

FARGO CITY COMMISSION AGENDA
Monday, March 17, 2025 - 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, March 3, 2025).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file an Ordinance Enacting Section 10-0327 of Article 10-03 of Chapter 10 of the Fargo Municipal Code Relating to Public Safety, Morals and Welfare and an Ordinance Amending Sections 25-1518(A) and (B) of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Restrictions on Sale, Serve or Dispensing of Alcoholic Beverages and Section 1-0305 of Chapter 1-03 Relating to Ordinance Violations.
- 2. Gaming Site Authorizations:
 - a. Friends of the Children Fargo-Moorhead at Southtown Pourhouse.
 - b. North Dakota Horse Park Foundation at Boss' Pizza and Chicken.
- 3. Applications for Games of Chance:
 - a. bisonCatholic for a raffle on 3/29/25.
 - b. Fargo Air Museum for bingo on 3/27/25.
 - c. FM Walleyes Unlimited, Inc. for a raffle on 4/3/25.
 - d. FMWF Chamber of Commerce for a raffle on 7/16/25.
 - e. Jeremiah Program F-M for a raffle on 5/2/25.
 - f. Pray for Gray for a raffle on 5/9/25.
 - g. Professional Insurance Agents of North Dakota for a raffle on 5/5/25.
 - h. Red River Range for a raffle on 5/2/25.
 - i. She Overcomes Foundation for a raffle on 3/27/25.
 - j. St. Mary's Cathedral for raffles on 5/3/25 and 5/4/25.
 - k. Veterans Honor Flight of ND/MN for a raffle on 4/12/25.
- 4. Change Order No. 3 for a 30-day time extension to the metal fencing installation date from 3/13/25 to 4/13/25 for Project No. NR-24-B2.
- 5. Engineering Services Contract with Houston Engineering, Inc. in the amount of \$1,499,824.10 for Project No. QR-25-B0.
- 6. Cost Participation, Construction and Maintenance Agreement with NDDOT for the Red River North Shared Use Path (Project No. SN-25-B1).
- 7. Bid award to Roadway Services, Inc. in the amount of \$112,800.00 for Project No. PR-25-B1.

8. Bid award to Border States Paving, Inc. in the amount of \$844,197.90 for Project No. SR-25-A1.
9. Bid advertisement for Project No. SN-25-B.
10. Bid advertisement for Project No. SR-25-B.
11. Contract and bond for Project No. SN-25-A1.
12. Contract and bond for Improvement District No. BR-25-E1.
13. Engineering Services Agreement Amendment No. 3 with Apex Engineering Group in the amount of \$56,681.00 for Improvement District No. BR-23-G0.
14. Documented CATEX and selection of Alternative B for Improvement District No. BR-26-G1.
15. Rejection of bids for Improvement District No. BR-25-B2.
16. Bid award to Asphalt Preservation Company, Inc. in the amount of \$1,751,602.84 and Resolution Determining Insufficiency of Protests for Improvement District No. PR-25-C1.
17. Create Improvement District No. PR-25-H and adopt Resolution of Necessity (Asphalt Mill and Overlay).
18. Items from the FAHR Meeting:
 - a. Receive and file General Fund - Budget to Actual through 1/31/25.
 - b. Bid award to FM360, LLC in the amount of \$152,870.00 for a Computer Maintenance Management System (CMMS) and related budget adjustment (RFP25068).
 - c. Solid Waste budget adjustment for 2025 equipment purchases as presented.
 - d. Reallocation of Solid Waste funds to allow for the development of an RFP for the purchase of 335 front-load collection containers (RFP25105).
19. Agreement with FM360, LLC for a Computer Maintenance Management System (CMMS) (RFP25068).
20. Change Order No. 2 in the amount of \$16,370.56 for Fire Station No. 5 Renovation Project (general construction contract).
21. Piggyback purchase through ND State Contract No. 378 with North Central Intl. LLC in the amount of \$120,317.39 for one 2026 HV607 International Chassis (PBC25034).
22. Amendment No. 2 to Task Order No. WA04 with Apex Engineering Group in the amount of \$85,800.00 for Project No. WA1910.
23. Bills.

REGULAR AGENDA:

24. Set 7:30 a.m., Tuesday, April 8, 2025, as the date for the Board of Equalization to meet.

PUBLIC HEARINGS - 5:15 pm:

25. **PUBLIC HEARING** – WITHDRAWN – Brekke’s 64th Avenue Addition (1606 and 1648 64th Avenue South):
 - a. Zoning Change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential.

- b. 1st reading of rezoning Ordinance.
 - c. Plat of Brekke's 64th Avenue Addition.
-
- 26. **PUBLIC HEARING** – Vacation Plat of portions of 22nd Street North, the remainder of 8th Avenue North lying West of 21st Street North and the Block 34 East-West alley, all originally dedicated with Beardsley's Addition, lying between 7th and 8th Avenues North (2105 and 2115 7th Avenue North; 706, 716, 718, 724 and 738 21st Street North; 705 22nd Street North); approval recommended by the Planning Commission on 6/4/24; continued from the 3/3/25 Regular Meeting.
 - 27. **PUBLIC HEARING** – Appeal of a Planning Commission decision on 2/4/25 to deny a Conditional Use Permit to allow group living in the SR-2, Single Dwelling Residential zoning district on Lot 11, Block 9, Edgewood Second Addition (213 Forest Avenue North).
 - 28. **PUBLIC HEARING** – Renaissance Zone Rehabilitation Project for DH Ventures, LLC (369-F) for the rehabilitation of a commercial property at 508, 510 and 512 Broadway North.
 - 29. **PUBLIC HEARING** – Renaissance Zone Rehabilitation Project and New Construction Project for Cass Clay Community Land Trust (370-F) for a commercial property at 717 3rd Avenue North.
 - 30. **PUBLIC HEARING** – Renaissance Zone New Construction Project for Lennon Lofts, LLC for the construction of a multi-dwelling residential project at 220 6th Avenue North.
 - 31. **PUBLIC HEARING** – Hearing to consider a Renewal Plan and Developer Agreement with Lennon Lofts, LLC for Tax Increment Financing District No. 2025-01 (220 6th Avenue North).
 - 32. **PUBLIC HEARING** – CONTINUED to 3/31/25 - Hearing to consider a Renewal Plan and Developer Agreement with Skyline, LLC/Roers for Tax Increment Financing District No. 2018-03 (1100 block of 18th Street North).
 - 33. Recommendation from Commissioner Strand to direct the City Administrator, City Attorney and Human Resources Department to research a full-time Mayor effective July 1, 2026.
 - 34. Presentation on Employee Overtime Policies, Procedures and Budget.
 - 35. Commissioner Piepkorn would like to discuss employee overtime; delayed from the 3/3/25 Regular Meeting.
 - 36. Liaison Commissioner Assignment Updates.
 - 37. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at [FargoND.gov/VirtualCommission](https://www.fargoND.gov/VirtualCommission)).**

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 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.



**OFFICE OF THE
CITY ATTORNEY**

CITY ATTORNEY
Nancy J. Morris

SERKLAND LAW FIRM

10 Roberts Street North

P.O. Box 6017

Fargo, ND 58108

Phone: 701.232.8957 | Fax: 701.237.4049

ASSISTANT CITY ATTORNEYS

Ian R. McLean ▪ Alissa R. Farol ▪ William B. Wischer

①

March 13, 2025

Board of City Commissioners
City Hall
225 4th Street North
Fargo, ND 58102

RE: Ordinances Enacting Section 10-0327 of Article 10-03 of Chapter 10 of the Fargo Municipal Code and Amending Section 25-1518 (A) and (B) of Article 25-15 of Chapter 25 of the Fargo Municipal Code and 1-0305 of Chapter 1-03 of the Fargo Municipal Code

Dear Mayor and Commissioners,

Attached please find two ordinance revisions for your consideration. The enactment of Fargo Municipal Code § 10-0327 places the consuming or possession alcohol in public in the section of the Fargo Municipal Code addressing public safety conduct, while also cross referencing section 25-1518 (A) and (B) pertaining to alcohol sales and service. The revisions also change the penalty for consuming and possessing in public and urinating in public (§ 10-0326) from a non-criminal offense to an infraction, as was presented for consideration by Chief Zibolski at your last meeting.

Suggested Motion: I move to approve receive and file of an ordinance enacting section 10-0327 of Chapter 10-03 of Article 10 and I further move to approve receive and filing of amendments to sections 25-1518 (A) and (B) of Article 25-15 of Chapter 25, and section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code, and that the same be placed on the next board of City Commissioners meeting for first reading.

Please feel free to contact me with any questions or concerns.

Regards,


Nancy J. Morris

NJM/mw

Enclosures

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

AN ORDINANCE ENACTING SECTION 10-0327 OF
ARTICLE 10-03 OF CHAPTER 10 OF
THE FARGO MUNICIPAL CODE RELATING TO
PUBLIC SAFETY, MORALS AND WELFARE

WHEREAS, the electorate of the City of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Century Code; and

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purpose; and

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance.

NOW, THEREFORE, be it Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Enactment.

Section 10-0327 of Article 10-03 of Chapter 10 of the Fargo Municipal Code is hereby enacted to read as follows:

10-0327. Consuming or Possessing Alcoholic Beverages in Public.

A person may not consume alcoholic beverages, or possess an open container, to include any bottle, can or other receptacle that contains any amount of alcoholic beverages, upon streets, avenues, alleys, sidewalks, stairways, thoroughfares, or other public property in an area within the City, nor in or upon the parking areas of private shopping centers, hotels, motels, licensed liquor establishments, restaurants, clubs, religious institutions, or similar establishments, unless such areas have been designated as part of an on-sale licensed premise, or granted a special event permit.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 2. Penalty.

1 A person who willfully violates this ordinance is guilty of an infraction. Every person,
2 firm or corporation violating an ordinance which is punishable as an infraction shall be punished
3 by a fine not to exceed \$1,000; the court to have power to suspend said sentence and to revoke
4 the suspension thereof.

Section 3. Effective Date.

5 This ordinance shall be in full force and effect from and after its passage, approval and
6 publication.

7
8
9 _____
10 Timothy J. Mahoney, M.D., Mayor

11 (SEAL)

12 Attest:

13 _____
14 Steven Sprague, City Auditor

15 First Reading:
16 Second Reading:
17 Final Passage:
18 Publication:
19
20
21
22
23

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 25-1518(A) AND (B) OF ARTICLE 25-15
OF CHAPTER 25 OF THE FARGO MUNICIPAL CODE
RELATING TO RESTRICTIONS ON SALE, SERVICE OR DISPENSING
OF ALCOHOLIC BEVERAGES AND SECTION 1-0305 OF CHAPTER 1-03
RELATING TO ORDINANCE VIOLATIONS

WHEREAS, the electorate of the City of Fargo has adopted a home rule charter in
accordance with Chapter 40-05.1 of the North Dakota Century Code; and

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the
City shall have the right to implement home rule powers by ordinance; and

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said
home rule charter and any ordinances made pursuant thereto shall supersede state laws in
conflict therewith and shall be liberally construed for such purpose; and

WHEREAS, the Board of City Commissioners deems it necessary and appropriate
to implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

Be it Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment.

Section 25-1518 of Article 25-15 of Chapter 25 of the Fargo Municipal Code is amended
as follows:

25-1518. – Unlawful practices

In addition to such other prohibitions as are contained in this article:

- A. It shall be unlawful for any person to sell or consume any alcoholic beverage upon
any street, alley or public highway, including any public sidewalk or boulevard,

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

or on any private property without consent of the owner or occupant within the city of Fargo, except as permitted by subsection (J) of section 25-1509 of this chapter. It shall further be unlawful for any person to possess any bottle or receptacle containing any alcoholic beverage which has been opened or the contents of which have been partially consumed while such person is upon any street, alley or public highway, including any public sidewalk or boulevard, or upon property owned, operated or leased by the city of Fargo or by the state of North Dakota or any political subdivision or agency thereof, within the city of Fargo, except under a valid alcoholic beverages license issued under this article, and further except as permitted by 25-1509.1(C). A violation of this section is deemed a violation of section 10-0327 of this Code.

- B. The sale, possession, use or consumption of alcoholic beverages shall be unlawful and prohibited in and on the premises of any public building except as may be authorized by appropriate license or permit issued pursuant of this chapter, and further except as permitted by 25-1509.1(C). A violation of this section is deemed a violation of section 10-0327 of this Code.

Section 2. Amendment.

Section 1-0305, of Article 1-03, of Chapter 1, of the Fargo Municipal Code, is amended as follows:

1-0305 – Classification of Ordinance Violations

1-0305. 7. For a violation of the following ordinances, a fee of \$100.00. Section 8-0317(B)(1) (drag racing), section 8-1003(K) (parking in areas reserved handicap), section 8-0702 (fail yield right-of-way pedestrian), section 8-0920 (size, weight, and load restrictions of vehicles operated within the city), section 8-0924 (restricted use of streets and highways), section 8-1108(A) (disobey signal of approaching train), section 8-1108(B) (driving thru/around railroad crossing gate), section 8-1110 (disobey railroad stop sign), section 8-1218(F) (unlawful passing of school bus), section 8-1218(G) (unlawful proceeding past bus in oncoming lane), ~~section 10-0326 (urinating in public), section 25-1518(A) (selling/consuming alcohol in public), section 25-1518(B) (possessing/consuming alcohol in public building).~~

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. Penalty.

1 A person who willfully violates section 10-0326 of Article 10-03 of Chapter 10 of
2 this ordinance is guilty of an infraction. Every person, firm or corporation violating an
3 ordinance which is punishable as an infraction shall be punished by a fine not to exceed
4 \$1,000; the court to have power to suspend said sentence and to revoke the suspension
5 thereof.

Section 4. Penalty.

6 A person who willfully violates this ordinance is guilty of an infraction. Every
7 person, firm or corporation violating an ordinance which is punishable as an infraction
8 shall be punished by a fine not to exceed \$1,000; the court to have power to suspend said
9 sentence and to revoke the suspension thereof.

Section 5. Effective Date.

10 This ordinance shall be in full force and effect from and after its passage, approval
11 and publication.

12 _____
13 Dr. Timothy J. Mahoney, M.D., Mayor

14 Attest:

15
16
17 _____
18 Steven Sprague, City Auditor

First Reading:
Second Reading Final Passage:
Publication:



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

2a

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

Friends of the Children Fargo - Moorhead

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Southtown Pourhouse

Street

4281 45th St S, Ste 104

City

Fargo

ZIP Code

58104

County

Cass

Beginning Date(s) Authorized

7/1/2025

Ending Date(s) Authorized

6/30/2026

Number of Twenty-One
tables, if zero, enter "0"

2

Specific location where games of chance will be conducted and played at the site (required)

East Area of the bar, games can be played in the entire bar (excluding restrooms)

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

☐ Bingo

☐ Club Special

☐ Sports Pools

☐ ELECTRONIC Quick Shot Bingo

☐ Tip Board

☒ Twenty-One

☐ Raffles

☐ Seal Board

☐ Poker

☐ ELECTRONIC 50/50 Raffle

☐ Punchboard

☐ Calcuttas

☒ Pull Tab Jar

☐ Prize Board

☐ Paddlewheel with Tickets

☐ Pull Tab Dispensing Device

☐ Prize Board Dispensing Device

☒ Paddlewheel Table

☒ ELECTRONIC Pull Tab Device

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

3/17/25

PRINT Name and official position of person signing on behalf of city/county above

Steven Sprague/City Auditor

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

26

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

North Dakota Horse Park Foundation

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Boss' Pizza & Chicken

Street

228 N Broadway

City

Fargo

ZIP Code

58107

County

Cass

Beginning Date(s) Authorized

3/17/25

Ending Date(s) Authorized

6/30/25

Number of Twenty-One
tables, if zero, enter "0"

1

Specific location where games of chance will be conducted and played at the site (required)

Main level & basement level excluding bathrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

☐

Bingo

☐

Club Special

☐

Sports Pools

☐

ELECTRONIC Quick Shot Bingo

☐

Tip Board

☒

Twenty-One

☐

Raffles

☐

Seal Board

☒

Poker

☒

ELECTRONIC 50/50 Raffle

☐

Punchboard

☐

Calcuttas

☒

Pull Tab Jar

☐

Prize Board

☐

Paddlewheel with Tickets

☒

Pull Tab Dispensing Device

☐

Prize Board Dispensing Device

☒

Paddlewheel Table

☒

ELECTRONIC Pull Tab Device

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

3/17/25

PRINT Name and official position of person signing on behalf of city/county above

Steven Sprague/City Auditor

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
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3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9338 (9-2023)

3a

Applying for (check one)



Local Permit



Restricted Event Permit

Games to be conducted



Raffle by a Political or Legislative District Party



Bingo



Raffle



Raffle Board



Calendar Raffle



Sports Pool



Poker*



Twenty-One*



Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group

bisonCatholic

Dates of Activity (Does not include dates for the sales of tickets)

03/29/2025

Organization or Group Contact Person

Nicholas Dobbins

E-mail

dobbinsn19@gmail.com

Telephone Number

612-816-1014

Business Address

1141 University Dr. N

City

Fargo

State

ND

ZIP Code

58102

Mailing Address (if different)

City

State

ZIP Code

SITE INFO

Site Name

Bentson Bunker Fieldhouse

County

Cass

Site Physical Address

1301 Centennial Dr.

City

Fargo

State

ND

ZIP Code

58102

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

Split the Pot Raffle - 03/29/2025

PRIZE / AWARD INFO (if more than 11 prize pools please attach an additional sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
	50/50 raffle	
	(pics)	
	Total (limit \$40,000 per year)	\$ Cash Prize (TBD)

ADDITIONAL REQUIRED INFORMATION

Intended Use of Gaming Proceeds

Donate to Special Olympics with 50% of the earnings raised from people entering the contest

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

☐ Yes ☒ No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)

☐ Yes ☒ No

Has the organization or group received a local permit from any city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)

☒ No ☐ Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

☐ Yes ☒ No

Printed Name of Organization Group's Permit Organizer

Nicholas Dobbins

Telephone Number

612-816-1014

E-mail Address

dobbinsn19@gmail.com

Signature of Organization Group's Permit Organizer

Title

Date

03/04/25



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 9338 (9-2023)

36

Applying for (check one)							
<input checked="" type="checkbox"/> Local Permit				<input type="checkbox"/> Restricted Event Permit*			
Games to be conducted				<input type="checkbox"/> Raffle by a Political or Legislative District Party			
<input checked="" type="checkbox"/> Bingo	<input type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Fargo Air Museum		Dates of Activity (Does not include dates for the sales of tickets) 03/27/2025	
Organization or Group Contact Person Amy Ott	E-mail amy@fargoairmuseum.org	Telephone Number 701-293-8043	
Business Address 1609 19th Ave N	City Fargo	State ND	ZIP Code 58102
Mailing Address (If different)	City	State	ZIP Code

SITE INFO

Site Name Fargo Air Museum		County Cass	
Site Physical Address 1609 19th Ave N	City Fargo	State ND	ZIP Code 58102

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

Bingo on March, 27, 2025

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
	list of prizes attached	
Total (limit \$40,000 per year)		\$ 590.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Proceeds will be used to fund education classes, aircraft restoration, and events to honor and support veterans at the Museum	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - Total Retail Value: 1362.99 (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Printed Name of Organization Group's Permit Organizer Amy Ott	Telephone Number 701-293-8043	E-mail Address amy@fargoairmuseum.org
Signature of Organization Group's Permit Organizer <i>Amy Ott</i>	Title Director of Operations	Date 2/27/2025



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 9338 (9-2023)

34

Applying for (check one)

☒ Local Permit
 ☐ Restricted Event Permit*

 Games to be conducted ☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group FM Walleyes Unlimited, Inc.		Dates of Activity (Does not include dates for the sales of tickets) 4-3-2025	
Organization or Group Contact Person Dave Wassus	E-mail dawassus@gmail.com	Telephone Number 701-361-5999	
Business Address P.O. Box 1017	City Minot	State ND	ZIP Code 58501
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Ramada	County Cass
Site Physical Address 3333 13th Ave S	City Fargo
State ND	ZIP Code 58103

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31. Raffle - 10/30, 11/30, 12/31, etc.)
April 3rd, 2025

PRIZE / AWARD INFO (If the prize is a restricted event permit, indicate the amount of the prize.)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	See Attached	\$ 3,138.00
Total (limit \$40,000 per year)		\$ 3,138.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds

To help us promote conservation, sportsmanship, and education of walleye fishing, and help with

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)

☐ Yes ☒ No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (if yes, the organization or group does not qualify for a local permit or restricted event permit)?

☐ Yes ☒ No

Has the organization or group received a local permit from any city or county for the fiscal year July 1 - June 30 (if yes, indicate the total retail value of all prizes previously awarded)?

☐ No ☒ Yes - Total Retail Value **\$13,400.00** (This amount is part of the total prize limit for \$40,000 per fiscal year.)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)

☐ Yes ☒ No

Printed Name of Organization Group's Permit Organizer

Dave Wassus

Signature of Organization Group's Permit Organizer

Telephone Number

701-361-5999

Title

President

E-mail Address

dawassus@gmail.com or Dave.Wassus@fmwalleyes.com

Date

3-12-2025



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 9338 (9-2023)

3d

Applying for (check one)
☒ Local Permit ☐ Restricted Event Permit

Games to be conducted ☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group FMWF chamber of Commerce		Dates of Activity (Does not include dates for the sales of tickets) July 16, 2025	
Organization or Group Contact Person Peighen Morehart	E-mail pwatsonmorehart@fmwfchamber.com	Telephone Number 701-793-2291	
Business Address 3312 42nd St S Ste 101	City Fargo	State ND	ZIP Code 58104
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Edgewood Golf Course	County Cass
Site Physical Address 19 Golf Course Rd	City Fargo
State ND	ZIP Code 58102

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31 Raffle - 10/30, 11/30, 12/31, etc.)
 Golf Ball Drop Raffle - 7/16/25

PRIZE / AWARD INFO (if more than THREE prizes please attach an additional sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle / chance	1st closest to the pin	\$ 5,000
Raffle / chance	2nd closest to the pin	\$ 1,000
Total (limit \$40,000 per year)		\$ 6,000

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds
 See attached documents

Does the organization presently have a state gaming license? (If yes the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
☐ Yes ☒ No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)
☐ Yes ☒ No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)
☐ No ☒ Yes - Total Retail Value: 6,000 (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)
☐ Yes ☒ No

Printed Name of Organization Group's Permit Organizer Nicole Meland	Telephone Number 701-365-3440	E-mail Address nmeland@fmwfchamber.com
Signature of Organization Group's Permit Organizer Nicole Meland	Title VP of Finance and Operations	Date 3-11-25



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

Page 16 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9338 (9-2023)

(30)

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted

☐ Raffle by a Political or Legislative District Party

☐ Bingo

☒ Raffle

☐ Raffle Board

☐ Calendar Raffle

☐ Sports Pool

☐ Poker*

☐ Twenty-One*

☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Jeremiah Program F-M		Dates of Activity (Does not include dates for the sales of tickets) May 2, 2025	
Organization or Group Contact Person Andrea Williams	E-mail awilliams@jeremiahprogram.org	Telephone Number 701-552-5553	
Business Address 3104 Fletcher Dr.	City Fargo	State ND	ZIP Code 58103
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Holiday Inn Fargo	County Cass		
Site Physical Address 3803 13 th Ave. S	City Fargo	State ND	ZIP Code 58103
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) One time raffle on the date of the event - May, 2, 2025			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	Trip to Hawaii	\$ 5000
Total (limit \$40,000 per year)		\$ 5000

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds operating funds for Jeremiah Program families
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Printed Name of Organization Group's Permit Organizer Tori Schmidt	Telephone Number 701-200-1236	E-mail Address hello@theeventcompanyfargo.com
Signature of Organization Group's Permit Organizer Tori Schmidt	Title Event Coordinator	Date 3/13/25



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 9338 (4-2023)

3f

Applying for (check one)	
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*
Games to be conducted	
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle
<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle
<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*
<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
 LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Pray for Gray		Dates of Activity (Does not include dates for the sales of tickets) 5-9-25	
Organization or Group Contact Person Hilary Chisholm		E-mail prayforgraynd@gmail	Telephone Number 701-566-4334
Business Address P.O. Box 446		City Fargo	State ND
Mailing Address (if different)		City	State ND
			ZIP Code 58107

SITE INFO

Site Name Avalon Events Center		County Cass	
Site Physical Address 2525 9th Ave S		City Fargo	State ND
			ZIP Code 58103
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle 50/50 one time event 5-9-25			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
50/50	half cash back	estimated \$1,000
Total (limit \$40,000 per year)		\$ 1,000

Intended Uses of Gaming Proceeds Support persons in the brain tumor community	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)	
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - Total Retail Value: 3,500 (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Name Hilary Chisholm	Title Executive Director	Telephone Number 701-566-4334	E-mail Address prayforgraynd@gmail.com
Signature of Organization or Group's Top Official 		Title Executive Director	Date 3-13-25



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 9338 (9-2023)

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Applying for (check one)							
<input checked="" type="checkbox"/> Local Permit				<input type="checkbox"/> Restricted Event Permit*			
Games to be conducted				<input type="checkbox"/> Raffle by a Political or Legislative District Party			
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Professional Insurance Agents of North Dakota		Dates of Activity (Does not include dates for the sales of tickets) 5/5/2025	
Organization or Group Contact Person Steve Becher		E-mail steve@piand.com	Telephone Number 701-936-6766
Business Address 827 28th Street S. Suite C-2		City Fargo	State ND
Mailing Address (if different)		City	State ND
			ZIP Code 58103

SITE INFO

Site Name Holiday Inn		County Cass	
Site Physical Address 3803 13th Ave S.		City Fargo	State ND
			ZIP Code 58103
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle at our convention - 5/5/2025			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	See attached list	3,745.00
Total (limit \$40,000 per year)		\$ 3,745.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Dollars for Scholars and Educational Services	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Total Retail Value: <input type="text"/> (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Printed Name of Organization Group's Permit Organizer Steve Becher	Telephone Number 701-936-6766	E-mail Address steve@piand.com
Signature of Organization Group's Permit Organizer 	Title Executive Director	Date 3/12/2025

3h



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
 GAMING DIVISION
 SFN 9338 (4-2023)

Approved by City of Fargo, Auditors Office

Applying for (check one)							
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*						
Games to be conducted							
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> Paddlewheels*

*See Instruction 2(f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group <u>Red River Range</u>		Dates of Activity (Does not include dates for the sales of tickets) <u>5-2-25</u>	
Organization or Group Contact Person <u>Terr: Suchy</u>	E-mail <u>tsuchy@rrmc.com</u>	Telephone Number <u>701-356-0677</u>	
Business Address <u>640 16th Street NE</u>	City <u>West Fargo</u>	State <u>ND</u>	ZIP Code <u>58078</u>
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name <u>Ramada Conference Center</u>		County <u>Cass</u>	
Site Physical Address <u>3333 13th Ave S.</u>	City <u>Fargo</u>	State <u>ND</u>	ZIP Code <u>58103</u>
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) <u>May 2, 2025</u>			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
<u>raffle</u>	<u>list attached</u>	
Total (limit \$40,000 per year)		\$

Intended Uses of Gaming Proceeds <u>Equipment & supplies for training programs</u>	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - Total Retail Value: <u>\$1000</u> (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Name <u>Terr: Suchy</u>	Title <u>Operation Manager</u>	Telephone Number <u>701-356-0677</u>	E-mail Address <u>tsuchy@rrmc.com</u>
Signature of Organization or Group's Top Official <u>Michael Luchessa</u>		Title <u>President - Board of Directors</u>	Date <u>3/5/25</u>



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 9336 (9-2023)

3i

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted ☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group <u>She Overcomes Foundation</u>		Dates of Activity (Does not include dates for the sales of tickets) <u>March 27th 2025</u>	
Organization or Group Contact Person <u>Jordan Fischer</u>	E-mail <u>jordan@sheovercomes.co</u>	Telephone Number <u>701-200-5594</u>	
Business Address <u>1445 1st Ave N</u>	City <u>Fargo</u>	State <u>ND</u>	ZIP Code <u>58102</u>
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name <u>Syndaire Events Venue</u>	County <u>Cass</u>
Site Physical Address <u>613 1st Ave N</u>	City <u>Fargo</u>
	State <u>ND</u>
	ZIP Code <u>58102</u>

Provide the exact date(s) & frequency of each event & type (Ex: Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)
Raffle 3/27/2025

PRIZE / AWARD INFO (If more than THREE prizes please attach an additional sheet).

Game Type	Description of Prize	Exact Retail Value of Prize
<u>Raffle</u>	<u>Journey 110ct tw. Diamond Bypass Necklace in 10k yellow gold</u>	<u>\$571.00</u>
Total (limit \$40,000 per year)		<u>\$571.00</u>

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds
Scholarship for upscaling women in business

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
☐ Yes ☒ No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)
☐ Yes ☒ No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)
☒ No ☐ Yes - Total Retail Value: _____ (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Not proceeds may be for political purposes.)
☐ Yes ☒ No

Printed Name of Organization Group's Permit Organizer <u>Jordan Fischer</u>	Telephone Number	E-mail Address <u>jordan@sheovercomes.co</u>
Signature of Organization Group's Permit Organizer <u>Jordan Fischer</u>	Title <u>Board Member</u>	Date



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

3j

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted ☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group St. Mary's Cathedral		Dates of Activity (Does not include dates for the sales of tickets) May 3-4, 2025	
Organization or Group Contact Person Emmaline Schmidt	E-mail cathedral@fargodiocese.org	Telephone Number 701-235-4289	
Business Address 619 7th St N	City Fargo	State ND	ZIP Code 58102
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name St. Mary's Cathedral		County Cass	
Site Physical Address 604 Broadway N	City Fargo	State ND	ZIP Code 58102
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle drawing on Sunday, May 4, 2025 at 1:30pm.			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	cash prizes	\$3,500
Raffle	meat gift card	\$250
Raffle	grocery gift card	\$250
Total (limit \$40,000 per year)		\$ 4,000

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds To support youth program, altar society, bus for elderly, maintenance, etc.	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Total Retail Value: <input type="text"/> (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Printed Name of Organization Group's Permit Organizer Emmaline	Telephone Number 701-235-4289	E-mail Address cathedral@fargodiocese.org
Signature of Organization Group's Permit Organizer 	Title Office Administrator	Date 3-11-25



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
 SFN 9338 (9-2023)

3K

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted ☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Veterans Honor Flight of ND/MN		Dates of Activity (Does not include dates for the sales of tickets) 04/12/2025	
Organization or Group Contact Person Jane Matejcek		E-mail ladyjanemm@yahoo.com	Telephone Number 701-238-7749
Business Address PO Box 294	City Hunter	State ND	ZIP Code 58048
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Fargo Billiards and Gastropub		County Cass	
Site Physical Address 3234 43rd St. S	City Fargo	State ND	ZIP Code 58104
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle 04.12.2025			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
50/50 raffle	cash	\$500.00
Total (limit \$40,000 per year)		\$

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds
Going to general fund to send Veterans to DC.

