-14-0

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Grading, PC Concrete Pavement, Storm Sewer, Traffic Signals, Street Lights Improvement District No. PR-14-0, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

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Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Grading, PCC Pavement, Storm Sewer, Traffic Signals, Street Lighting,

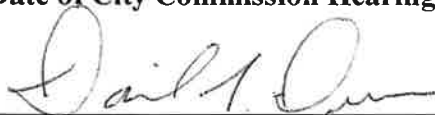
Sidewalks & Incidentals

Improvement District No. PR-14-0, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

44619

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
TRAFFIC SIGNALS
IMPROVEMENT DISTRICT NO. TN-16-B

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Traffic Signals Improvement District No. TN-16-B, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

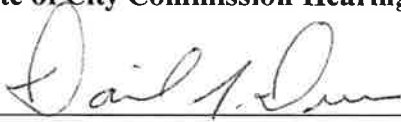
Special Assessment List for Traffic Signal Improvements & Incidentals

Improvement District No. TN-16-B, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
TRAFFIC SIGNALS
IMPROVEMENT DISTRICT NO. TN-16-E

44620

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Traffic Signals Improvement District No. TN-16-E, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

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Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Traffic Signal Improvements & Incidentals

Improvement District No. TN-16-E, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

Virgil Schultz 3325 45th Av S



NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
SANITARY SEWER, WATER MAIN, STORM SEWER
IMPROVEMENT DISTRICT NO. UN-15-M

446 21

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Sanitary Sewer, Water Main, Storm Sewer Improvement District No. UN-15-M, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**SPECIAL ASSESSMENTS**

200 3RD STREET NORTH
FARGO, NORTH DAKOTA 58102
PHONE: 701-241-1326
FAX: 701-297-7793

To The Board of City Commissioners
Fargo, North Dakota

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Sanitary Sewer, Water Main, Storm Sewer & Incidentals

Improvement District No. UN-15-M, delivered to you herewith

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017

A handwritten signature in cursive script, appearing to read "Dan Dunn", written over a horizontal line.

Dan Dunn, Chairperson

A handwritten signature in cursive script, appearing to read "Steve Bladholm", written over a horizontal line.

Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

44622

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
SANITARY SEWER, WATER MAIN, STORM SEWER
IMPROVEMENT DISTRICT NO. UN-15-N

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Sanitary Sewer, Water Main, Storm Sewer Improvement District No. UN-15-N, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

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(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

Special Assessment List for Sanitary Sewer, Water Main, Storm Sewer & Incidentals

Improvement District No. UN-15-N, **delivered to you herewith**


is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None

NOTICE OF HEARING
ON SPECIAL ASSESSMENT LIST FOR
WATER MAIN REPLACEMENT
IMPROVEMENT DISTRICT NO. UR-16-A

446 23

Notice is hereby given that the Special Assessment Commission has confirmed the special assessment list for installation of Water Main Replacement Improvement District No. UR-16-A, in the City of Fargo, North Dakota; and such confirmed list has been filed with the City Auditor and is now open to public inspection.

The Board of City Commissioners of the City of Fargo, North Dakota will conduct a Public Hearing on such special assessment list in the City Commission Room, City Hall, at 5:15 o'clock p.m. Monday, October 9, 2017.

Any person aggrieved may appeal from the action of the Special Assessment Commission by filing with the City Auditor, prior to this Hearing, a written Notice of Appeal stating therein the grounds upon which the appeal is based. Any person having filed such a Notice may appear before the Board of City Commissioners to present reasons why the action of the Special Assessment Commission should not be confirmed.

When confirmed for collection by the Board of City Commissioners, the listed amounts will become due and payable at the City Auditor's office ten (10) days after approval, and thereafter shall bear interest at a rate not exceeding 1 (one) percent per annum over the net rate on bonds financing said project.

(40-23-13)

City Auditor's Office
(September 11, 2017)

Insertion order for Legal Ad Section of the Forum

Please insert the attached notice(s) in the Legal Ad Section of the Forum.

Publication Date: (September 11), 2017

Bill to:
City of Fargo
Attn: Michelle
Auditor's Office
200 North 3rd Street
Fargo, ND 58102

Send one (1) Affidavit.

Questions, call Michelle at 241-1304.

**To The Board of City Commissioners
Fargo, North Dakota**

The undersigned, members of the Special Assessment Commission

for the City of Fargo, North Dakota, do hereby certify that the

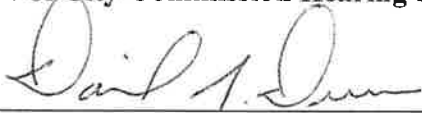
Special Assessment List for Water Main Replacement

Improvement District No. UR-16-A, **delivered to you herewith**

is a true and correct assessment list as confirmed by the

Special Assessment Commission on September 6, 2017

Date of City Commission Hearing is October 9, 2017



Dan Dunn, Chairperson



Steve Bladholm

Joe Burgum

There were protests or protestors as follows:

None



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

MEMORANDUM

TO: City Commission

FROM: Derrick LaPoint, Planner

DATE: October 4, 2017

RE: Renaissance Zone Application from DFI BG LLC (263-F) located at 115, 117 and 119 Broadway North

The City received a Renaissance Zone (RZ) application from DFI BG LLC to rehabilitate mixed-used commercial and residential buildings at 115, 117 and 119 Broadway North.

Pursuant to the application, the intent of the project is to complete interior renovations to existing commercial buildings in close proximity to each other. Each building has 3 levels and collectively include approximately 31,500 residential and commercial square feet. The rehabilitation would renovate and update the upper two levels of both buildings into 25 apartment units and add 5 commercial retail units of 1,000 square feet each onto the rear. The construction would begin in the fall of 2017 and the proposed timeframe of opening would be fall of 2018.

Attached is a copy of the staff report and corresponding materials.

As indicated in the attached documentation, the project met all state and local requirements for approval and is consistent with a number of goals and objectives as established in the Fargo Renaissance Zone Development Plan. The application indicates an investment of \$2,400,000 which exceeds the minimum investment threshold as set forth in the plan.

The request was reviewed by the Renaissance Zone Authority (RZA) on September 27, 2017. The RZA unanimously recommended approval of this project.

Recommended Action: Approve the Renaissance Zone rehabilitation application from DFI BG LLC (115, 117 and 119 Broadway North) and grant state income tax and property tax exemptions as recommended by the Renaissance Zone Authority.



**Staff Report
Renaissance Zone Application for
DFI BG LLC (263-F)
115 Broadway N, 117 Broadway N & 119 Broadway N**

Project Evaluation:

The City of Fargo received a Renaissance Zone application from DFI BG LLC to rehabilitate two (2) mixed-use commercial and residential buildings on one (1) lot at 115 Broadway North, 117 Broadway North and 119 Broadway North. Pursuant to the application, the intent of the project is to complete interior renovations to existing commercial buildings in close proximity to each other. Each building has 3 levels and collectively include approximately 31,500 residential and commercial square feet. The rehabilitation would renovate and update the upper two levels of both buildings into 25 apartment units and add 5 commercial retail units of 1,000 square feet each onto the rear.

The construction would begin in the fall of 2017 with the goal of completion in the fall of 2018.

The Planning Department has reviewed the application and has provided a project ranking based on the analysis below.

Lines 1: Use consistent with the RZ Plan (as per Visions and Goals): As noted in the 2015 Renaissance Zone Development Plan the desired land use on Block 11 is identified as: *preservation and rehabilitation*. As proposed, the project will contribute to a number of goals and objectives as outlined in the RZ Plan as follows:

1. *Activity Generator [goal]:* Develop activity-generating enterprises near Renaissance Zone's major commercial corridors: Broadway North.

The provision of apartment units will contribute more residents that would potentially become patrons of downtown services and result in increased activity downtown. The addition of retail units on the back of the building will add pedestrian activity as well.

2. *Walkable Districts [goal]:* Create "walkable districts" that integrate a wide range of activities and land uses; thus encouraging on-street activity.

The proposed project site on Broadway North already contains architectural design elements that make it walkable. In order to preserve the walkable character of the area, no major alterations to the will be made to the front exterior of the building to increase disincentives to pedestrian modes of transportation. In addition, the creation of retail units on the rear of the building will generate activity to encourage on street activity.

3. *Ground Floor Uses [goal]:* Reserve ground floor land uses to those that will encourage streets to come to life – shops, offices, cafes, restaurants and other "public" facilities.

The proposed project will preserve commercial uses on the ground floor of the property in order to maintain activity on the street. Retail units will be added to the rear of the building to promote the increase of ground floor uses of the building.

4. *Neighborhood Center [goal]:* Make "Broadway" Fargo's "Main Street" – a pedestrian-friendly, mixed-use magnet that anchors downtown neighborhoods.

The proposed project would keep the commercial tenant on the ground floor to add to the collective pedestrian-friendly, mixed-use character of Broadway North. The addition of retail units on the rear of the building would provide a pedestrian-friendly destination.

5. *Urban Design [goal]:* Projects will embody strong urban design principles inclusive of building massing and form, building materials, pedestrian orientated design, streetscape, building orientation and recognition of the importance of defined block corners, architectural style, high building coverage percentages, limited setbacks or downtown district appropriate setbacks, design longevity and street level transparency.
6. *Transportation [goal]:* Manage downtown transportation, accessibility and parking issues in a manner that will allow for further commercial developments and will make the entire area more user-friendly.

The property is located along Broadway North. Broadway North is a multi-modal corridor in design that accommodates for high counts of pedestrian modes of transportation and provides shared lanes for both auto and bike modes as well. In addition, bike share, bus facilities, and parking ramps are located in close proximity along 2nd and 4th Avenue North.

7. *Safe Streets – Safe Neighborhoods [goal]:* Encourage safe streets and safe neighborhoods by relying on and utilizing the “natural surveillance” of lively and active streets.

The proposed project is anticipated to provide more residents and retail activity to increase street activity and contribute to the existing “natural surveillance” along Broadway North.

8. *High Quality Housing [goal]:* Continue to encourage the production of unique high quality housing that is developed in areas targeted for residential development or as a component of a mixed-use project.

The rehabilitation project would create a mixed-use building by increasing the utilization of the ground floor and increasing the quality of the housing units provided on the upper floors.

9. *Infill [goal]:* Encourage and actively pursue projects that increase the productivity of underutilized property such as surface parking lots, vacant land and parcels with low building to land value ratios. Infill projects shall conform and be consistent with urban design principles as set forth in Goal 5, above..

The project would contribute to infill, because the proposed rehabilitation work would occur on a site is already developed and provide an adaptive re-use of the building on the rear ground floor.

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

The location of the project proposal would benefit from the existing amenities along Broadway North. The project would also increase the quality of the housing provided by adding new plumbing, electrical, design layouts, bathrooms, kitchens, appliances, and heating and cooling HVAC systems.

11. *Downtown Entryways [goal]:* Enhance auto entry experiences with landscaping improvements to all major corridors (Broadway, Roberts St, 1st/NP Avenue, Main Avenue) and gateway statements at Broadway/Main Avenue, Broadway/6th Ave N, 1st Avenue/Red River, Main Avenue/Red River and Main Ave/10th Street N.

The project is located on Broadway North and would contribute to the existing overall design of the corridor.

12. *The Place to Be [goal]:* Make downtown the entertainment/cultural/recreational center of the city... Make downtown a key destination for visitors/conventioners and a key destination for residents.

The project would generate a retail destination and more residents that would live and contribute to the vitality of the downtown.

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

14. *24 Hours a day – 7 Days per Week – 365 Days a Year [goal]:* Design spaces, facilities and features that will attract people to the area both day and night, on weekdays and weekends, and during all seasons of the year.

The proposed apartment residences would attract activity to the site on nights in weekends in addition to the commercial use on the ground floor.

15. *Connections and Coordination [goal]:* ... Strong connections between people, places and things to do are vital to creating a strong sense of community.

The mixed-uses of commercial and residential uses would establish connections between the building and other surrounding land uses on Broadway North.

(9 /10 points)

Line 2: Will exterior rehabilitation or the proposed improvements be sufficient to eliminate any and all deteriorated conditions that are visible on the exterior of the building? Does the project scope address the interior and exterior of the building in a comprehensive manner?:

The applicant has reviewed the exterior of the building and has not identified deteriorated conditions. Therefore, the applicant has not proposed any improvements to the exterior of the building. However, the project proposal will include plans to renovate the top 2 floors of the buildings and create retail spaces on the rear of the building in a comprehensive manner.

(9/ 10 points)

Line 3: Does the investment comply with the minimum State standard that requires an investment of no less than 50% of the current true and full valuation of the building?:

The property is currently assessed at \$1,562,900. The applicant has proposed a total rehabilitation investment of \$2,400,000 which exceeds the required 50% investment guideline. These improvements will result in \$76 per SF (RZ minimum is \$25 per SF for residential and \$40 per SF for commercial) being invested into the existing space.

(10 / 10 points)

Line 4: Does the investment comply with minimum investment thresholds (locally determined) for residential and commercial projects as set forth in the RZ Plan?:

Pursuant to City of Fargo Renaissance Zone standards, in order to qualify for consideration, a project must meet a minimum \$25 per SF capital improvement threshold for residential rehabilitation and \$40 per square foot capital improvement for commercial rehabilitation. New construction must meet \$100 per square foot capital investment threshold.

According to the application, the structure accommodates 31,500 square feet. The application estimates a total capital investment of \$2,400,000, which calculates to approximately \$76 per SF.

(10 / 10 points)

Line 5: Sub-Total: The sub-total of lines 1–4 equals 40 points.

Line 6: Use consistent with the RZ Plan (as per Visions and Goals)?:

Line 7: Does the investment comply with minimum investment thresholds (locally determined) for residential and commercial projects as set forth in the RZ Plan?

Line 8: Tenant must be leasing space in a building that has been approved as a Zone project: NA

Line 9: The new construction or proposed improvements are representative of “High Priority Land Uses” as defined in the RZ Plan: These criteria are defined by four sub-categories, as follows:

Primary Sector Business: N/A

Active Commercial, Specialty Retail or Destination Commercial: The project is located near Broadway North where a lot of mixed-use activity is already established. Significant investment to the existing building to create apartment and retail uses that result in more intense uses will increase the activity in this corridor.

Mixed Use Development: The addition of apartment units on the 2nd and 3rd floor of the existing building and the addition of retail to the rear of the building will increase the mixed use of the building.