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)
☐ Yes ☒ No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)
☐ Yes ☒ No

Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)
☐ No ☒ Yes - Total Retail Value: **\$ 27,816** (This amount is part of the total prize limit for \$40,000 per fiscal year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)
☐ Yes ☒ No

Printed Name of Organization Group's Permit Organizer Jane M Matejcek	Telephone Number 701-238-7749	E-mail Address ladyjanemm@yahoo.com
Signature of Organization Group's Permit Organizer <i>Jane M Matejcek</i>	Title President	Date 03/01/2025

REPORT OF ACTION

④

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Project No. NR-24-B2 Type: Time Extension (Change Order #3)

Location: Lift Stations #11 & #57 Date of Hearing: 3/10/2025

<u>Routing</u>	<u>Date</u>
City Commission	<u>3/17/2025</u>
PWPEC File	<u>X</u>
Project File	<u>Jody Bertrand</u>

The Committee reviewed the accompanying correspondence from Utility Engineer, Jody Bertrand, related to a time extension (CO #3) request from Key Contracting to extend the metal fencing installation date from 3/13/25 to 4/13/25.

Staff is recommending approval of the metal fence installation date time extension (CO #3).

On a motion by Mark Williams, seconded by Steve Sprague, the Committee voted to recommend approval of the time extension (CO #3) to Key Contracting.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and approve the time extension (CO #3) extending the metal fence installation date from 3/13/25 to 4/13/25 to Key Contracting.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Flood Sales Tax

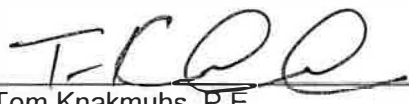
	Yes	No
Developer meets City policy for payment of delinquent specials	<u>N/A</u>	<u> </u>
Agreement for payment of specials required of developer	<u>N/A</u>	<u> </u>
Letter of Credit required (per policy approved 5-28-13)	<u>N/A</u>	<u> </u>

COMMITTEE

	Present	Yes	No	Unanimous
Tim Mahoney, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nicole Crutchfield, Director of Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mark Williams
Steve Dirksen, Fire Chief	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Brenda Derrig, Assistant City Administrator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Ben Dow, Director of Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Steve Sprague, City Auditor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tom Knakmuhs, City Engineer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Susan Thompson, Finance Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ATTEST:

C: Kristi Olson


 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: Members of PWPEC

From: Jody Bertrand, PE, CFM
Storm Sewer Utility Engineer

Date: March 10, 2025

Re: Trollwood Storm Sewer Lift Stations, NR-24-B2 - Change Order #3 Time Extension

Background:

This project was awarded to Key Contracting and improvements started in early June of 2024. During the shop drawing review, the standard fencing height and the plan design height were identified to be different. This caused the fencing subcontractor to have the metal fencing manufactured separately to meet the design height requirements. This caused delays in the fall installation and has now pushed the installation into 2025.

The Change Order #3 request from Key Contracting is attached to this memorandum for your review. Houston Engineering has recommended approval of the proposed change order for a time extension of approximately 4 weeks and Engineering concurs with the requested time extension. This is a no cost change order and the final completion date is not until August of 2025.

Recommended Motion:

Approval of Change Order #3 to Key Contracting Inc. for a time extension for the metal fencing installation to be changed from March 13, 2025 to April 13, 2025.

JMB/jmg
Attachment

CHANGE ORDER REPORT
LIFT STATION REHAB/RECONSTRUCTION STORM LIFT STATION #11 & #57 -
GENERAL
PROJECT NO. NR-24-B2
TROLLWOOD PARK AND KANDI LN N

Change Order No 3 **Change Order Date** 2/28/2025
Contractor Key Contracting Inc

This change is made under the terms of or is supplemental to your present contract, if and when approved, you are ordered to perform the work in accordance with the additions, changes, or alterations hereinafter described.

EXPLANATION OF CHANGE Change Order # 3

Time extension for the metal fencing on the project from March 13 to April 13th, 2025. No cost change order.

Section	Line No	Item Description	Unit	Orig Cont Qty	Prev C/O Qty	Prev Cont Qty	Curr C/O Qty	Tot Cont Qty	Unit Price (\$)	C/O Ext Price (\$)
									Sub Total	\$0.00

Summary

Source Of Funding

WIFIA Federal Funds and State SRF Funds

Net Amount Change Order # 3 (\$)

\$0.00

Previous Change Orders (\$)

\$43,676.00

Original Contract Amount (\$)

\$4,902,904.00

Total Contract Amount (\$)

\$4,946,580.00

I hereby accept this order both as to work to be performed and prices on which payment shall be based.

APPROVED

For Contractor *Thomas P. Martin*

Title President

APPROVED DATE

Department Head

Mayor

Attest



(5)

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Project No. QR-25-B0 Type: Consulting Selection w/ Scope & Fee
 Location: 12th Avenue N Bridge Date of Hearing: 3/10/2025

<u>Routing</u>	<u>Date</u>
City Commission	<u>3/17/2025</u>
PWPEC File	<u>X</u>
Project File	<u>Eric Hodgson</u>

The Committee reviewed correspondence from Civil Engineer, Eric Hodgson, regarding the Consultant Selection and approval of the final scope and fee for Project No. QR-25-B0.

The City was awarded \$1.5M worth of Federal Funds in the form of a 2022 RAISE grant with no local match requirement. Since then, the Selection Committee selected Houston Engineering and a final scope and fee for the proposed work in the amount of \$1,499,824.10.

During the scoping review, a few items were removed from the main scope and fee in order to stay within our \$1.5M grant budget. If these are to be added as part of the project in the future, they will have to be 100% City funded. These items included:

- Work related to landscape design in the amount of \$108,924.35
- Work related to performing a Benefit Cost Analysis and Grant Writing to procure future funding in the amount of \$77,302.63

On a motion by Brenda Derrig, seconded by Ben Dow, the Committee voted to recommend approval of the Engineering Services Contract with Houston Engineering in the amount of \$1,499,824.10.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and approve the Engineering Services Contract with Houston Engineering in the amount of \$1,499,824.10 for Project No. QR-25-B0.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project:	2022 RAISE Grant	Yes	No
Developer meets City policy for payment of delinquent specials		N/A	
Agreement for payment of specials required of developer		N/A	
Letter of Credit required (per policy approved 5-28-13)		N/A	

COMMITTEE

	Present	Yes	No	Unanimous
Tim Mahoney, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nicole Crutchfield, Director of Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mark Williams
Steve Dirksen, Fire Chief	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Brenda Derrig, Assistant City Administrator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Ben Dow, Director of Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Steve Sprague, City Auditor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tom Knakmuhs, City Engineer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Susan Thompson, Finance Director	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

ATTEST:

C: Kristi Olson


 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: Members of PWPEC
From: Eric Hodgson, Civil Engineer II
Date: March 10, 2025
Re: Project No. QR-25-B0 – Consultant Selection with Scope and Fee
12th Avenue North Bridge over the Red River

Background:

On 9/26/2024, the City of Fargo and the U.S. Department of Transportation formalized an Agreement, which authorizes the City to utilize the \$1.5M worth of Federal Funds in the form of a 2022 RAISE grant previously awarded to the City. There is no local match requirement associated with these funds.

Since then, we solicited and interviewed 3 different consultant teams to help with this project. The Houston Engineering Consulting team was selected by our Selection Committee, and a final scope and fee for the proposed work in the amount of \$1,499,824.10 has been negotiated and attached for approval.

Additionally, during the scoping review, a few items were removed from the main scope and fee in order to stay within our \$1.5 million grant budget. If these are to be added as part of the project in the future they will have to be 100% City Funded. These items include:

- Work related to landscape design in the amount of \$108,924.35.
- Work related to performing a Benefit Cost Analysis and Grant Writing to procure future funding in the amount of \$77,302.63

Recommended Motion

Approve the selected consulting team led by Houston Engineering and their scope of work and fee in the amount of \$1,499,824.10.

EBH/klb

Attachments:

- Selection Committee's Scoring.
- Main Scope and Fee of the Consultant work.
- Additional Scope and Fees for optional work.

Consultant: HDR Team

Scoring Criteria	Max Points	Points Scored				
		Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5
Past Performance	20	14	14	17	19	17
Ability of Professional Personnel	15	13	13	12	14	12
Willingness to meet time and budget requirements	5	4	5	5	5	5
Location	5	5	5	5	5	5
Recent, Current, and projected workloads of the persons and/or firms	5	5	5	5	5	5
Related Experience on similar projects	15	13	13	14	13	11
Recent and current work for the agencies	5	1	4	5	4	4
Project Understanding, issues, and approach	30	21	27	24	28	23
SubTotal =		76	86	87	93	82
Total =		424				

Consultant: Houston Team

Scoring Criteria	Max Points	Points Scored				
		Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5
Past Performance	20	17	15	17	20	19
Ability of Professional Personnel	15	13	14	15	15	14
Willingness to meet time and budget requirements	5	5	5	5	5	5
Location	5	5	5	5	5	5
Recent, Current, and projected workloads of the persons and/or firms	5	5	5	5	5	5
Related Experience on similar projects	15	13	14	15	14	14
Recent and current work for the agencies	5	4	5	5	5	5
Project Understanding, issues, and approach	30	23	28	24	29	26
SubTotal =		85	91	91	98	93
Total =		458				

Consultant: SRF Team

Scoring Criteria	Max Points	Points Scored				
		Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5
Past Performance	20	15	14	17	19	17
Ability of Professional Personnel	15	14	15	14	14	14
Willingness to meet time and budget requirements	5	5	5	5	5	4
Location	5	3	3	4	5	5
Recent, Current, and projected workloads of the persons and/or firms	5	5	5	5	5	5
Related Experience on similar projects	15	14	14	14	14	15
Recent and current work for the agencies	5	5	3	5	4	4
Project Understanding, issues, and approach	30	26	29	25	30	28
SubTotal =		87	88	89	96	92
Total =		452				

Maximum Contract

Estimated Hours and Cost Summary



Project: QR-25B0
 City of Fargo - 12th Ave. Bridge Reconstruction
 Date: February 27, 2025

	Hours	Direct Cost
Estimated Direct Labor	6676	\$334,398.59
Direct Labor Costs Total		\$334,398.59
Indirect Costs 170.45%		\$569,982.40
Subtotal Labor and Indirect Costs		\$904,380.99
Fixed Fee 13.0%		\$117,569.53
FCCM 0.97%		\$3,243.67
Subtotal Labor, Indirect Costs, Fixed Fee and FCCM		\$1,025,194.19
Direct Costs Total		\$5,850.00
Subconsultant Totals		\$468,779.91
Total Estimated Costs		\$1,499,824.10

Maximum Contract

Direct Costs and Subconsultants



Project: QR-25B0

City of Fargo - 12th Ave. Bridge Reconstruction

Date: February 27, 2025

Direct Costs								
Description	Units	Phase I	Phase II	Phase III	Phase IV	Total	Rate	Total
Subsistence	Day					0	\$45.00	\$0.00
Hotel	Night					0	\$150.00	\$0.00
Mileage-Vehicles:								
2-Wheel Drive	Miles	100				100	\$0.700	\$70.00
4-Wheel Drive	Miles	200				200	\$0.900	\$180.00
GPS or Total Station	Hours	160				160	\$25.00	\$4,000.00
Robotic Total Station	Hours	40				40	\$40.00	\$1,600.00
ATV/Snowmobile/Boat	Day					0	\$45.00	\$0.00
ATV with Tracks	Day					0	\$60.00	\$0.00
Total								\$5,850.00

Subconsultants and Vendor						
Subconsultant/Vendor	Phase I	Phase II	Phase III	Phase IV	Total	
KLJ	\$335,844.91				\$335,844.91	
Confluence	\$0.00				\$0.00	
701 Services	\$13,678.00				\$13,678.00	
Braun Intertec	\$114,257.00				\$114,257.00	
Tinjum Appraisal Co.	\$5,000.00				\$5,000.00	
0					\$0.00	
0					\$0.00	
0					\$0.00	
0					\$0.00	
0					\$0.00	
Total Subconsultant Fees						\$468,779.91

OR-C580 City of Fargo - 12th Ave Bridge Reconstruction Bids February 27, 2025		Engineering										Survey		Environmental		Technical		CAD	Administrative		Subconsultant Fee Per Task (See Individual Scope and Fee for Breakdown)		Totals	
Labor Classification		Engineer 10 Exempt	Engineer 11 Exempt	Engineer 9 Exempt	Engineer 8 Exempt	Engineer 6 Exempt	Engineer 3 Non-Exempt 5%	Land Surveyor 6 Exempt	Land Surveyor 2 Exempt	Land Surveyor 3 Exempt	Owner Chief E.S. 9 or Tech 6.7) Non-Exempt 5%	Crew Member (Tech 2) Non-Exempt 5%	Scientist 7 Exempt	Scientist 4 Exempt	Technician 1 Non-Exempt 5%	CAD Technician 5 Non-Exempt 5%	Project Assistant 2 Non-Exempt 5%							
Task ID		Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours						
1.0		Project Management and Coordination																						
1.1		270																					\$10	
1.2		50	10																				175	
1.3 & 1.4		50	10																				180	
1.5		1																					7	
1.6		Project Management (KLJ Led)																						
		371	20		0	0	0	0	0	0	0	0	0	0	0	0	0	0					\$ 74,122.71	
		\$30,952.53	\$1,330.50	\$46,656.94	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$78,999.97	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$0.00	
		\$30,952.53	\$1,330.50	\$46,656.94	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$78,999.97	
		Total Subconsultant																						
2.0		Preliminary Survey																						
2.1		Project Control Station																						
2.2		Topographic Survey																						
2.3		Boundary and Right of Way Survey																						
2.4		Aquatic Resources Inventory (Wetland Mapping)																						
		0	0	0	8	0	8	40	48	8	160	160	6	32	2		80	0					512	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,554.40	\$1,994.08	\$403.76	\$8,004.00	\$4,712.25	\$370.80	\$1,186.56	\$51.50		\$3,378.40	\$0.00					\$22,665.75	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,008.5	\$117.81	\$0.00	\$0.00	\$1.29		\$844.8	\$0.00					\$404.40	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,654.40	\$1,994.08	\$403.76	\$8,234.85	\$4,830.06	\$370.80	\$1,186.66	\$62.79		\$3,462.86	\$0.00					\$23,090.15	
		Total Subconsultant																						
3.0		Geotechnical Exploration and Analysis (Bureau)																						
3.1		Site Reconnaissance																						
3.2		Drilling Services																						
3.3		Geotechnical Soil Tests																						
3.4		2		8																			\$ 31,299.00	
3.5		2	0	2																			\$ 8,015.00	
			0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0					10	
		\$166.86	\$0.00	\$477.92	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$644.78	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$0.00	
		\$166.86	\$0.00	\$477.92	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$644.78	
		Total Subconsultant																						
4.0		Environmental Assessment (KLJ Led)																						
4.1		Draft and Final Documented GATEX (DCE)																						
4.2		10		24																			\$ 61,872.36	
4.3		Cultural Resources																						
		16	0	24	0	0	0	0	8	0	0	0	0	0	0	0	0	0					34	
		\$834.30	\$0.00	\$1,433.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$2,268.06	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$0.00	
		\$834.30	\$0.00	\$1,433.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$2,268.06	
		Total Subconsultant																						
5.0		Permitting and Approvals (KLJ Led)																						
5.1		2	8	8				24															\$ 12,749.84	
5.2		Permit applications, review, and coordination																						
		2	8	8	0			24	0	0	0	0	0	0	0	0	0	0					44	
		\$ 168.86	\$ 559.20	\$ 358.44	\$ -	\$ 1,087.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 2,309.26	
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	
		\$ 168.86	\$ 559.20	\$ 358.44	\$ -	\$ 1,087.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 2,312.76	
		Total Subconsultant																						
6.0		Stakeholder and Public Engagement (KLJ Led)																						
6.1		Public Engagement Plan, Stakeholder Meetings, Written and Engage ment																						
		24	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0					\$ 60,438.66	
		\$ 2,002.32	\$ -	\$ 1,433.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 3,436.06	
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ -	
		\$ 2,002.32	\$ -	\$ 1,433.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					\$ 3,436.06	
		Total Subconsultant																						

Estimated Hours and Direct Cost Details

Project		OR-2580		City of Fargo - 12th Ave. Bridge Replacements	
Date		February 27, 2025			
				</	

Estimated Hours and Direct Cost Details

Project: OR-2580																					
City of Fargo - 12th Ave Bridge Reconstruction																					
Date: February 27, 2025																					
		Engineering							Survey			Environmental		Technicians	CAD	Administrative	Subconsultant				
Labor Classification		Engineer 10	Engineer 11	Engineer 9	Engineer 8	Engineer 6	Engineer 3	Land Surveyor 6	Land Surveyor 2	Land Surveyor 3	Crew Chief (LS 3 or Tech 8-7)	Crew Member (Tech 2)	Scientist 7	Scientist 4	Technician 1	CAD Technician 5	Project Assistant 2	Total Per Task (Rate includes Scope and Fee for Requisition)			
Overtime Status		Exempt	Exempt	Exempt	Exempt	Exempt	Non-Exempt 5%	Exempt	Exempt	Exempt	Non-Exempt 5%	Non-Exempt 5%	Exempt	Exempt	Non-Exempt 5%	Non-Exempt 5%	Non-Exempt 5%				
Anticipated % @ Overtime Rate																					
Task/Ita	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours				
12.0 Grant Writing and BCA Analysis (Removed)																					
12.1 Grant Application Preparation and Base Cost Analysis																					
Task 12 Hours		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			0	
Task 12 Direct Labor Cost - Standard		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	
Task 12 Direct Labor Cost - Overtime		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	
Task 12 Direct Labor Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	
Total Subconsultant																					
13.0 Legal Documents and Platting																					
13.1 Develop Preliminary Right of Way Needs									0	0										10	
13.2 Right of Way Easement Platting									32	80										112	
13.3 Right of Way Easement Platting									4	10										14	
Task 13 Hours		0	0	0	0	0	0	44	88	4	10	0	0	0	0	0	0			148	
Task 13 Direct Labor Cost - Standard		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,809.84	\$3,988.16	\$201.88	\$535.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$7,535.48	
Task 13 Direct Labor Cost - Overtime		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$13.39	
Task 13 Direct Labor Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,809.84	\$3,988.16	\$201.88	\$548.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$7,548.87	
Total Subconsultant																					
14.0 ROW Acquisition and Easements (M & L)																					
14.1a See Subconsultant breakdown from 201. Services - ROW Data																					
14.1b Third Consulting Approval - Mn Side																					
14.2 Surface Ownership Records, Easements and Acquisitions, and ROW Projects																					
Task 14 Hours		3	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0			7	
Task 14 Direct Labor Cost - Standard		\$250.29	\$0.00	\$238.96	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$489.25	
Task 14 Direct Labor Cost - Overtime		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	
Task 14 Direct Labor Cost		\$250.29	\$0.00	\$238.96	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$489.25	
Total Subconsultant																					

Scope of Services

Fargo: City Project No. QR-25-B0
Description: Reconstruction of 12th Ave. N Bridge over Red River
Date: February 127, 2025
Project: 6059-0225

PROJECT DESCRIPTION

The project consists of the reconstruction of the 12th Avenue North Bridge that crosses over the Red River of the North into Moorhead, MN. It is anticipated that the bridge will be raised above the 100-year flood elevation while staying within the hydraulic “no rise” guidelines set forth by FEMA. Environmental clearance, permitting, preliminary and final design, and plan preparation are included as part of this scope and associated fee. Anticipated improvements include an elevated two-lane section with pedestrian facilities, lighting, drainage improvements, reconstruction of the bridge, and upgraded utilities. Our analysis will cover the functional limits from the Elm St. intersection to approximately the existing City of Moorhead Public Works Facility on the east side of the river.

Extensive structural, hydraulic, and geotechnical analysis is expected due to the sensitive nature of Red River Valley soils and tendency for movement along with frequent flooding.

The project is funded by The City of Fargo through a RAISE grant that has previously been acquired by the City. The completion date of the contract is expected to be 1/15/2027. No funding has been identified for the construction of the project; however, our team will assist the City with grant applications to help secure funding.

ACTIVITIES/TASKS

1.0 PROJECT MANAGEMENT AND COORDINATION

- 1.1 **Project Oversight and Coordination** - Coordination with the City of Fargo and internal consultant team throughout the project. This includes project oversight, coordination with agencies, and general project coordination.
- 1.2 **Conduct Bi-weekly Meetings** - In lieu of the Project Review Committee (PRC) meetings indicated in the RFP, the City has requested Bi-weekly progress meetings to be held. Key project partners (City of Fargo, City of Moorhead, NDDOT, MetroCOG, etc.) will be invited to attend these meetings. We are anticipating a meeting length of 1 hour, but they may be adjusted as necessary depending on current tasks and time needed. It is anticipated that progress meetings will continue until the end of the contract. Roughly 45 meetings are anticipated between March 2025 and November of 2026. Minutes will be prepared and distributed following meetings (if desired).

- 1.3 **Consultant Project Team Meetings** - Schedule and hold Consultant project team meetings bi-weekly to coordinate tasks, project schedules and budget. Assume roughly 45 meetings similar to bi-weekly meetings plus agenda and note distribution.
- 1.4 **Bi-Weekly Status Reports** - A Bi-weekly status report will be submitted, in writing, to the City of Fargo. This report shall identify the percentage of progress on milestone activities, outline activities accomplished during the reporting period, activities to be accomplished in the next reporting period, activities to be completed by agencies/owners, and information and decisions needed to complete the project. The status report shall also identify any milestone activity that is not completed or anticipated not to be completed on time. Assume roughly 45 reports from project authorization to the end of the project.
- 1.5 **Develop Project Schedule** - Develop a project schedule with detailed breakdown of tasks and estimated deliverables with the goal of having final plans ready for January 15, 2027, as described in the RFP.

2.0 **PRELIMINARY SURVEY**

- 2.1 **Project Control Network** - Primary control points will be set near the street R/W to avoid disturbances. Secondary control points will be used to densify project control from the primary control points and will be set throughout the project. Secondary control positions will be established using RTK GPS and Total Station methods.
- 2.2 **Topographic Survey** - Survey data will be collected for all existing conditions features needed for the design process. Utilities will be identified through North Dakota and Minnesota One Calls. Location and ownership of utilities will be identified and included in the survey deliverables.
- 2.3 **Boundary and Right of Way Survey** - The existing street alignments and right of way limits will be established by locating existing PIs, POTs, curve points, and property corners using existing plans, plats, and other available information. Existing property monuments will be recovered. The street alignments and right of way limits will be shown on the CAD drawings.
- 2.4 **Aquatic Resources Inventory (Wetland Mapping)** - The consultant will review National Wetland Inventory maps, aerial photography, soil survey data, and quad maps for the project corridor for potential aquatic resources.

Consultant will conduct a field wetland delineation and associated soil classification within the project limits. Proposed mitigation of wetland impacts will be included in the environmental documentation. Consultant will prepare an Aquatic Resource Delineation Report for review and approval.

The Consultant will conduct tree/shrub surveys in accordance with the methods described in the NDDOT Design Manual. Consultant will provide results of potentially impacted trees due to the proposed improvements and mitigate as required with the City.

3.0 GEOTECHNICAL

3.1 Site Reconnaissance

One trip to the site by an engineer to evaluate existing bank conditions after snowmelt in the spring.

3.2 Drilling Services

12 borings to cover existing alignment and 1 alternate alignment to the north. Details summarized in Table and approximate locations shown on map. Assume foundation borings extend into Glacial Till.

- No borings in roadway to avoid traffic control costs.
- No snow clearing or permit fees included.

Boring Quantity	Boring Depth	Extension
5	40 feet	200 feet
3	105 feet	315 feet
2	110 feet	220 feet
2	120 feet	240 feet
12		975 et

3.3 Geotechnical Soil Tests

Assume standard testing suite to measure properties for deep foundation, slope stability, and settlement evaluations. Type and quantities summarized in Table.

Test	Quantity
Moisture Content	165
Moisture Density	50
Atterberg Limits	36
Consolidation	4
Consolidated-Undrained Triaxial Test w/Pore Pressure	3

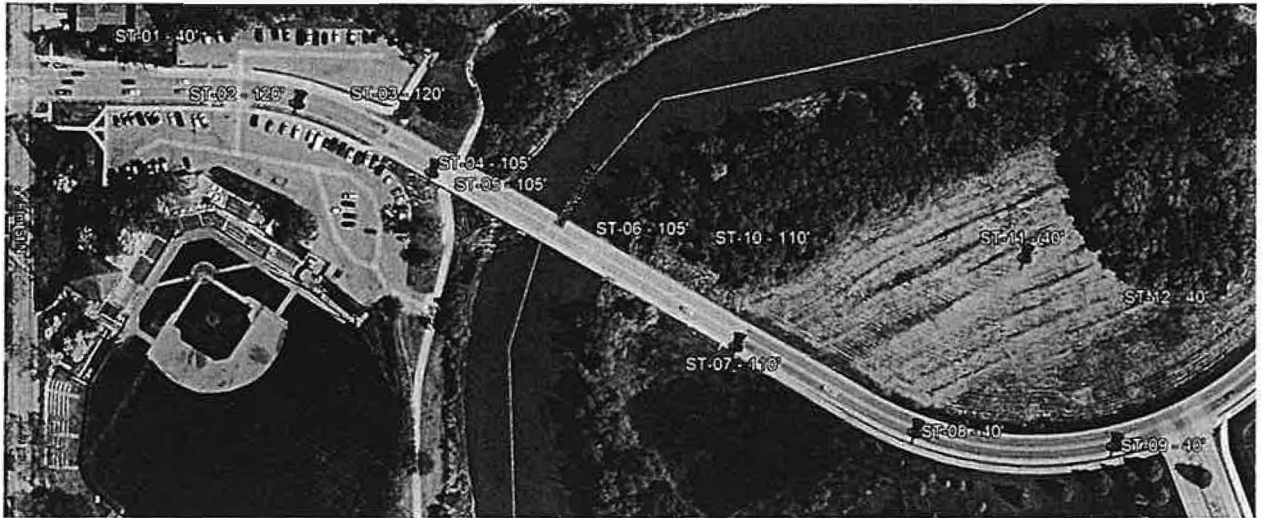
3.4 Evaluation/Analysis/Reports

- Soil Boring Location Drawing
- Log of boring sheets
- Recommendations for driven pile, structure and pavement subgrade preparation, slope mitigation if needed, settlement mitigation if needed.
- Includes evaluation of up to 2 pile types
- Includes evaluation of up to 4 cross sections for slope stability
- Includes evaluation of up to 2 embankment settlement mitigation alternatives
- No pavement design included

3.5 Meetings

Budget of 30 hours.

Proposed Soil Boring Location Map



4.0 ENVIRONMENTAL DOCUMENTATION

- 4.1 **Draft and Final Documented CATEX** - Our team will utilize the NDDOT Documented CATEX (DCE) template for the environmental documentation required for the project. Our team will prepare and distribute the Draft Documented CATEX for review to the City of Fargo. We will also submit an electronic version in PDF format of the Documented CATEX. The DCE process will include drafting a Purpose & Need, sending out the Solicitation of Views (SOV) letters, reviewing alternatives, and providing an analysis for each of the two alternatives being evaluated. An Endangered Species Act (ESA) consultation will also be included as part of the DCE process. A review of the De Minimis impacts will also be undertaken. *See attached detailed scope and fee from KLJ for additional information related to this task.*
- 4.2 **Noise Analysis** - A traffic noise study will be conducted in accordance with the North Dakota Department of Transportation (NDDOT) Noise Policy and Guidance (revised June 2020). This Policy describes NDDOT's implementation of the requirements established in 23 CFR 772 and concurred with by FHWA. The analysis will be conducted using the Federal Highway Administration (FHWA) TNM 2.5 modeling software and following appropriate NDDOT and FHWA regulations and guidance. *See attached detailed scope and fee from KLJ for additional information related to this task.*
- 4.3 **Cultural Resources** - Our Team will work with the lead Federal agency to determine the Area of Potential Effect (APE) of the project. The APE will be determined by the lead Federal agency overseeing the project. Prior to any field work or record searches, the proposed APE will be submitted to the City of Fargo for review. Our Team will complete a review of both Minnesota and North Dakota Records and perform a Class III cultural resource inventory of the proposed project area. *See attached detailed scope and fee from KLJ for additional information related to this task.*

5.0 PERMITTING AND APPROVALS

5.1 **Permit application, review, and coordination** - Through the environmental and stakeholder coordination process, our team will identify the necessary permits that will be required for the project. Based on previous experience and impacts to wetlands will be less than one acre and impacts to the Red River will be less than 500 feet, it is anticipated that the following permits are required:

- Section 404 – ND Regulatory Office (USACE Omaha District)
 - Assumed to be a Nationwide Permit
- Section 404 – MN Regulatory Office (USACE St. Paul District)
 - Assumed to be a Transportation Regional General Permit
- Sovereign Lands Permit (NDDWR)
- MN DNR Public Waters Work Permit
- MN Wetland Conservation Act – Clay County Soil & Water Conservation District.
- Buffalo-Red River Watershed Permit
- Floodplain Development permits for the Cities of Fargo and Moorhead will be required. A conditional use permit and state floodway review permit for ND are anticipated. These permits will be reviewed as part of the hydraulic analysis and submitted as needed.

6.0 STAKEHOLDER AND PUBLIC ENGAGEMENT

6.1 **Public engagement plan, stakeholder meetings, website preparation, and public engagement** - Our team will develop a public engagement plan to demonstrate the overall public engagement methods and assumptions. Our team will also take part in meetings with various stakeholders as required to achieve environmental approval for the project. Our Team assumes two meetings each for up to four stakeholders. Our team will develop and maintain a project website through Social Pinpoint. The site will link from Fargo Streets and will be updated monthly throughout the life of the project. Our team will also coordinate and facilitate an early public input meeting to share project information with the public and key stakeholders. Timing and content of the 2nd public engagement meeting will be developed with the efforts outlined in Task 4 to ensure compliance with NDDOT and NEPA requirements. It is assumed one meeting will be held in Fargo and one meeting in Moorhead. Each meeting will include a short presentation and open house format. Our Team will also develop project renderings showing a range of potential project alternatives for the study area and developed bridge alternatives. *See attached detailed scope and fee from KLJ for additional information related to this task.*

7.0 HYDRAULIC ANALYSIS AND REPORTING

- 7.1 **Feasibility River Hydraulics (2 Alternatives)** – We will construct a river hydraulic model for 2 alternatives and complete a feasibility level hydraulic analysis for each alternative to determine the potential hydraulic impacts for each alternative.
- 7.2 **Preliminary River Hydraulics (Preferred Alternative)** – Once a preferred alternative is identified, we will complete a more detailed analysis of the preferred alternative to determine the hydraulic impacts to the floodway and floodplain. If impacts are present, we will work with

the bridge design team and the geotechnical team to develop options for mitigating those impacts.