(8 / 10 points)

Line 10: The investment is located in a 'Target Area' as defined by the RZ Plan:

- 1) Parcels that have been vacant or underutilized for an extended period of time:

The proposed project will provide investment in a property that was underutilized for an extended period of time. The renovation of the building will provide several more intense uses that will generate more activity as well as provide a destination.

(5/5 points)

- 2) Parcels specifically targeted for clearance:

The RZ Plan designates Block 11 as being appropriate for preservation and redevelopment. The proposed project meets these objectives by redeveloping an existing building for apartment uses.

(5/5 points)

(10 / 10 points)

Line 11: The project will create civic space or public space and/or will enhance pedestrian connectivity, streetscape amenities or will contribute to street level activation:

This project will contribute to street level activation by adding more residents to the downtown area and activating the alley behind the existing building.

(10 / 10 points)

Line 12: Consideration and analysis as to the total actual investment in the project:

As proposed, the rehabilitation project and improvement costs exceed both the 50% (true and full value of the building) and \$40 per square foot requirement. As previously noted, the application represents a total estimated investment of \$2,400,000.

(10 / 10 points)

Line 13: Consideration as to whether the project will include or accommodate the relocation of a business from another North Dakota community:

The project does not involve the movement or relocation of a business from another North Dakota community.

(10 / 10 points)

Line 14: Is the project located within a historic district? Will the project fit contextually and will the project contribute or enhance the area from an architectural perspective?

This property is located outside the boundary of the Downtown Historic District. The proposed rehabilitation project will contribute to enhancing the aesthetics of the area.

(9 / 10 points)

Summary:

This application received a score of 95 on a 100-point scale. The applicant met all required criteria and the use is consistent with the RZ Plan. In addition, the proposed rehabilitation project surpasses the local capital improvement requirement of \$40 per square foot capital improvement for commercial rehabilitation. New construction must meet \$100 per square foot capital investment threshold.

This project is consistent with the RZ Plan as activity generators and walkable districts are important initiatives highlighted in the plan. The proposal will increase activity and contribute to the vitality of the downtown area along Broadway North.

The amount invested in the project exceeds state and local guidelines. The project does not involve the relocation of commercial businesses from another North Dakota city. The applicant is not seeking historic preservation tax credits.

This project will make use of a structure that is currently underutilized. Staff believes that this project will be a benefit to the downtown community and will positively contribute to the health of surrounding businesses.

Suggested motion:

Recommend approval to the Fargo City Commission to approve the application submitted by DFI BG LLC and to grant the property tax exemption and the State income tax exemptions as allowed by the ND Renaissance Zone law contingent upon completion of the project and verification of costs.

Renaissance Zone Scorecard Minimum Criteria (Rehabilitation Project)			
		Possible Rating	Staff Rating
1	Use consistent with the plan (as per Vision and Goals)	10	9
2	Exterior rehabilitation sufficient to eliminate any and all deteriorated conditions that are visible on the exterior of the building	10	9
3	Re-investment that totals no less than 50 percent of the current true and full valuation of the building	10	10
4	The investment totals at least \$40 in capital improvements per square foot for commercial properties or \$25 in capital improvements per square foot for residential properties (The authority may waive the square foot investment requirement for certain projects)	10	10
Minimum Criteria (Proposals involving new construction or additions)			
6	Use consistent with the plan (as per Vision and Goals)	NA	NA
7	Does the investment comply with minimum investment thresholds (locally determined) for residential and commercial projects as set forth in the RZ Plan?	NA	NA
8	Tenant must be leasing space in a building that has been approved as a Zone project	NA	NA
Project Review Guidelines			
9	The new construction or proposed improvements are representative of "High Priority Land Uses" as defined in the RZ Plan: <ul style="list-style-type: none"> Primary sector business Active Commercial, Specialty Retail and/or Destination Commercial Mixed use development (combination of housing, commercial, and/or retail uses in a horizontal or vertical fashion) Large, upscale residential units 	10	8
10	The investment is located in a 'Target Area' as defined by the RZ Plan: <ul style="list-style-type: none"> Parcels that have been vacant or underutilized for an extended period of time Parcels specifically targeted for clearance 	10	10
11	The project will create civic space or public space and/or will enhance pedestrian connectivity, streetscape amenities or will contribute to street level activation: <ul style="list-style-type: none"> Incorporation of "civic" or "public" space within a redevelopment proposal will receive additional consideration Demonstrated commitment to strengthening pedestrian corridors and issues of "connection" Attention to streetscape amenities Contribution to street activity 	10	10
12	Consideration and analysis as to the total actual investment in the project: <ul style="list-style-type: none"> Consideration can be given for the level of capital investment in a project. (i.e., additional consideration can be given for higher levels of investment) 	10	10
13	Consideration as to whether the project will include or accommodate the relocation of a business from another North Dakota community: <ul style="list-style-type: none"> Commercial tenants that are re-locating within the Downtown Area (as defined by the 1996 Downtown Area Plan) are not eligible for tax incentives without special approval from the Zone Authority Commercial tenants that are relocating from a North Dakota community (other than Fargo) to the Fargo Renaissance Zone are not eligible for tax incentives without special approval from the Zone Authority. 	10	10
14	Is the project located within a historic district? Will the project fit contextually and will the project contribute or enhance the area from an architectural perspective? <ul style="list-style-type: none"> Although not included in the Project Review Guidelines, historic preservation is considered an important component of downtown projects even when Historic Preservation and Renovation Tax Credits are not being requested. 	10	9
Total Rating (100 possible points)		100	95



CITY OF FARGO RENAISSANCE ZONE PROJECT APPLICATION

REHABILITATION OR PURCHASE (Renovation)

Attn: This application must be approved by all local and state review entities prior to beginning rehabilitation work.

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

115 & 117/119 BROADWAY

S 5 IN OF 15 & ALL OF 16 & 17 & 18, Block 8, Keeney & Devitts 1st

PIN - 01-1520-00751-000

Renaissance Zone Block 11



2. Current property owner(s).
DFI BG LLC
3. Name of applicant(s), mailing address, Federal ID number or SSAN, and type of entity (partnership, LLC, S-corporation, etc.).

DFI BG LLC

210 Broadway, Suite 300

Fargo, ND 58102

Tax ID Number:

4. Current use of property

115 Broadway

Subway is located on the ground floor in a 25ft wide storefront. The two upper floors housed the Broadway Hotel – a single room occupancy living quarters.

Each floor has fifteen 12' x 10' units and on each floor there was one bathroom and one shower room for the residents. These units have been vacated for asbestos and lead abatement since July 2017.

117/119 Broadway

Teaberry and Sweeto Burrito (now vacant) are located on the ground floor, each business occupying a 25ft wide storefront.

The two upper floors have 12 units per floor – with a mix of 1 and 2 bedrooms. These units have been vacated for asbestos and lead abatement since July 2017.

5. Square footage of the lot and of the building (list each floor separately)

115 Broadway – 10,500sf (building) & 3,504sf (lot)

117/119 Broadway – 21,000sf (building) & 7,087sf (lot)

Describe the impact this project has on any historical properties

115 Broadway – Broadway Hotel

This building was built in 1924, to replace the previous building constructed in 1906 that was destroyed by fire in 1924. The three story building has one recessed bay with four windows on second and third stories separated by pilaster strips between the windows and corner pilasters. Above the bay are four recessed brick panels under corbelled cornice and plain brick parapet with stone coping.

Prior to the fire in 1924, the building was the location of a theater of several different names: Ideal, Savoy, and Liberty. Following the fire and reconstruction, a number of different businesses were located on the ground floor: Office Specialties, J.M. Wiley Piano Company, and Knox Music Center.

117/119 Broadway – Bristol and Sweet

The building was designed by the Hancock Brothers architectural firm and built in 1907 for the Bristol and Sweet Harness Co. Bristol and Sweet was founded by Frederick and Ida M. (Sweet) Bristol, who came to Fargo from Illinois in 1879. The three-story building is classical revival design with two recessed bays separated by center and end brick pilasters, sitting on rough sandstone piers at first story; four windows to each bay at second and third stories. The building has a plain brick parapet with elaborate dentilled metal corner and foliated metal frieze.

The ground floor originally housed the Bristol and Sweet Harness Company, until 1920 when the company moved to 322 5th St N. Charles Reineke, founder of WDAY radio, purchased the building in 1922 and moved his station from the Cass County Courthouse bell tower to this location. This was the first radio station in the northwest and one of the first 100 in the country. The upper floors held a variety of businesses and professional services. In 1934, The Roxy Theater opened in building, owned by Francis Aamoth, and it operated through the 1960s. The small theater eventually became known as the Broadway Theater in the 1960s and closed in the mid-1980s.

Type of project (purchase, rehabilitation, lease, purchase with major improvements, historic preservation and renovation, or a combination).

Renovation

6. Project Description.

The Broadway Hotel and Bristol & Sweet project consists of the renovation of the uppers of 115 and 117/119 Broadway into market rate apartments. The 29 units would be designed for those renting by choice, students, young professionals, and recent graduates. The project would consist of alcoves, one and two bedrooms.

The ground floor commercial spaces facing Broadway will have little to no changes. The rear of the building will be renovated to create five new retail units of approximately 1000SF each. Three units will be at the ground level and two garden level basement units.

7. Please provide a break out of “capital improvements”, as defined in Attachment B, and justification that the project will meet the City’s investment guidelines.

Also describe anticipated tenant mix and the expected date of occupancy, completion, lease, or rehabilitation.

- \$2.4M investment resulting in \$76 per square foot of construction costs.
- Anticipated start Fall 2017
- Anticipated completion Fall 2018
- 24 units – about 30% will be alcoves, 35% 1 bedrooms, 35% 2 bedrooms,

8. Describe how the project enhances the stated Renaissance Zone goals and objectives, being as specific as possible (see Attachment C)

Activity Generators

Many of the units in the Bristol and Sweet building have been vacant due to their poor condition. The renovation of these upper floors of these two buildings will provide new living options in the heart of downtown. These residents will provide additional activity along Broadway and it could be expected will patronize retailers, service providers, and food and beverage operators in downtown.

The renovation of the rear of the buildings to include alley facing retail will provide additional retail location and generate new pedestrian activity.

Walkable Districts.

These historic buildings already support walkability through good urban design – mixed use, tall storefronts with large amounts of glass and frequent doors, and active ground floor uses – and as part of the project will change very little along Broadway. The project will redesign the rear of the building along the alley to add five additional retail storefronts. Three will be located on the ground level in what was former storage areas and two located in basement (first floor accessible or as garden level units) in spaces previously unused. We will seek to fill these spaces with retail and food and beverage concepts. These retail spaces will help activate this alley and generate more pedestrian activity.

The surrounding redevelopment of 123 Broadway (former Metro Drug) with the creation of three storefronts facing north and the development of Block 9 and plaza will generate far greater numbers of pedestrian activity in this area that will benefit these alley retailers. The plaza – and specifically the stage - will serve as a terminating vista for pedestrians walking north behind this project. The addition of alley storefronts will attempt to generate a destination point for those leaving and coming to the plaza and the various events.

Ground Floor Uses

The ground floors of these are anticipated to stay as is with no changes along Broadway. The rear of the buildings will be redesigned to add five new retail spaces.

Neighborhood Center

The introduction of retail in the alley will strengthen Broadway as a destination and continue the efforts to see retail and redevelopment expand outward from this prominent street.

Transportation Issues

Broadway is downtown's most important street and generates significant traffic counts, likely has the highest foot traffic in the state, and is bike friendly. The cross streets of 2nd and 4th Ave north are served by several different bus routes, including Link FM. To the north of the project is a Great Rides Bike Share station. The location is also near the Civic and Roberts Commons Parking Garages.

Safe Streets – Safe Neighborhoods.

The project's apartments and their resulting residents will contribute to the already existing natural surveillance along Broadway. The redesign of the alley with retail destinations will increase the foot traffic, pedestrians, activity, and natural surveillance in this corridor.

High Quality Housing

This project will meet the City's Renaissance Zone goal of producing high quality housing. These units will feature new kitchens and bathrooms with quality finishes, washer and dryer, exposed brick, hardwood floors, Broadway views, and other historic elements where possible.

Infill

This project is located on parcels that are already fully developed. But the project's redevelopment of the building's rear and basement does represent adaptive reuse. The redesign recognizes the growing trend for smaller retail spaces and will activate rear and basement storage areas into a higher and better use.

Housing Amenities

In general, we feel the building's location and proximity to Broadway serves as its biggest amenity. Broadway is a "Walkers Paradise," per Walk Score®, and the benefit of living in a mixed-use environment cannot be overemphasized as the most important amenity for these residents. The building will also include a bike room in the basement for residents.

The now vacated apartment units also had many life safety issues that need to be addressed: no sprinkler system, knob and tube wiring, undersized electrical service, and non-compliant egress lighting. The units also lacked many quality of life features: no cooling system, electric baseboard heat, limited natural light. The Broadway Hotel units also had no bathrooms or kitchens and many had no windows.

The redesign of these apartments will eliminate the life safety issues, add all new plumbing and electrical, eliminate the design deficiencies of the unit layouts, and provide quality of life enhances such as greater day lighting, private bathrooms and kitchens, dish washers, washers and dryers, and modern heating and cooling HVAC systems.

Downtown Entryways

The project is located along Broadway and will contribute to this already existing signature corridor of downtown.

The Place to Be

Downtown is already the cultural heart of downtown. The addition of new residents, retail, food and beverage, and unique experiences only enhances the ability of downtown to be the destination for the region.

A Place Like No Other

The creation of alley retail will create a new and unique area for downtown. Having retail located in this alley will create a "hidden" destination off the beaten path for visitors. The creation retail located in the unique basements of these historic buildings will further enhance this distinctive experience.

This project will also be part of an overall goal of reactivating 2nd Ave, which has suffered from limited pedestrian activity. The redesign of 123 Broadway with new storefronts replacing a blank façade will help draw the Broadway foot traffic down Second Ave. Wasabi will be relocating to one of these storefronts and we are targeting a food and beverage for the east storefront that would include large garage doors to further activate the entrance to the alley. The redesign of the Block 9 plaza will be a destination in and of itself and the space's programmed events will draw large numbers of visitors. The creation of a retail activated alley will draw these visitors down the alley and into this unique space.

Spruce up the area

The upper floors of these buildings suffered from years of deferred maintenance. The complete renovation of these apartments will greatly improve this space. The redesign of the rear of the building with retail storefronts will start the process of making the alley into an inviting pedestrian experience.

24 hours a day – 7 days a week – 365 days a year.

The residential units on the upper floors will ensure this area of downtown will be activated in the evening and weekend as these residents return home from work or school. We are also purposefully targeting to fill the new commercial spaces with retail and food and beverage to create destinations and activity in the evenings and weekends.

Connections and Coordination.

This mixed-use project and activation of the alley will further enhance the activity along Broadway and help expand that energy beyond Broadway.

9. Extent of the exterior rehabilitation (demonstrated improvement to "public" face of building) – include plans and/or renderings, if available

Very little noticeable change will occur along these buildings' Broadway facade.

10. Describe how the project fits under the Zone's development guidelines (Attachment D)

High Priority Land Use

This mixed-use project will include active retail commercial, residential apartments, and small amount of commercial office space on an upper floor. The residential apartments' design, features, and finishes will meet the Renaissance Zone goal of "large, upscale apartments".

Target Areas

Portions of these buildings' apartments were vacant and underutilized due significant design issues and deferred maintenance making them undesirable. The adaptive reuse of the rear of the building and basement spaces will convert unused or underutilized areas into desirable retail spaces.

Public Space

These lots are fully built out and eliminate any possibility of creating civic space. However, the redesign of the rear will convert a utilitarian alley into an inviting public realm.

Investment

DFI BG LLC will be making a \$2.4M investment into this project. Resulting in a planned \$76/SF of capital improvements, and nearly twice the Renaissance Zone threshold for renovation projects. The \$2.4M investment also exceed the Renaissance Zone's requirement of greater than 50% of the existing buildings value (\$1,435,900) which would be \$0.7M.

Relocation

The project does not anticipate any businesses from other North Dakota cities relocating to this project.

Historic District

The project is located in the Downtown Fargo Historic District and the project would preserve the historic buildings.

11. List of public and private financial commitments. If the project is funded by the Renaissance Zone Fund, describe type of funding and amounts.

The project funding will be 75% financed and 25% privately funded.

12. Estimated tax impact of Zone incentives to the applicant: List the current true and full value of the building, the current annual property tax on the building, the estimated value of the building after improvements have been completed, and the estimated five-year impact. Estimate the potential annual income tax savings.

Current true and full value: \$1,562,900 (Land = \$127,000 Buildings=\$1,435,900)

Current annual property tax on building (2016):

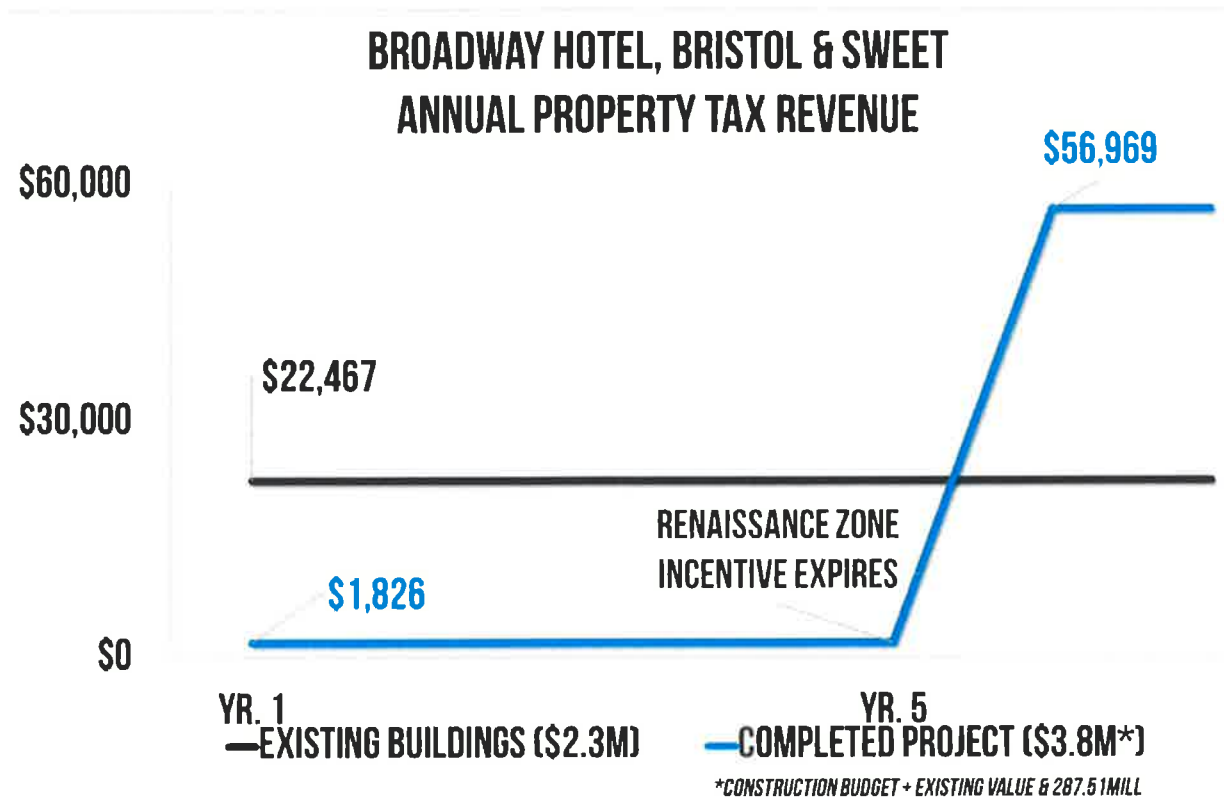
- 115 Broadway = \$6,073.41
 - 117/119 Broadway = \$15,487.29
- \$21,560.70

Estimated value of the buildings after improvements: \$3,835,900*

Estimated five-year impact: \$103,209 (287.51 Mill Levy)

Potential annual income tax savings: \$1,000

*Construction Budget (\$2.4M) + Existing Value



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

Request has been submitted to the State.

DFI BG, LLC

Renaissance Zone Application

Project Cost Estimate for Capital Improvements

Project: BSBH, 115 & 117/119 Broadway Fargo, ND 58102

Planned Improvements

Improvements	\$ 2,400,000
	<u>\$ 2,400,000</u>

Notes

Soft costs have been allocated to each line item

EXISTING

At least \$40/SF in capital improvements


Total Planned Capital Improvements	\$ 2,400,000
Total Square Feet	31,500
Planned Capital Improvements/SF	\$ 76.19

Requirement: Investment at least 50% of Current Value

Current True and Full Value	\$ 1,435,900
1/2 Current True and Full Value	\$ 717,950
Planned Capital Improvements	\$ 2,400,000

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: PLANNING DIRECTOR JIM GILMOUR 

DATE: OCTOBER 5, 2017

SUBJECT: ROBERTS COMMONS DEVELOPMENT

Kilbourne Group is planning to build a mixed-use building immediately to the north of the Roberts Commons Development. The building would have commercial space on the main floor and five floors of housing above the first floor.

Kilbourne Group has requested an easement to connect the apartment's floors to the parking garage. Connections would be at floors 3 through 7. The developer would pay for all costs. Design and construction of the connections will be reviewed by the city. A drawing is attached that shows the general locations of the door connections.

Kilbourne Group has also requested use of the parking in Roberts Garage to meet the residential parking needs. Tenants would pay for parking at the same rates as any other users of the parking garage. Residential tenants would not be guaranteed a parking space, but they would be placed on the top of any waiting list for parking. This priority for parking would be limited to 100 parking spaces for both the Dillard residential tenants and the residential tenants of the proposed Kesler development to the south of the parking garage.

Parking garages that are adjacent to hotels or housing have a much greater utilization of the parking because hotel guests and tenants of housing do not typically use the parking during the peak daytime hours. Our research shows that 50% to 70% of the parking rented by residential tenants is empty during daytime hours Monday through Friday.

This proposed housing development will provide a financial benefit to the city by increased parking income, as more people would be renting the same number of parking spaces. It will also increase property values and taxes because residential tenant use of the city parking allows for a more intensive use of the Dillard property.

The Parking Commission has reviewed the request for parking priority and recommended approval on a 3-1 vote.

RECOMMENDED MOTION: Approve the easement agreement between the City of Fargo and DFI Dillard and DFI Kesler that provides access between the Dillard Building and the Robert Parking Garage, and parking priority for residential tenants.



STROH
ARCHITECTURAL INTERIORS
8 Seventh St. N.
Fargo, N.D. 58102
Tel: (701) 239-6643
Fax: (701) 239-6643
www.stroh.com

STROH ARCHITECTURAL INTERIORS
8 SEVENTH ST. N.
FARGO, N.D. 58102
TEL: (701) 239-6643
FAX: (701) 239-6643
WWW.STROH.COM

STROH ARCHITECTURAL INTERIORS
8 SEVENTH ST. N.
FARGO, N.D. 58102
TEL: (701) 239-6643
FAX: (701) 239-6643
WWW.STROH.COM

"DD" SET FOR
PRICING ONLY

Project:

MIXED USE DEVELOPMENT FOR:
"Dillard Block"
THE KILBOURNE GROUP
FARGO, ND 58102

Location:
FARGO, ND 58102

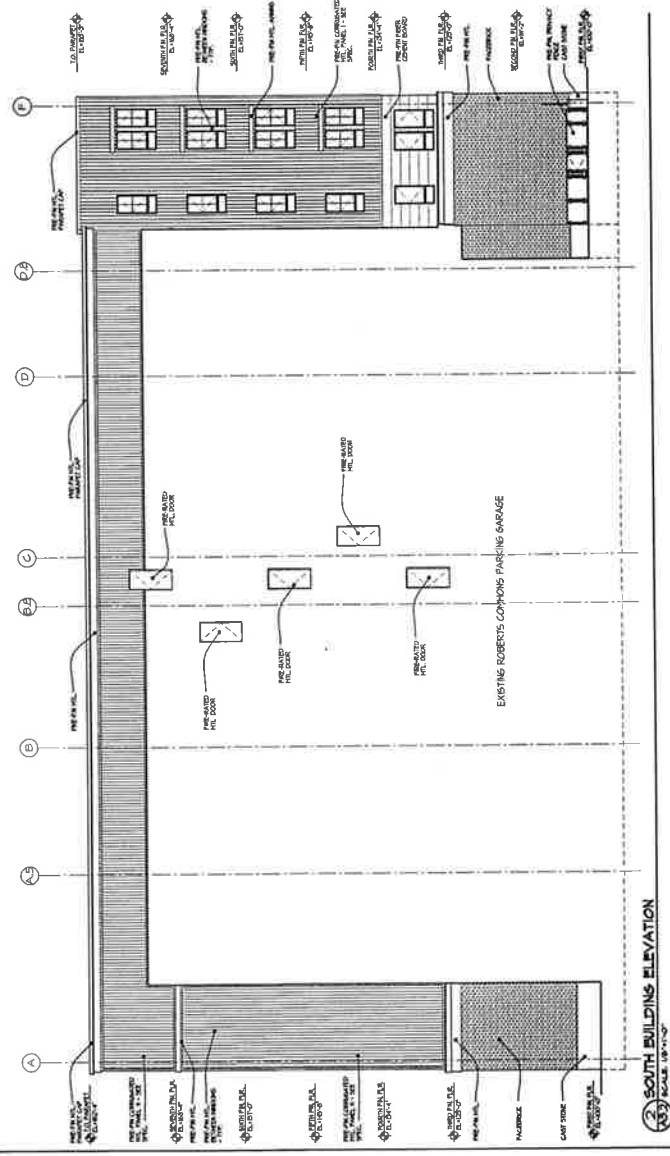
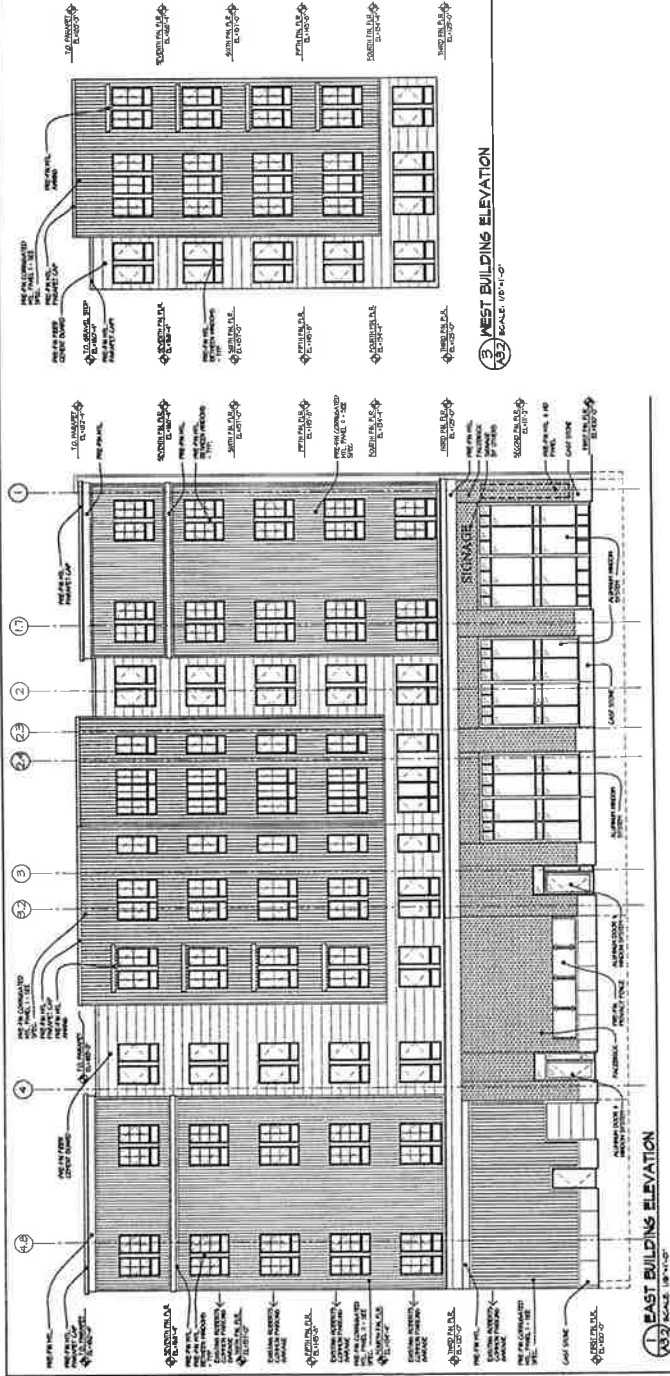
Drawn By:
TLH

Date:
September 1st, 2017
Revision Date:

Job Number:
2017.26

Sheet Name:
BUILDING
ELEVATIONS &
WINDOW
ELEVATIONS
Sheet Number:

A3.2



EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (the "Agreement") is entered into and effective as of the ____ day of _____, 2017 (the "Effective Date"), by and among City of Fargo, a North Dakota municipal corporation ("City"), whose address is 200 North 3rd Street, Fargo, ND 58102, and DFI Dillard LLC, a North Dakota limited liability partnership ("Dillard"), whose address is 210 Broadway, Suite 300, Fargo, ND 58102, and DFI Kesler LLC, a North Dakota limited liability partnership ("Kesler"), whose address is 210 Broadway, Suite 300, Fargo, ND 58102 .