- 7.3 **Preliminary Roadway and Bridge Drainage Design** – We will complete preliminary design of the drainage system for the roadway and bridge. This will include determining catch basin locations, sizing storm sewer pipe, and outfall locations to the river to meet required roadway spread requirements. This will also include completing a preliminary design of the bridge deck drainage system in accordance with FHWA HEC 21.
- 7.4 **Final River Hydraulics and No-Rise** – Once the bridge and roadway geometrics are finalized, we will complete a final hydraulic analysis of the system and complete a No-Rise memorandum that will be needed for permitting. We will also complete a scour analysis and report for the proposed bridge.
- 7.5 **Final Roadway and Bridge Deck Drainage Design** – Once the bridge and roadway geometrics are finalized, we will complete the final design of the roadway and bridge deck drainage systems and complete a drainage report for these systems.

8.0 ROADWAY DESIGN AND PLAN PREPARATION

- 8.1 **Preliminary Corridor Alternative Conceptual Layouts** - Through coordination with the project stakeholders, conceptual corridor alternatives will be developed. The conceptual layouts are anticipated to consist of plan and profile view graphics, typical sections, and high-level grading limits to aid in the selection of the alternatives to carry forward. Layouts will include roadway and bridge crossing as well as pedestrian and shared use path connectivity. It is anticipated that four alternatives will be evaluated, one on the existing roadway/bridge alignment and three utilizing realignments.
- 8.2 **Preliminary Roadway Design** - The preferred alternatives that are selected through the development and evaluation of the Preliminary Corridor Alternative Conceptual Layouts will be designed to a 30% level. This includes profiles and plan view linework of the corridor elements such as curb lines, sidewalks, and other pedestrian facilities, as well as a refined corridor model and grading of the alternatives to a 30% level. It is anticipated that up to two build alternatives will be carried forward from the conceptual layouts to the preliminary design. Conceptual layouts developed during the preliminary design will be utilized for determination of impacts for the environmental document and visual aids for presentation of alternatives to the public.

The preliminary design will be completed in accordance with City of Fargo standards, NDDOT Design Manual and current AASHTO standards. Minnesota State Aid or City of Moorhead standards will be utilized on the Minnesota side of the project when applicable.

- 8.3 **Final Roadway Design** – The Consultant will complete the design of the roadway and pedestrian improvements of the preferred build alternative in accordance with City of Fargo standards, NDDOT Design Manual, City of Moorhead, Minnesota State Aid, PROWAG and current MUTCD standards.

- 8.4 **Opinion of Probable Cost** – The Consultant will prepare a draft and final Opinion of Probable Cost, incorporating proposed quantity take-off for bid items for the project.
- 8.5 **Plan Preparation** – The Consultant will prepare a preliminary plan set for the Initial Plan Review Meeting and the Final Plan Review Meeting and submit to City and FHWA for distribution and review.
- 8.6 **Initial Plan Review Meeting (50% Level)** – The Consultant will conduct an initial plan review meeting virtually via Microsoft Teams or in person with participation from City and the Consultant Team. The submittal is to include a Title Sheet, Scope of Work, Typical Sections, Drainage Plan and Profiles, Roadway Plan and Profiles, Pedestrian Facilities, and Preliminary Bridge Layouts and Cross Sections. Utilizing Bluebeam for review of the plans and responding to comments is anticipated as part of this process.
- 8.7 **Final Plan Review Meeting (95% Level)** – The Consultant will conduct a PS&E plan review meeting virtually via Microsoft Teams or in person with participation from City and the Consultant Team. Response to comments received during the Initial Plan Review Meeting will be provided with the Final Plan Review submittal. Utilizing Bluebeam for review of the plans and responding to comments is anticipated as part of this process.
- 8.8 **Plan Preparation (Final)** – The Consultant will revise the project plan set and will address and incorporate the comments received from the reviewers. When all PS&E revisions have been made, the Consultant will prepare a final plan set and responses to PS&E comments and submit it to the City and FHWA.

9.0 BRIDGE DESIGN AND PLAN PREPARATION

- 9.1 **Conceptual Bridge Layouts**– Two conceptual layouts will be completed, one for the existing alignment and one for a new alignment. The bridge conceptual design will be carried forward far enough to generate general span length/layout and beam design. The intent is that the concept layout can be utilized to generate high level cost estimates to be utilized by the City and Public to evaluate alternatives as part of the DCE.
- 9.2 **Preliminary and Final Bridge Design** – Only one option is assumed to be carried forward to final design. The Consultant will design the structural improvements in accordance with requirements set forth in the NDDOT Bridge Design Manual, Plans Preparation Guide, and current AASHTO LRFD Bridge Design Manual. Final geometry will be based on the geotechnical analysis, hydraulic analysis, and roadway alignments. For this scope and fee, our team is assuming that prestressed concrete I-beams will be used for the superstructure along with standard barriers and superstructures typically seen on NDDOT type bridges (or MnDot). A 50% submittal package is anticipated with plans being submitted to the City for review. 50% comments will be incorporated into the final plan submittal. The final bridge design task also includes preparation of quantities and a detailed Opinion of Probable Cost (OPC). The consultant is also anticipating that a formal review meeting like an NDDOT PS&E meeting will be held with the City and formal comments incorporated into the final plans from that meeting. An online review via a pdf viewer (Bluebeam Review) may also be used pending client preference.

- 9.3 **Retaining Wall Design and Analysis** – We are assuming that retaining walls will be needed on the west end of the project extending from the abutment to the west near Jack Williams Stadium. We are assuming two different retaining wall typical sections for design/analysis and plan preparation.

10.0 TRAFFIC OPERATIONS AND REPORTING

- 10.1 **Data Collection** – Existing turning movement counts, as well as pedestrian and bicycle counts, will be collected at the intersection of 12th Avenue North and Elm Street North for the AM and PM peak hours. Data will be collected on a normal weekday (Tuesday – Thursday).
- 10.2 **Existing Conditions** - Task will include documenting existing conditions within the study limits such as roadway geometrics, traffic volumes, sight distance, crash data, pedestrian and bicycle facilities, right of way limits, land use, etc.
- 10.3 **Traffic Forecasting** – It is assumed future AADT volumes will be obtained from the Fargo-Moorhead MPO Travel Demand Model. When available, travel demand models typically provide the most accurate projections as the model considers changes to land use, development, and travel patterns. During coordination with the Fargo-Moorhead MPO, we will ensure that the Broadway Bridge is removed from the model.
- 10.4 **Future Conditions** – Using the forecasted AADT volumes, annual growth rates will be calculated and applied to the existing turning movement counts. Future turning movement counts will be used in the alternatives analysis.
- 10.5 **Alternatives Analysis** – It is anticipated to evaluate the following alternatives: two-way stop control, all-way stop control (existing conditions), roundabout, and traffic signal.

Warrant analysis will be performed for the all-way stop control and traffic signal alternatives. All warrants will be performed according to MUTCD guidelines. Depending on outcomes of the warrant analysis, alternatives may or may not be excluded from further consideration, subject to coordination with the City of Fargo.

Capacity analysis will be completed for each alternative under existing conditions and future (20-year) conditions during the AM and PM peak periods. An intersection level of service D (LOS D) or better must be achieved as shown in the 2024 NDDOT Traffic Operations Manual. It is assumed that Highway Capacity Software (HCS) will be used for two-way stop control, all-way stop control, and roundabout analysis and Synchro will be used for traffic signal control analysis.

Proposed alternatives will be analyzed from a safety perspective. Traffic control treatments have unique characteristics that can be used to predict crash frequency and type. Using the existing crash data, the safety evaluation will ensure that the proposed intersection control alternative will operate in a safe manner.

Other items to be considered in the alternatives analysis process include the need for turn lanes and lighting.

- 10.6 **Multimodal Analysis** – The traffic operations study will include a review of all existing and planned multimodal facilities within the study limits. Proposed 12th Avenue North and Elm Street North intersection control alternatives will be evaluated to ensure that pedestrians and bicyclists have convenient, safe, and efficient crossing opportunities.

Outside of the 12th Avenue North and Elm Street North intersection, there is an existing marked crosswalk that connects the overflow parking on the north side of 12th Avenue North to the Jack Williams Stadium. Depending on proposed bridge grading impacts, our team will evaluate the need for a marked crosswalk at that location. If a marked crosswalk is recommended, potential crossing countermeasures will be recommended.

- 10.7 **Reporting** – A “Draft” report documenting the findings of the analysis will be prepared and submitted to the City of Fargo for review and comment. The report will include text, tables, exhibits, appendix, and other necessary items. Once comments have been received and incorporated into the report, a “Final” report will be provided to the City of Fargo.

11.0 **LANDSCAPE ARCHITECTURE AND AESTHETIC ENHANCEMENTS (REMOVED)**

- 11.1 These services were removed from this scope and fee and will be addressed outside of this contract if desired.

12.0 **GRANT WRITING AND BCA ANALYSIS (REMOVED)**

- 12.1 These services were removed from this scope and fee and will be addressed outside of this contract if desired. It is anticipated that a BCA will be required as part of this project but will be addressed contractually outside of this scope and fee. Any grant writing assistance will be addressed independently as well.

13.0 **LEGAL DOCUMENTS AND PLATTING**

- 13.1 **Develop Preliminary Right of Way Needs** - Identify needs for permanent easements, right of way, and temporary construction easements based on the existing right of way and preliminary design.
- 13.2 **Right of Way Exhibits/Platting** - Prepare right of way exhibits and/or plats as needed for acquisition of right of way, permanent easements, and temporary easements as needed along the project corridor.
- 13.3 **Right of Way Monumentation** - Place monumentation for new right of way limits throughout the project corridor following completion of construction.

14.0 **ROW ACQUISITION AND APPRAISALS**

- 14.1 **Appraisals**- It is anticipated that the Fargo Park District's baseball stadium property may need to be appraised. Due to the potential impact on parking related to the stadium because of the project, a complex partial acquisition is anticipated. The purpose of the appraisal is to determine the value of the parcel to be acquired, as well as any damages or special benefits to

the remainder. This appraisal will be prepared in accordance with the Uniform Standards of Professional Appraisal Practice and the Uniform Act. We have assumed a single appraisal on both the ND side and MN side for estimating purposes. If additional appraisals are necessary, a contract amendment will be necessary.

- 14.2 **Surface Ownership Records, Negotiations and Acquisitions, and ROW Packets** - Our Team will prepare Surface Ownership Reports showing the apparent owner of record for up to nine (9) parcels in Moorhead, MN. It is assumed that no surface ownership records will be required in the City of Fargo. Our Team will meet and conduct negotiations for each parcel. This scope includes up to 2 in-person meetings and multiple phone contacts per landowner. Our Team anticipates 9 landowners and 9 parcels. Our Team will assemble Right-of-Way Packets for an estimated 9 landowners and 9 parcels. *See attached detailed scope and fee from KLJ for additional information related to this task.*

15.0 UTILITY COORDINATION

- 15.1 **Preliminary Location & Conflicts** –The Consultant will submit a One Call utility locate request as part of Preliminary Survey and review existing utility data collected in comparison to proposed improvements. Consultant will coordinate with utility companies regarding any areas where their facilities are determined to be in potential conflict with the proposed improvements.
- 15.2 **Preliminary Utility Coordination** – The Consultant will complete Preliminary Utility Coordination per the NDDOT Design Manual section III-08.03. Preliminary Utility Coordination Letters will be sent to all potentially impacted utility companies.
- 15.3 **Preliminary Utility Engineering** – The Consultant will complete Preliminary Utility Engineering per the NDDOT Design Manual section III-8.04. This task will ascertain the location and extent of any utility relocations necessary to accommodate the planned project and future coordination. Information gathered from the Preliminary Utility Coordination Letters and other Utility information developed thereafter will be shared with the Utilities Engineer.

16.0 QUALITY ASSURANCE / QUALITY CONTROL

- 16.1 **QA/QC Review of Deliverables** - A senior staff member will be designated to perform an independent technical review of all deliverables, including, but not limited to, Reports, Preliminary and Final Designs, and Right-of-Way.



SCOPE OF SERVICES
PRELIMINARY ENGINEERING SERVICES
12th Avenue North Bridge Replacement
City of Fargo Project No. QR-25-B0
February 2025

THIS SCOPE OF SERVICES PERTAINS TO THE FOLLOWING WORK ITEMS

KLJ will be leading the environmental documentation, public involvement, permitting, and right of way acquisition for the replacement of the 12th Avenue North Bridge between Fargo, ND and Moorhead, MN. This scope includes necessary tasks associated with environmental documentation, public involvement, right of way acquisition, and cultural resources.

FORMATS AND STANDARDS

Upon completion all data will become the property of the City of Fargo. All data will be generated in the following formats and standards where applicable:

- MS Word and MS Excel
- AutoCAD Civil 3D (2018 or newer)
- NDDOT CADD Manual
- NDDOT Consultant Services Manual Chapter 19
- NDDOT Procedure for Creating Right of Way Plats Manual Chapter 20
- NDDOT CADD Editing Manual Chapter 21
- NDDOT Data Collection Codes and Procedures
- NDDOT Design Manual and Plan Preparation Guide Website
- NDDOT Right of Way Manual

1.0 PROJECT MANAGEMENT AND COORDINATION

1.1 PROJECT OVERSIGHT AND COORDINATION

KLJ will manage the project and provide overall coordination of the work completed by the planning and design team. This work shall consist of managing work assignments, internal team meetings, client coordination, project budget, and schedule.

1.2 PROJECT MEETINGS (PRC)

KLJ will take part in bi-weekly Project Review Committee (PRC) meetings. KLJ will only attend until the environment documentation has been approved. It is assumed that KLJ will have one participant attend the meetings from March of 2025 through May of 2026.

1.3 PROJECT MEETINGS (INTERNAL)

KLJ will hold internal meetings with KLJ staff along with participate in meetings with Houston Engineering staff. It is assumed that two meetings per month will be required for up to two KLJ staff from March of 2025 to May of 2026.

1.3 BI-WEEKLY STATUS REPORTS

KLJ will submit bi-weekly status reports to Houston Engineering following the NDDOT status report



format. The status report will outline past, current, and future work items, percent complete, and any schedule concerns. It is estimated that status reports will be required from March of 2025 to May of 2026.

1.3 DEVELOP PROJECT SCHEDULE

KLJ will coordinate with Houston Engineering to develop a project schedule for the completion of the environmental document, public involvement, permitting, and right of way acquisition.

4.0 ENVIRONMENTAL DOCUMENTATION

4.1 PURPOSE & NEED

KLJ will develop a purpose and need statement for the project consistent with FHWA and NDDOT guidance. The purpose and need statement will clearly and concisely articulate the reasons why the project is needed and what the project is intended to accomplish.

4.1 SOLICITATION OF VIEWS (SOV) LETTERS

KLJ will identify and compile a mailing list of affected, potentially affected, or interested parties, as well as governmental agencies, elected and appointed officials who will be solicited for input regarding the project. This list will be developed based on the NDDOT Master SOV list along with the MnDOT Early Notification Memo (ENM) list. The SOV letters will be emailed.

KLJ will also prepare and distribute, upon review and approval, a solicitation of views package to the mailing list. The letter will be used as a means of scoping issues pertinent to the study area and to obtain information about permits, licenses, or other agency requirements needed to construct the project.

4.2 ALTERNATIVES ANALYSIS

It is assumed that two alternatives will be evaluated in the environmental document. Based on information provided in the Preliminary Engineering Phase, KLJ will describe the alternatives developed, reasons for elimination of alternatives, and why the proposed alternative was selected.

4.3 ENDANGERED SPECIES ACT (ESA) CONSULTATION

KLJ will complete an inquiry of the US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) online tool to identify potential threatened, endangered, proposed, and candidate species and well as proposed and final designated critical habitat that may occur within the project boundary. If it's determined that the project and associated actions "may affect" listed species or critical habitat, KLJ will be available to represent the City of Fargo in consulting with the USFWS. KLJ will submit the ESA package to the NDDOT for review and signature by the NDDOT Biologist.

4.4 NOISE ANALYSIS

KLJ will coordinate with FHWA to review the proposed Build Alternative and determine if the project is a Type I Project. If so, a noise analysis will be completed as stated below. If not, this task will not be required. A traffic noise study will be conducted in accordance with the North Dakota Department of Transportation (NDDOT) *Noise Policy and Guidance* (revised June 2020). This Policy describes NDDOT's implementation of the requirements established in 23 CFR 772 and concurred with by FHWA. The analysis will be conducted using the Federal Highway Administration (FHWA) TNM 2.5 modeling software and following appropriate NDDOT and FHWA regulations and guidance.



4.4.1 Noise Data Collection

A. Project Information

Collect available information about the proposed project and its corresponding project area, including existing and proposed roadway alignments and profiles, digital elevation data, planned developments, and conduct a review of any pertinent GIS and aerial photo data layers and information related to noise sensitive receptors and physical characteristics of the surrounding environment. Establish the traffic noise study area and identify the noise sensitive receptors and the associated common noise environments (CNEs).

B. Noise Measurement Plan

Prepare and submit a Noise Measurement Plan or equivalent memorandum to the City of Fargo for review and approval of identified receptors, CNEs, and proposed noise monitoring sites prior to performing a field visit.

C. Noise Monitoring

Prepare for and perform a field visit of the project site to verify the noise sensitive receptors and conduct noise monitoring at up to five locations per standards and guidance, providing summary results, preparing noise monitoring logs, and incorporating into the draft noise report appendix.

D. Traffic Volume Data

Process Existing, Future No Build, and one Future Build traffic data for inclusion into FHWA TNM 2.5 software. Existing and forecasted peak hour traffic volumes, vehicle classifications (automobiles, medium trucks, and heavy trucks), and operating speeds associated with a project-specific traffic study will be provided by Houston Engineering. Therefore, **traffic count collection, calibration, and forecasting are not included in the scope**. For any minor/low-volume roadways for which traffic data is not available, KLJ will apply engineering judgment to establish estimated values.

Assumptions

- The City of Fargo will provide information on any recent, ongoing, or future planned development within the established noise study area. This would include recently approved building permits.
- The City of Fargo will coordinate notification to property owners regarding right of entry to conduct non-invasive exterior noise measurements.
- The following items will be provided by Houston Engineering:
 - Base mapping: topography, triangular irregular networks (TIN) file, digital terrain model (DTM) file
 - Existing alignment/survey
 - Construction limits
 - Project limits
 - Right-of-way and property line information
 - Project scoping document
 - Signed geometric layout



- Traffic data and traffic analyses/studies conducted for corridor study

4.4.2 Noise Analysis

A. Base Noise Model Development and Validation

Develop the base noise model for the project utilizing FHWA TNM 2.5 software. Features to be included in the model, in addition to travel lanes and traffic volumes, may include buildings, large water features, notable terrain topography, traffic control devices, and large parking lots. This effort will include validating and revising, as applicable, the base model versus the recorded field noise measurements.

B. Existing, Future No Build, and Future Build Noise Model Development

Develop the Existing, Future No Build, and one Future Build scenario noise models in FHWA TNM 2.5 software. Each scenario will be tailored to represent the physical, geometric, and traffic operations characteristics respectively.

C. Noise Barrier Warrant Analysis

Perform barrier warrant analyses for all modeled receptors to identify impacted areas where barriers may be warranted and require modeling and analysis.

Assumptions

The following components are **not included in this scope or fee**.

- Barrier Modeling or Feasibility and Reasonability Analysis
 - If the results of the Barrier Warrant Analysis were to identify any noise impacts to receptors as defined by the NDDOT *Noise Policy and Guidance*, the concept development, modeling, and effectiveness analysis of noise mitigation would be required. If applicable, this task may be added in a future contract amendment.
- Community Noise Engagement and Solicitation of Benefited Receptors
 - If the results of the noise study were to indicate noise mitigation is initially feasible and reasonable, a public engagement and solicitation process would be required. If applicable, this task may be added in a future contract amendment.

4.4.3 Reporting

A. Draft and Final Report

Prepare a traffic noise study report including the requisite content in accordance with the NDDOT *Noise Policy and Guidance*. The report shall include documentation of the analysis including the associated TNM 2.5 output exhibits and applicable maps.

A draft report will be submitted to the City of Fargo and FHWA for review. Comments received on the draft report will be documented and incorporated into the final report. A final report incorporating required revisions will be submitted after receiving and addressing feedback from all applicable parties.

4.5 CULTURAL RESOURCES

KLJ will coordinate with Houston Engineering to work with the lead Federal agency to determine the Area of Potential Effect (APE) of the project. The APE will be determined by the lead Federal agency or DOT(s)



overseeing the project. Prior to any field work or record searches, the proposed APE will be submitted to the City of Fargo for review.

KLJ will complete a review of both Minnesota and North Dakota Records. KLJ will conduct searches with the State Historical Society of North Dakota, The Office of the Minnesota State Archaeologist (OSA) and the Minnesota State Historic Preservation Office site and manuscript files for the proposed project area and a one-mile radius in all directions. These data will provide an overview of prior cultural resource work in and around the project area, including the locations of all previously recorded cultural resources and inventory projects.

KLJ will perform Class III cultural resource inventory of the proposed project area. Field methods will follow guidelines established in each respective state. KLJ will survey to the standards of the North Dakota State Historic Preservation Office, Minnesota State Historic Preservation Office, and the US Department of the Interior. All cultural resources encountered within the project area will be recorded by a KLJ archaeologist, and site forms will be prepared and submitted to the respective State Historic Preservation Office for a Smithsonian Institution Trinomial System number. This scope assumes that no more than one new or previously recorded cultural resource will be encountered during the inventory. Research indicates one National Register of Historic Places Unevaluated prehistoric site with a historic component is present at the site. Should additional resources be identified during the inventory, it will be considered out of scope work. The additional resources will be recorded and evaluated after consultation with the client on the additional costs.

KLJ anticipates that due to the location of the project area deep shovel testing will be required on the Minnesota side of the project, per Minnesota OSA guidelines. This testing will include up to 111 shovel tests to cover the 6.19 acre parcel between the road and the river. In addition, the North Dakota side of the river will require approximately 27 shovel tests. This is due to the proximity of the project to the river, which is a high probability location for cultural materials. Additional subsurface testing may be required around the unevaluated archaeological site. If numerous artifacts or intact deposits are encountered a formal testing and evaluation plan will be required before proceeding with additional testing. KLJ will supply a separate scope and budget if evaluation of the resource is required.

KLJ will produce two reports of the cultural resource findings in accordance with each state's guidelines. KLJ will submit the reports to all federal, state, and/or local agencies involved in the project, and any site forms and associated data will be submitted to the applicable SHPO per established guidelines. Hard copies of the report will also be provided to client upon request. Any letters of concurrence from federal, state, and/or local agencies involved in the project will also be forwarded to the client.

4.6 DE MINIMIS

KLJ will prepare the necessary documentation for FHWA to make a de minimis determination for impacts to property that is protected under Section 4(f). It is assumed that within the project limits, two separate landowners have property protected under Section 4(f.), and therefore, two separate de minimis documents will be required.

For each landowner, only one de minimis document will be prepared, regardless of the number of impacted parcels they own, as long as all affected parcels are under the same ownership and protected under Section 4(f). It is assumed that the property owned by the Fargo Park District (parcels 01-3500-



05021-000, 01-6380-00300-000, 01-6380-00100-000, and 01-6380-00200-000) and City of Moorhead (parcel 58.900.0483) will be protected under Section 4(f).

KLJ will develop a letter of intent to make a de minimis determination to FHWA outlining the project, impacts to two Section 4(f) properties, and stakeholder coordination for FHWA's review and concurrence on proceeding with a de minimis process.

KLJ will respond to any public comments received during the comment period. If any of the comments require redesign or elevating the impacts beyond de minimis determination a contract amendment may be required.

Upon completion of the public notice period, KLJ will compile and analyze all comments received. KLJ will draft a letter that would be sent from FHWA to Section 4(f) property owners outlining the project impacts, public notice summary, and statement of concurrence for property owners to sign stating the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection. Upon FHWA's receipt of the signed letter from landowners, FHWA may finalize the de minimis impact determination. KLJ will use NDDOT's De Minimis Checklist for the final submittal to FHWA.

4.7 DRAFT DOCUMENTED CATEX

KLJ will utilize the NDDOT Documented CATEX (DCE) template for the environmental documentation required for the project. Based on information provided from the preliminary engineering analysis, KLJ will identify reasonably foreseeable direct, indirect, and cumulative environmental impacts expected to result from the proposed project alternatives and will complete the environmental impact checklist. Measures to avoid or minimize environmental impacts will be developed and documented as part of this study. Unavoidable impacts that require mitigation will also be identified. When appropriate, mitigation measures will be documented.

KLJ will prepare and distribute the Draft Documented CATEX for review to the City of Fargo. The document will be a compilation and summary of the work completed in the preliminary engineering phase. Reports from the project meetings, environmental documentation, survey, roadway design, hydraulics and structure selection, pavement design, and cost estimation will be referenced in the document.

KLJ will compile a summary of all comments to the Draft Documented CATEX. Each comment will be individually addressed. Any revisions resulting from the comment will be summarized. Input and comments from review of the draft will be incorporated into the Final Documented CATEX. KLJ will submit an electronic version in PDF format of the Documented CATEX.

4.8 FINAL DOCUMENTED CATEX

KLJ will compile a summary of all comments received from the Draft Documented CATEX review. Each comment will be individually addressed. Any revisions resulting from the comment will be summarized. Input and comments from review of the draft will be incorporated into the Final Documented CATEX. KLJ will submit an electronic version in PDF format of the Documented CATEX.

5.0 PERMITTING

5.1 ASSUMED PERMIT REQUIREMENTS

Through the environmental and stakeholder coordination process, KLJ will identify the necessary permits that will be required for the project. Based on previous experience and impacts to wetlands will



be less than one acre and impacts to the Red River will be less than 500 feet, it is anticipated that four permits are required:

- Section 404 – ND Regulatory Office (USACE Omaha District)
 - Assumed to be a Nationwide Permit
- Section 404 – MN Regulatory Office (USACE St. Paul District)
 - Assumed to be a Transportation Regional General Permit
- Sovereign Lands Permit (NDDWR)
- MN DNR Public Waters Work Permit

MN Wetland Conservation Act – Clay County Soil & Water Conservation District. All Floodplain Development and any permits related to hydraulics of the Red River will be prepared and submitted by Houston Engineering.

5.2 PREPARE & SUBMIT PERMIT APPLICATIONS

KLJ will prepare the permit applications for the five permit applications listed above. Prior to submittal to the various agencies, KLJ will submit to the City of Fargo for review and comment.

5.3 AGENCY COORDINATION & FOLLOW-UP

KLJ will create a permit matrix outlining the different permits required and document those that are not required. The matrix will include approval agencies, submittal dates, approval dates, and last communication comments. KLJ will maintain communication with the agencies until all permits have been obtained.

6.0 STAKEHOLDER & PUBLIC INVOLVEMENT

6.1 PREPARE PUBLIC ENGAGEMENT PLAN

KLJ will develop a public engagement plan to demonstrate the overall public engagement methods and assumptions. The plan will demonstrate linkages between the required public engagement process to ensure coordination with NDDOT and NEPA requirements.

6.2 STAKEHOLDER MEETINGS

KLJ will take part in meetings with various stakeholders as required to achieve environmental approval for the project. KLJ assumes two meetings each for up to four stakeholders. These stakeholders, at a minimum, will include the Fargo Park District, City of Moorhead Parks, and Fargo Post 2 Baseball. Meeting agendas and minutes will be prepared and distributed for each meeting.

6.3 DEVELOP AND MAINTAIN PROJECT WEBSITE

KLJ will develop and maintain a project website through Social Pinpoint. The site will link from Fargo Streets and will be updated monthly throughout the life of the project.

6.4 PHASE I PUBLIC ENGAGEMENT

KLJ will coordinate and facilitate an early public input meeting to share project information with the public and key stakeholders. Timing and content will be developed with the efforts outlined in Task 4 to ensure compliance with NDDOT and NEPA requirements. It is assumed one meeting will be held in Fargo and one meeting in Moorhead. Each meeting will include a short presentation and open house format. KLJ will advertise each meeting and prepare meeting boards and content. KLJ will prepare a meeting summary.



6.5 PHASE II PUBLIC ENGAGEMENT

KLJ will coordinate and facilitate a public input meeting to share project information with the public and key stakeholders at the alternatives review stage of the project. Timing and content will be developed with the efforts outlined in Task 4 to ensure compliance with NDDOT and NEPA requirements. It is assumed one meeting will be held in Fargo and one meeting in Moorhead. Each meeting will include a short presentation and open house format. KLJ will advertise each meeting and prepare meeting boards and content. KLJ will prepare a meeting summary.

6.6 PROJECT RENDERINGS

KLJ will develop project renderings showing a range of potential project alternatives for the study area and developed bridge alternatives.

14.0 RIGHT OF WAY ACQUISITION

14.1 SURFACE OWNERSHIP RECORDS (SOR)

KLJ will prepare Surface Ownership Reports showing the apparent owner of record for up to nine parcels in Moorhead, MN. It is assumed that no surface ownership records will be required in the City of Fargo. KLJ will research title back a minimum of TWO DEEDS or as far back, as to produce a 20-year chain.

14.2 NEGOTIATIONS AND ACQUISITIONS

KLJ will not begin negotiations until the authorization is received from the Cities of Fargo & Moorhead. KLJ will meet and conduct negotiations for each parcel. This scope includes up to 2 In-person meetings and multiple phone contacts per landowner. KLJ anticipates 9 landowners and 9 parcels. KLJ will provide justification for any increases or deviations from the approved values and submit them to City of Fargo for final acceptance. Any deviations from the approved offers will require advance approval from the Cities of Fargo & Moorhead. KLJ will assemble fully executed document packets and reports for each parcel and submit them to the Cities of Fargo & Moorhead.

14.3 RIGHT OF WAY PACKETS

KLJ will assemble Right-of-Way Packets for an estimated 9 landowners and 9 parcels. KLJ will complete the following for each parcel:

- Memorandum of Offer
- Memorandum of Agreement
- Notification & Waiver Form
- Agreement for Entry and Construction
- Warranty Deeds and/or Temporary Construction Easement Documents
- W-9 Form

Negotiator Reports

16.0 QUALITY MANAGEMENT

16.1 TRAFFIC ANALYSIS QC/QA

KLJ will review the draft traffic operations report and intersection control evaluation (ICE) report prior to submittal to the City of Fargo. The review will include a review of the report, traffic model, forecasted traffic, and any proposed traffic control features. It is assumed that one review will be completed by KLJ staff.