RECITALS

A. City owns Unit 2, Roberts Commons Condominium, a condominium created under a Declaration Establishing a Plan of Condominium Ownership (the "Declaration") recorded in the office of the Recorder for Cass County, North Dakota as Doc. No. _____ (the "Garage Unit").

B. Dillard owns certain real estate lying contiguous to and North of the Garage Unit, and more particularly described in attached Exhibit A (the "Dillard Property").

C. Kesler owns certain real estate located South of, and across Second Avenue North from, the Garage Unit and more particularly described in attached Exhibit B (the "Kesler Property").

D. City and Dillard wish to establish an easement for access for certain occupants of the Dillard Property to and from the Garage Unit and for certain parking privileges for such occupants, and the parties wish to memorialize certain parking arrangements within the Garage Unit for the benefit of the Dillard Property and the Kesler Property.

AGREEMENTS

NOW, THEREFORE, in consideration of the recitals, the mutual agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby declare, grant, covenant, and agree to the following:

1. Grant of Easement. City hereby grants to Dillard, for the benefit of the Dillard Property, an exclusive, appurtenant and perpetual easement over, upon and across certain parts of the Garage Unit to install, repair and maintain certain access doors between and connecting buildings located on the Dillard Property and the Garage Unit to allow for pedestrian ingress and egress between the Dillard property and the Garage Unit (the "Access Doors"). The locations where the Access Doors shall be installed are shown on attached Exhibit C (the "Easement Areas"). The persons entitled to use such access doors are the owners and tenants of any residential spaces in the Dillard Property and their contractors, guests, representatives, agents and the like. The "Access Doors" shall include and shall utilize a security system whereby entry from the building located on the Garage Unit to the building located on the Dillard Property shall be controlled and limited at all times via key, fob, card reader or the like.

2. Maintenance. Dillard shall be responsible for and shall bear all costs to install, operate, repair, maintain and replace all portions of the Access Doors. Upon reasonable advance notice to Dillard, City shall be entitled to inspect the Access Doors and undertake work in and around the area of same necessary for maintenance or repairs to the Garage Unit.

3. Relocation. If the Garage Unit, or parts thereof, located on the Project and burdened by any of the Easement Areas are damaged, destroyed or redeveloped, the Owner thereof shall have the right to modify the location of the Easement Areas and record an instrument reflecting the new areas of the easements for same; provided, however, the functionality of the new Easement Areas for the benefit of the Dillard Property shall be substantially the same as existed prior thereto.

4. Non-Disturbance. The owner of the Dillard Property shall exercise its rights as to the Easement Areas in such a manner that causes the least interference and disturbance to the Owner and occupants of the Garage Unit as is commercially reasonable under the circumstances.

5. Alterations/Improvements. Any alterations or improvements (as contrasted with repair and maintenance, which shall not require the prior approval of the Owner of the Garage Unit) to the Easement Areas desired by Dillard must be approved in writing by the Owner of the Garage Unit and shall be subject to the reasonable discretion and approval of the Owner of the Garage Unit. Dillard shall pay the entire cost of any and all authorized alterations or improvements. Dillard shall not permit or suffer any construction liens against the Garage Unit, and if any arise, Dillard shall undertake such actions as are necessary to cause the same to be fully discharged within 15 days after notice by the Owner of the Garage Unit.

6. Insurance. With respect to the Easement Areas, Dillard shall keep in full force and effect, at its expense, a policy or policies of insurance with companies licensed to do business in North Dakota and reasonably acceptable to the Owner of the Garage Unit with the following coverages: (1) public liability and property damage insurance and automobile liability insurance with respect to the Easement Areas and the business of Dillard, with a minimum coverage of \$2,000,000 per occurrence and not less than \$4,000,000 annual aggregate for this location; (2) if the nature of Dillard's operation is such as to place any or all of its employees under the coverage

of Workers' Compensation or similar statutes, Dillard shall also keep in force, at its expense, Workers' Compensation or similar insurance affording statutory coverage and containing statutory limits; (3) any other special insurance coverages associated with Dillard's use of the Easement Areas and reasonably requested by the Owner of the Garage units; and (4) insurance for fire and extended coverage, insuring for the full replacement cost, the Access Doors. Such policies, where applicable and to the maximum extent possible, shall name the Owner of the Garage Unit as an additional insured. Upon such Owner's written request, Dillard shall furnish certificates evidencing any such insurance required of Dillard is in effect and, if available, stating that such Owner shall be notified in writing 10 days prior to cancellation, material change or nonrenewal of insurance. Dillard shall carry additional coverages and/or increased coverage limits, in amounts as the Owner of the Garage Unit may reasonably request from time to time.

7. Governmental Regulations. Dillard shall, at Dillard's sole cost and expense, comply with and faithfully observe all statutes, ordinances, rules, regulations, orders, laws and the like of all local, state and Federal and other applicable governmental authorities, present or future, having jurisdiction over the Project and related to exercising its rights under this Agreement.

8. Indemnification. Dillard shall indemnify, defend, and hold harmless the Owner of the Garage Unit and its officers, agents, representatives, employees, contractors, guests and the like (collectively, the "Indemnified Parties") from and against any claims, liens, liabilities, lawsuits, costs, expenses, damages and/or the like (including reasonable attorneys' fees) (collectively, "Claims") including, but not limited to, Claims for personal injury, wrongful death or property damage, resulting from, arising out of, or in any way related to exercising its rights as to the Easement Areas. Without limiting the foregoing, Dillard shall indemnify, defend, and hold harmless the Indemnified Parties from and against all violations of Environmental Laws resulting from, arising out of, or in any way related to exercising its rights as to the Easement Areas.

9. Parking. Expressly subject to the further terms and conditions outlined in this Section, City hereby grants to Dillard and Kesler for the benefit of the Dillard property and the Kesler Property an exclusive, appurtenant and exclusive easement for the opportunity to utilize 100 Full Time Parking Spaces within the Garage Unit for Eligible Occupants. "Full Time Parking Spaces" shall mean parking spaces located in the Garage Unit that are rented per monthly "market rate" parking contracts that do not have restrictions as to days or hours of use. "Eligible Occupants" shall mean tenants or owners of residential living units located on the Dillard Property and the Kesler Property. If at any time there are less than 100 Full Time Parking Spaces issued to Eligible Occupants, all parking spaces in the Garage Unit programmed as Full Time Parking Spaces are then contracted for and one or more Eligible Occupants wish to obtain a Full Time Parking Space, the Eligible Occupant(s) wishing to obtain a Full time Parking Space shall be placed onto a waiting list for Full Time Parking Spaces and given priority over all other persons or entities other than Eligible Occupants wishing to obtain a Full Time Parking Space and having priority among Eligible Occupants wishing to obtain a Full Time Parking Space based upon the date and time of the request to be placed on the waiting list. If the owners of the Dillard Property and the Kesler Property agree and submit a written statement to the owner of the Garage Unit, they

may agree to additional rules and directions among those properties as to waiting list priorities for such 100 Full Time Parking Spaces.

10. Scope/Binding Effect. The rights and obligations herein provided shall inure to the benefit of and be binding upon the parties hereto, their successors, assigns, heirs, and legal representatives, and shall run with, benefit and burden the Garage Unit, Dillard Property and the Kesler Property.

11. Waiver. No waiver of any breach of the easements or of any rights, obligations, covenants, and/or provisions herein contained shall be construed as, or constitute, a waiver of any breach or a waiver, acquiescence in, or consent to any further or succeeding breach of the same or any other such easements, rights, obligations, covenants, and/or other provisions.

12. Recording. This Agreement shall be recorded against the Garage Unit, the Dillard Property and the Kesler Property in the office of the County Recorder for Cass County, North Dakota.

13. Severability. If any term or provision of this Agreement shall, to any extent, be held invalid or unenforceable, the remaining terms or provisions of this Agreement shall not be affected thereby, but such remaining terms and provisions shall be valid and enforceable to the fullest extent permitted by law.

14. Governing Law. This document shall be construed and enforced in accordance with the laws of the State of North Dakota.

[The remainder of this page intentionally left blank – signature pages follow]

**CITY OF FARGO,
a North Dakota municipal corporation**

By: _____
Timothy J. Mahoney

Its: Mayor

ATTEST:

Steven Sprague, City Auditor

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

On this ____ day of _____, 2017, before me, a notary public in and for said county and state, personally appeared TIMOTHY J. MAHONEY and STEVEN SPRAGUE, to me known to be the Mayor and City Auditor, respectively, of the CITY OF FARGO, a North Dakota municipal corporation, described in and that executed the within and foregoing instrument, and acknowledged that said municipal corporation executed the same.

(SEAL)

Notary Public
Cass County, ND

DFI Dillard LLC

By: _____
Mike Allmendinger, President

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

The foregoing instrument was acknowledged before me this ____ day of June, 2017, by Mike Allmendinger, the President of DFI Dillard LLC, a North Dakota limited liability company, on behalf of the limited liability company.

Notary Public
State of North Dakota

DFI Kesler LLC

By: _____
Mike Allmendinger, President

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

The foregoing instrument was acknowledged before me this ____ day of June, 2017, by Mike Allmendinger, the President of DFI Kesler LLC, a North Dakota limited liability company, on behalf of the limited liability company.

Notary Public
State of North Dakota

CONSENT

If and to the extent necessary pursuant to the Declaration, the undersigned hereby consents to this Agreement.

**ROBERTS COMMONS CONDOMINIUM
ASSOCIATION, an unincorporated association**

By: _____
[name of authorized person]
Its: President

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

The foregoing instrument was acknowledged before me this __ day of _____, 2017,
by _____, the President of Roberts Commons Condominium Association, an
unincorporated association, on behalf of the association.

(SEAL)

Notary Public
Cass County, ND

CONSENT

If and to the extent necessary pursuant to the Declaration, the undersigned hereby consents to this Agreement.

**DFI ROBERTS LLC,
A North Dakota limited liability partnership**

By: _____
Mike Allmendinger, President

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

The foregoing instrument was acknowledged before me this __ day of _____, 2017, by Mike Allmendinger, the President of DFI Roberts LLC, a North Dakota limited liability company, on behalf of the limited liability company..

(SEAL)

Notary Public
Cass County, ND

EXHIBIT A
Description of Dillard Property

LOTS 25 THROUGH 27, S.G. ROBERTS' ADDITION, SAID PLAT IS ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA AND LOTS 7 AND 8, BLOCK 3, ROBERTS' ADDITION, SAID PLAT IS ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER, EXCEPT THAT PART OF SAID LOT 8 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH 09 DEGREES 42 MINUTES 09 SECONDS EAST, ASSUMED BEARING, ALONG THE WEST LINE OF SAID LOT 8 FOR A DISTANCE OF 30.82 FEET; THENCE NORTH 87 DEGREES 03 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 160.26 FEET TO THE EAST LINE OF SAID LOT 8; THENCE SOUTH 03 DEGREES 02 MINUTES 23 SECONDS EAST ALONG SAID EAST LINE FOR A DISTANCE OF 30.32 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8; THENCE SOUTH 87 DEGREES 08 MINUTES 32 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 8 FOR A DISTANCE OF 167.06 FEET TO THE POINT OF BEGINNING.

EXHIBIT B
Description of Kesler Property

Lots "A", "B", "C", "D", "E" and "F" of Hagaman's Subdivision of Block Two, of Roberts' Addition to the City of Fargo, situate in the County of Cass and the State of North Dakota.

EXHIBIT C
Depiction of Easement Areas
[Insert depictions of Easement Areas]

416

REPORT OF ACTION

CONSULTANT SELECTION COMMITTEE

Requesting: CONSULTING ENGINEERING SERVICES

Proposal Improvement District No. BR-18-C0

Location: 13th Avenue S – 45th Street to 12th Street E (West Fargo) Date of Hearing: 10/4/2017

Requested Services: Engineering Design & Construction Services for Street Reconstruction Project

<u>Routing</u>	<u>Date</u>	
City Commission	10/9/2017	Proposals were received from the
Consultant File		following Consultants for this project:
Project File	X	Houston Engineering/Moore Engineering
Petitioners		Apex Engineering Group
Selection Committee	X	KLJ
		Bolton & Menk

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

<u>Selection Criteria</u>	<u>Points</u>
Expertise of Project Team assigned to the Project	25
Project Team's Experience with Similar Sized Projects	20
Project Team's Past Performance on Other Local Projects	25
Project Team's Familiarity with Fargo/West Fargo Design	
Process and Standards	20
Cost Proposal	10
	100

Staff has planned for 13th Avenue S to be reconstructed from 47th Street to 12th Street in West Fargo in the 2018 Capital Improvement Program, due to very poor pavement conditions, and perhaps portions of the intersection at 45th Street. We have met with key West Fargo staff and they would like to be a part of this project as it would tie into their work currently on-going on 9th Street. Staff is planning to have final plans ready by early February for a bid opening in early March.

This project appears to be relatively straightforward. The existing right-of-way should be sufficient to complete our project, there is no sewer line running parallel to 13th Avenue S to complicate matters, and access has been controlled throughout the entire length. We are planning to move forward with a design of a 6-lane concrete roadway with a raised median on the Fargo side of this project, and a 4-lane raised median on the West Fargo side.

Staff from both Cities met on October 4 to review proposals submitted for the project and selected Apex Engineering Group as the preferred firm for the project. The cost for the design phase, Phase 1, is estimated to be \$273,175, and the cost for the construction phase, Phase 2, is estimated at \$755,890, making a total of \$1,029,065.