**16.2 STRUCTURE DESIGN QC/QA**

KLJ will review Houston Engineering's structural up to two times, assumed to be at a 60% and 90% design. KLJ will review the plans and the calculations. Any comments will be documented and submitted to Houston Engineering for consideration.

TASKS NOT INCLUDED IN THIS PHASE SCOPE OF WORK

- Aquatic Resource Delineation and Report
- Environmental Assessment or Environmental Impact Statement
- Right of Way Plats/Exhibits
- Grant Writing/Grant Applications
- Benefit Cost Analysis (BCA)
- Section 6(f) Approval

KLI Project Name:	12th Ave N Bridge Recon-
KLI Project Number:	2444111

1105/day lodging
125/day meals

Client Labor	Indirect Costs - 396-23%	1	2	3	4
Architect		\$ 151,119.21	\$ -	\$ -	\$ 86,144.00
Engineer		\$ 212,864.51	\$ -	\$ -	\$ 115,119.21
On Job Fee	Fixed Fee	\$ 33,904.7	\$ -	\$ -	\$ -
Per Hour and		\$ 27,064.67	\$ -	\$ -	\$ -
COF		\$ 1,319.53	\$ -	\$ -	\$ -
Client Expenses		\$ 1,000.00	\$ -	\$ -	\$ -
Subcontractors		\$ -	\$ -	\$ -	\$ -
Materials/Other		\$ -	\$ -	\$ -	\$ -
Minimum to Lump Sum or Agreed Fee		\$ 3,425.00	\$ -	\$ -	\$ -
Perfection & Fee Percentage		\$ -	\$ -	\$ -	\$ -
Total Estimated Engineering Costs		\$ 335,844.19	\$ -	\$ -	\$ -

Scope of Services

Fargo: City Project No. QR-25-B0
Description: Reconstruction of 12th Ave. N Bridge over Red River
Landscape Plan and Bridge Architectural Services
Date: March 3, 2025
Project: 6059-0225

PROJECT DESCRIPTION

A scope and associated fee were developed and provided for City Project No. QR-25-B0 to replace the bridge and design the corridor. Due to the unknown desires of the public and the City Commission related to bridge enhancements, the City requested a separate proposal related to corridor enhancements and bridge architectural services that could be approved independently of the main scope of work, should it be desired to move forward. This scope and associated fee address the landscape architectural and bridge enhancement services.

11.0 LANDSCAPE ARCHITECTURE AND AESTHETIC ENHANCEMENTS

- 11.1 **Planning and Schematic Design** - Initial information gathering to inform design concepts of the bridge and corridor, followed by plan view and 3D bird's-eye concept renderings. Renderings will convey the balance of aesthetics and functionality, including planting and hardscape recommendations.
- 11.2 **Final Design** - After concept selection, Confluence will create detailed landscape construction documents and specifications for bidding. These documents will cover bridge aesthetic improvements, streetscape/hardscape plans, site details, planting, and irrigation plans.
- 11.3 **General Items** - Includes communication, billing, and coordination tasks.

A detailed fee is attached to this document as supplied by Confluence.

Maximum Contract

Estimated Hours and Cost Summary



Project: QR-25B0

City of Fargo - 12th Ave. Bridge Reconstruction

Date: March 3, 2025

Estimated Direct Labor

	Hours	Direct Cost
	53	\$3,521.57
Direct Labor Costs Total		\$3,521.57
Indirect Costs 170.45%		\$6,002.52
Subtotal Labor and Indirect Costs		\$9,524.09
Fixed Fee 13.0%		\$1,238.13
FCCM 0.97%		\$34.16
Subtotal Labor, Indirect Costs, Fixed Fee and FCCM		\$10,796.38
Direct Costs Total		\$0.00
Subconsultant Totals		\$98,127.97
Total Estimated Costs		\$108,924.35

Maximum Contract

Direct Costs and Subconsultants



Project: QR-25B0

PCN: 0

City of Fargo - 12th Ave. Bridge Reconstruction

Date: March 3, 2025

Direct Costs								
Description	Units	Phase I	Phase II	Phase III	Phase IV	Total	Rate	Total
Subsistence	Day					0	\$45.00	\$0.00
Hotel	Night					0	\$150.00	\$0.00
Mileage-Vehicles:								
2-Wheel Drive	Miles					0	\$0.700	\$0.00
4-Wheel Drive	Miles					0	\$0.900	\$0.00
GPS or Total Station	Hours					0	\$25.00	\$0.00
Robotic Total Station	Hours					0	\$40.00	\$0.00
ATV/Snowmobile/Boat	Day					0	\$45.00	\$0.00
ATV with Tracks	Day					0	\$60.00	\$0.00
Total								\$0.00

Subconsultants and Vendors					
Subconsultant/Vendor	Phase I	Phase II	Phase III	Phase IV	Total
KLI	\$98,127.97				\$98,127.97
					\$0.00
					\$0.00
					\$0.00
					\$0.00
0					\$0.00
0					\$0.00
0					\$0.00
0					\$0.00
0					\$0.00
Total Subconsultant Fees					\$98,127.97

Estimated Hours and Direct Cost Details

Project: OR-2580																			
City of Fargo - 12th Ave. Bridge Reconstruction																			
Date: March 3, 2025																			
		Engineering						Survey				Environmental				Technicians	CAD	Administrative	Subconsultant
Labor Classification		Engineer 10	Engineer 11	Engineer 9	Engineer 8	Engineer 6	Engineer 3	Land Surveyor 6	Land Surveyor 2	Land Surveyor 3	Class Chief (LC 3 or Tech 6-7)	Class Member (Tech 2)	Scientist 7	Scientist 4	Technician 1	CAD Technician 5	Project Assistant 2	Subconsultant	Total
Overtime Status		Exempt	Exempt	Exempt	Exempt	Exempt	Non-Exempt	Exempt	Exempt	Exempt	Non-Exempt	Non-Exempt	Exempt	Exempt	Non-Exempt	Non-Exempt	Non-Exempt	Non-Exempt	Total Per Task (See Individual Scope and Fee for Breakdown)
Direct Hourly Cost							10%				15%	15%			10%	10%	10%		
Anticipated % @ Overtime Rate							Hours				Hours	Hours			Hours	Hours	Hours		
Task Description		Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours		
Task No.																			
1.0 Project Management and Coordination																			
1.1 Project Oversight and Coordination		10		24															34
Task 1 Hours		10	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	34
Task 1 Direct Labor Cost - Standard		\$634.30	\$0.00	\$1,433.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,268.06
Task 1 Direct Labor Cost - Overtime		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Task 1 Direct Labor Cost		\$634.30	\$0.00	\$1,433.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,268.06
Total Subconsultant																			
1.2 Landscape Architecture and Aesthetic Enhancements																			
12.1 Bridge Aesthetics		4		0															4
12.2 Landscape design for corridor				2															2
Task 12 Hours		4	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14
Task 12 Direct Labor Cost - Standard		\$333.72	\$0.00	\$597.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$931.12
Task 12 Direct Labor Cost - Overtime		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Task 12 Direct Labor Cost		\$333.72	\$0.00	\$597.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$931.12
Total Subconsultant																			
1.3 Quality Assurance/Quality Control																			
13.1 QA/QC of deliverables		1		4															5
Task 13 Hours		1	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
Task 13 Direct Labor Cost - Standard		\$ 83.43	\$ 0.00	\$ 238.96	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 322.39
Task 13 Direct Labor Cost - Overtime		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Task 13 Direct Labor Cost		\$ 83.43	\$ 0.00	\$ 238.96	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 322.39
Total Subconsultant																			
Total Hours		15	0	38	0	0	0	0	0	0	0	0	0	0	0	0	0	0	53
Direct Labor Cost - Standard		\$1,251.45	\$0.00	\$2,270.12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,521.57
Direct Labor Cost - Including Overtime		\$1,251.45	\$0.00	\$2,270.12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,521.57
Direct Labor Cost		\$1,251.45	\$0.00	\$2,270.12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,521.57
Total Subconsultant																			

12th Ave Bridge - Fargo, ND
 Confluence
 Task: Planning & Design

BUDGET ESTIMATE

ITEM		DOT FY 2025			DOT FY 2026			TOTAL
Staff	Title	RATE	TOTAL ESTIMATED HOURS	TOTAL ESTIMATED COST	RATE	TOTAL ESTIMATED HOURS	TOTAL ESTIMATED COST	
C. Kucker	Landscape Architect - Principal	\$54.21	62	\$ 3,361.02	\$56.11	33	\$ 1,851.63	\$ 5,212.65
L. Bowles	Landscape Architect - Associate	\$44.76	172	\$ 7,698.72	\$46.33	93	\$ 4,308.69	\$ 12,007.41
A. Yokom	Landscape Architect in Training	\$22.25	325	\$ 7,231.25	\$23.03	175	\$ 4,030.25	\$ 11,261.50
Jenn Becker	Digital Illustrator	\$37.74	78	\$ 2,943.72	\$39.06	42	\$ 1,640.52	\$ 4,584.24
		\$0.00	0	\$ -	\$0.00	0	\$ -	\$ -
SUBTOTAL:			637	\$ 21,234.71		343	\$ 11,831.09	\$ 33,065.80
Fringe Benefits / Overhead	159.29%			\$ 33,824.77			\$ 18,845.74	\$ 52,670.51
Fixed Fee	13%			\$ 7,157.73			\$ 3,987.99	\$ 11,145.72
In-State Travel	\$ 67.00			\$ 43.55			\$ 23.45	\$ 67.00
Printing	\$ 1,027.50			\$ 667.88			\$ 359.62	\$ 1,027.50
Capital Cost of Money		0.4580%		\$ 97.25			\$ 54.19	\$ 151.44
TOTAL				\$ 63,025.89			\$ 35,102.08	\$ 98,127.97

		Landscape Architect - Principal	Landscape Architect - Associate	Landscape Architect In Training	Digital Illustrator	TOTAL HOURS
12th Street Bridge - Confluence		C. Kucker	L. Bowles	A. Yokom	Jenn Becker	
Name						
Rate		\$54.21	\$44.78	\$22.25	\$37.74	(hrs)
Task	Landscape Architecture Design & Planning					
1.1 General Items						
a.	Coordination & Support the Study Team	5	15	20		40
b.	Kick-off Meeting	2	2	2		8
c.	Stakeholder Meetings	0	4	4		8
d.	Other	10	10	10		30
e.	Pay Applications & Coordination	5	10	0		
Subtotal Task 1.1		17	61	36	0	84
1.2 Planning & Schematic Design						
a.	Corridor Streetscape, Pedestrian & Landscape Development Concepts	10	20	30		60
b.	Bridge Aesthetic Development	10	20	60		90
c.	Visual Dialogue & Materials Development	2	10	20		32
d.	Conceptual Bridge Aesthetic Lighting	2	10	10		22
e.	Final Corridor Streetscape & Landscape Development Concept	5	10	20		35
f.	Final Bridge Aesthetic Lighting	5	10	20		35
g.	Existing Conditions Inventory & Analysis	0	10	20		30
h.	Design Team Coordination	0	5	10		
i.	Client Meeting 1	2	2	2		
j.	Birds-Eye 3D Illustrations of Bridge & Corridor (Still Images)	0	10	0	120	130
Subtotal Task 1.2		36	107	182	120	455
1.3 Final Design						
a.	Streetscape/Hardscape Improvement Plans	5	15	50		70
b.	Site detail plans	5	15	50		70
c.	Planting Plans	0	15	30		45
d.	Irrigation Plans	20	0	10		30
e.	Bridge Aesthetic Improvements	5	30	90		125
f.	Design Team Coordination	5	20	20		
g.	Client meeting 1	2	2	2		
h.	General notes, specifications and tables	0	0	10		10
i.	Estimate of Quantities	0	0	10		10
Subtotal Task 1.3		42	97	272	0	411
1.4 Bidding						
a.	Coordinate addenda, bid opening and attend pre-bid conference					0
b.	Clarify the Construction Documents as required through the preparation and issuance of addenda including materials substitutions and equals.					0
c.	Review bids including alternates and prepare a recommendation on the award of the contract to the Client.					0
Subtotal Task 1.4		0	0	0	0	0
Total Tasks		95	265	500	120	950
SHEET TOTAL \$		95	265	500	120	950

DIRECT COSTS

TRAVEL COSTS	RENTAL CAR (DAYS)	LODGING (PERSON-NIGHTS)	MEALS (PERSON-DAYS)		
TOTAL	0	0	0		
UNIT	NUMBER	UNIT COST	EXTENDED COSTS		
-MILEAGE	100	\$ 0.670	\$ 67.00		
-LODGING NIGHTS	0		\$ -		
-LODGING TAX	0		\$ -		
-MEALS DAY	0		\$ -		
-FLIGHTS	0		\$ -		
-PARKING	0		\$ -		
-FUEL FOR RENTAL	0		\$ -		
-RENTAL CAR	0		\$ -		
SUBTOTAL TRAVEL COSTS			\$ 67.00	\$	67.00
	NUMBER COPIES	NUMBER PAGES	TOTAL PAGES	UNIT COST	EXTENDED COST
Reports - Study					
8.5" x 11" (B&W)			0	\$	-
8.5" x 11" (Color)			0	\$	-
11" x 17" (B&W)			0	\$	-
11" x 17" (Color)			0	\$	-
Reports - Environmental					
8.5" x 11" (B&W)			0	\$	-
8.5" x 11" (Color)			0	\$	-
11" x 17" (B&W)			0	\$	-
11" x 17" (Color)			0	\$	-
Reports - Public Involvement					
8.5" x 11" (B&W)			800	\$ 0.10	\$ 80.00
8.5" x 11" (Color)			350	\$ 0.75	\$ 262.50
11" x 17" (B&W)			800	\$ 0.20	\$ 160.00
11" x 17" (Color)			350	\$ 1.50	\$ 525.00
SUBTOTAL PRINTING COSTS					\$ 1,027.50
	NUMBER	COST PER MAILING	TOTAL		
			\$ -		
MAILINGS - PUBLIC INVOLVEMENT			\$ -		
SUBTOTAL MAILING				\$	-
MEETING MATERIALS/PRINTING (Color Plot per SF)	500	2.5	\$ 1,250.00		
SUBTOTAL PUBLIC INVOLVEMENT				\$	1,250.00
SUBCONSULTANTS	ESTIMATED SUBCONSULTANT COSTS				
Lighworks - Decorative Bridge Lighting				\$	35,000.00
				\$	-
				\$	-
				\$	-
				\$	-
SUBTOTAL - SUBCONSULTANTS				Total \$	35,000.00
DIRECT COST SUMMARY					
-TRAVEL				\$	67.00
-PRINTING				\$	1,027.50
-MAILINGS				\$	*
-PUBLIC MEETING MEDIA / WEBSITE / ROOM				\$	1,250.00
-SUBCONSULTANTS				\$	35,000.00
				\$	*
DIRECT COST TOTAL				\$	37,344.50



**SCOPE OF SERVICES
GRANT APPLICATIONS/BCA
12th Avenue North Bridge Replacement
City of Fargo Project No. QR-25-B0
March 2025**

THIS SCOPE OF SERVICES PERTAINS TO THE FOLLOWING WORK ITEMS

KLJ will prepare grant applications and a benefit cost analysis (BCA) for the replacement of the 12th Avenue North Bridge between Fargo, ND and Moorhead, MN. This scope includes necessary tasks associated with environmental documentation, public involvement, right of way acquisition, and cultural resources.

12.0 GRANT WRITING AND BENEFIT COST ANALYSIS (BCA)

12.1 GRANT APPLICATION PREPARATION

KLJ will prepare up to (2) Federal discretionary grants on behalf of the City of Fargo. This may include a range of potential future discretionary program grants such as Bridge Improvement Program (BIP) or the Better Utilizing Investment to Leverage Development (BUILD) Program. KLJ will prepare each application inclusive of all required project materials. KLJ will integrate comments and guidance provided by City of Fargo to improve and strengthen the overall project application and competitiveness and to meet established grant/merit criteria. KLJ will coordinate through the City of Fargo for securing relevant letters of support and other supporting materials and documentation.

KLJ will organize calls/meetings between the City of Fargo and project partners (as needed). KLJ will coordinate with the City of Fargo regarding project budget and plan for non-federal or federal match/technical data which will be included to meet requirements of Federal program criteria. KLJ will work with the City of Fargo to prepare materials to be submitted in *grants.gov* by the City of Fargo. KLJ will ensure all applicable supporting materials are posted online through the project webpage host by the City of Fargo.

12.2 BENEFIT COST ANALYSIS

KLJ will contract with Beckett Group to develop a project level benefit cost analysis (BCA) to calculate a project benefit analysis. KLJ and Beckett Group will follow US DOT Guidance as revised. KLJ will coordinate the collection of needed desktop data, review and verify data provided by the City of Fargo and make additional calculations based on existing and projected conditions to develop a final BCA. Products include both a BCA workbook and BCA narrative. It is anticipated that one (1) initial BCA workbook and narrative will be developed. However, KLJ assumes for modifications and updates based on potential changes in US DOT guidance and the potential debrief with Federal agencies as the project development process unfolds.

KLJ Project Name:	12th Ave N Bridge Recon
KLJ Project Number:	2404-01711

Project Budget

Job Classification:		Graphic Design Specialist	Graphic Design Specialist	Senior Planner	Government Relations Specialist III	Senior Engineer	DIRECT LABOR Subtotal	Expenses (person x days)	Reimbursable Rate	REIMBURSABLE EXPENSE ¹ Total	Subconsultant Bill	KLJ's % Markup Subconsultant's Name	Subconsultant Fee	DIRECT EXPENSE ¹	Bal to: Lump Sum or Agreed Fee	TASK TOTAL
12	Grant Writing & BCA	\$ 40.00	\$ 44.00	\$ 79.00	\$ 46.00	\$ 71.00			\$ 190.00							
	Grant Application Preparation	80	8	24	160		\$ 12,808.00			\$ -			\$ -			\$ 12,808.00
	BCA	4		16	4	16	\$ 2,744.00			\$ -	\$ 25,000.00	Beckett Group	\$ 25,000.00			\$ 27,744.00
							\$ -			\$ -			\$ -			\$ -
		84	8	40	164	16	\$ 15,552.00			\$ -	\$ 25,000.00		\$ 25,000.00	\$ -	\$ -	\$ 40,552.00
		84	8	40	164	16	312									
								\$ 15,552.00		\$ -			\$ 25,000.00	\$ -	\$ -	\$ 40,552.00

¹ Includes Meals and Lodging : Used for planning purposes only.

² Includes equipment, rental/subscriptions, mileage... etc.

Reimbursable Notation:

\$145/day lodging

\$45/day meals

Summary of Costs: NDDOT

Direct Labor		\$ 15,552.00
Indirect Costs -	196.37%	\$ 30,539.46
Subtotal		\$ 46,091.46
On bill rate	Fixed Fee -	13.00%
Raw labor cost	COF -	1.41%
Direct Expenses		\$ -
Subconsultants		\$ 25,000.00
Reimbursables		\$ -
Balance to Lump Sum or Agreed Fee		\$ -
Tero/Taxes & Fees Percentage -		\$ -
Total Estimated Engineering Costs		\$ 77,302.63

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Project No.: QR-25-B0

Type: Agreement & Solicitation Request

Location: 12th Ave N & Red River

Date of Hearing: 11/4/2024

RoutingDate

City Commission

3/17/2025

PWPEC File

X

Project File

Eric Hodgson

The Committee reviewed the accompanying correspondence from Civil Engineer, Eric Hodgson, regarding an Agreement between the City of Fargo and U.S. Department of Transportation and solicitation of proposals for Engineering Services.

On September 26, 2024, the City of Fargo and the U.S. Department of Transportation officially signed the Agreement, which authorizes the City to utilize the \$1.5 million worth of Federal Funds in the form of a 2022 RAISE grant previously awarded to the City. The money will be used to hire a consultant to perform the necessary preconstruction and design activities. There is no local match requirement with the funds, and the grant money cannot be allocated to any other purpose.

Staff plan to solicit for RFPs with hopes of having a consulting firm on board by the beginning of 2025.

On a motion by Tim Mahoney, seconded by Steve Sprague, the Committee voted to approve the solicitation of qualified consultants for QR-25-B0.

RECOMMENDED MOTION

No Commission Action.

PROJECT FINANCING INFORMATION:Recommended source of funding for project: N/A

Developer meets City policy for payment of delinquent specials
 Agreement for payment of specials required of developer
 Letter of Credit required (per policy approved 5-28-13)


Yes	No
	N/A
	N/A
	N/A

COMMITTEE

Tim Mahoney, Mayor
 Nicole Crutchfield, Director of Planning
 Steve Dirksen, Fire Chief
 Brenda Derrig, City Administrator
 Ben Dow, Director of Operations
 Steve Sprague, City Auditor
 Tom Knakmuhs, City Engineer
 Susan Thompson, Finance Director

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"/>	
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<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ATTEST:

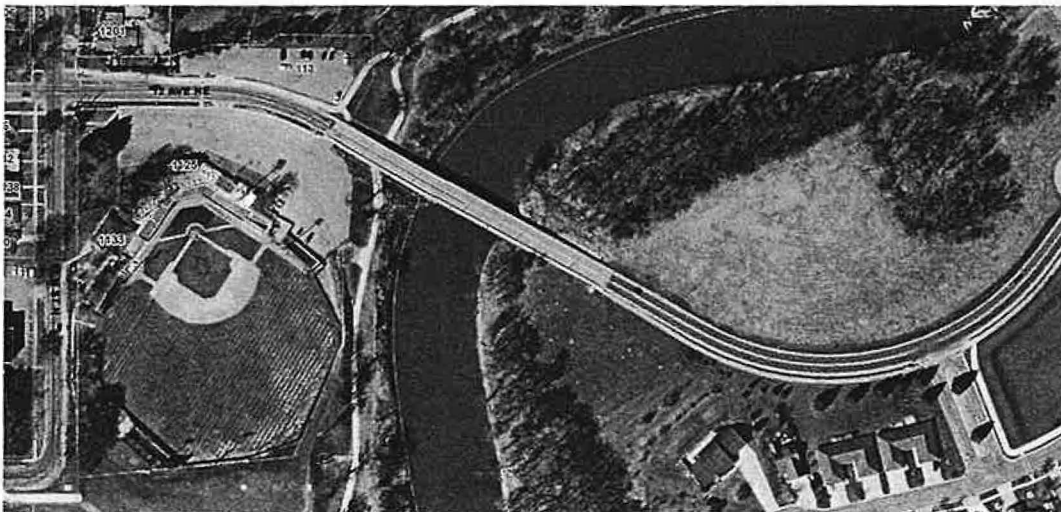

 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: Members of PWPEC
From: Eric Hodgson, Civil Engineer II
Date: November 4, 2024
Re: QR-25-B0: 12th Avenue North Bridge over the Red River Project

On 9/26/2024, the City of Fargo and the U.S. Department of Transportation formalized an agreement, which authorizes the City to utilize the \$1.5M worth of federal funds in the form of a 2022 RAISE grant previously awarded to the City. The money will be used to hire a consultant to perform the necessary preconstruction and design activities associated with the reconstruction of the 12th Avenue North Bridge above floodwater elevations. There is no local match requirement with the funds, and the grant money cannot be allocated to any other purpose.

We plan to solicit for RFPs soon with hopes of having a consulting firm on board by the beginning of 2025, and work towards having the work completed by the start of 2027 or sooner.



Recommended Motion

Approve the agreement between the City of Fargo and U.S. Department of Transportation, and allow Engineering to proceed with soliciting for qualified consultants.

Attachments:

- Agreement between City of Fargo and USDOT.

1. **Award No.**
693JJ32440508
2. **Effective Date**
See No. 17 Below
3. **Assistance Listings No.**
20.933
4. **Award To:**
City of Fargo, North Dakota
225 4th St. N.
Fargo, North Dakota 58102-4817

Unique Entity Id.: K2QJQZVH5PM6
TIN No.: 45-6002069
5. **Sponsoring Office**
U.S. Department of Transportation
Federal Highway Administration
Office of Acquisition & Grants Management
1200 New Jersey Avenue, SE
HCFA-32, Mail Drop E62-204
Washington, DC 20590
6. **Period of Performance**
Effective Date of Award –
1/15/2028
7. **Total Amount**
Federal Share: \$1,500,000
Recipient Share: \$0
Total: \$1,500,000
8. **Type of Agreement**
Grant
9. **Authority**
49 U.S.C. 6702; Infrastructure Investment and
Jobs Act (Pub. L. No. 117-58, div. J, Nov. 15,
2021); Consolidated Appropriations Act, 2022
(Pub. L. 117-103, Mar. 15, 2022)
10. **Procurement Request No.**
HOFM240071PR
11. **Federal Funds Obligated**
\$1,500,000
12. **Submit Payment Requests To**
See Article 13 of the General Terms and
Conditions.
13. **Payment Office**
See Article 13 of the General Terms and
Conditions.
14. **Accounting and Appropriations Data**
15X0C75E50.2023.070RA05500.7001000000.41010.61006600
15. **Description of Project**
North Dakota / Minnesota Community Bridge Connectivity Project

RECIPIENT

16. Signature of Person Authorized to Sign


Signature _____ Date 9/26/24
Name: Thomas Knakmuhs
Title: City Engineer

FEDERAL HIGHWAY ADMINISTRATION

17. Signature of Agreement Officer

ROBIN K HOBBS Digitally signed by ROBIN K HOBBS
Date: 2024.09.26 10:34:55 -04'00'
Signature _____ Date _____
Name: Robin K. Hobbs
Title: Agreement Officer

U.S. DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT UNDER THE
FISCAL YEAR 2022 RAISE GRANT PROGRAM

This agreement is between the United States Department of Transportation (the “USDOT”) and the City of Fargo, ND (the “**Recipient**”).

This agreement reflects the selection of the Recipient to receive a RAISE Grant for the North Dakota / Minnesota Community Bridge Connectivity Project.

If schedule A to this agreement identifies a Designated Subrecipient, that Designated Subrecipient is also a party to this agreement, and the parties want the Designated Subrecipient to carry out the project with the Recipient’s assistance and oversight.

The parties therefore agree to the following:

ARTICLE 1
GENERAL TERMS AND CONDITIONS.

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program: FHWA Projects,” dated October 18, 2022, which is available at <https://www.transportation.gov/policy-initiatives/raise/raise-grant-agreements>. The General Terms and Conditions reference the information contained in the schedules to this agreement. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions.
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, terminating of the RAISE Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the USDOT the RAISE Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

ARTICLE 2
SPECIAL TERMS AND CONDITIONS.

There are no special terms for this award.

**SCHEDULE A
ADMINISTRATIVE INFORMATION**

1. Application.

Application Title: North Dakota / Minnesota Community Bridge Connectivity Project

Application Date: 4/14/2022

2. Recipient's Unique Entity Identifier.

See section 23.3 of the General Terms and Conditions.

3. Recipient Contact(s).

Thomas Knakmuhs
City Engineer
City of Fargo Engineering
225 4th Street North Fargo, ND 58102
701-241-1545
tknakmuhs@FargoND.gov

4. Recipient Key Personnel.

Name	Title or Position
Nathan Boerboom	Assistant City Engineer
Jeremy Gorden	City Traffic Engineer
Jason Leonard	City Division Engineer
Eric Hodgson	City Civil Engineer II / Project Manager
Wyatt Papenfuss	City Federal Grant Manager

5. USDOT Project Contact(s).

Robin K. Hobbs
Agreement Officer (AO)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-41, Mail Stop E65-324
1200 New Jersey Avenue, S.E.
Washington, DC 20590
202-366-4004
robin.hobbs@dot.gov

and

Travis Wheeler
Agreement Specialist (AS)
Office of Acquisition and Grants Management
HCFA-41,
202-366-8887
travis.wheeler@dot.gov

and

Agreement Officer Representative (AOR)
Division Administrator
FHWA-North Dakota Division
4503 Coleman Street, Suite 205
Bismarck, ND 58503-0567
(701) 250-4204
hdand@dot.gov

And

Pamela Todd
Technical Services Team Leader, Discretionary Grants Manager
Federal Highway Administration, North Dakota Division
4503 Coleman St Ste 205, Bismarck, ND 58503
701-221-9477
Pamela.Todd@dot.gov

6. Payment System.

USDOT Payment System: DELPHI eInvoicing

7. Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition and Grants Management

8. Federal Award Identification Number.

See section 23.2 of the General Terms and Conditions.

9. Designated Subrecipient.

Designated Subrecipient: None

SCHEDULE B PROJECT ACTIVITIES

1. General Project Description.

This planning project will plan a two-state river crossing to raise the crossing out of the 100-year floodplain and connect it to the regional trail systems in Fargo, ND and Moorhead, MN.

2. Statement of Work.

This project will encompass all preconstruction tasks for Project/Plan Development and Engineering of the two-state river crossing. Typical project tasks to be performed include, but are not limited to, the following: internal and external coordination, meetings, site visits, documentation, public outreach, environmental and cultural study, river and drainage modeling, permitting, benefit cost analysis, traffic study, topological and property line surveys, geotechnical analysis, subsurface utility engineering, alternative design and alignment concepts, aesthetic feature concepts, utilities, landscaping, ROW plats and services, design, plan production, specifications, and estimates.

SCHEDULE C
AWARD DATES AND PROJECT SCHEDULE

1. Award Dates.

Budget Period End Date: 1/15/2028

Period of Performance End Date: See section 4.5 of the General Terms and Conditions

2. Estimated Project Schedule.

Milestone	Schedule Date
Planned Project Completion Date:	01/15/2027

3. Special Milestone Deadlines.

None.

SCHEDULE D
AWARD AND PROJECT FINANCIAL INFORMATION

1. Award Amount.

RAISE Grant Amount: \$1,500,000

2. Federal Obligation Information.

Federal Obligation Type: Single

3. Approved Project Budget.

Eligible Project Costs	
	Total
RAISE Funds:	\$1,500,000
Other Federal Funds:	\$0
Non-Federal Funds:	\$0
Total:	\$1,500,000

4. Cost Classification Table

Cost Classification	Total Costs	Non-RAISE Previously Incurred Costs	Eligible Costs
Contractual	\$1,500,000	\$0	\$1,500,000
Project Total	\$1,500,000	\$0	\$1,500,000

5. Approved Pre-award Costs

None. The USDOT has not approved under this award any pre-award costs under 2 C.F.R. 200.458.

SCHEDULE E
CHANGES FROM APPLICATION

Scope: No changes

Schedule: The Regulatory review of project development documents/submittals have taken longer than originally scheduled. Recipient originally pursued the State DOT being a pass-through entity with the recipient serving as the designated subrecipient; however, eight months after award, the State DOT elected to not serve as a pass-through entity. This required the recipient to modify their plan to deliver the project and complete the required documentation. The recipient plans to start the project in early 2025 and is planning for a two-year schedule to complete the planning project.

Milestone	Application	Agreement
Planned Project Completion Date:	6/28/2023	1/15/2027

Budget: No changes.

Other: N/A

**SCHEDULE F
RAISE PROGRAM DESIGNATIONS**

1. Urban or Rural Designation.

Urban-Rural Designation: Rural

2. Capital or Planning Designation.

Capital-Planning Designation: Planning

3. Historically Disadvantaged Community or Area of Persistent Poverty Designation.

HDC or APP Designation: No

4. Funding Act.

Funding Act: FY2022

SCHEDULE G
RAISE PERFORMANCE MEASUREMENT INFORMATION

Reserved.

SCHEDULE H
CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS

1. Consideration of Climate Change and Environmental Justice Impacts.

The Recipient states that rows marked with "X" in the following table are accurate:

	The Project directly supports a Local/Regional/State Climate Action Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Equitable Development Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Energy Baseline Study that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Recipient or a project partner used environmental justice tools, such as the EJSCREEN, to minimize adverse impacts of the Project on environmental justice communities. <i>(Identify the tool(s) in the supporting narrative below.)</i>
	The Project supports a modal shift in freight or passenger movement to reduce emissions or reduce induced travel demand. <i>(Describe that shift in the supporting narrative below.)</i>
	The Project utilizes demand management strategies to reduce congestion, induced travel demand, and greenhouse gas emissions. <i>(Describe those strategies in the supporting narrative below.)</i>
	The Project incorporates electrification infrastructure, zero-emission vehicle infrastructure, or both. <i>(Describe the incorporated infrastructure in the supporting narrative below.)</i>
	The Project supports the installation of electric vehicle charging stations. <i>(Describe that support in the supporting narrative below.)</i>
	The Project promotes energy efficiency. <i>(Describe how in the supporting narrative below.)</i>
	The Project serves the renewable energy supply chain. <i>(Describe how in the supporting narrative below.)</i>
X	The Project improves disaster preparedness and resiliency <i>(Describe how in the supporting narrative below.)</i>

	The Project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, such as through reduction in Clean Air Act criteria pollutants and greenhouse gases, improved stormwater management, or improved habitat connectivity. <i>(Describe how in the supporting narrative below.)</i>
	The Project repairs existing dilapidated or idle infrastructure that is currently causing environmental harm. <i>(Describe that infrastructure in the supporting narrative below.)</i>
	The Project supports or incorporates the construction of energy- and location-efficient buildings. <i>(Describe how in the supporting narrative below.)</i>
	The Project includes recycling of materials, use of materials known to reduce or reverse carbon emissions, or both. <i>(Describe the materials in the supporting narrative below.)</i>
	The Recipient has taken other actions to consider climate change and environmental justice impacts of the Project. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions to consider climate change and environmental justice impacts of the Project but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions to consider climate change and environmental justice impacts of the Project and will not take those actions under this award.

2. Supporting Narrative.

The Project improves disaster preparedness and resiliency.

The project, when completed, would increase the resiliency of the crossing by reducing the impacts of flooding by raising the structure out of the FEMA 100-year floodplain. When the bridge is closed due to flooding, the detour route is a 3-mile detour through the downtown streets in both Moorhead and Fargo. The redirection of up to 10,000 cars through the busy downtown metro area increases gas consumption and the greenhouse gas emissions required to take this circuitous route to popular locations.

SCHEDULE I
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

	A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i>
X	The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i>
X	The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award.

2. Supporting Narrative.

The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation.

The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation.

The current pedestrian access to the bridge does not meet current ADA and DOT standards. A new design of the bridge would bring the crossing up to code, provide for multi-modal crossing, added connectivity to the trails in Fargo and Moorhead, and eliminate the need for bicycles to utilize the traffic lanes when crossing the bridge and limiting the potential for serious accidents.

A redesign would also allow for increased multi-modal access through a connection to the significant multi-use trail network along the river in both Fargo, ND and Moorhead MN. This would allow the project to leverage the significant investments made by taxpayers to provide for flood protection and a pedestrian-friendly greenway through the metro area.

There are multiple Areas of Persistent Poverty (APP) (census tracts 3, 4, 5.02, 6, 7 in North Dakota and 203 and 204 in Minnesota) that would benefit from the project. While the project is directly located on the riverfront, which is generally more affluent, there are significant APP census tracts along the 12th Ave Corridor that rely on the bridge crossing to access the VA Hospital, North Dakota State University, the jobs located in the Fargo Industrial Park, and access to the airport. In addition, the bridge provides citizens living in the APP in North Dakota direct route to the many natural tourism amenities offered by the State of Minnesota's lake country.

SCHEDULE J LABOR AND WORK

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

	The Recipient or a project partner has adopted the use of project labor agreements in the overall delivery and implementation of the Project. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of local and economic hiring preferences in the overall delivery and implementation of the Project, subject to all applicable State and local laws, policies, and procedures. <i>(Describe the relevant provisions in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of registered apprenticeships in the overall delivery and implementation of the Project. <i>(Describe the use of registered apprenticeship in the supporting narrative below.)</i>
	The Recipient or a project partner will provide training and placement programs for underrepresented workers in the overall delivery and implementation of the Project. <i>(Describe the training programs in the supporting narrative below.)</i>
	The Recipient or a project partner will support free and fair choice to join a union in the overall delivery and implementation of the Project by investing in workforce development services offered by labor-management training partnerships or setting expectations for contractors to develop labor-management training programs. <i>(Describe the workforce development services offered by labor-management training partnerships in the supporting narrative below.)</i>
	The Recipient or a project partner will provide supportive services and cash assistance to address systemic barriers to employment to be able to participate and thrive in training and employment, including childcare, emergency cash assistance for items such as tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking. <i>(Describe the supportive services and/or cash assistance provided to trainees and employees in the supporting narrative below.)</i>

	The Recipient or a project partner has documented agreements or ordinances in place to hire from certain workforce programs that serve underrepresented groups. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>
x	<p>The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:</p> <ul style="list-style-type: none"> a. affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law; b. proactive partnerships with the U.S. Department of Labor's Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements; c. no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements; d. efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin; e. training on anti-harassment and third-party reporting procedures covering employees and contractors; and f. maintaining robust anti-retaliation measures covering employees and contractors. <p><i>(Describe the equal opportunity plan in the supporting narrative below.)</i></p>
	The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions related to the Project to improving good-paying jobs and strong labor standards and will not take those actions under this award.

2. Supporting Narrative.

The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:

- g. affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law;**
- h. proactive partnerships with the U.S. Department of Labor's Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements;**
- i. no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements;**
- j. efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin;**
- k. training on anti-harassment and third-party reporting procedures covering employees and contractors; and**
- l. maintaining robust anti-retaliation measures covering employees and contractors.**

The City of Fargo provides Equal Employment Opportunity for all individuals without regard to race, religion, color, sex, age, national origin, disability, veteran status, sexual orientation or any other status or condition protected by applicable federal and state laws, except where a Bona Fide Occupational Qualification (BFOQ) applies. The City of Fargo will:

1. Recruit, hire, train and promote persons in all job titles without regard to race, religion, color, sex, age, national origin, disability, veteran status, sexual orientation or condition protected by applicable federal and state laws except where a Bona Fide Occupational Qualification (BFOQ) applies.
2. Ensure that all personnel actions such as compensation, benefits, transfers, reduction in force (RIF), return from RIF, City-sponsored training, education, tuition assistance and social and recreation programs will be administered without regard to race, religion, color, sex, age, national origin, disability, veteran status, sexual orientation or condition protected by applicable federal and state laws except where a Bona Fide Occupational Qualification (BFOQ) applies.

The City of Fargo department of Human Resources is responsible for Equal Employment Opportunity program compliance and management.

The City of Fargo will not condone any sexual harassment of its employees. All employees are responsible for assuring that the work place is free from sexual harassment. Each supervisor has a responsibility to maintain a work place free of any form of sexual harassment.

Pre-construction activities will also afford the opportunity to consider how to fully utilize local contractors and Disadvantaged Business Enterprises in the ultimate construction of the bridge project.



PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Project No.: SN-25-B1 Type: Cost Participation and Maintenance Agreement
 NDDOT Project No.: TMA-CRP-8-984(182) PCN 24298

Location: Red River North Shared Use Path Date of Hearing: 3/10/2025

<u>Routing</u>	<u>Date</u>
City Commission	<u>3/17/2025</u>
PWPEC File	<u>X</u>
Project File	<u>Jeremy Gorden</u>

The Committee reviewed the accompanying correspondence from Division Engineer, Jeremy Gorden, regarding a Cost Participation and Maintenance Agreement (CPM) with NDDOT for the Red River North Shared Use Path Project.

Funding for the project will consists of Federal Highway Funds from NDDOT's Carbon Reduction Program (CRP), Prairie Dog Funds, and Fargo Park District Funds. The estimated construction cost breakout is as follows:

Estimated Project Cost:	\$1,356,379
Federal Share:	\$1,086,335 (capped)
City Share:	\$135,022
Fargo Park District Share:	\$135,022

Staff is recommending approval of the CPM Agreement.

On a motion by Steve Sprague, seconded by Mark Williams, the Committee voted to recommend approval of the CPM Agreement with the NDDOT.

RECOMMENDED MOTION

Concur with recommendations of PWPEC and approve the CPM Agreement with the NDDOT.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Federal Highway, Prairie Dog, & Park District Funds

	Yes	No
Developer meets City policy for payment of delinquent specials	<u>N/A</u>	<u>N/A</u>
Agreement for payment of specials required of developer	<u>N/A</u>	<u>N/A</u>
Letter of Credit required (per policy approved 5-28-13)	<u>N/A</u>	<u>N/A</u>

COMMITTEE

	Present	Yes	No	Unanimous
				<u>✓</u>
Tim Mahoney, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nicole Crutchfield, Director of Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mark Williams
Steve Dirksen, Fire Chief	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Brenda Derrig, Assistant City Administrator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Ben Dow, Director of Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Steve Sprague, City Auditor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tom Knakmuhs, City Engineer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Susan Thompson, Finance Director	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

ATTEST:

C: Kristi Olson


 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: Members of PWPEC

From: Jeremy Gorden, PE, PTOE
Division Engineer - Transportation

Date: March 6, 2025

Re: Approval of Cost, Participation and Maintenance (CPM) Agreement with
NDDOT for Red River North Shared Use Path Project
Project No. SN-25-B1

Background:

I have attached a CPM Agreement from the Local Government Division of the NDDOT for the following project in town:

Red River North Shared Use Path Project
Along Red River from 15th Avenue S to Woodcrest Drive
City Project No. SN-25-B1
NDDOT Project No. TMA-CRP-8-984(182)

Funding for the project will consist of Federal Highway Funds from the NDDOT's Carbon Reduction Program (CRP), Prairie Dog Funds and Fargo Park District Funds.

The construction cost breakout is as follows:

Estimated Project Cost	\$1,356,379
Federal Share	\$1,086,335
(capped)	
City Share	\$ 135,022
Fargo Park District Share	\$ 135,022

This project is tentatively set to be bid in Bismarck on April 11, 2025 and the project is scheduled to have a substantial completion date of October 1, 2025.

Recommended Motion

I recommend approval of the CPM Agreement.

MEMO TO: Chad Orn
Deputy Director for Planning

FROM: Marohl, Sengaroun H., 328-4449
Local Government Division

DATE: 02/18/2025

SUBJECT: Cost Participation, Construction and Maintenance Agreement for Project
TMA-CRP-8-984(182) PCN 24298

This contract is a Cost Participation, Construction and Maintenance (CPM) agreement with City of Fargo on Red River Trail (15th Ave N - Woodcrest Dr N) project.

Contract # 38250175

- The type of work is Grading, Concrete Shared Use Path
- The TMA-CRP Federal Funds for this project is limited to \$ 1,086,335.
- Any costs over the above limited amount will be City responsibility.
- No one time changes on the standard agreement template.

38/sm

Contract routing:
Seng Marohl - Contract Owner
Stacey Hanson
Derek Pfeifer
Nicole Lagasse
Jeremy Gorden - Transportation Division Engineer
City of Fargo Officials
Seng Marohl
Legal
Chad Orn
Stacey Hanson

**North Dakota Department of Transportation
COST PARTICIPATION, CONSTRUCTION, AND MAINTENANCE AGREEMENT
LPA FEDERAL AID PROJECT**

Federal Award Information – to be provided by NDDOT

Assistance Listing No: 20.205

Assistance Listing Title: Highway Planning & Construction

Award Name: Federal Aid Highway Program

Awarding Fed. Agency: Federal Highway Admin

NDDOT Program Mgr: Marohl, Sengaroun

Telephone: (701)328-4449

Notice to Subrecipients: Federal awards may have specific compliance requirements. If you are not aware of the specific requirements for your award, please contact your NDDOT Program Manager.

For NDDOT use only.

FHWA Authorization date:

Project No. TMA-CRP-8-984(182) PCN: 24298

LPA: CITY OF FARGO

Location: FARGO RED RIVER TRAIL FROM 15TH AVE N TO WOODCREST DR N

Type of Improvement: GRADING, CONCRETE SHARED USE PATH

Length: 1.125

MILES

This agreement is between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and the Local Public Agency (LPA) of City of Fargo, North Dakota, hereinafter referred to as the LPA, who agree that:

It is in the best interest of both parties to have the LPA construct and maintain this project according to the terms and conditions set forth in this agreement. NDDOT will assist the LPA with the preparation and distribution of the bid documents and include the project in a scheduled bid opening.

The LPA agrees to the terms and conditions required for this project by the Federal Highway Administration (FHWA).

NDDOT will procure federal funds for the construction of the project, pursuant to Title 23 of the United States Code.

Federal funds obligated for this project shall not exceed 80.93 percent of the total eligible project cost up to a maximum of \$1,086,335. The balance of the project is the obligation of the LPA.

Additional Funding Clause
None.

The total eligible project costs include the cost of those items shown in the engineer's detailed estimate as approved for federal funds and any project changes approved by NDDOT for the use of federal funds.



Federal funds may not be obligated by the LPA, prior to FHWA approval of the program documents for the project.

PART I

LPA Obligation:

1. To comply with the Disadvantaged Business Enterprise (DBE) requirements established by NDDOT for the project.

The LPA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The LPA shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. NDDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the LPA of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et. Seq.).

Include the following paragraph verbatim in any subcontracts they sign relative to this project:

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the solicitation, award, and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as NDDOT deems appropriate.

2. To comply with requirements of 23 CFR Part 633, Required Contract Provisions, and 23 CFR Part 635, Construction and Maintenance.
3. To construct the project in conformity with the construction contract, changes to the plans shall meet the requirements of 23 CFR Part 625, Design Standards for Highways and the current edition of the NDDOT's *Local Government Manual*.
4. To construct the project in conformity with the approved environmental documents and provide for the implementation of any measures mitigating the environmental impact of the project.
5. To comply with the procedures outlined in the current edition of NDDOT's *Local Government Manual*.
6. To comply with the current edition of NDDOT's *Right of Way Acquisition Procedures for Local Public Agency Federal Aid Projects*.
7. The LPA will be responsible for any consideration, avoidance, and minimization of impacts upon real property related to this project, such as changes in the grades of streets, inconvenience to property or business, and any loss of light, air, view, access, egress, drainage, support, or nuisance,
8. To comply with the requirements of Appendices A and E of the Title VI Assurances, attached and incorporated by reference herein.



PART II

Contracting and Construction:

1. On behalf of the LPA, NDDOT will:
 - a. Prepare the bid package, solicit proposals, and include the project in a scheduled bid opening as provided in the North Dakota Century Code, Chapter 24-02.
 - b. Evaluate the bids as to the sufficiency of Disadvantaged Business Enterprise (DBE) participation and the bidder's good faith efforts in satisfying the requirements of the current edition of the DBE special provision, and 49 CFR Part 26. NDDOT shall have exclusive authority in evaluating the adequacy of DBE participation.
 - c. Tabulate the bids and send to the LPA.
 - d. Concur in the award of the contract, after the LPA has executed the contract, for the sole purpose of enabling the LPA to procure federal aid for the construction of the project.
2. The LPA will:
 - a. Review bids to determine the lowest responsible bidder.
 - b. Execute the contract.
 - c. Distribute copies of the executed contract and contract bond to NDDOT.
3. During the construction of the project, the LPA will:
 - a. Provide engineering services, material testing, and inspection of the work as required by the contract documents and the current editions of NDDOT's *Sampling and Testing Manual* and the *Standard Specifications for Road and Bridge Construction*.
 - b. Keep all project records and documentation as required in NDDOT's current editions of the *Construction Records Manual* and the *Construction Automated Records System*.
 - c. Make all records available to NDDOT and FHWA for inspection upon request. The LPA will submit all documents and records to NDDOT for review before final payment is made. NDDOT will maintain the project records for three years from the final voucher date of FHWA and then return them to the LPA.
 - d. Be responsible for any changes in plan, character of work, quantities, site conditions, or any claim for extra compensation. NDDOT will review all contract adjustments to determine if the adjustments are eligible for federal aid. Federal aid shall be limited to the amount stated on page one of this agreement.

PART III

Post Construction:

After the project is completed the LPA agrees to:



1. Control the length and location of curb openings for future entrances and to not permit the length of curb openings for entrances to exceed the length shown on the plans or as shown on a sketch of typical entrances for similar entrances; and prohibit the construction or use of any entrances along the project within the LPA other than those shown on the plans, without prior approval of NDDOT.
2. Prohibit double parking and diagonal parking within the limits of the project. Additional parallel parking will be allowed within the limits of the project if designed considering the effects the added parking will have on the entire traffic corridor. The design will meet the requirements of 23 CFR Part 625, Design Standards for Highways.
3. If the traffic corridor intersects a state highway, the LPA must justify to NDDOT that any new access allowed will have minimal impact to the state highway. The design will meet the requirements of 23 CFR Part 625, Design Standards for Highways.
4. Prohibit the installation of traffic signals and pedestrian beacons on or in connection with the project, including those installed at the sole cost and expense of the LPA or by others, without NDDOT approval.
5. Maintain all traffic control devices on the project according to the current edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways*, as supplemented and amended.
6. Restrict the speed limit on the project at or below the maximum design speed. Any changes to the speed limit will be pursuant to North Dakota Century Code, Chapter 39-09.
7. Provide maintenance to the completed project at its own cost and expense.
8. Prohibit access and encroachments upon the right of way pursuant to 23 CFR Part 1.23, Rights of Way, and Part 710 Subpart D, Right of Way, Real Property Management.

PART IV

General:

1. NDDOT will make all contract payments on behalf of the LPA. Payment will be made upon receipt of the engineer's estimate. The LPA will reimburse NDDOT for payments made less the amount paid by FHWA. No costs will be incurred by NDDOT for the construction and maintenance of this project.

If the LPA fails to reimburse NDDOT within 60 days after billing for funds advanced on behalf of the LPA, this document will constitute an assignment of funds now or hereafter coming into the hands of the state treasurer, which would otherwise be distributed to the LPA out of the highway tax distribution fund, NDCC 54-27-19. The state treasurer is hereby directed to pay NDDOT all such funds until the total equals the sum billed pursuant to this agreement.

2. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
3. No official, employee, or other person performing services for the LPA who is authorized to negotiate or approve any contract or subcontract in connection with the project shall have any financial or other personal interest in any such contract or subcontract. No officer or employee of such person retained by the LPA shall have any financial or other personal interest in any real property acquired for the project unless such interest is openly disclosed upon public records of NDDOT and of the LPA, and such officer, employee, or person has not participated in such acquisition for and in behalf of the LPA.
4. The failure of the state to enforce any provisions of this contract shall not constitute a waiver by the state of that or any other provision.



5. Entities that receive federal funds through NDDOT may be required to obtain an audit in accordance with 2 C.F.R. Part 200, Subpart F. A copy of such audit shall be submitted to NDDOT. Entities that spend less than \$1,000,000 of federal funds from all sources may be subject to reviews by NDDOT at its discretion. Additionally, all entities receiving federal funds through NDDOT shall certify whether a Single Audit has been completed as part of the annual Federal award process. These requirements are applicable to counties, cities, state agencies, Indian tribes, colleges, hospitals, and non-profit businesses.
6. All notices, certificates, or other communications shall be sufficiently given when delivered or mailed, postage prepaid, to the parties at the respective places of business as set forth below or at a place designated hereafter in writing by the parties.

Local Government Engineer
ND Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

7. The LPA is advised that its signature on this contract or agreement certifies that any person associated therewith is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three years; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction on any matter involving fraud or official misconduct within the past three years.
8. This agreement constitutes the entire agreement between the parties. No waiver consent, modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. The LPA, by the signature below of its authorized representative, hereby acknowledges that the LPA has read this agreement, understands it, and agrees to be bound by its terms and conditions.



Executed by the LPA of City of Fargo, North Dakota, the date last below signed.

APPROVED:

LPA/STATES ATTORNEY (TYPE OR PRINT)

SIGNATURE

DATE

LPA of City of Fargo
*
Dr. Timothy J. Mahoney
NAME (TYPE OR PRINT)

SIGNATURE

* Mayor
TITLE

DATE

ATTEST:

Steve Sprague
AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

Executed by the North Dakota Department of Transportation the date last below signed.

APPROVED as to substance:

Derek Pfeifer *SH*
LOCAL GOVERNMENT ENGINEER (TYPE OR PRINT)

Derek Pfeifer
SIGNATURE
02/20/25
DATE

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

DIRECTOR (TYPE OR PRINT)

SIGNATURE *M*

DATE

*Mayor, President or Chairperson of Commission

CLA 19256 (Div. 38)
L.D. Approved 4-12-93; 12-27



Project TMA-CRP-8-984(182)

CERTIFICATION OF LOCAL MATCH

It is hereby certified that the LPA of City of Fargo will provide non-federal funds, whose source is identified below, as match for the amount the LPA is obligated to pay under the terms of the attached agreement with the North Dakota Department of Transportation. The certified amount does not duplicate any federal claims for reimbursement, nor are the funds used to match other federal funds, unless expressly allowed by federal regulation.

Non-Federal Match Funds provided by LPA. Please designate the source(s) of funds in the LPA budget that will be used to match the federal funds obligated for this project through the North Dakota Department of Transportation.

Source:

Executed at Fargo, North Dakota, the last date below signed.

ATTEST:

APPROVED:

Steve Sprague
AUDITOR (TYPE OR PRINT)

LPA of City of Fargo

SIGNATURE

Dr. Timothy J. Mahoney
NAME (TYPE OR PRINT)

DATE

SIGNATURE

* Mayor
TITLE

DATE

*Mayor, President or Chairperson of Commission

CLA 19256 (Div. 38)
L.D. Approved 4-12-93; 12-27



**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX A OF THE TITLE VI ASSURANCES**

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.



NORTH DAKOTA DEPARTMENT OF TRANSPORTATION APPENDIX E OF THE TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).



Risk Management Appendix

Routine* Service Agreements with Sovereign Entities and Political Subdivisions of the State of North Dakota:**Parties:** State – State of North Dakota, its agencies, officers and employees**Governmental Entity** – The Governmental Entity executing the attached document, its agencies, officers and employees**Governments** – State and Government Entity, as defined above

Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.

Each party shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability and automobile liability** insurance – minimum limits of liability required of the Governmental Entity are **\$437,500 per person and \$1,750,000 per occurrence**. The minimum limits of liability required of the State are **\$437,500 per person and \$1,750,000 per occurrence**.
- 2) **Workers compensation** insurance meeting all statutory limits.
- 3) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

Each party that hires subcontractors shall require any non-public subcontractors, prior to commencement of work set out under an agreement between that party and the non-public subcontractor, to:

Defend, indemnify, and hold harmless the Governments, its agencies, officers and employees, from and against claims based on the vicarious liability of the Governments or its agents, but not against claims based on the Government's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Subcontractor to the Governments under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the Governments is necessary. Subcontractor also agrees to defend, indemnify, and hold the Governments harmless for all costs, expenses and attorneys' fees incurred if the Governments prevail in an action against Subcontractor in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Subcontractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability; 2) automobile liability; and 3) workers compensation insurance all covering the Subcontractor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are \$500,000 per person and \$2,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers compensation. The Governments shall be endorsed on the commercial general liability policy and automobile liability policy as additional insureds. The Governments shall have all the benefits, rights and coverages of an additional insured under these policies that shall not be limited to the minimum limits of insurance required by this agreement or by the contractual indemnity obligations of the Contractor. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the Governments as well as provisions that the policy and/or endorsement may not be canceled or modified without thirty (30) days prior written notice to the undersigned representatives of the Governments, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08. Subcontractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Governments. Any insurance, self-insurance or self-retention maintained by the Governments shall be excess of the Contractor's insurance and the Subcontractor's insurance and shall not contribute with them. The insolvency or bankruptcy of the insured Subcontractor shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Subcontractor from meeting the retention limit under the policy. Any deductible amount or other obligations under the Subcontractor's policy(ies) shall be the sole responsibility of the Subcontractor. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The Governments will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Subcontractor in excess of the minimum requirements set forth above. The Government Entity that hired the Subcontractor shall be held responsible for ensuring compliance with the above requirements by all Subcontractors. The Governments reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

*See *North Dakota Risk Management Manual*, section 5.1 for discussion of "unique" and "routine" agreements.

RM Consulted 2007
Revised 6-24



DocuSign Envelope ID: 74B1425D-988B-46A3-8D3D-A7058966C9AD

SHARED USE PATH DESIGN DATA			
Traffic	Average Daily		
Current N/A	Pass: N/A	Trucks: N/A	Total: N/A
Forecast N/A	Pass: N/A	Trucks: N/A	Total: N/A
Clear Zone Distance: 2 FT		Design Speed: 20 MPH	
Minimum Sight Dist. for Stopping: N/A		Bridges: N/A	
Sight Dist. for No Passing Zone: N/A			
Pavement Design Life: N/A			

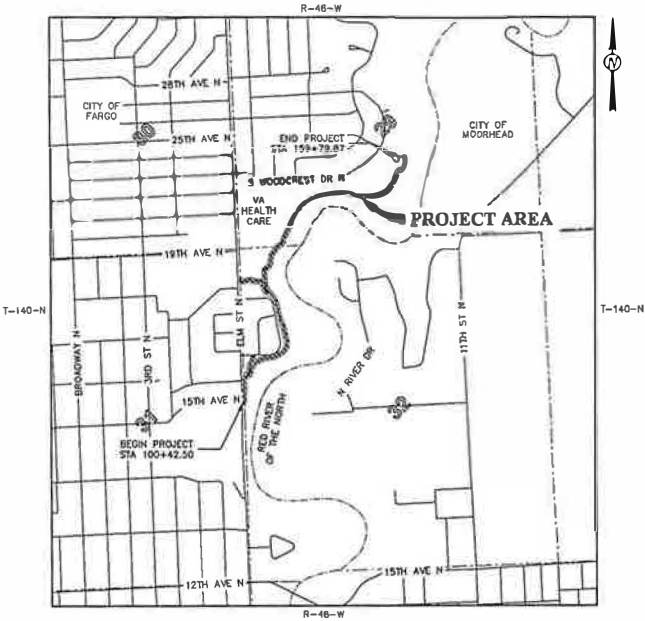
NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

TMA-CRP-8-984(182)
SN-25-B0
CASS COUNTY
15TH AVE N RED RIVER TRAIL
ALONG THE RED RIVER FROM 15TH AVE N TO WOODCREST DR N
GRADING AND CONCRETE SHARED USE PATH

STATE	PROJECT NO.	PCN	SECTION NO.	SHEET NO.
ND	TMA-CRP-8-984(182)	24298	1	1

GOVERNING SPECIFICATIONS	Date Published and Adopted by the North Dakota Department of Transportation
Standard Specifications	7/1/2024
Supplemental Specifications	NONE

PROJECT NUMBER \ DESCRIPTION	NET MILES	GROSS MILES
TMA-CRP-8-984(182)	1.125	1.125



STATE COUNTY MAP



DESIGNERS
Gunnar Cowing

APPROVED DATE 2/5/2025

Tom Lundmark
FARGO
CITY ENGINEER



2/5/2025

Certificate Of Completion

Envelope Id: 74B1425D-988B-46A3-8D3D-A7058966C9AD

Status: Sent

Subject: Contract #38250175: Please DocuSign: CPM Agreement for Fargo Red River Trail project

Contract Number: 38250175

PCN: 24298

Source Envelope:

Document Pages: 12

Signatures: 1

Envelope Originator:

Certificate Pages: 4

Initials: 2

Sengaroun Marohl

AutoNav: Enabled

608 E Boulevard Ave

Envelopeld Stamping: Enabled

Bismarck, ND 58505

Time Zone: (UTC-06:00) Central Time (US & Canada)

smarohl@nd.gov

IP Address: 165.234.92.122

Record Tracking

Status: Original

Holder: Sengaroun Marohl

Location: DocuSign

2/18/2025 12:57:11 PM

smarohl@nd.gov

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: Carahsoft OBO North Dakota Department of

Location: Docusign

Transportation CLOUD

Signer Events

Stacey Hanson

smhanson@nd.gov

Assistant Local Government Engineer

Carahsoft OBO North Dakota Department of

Transportation CLOUD

Security Level: Email, Account Authentication
(None), Authentication

Signature

SH

Signature Adoption: Pre-selected Style

Using IP Address: 165.234.253.12

Timestamp

Sent: 2/18/2025 1:09:55 PM

Viewed: 2/18/2025 1:52:35 PM

Signed: 2/18/2025 1:55:02 PM

Authentication Details

SMS Auth:

Transaction: e627dc85-a412-47ed-8cc9-0b8045bd815e

Result: passed

Vendor ID: TeleSign

Type: SMSAuth

Performed: 2/18/2025 1:52:27 PM

Phone: +1 701-527-8879

Electronic Record and Signature Disclosure:

Not Offered via Docusign

Derek Pfeifer

ddpfeifer@nd.gov

Local Government Engineer

Security Level: Email, Account Authentication
(None), Authentication

Derek Pfeifer

Signature Adoption: Pre-selected Style

Using IP Address: 165.234.253.12

Sent: 2/18/2025 1:55:05 PM

Viewed: 2/20/2025 4:14:32 PM

Signed: 2/20/2025 4:16:12 PM

Authentication Details

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Result: passed

Vendor ID: TeleSign


Type: SMSAuth

Performed: 2/20/2025 4:14:23 PM

Phone: +1 701-471-5516

Electronic Record and Signature Disclosure:

Not Offered via Docusign

Signer Events	Signature	Timestamp
Nicole Lagasse nmlagasse@nd.gov Assistant CFO Security Level: Email, Account Authentication (None), Authentication	 Signature Adoption: Pre-selected Style Using IP Address: 165.234.253.12	Sent: 2/20/2025 4:16:15 PM Viewed: 2/20/2025 4:39:50 PM Signed: 2/20/2025 4:40:57 PM

Authentication Details

SMS Auth:
Transaction: 42c589db-673a-483f-a20f-15b7e72f51ad
Result: passed
Vendor ID: TeleSign
Type: SMSAuth
Performed: 2/20/2025 4:39:41 PM
Phone: +1 701-954-8712

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Sengaroun Marohl
smarohl@nd.gov
Security Level: Email, Account Authentication (None), Authentication

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Clint Morgenstern
cdmorgenstern@nd.gov
Security Level: Email, Account Authentication (None), Authentication

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Chad Orn
corn@nd.gov
Security Level: Email, Account Authentication (None), Authentication

Signer Events**Signature****Timestamp**

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Stacey Hanson
smhanson@nd.gov

Security Level: Email, Account Authentication
(None), Authentication

Electronic Record and Signature Disclosure:
Not Offered via Docusign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp**

Sengaroun Marohl
smarohl@nd.gov
Carahsoft OBO North Dakota Department of
Transportation CLOUD

VIEWED

Using IP Address: 165.234.252.245

Sent: 2/18/2025 12:57:25 PM
Viewed: 2/18/2025 12:58:37 PM
Completed: 2/18/2025 1:09:54 PM

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Agent Delivery Events**Status****Timestamp**

Jeremy Gorden
JGorden@FargoND.gov

Sent: 2/20/2025 4:41:00 PM
Viewed: 3/3/2025 10:49:09 AM

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Intermediary Delivery Events**Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Legal Admin
dotlegaladmin@nd.gov

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Legal Admin
dotlegaladmin@nd.gov

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Aaron Murra
amurra@nd.gov

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp**

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/18/2025 12:57:25 PM
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Envelope Updated	Security Checked	2/18/2025 1:09:54 PM
Envelope Updated	Security Checked	2/18/2025 1:09:54 PM
Envelope Updated	Security Checked	2/18/2025 1:09:54 PM
Envelope Updated	Security Checked	2/18/2025 1:09:55 PM

Payment Events	Status	Timestamps
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7

Engineering Department

225 4th Street North

Fargo, ND 58102

Phone: 701.241.1545 | Fax: 701.241.8101

Email: feng@FargoND.gov

www.FargoND.gov

March 12, 2025

Honorable Board of City
Commissioners
City of Fargo
Fargo, ND

Re: Project No. PR-25-B1

Dear Commissioners:

Bids were opened at 11:45 am on Wednesday, March 12, 2025, for Crack Seal & Level, Project No. PR-25-B1, located as follows: Various Areas Citywide.