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

RECOMMENDED MOTION

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

PROJECT FINANCING INFORMATION:

Following review of the proposals and interviews, the Selection Committee ranked the firms for selection of the preferred consultant. The Committee then tabulated Committee member proposal rankings. Based on the tabulated ranking, the Committee selected Apex Engineering Group as the preferred firm for the project, for a total of \$1,029,065.

PWPEC ROA
10/4/17 -- Page 2

COMMITTEE

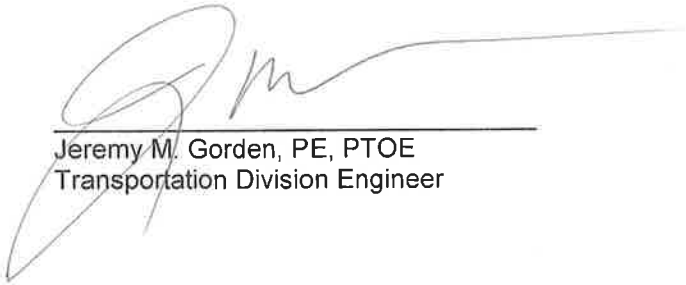
Tom Knakmuhs, Division Engineer – Construction

Tina Fisk, City Administrator, West Fargo

Jeremy Gorden, Division Engineer - Transportation

Ryan James, Ass't Public Works Dir. Of Operations, West Fargo

Present	Yes	No	Unanimous
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Jeremy M. Gorden, PE, PTOE
Transportation Division Engineer

C: Jeremy McLaughlin (HEI), Barry Glienke (B&M), Matt Kinsella (Apex), Travis Wieber (KLJ)

Attachment

October 3, 2017



*Qualifications to provide Engineering Services for
City of Fargo Improvement District No. BR-18-C0*

13th Avenue Reconstruction Project *45th Street, Fargo to 12th Street E, West Fargo*

17.103.0120



*We acknowledge Addendum No. 1 –
Attached as Appendix C*





Water | Transportation | Municipal | Facilities

701.373.7980
4733 Amber Valley Parkway
Fargo, ND 58104

October 3, 2017

Office of the City Auditor
Fargo City Hall
200 3rd Street N
Fargo, ND 58102

RE: Engineering Services - Improvement District No BR-18-C0
13th Avenue Reconstruction Project – 45th St, Fargo to 12th St E, West Fargo

Dear Selection Committee:

It is with tremendous interest and enthusiasm that Apex Engineering Group has prepared our qualifications and proposal for the 13th Avenue Reconstruction project extending from 45th Street in Fargo to 12th Street East in West Fargo. It has been an honor the last three years to work with both the City of Fargo and West Fargo on important urban reconstruction projects. The corridors on 13th Avenue South (east of 45th Street), 12th Avenue North in West Fargo/Fargo, and 32nd Avenue South have changed dramatically - and for the better. These projects were challenging, and that's exactly what keeps us motivated at Apex. Another opportunity awaits our experienced team. We are confident you will agree Apex is the right fit for this next section of 13th Avenue.

Apex recognizes time is of the essence to turn in final plans by the end of January. We have put together a strong team approach. **Matt Kinsella, PE** will be the Project Manager and will drive design and plan development. He will focus on utility coordination, public involvement, easement coordination and communication with Fargo and West Fargo staff. Our design team will include members such as **Brent Muscha, PE**, **James Mickelson, EI**, and **Mike Johnson, Sr. Technician** that were involved with 12th Avenue North, 13th Avenue South, and 32nd Avenue South projects, as well as **Josh Olson, PE** who will lead the team of designers. Josh will then move into the role of Project Advisor for construction, and ensure project success through close out. **Brent Muscha, PE** will fill the role of Field Project Manager in this phase. This plan will provide team continuity from design into construction and have strong leadership in all phases, providing oversight to our team of field engineers, inspectors and surveyors from Apex.

Through our experience on 13th Avenue South and 32nd Avenue South, we recognize the importance of communicating to the public on a daily basis once construction starts. We saw first-hand how well that process worked with **Flint Group** as the Public Information Coordinator (PIC) on both projects. Flint, once again, has teamed exclusively with Apex on this project. Flint has developed a system and process for their role as the PIC so there will be no learning curve that Fargo or West Fargo should be concerned about. The team at Flint Group know what they are doing.

Thank you for having the confidence in selecting Apex in the past and we look forward to discussing this project in more detail if you desire. Please call me at 701-373-7982 or Matt at 701-373-7987 if you have any questions regarding our proposal.

Sincerely,

Apex Engineering Group, Inc.

A handwritten signature in blue ink that reads "Dain L. Miller". The signature is fluid and cursive, with the first name "Dain" being more prominent.

Dain L. Miller, PE
Vice President, COO

Email: Dain.Miller@ApexEngGroup.com

THE APEX ADVANTAGE

EXPERIENCED PROJECT LEADERSHIP

Aggressive project schedules require seasoned and detail-oriented project managers who have been there before, and know what it takes to drive a project team forward on a tight timeline toward completion, while still keeping quality high. **Matt Kinsella, PE** has shown in the past that he can deliver under these circumstances for Fargo and West Fargo, and he is the right person to lead this team through the Design and Plan Production phase of 13th Avenue. **Josh Olson, PE** and **Brent Muscha, PE** have the field experience and leadership to make the Construction phase of 13th Avenue a success, just as they were able to do with the 2016 project on 13th Avenue.

LOCAL URBAN EXPERTS

Apex has had the opportunity to work on several high-profile urban reconstruction projects in the region over the last 5 years:

- 12th Avenue North in West Fargo & Fargo
- 32nd Avenue South in Fargo
- 13th Avenue South in Fargo
- 20th Street South in Moorhead

We don't take these opportunities for granted, and we strive each time to consistently deliver high-quality sets of plans that are biddable and constructible. We take pride in trying to minimize change orders during construction, by making sure we ask the question during design, "Can you build it that way?" We also place seasoned staff in the field to oversee these important construction projects.

WE HAVE FLINT

Flint and Apex have worked together recently on two of the City of Fargo's main thoroughfares, and Flint is also working closely with the MetroCOG and City of West Fargo on their current 13th Avenue corridor study. We are excited to continue to provide this exclusive team to West Fargo and Fargo, and build on the successful philosophy of developing relationships with the right individuals and businesses.

Today we need to be more targeted and strategic to garner and gain input in our communities. Acting behind the scenes, we help foster trust, get everyone on the same page and facilitate important conversations to make these high-profile urban projects a success.

Flint is currently managing all the online communication channels (FargoStreets.com, social and email database) and media creative for City of Fargo FargoStreets.com PIC, and acting as contact producers for Metro COG and City of West Fargo on the 13th Avenue corridor study. They know the tone, goals and understand how complexities of 13th Avenue road construction will impact public perception.



CLIENT SERVICE

Over the past seven years, Apex has continued to build on each of our experiences. It is our goal to provide you with the best service possible. We know how busy you are – when you put a project out to RFP for consultants, it's because you need one less headache, not one more. We take ownership in your project so that you don't need to worry. Our clients have seen incredibly demanding projects go off without a hitch. Why do we work so hard to make our projects feel less bureaucratic and more gratifying? Because if you don't like the process, you're not going to love the result.



1. INTRODUCTION

APEX ENGINEERING GROUP

4733 Amber Valley Parkway
Fargo, ND 58104
Office: 701.373.7980
Fax: 701.373.7981

Year Established: 2010
Ownership Type: Subchapter S Corporation



PROJECT MANAGER AND QUALIFICATIONS

Strong project management is the key to success. The technical leadership, design, and oversight capabilities are important, but so too is the ability to drive teams to meet milestones, provide consistent communications with all parties, and achieve project consensus.

It is our Project Manager's role – not the client's role – to drive the project and ensure all parameters are met. At Apex, the title of project manager is earned and we take that role very seriously.



PROJECT MANAGER FOR
DESIGN AND PLAN PRODUCTION

Matt Kinsella, PE

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d: 701 373 7987 | c: 701 306 8499
Matt.Kinsella@ApexEngGroup.com

Matt Kinsella, PE will be the project manager for the design phase. Matt has more than 20 years of transportation engineering experience on both urban and rural roadways. His reputation for leading projects is well documented and respected. Matt was the project manager on the design of Fargo's 32nd Avenue South, from 32nd Street to 42nd Street; 12th Avenue North, from CR 19 in West Fargo to 45th Street in Fargo, and several high profile projects for the North Dakota Department of Transportation. Prior to the inception of Apex, Matt also was the Project Manager on Fargo's 1st Avenue North Reconstruction, and authored the 2006-07 13th Avenue South Corridor Study also in Fargo.

As the project manager for the design phase, Matt will be responsible for overall project coordination and communication between the Cities, public involvement, utility coordination, and easement and landowner coordination.



CONSTRUCTION PROJECT ADVISOR

Josh Olson, PE

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d: 701 373 7984 | c: 701 866 2521
Josh.Olson@ApexEngGroup.com

Josh Olson, PE will be the project advisor for construction. Josh's 19 years of transportation engineering experience, has allowed him to provide services in a number of roles on both rural and urban projects. Josh's exemplary construction project management experience is noted from 13th Avenue South from 38th Street to 45th Street.

During design, Josh will be responsible for leading the roadway design and plan production. The in depth understanding and comprehensive project knowledge gained, will provide continuity into construction as Josh takes on the Construction Project Advisor role. He will be responsible for client communications, assisting with public input, and assisting the team in the field if needed. Josh will ensure Apex field staff are adhering to protocol throughout the project, mentor on-site inspection staff, and answer any design questions that may arise. Josh is a proven leader in both the design and construction of projects. His background knowledge on the 13th Avenue South corridor, coupled with his construction experience from years in the field make Josh an essential asset to the overall project team.



FIELD PROJECT MANAGER

Brent Muscha, PE

Brent Muscha, PE is well-equipped to take on the role of field project manager. His dedication and attention to detail were key elements to the successful completion of 13th Avenue South from 38th Street to 45th Street.

Brent's experience in both design and construction has led to successful projects. Brent played a key role in the design of the 12th Avenue North project which fell into both West Fargo and Fargo jurisdictions, like this project does. In 2015 Brent led the construction on ND Hwy 18 in Casselton; below is a quote regarding Brent's success.

Prior to joining Apex, Brent spent seven years working for the NDDOT. Brent has also holds several NDDOT Technical Certifications. Brent's experience and knowledge, along

with the key personality traits he possesses make him the perfect candidate to take on the field project manager position for this project.

Brent will be responsible for the activities and efficiency of all Apex personnel assigned to the project in the field, and for oversight of the actual construction to assure contract compliance.

Joe Peyerl, PE a Senior Transportation Engineer with the NDDOT Fargo District provided the following positive feedback regarding Brent's field project manager role on ND Hwy 18.

"Could not have asked for a better project engineer/responsible charge to staff the project. Brent was always on top of his assigned duties and demonstrated sound forward thinking and decision making to stay ahead of possible change orders, and keep the contractor on task. The contractor's superintendent, Mike Holen (who has over 40 years of experience), was very impressed with Brent. Mike pulled me aside one day and wondered where Apex found such a well-rounded Engineer, I explained to Mike that Brent was a former NDDOT employee who was well versed in NDDOT procedures and methods. Brent's past experiences (NDDOT and otherwise), are diverse. Brent was able to perform multiple tasks and minimized the need for potential of extra staff. Brent's dedication to the project is evident in the finished product. We have had several compliments on how the Casselton project turned out."

2. ADMINISTRATIVE QUESTIONS



AUTHORIZED NEGOTIATOR

Dain Miller, PE

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Fargo, ND 58104

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d: 701 373 7982 c: 701 799 4005

Dain.Miller@ApexEngGroup.com

WORKLOAD AND MANPOWER SUMMARY

The timing of this RFP is perfect for our current capacity. Lead project staff, Matt, Josh, and Brent have limited responsibilities at this time. **Matt** has recently completed several projects and he is essentially 75% available to take on 13th Avenue. **Josh** is providing final project management on the construction of 5th Street North in Casselton, and **Brent** is assisting on projects as needed. Apex works diligently to balance our workload and staff. We clearly have the workload capacity to take on this project.

The design and plan production timeline for this project on 13th Avenue is short. To follow proper procedures, obtain permitting, any right of way easements, reach critical path conclusions, and provide detailed, constructible plans for bidding in March 2018, it will take a firm with availability, experience, and dedication to ensure success. The Cities of West Fargo and Fargo, are well aware that Apex Engineering Group and their subconsultant partner Flint Group, will meet your expectations.

When it comes to the construction phase, the contractor is required to provide a schedule in their bidder's proposal and meet the completion date or liquidated damages will be assessed. Our construction staff has extensive experience working with contractors. Together we will refine the timelines and agree on the identified critical activity expectations to meet them. The Apex construction staff will keep the agreed upon activities in mind at all times and provide updates directly to the assigned City contact.

The relationships that Apex has made with agencies, stakeholders, project partners, and contractors will provide an overall project experience that breeds success. Apex leadership has a proven history of meeting deadlines, budgets, and providing quality that you can count on.

DESIGN/PLAN PRODUCTION TIMEFRAME OCTOBER 2017 THROUGH FEBRUARY 2018		
KEY STAFF	AVAILABILITY	COMMITMENT NEEDED
Matt Kinsella	75%	50%
Josh Olson	75%	50%
Brent Muscha	70%	60%
James Mickelson	80%	60%
Levi Heller	60%	40%
Mike Johnson	70%	60%
Flint	40%	30%

3. SUMMARY OF TECHNICAL PROCESS

KEY ISSUES | To familiarize ourselves with key issues on 13th Avenue, Apex visited the project site and observed field conditions, met with staff from both West Fargo and Fargo, and reviewed pertinent planning documents and corridor studies. After completing these tasks and reviewing the RFP, we believe that the three key issues to make this project successful are:

- Meeting the aggressive design schedule and coordination between Cities
- Effective communication with businesses, landowners, and the public
- Provide a well-designed construction phasing and traffic control plan



AGGRESSIVE DESIGN SCHEDULE AND COORDINATION BETWEEN CITIES

With 95% plans due in early January to meet the March 2018 bid opening, this project has a very aggressive design schedule. Any delays during design could jeopardize the March bid opening date, and lead to a less optimal bidding environment later in the spring. Potential schedule busters such as private utility conflicts and difficult landowner negotiations also loom in the background, and will become major issues if not addressed early and handled properly.

Apex fully recognizes the importance of meeting the design schedule for the project partners. We are no strangers to aggressive schedules that require managing and coordinating the needs of multiple jurisdictions. Some recent examples are the 12th Avenue North project with both West Fargo and Fargo, and the 32nd Avenue South project with Fargo and NDDOT.