The bids were as follows:

Roadway Services Inc	\$112,800.00
Asphalt Surface Tech Corp	\$178,520.00
Engineers Estimate	\$120,000.00

Private financial security is not needed.

No protests have been received.

This office recommends award of the contract to Roadway Services Inc. in the amount of \$112,800.00 as the lowest and best bid.

Sincerely,

Thomas Knakmuhs, P.E.

City Engineer

Engineer's Statement Of Cost

Project # PR-25-B1

Crack Seal & Level

Various Areas

WHEREAS, bids have been opened and filed for the above described Improvement District for City of Fargo, North Dakota; and WHEREAS, an estimate of the cost of work is required by the engineer for the City of Fargo, North Dakota;

NOW THEREFORE Thomas Knakmuhs, do hereby certify as follows:

That I am the City Engineer for the City of Fargo, North Dakota;

That the following is detailed statement of the estimated cost of the job described as:

Crack Seal & Level Project # PR-25-B1 of the City of Fargo, North Dakota.

Line	Description	Unit	Quantity	Unit Price (\$)	Amount (\$)
Paving					
1	Mobilization	LS	1.00	8,000.00	8,000.00
2	Repair Crack - Fill	LB	34,000.00	1.95	66,300.00
3	Repair Crack - Level	LB	10,000.00	1.50	15,000.00
4	Repair Crack - Rout and Fill	LF	15,000.00	1.30	19,500.00
5	Traffic Control - Minor	LS	1.00	4,000.00	4,000.00
Paving Total					112,800.00
Total Construction in \$					112,800.00

Engineering	10.00%	11,280.00
Admin	4.00%	4,512.00
Legal	3.00%	3,384.00
Interest	4.00%	4,512.00
Contingency	5.00%	5,640.00
Total Estimated Costs		142,128.00
Sales Tax Funds - Infrastructure - 420		142,128.00
Unfunded Costs		0.00

IN WITNESS THEREOF, I have hereunto set my hand and seal



A large, stylized handwritten signature in black ink, appearing to read "T. Knakmuhs".

Thomas Knakmuhs, P.E.
City Engineer



Engineering Department

225 4th Street North

Fargo, ND 58102

Phone: 701.241.1545 | Fax: 701.241.8101

Email: feng@FargoND.gov

www.FargoND.gov

March 12, 2025

Honorable Board of City
Commissioners
City of Fargo
Fargo, ND

Re: Project No. SR-25-A1

Dear Commissioners:

Bids were opened at 11:45 am on Wednesday, March 12, 2025, for Sidewalk & Shared Use Path Rehab/Reconstruction, Project No. SR-25-A1, located as follows: Various Areas Citywide.

The bids were as follows:

Border States Paving Inc	\$844,197.90
Roers Construction Company LLC	\$984,366.75
Opp Construction LLC	\$1,211,355.30
Engineers Estimate	\$1,011,824.00

Private financial security is not needed.

No protests have been received.

This office recommends award of the contract to Border States Paving Inc. in the amount of \$844,197.90 as the lowest and best bid.

Sincerely,

Thomas Knakmuhs, P.E.

City Engineer



Engineer's Statement Of Cost
Project # SR-25-A1
Sidewalk & Shared Use Path Rehab/Reconstruction

Various Areas City Wide

WHEREAS, bids have been opened and filed for the above described Improvement District for City of Fargo, North Dakota; and WHEREAS, an estimate of the cost of work is required by the engineer for the City of Fargo, North Dakota;

NOW THEREFORE Thomas Knakmuhs, do hereby certify as follows:

That I am the City Engineer for the City of Fargo, North Dakota;

That the following is detailed statement of the estimated cost of the job described as:

Sidewalk & Shared Use Path Rehab/Reconstruction Project # SR-25-A1 of the City of Fargo, North Dakota.

Line	Description	Unit	Quantity	Unit Price (\$)	Amount (\$)
Assessed					
1	Rem & Repl Sidewalk 4" Thick Reinf Conc	SY	5,587.00	95.00	530,765.00
2	Rem & Repl Driveway 6" Thick Reinf Conc	SY	341.00	125.00	42,625.00
3	Rem & Repl Curb & Gutter	LF	50.00	85.00	4,250.00
4	F&I Sidewalk 4" Thick Reinf Conc	SY	40.00	77.00	3,080.00
5	F&I Sidewalk 6" Thick Reinf Conc	SY	40.00	79.00	3,160.00
6	Sodding	SY	20.00	31.50	630.00
7	Rem & Repl Pavement 6" Thick Asph	SY	40.00	190.00	7,600.00
Assessed Total					592,110.00
City Paid					
8	Rem & Repl Curb & Gutter	LF	120.00	95.00	11,400.00
9	Rem & Repl Sidewalk 4" Thick Reinf Conc	SY	1,300.00	95.00	123,500.00
10	Rem & Repl Sidewalk 6" Thick Reinf Conc	SY	110.00	125.00	13,750.00
11	F&I Sidewalk 4" Thick Reinf Conc	SY	40.00	77.00	3,080.00
12	F&I Sidewalk 6" Thick Reinf Conc	SY	40.00	79.00	3,160.00
13	F&I Det Warn Panels Cast Iron	SF	240.00	63.50	15,240.00
14	Casting to Grade - w/Conc	EA	8.00	474.00	3,792.00
15	GV Box to Grade - w/Conc	EA	5.00	420.50	2,102.50
16	Curb Stop Box to Grade	EA	10.00	420.50	4,205.00
17	Mulching Type 1 Hydro	SY	5,877.00	1.50	8,815.50
18	Seeding Type B	SY	5,877.00	3.70	21,744.90
19	Irrigation Repair	EA	10.00	665.00	6,650.00

Line	Description	Unit	Quantity	Unit Price (\$)	Amount (\$)
20	Remove Driveway All Thicknesses All Types	SY	40.00	28.10	1,124.00
21	Remove Sidewalk All Thicknesses All Types	SY	40.00	28.10	1,124.00
22	Rem & Repl Pavement 9" Thick Asph	SY	40.00	275.00	11,000.00
23	Topsoil - Import Special	CY	120.00	95.00	11,400.00
24	Traffic Control - Type 1	LS	1.00	10,000.00	10,000.00
City Paid Total					252,087.90
Total Construction in \$					844,197.90

Engineering	10.00%	84,419.79
Admin	4.00%	33,767.92
Legal	3.00%	25,325.94
Interest	4.00%	33,767.92
Contingency	5.00%	42,209.90
Total Estimated Costs		1,063,689.37
Sidewalk Assessments		746,058.60
Sales Tax Funds - Infrastructure - 420		317,630.77
Unfunded Costs		0.00

IN WITNESS THEREOF, I have hereunto set my hand and seal



Thomas Knakmuhs, P.E.
City Engineer

COVER SHEET
CITY OF FARGO PROJECTS

⑨

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of Project as it will appear in the Contract:

SIDEWALK & SHARED USE PATH CONSTRUCTION

Project No. SN-25-B

Call For Bids March 17, 2025

Advertise Dates March 26, & April 2, 9, 2025

Bid Opening Date April 11 (NDDOT), 2025

Substantial Completion Date September 12, 2025

Final Completion Date October 15, 2025

N/A PWPEC Report (Attach Copy) (**Part of the 2025 C.I.P.**)

X Engineer's Report (Attach Copy)

N/A Direct City Auditor to Advertise for Bids (**To be Bid by NDDOT**)

N/A Bid Quantities (Attach Copy for Auditor's Office Only)

N/A Notice to Property Owners (Doug Durgin)

Project Engineer Eric Hodgson

Phone No. (701) 241-1545

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

N/A Create District (Attach Copy of Legal Description)

N/A Order Plans & Specifications

N/A Approve Plans & Specifications

N/A Adopt Resolution of Necessity

N/A Approve Escrow Agreement (Attach Copy for Commission Office Only)

N/A Assessment Map (Attach Copy for Auditor's Office Only)



ENGINEER'S REPORT

SIDEWALK & SHARED USE PATH CONSTRUCTION

PROJECT NO. SN-25-B

Nature & Scope

The City of Fargo in cooperation with the North Dakota Department of Transportation, Federal Highway Administration, and Fargo Park District is proposing an off-road shared use path improvement that would run along the Red River, east of VA Hospital and connects 15th Avenue North to Woodcrest Drive.

The project will consist of Concrete Shared Use Path.

Purpose

The City of Fargo, the Fargo Park District, and Metro COG have planned for an extensive off-street system of shared use paths necessary to expand the City's pedestrian infrastructure. This project is necessary because it expands the City's pedestrian infrastructure needed to maintain proper movement patterns for the residents of Fargo.

This project is one that has been identified by all parties to move forward.

Feasibility

The estimated cost of construction is \$ 1,418,427.50 The project will be funded by Federal Carbon Reduction Funds, Fargo Park District Funds and Prairie Dog Funds. The cost breakdown is as follows:

<u>Construction Cost</u>	\$	1,418,427.50
<u>Amount Federally Funded</u>	\$	1,086,335.00
<u>Amount Locally Funded</u>	\$	332,092.50
Plus 4% Administration Fee:	\$	13,283.70
Plus 4% Interest Fee:	\$	13,283.70
Plus 3% Legal/Miscellaneous Fee:	\$	9,962.78
Plus 10% Contingency:	\$	33,209.25
Total Estimated Construction Cost:	\$	401,831.93

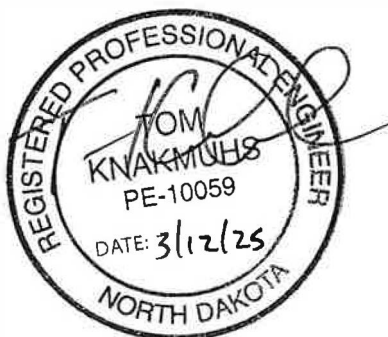
Miscellaneous Costs

Plus Land/Easements/ROW Fee:	\$	0.00
Outside Design Engineering (Estimated):	\$	166,565.00
Total Estimated Local Project Cost:	\$	166,565.00

Project Funding Summary

Federal CRP Funds	65.65%	\$	1,086,335.00
Fargo Park District	17.17%	\$	284,198.46
Prairie Dog Funds	17.18%	\$	284,198.47

We believe this project to be cost effective.



Thomas Knakmuhs, P.E.
City Engineer

COVER SHEET
CITY OF FARGO PROJECTS

10

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of project as it will appear in the contract:

Sidewalk & Shared Use Path Rehab/Reconstruction

Project No. SR-25-B

Call For Bids	<u>March 17</u>	<u>2025</u>
Advertise Dates	<u>March 26, April 2 & 9</u>	<u>2025</u>
Bid Opening Date	<u>April 23</u>	<u>2025</u>
Substantial Completion Date	<u>October 3</u>	<u>2025</u>
Final Completion Date	<u>November 3</u>	<u>2025</u>

<u>N/A</u>	PWPEC Report (Part of 2025 CIP)
<u>X</u>	Engineer's Report (Attach Copy)
<u>X</u>	Direct City Auditor to Advertise for Bids
<u>X</u>	Bid Quantities (Attach Copy for Auditor's Office Only)
<u>N/A</u>	Notice to Property Owners (Special Assessments)
<u>N/A</u>	Supplemental Funding Language Included

Project Engineer Brandon Beaudry

Phone No. (701) 241-1545

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

<u>N/A</u>	Create District (Attach Copy of Legal Description)
<u>N/A</u>	Order Plans & Specifications
<u>N/A</u>	Approve Plans & Specifications
<u>N/A</u>	Adopt Resolution of Necessity
<u>N/A</u>	Approve Escrow Agreement (Attach Copy for Commission Office Only)
<u>N/A</u>	Assessment Map (Attach Copy for Auditor's Office Only)



**ENGINEER'S REPORT
SIDEWALK & SHARED USE PATH
REHAB/RECONSTRUCTION
PROJECT NO. SR-25-B
VARIOUS AREAS CITYWIDE**

Nature & Scope

This project is for new construction and reconstruction of sidewalk and curb ramps located throughout the City of Fargo.

Purpose

To install new sidewalks and repair existing sidewalks ordered by the City Commission.

Feasibility

The estimated cost of construction is \$753,691.00. The cost breakdown is as follows:

Assessed			
Construction Cost			\$461,561.00
Fees			
Admin	4%		\$18,462.44
Contingency	5%		\$23,078.05
Engineering	10%		\$46,156.10
Interest	4%		\$18,462.44
Legal	3%		\$13,846.83
Total Estimated Cost			\$581,566.86
Funding			
Sidewalk Assessments	100.00%		\$581,566.86

Sales Tax Infrastructure

Construction Cost		\$272,520.00
--------------------------	--	--------------

Fees

Admin	4%	\$10,900.80
Contingency	5%	\$13,626.00
Engineering	10%	\$27,252.00
Interest	4%	\$10,900.80
Legal	3%	\$8,175.60

Total Estimated Cost		\$343,375.20
-----------------------------	--	---------------------

Funding

Sales Tax Funds - Infrastructure - 420	100.00%	\$343,375.20
--	---------	--------------

Street Light Utilities

Construction Cost		\$19,610.00
--------------------------	--	-------------

Fees

Admin	4%	\$784.40
Contingency	5%	\$980.50
Engineering	10%	\$1,961.00
Interest	4%	\$784.40
Legal	3%	\$588.30

Total Estimated Cost		\$24,708.60
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Funding

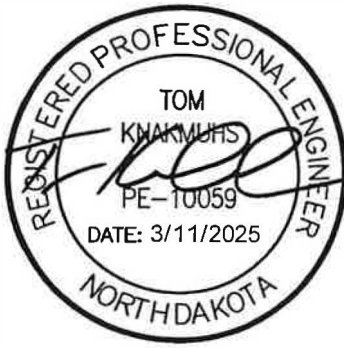
Utility Funds - Street Lights - 528	100.00%	\$24,708.60
-------------------------------------	---------	-------------

Project Funding Summary

Sidewalk Assessments	61.24%	\$581,566.86
Sales Tax Funds - Infrastructure - 420	36.16%	\$343,375.20
Utility Funds - Street Lights - 528	2.60%	\$24,708.60

Total Estimated Project Cost		\$949,650.66
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We believe this project to be cost effective.



A handwritten signature in black ink, appearing to read "T. Knakmuhs".

Thomas Knakmuhs, P.E.
City Engineer

(13)

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Improvement District No. BR-23-G0

Type: Contract Amendment #3

Location: 32nd Ave S, 22nd St – University Dr

Date of Hearing: 3/10/2025

Routing

City Commission

Date

3/17/2025

PWPEC File

X

Project File

Eric Hodgson

The Committee reviewed the accompanying correspondence from Project Manager, Eric Hodgson, regarding Contract Amendment #3 in the amount of \$56,681.00 for additional work.

Staff is recommending approval of Contract Amendment #3 in the amount of \$56,681.00, bringing the total contract amount to \$2,056,082.00.

On a motion by Mark Williams, seconded by Steve Sprague, the Committee voted to recommend approval of Contract Amendment #3 to Apex Engineering.

RECOMMENDED MOTION

Concur with the recommendation of PWPEC and approve Contract Amendment #3 in the amount of \$56,681.00, bringing the total contract amount to \$2,056,082.00 to Apex Engineering.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: WM Repl Funds & Special Assessments

Developer meets City policy for payment of delinquent specials
 Agreement for payment of specials required of developer
 Letter of Credit required (per policy approved 5-28-13)

Yes No

N/A

N/A


N/A

COMMITTEE

	Present	Yes	No	Unanimous
				<input checked="" type="checkbox"/>
Tim Mahoney, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nicole Crutchfield, Director of Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mark Williams
Steve Dirksen, Fire Chief	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Brenda Derrig, Assistant City Administrator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Ben Dow, Director of Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Steve Sprague, City Auditor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Tom Knakmuhs, City Engineer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Susan Thompson, Finance Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ATTEST:

C: Kristi Olson


 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: Members of PWPEC

From: Eric Hodgson, Civil Engineer II

Date: March 10, 2025

Subject: Improvement District No. BR-23-G0 - Amendment No. #3
32nd Avenue South from 22nd Street to University Drive – Public and Media
Coordination

Background:

On September 6, 2022 City Commission awarded Apex Engineering a design contract for 32nd Avenue South from 22nd Street to University Drive. Since that time, the project has been split into 2 separate projects. The first project, 22nd Street to 15th Street will be constructed in 2025. The second project, 15th Street through University Drive will be constructed in 2026.

The proposed contract amendment provided by Apex totaling \$56,681, is to cover the additional work to be provided by Flint Group, and Apex Engineering for public and media coordination. The same public and media coordination setup was used for the last phase of 32nd Avenue construction.

For your review, Apex Engineering has provided the Contract Amendment #3 document outlining the services to be provided and is attached to this memorandum.

Recommended Motion:

Approve Contract Amendment #3 submitted by Apex Engineering in the amount of \$56,681.

EBH/jmg
Attachment

- 1.) Engineering Services Agreement Amendment #3 – Project No. BR-23-G0

Engineering Services Agreement
Amendment #3 – Project No. BR-23-G0

Project: Amendment #3 for Phase II – Construction Services
32nd Avenue South Reconstruction – 22nd Street to Storm Sewer Lift Station #27
City of Fargo Improvement District No. BR-23-G0
Apex Project No. 22.103.0151

Client: City of Fargo (Engineering Department)
Attn: Eric Hodgson, PE – Engineering Department

Background / Description of Work:

This amendment includes additional time required by Flint Group and Apex Engineering Group to provide and implement Public Information Coordination (PIC) during the construction phase the referenced project.

The additional time to provide the above referenced tasks is represented in the following:

1. Attachment #1 – Scope of Services and Summary of Hours / Fee = \$8,411
2. Flint Group Cost Proposal – 32nd Ave South Construction = \$48,270

Fee Amendment Request:

Amendment #1: Phase II – Construction Services = **\$56,681**

Contract Terms & Conditions:

Apex Engineering Group, Inc. ("Consultant") hereby proposes, and the City of Fargo ("City") hereby authorizes, the above-described Amendment #3 and additional services described here in, including attachments, to be completed under the same Terms & Conditions of the original agreement signed by both parties and approved by the City of Fargo on September 23rd, 2022.

City of Fargo Authorization:

Signature: _____
Dr. Tim Mahoney

Title: Mayor

Date: _____

Consultant:

Signature: _____
Joshua C. Olson

Title: Vice President

Date: February 24, 2025

Attachment #1

Amendment Request - #3 Scope of Services and Summary of Hours / Fee Additional Work in Phase II: Construction Services For 32nd Avenue South Reconstruction – 22nd Street to Storm Sewer Lift Station #27 City of Fargo Project No. BR-23-G0

Apex Engineering Group, Inc.
Client: City of Fargo

PHASE II: CONSTRUCTION SERVICES – SUPPLEMENTAL SERVICES

This scope of services pertains to the supplemental request for additional work on 32nd Ave South from 22nd Street to Storm Sewer Lift Station #27. The additional service within this request includes the time necessary to coordinate with and provide Public Information Coordination (PIC).

TASK 1: ADDITIONAL – CONSTRUCTION ADMINISTRATION / INSPECTION

1.07 Construction Administration – PIC Coordination:

- Coordination and review of materials by Apex staff provided by the project PIC (Flint Communications):
 - Senior Engineer II: 13 Hrs x \$233 = \$3,029
 - Lead Engineer: 26 Hrs x \$207 = \$5,382
 - **Subtotal = \$8,411**

Total for Supplemental #3 = \$8,411

PROJECT WORK	SLATED BUDGET
<p>Account Management</p> <ul style="list-style-type: none"> • Day-to-day contact • Complete project brief • Attendance at planning meetings • Anticipate needs and brainstorm solutions • Provides direction to Flint team • Quality assurance checks <p>Project Management</p> <ul style="list-style-type: none"> • Defining project deliverables • Coordination of tasks and resources • Enforce project timelines and deadlines • Quality assurance checks • Monitoring of project budget 	<p>60 hours, \$10,950</p> <ul style="list-style-type: none"> • Account Management <ul style="list-style-type: none"> ◦ 30 hours @ \$190 = \$5,700 • Project Management <ul style="list-style-type: none"> ◦ 30 hours @ \$175 = \$5,250 <p>36 hours, \$6,840</p> <p><i>Meeting Attendance:</i></p> <ul style="list-style-type: none"> • Construction meeting (1/week) <ul style="list-style-type: none"> ◦ 24 hours @ \$190 = \$4,650 • Bi-Weekly public meeting (2/month) <ul style="list-style-type: none"> ◦ 12 hours @ \$190 = \$2,280
<p>Public Relations and Social Media</p> <ul style="list-style-type: none"> • Update key messaging • Update and distribute business toolkit, if needed • Create and distribute press releases and advisories regarding project updates • Facilitate media interviews (print, TV, radio) • Email updates • Social media updates • Website updates 	<p>134 hours, \$21,380</p> <p><i>Public Updates:</i></p> <ul style="list-style-type: none"> • Press releases, media interviews, social posts, email updates reviewing, and website updates <ul style="list-style-type: none"> ◦ 90 hours @ \$160 = \$14,400 • Promotion of public meetings (2 hours/12 meetings) <ul style="list-style-type: none"> ◦ 24 hours @ \$160 = \$3,840 <p><i>Business Toolkit:</i></p> <ul style="list-style-type: none"> • Updates <ul style="list-style-type: none"> ◦ 4 hours @ \$160 = \$640 <p><i>Maps:</i></p> <ul style="list-style-type: none"> • Review of creative (assuming ten traffic shifts) <ul style="list-style-type: none"> ◦ 10 hours @ \$160 = \$1,600 <p><i>Proofreading:</i></p> <ul style="list-style-type: none"> • Proofreading of all public facing assets prior to deployment <ul style="list-style-type: none"> ◦ 6 hours @ \$150 = \$900 <p>Assumes 2 main detours and 8 traffic shifts/public notifications (4 phases of opening and closing), if there are additional shifts, they will be billed at \$150 per shift</p>
<p>E-mail Marketing</p> <ul style="list-style-type: none"> • Mailchimp Account Management • Email Design & Deployment 	<p>15 hours, \$2,625</p> <ul style="list-style-type: none"> • Design, Creation & Deployment + address list management <ul style="list-style-type: none"> ◦ 15 hours @ \$175 = \$2,625 <p>Mailchimp Costs: \$20/month (\$240/year) Plan Type: Standard</p>

Creative Services <ul style="list-style-type: none">• Design maps and project graphics/documents• Printing coordination at client request (PRINTING HARD COSTS NOT INCLUDED)	35 hours, \$6,475 <ul style="list-style-type: none">• Graphic Design<ul style="list-style-type: none">○ 35 Hours @ \$185 = \$6,475
TOTAL	280 hours \$48,270 Mailchimp Hard Costs: \$20/month (\$240/year) <ul style="list-style-type: none">• Shared w/ Apex Main Ave account

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

14

Improvement District No. BR-26-G1

Type: Catex

Location: 17th Ave S, Univ Dr – 25th St S

Date of Hearing: 3/10/2025

RoutingDate

City Commission

3/17/2025

PWPEC File

X

Project File

Rob Hasey

The Committee reviewed the accompanying correspondence from Civil Engineer, Rob Hasey, regarding approval of the Catex document.

Engineering is planning to reconstruct 17th Avenue South between University Drive and 25th Street South during the 2027 construction season. The purpose of this project is to improve the 17th Avenue South corridor. Improvements to the water main, sanitary sewer, and storm sewer are proposed along with reconstruction of the roadway, street lighting improvements and installing a new 10' shared use path along the north side of 17th Avenue South. The next step is to approve the Catex document which will then allow for the easement acquisition process to commence to obtain right of way for the shared use path. There are two alternatives for consideration. Alternative A, which is a no build option has a cost of \$0 and Alternative B, which is for the reconstruction of the corridor at an estimated construction cost of \$11,500,000 (\$5,400,000 Fed/\$6,100,000 City).

Staff is seeking approval of the Catex.

On a motion by Steve Dirksen, seconded by Ben Dow, the Committee voted to approve the Catex and select Alternative B (build) for Improvement District BR-26-G1.

RECOMMENDED MOTION

Concur with recommendations of PWPEC and approve the Catex and select Alternative B (build) for Improvement District No. BR-26-G1.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Federal & City Funds

Developer meets City policy for payment of delinquent specials
 Agreement for payment of specials required of developer
 Letter of Credit required (per policy approved 5-28-13)

Yes No

N/A

N/A

N/A

COMMITTEE

Present Yes No Unanimous

☒

Tim Mahoney, Mayor

☐☐☐

Nicole Crutchfield, Director of Planning

☒☒☐

Mark Williams

Steve Dirksen, Fire Chief

☒☒☐

Brenda Derrig, Assistant City Administrator

☒☒☐

Ben Dow, Director of Operations

☒☒☐

Steve Sprague, City Auditor

☒☒☐

Tom Knakmuhs, City Engineer


☒☒☐

Susan Thompson, Finance Director

☒☒☐

ATTEST:

C: Kristi Olson


 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: PWPEC

From: Rob Hasey, Project Manager

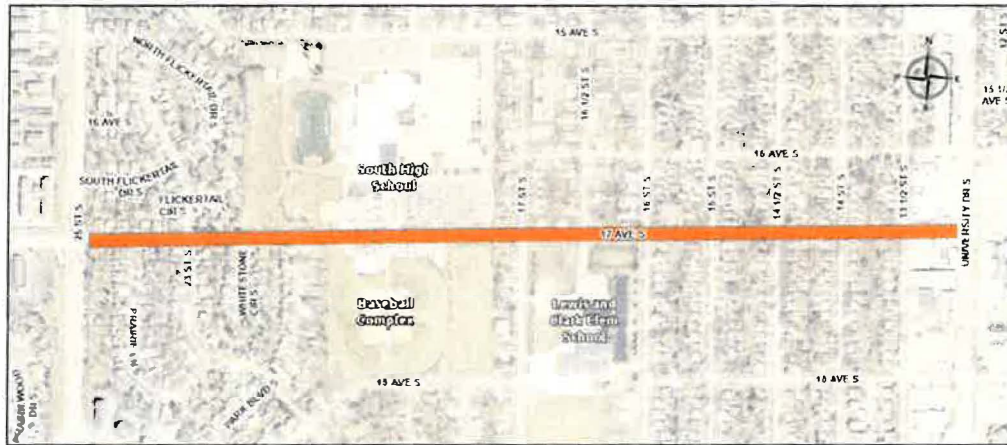
Date: March 10, 2025

Re: Catex for 17th Avenue South between University Drive South and 25th Street South

Background:

Engineering is planning to reconstruct 17th Avenue South, between University Drive South and 25th Street South, during the 2027 construction season as part of Improvement District BR-26-G1.

Figure 1 – Project Location Map



The purpose of this project is to improve the 17th Avenue South corridor which is a collector roadway. Improvements to the watermain, sanitary sewer and storm sewer are proposed along with reconstruction of the roadway, street lighting improvements and installing a new 10' shared use path along the north side of 17th Avenue South from 25th Street to University Drive.

The next step for this project is to approve the Catex document which will then allow for the easement acquisition process to commence to obtain right of way for the shared use path.

Attached to this memorandum is the Catex document for review and consideration. Alternative A which is a no build option has a cost \$0. Alternative B which is for the reconstruction of the corridor at an estimated construction cost of \$11,500,000 (\$5,400,000 Fed / \$6,100,000 City).

Required Decision:

Approve Alternative A (no build) or Alternative B (build) for Improvement District BR-26-G1.

RECONSTRUCTION

Project No.

PCN

TMA-SU-8-984(181)

24237

17th Avenue S

From University Dr to 25th Street S

Fargo, North Dakota

DOCUMENTED CATEX

Prepared by

CITY OF FARGO
FARGO, NORTH DAKOTA

CITY ENGINEER
THOMAS KNAKMUHS, PE

Principal Author: Moore Engineering, Inc.
Environmental Reviewer: Kent Leben, Local Government Division
February 2025

TMA-SU-8-984(181)
17th Avenue S Reconstruction
University Dr to 25th Street S
Fargo, ND

CERTIFICATION

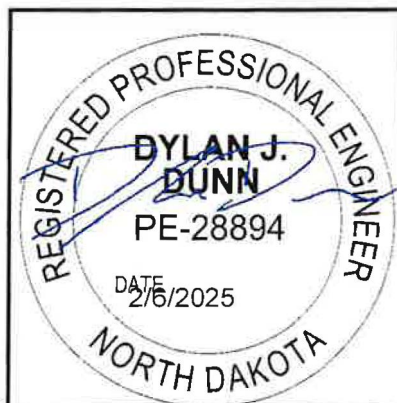


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Appendices

Appendix A	Solicitation of Views
Appendix B	Endangered Species Act
Appendix C	Section 6(f) Documentation
Appendix D	Environmental Justice Analysis
Appendix E	Cost Estimate
Appendix F	Comments From the Draft Documented CATEX

Supporting Documents

Decision Document
Public Involvement Report
Aquatic Resources Delineation Report
Traffic Operations Report

A. Project Description

This project is located on 17th Avenue S from 25th Street to University Dr (See Figure 1 – Project Location Map).

Roadway: 17th Avenue S
District: Fargo
Limits: University Dr to 25th Street S

Figure 1 – Project Location Map

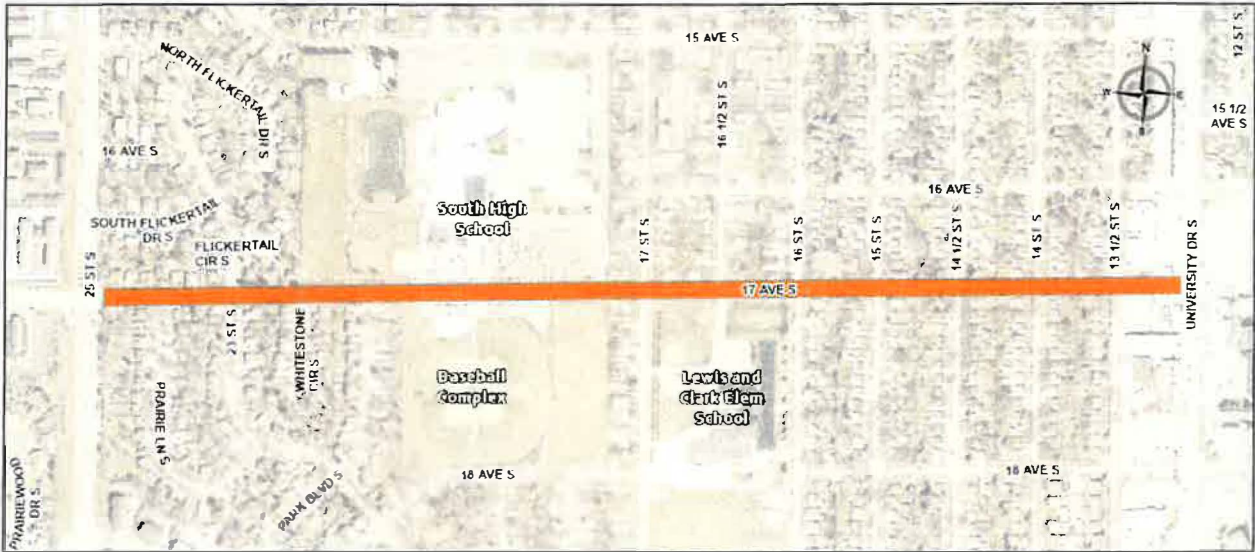


Table 1 – Traffic Data

	Year	Passengers	Trucks	Totals
Current	2024	6,705	35	6,740
Forecast	2044	9,140	50	9,190

B. Project Schedule

Project: TMA-SU-8-984(181)
Bid Ready: 8/15/2025

C. Purpose of Project

The purpose of this project is to improve the 17th Avenue S corridor, from 25th Street to University Dr, which serves as a collector roadway. The project will address several issues including providing new pavement to extend the life of the roadway, improving pedestrian facilities, replacing, or repairing watermain and sanitary sewer systems to provide more reliable service, improving storm water drainage, and upgrading street lighting.

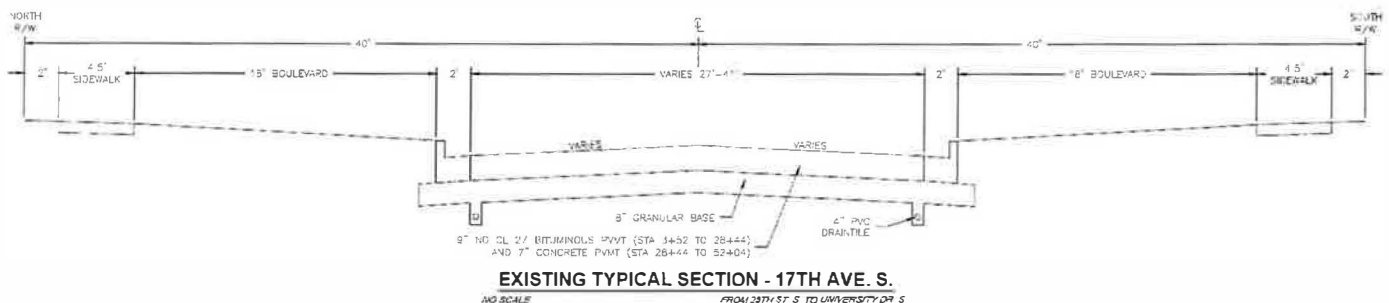
D. Need for Project

The pavement and underground infrastructure along 17th Avenue S has reached the end of its useful life and are in need of replacement. The area surrounding this corridor is primarily residential, with Fargo South High School and Lewis and Clark Elementary School located along this segment of 17th Avenue S. This area is heavily utilized by pedestrians and does not have any dedicated bicycle facilities. The April 2019 17th Avenue Corridor Study identified speeding as a noted problem along this segment of the corridor. Around 90 percent of vehicles were speeding, with the 85th percentile speeding more than seven miles per hour over the posted speeds. This creates safety concerns for cyclists and pedestrians.

Existing Conditions:

17th Avenue S is a two-lane roadway with 4.5-ft pedestrian sidewalks on both sides of the road. A series of thin overlays have kept the surface quality of pavement in this segment in good condition, however the road has begun to deteriorate and will require reconstruction. There are no bicycle facilities in this segment of 17th Avenue S to serve the two adjacent schools, as well as the sports facilities publicly used at each school. The existing posted speed limit through the corridor is 25 mph. There are 11 intersecting roads as well as 7 other accesses, and 24 residential driveways.

Figure 2 – Existing Typical Section



Deficiencies:

- The drinking water distribution system is Asbestos Cement Pipe (ACP) that becomes brittle with age and leads to watermain breaks.
- Portions of the sanitary sewer collection system has sags in the main that can lead to backups into basements.
- The east half of the storm sewer system is undersized for current design standards.
- The pavement condition is deteriorating and requires continual repairs.
- There is a lack of bicycle facilities within the corridor.
- The pedestrian facilities are in poor condition and do not meet current ADA guidelines.

E. Scope of Work

2025-2028 Final STIP: \$9,960,000 Total; \$5,400,000 Federal: \$4,560,000 City
 2024 Documented CATEX: \$11,500,000 Total; \$5,400,000 Federal: \$6,100,000 City

F. Description of Alternatives

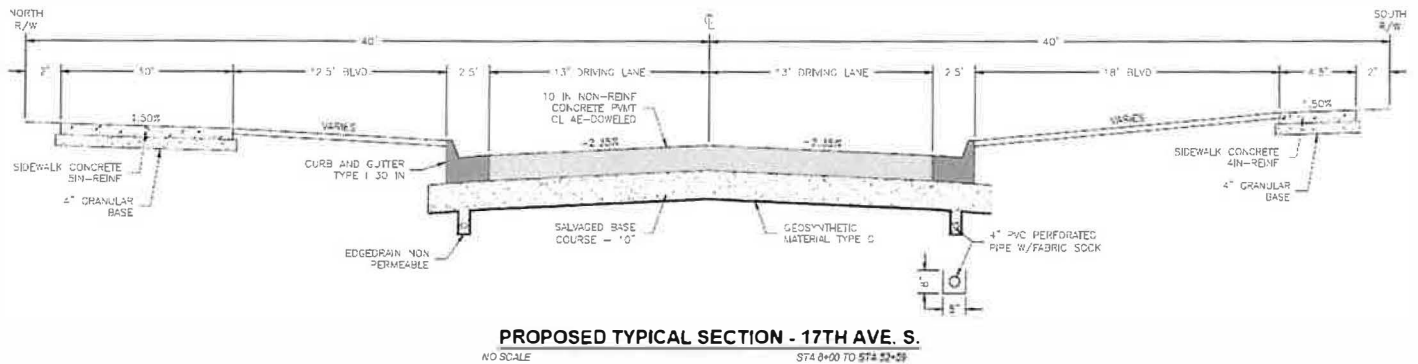
a. Alternative A: No Build
 (Estimated Cost - \$0)

b. Alternative B: Reconstruction
 (Estimated Cost - \$11,500,000)

The 2-lane concrete roadway reconstruction including:

- The replacement of ACP watermain with new PVC watermain, including updated water services
- New sanitary sewer in deficient areas, including new services to 5' behind back of curb
- Upsizing the east half storm sewer to handle larger rain events
- New inlets and inlet leads
- Replacing driveway approaches up to the sidewalk
- Addition of a 10' shared use path in the north boulevard
- Sidewalk spot repairs if not ADA compliant
- LED streetlight upgrades west of 17th Street

Figure 3 – Alternative B Proposed Typical Sections



c. Work Zone Safety and Mobility Traffic Control

This project is classified as a “non-significant project.” The detour for through traffic will utilize 13th Ave S, which adds 1 mile, resulting in 2-5 additional minutes from the pre-construction route. Access will be maintained to Fargo South High School and Tharaldson Little League Baseball Complex from 25th St or 17th St at all times. Also, the intersection of 17th Ave & 16th St will be open from 7:30 to 8:30am and 2:00 to 3:00pm during the school year for pick-up and drop-off for Lewis and Clark Elementary.

Figure 4 – Detour Route



d. Maintenance Responsibility Discussion

The City of Fargo will continue to maintain the current right-of-way along 17th Avenue S, including city utilities, the roadway, shared use path and pedestrian sidewalks, and crossing systems.

e. Summary of Engineering Issues

- There are many residential properties that will need access maintained throughout the entire construction period.
- Fargo South High School, Lewis and Clark Elementary School, American Gold Gymnastics, and Tharoldson Little League Baseball Complex will need access maintained throughout the entire construction period.
- Right-of-way is limited (80') throughout the project and will require additional effort when storing earth, materials, and equipment to ensure an efficient operation.
- The corridor is completely built out with residential, commercial, or public facilities. Construction sound abatement outside of the community's normal working hours will need to be limited within reason.

f. Summary of Environmental Issues

Threatened and Endangered Species

The Endangered Species Act (ESA) Determination Package indicates the potential for one species to occur within the project area, the monarch butterfly (*Danaus plexippus*), which is a candidate species not currently listed under the ESA. Based on the scope of work identified within the known parameters in the NDDOT Determination Table in Appendix B, it was determined that this project does not require NDDOT biologist review. The project will have no effect on the monarch butterfly. Please refer to the NDDOT Threatened, Endangered, Candidate Species and Critical Habitat Affect Determination Table in Appendix B.

Bald and Golden Eagles

The North Dakota Game and Fish confirmed on April 17, 2024, that no known bald or golden eagle nests are located within one half mile of the project area.

Aquatic Resources

An aquatic resource delineation was performed on April 23, 2024. No wetlands or other aquatic resources were identified within the project area. The aquatic resources report is provided in the supporting documentation.

Section 4(f)

Multiple parks and recreation resources are located adjacent to the project area. The area impacted by the project includes the green space south of the existing parking lot at Fargo South High School and sport fields. The sport field area is fenced off for Fargo South High School Activities only and is not open to public use. Also, the sidewalk accessing the Tharaldson Little League Baseball Complex and other public baseball fields will be temporarily closed and will require a temporary pedestrian detour. These sidewalks are primarily used for transportation purposes and not recreation. Therefore, these spaces are not considered public parks or recreation areas and are exempt from Section 4(f) obligations.

Section 6(f)

Multiple parks and recreation resources are located adjacent to the project area. The May 10, 2024, SOV response from the North Dakota Parks and Recreation Department (NDPRD) indicated that several 6(f) properties are located within the vicinity of the project, including the following:

- 38-00527 Fargo Multi-Purpose Park
- 38-00904 Fargo Sport Facilities
- 38-00865 Fargo-South Sport Facility
- 38-00042 Fargo Southwest Park
- 38-00043 Southwest Park Development
- 38-00858 Fargo Neighborhood Parks
- 38-00993 Fargo Softball Service Building

These properties are located primarily at Fargo South High School, Lewis and Clark Elementary School, and the associated sports complexes at each school. The initial NDPRD response indicated that the project may affect 6(f) properties in the project area. Upon further coordination with the NDPRD, a follow up response was received on June 20, 2024, that upon further review, the project is not anticipated to substantially affect the recreational value of the adjacent 6(f) properties and no further coordination was required. Through additional correspondence on October 31, 2024, NDPRD confirmed no impact. See correspondence in Appendix A.

Environmental Justice

Substantial or adverse impacts to human health and the environment are not expected with this project. Therefore, no disproportionately high or adverse impacts to identified minority or low-income populations would occur. See EJ Analysis in Appendix D.

Cultural Resources

Section 106 coordination was initiated on March 25, 2024. The project was determined to be an excepted project and no further Section 106 coordination was required.

Tree Mitigation

The City of Fargo maintains a woody corridor within the boulevard along both the north and south sides of 17th Avenue S and has completed a full geospatial tree inventory in the Forestry Department. A woody vegetation survey for any trees beyond the boulevard but within the project area was performed during the aquatic resource delineation in April 2024. A total of 180 trees are present in the project area. The project proposes to remove 41 trees to accommodate the replacement of the 4.5 ft-wide pedestrian sidewalk north of 17th Avenue S into a 10 ft-wide shared use path. The City proposes to remove some ash trees within the project area to prevent the spread of emerald ash borer and may remove additional trees than what is necessitated by construction impacts. All tree impacts will be mitigated at a 1:1 ratio within the project limits according to City standards.

Table 2 – Right of Way Summary

Alternatives	Temporary ROW Needed	Permanent ROW Needed	US Fish & Wildlife Property Interest?	US Forest Service Property Interest?
Alternative A	0 Acres	0 Acres	No	No
Alternative B	1.175 Acres	0.068 Acres	No	No

To accommodate the proposed 10' shared use path in the north boulevard and avoid 40+ trees, the Fargo Park District and Fargo Public Schools are agreeable to grant a 2' wide permanent easement on their property. This permanent easement is to allow the back of path to built on the property line and maintain a 2' wide buffer space. Temporary construction easements are anticipated for reconstructing the existing driveways and spot repairing the south sidewalk, along with constructing the proposed north 10' shared use path.

Table 3 – Summary of Estimated Costs

Alternatives	TMA-SU-8-984(181) Federal Aid Eligible	City of Fargo 100% Cost
Alternative A	\$0	\$0
Alternative B	\$5,400,000	\$6,100,000

G. Comments from the Documented CATEX

No major comments. Comments and responses can be found in Appendix F.

H. Public Concerns / Need for Public Input

Solicitation of views letters were sent to various local, state, and federal agencies with interests within or adjacent to the project area on April 10, 2024. Solicitation of views letters and responses can be found in Appendix A.

A public input meeting was held on September 18th, 2024, in the Commons at Fargo South High School. Additional information from the Public Input Meeting is available in the Public Involvement Report.

Table 4 – Summary of Comments/Responses

Topic	Comments	Responses
Tree impacts	Concern about removing trees in front of a private residence.	To install the planned shared use path, some trees in the north boulevard must be removed.
Safety	Comment about prioritizing pedestrian crossing 17 th Avenue at Little League Baseball Complex crossing to improve safety.	A pedestrian crossing beacon is planned at the west crosswalk between Fargo South High School and the Little League Baseball Complex to increase the safety and visibility of the crossing.
Traffic	<p>Several concerns about traffic were expressed.</p> <p>Requests were made for:</p> <ul style="list-style-type: none"> • better stop sign at 16th St. • center left-turn lane • right-turn lane at 25th St. • four-way stop at 23rd St 	<p>A new sign will be installed at 16th St intersection along with a stop bar and continental crosswalk markings.</p> <p>After a traffic study, traffic volumes do not justify a center left-turn lane, or a four-way stop at 23rd St.</p> <p>The westbound right turn volume at 25th Street does not meet the threshold in the NDDOT Traffic Operations Manual.</p>

Table 5 – Comparison of Alternatives

Alternative	Advantages	Disadvantages
Alternative A: No Build	<ul style="list-style-type: none"> • Lowest initial cost • No impact to the public 	<ul style="list-style-type: none"> • Does not meet purpose and need • Continued deterioration of the infrastructure
Alternative B: Reconstruction	<ul style="list-style-type: none"> • Provides 30-year pavement design and load carrying capacity • Addition of a shared use path for non-motorized users • Upgraded lighting on west half of corridor • Updated watermain and hydrants • Corrected sanitary sewer deficiencies • Upsized storm sewer to handle larger rain events 	<ul style="list-style-type: none"> • High initial cost • Utility impacts • Tree impacts • Temporary Easements – 1.175 Acres • Permanent Easement – 0.068 Acres

I. Executive Decisions

i. Do you concur with the project concepts as proposed?

_____ Yes

_____ No

ii. Which alternative should proceed with the project?

_____ Alternative A – No-Build Alternative
Estimated Cost \$0

_____ Alternative B – Reconstruction Alternative
Estimated Cost \$11,500,000

Amendments/Comments for Project No. TMA-SU-8-984(181):

Timothy J. Mahoney, Mayor
City of Fargo, North Dakota

Date

Environmental Impact Checklist			Y/NA	N/NA
Right of Way	1.1	Will the action require permanent right of way?	X	
	If yes:			
	1.1.1	Number of parcels: 2 Number of Acres: 0.068		
	1.1.2	Will the action involve the acquisition of the following: 10 acres or more per linear mile (not an average); or more than 3 acres per bridge, intersection, or interchange?		X
	1.1.3	Will the action involve the acquisition of land for hardship or protective purposes, or early acquisition pursuant to Federal acquisition project (23 U.S.C. 108(d))?		X
	1.1.4	Will the action require permanent acquisition of Federal fee-title land or trust lands?		X
	1.1.5	Will the action require relocation of owners or tenants?		X
	If yes:			
	1.1.5.1	Number of Homes to be Relocated: 0		
	1.1.5.2	Number of Business to be Relocated: 0		
	1.2	Are there any special property interests such as U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Forest Service, Tribal Lands, Railroad, or State School Lands?		X
	If yes:			
	1.2.1	List the type(s):		
	1.3	Will the action require temporary construction easements?	X	
	If yes:			
1.3.1	Number of parcels: 30 Number of Acres: 1.175			
Historical and Archaeological Preservation	1.4	Will the action require any access changes?	X	
	1.5	Will the action require any access changes on Interstate?		X
	2.1	Will the action involve disturbance off the roadway surface?		X
	2.2	Will the action involve disturbance to a bridge or bridge rail?		X
	If no to both questions: The proposed action is the type of actions or activities that have No Potential to Affect Historic Properties: no further Section 106 consideration is required. Skip to Resource Category #3.			
	If yes to either of the two questions above: Please contact the Cultural Resources Section to complete the following information prior to submittal of the checklist and append by reference the Cultural Resources Report and related correspondence: has this been completed?			
	2.3	Was a Class I File Search completed?		N/A
	2.4	Was a Class III Survey completed?		N/A
	2.4.1	Were Sites identified within the Area of Potential Effect (APE)?		N/A
	2.4.2	SHPO Reference #: Project was exempted from further Section 106 action		
	2.4.3	Did SHPO/THPO concur in a Finding of No Historic Properties Affected?		N/A
	2.4.4	Did SHPO/THPO concur in a No Adverse Effect Determination?		N/A
	2.4.5	Did SHPO/THPO concur in an Adverse Effect Determination?		N/A
	2.5	If the action results in an Adverse Effect, the Adverse Effect documentation to FHWA was provided to the Advisory Council of Historic Preservation (ACHP) on:		
	2.5.1	Did the ACHP accept the opportunity to participate?		X
2.5.2	Resolution of Adverse Effect thru a Memorandum of Agreement was completed on:			
2.5.3	Were commitments included in the coordination with SHPO/THPO?		N/A	
2.6	Commitments: None			
Section 4(f)	3.1	Are there any Section 4(f) properties within and/or adjacent to the action area?		X
	If yes: For the following property types, indicate the name of the 4(f) property or NA:			
	3.1.1	Publicly owned parks? Tharoldson Little League Complex, Lewis & Clark Elementary softball field		
	3.1.2	Publicly owned recreation lands and/or facilities? None		
	3.1.3	Wildlife or waterfowl refuges? None		
	3.1.4	Historic sites (included on or eligible for listing on the National Register of Historic Places)? None		
	3.2	Will the action result in a temporary impact?		X
	If yes: Please complete the following questions to determine if there is a temporary occupancy of land which may constitute a use under Section 4(f):			
	3.2.1	Will the duration of the occupancy of the Section 4(f) resource be temporary, i.e. less than the time needed for construction of the action and there will be no change in ownership of the land?		X
	3.2.2	Will the scope of work be minor, i.e., both the nature and magnitude of the changes to the Section 4(f) resource is minimal?		X
	3.2.3	Will there be no anticipated permanent adverse physical impacts, nor will there be interference with the activities or purpose of the resource, on either a temporary or permanent basis?		X
	3.2.4	Will the land being used be fully restored, i.e., the resource must be returned to a condition which is at least as good as that which existed prior to the proposed action?		X
	3.2.5	Has the documented agreement from the appropriate Federal, State, or local officials having jurisdiction over the resource been included?		X
	3.3	Will the action result in a permanent impact?		X
	If yes: A Section 4(f) use will occur; please select from the following documentation types that may be used:			

3.3.1	De Minimis Impact documentation completed and attached?		N/A
3.3.1.1	Public Involvement was completed on?		
3.3.2	Nationwide Programmatic Section 4(f) documentation completed and attached:		N/A
If yes:	Select the type(s) of Nationwide Programmatic that was used below.		
3.3.2.1	Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges?		N/A
3.3.2.2	Historic Sites?		N/A
3.3.2.3	Historic Bridges?		N/A
3.3.2.4	Net Benefit to a Section 4(f) Property?		N/A
If yes:	Public Involvement was completed on?		
3.3.2.5	Negative Declaration for Independent Bikeway or Walkway* documentation completed and attached?		N/A
	*A negative declaration Section 4(f) (May 23, 1977) is only applicable for independent bikeway or walkway construction projects that require use of publicly owned parks and recreation lands and only when the officials with jurisdiction have given approval in writing that the project is acceptable and consistent with the designated		
3.3.3	Individual Section 4(f) Evaluation completed and attached?		N/A
Section 6(f)	4.1 Does the action affect any recreational property that is encumbered by Land and Water Conservation Funds?		X
If yes:	Indicate the name of the 6(f) property:		
	Fargo Sports Facilities, Fargo-South Sport Facility, Fargo Southwest Park, Southwest Park Development, Fargo Neighborhood parks		
4.1.1	Are there temporary impacts?		X
4.1.2	Are there permanent impacts?		X
4.1.3	Consultation with official with jurisdiction required; has the correspondence, impact map, and mitigation plan been approved and attached?		N/A
Permits	5.1 Will the action require any permits from regulatory agencies?	X	
If yes:	Will the action require a Coast Guard or USACE Individual Permit?		X
5.1.1			
5.1.2	List the agencies and all required permits:		
	ND DEQ's NDPDES SWPPP		
Highway Traffic Noise	6.1 Will the action include construction of a highway on new location?		X
	6.2 Substantial Horizontal Alteration— Will the action reduce the distance between the traffic noise source and the closest receptor by half, between the existing condition to the future build condition?		X
	6.3 Substantial Vertical Alteration— Will the action remove shielding, therefore exposing the line-of-sight between the receptor and the traffic noise source? This is done by either altering the vertical alignment of the highway or by altering the topography between the highway traffic noise source and the receptor Projects that incorporate overpasses meet this definition in accordance with 23 CFR 772.		X
	6.4 Will the action include the addition of a through-traffic lane(s)? This includes the addition of a through-traffic lane that functions as a High-Occupancy Vehicle (HOV) lane, High-Occupancy Toll (HOT) lane, bus lane, or truck climbing lane.		X
	6.5 Will the action include the addition of an auxiliary lane, except for when the auxiliary lane is a turn lane? If the additional lane does not increase the number of through-traffic lanes, the definition in accordance with 23 CFR 772 is not met and an analysis is not required. [Auxiliary lanes 2,500 feet or longer meet Type I.]		X
	6.6 Will the action include the addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange?		X
	6.7 Will the action restripe existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane?		X
	6.8 Will the action include the addition of a new or substantial alteration of a weigh station, rest stop, ride-share lot or toll plaza?		X
If yes to any of the above questions:	The action meets the definition of a Type 1 Project per 23 CFR 772.5 and a noise analysis is required for the entire project area as defined in the environmental document: has the Noise Report been completed and appended by reference?		N/A
Threatened / Endangered Species	7.1 Please refer to the Design Manual Reference and Forms for the Section 7 ESA (Endangered Species Act) Guidance. Complete the NDDOT Affect Determination Table. Has the Affect Determination Table been completed?	X	
	7.2 Based on the Affect Determination Table, was a NDDOT ETS Biologist review required?		X
If no:	Attach the NDDOT Affect Determination Table and no further action is required.		
If yes:			
7.2.1	NDDOT Biologist concurred with no effect (excluding the Northern Long Eared Bat [NLEB] in certain situations); has the signed Section 7 Affect Determination Package, NDDOT Affect Determination Table, and NLEB documentation (if required) been attached?		N/A
7.2.2	Programmatic Biological Assessment (PBA) warranted; has the PBA and PBA USFWS Concurrence letter been appended by reference and PBA Project Submittal page been attached?		N/A
7.2.3	Project-specific Biological Assessment (BA) warranted; has the project specific BA been appended by reference and project-specific USFWS Concurrence Letter been attached?		N/A
7.2.4	Will the action may affect, likely to adversely affect federally listed endangered, threatened, or candidate species or proposed or designated critical habitat pursuant to the Endangered Species Act?		N/A
Bald & Golden Eagles	8.1 Will the action occur within 0.5 mile of a known nest location? See Bald and Golden Eagle Protection Act Compliance Flowchart for more information. If no, no further action required.		X

	If yes:			
Wildlife Accommodation	8.1.1	Based on NDDOT Biologist Review and USFWS coordination (if necessary) are any avoidance or minimization measures (AMMs) or special provisions (SPs) required to avoid impacts to eagles? If no, no further action required.		N/A
	If yes:	AMMs or SPs are required to be added to the plan sheets. Coordinate with NDDOT Biologist		
	8.2	Based on NDDOT Biologist Review and USFWS coordination (if AMMs or SPs cannot be applied to project), will a take permit be needed for project impacts to bald or golden eagles?		X
	9.1	Will the project require any of the below work activities? •Removal/replacement of a bridge, box culvert, cattle pass, structural plate pipe/large diameter culvert (>60 inches) •Slope/erosion/scour repair underneath a bridge •Permanent installation of wildlife-specific exclusionary fencing •Permanent installation of concrete median barriers		X
	If yes:	NDDOT Biologist review required. Has project information been sent to NDDOT Biologist for review and has Biologist response (email/memo) been received?	X	
	9.1.1	Based on NDDOT Biologist Review and Agency SOV responses, are any accommodations for wildlife recommended to be incorporated into the project?		X
	If yes:	Include recommended wildlife accommodations as Decision Item.		
Migratory Birds	10.1	Will the action require a structure replacement or any of the following activities on a bridge, box culvert, structural plate pipe, cattle pass, or other large diameter culvert where migratory birds are prone to nest? • Work done entirely on the deck that would result in perforation of the deck or create strong vibrations that could dislodge nests underneath or on the sides of the structure • Below deck work (including scour/slope repair underneath/adjacent to bridge) • Any work on a box culvert, structural plate pipe, cattle pass, large diameter culvert NOTE - Work done entirely on the bridge deck that does not require the contractor to access areas where birds are nesting (e.g. set up debris containment, etc.) and that would not result in disturbance of nesting adults or eggs or young due to vibrations from equipment or other construction activity, will not require that SSP 2 be added to the plans. If unsure whether or not project would cause disturbance to migratory birds, contact NDDOT Biologist.		X
	If yes:	Standard Special Provision required, include SSP 2 -Are Federal Migratory Bird Treaty Act or other identified avoidance/minimization measures in plan set.		
Floodplain / Floodway	11.1	Will the action occur within a 100 year floodplain?		X
	If yes:	A floodplain permit will be required. Has the floodplain determination from the ND Department of Water Resources (DWR) and FIRM maps been attached?		
	11.1.1			
	11.2	Will the action occur within a regulatory floodway?		X
	If yes:	A floodway authorization is required from the ND Department of Water Resources (DWR).		
	11.2.1	Will the action cause any measurable decrease in the hydraulic conveyance in the affected area?		X
	If yes:	A permit will NOT be granted and the alternative will NOT be approved.		
Clean Water Act	12.1	Please refer to the Design Manual Reference and Forms for the Wetland/OW Impact Table Template and attach a completed table for the action. Has a completed Wetland/OW Impact Table been attached?	X	
	12.2	Based on the Wetland/OW Impact Table, is wetland mitigation required?		X
	If yes:	Wetland mitigation proposed onsite requires a conceptual mitigation plan (aerial photo with site boundary). If onsite wetland mitigation is proposed, has the conceptual mitigation plan been attached?		N/A
	12.2.1			
	12.3	Will the action disturb a contiguous area equal to one acre or greater, or disturb multiple sites of activity, that cumulatively have an area of disturbance of one acre or greater?	X	
	If yes:	A Construction Stormwater Permit is required: please ensure that the Special Provision 3(14) regarding Temporary Erosion and Sediment Best Management Practices is included in the plan set.		
	12.3.1	Will the action occur in part or entirely on reservation land?		X
	If yes:	The NPDES Sign will need to be used in the plan set.		
	12.4	Is the action within a small Municipal Separate Storm Sewer System (MS4) regulated community?		X
	If yes:			
	12.4.1	Does the action implement Post-Construction Stormwater Management for New Development and Redevelopment?		N/A
Temporary Construction	13.1	Will the action require a roadway, bridge, or ramp closure?	X	
	13.2	Will the action include a temporary bridge or roadway (i.e. temporary bypass)?		X
	13.3	Will the action require a detour?	X	
	If yes:			
	13.3.1	Distance (miles): 2 miles Route: 25th St S, 13th Ave S, University Dr		
	13.4	Has a description of any of the below been provided in the Work Zone Traffic Control section of the PCE/DCE?	X	