With this in mind, Apex has developed a multi-faceted approach to keeping the design phase of this project on schedule:

PROJECT MANAGEMENT AND DESIGN TEAM ORGANIZATION

Apex has organized our design team with two Senior Engineers playing significant roles to help drive this project to completion.

- *Matt Kinsella, PE* will be the Project Manager during the Design Phase, focusing on overall project coordination and communication between the Cities, public involvement, utility coordination, and easement and landowner coordination.
- *Josh Olson, PE* will manage the design team and will focus on design, plan production, and deliverables.

STAFF AVAILABILITY | Apex has the capacity during the critical months of November, December, and January to staff the design effort as needed to make the required deadlines. We are wrapping up our construction projects in October and will have staff returning to the office and ready to work on the 13th Avenue design.

EARLY IDENTIFICATION AND ACTION ON KEY DESIGN AND PLAN ELEMENTS | Both Cities have developed their own standards, details, and specifications that they prefer to use on street reconstruction projects. This joint project on 13th Avenue will sometimes require choosing one standard or detail to be used through the entire project. These items will need to be identified as early as possible and decisions made quickly, in order to avoid delays during design. Apex has coordinated these decisions on past projects, and knows how to identify these key elements early and drive the project team toward timely decisions to keep the project rolling. Early decision items will include:

Typical section/lane widths | The 9th Street East/13th Avenue project currently under construction in West Fargo will build a 4-lane section out to 12th Street East with 12-foot lane widths.



On recent City of Fargo projects, Fargo has chosen to use 11-foot or even 10.5-foot lanes to fit inside existing right of way and minimize property impacts. Existing right of way width will be an issue on this project, particularly the stretch between 48th Street and 52nd Street (17th Street East), where the Times Square strip mall landscaping on the south side of the roadway extends right up to the property line and space is tight. From a constructability standpoint, a uniform lane width for the entire project makes concrete paving operations more efficient.

City details | For design elements such as curb and gutter, sidewalk/path widths, driveway details, manholes, trench backfill, fire hydrants, etc., each City typically has its own details and standards. In some cases, we can easily have separate details for each City, like we did on 12th Avenue North. However, elements such as curb and gutter need to be uniform throughout the project. Apex will flag these items to the Cities' attention early in the design process, so that decisions can be made and the design can proceed.

Quantity and cost breakouts | Often, each City will need its quantities and costs separated out to allow easier calculations of special assessments or funding allotments. Apex is aware of these needs and we will plan for this from the very beginning of the project to minimize the need to re-calculate and separate quantities later.

Cost saving opportunities | During our field visit we observed a fair amount of sidewalk that was in very good condition. We propose to do a sidewalk inventory immediately after the Notice to Proceed, and present the results to the Project Review Committee with recommendations. This may be an opportunity to save costs for the project partners and also to reasonably reduce the project scope for design and construction.



EFFECTIVE COMMUNICATION WITH BUSINESSES, LANDOWNERS, AND THE PUBLIC

Our public outreach approach is built on our philosophy of first identifying critical stakeholders, then reaching these audiences where they are best served.

Much of the critical communication work begins long before construction starts, ahead of any traditional public meetings, and needs to be adjusted and ongoing through the project duration. Ultimately, our goal is to **build trust** with the users of the corridor across multiple touch points.

Apex's staff members have recently managed and delivered several high-profile urban reconstruction projects for both West Fargo and Fargo. All of these projects included an extensive public outreach process through the life of the project. When well-informed citizens and business owners understand what to expect when construction starts, they won't be as likely to complain to City staff. Apex's track record with public response and satisfaction during construction on our previous projects speaks for itself. We are excited to bring that experience to this 13th Avenue project, and to be partnering with **Flint Group** again to provide proactive public information.

From our experience on high profile street reconstruction projects, we know that outreach needs to include:

EARLY COMMUNICATION AND BUY-IN | A traditional public meeting and business/landowners group meetings will be held as early as possible. We recommend holding a standing public meeting after the project starts (in-person and online). Because of today's varied audience, scheduled meetings can't be the only communication tool used. To communicate what is happening and why, and to ensure we understand any special needs or concerns of the adjacent businesses and traveling public, Flint creates an community relations program that carries through the life of the project, and helps achieve community buy-in.

Take advantage of civic and social coffee groups regular meetings | Our team will research then connect with the community groups who regularly meet along the corridor in Fargo and West Fargo. These groups are strong voices in the community and business networks to share tools forward.

Go to the public with pop-up meetings in community settings | Flint actively looks for ways and places to leverage unique communication settings where a built-in audience may already exist. Two such events recently used include West Fest and the Downtown Street Fair.

CREATE TOOLS AND RESOURCES FOR STAKEHOLDERS | Our goal is to minimize access impacts to businesses by helping them easily communicate. By providing tools that allow stakeholders along this corridor to quickly and visually share key information with their audiences, you're not only being helpful, you're also guiding the message to ensure it's being communicated clearly and accurately. In addition to posting project updates on FargoStreets.com and WestFargoStreets.com, Flint builds and maintains an email database to provide work zone maps, posters and other visual assets for businesses, and those who sign-up to receive updates.

LEVERAGE SOCIAL MEDIA TARGETING AND LOCAL NEWS ORGANIZATIONS | There is a potential audience and reach of 130,000 people who list Fargo or West Fargo as their location on Facebook. Communicating milestones, changes to access, and showcasing the smart planning of the cities through photos, expert interviews, and behind the scenes video is all part of the content that will be continually shared on the branded social spaces for both communities and media outlets. Some examples include:

- ▶ Flint uses paid social media to boost key updates or meeting opportunities to extend and specifically target the reach.
 - A post on FargoStreets, "I spy lots of new concrete along #13thAveFargo," used drone footage to showcase the project being 80% complete from an aerial view and gave important status updates with these results:
 - ✓ Spend: \$39.98
 - ✓ Reach (saw video at least once): 17,853
 - ✓ Views (viewed for 3 seconds or completely): 7,679
- ▶ Flint takes the project information to the media outlet conference tables. We ask to take a dedicated day or two for project engineers to walk through the scope of work and create an environment where you can educate each local media outlet on the needs, challenges and what to expect.
- ▶ To provide a consistent message, Flint recommends developing a pre-construction message, followed by messages that share critical updates to address audience concerns in an educational, friendly, and helpful manner.
- ▶ Flint found that creating two-way dialog is a very efficient way to partner with audiences and other City agencies during construction. Other tasks on 13th Avenue South included:
 - Communications with impacted businesses, both in-person at public meetings and through email, to build positive relationships and get ahead of any potential problems.

- Chamber members received the initial project overview as a starting point for capturing emails
 - Project landing pages with key updates, posters, maps, email opt-in options and photos
 - Worked with local law enforcement to communicate driving and safety issues in the work zone
- ▶ Engaged media as a partner – Media engagement from March to November resulted in over four million audience impressions, 65 online news articles and over 350 TV mentions
- Facilitated a media tour ahead of project to prep key news contacts about timelines and details
 - Media shared PIC created content like paying time-lapse videos and behind-the-scenes photos

HOW to keep the public engaged and updated

17 DAYS UNTIL 32ND AVE. CONSTRUCTION BEGINS

FargoStreets FargoStreets.com

What's on your wish list?

Metrolink COG SHARE YOUR IDEAS FOR 13TH AVENUE

SIDE CLOSURE

13TH AVENUE RESPENS FRIDAY

Map of the project area

Be Non-traditional

Community Relations

Build Partners

Make Shareable Visuals

CONSTRUCTION PHASING AND TRAFFIC CONTROL PLAN

The construction phasing and traffic control plan will be one of the most critical pieces to the success of this project. It can make or break the public's perception and even paving the smoothest road in the city won't smooth over a rough experience navigating the construction zone.

Putting in the time, effort, and detail during the design phase to develop a plan that safely maintains traffic, provides access, and minimizes inconvenience will also impact construction cost, constructability, and schedule. Apex has ample recent experience designing traffic control plans for major urban arterials. Our advantage is that our designers have been in the field inspecting those projects, and they know what works. Now, we can use that field experience to create solutions to some of the unique traffic challenges on this project. As a starting point, we've outlined an initial construction phasing plan:



Phase 1: Close the inside lane in each direction and remove the median.

Phase 2: All traffic will be shifted to the north side of 13th Avenue while the eastbound lanes and south side utilities are reconstructed with phased intersection closures.

Phase 3: Traffic will be shifted to the south on the newly eastbound lanes while the westbound lanes and north side utilities are reconstructed with phased intersection closures.

Phase 4: This phase will look a lot like Phase 1. Traffic will be shifted back to the outside lanes in each direction and the medians and left turn lanes will be rebuilt.

We've learned from past projects that the entire median may not need to be removed and replaced instantly in Phase 1. We can reduce project cost, time and materials by only removing and patching the areas needed for crossovers or temporary turn lanes, and remove the rest of the median in later phases when there is more room to work.

Our traffic control plan will also address these key areas:

Maintaining Access | It's best to get the work done as quickly as possible to reduce the impacts on business. We know what it will take to reconstruct these intersections and can hold the contractor to a reasonable timeframe outlined in the plans.

Detour Routes | Although traffic will be maintained through the project corridor at all times, suggested detour routes can be identified in advance to reduce delays through the work zone. 7th Avenue and 10th Avenue north of the project, and 17th Avenue south of the corridor will undoubtedly see more traffic during construction. Planning ahead for the additional traffic and implementing measures

such as optimizing signal timing will help decrease congestion on these routes.

Cut-Through Traffic | There will be some motorists who try to find shortcuts through business parking lots, private roads, and residential areas. The additional traffic is a real concern for businesses and those living in residential areas as those motorists are often in a hurry. We will work with both groups to identify problem areas and install "No Cut Thru" signs and add stop-control to surrounding residential streets to cut down on the short-cuts. This approach, along with working closely with law enforcement to monitor problem areas, worked well on the 2016 construction of 13th Avenue South in Fargo.

Pedestrian/Bicycle Access | Major pedestrian crossings will be identified to ensure that the traffic control plan includes maintaining a safe ADA compliant access across the work zone through all phases. When it comes to designing and inspecting ADA compliant sidewalks, paths, and ramps, we are well versed in the current standards.

45th Street Intersection | Several areas of this intersection were paved using “High Early” concrete in 2005 and are in need of repair. The traffic control plan will include the necessary through and turn lane closures to allow the contractor room to complete these repairs. While it is not anticipated that temporary signals will be needed, the timing of the existing signals may need to be optimized to keep traffic flowing through the reduced lanes.



OTHER PROJECT ELEMENTS

CONSTRUCTION ADMINISTRATION AND INSPECTION

Our engineers know what it takes to build a project. We know from a constructability standpoint that changing the width of a slip-form paver takes time and creates a header between paves, which can affect the overall ride quality of the corridor. We know that underground storm sewer placement is critical regarding inlet location along the mainline and that inlets typically fit better in a 24 inch gutter pan.

This knowledge needs to be used in design to create the best possible set of plans and then implemented in the field to build the best possible project. West Fargo and Fargo can both rest-assured knowing that Apex has the experienced staff assigned to this project throughout design and construction to deliver the best possible project.

Construction Administration

- **Construction Documentation** | As we move toward reducing paper and increasing efficiency, Apex has

equipped our field personnel with mobile tablet computers. This allows our field project managers and inspectors to maintain a presence on site while working from their device on tasks such as:

- ✓ write daily inspection diaries
- ✓ document pay quantities
- ✓ review test results
- ✓ take-send-and-store photos
- ✓ send project emails
- ✓ link live to off-site staff

We can also quickly access construction plans and other project documents. Being able to complete the “office work” on our tablets allows us to stay on site and quickly find the information we need to correctly solve issues. In addition, over the last two construction seasons we’ve become experts with the City of Fargo’s Masterworks application and we will use the experience we’ve gained to hit the ground running.

- **Utility Coordination** | Apex understands that being proactively involved with private utilities provides dividends to the project. Although it is the contractor’s responsibility to coordinate utility relocations, working as partners with the utility companies allows us to identify potential impacts and avoid them or relocate them in a timely manner so that the project is not delayed. Apex has worked very closely with utility companies on past projects and will use these relationships to coordinate and communicate effectively on the 13th Avenue project. On previous projects, solutions such as a shared utility trench have streamlined the coordination and relocation process.

Construction Inspection | Apex will staff this project with the appropriate level of experienced engineers and inspectors that understand our role as the inspector and Owner representative. Apex is also committed to providing staff for construction inspection that were directly involved in the planning and design phases of this project. We understand how important the construction phase is to the owners of the infrastructure, the local businesses, and the traveling public.

Through our construction experience and expertise handling design projects adhering to both West Fargo and Fargo standards and specifications, we have identified the following key inspection points:

- **Underground – Storm Sewer, Watermain, and Sanitary Sewer** | Apex has developed checklist sheets to verify each stick of pipe is placed at the correct grade in order that the underground infrastructure ties into manholes and catch basins at planned elevations. We have also developed a process to verify that the contractor’s compaction effort along the pipe trench meets plan specifications no matter what type of material is used. Compaction is critical in the Red River

Valley to prevent voids from developing above the underground infrastructure, under the new concrete street.

It is critical with slip form paving that the inlet structures and manholes are placed at a location that allows the rings and castings to be set just outside the mainline concrete so adjustments can be made. This prevents undermining of the concrete mainline and improves the overall appearance and ride quality of the corridor.

- **Watermain Replacement** | Maintaining water service to area business and residents while replacing the watermain will be a significant challenge during construction. Apex will bring our unique experience to the table to overcome that challenge.

On 13th Avenue South in Fargo, we worked with the City and Contractor to develop a detailed replacement phasing plan featuring the use of “EZ Valves” - which can be installed under pressure. This was the first project in the city to implement the new breed of gate valve.

The plan successfully eliminated water shut-downs to West Acres Mall, several hotels, numerous restaurants, hundreds of apartment residents, and reduced costly night work and temporary water service connections.



“EZ Valve” Installation

- **Concrete Placement** | Apex understands some of the most important inspection regarding concrete placement occurs prior to the concrete even arriving on site. Apex will inspect the reinforcing steel, tie bars, and dowel bar assemblies to ensure they meet the locations shown in the plans and meet the requirements in the details and specifications. In addition, Apex will inspect string line and trimming operations to verify the base course meets vertical and horizontal tolerances.

Concrete jointing is critical to preventing random cracking and increasing the longevity of concrete pavements. Apex will thoroughly review the jointing plan with the contractor to identify locations for additional

reinforcement and any potential jointing concerns prior to the placement of any concrete.

Other key concrete placement inspection items that Apex has experience with include: verifying vibration frequency of the slip form paver, ensuring proper surface texture is applied, evaluating profilograph/ride quality using FHWA software ProVal to determine grinding locations, and verifying proper application of curing compound.



- **ADA Compliance** | One thing that is evident from working on past urban reconstruction projects is that fact that ADA design of curb ramps is very dynamic. While the contract plans still need to include curb ramp designs that are compliant with ADA standards, we have learned not to “over-design” curb ramps, as they frequently need to be tweaked and field-adjusted during construction. Our engineers and technicians understand that field conditions can dictate unique challenges that require creative solutions to meet the current ADA curb ramp requirements.



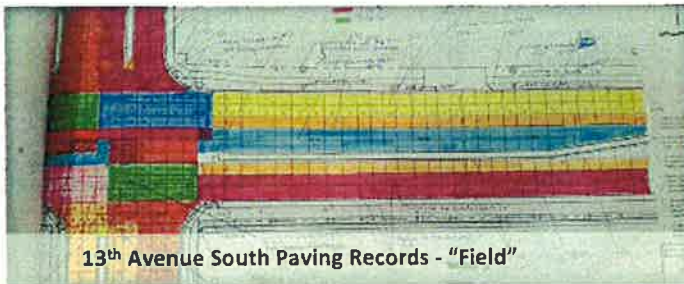
Surveying and Construction Staking | Apex plans to utilize the 33 years of experience and vast survey knowledge of Boyd Erbele, PLS as the Senior Survey Crew Chief on the project. Boyd is a guru in setting control, construction staking, and tracking earthwork quantities. He has worked around the world on a variety of different construction projects and was Apex’s lead surveyor on both the 13th Avenue South and 32nd Avenue South reconstruction projects. Apex surveyors think while they stake, verifying that the design will work rather than just blindly pounding in a hub. Among other things, Apex surveyors are trained to double check ADA ramps to

make sure they meet design requirements and ensure that curb returns and side street connections promote the desired drainage patterns.

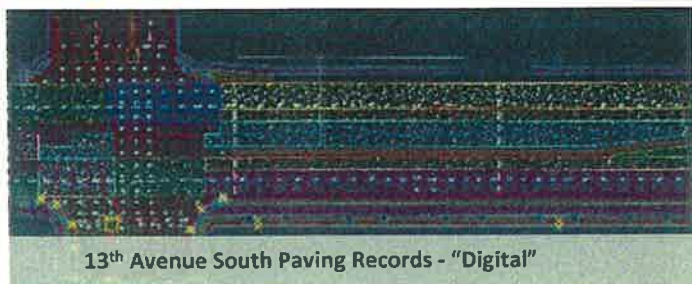


Materials Testing | Terracon has committed to providing materials testing services on this 13th Avenue Project. The Apex/Terracon team worked very well together on the 13th Avenue South Reconstruction Project in 2016 and the 32nd Avenue South Reconstruction Project in 2017.

Project Closeout | The project closeout process essentially begins as soon as the project begins, with organized and planned field documentation. Our “Quantity Plan Set” gets filled out every day in the field to track the work. Another method we have used on past projects is collecting survey data points to draw and measure complex shaped pay areas using CAD, then uploading those measurements directly into our electronic files, and finally using those points later to create as-built drawings.



13th Avenue South Paving Records - “Field”



13th Avenue South Paving Records - “Digital”

FUTURE ROADWAY EXPANSION IN WEST FARGO | Apex understands from visiting with the City of West Fargo that a corridor study is currently being conducted along 13th Avenue within the City limits of West Fargo. Apex will work closely with the City to make sure that any feasible recommendations from that corridor study are implemented or planned for in this 13th Avenue project as well.

We also understand from the request for proposals that the current project includes the reconstruction of the 4-lane divided facility in West Fargo. Depending on the outcome of the corridor study and the projected traffic volumes, one thing the City of West Fargo might want to

consider is preparing for the future expansion of this corridor to a 6-lane divided facility in order to save time and money in the future. This could include some or all of the following:

- Locating signal components (bases, poles, pedestrian push button pedestals, control cabinets, etc.) at locations that allow for the future expansion to a 6-lane facility.
- Running new storm sewer and installing fire hydrants wide enough in the boulevard to allow for the construction of new inlets after the street is widened.
- Narrowing the lane widths to allow for the expansion to a 6-lane facility while still optimizing green space.
- Providing right turn lanes at signalized intersections that could be modified into through / right turn lanes in the future.

TRAFFIC OPERATIONS / INTERSECTIONS | One aspect about Apex that we may not be known for is our signal design and construction. Our current Apex staff has designed 18 signal systems for five different jurisdictions, and inspected many more. We are confident that this design experience, combined with traffic signal inspection specifically on 13th Avenue South and 32nd Avenue South (among others) will meet the expectations that the Cities have.

Benesch is on our team to provide QC/QA review and assist with traffic signal design and signal timing if necessary to meet the aggressive project schedule. They will also provide any potential traffic operations analysis to optimize intersection geometry or capacity. From our discussions with the City of West Fargo and from driving the intersection daily, one possible intersection to analyze is 17th Street East in West Fargo.

DRAINAGE/STORM SEWER MODELING | The work required for this project is very similar to the modeling and storm sewer design that Apex completed for Fargo on the previous 13th Avenue project. We understand from the RFP requirements that the trunk line in the West Fargo portion of the project will be sized by others, and that Apex would incorporate that trunk line recommendation into our design and plan preparation. The City of Fargo project area is located within the Drain 40 Watershed. Apex will use the existing LiDAR and supplemental survey data to delineate the direct contributing drainage areas. The watershed analysis will incorporate three existing local stormwater detention ponds into the analysis. It is assumed that a HydroCAD model will be used for the analysis with the outlet of the model being the 84-inch storm sewer on 45th Street. If the existing trunk lines (which range from 33 to 48 inches) are undersized, a parallel pipe will be considered.

4. PROJECT TEAM

The Apex team has the technical skills, ability to make sound engineering decisions, and the dedication to make projects successful. We have designed and constructed some impressive urban projects during our careers, and have led high profile projects across the state. The staff we have chosen to work on these projects was selected because we know they have the availability, certifications, and the right experience for the job – in fact **our entire project team worked on the four feature**

projects in some capacity. They will remain on the project in their respective roles until their assigned tasks have been completed. This organization chart depicts the Apex staff, additional project partners, and roles that each will play.

Dain Miller will be the Principal Engineer and is always available for any questions or concerns that may arise.

DESIGN AND PLAN PRODUCTION



CONSTRUCTION



5. PROJECT EXPERIENCE

Apex has been trusted across the state to provide engineering solutions. This level of success comes from having talented people, dedicated to their clients, who take ownership in their work. Through hands-on experience both in the office and the field, our team has developed a lengthy resume. Four key urban projects that we are featuring in this proposal include:

- 13th Avenue South | 38th Street to 45th Street | Fargo, ND
- 32nd Avenue South | 32nd Street to 42nd Street | Fargo, ND
- 12th Avenue North | West Fargo/Fargo/MetroCOG
- 37th Avenue SW | 16th Street to 30th Street | Minot, ND

13TH AVENUE SOUTH - 38TH ST TO 45TH ST CITY OF FARGO, ND

The City of Fargo turned to the engineers and designers at Apex Engineering Group to oversee this 6-lane urban reconstruction project. 13th Avenue South is one of the most highly visible roadways in the Fargo-Moorhead Metropolitan area. It is a main east west arterial roadway that provides access to the West Acres shopping center and the surrounding retail area.

Project Details | The design consisted of replacing the existing 4-lane divided roadway with a 6-lane divided roadway. A new 10 foot shared use path was provided on the south side of the roadway, and a new six foot sidewalk was provided on the north side of the roadway. The project also consisted of replacing the water valves & hydrants to meet current design standards, sanitary sewer rehabilitation, and storm sewer replacement to optimize storage. New street lighting was designed throughout the project corridor and new traffic control signals were designed at 38th Street, 42nd Street, & 43rd ½ Street. Pavement marking & signing was also included in the final design of the project. A detailed work zone traffic control plan was developed to maintain traffic at all times throughout the corridor. Apex worked closely with the City of Fargo to optimize the design and maintain the aggressive construction schedule.

The multi-phased construction required over 10 major traffic shifts. Notably, the intersection of 13th Avenue and 42nd Street (which carries 45,000 vehicles per day) was constructed while maintaining traffic in all directions. Apex reviewed and approved all press releases and traffic flow maps distributed during the project to ensure the message to the public and area businesses by Flint Group was clear and timely. Major private utility relocations during the early phases of the project were coordinated to keep the project on schedule. Apex staff worked diligently to quickly resolve issues that could have brought the project to a halt, allowing the project to be completed on budget and on time without any contract time extensions.



Dates: 2013-2016

Construction Cost: \$10.6 million

Project Type | Urban Reconstruction

Services Provided | Topographic Survey/CADD Drafting, Preliminary Engineering, Public Involvement & Stakeholder Coordination, Coordination with Private Utilities, Final Design and Bid Document Preparation, Right of Way Exhibits and Legal Descriptions to City of Fargo Standards, Construction Inspection and Administration



32ND AVENUE SOUTH - 42ND ST TO 32ND ST CITY OF FARGO

The City of Fargo and the NDDOT jointly planned a project to improve 32nd Avenue South in Fargo between 42nd Street and 32nd Street. The purpose of the project was to replace the pavement east of 36th Street that has reached its design life, increase roadway capacity, address existing operational deficiencies, and improve safety within the project corridor by reducing crashes and by improving access for non-motorized users through the interchange area. The project consisted of both a City portion (west and east of the I-29 interchange), and a NDDOT portion (the I-29 interchange). The City of Fargo contracted Apex Engineering Group to lead the preliminary design, environmental clearance, and public involvement process for the entire project (both City and NDDOT portions), as well as complete the final design, plan preparation, and construction administration and inspection for the City portion.

Project Details | The project consists of widening 32nd Avenue South to six lanes between 42nd Street and 36th Street, and reconstructing the roadway to six lanes between 36th Street and 32nd Street. Approximately 1000 feet of 39th Street was also reconstructed, which entailed working closely with the two major truck stops (Flying J and Love's). At the interchange, the existing bridge was widened to six lanes, a new loop ramp was installed in the southwest quadrant, and a new pedestrian underpass box culvert was installed under the ramps in the northwest quadrant.

Dates: 2015-2017

Construction Cost: \$7.9 million

Project Type | Urban Reconstruction

The project also included a comprehensive public involvement and business/landowner communication process. Public meetings and numerous individual business/landowner meetings were held by Apex to ensure communication and receive feedback from affected stakeholders.

Services Provided | Topographic Survey/CADD Drafting, Preliminary Engineering, Documented CatEx, Public Involvement & Stakeholder Coordination, Permitting, Coordination with Private Utilities, Final Design and Bid Document Preparation, Right of Way Exhibits and Legal Descriptions, Construction Inspection and Administration



12TH AVENUE NORTH - 45TH ST TO CR 19

WEST FARGO / FARGO, ND AND METRO COG

The 12th Avenue North corridor from 45th Street to County Road 19 was previously a two-lane rural roadway with a high number of direct access points and a high percentage of heavy truck traffic. Within the project limits, the roadway fell under three different jurisdictions (City of West Fargo, City of Fargo, and Cass County). The project was selected by Metro COG to be the first local project completed as a consolidated planning study/ environmental document (Documented CatEx)/design project. The planning elements were developed and seamlessly blended into the environmental document (Documented CatEx), eliminating unnecessary and inefficient overlap between the two project development phases. The Apex/Benesch team was selected to complete the entire project from the planning elements all the way through to final design and bid plans. Construction started in 2016 and will be completed in 2017.

Project Details | The project includes reconstructing 2.6 miles of 12th Avenue North to a concrete 3-lane urban section with curb and gutter, sidewalk, shared-use path, storm sewer, and city utility improvements. A new roundabout will also be constructed at the 9th Street intersection. The project included a significant public involvement and local stakeholder

Dates: 2012-2015

Construction Cost: \$19.4 million

Project Type | Urban Reconstruction

coordination effort, as well as coordination with BNSF Railroad for modifications to an existing at-grade railroad crossing conflict.

Services Provided | Topographic Survey/CADD Drafting, Preliminary Engineering, Traffic Analysis, Hydrology and Hydraulic Analysis, Documented CatEx, Public Involvement & Stakeholder Coordination, Permitting, Coordination with Utilities/BNSF RR, Right of Way Plats, Negotiation, and Acquisition, Final Design and Plan/Bid Document Preparation



37TH AVENUE SW RECONSTRUCTION | 16TH - 30TH CITY OF MINOT

Overview | 37th Avenue SW is a vital corridor that connects rural areas that are southwest of the city along Ward County Road 14, and allows the public direct access to Minot and the US 83/Broadway corridor. This segment of roadway serves new businesses and residential development, including a new hospital. This reconstruction project utilized State surge funding to finance the project.

Project Details | The design consisted of reconstructing about 1-mile of existing rural 2-lane highway with an urban 5-lane road section including a center shared left turn lane to accommodate future traffic and growth. A new 10 foot shared use path was provided on the south side of the roadway along with a new street lighting system. Intersection and signal improvements were added at the 16th Street St / 37th Avenue SW intersection to accommodate the existing 5-lane section to the south of 16th Street SW.

This project also includes watermain and sanitary sewer extensions to undeveloped property on both sides of 37th Avenue SW. A new trunk storm sewer system was installed to serve the entire project corridor along with possible future expansion to the west of 30th St SW that discharges into Puppy Dog Coulee. Apex worked closely with the City of Minot and

Dates: 2015-2016

Construction Cost: \$6.5 million

Project Type: Urban Street Reconstruction

local businesses to provide reasonable traffic detours for the traveling public and maintain accesses for the local businesses and residents during construction.

Services Provided | Topographic Survey/ CADD Drafting, Preliminary Engineering, Hydrology and Hydraulic Analysis, Documented CatEx, Public Involvement & Stakeholder Coordination, Permitting, Coordination with Utilities Drainage Pipe/Culvert Design at Puppy Dog Coulee Crossing, Final Design and Plan/Bid Document Preparation, Right of Way, Construction Administration, Inspection, Closeout



FLINT GROUP



EXPERTISE

Flint Group is a marketing and communications agency offering full-service marketing support for branding, advertising, research, public relations, digital implementation and interactive development. Headquarters for Flint Group is Fargo, ND, where the original agency, Flint Communications, was founded in 1946.

Examples of Similar Experience

The Flint Group team is fully immersed in nuances of the transportation industry. We understand how to engage hard-to-reach audiences affected by transportation-related construction projects and create a consistent two-way dialog.

NDDOT Fargo District, Integrated Communications, PIC 2011 – Ongoing

As PIC for Fargo District, Flint has crafted and distributed over 240 project updates, developed a new CMS and maintained NDDOTFargo.com, secured and facilitated media interviews with project engineers, crafted social media content, managed public meetings and/or created community relations programs around these large NDDOT projects in the last few years:

- West Fargo Main Avenue Reconstruction, second phase and final phase – 2012 & 2015 – 2016
- Interstate 29 and Interstate I-94 Tri-level Preventive Maintenance, walking bridge, CPR – 2013
- Interstate 29 Northbound and Southbound Reconstruction, Argusville to N of Gardner – 2015 & 2016
- 25th Street South Reconstruction – City of Fargo partner – 2014

City of Fargo Engineering Department and NDDOT Fargo District, 32nd Avenue & I-29 Project PIC January – Current

- Flint and Apex were awarded the project contract for the 32nd Avenue roadway reconstruction between 32nd Street S and 43rd Street S, including the I-29 bridge widening.
- Together with City of Fargo and NDDOT, Flint created a project-specific communication plan and has been managing all aspects of the public outreach through paid media, City of Fargo and NDDOT Fargo District social, FargoStreets.com and NDDOTFargo.com, email database and earned media channels. Our PIC team attends weekly contractor meetings to be proactive with suggestions for public outreach, understand the challenges around the project and make it efficient for the project engineers to share updates
- **Community relations** is a large focus, and ongoing business-to-business contact, plus in-person and online public meetings, are still occurring for the project.

Metro COG and City of West Fargo, 13th Avenue Corridor Study, Public Participation Plan & Input August – Current

Flint is a subconsultant on the project contract to evaluate the current use and future needs for 13th Avenue between 17th Street E to Main Avenue in West Fargo. Flint is leading the public participation and showcase how community input works.

Along with the study review committee for Metro COG, Flint will be rolling out the public participation plan that includes community engagement events, paid social, earned media and owned content tactics in the coming weeks.

The first community involvement event took advantage of a large community event, West Fest. Flint captured 202 surveys from a wide range of public to understand their needs on the corridor. There are three additional pop-up events and a virtual meeting yet to launch during the public involvement stage.

NDDOT Communications Division, Earned and Paid Media Support 2011 – ongoing

On a project-by-project basis, Flint assists the NDDOT communications with statewide specialized media buys and Fargo-based media relations support including:

- I-94 & Sheyenne Street Interchange – Cross-over work, radio – September 2017

- Work Zone Safety news conferences and media campaigns – May 2013 – 2016
- Launch of new North Dakota License Plate news conference – November 2015
- West Fargo Main Avenue ribbon cuttings – November 2013 and 2016
- Brand Ambassador Training (NDDOT District Engineers and Department Heads) – 2015 & session slated for 2017/early 2018

City of Fargo Engineering Department, PIC June 2016 – Current

Mid-June 2016, Flint was awarded the PIC role, a newly created support function modeled after the PIC role with the NDDOT to bring attention to FargoStreets as a reliable source for road-related projects and manage community relations while demonstrating the value of road improvements. Our contract was extended to continue the momentum.

We are in the active construction phase in the integrated communications plan and delivering paid, earned, owned and shared support for the following large projects as well as overall access or impact across FargoStreets in 2017:

- Broadway North, 19th Avenue – 12th Avenue N
- 4th Street South, Main Avenue – 5th Avenue N
- 4th Avenue North, Broadway North – 2nd Street N
- 19th Avenue North, I-29 – 57th Street N
- 2nd Avenue North, Broadway N – 7th Street N
- 25th Street & 13th Avenue S Intersection
- Misc. road project and infrastructure projects

6. REFERENCES

As you review our proposal, we feel it is important to focus on the proven experience team members have providing engineering services. It is through our proven project history and client relationships that we continue to grow. There is no better way for you to truly understand our commitment and capabilities until you talk to our clients and hear this first hand. Through the strong relationships we have with clients across the state, Apex has been trusted a countless number of times to provide comprehensive engineering.

Lance Meyer | City of Minot
City Engineer | 701 857 4100
lance.meyer@minotnd.org



Michael Johnson | NDDOT Local
Government | 701 328 2118
mijohnson@nd.gov



Jeff Johnson | President
Dakota Underground | 701 774 2700
jeffjohnson@dakotaunderground.net



7. HOURLY FEE SCHEDULE STRUCTURE RATES

The Cost Proposal Forms and Project Rate Sheets are included as **Appendix A.**

Appendix A - Cost Proposal and Rate Sheets

RFP for Improvement Dist. No. BR-18-C0
Addendum No. 1

COST PROPOSAL FORM

Improvement District No. BR-18-C0

Type: Street Reconstruction

Location: 13th Avenue S – 45th Street to 12th Street E (in West Fargo)

Cost Proposals shall be based on fixed fee lump sum but payments will be based on actual hourly rates. Attach basic fee structure and hourly rates for staff included on project. (See Attached)

PHASE 1 - PRELIMINARY & FINAL DESIGN, AND OTHER PRE-CONSTRUCTION ACTIVITIES

Project Administration	\$ 8,400.00
Preliminary Topo Survey (Fargo Side) and QA/QC Survey	\$ 24,200.00
Preliminary Engineering	\$ 29,545.00
Project Review Committee Meetings	\$ 7,740.00
Public Meeting and Property Owner Meetings	\$ 18,400.00
Design and Plan Preparation	\$ 166,690.00
Public Information Coordinator Services – Pre-Construction	\$ 18,200.00
PHASE 1 TOTAL	\$ 273,175.00

PHASE 2 - CONSTRUCTION, PIC and CONSTRUCTION CLOSEOUT ACTIVITIES

Construction Administration – Prior to Construction (Assume 4 wks, Project Mgr 24 hrs/wk, two Inspectors 24 hrs/wk)	\$ 25,600.00
Construction Administration – Construction (Assume 32 wks, Project Mgr 40 hrs/wk, two Inspectors 55 hrs/wk)	\$ 412,480.00
Survey Preparation Prior to Construction (assume 2 wks, Digital Data Technician, 40 hrs/wk)	\$ 5,200.00
Continuous Digital Data Office Work during Construction (assume 32 weeks, Digital Data Technician 8 hrs/wk)	\$ 21,760.00
Construction Staking (Assume 32 wks, one 2-person crew, 40 hrs/wk. Hourly rate shall include all necessary survey personnel including survey manager, equipment rates, and survey material costs (hubs, lath, etc.).)	\$ 172,800.00
Public Information Coordinator Services - Labor (Assume 32wks, 10hrs/wk)	\$ 41,600.00
Project Closeout (Assume 4 wks, Project Mgr 20 hrs/wk, one Inspector 20 hrs/wk)	\$ 12,000.00

RFP for Improvement Dist. No. BR-18-C0
Addendum No. 1

Mileage for All Vehicles used on project
(assume 1000 total miles)

\$ 1,000.00

Material Testing Estimate*

\$ 32,050.00

*Material testing shall be included in fixed fee lump sum price. Offerors shall assume 100 field density tests including necessary proctors (compaction tests) of compacted soils and aggregates, 30 mechanical analyses (gradations) of soils and aggregates, 100 concrete slump tests, 400 concrete compressive cylinder strength tests, and 100 concrete air content tests. Please submit rate per test type to be used for this project.

PHASE 2 TOTAL

\$ 724,490.00

TOTAL NOT TO EXCEED PROPOSAL (PHASES 1 & 2)

\$ 997,665.00

Be sure to include the hourly rates for Construction Project Manager, Field Inspector #1 & #2, Digital Data Technician, and 2-person Survey Crew assigned to project.

For Information Only, **NOT** to be included in Proposal Cost, Public Information Coordinator Services – Paid Media (Estimate of recommended paid media budget, listing type and fee/per platform)

Media Type	Paid Media	Fee	\$ 2,500.00
Media Type	Radio Paid Media	Fee	\$ 6,000.00 **
Media Type	Billboards	Fee	\$ 16,000.00 - \$ 18,400.00 **
Media Type	Media Service	Fee	\$ 2,500.00
Media Type	Mobile Alert System - Project Specific	Fee	\$ 202.83/monthly **
Media Type		Fee	

(See detailed information
attached from Flint Group)

** Fees are listed without negotiated or City special rates applied.

Firm: **Apex Engineering Group, Inc.**

Approved: 

Name

Vice President

Title

10/3/2017

Date



Water | Transportation | Municipal | Facilities

Project Rate Schedule

13th Avenue Reconstruction – 2017 and 2018

<u>Classification</u>	<u>Hourly Rate</u>
Principal	\$170
Senior Engineer (Project Manager – Design)	\$150
Lead Engineer	\$120
Design Engineer II	\$115
Design Engineer (Project Manager – Construction)	\$110
Right-of-Way Specialist	\$112
Sr. Survey Crew Chief	\$115
Survey Crew Chief	\$110
Project Engineer	\$94
Graduate Engineer (Field Inspector No. 1)	\$85
Senior Engineering Technician	\$105
Lead Engineering Technician	\$90
Engineering Technician (Field Inspector No. 2)	\$75
Surveyor	\$80
Survey Technician	\$72
Field Technician	\$65
Support Staff	\$75

Reimbursable Expenses:

Car/Standard Vehicle	\$ IRS Rate/Mile
Survey Vehicle	\$0.75/Mile
4WD Pickup (rental vehicle)	\$0.65/Mile
Field Vehicle (rental vehicle)	N/A
All-Terrain Vehicle	N/A
Meals (Per Diem)	N/A
Lodging	N/A
Printing	N/A

*The Classifications listed in **Bold Text** are the primary classifications of key staff assigned to this project and likely expected to charge time to the project.

COST PROPOSAL



Type: Public Information Coordinator (PIC) Services

RATES: This proposal is based on a blended rate of \$130/hour for each service rendered, not to exceed lump sum of 320 hours for labor in phase 2.

FLINT GROUP PIC – Phase 1 (Winter 2017 – March 2018)

Job Classification	Slated Budget (\$)
Account Management (up to 20 hours – Planning, contract management)	\$2,600
Public Relations (up to 80 hours – Pre-con, community relations/pop-up/business meeting management, media relations and social media management)	\$10,400
Creative Services (up to 30 hours – Graphics, maps, handouts, meeting assets, radio)	\$3,900
Website (up to 10 hours – project specific HERO spots)	\$1,300
TOTAL	\$18,200

FLINT GROUP PIC – Phase 2 (April – October 2018)

Job Classification	Slated Budget (\$)
Account Management (up to 30 hours – contract management)	\$3,900
Public Relations (up to 240 hours – Contractor meetings, community relations/public meetings, media relations and social media management)	\$31,200
Creative Services (up to 50 hours – Map updates, social content, radio donuts updates)	\$6,500
TOTAL (not to exceed 320 hours)	\$41,600

FLINT GROUP ADDITIONAL RECOMMENDATIONS – Informational Only

Job Classification	Slated Budget (\$)
Paid Media (March – November; Facebook and Twitter sponsored/boosted content)	\$2,500
Radio Paid Media (at NET; April – October; Align with Fargo/West Fargo campaigns)	\$6,000*
Billboards (at NET; Feb/March – October; Two locations) <i>Recommend at least 3 – 4-week blitz ahead of project start</i>	\$16,000 – \$18,400*
Media Service (radio and billboards)	\$2,500
Mobile Alert System – project specific (month by month payment options)	\$202.83/monthly*

*This is without negotiated or city special rates applied

All include w/ contract

\$2000 Total



COST PROPOSAL

FLINT GROUP RATE CARD

Job Classification	Hourly Rate (\$)
Account, Project Management	130
Art Direction, Graphic Design, Illustration	135
Art Production	115
Concept	150
Copywriting	135
Crisis Mgmt Strategy	175
PR Implementation	130
PR Strategy	150
PR Support	120
SEM Optimization	120
Social Media Analytics Services	150
Social Media Strategy	150
Strategic Planning	150
User Experience	150
Web Development	135

(47)

HRC / strand / oct 9
City Agenda

RESOLUTION
A RESOLUTION SUPPORTING AN INCLUSIVE COMMUNITY

WHEREAS, the City and residents of Fargo establish that the City is an inclusive community; and welcomes the contributions of all sectors; and celebrates our diversity; and

WHEREAS, the global community has enacted numerous international human rights instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination, and made important advances in the struggle against racism, racial discrimination, xenophobia and related intolerance; and

WHEREAS, racism and racial discrimination threaten human development because of the obstacles which they pose to the fulfillment to basic human rights to survival, security, development, and social participation; and

WHEREAS, the City and residents of Fargo combat hate and its representatives; and while promoting equality, inclusiveness and equitable environments; and

WHEREAS, organizations or individuals or doctrines promoting differentiation or superiority based on race, religion, sexual orientation, gender identification, age, ability, or country of origin are scientifically false, morally condemnable, hateful, socially unjust and dangerous; and are merely expressions to create alarm at the manifestations of discrimination; and

WHEREAS, municipal jurisdictions are often laboratories for determining public approaches to the challenges that face residents and businesses; and

WHEREAS, the ability of the citizens of Fargo to establish and maintain a welcoming and inclusive community; and to foster respect for all persons, regardless of race, religion, sexual orientation, gender identification, age, ability, country of origin; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF Fargo, that this Commission of democratically elected representatives represent and support all members of the community; and condemn acts of hate, violence or discrimination.

ADOPTED by the Fargo City Commission on this _____ day of _____, 2017.

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: COMMISSIONER TONY GEHRIG T.G.

DATE: OCTOBER 9, 2017

SUBJECT: FM DIVERSION INJUNCTION

I would like the opportunity for the public to hear our thoughts on the FM Diversion injunction and what it means for current projects that are underway and planned in the near term. It is my sole intention to let the public know where their City leaders stand on the issue, not debate or challenge how the other commissioners perceive the injunction's language.