		Through traffic dependent businesses. Provisions made to accommodate any local special events or festivals. MOT (Maintenance of Traffic) substantially impacts to environmentally sensitive resources. Any substantial controversy associated with the proposed MOT.		
	13.5	Coordination has been completed with local emergency services, schools, and transit?	X	
Public Involvement	14.1	Were any Public Meetings conducted or scheduled?	X	
	If yes:	Identify which type(s):		
	14.1.1	Public Information Meeting		
	14.1.2	Public Input Meeting 9/18/24 at Fargo South High School		
	14.1.3	Public Hearing		
Early Coordination	15.1	Have the Master SOV List, SOV emails (PCE level), letters, and Responses been attached in an Appendix titled Solicitation of Views?	X	
Environmental Justice (EJ)	16.1	Complete the EJ Analysis Guidance and attach within the appendix. Has the EJ Analysis Guidance been completed and attached?	X	
	16.2	Are there any readily identifiable minority or low-income populations within the project study area?		X
	If no:	There are no readily identifiable minority or low-income populations affected by the project.		
	If yes:			
	16.2.1	Will the action cause any disproportionately high or adverse impacts to identified minority and/or low-income populations?		X
		Substantial or adverse impacts to human health and environment are not expected with the project. Therefore, no disproportionately high or adverse impacts to identified minority or low-income populations would occur.		
Environmental Commitments	17.1	List Environmental Commitments beyond what is included in the Standard Specifications for Road and Bridge Construction:		
Air Quality	18.1	Project is not located within or adjacent to USEPA-defined Non-Attainment Area and complies with the State Implementation Plan.		
Economic	19.1	Will the action result in a decrease in business or economic activity along the project corridor?		X
Farmland	20.1	Will the action convert farmland (prime, unique, other than prime or unique that is of statewide importance or local importance) to nonagricultural use?		X
	If yes:			
	20.1.1	Does the action involve land disturbance of 10 acres or less per linear mile or 3 acres per bridge, intersection, or interchange outside of the existing right of way or within city limits?		N/A
		Pursuant to Section 310 of the General Manual, Subpart A, 403.4(b) (4), the project is exempt from FPPA; no further action is required.		
	20.1.2	Does the action involve land disturbance of 10 acres or more per linear mile or greater than 3 acres per bridge, intersection, or interchange outside of the existing right of way?		N/A
	If yes:			
	20.1.2.1	NRCS Consultation is required; has the Farmland Conversion Form been attached?		N/A
Hazardous Waste Sites	21.1	Will the action require purchase of right of way or easement that may involve or affect hazardous materials?		X
	If yes:			
	21.1.1	NDDEQ Consultation required; has the Environmental Site Assessment been completed and appended by reference?		N/A
	21.2	Will the action involve construction in an area that contains hazardous materials and/or hazardous waste?		X
	If yes:			
	21.2.1	NDDEQ Consultation required; has the Environmental Site Assessment been completed and appended by reference?		N/A
Land Use	22.1	Will the action be consistent with plans and policies on land use and growth in the area?		N/A
	If yes:			
	22.1.1	List the planning documents consulted.		
Pedestrians / Bicyclists	23.1	Are existing pedestrian/bicycle facilities in the study area?	X	
	If yes:			
	23.1.1	Are the existing pedestrian/bicycle facilities included in the local plan?	X	
	If yes:	List the name of the plan consulted: 2022 Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan		
	23.1.2	Will the action affect existing pedestrian/bicycle facilities?	X	
	If yes:	Temporary 10,300 ft - 2 sidewalks closed at separate times		
		Permanent 0		
	23.2	Will the action include proposed pedestrian/bicycle facilities?	X	
	If yes:			
	23.2.1	Is the proposed pedestrian/bicycle facility included in the local plan?	X	
	If yes:	List the name of the plan consulted: 2022 Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan		
Social	24.1	Will the action cause a change in neighborhood or community cohesion?		X
	If yes:			
	24.1.1	Temporary		N/A

	24.1.2		Permanent		N/A
	24.2	Will the action cause a change in travel patterns or accessibility?		X	
	If yes:				
	24.2.1		Temporary	X	
	24.2.2		Permanent		X
	24.3	Will the action cause an impact (mobility/safety) to the emergency services, schools (bus routes), or transit?		X	
	If yes:				
	24.3.1		Temporary	X	
	24.3.2		Permanent		X
State Scenic Rivers	25.1	Will the action impact the Little Missouri River within the area designated as a State Scenic River, which starts from the ND-SD border and terminates at its juncture with Lake Sakakawea? (-NDCC, Chapter 61-29)			X
	If yes:	Coordination with State Scenic River Commission is required. attach documentation.			
Visual	26.1	Will the action fit within the existing visual environment; i.e. transportation corridor?		X	

APPENDICES

Appendix A

Solicitation of Views

TMA-SU-B-384(181) PCN 24237 SOV LIST[illegible]



925 10th Avenue East
West Fargo, ND 58078
P: 701.282.4692
F: 701.282.4530



April 10, 2024

«CTitle» «First» «Last»
«Title»
«Department»
«Agency»
«Address»
«City», «State» «Zip»

PROJECT NO. TMA-SU-8-984(181), PCN 24237
FARGO 17TH AVE S FROM UNIVERSITY DR TO 25TH ST S
CASS COUNTY

The City of Fargo, in cooperation with the North Dakota Department of Transportation and Federal Highway Administration, is proposing a roadway improvement on 17th Ave S from University Dr to 25th St S.

The project consists of full reconstruction replacing storm sewer, sanitary sewer, watermain, PCC paving, sidewalks, shared use path, street lighting, and traffic signal modifications.

This project is expected to be constructed during the 2026 construction season.

The project may require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any property which your department may own or have an interest in and which would be adjacent to the proposed roadway improvement. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed roadway facility. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

It is requested that any comments or information be forwarded to our office on or before 5/10/2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact Dylan Dunn at 701-551-1075 in West Fargo, ND.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Dunn', with a stylized flourish at the end.

Dylan Dunn, PE

DD/DD

Enclosure



925 10th Avenue East
West Fargo, ND 58078
P: 701.282.4692
F: 701.282.4530



April 10, 2024

Mr. David Glatt
Director
North Dakota Department of Environmental Quality
4201 Normandy Street
Bismarck, ND 58503-1324

PROJECT NO. TMA-SU-8-984(181), PCN 24237
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The following tabulation shows the average daily traffic volumes (ADT) once the new facility is completed and the expected ADT in 20 years after completion.

LOCATION	ADT Upon Completion of Improvement (2026)	Forecasted ADT (2040)
East of 25 th St S	7500	7710

We believe that these volumes are not of the magnitude that would result in the violation of any Air Quality Standards and the project is consistent with the State Implementation Plan for air quality.

Your concurrence in this determination is requested.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are

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particularly interested in any issues pertaining to solid and hazardous waste, municipal wastewater, water quality, and the occurrence of past contamination along the project area.

Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

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Sincerely,

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Dylan Dunn, PE

DD/DD

Enclosure



925 10th Avenue East
West Fargo, ND 58078
P: 701.282.4692
F: 701.282.4530



April 10, 2024

Department of Water Resources
C/O Project Review
North Dakota Department of Water Resources
900 E. Boulevard Avenue
Bismarck, ND 58505-0850

PROJECT NO. TMA-SU-8-984(181), PCN 24237
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Please provide information on necessary permits required such as whether the project lies within a floodway or floodplain, lies within "Sovereign Lands", or could affect a dam, dike, or other device. It is requested that any comments or information be forwarded to our office on or before 5/10/2024.

If further information is desired regarding the proposed roadway improvement, please contact Dylan Dunn at 701-551-1075 in West Fargo, ND.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Dunn', with a stylized flourish at the end.

Dylan Dunn, PE

DD/DD

Enclosure

From: [Marohl, Sengaroun](#)
To: [Dylan Dunn](#)
Cc: [Eric Hodgson; Robert J Hasey](#)
Subject: FW: TMA-SU-8-984(181), PCN 24237 - 17th Ave S, Fargo
Date: Wednesday, April 10, 2024 9:44:16 AM
Attachments: [Letter 8 - Advocacy Group.pdf](#)

Dylan,
Please include this email in DCE and Public Involvement Report.

Any questions please let me know.

Seng Marohl
Urban Roads Program
NDDOT - Local Government Division
608 E. Boulevard Ave.
Bismarck, ND 58505-0700
ph 701-328-4449
fax 701-328-0310
smarohl@nd.gov

From: Susie, Sara B. <ssusie@nd.gov>
Sent: Wednesday, April 10, 2024 9:03 AM
To: AARP <aarprd@aapr.org>; allan.peterson@ndsu.edu; annp@sendcaa.org; Brian Christian <Christian@fmmetrocog.org>; btelin@lssnd.org; Clark.B.Gripentrog.1@sendit.nodak.edu; dacotah@btinet.net; dhsds@nd.gov; eiderr@fargo.k12.nd.us; fargo@ndad.org; freedom@freedomrc.org; ghegland@i29.net; -Info-DHS Senior Information Line <carechoice@nd.gov>; -Info-DHS Southeast Human Service Center <dhssehsc@nd.gov>; jbommelmann@matbus.com; jbrunette@ideaone.net; Hough, Jill <jill.hough@ndus.edu>; jimbappel@sendcaa.org; kandia_acs@yahoo.com; lssndadmin@legalassist.org; Mack, Pamela <pmack@nd.gov>; marcia.gums@annecenter.org; Markel, Curtis D. <cmarkel@nd.gov>; Mayville State <askus@mayvillestate.edu>; metrocog@fmmetrocog.org; Moench, Jim <jimmoench@nddac.org>; mrasmussen@nd.gov; Nancy Olson <nancy.olson@ndsu.edu>; Alvarez, Andrea D. <adalvarez@nd.gov>; rolewitz@hotmail.com; Roy, Crystal M. <croy@nd.gov>; scottb@sendcaa.org; smilovanovic@lssnd.org; Gravel, Thomas <tgravel@west-fargo.k12.nd.us>; Valley Senior Services <info@valleyseniors.org>
Cc: Marohl, Sengaroun <smarohl@nd.gov>
Subject: TMA-SU-8-984(181), PCN 24237 - 17th Ave S, Fargo

[Please see attached letter.](#)

[Thank you.](#)

Sara Susie
NDDOT Administrative Assistant
Local Government/Planning & Asset Management/Programming/State Fleet

ssusie@nd.gov
(701) 328-2540



925 10th Avenue East
West Fargo, ND 58078
P: 701.282.4692
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April 10, 2024

Advocacy Group Contact

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This project is expected to be constructed during the 2026 construction season.

The project may require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

The purpose of this letter is to provide advanced notice of upcoming highway projects so you have sufficient time to share the information with your constituents and represent their interests. To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project. We would appreciate being made aware of any social impacts we should consider for this proposed project.

Greater advanced notice will also encourage more participation of advocates and their constituents at upcoming Public Meetings. A Public Meeting for this project is tentatively scheduled for Fall 2024.

A follow up notice of the exact date, time, and location of the Public Meeting will be forwarded to you approximately 2 weeks prior to the Public Meeting. Additionally, Public Meetings are also advertised in local newspapers, press releases sent to local media, and new releases posted on the NDDOT website.

Any information or comments relating to social or other matters that might help us in our studies would be appreciated.

It is requested that any comments or information be forwarded to our office on or before 5/10/2024. If no reply is received by this date, it will be assumed that you have no comment on

this project at this time.

If further information is desired regarding the proposed roadway improvement, please contact Dylan Dunn at 701-551-1075 in West Fargo, ND.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Dunn', with a stylized flourish at the end.

Dylan Dunn, PE

DD/DD

Enclosure



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West Fargo, ND 58078
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F: 701.282.4530



April 10, 2024

Mr. Kurt Tompkins
Manager
Valley City WMD
US Fish & Wildlife Service
11515 River Rd
Valley City, ND 58072

PROJECT NO. TMA-SU-8-984(181), PCN 24237
FARGO 17TH AVE S FROM UNIVERSITY DR TO 25TH ST S
CASS COUNTY

The City of Fargo, in cooperation with the North Dakota Department of Transportation and Federal Highway Administration, is proposing a roadway improvement on 17th Ave S from University Dr to 25th St S.

The project consists of full reconstruction replacing storm sewer, sanitary sewer, watermain, PCC paving, sidewalks, shared use path, street lighting, and traffic signal modifications.

This project is expected to be constructed during the 2026 construction season.

The project may require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any Service Interest property within a ½ mile of either side of the proposed roadway improvement. Any information that might help us in our studies would be appreciated.

It is requested that any comments or information be forwarded to our office on or before 5/10/2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact Dylan Dunn at 701-551-1075 in West Fargo, ND.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Dunn', with a stylized flourish at the end.

Dylan Dunn, PE

DD/DD

Enclosure

NORTH
Dakota | Environmental Quality
 Be Legendary.™

April 30, 2024

Dylan Dunn, P.E.
 Moore Engineering, Inc.
 925 10th Avenue East
 West Fargo, ND 58078

Re: Project Code: TMU-SU-8-984(184), PCN 24237, Fargo 17th Avenue South from University Drive to 25th Street South in Cass County

Dear Mr. Dunn:

The North Dakota Department of Environmental Quality (Department) has reviewed the information concerning the above-referenced project received at the Department on April 15, 2024, with respect to possible environmental impacts.

1. Necessary measures should be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise should be dealt with in an efficient and effective manner.
2. Aggregate to be used for road construction should not contain any erionite. Aggregate sources should be tested for erionite following guidelines found at <https://deq.nd.gov/erionite>. For questions regarding erionite testing, please contact the Asbestos Program at 701-328-5166 or asbestos@nd.gov.
3. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
4. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the re-establishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the Department's website or by calling the Division of Water Quality at 701-328-5210. The city of Fargo is required to consider and address post-construction stormwater quality as part of its NDPDES Small Municipal Separate Storm Sewer System (MS4) General Permit obligations. Check with local officials to be sure local MS4 Program considerations are addressed.

Dylan Dunn

2

April 30, 2024

5. All necessary measures must be taken to minimize the disturbance of any asbestos-containing material and to prevent any asbestos fiber release episodes. Any facility, including pipelines, that is to be renovated or demolished must be inspected for asbestos. Notification of the Department's Division of Waste Management at 701-328-5166 is required before any demolition. Removal of any friable asbestos-containing material must be accomplished in accordance with Section 33.1-15-13-02 of the North Dakota Air Pollution Control Rules.
6. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the Department's Division of Waste Management at 701-328-5166.

Division of Waste Management – UST Program

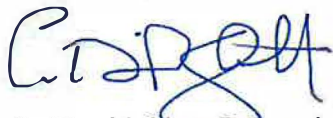
The Department's UST Program does have records which indicate historical and current underground storage tanks within a project area in Fargo, ND (see attached list).

If the construction or demolition will require the removal, installation or replacement of any UST system (tanks, piping or associated components) or the reporting of any release, it will need to follow the TECHNICAL STANDARDS AND CORRECTIVE ACTION REQUIREMENTS FOR OWNERS AND OPERATORS OF UNDERGROUND STORAGE TANKS, CHAPTER 33.1-24-08 regarding notification, installation, closure and compliance. The regulations can be found at <https://www.legis.nd.gov/information/acdata/pdf/33.1-24-08.pdf>

The Department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:ll
Attach.

Facility Report
Latitude and Longitude within 0.25 mile(s) of 46.854382 and -96.803033

Thursday, April 18, 2024

Facility ID	Facility	Address	City	Region	Facility Type	Latitude	Longitude	Status
1100	Mini Mart 619	1833 S University Ave	Fargo	3	Gas Station	46.850800	-96.799125	Active
2014	Pizza Hut	1601 South University D	Fargo	3	Gas Station	46.855482	-96.798665	Inactive
2357	Dons Service Center South	1701 South University D	Fargo	3	Gas Station	46.853772	-96.798711	Inactive
10092	South Plaza	1621 South University	Fargo	3	Commercial	46.855276	-96.798704	Inactive
11037	Sanford South University Hospital	1720 South University D	Fargo	3	Other	46.852817	-96.798149	Active
11038	Sanford Health Medical Building	1717 South University D	Fargo	3	Other	46.853151	-96.798746	Active

Number of Records 6

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality (Department) for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the Department's pesticide application permit with notification to the Department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds, including, but not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.



May 8, 2024

Dylan Dunn
Moore Engineering
925 10th Avenue E
West Fargo, ND 58078

Dear Mr. Dunn:

This is in response to your request for a review of the environmental impacts associated with the Project No. TMA-SU-8-984(181), PCN 24237 - Fargo 17th Ave S from University Dr to 25 St S project located in Cass County, ND.

The proposed project has been reviewed by Department of Water Resources, and the following comments are provided:

- There are no FEMA National Flood Insurance Program (NFIP) floodplains identified or mapped where the proposed project is to take place. No permit relative to the NFIP is likely required based on the current effective Flood Insurance Rate Map and State minimum standards. However, flood risk has been identified through the North Dakota Risk Assessment Mapservice and Base Level Engineering (BLE) (ndram.dwr.nd.gov). In the absence of FEMA NFIP data, BLE is often considered best available data and is recommended to be considered in the design process. The State of North Dakota has no formal NFIP permitting authority as all NFIP permitting decisions are considered by impacted NFIP participating communities, the community with zoning authority for the area in question. Please work directly with the local floodplain administrators of the zoning authorities impacted.

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Department of Water Resources Water Appropriation Division if you have any questions at 701-328-2754 or appropinfo@nd.gov.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4967 or cjdrevecky@nd.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Cory Drevecky", is written over a horizontal line.

Cory Drevecky
Planner IV

CD:dm/1570



May 10, 2024

Dylan Dunn
Moore Engineering
925 10th Ave. East
West Fargo, ND 58078

Re: TMA-SU-8-984(181), PCN 24237 – Fargo, ND

Dear Dylan,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-proposed roadway improvement on 17th Ave S from University Drive to 25th St South, Fargo, North Dakota.

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants; and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties NDPRD owns, leases, or manages.

The projects may affect properties protected under Section 6(f) of the LWCF.

Several LWCF projects have been identified near the proposed project's vicinity. Attached is a map identifying the approximate locations. Properties that have received funding from the LWCF program have a designated 6(f) property boundary that carries restrictions on modifications to the property, including but not limited to utilities or any divestiture of land. For additional information regarding LWCF properties, don't hesitate to contact Char Langehaug, ND Parks and Recreation's Department's Grants Coordinator, at clangehaug@nd.gov or 701-328-5364.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, no known plant and animal species of concern or significant ecological communities are documented within or immediately adjacent to the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation. For additional information, contact Natural Resources Division Chief Kathy Duttonhefner at 701-328-5370, 701-220-3377 (cell), or kgduttonhefner@nd.gov.

Thank you for the opportunity to comment on the proposed project.

Sincerely,

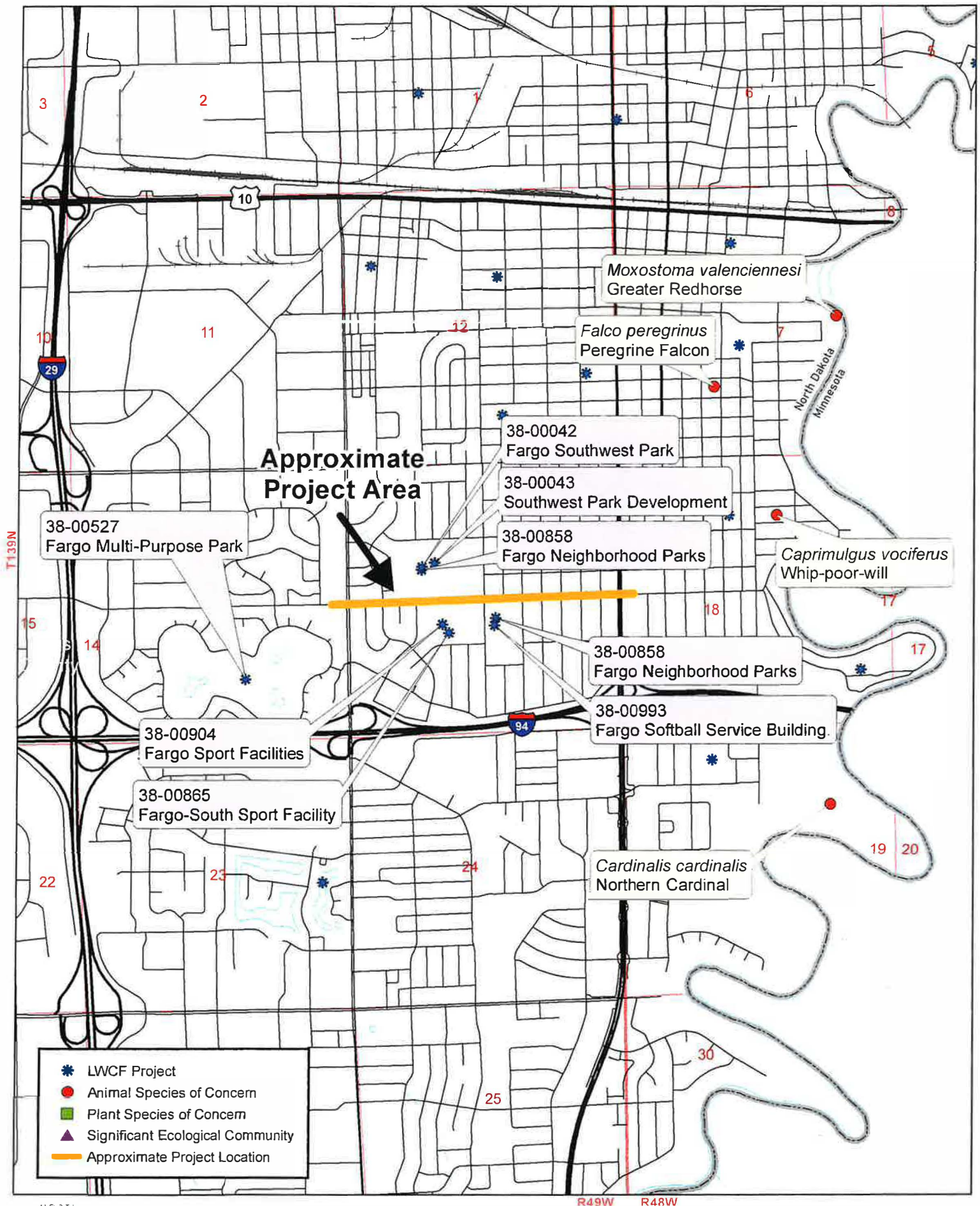

Kathy Duttonhefner, Chief Natural Resources Division

604 E Boulevard Ave Dept. 750 | Bismarck, ND 58505

PHONE: 701-328-5357 | FAX: 701-328-5363 | EMAIL: parkrec@nd.gov | WEBSITE: www.parkrec.nd.gov

North Dakota Parks and Recreation Department

North Dakota Natural Heritage Inventory



Land and Water Conservation Fund Projects

<u>Project Name</u>	<u>Project Number</u>
Fargo Multi-Purpose Park	38-00527
Fargo Neighborhood Parks	38-00858
Fargo Softball Service Building.	38-00993
Fargo Southwest Park	38-00042
Fargo Sport Facilities	38-00904
Fargo-South Sport Facility	38-00865
Southwest Park Development	38-00043

North Dakota Natural Heritage Inventory
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Caprimulgus vociferus	Whip-poor-will	SU	G5		139N048W - 18; 138N049W - 01; 139N049W - 35; 138N048W - 07; 139N049W - 28; 140N049W - 27; 139N049W - 27; 138N049W - 02; 139N048W - 31; 139N049W - 02; 139N049W - 15; 140N048W - 28; 139N048W - 05; 140N049W - 36; 139N049W - 22; 140N048W - 30; 139N048W - 07	Cass	1919		G
Cardinalis cardinalis	Northern Cardinal	S4	G5		139N048W - 19; 139N049W - 04; 138N048W - 07; 139N049W - 11; 140N048W - 29; 139N049W - 22; 139N048W - 08; 139N049W - 34; 138N049W - 12; 138N048W - 18; 138N048W - 06; 140N048W - 32; 138N049W - 03; 138N049W - 02; 139N049W - 17; 139N048W - 06; 139N049W - 29	Cass	1972-06-29		G
Falco peregrinus	Peregrine Falcon	SNR	G4		139N048W - 07; 139N049W - 01; 139N048W - 05; 139N049W - 13; 139N049W - 12; 139N048W - 18; 139N048W - 06; 139N048W - 08; 139N048W - 17	Cass	1990		M
Moxostoma valenciennesi	Greater Redhorse	S2	G4		139N048W - 07	Cass	1974-10		S



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

June 10, 2024

Programs and Project Management Division

SUBJECT: 2412 – Roadway Improvement on 17th Ave. S, Fargo, ND.

Dylan Dunn, PE
Moore Engineering, Inc.
925 10th Ave. East
West Fargo, ND 58078

Dear Mr. Dunn:

We are replying to your April 10, 2024 letter requesting views and comments on your proposed roadway improvements on 17th Ave. S. from University Dr. to 25th St. S. Fargo, ND.

The projects as outlined in your letter will not affect any existing U.S. Army Corps of Engineers civil works projects, and we do not anticipate future impacts to any Corps civil works projects by the St. Paul District.

Although this project is located within the St. Paul District's civil works boundaries, it is within the Omaha District's regulatory jurisdiction. You should coordinate with Mr. Benjamin Soiseth at the U.S. Army Corps of Engineers, North Dakota Regulatory Office, 3319 University Drive, Bismarck, ND 58504, by email at CENWO-OD-RND@usace.army.mil or by phone at (701) 255-0015, extension 2001 concerning permit requirements. A copy of your letter has been forwarded to his office.

Please note that this letter does not eliminate the possibility that other permits and authorizations, including state and local, may be needed.

Sincerely,

A handwritten signature in black ink, reading "Chris Erickson".

Christopher R. Erickson, PE, PMP
Assistant Deputy for Programs and
Project Management
christopher.r.erickson@usace.army.mil

cc: CENWO-OD-R-ND/soiseth

Appendix B
Endangered Species Act

NDDOT Threatened, Endangered, Proposed, Candidate Species and Critical Habitat Affect Determination Table								
Project: TMA-SU-8-984(181)		PCN: 24237	Location: 17th Ave S - University Dr to 25th St, Fargo			County: Cass		
Species	Listing	Guidance	NDDOT Biologist Review Required?		Determination		Additional Documentation Included	
			Yes	No	Not Present	No Effect		
Determine if the scope of work for the proposed project will require NDDOT Biologist review based on the criteria described for the species/critical habitat below. If review is required for one or more species, a biological assessment, Section 7 Determination Package, or NLEB documentation may be needed. Contact NDDOT Biologist for any questions.			Note - If a species is not present for a county, only "not present" should be checked.					
Whooping Crane <i>(species range includes all of North Dakota)</i>	E	NDDOT Biologist Review required for the adjustment (raising, relocating) of existing above-ground utility lines; or for newly placed poles/towers that require overhead lines/guy wires; unless the adjustments or new installations are in a highly developed or urban area. Review also required for projects requiring major earthwork (i.e. new road construction or roadway widening projects over 1 mile in length) in rural areas within ½ mile of cropland/wetland associations located within the whooping crane migration corridor. Projects outside of the migration corridor do not require NDDOT Biologist review. See link below for a map of the whooping crane migration corridor. Click layers tab, then select whooping crane migration corridor layer. https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Gray Wolf	E	NDDOT Biologist Review required for roadway projects of 2 or more lanes on a new location (i.e., construction of a new roadway).	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
Pallid Sturgeon	E	NDDOT Biologist Review required for work in or along the shoreline of the Missouri River (including reservoirs) and Yellowstone River Systems. Review also required for in-water work for any direct tributary (within 0.5 mile) to the Missouri River (including reservoirs) and Yellowstone River Systems.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Poweshiek Skipperling	E	NDDOT Biologist Review required for work occurring outside of the right of way in Richland and Sargent Counties within undisturbed native tall grass prairie and wet swales. If ground disturbing activities occur outside the ROW in these counties, ETS or a consultant will need to conduct a habitat assessment for this species.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Piping Plover	T	NDDOT Biologist Review required for construction activities occurring outside the paved or graveled surface of the roadway and within ½ mile of designated piping plover critical habitat or known nesting sites from April 15 through August 31. See link for piping plover designated critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Western Prairie Fringed Orchid	T	NDDOT Biologist Review required for all ground disturbing activities on non-flooded, undisturbed ground, known habitat, and native prairie. The species may also be found in roadside ditches with a high probability of the species occurring in or near the Sheyenne National Grasslands. If ground-disturbing activities will be required in Ransom or Richland counties, a survey by ETS or consultant for this species must be completed prior to ground-disturbance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Species	Listing	Guidance	NDDOT Biologist Review Required?		Determination		Additional Documentation Included
			Yes	No	Not Present	No Effect	
Rufa Red Knot	T	NDDOT Biologist Review required for construction activities occurring outside the paved or graveled surface of the roadway and within ½ mile of designated piping plover critical habitat or known nesting sites (species is rare in North Dakota and uses similar habitats as piping plovers during their migration). See link for piping plover designated critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Dakota Skipper	T	NDDOT Biologist Review required for ground disturbing activities outside of the right of way in native prairie containing a high diversity of wildflowers and grasses indicative of Dakota skipper “Type A” or “Type B” habitat. Dakota skippers are not likely to be present in cropped areas, previously cropped areas, non-native hay-lands, pasture, or other grassland that is dominated by non-native species, or in areas where trees or shrubs predominate. The species may occur in some grazed lands that are dominated by native prairie vegetation. If native prairie would be impacted by the project, ETS or a consultant will need to conduct a habitat assessment for this species following the USFWS 2018 Dakota Skipper ND Survey Protocol	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Northern Long-Eared Bat	E	NDDOT Biologist Review required for work on structures* (bridges, box culverts, SPP’s and corrugated metal culverts over 4.5’ in diameter), the removal of trees or buildings, or ground disturbance in areas with caves, mines, and rock crevices. *Work on structures requires bridge/structure bat assessments, unless exempted by NDDOT Biologist	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	IPaC Official Species List
Black-footed Ferret	E	Species is not known to exist in North Dakota at this time. Until more information becomes available for this species in North Dakota, no project-specific review is required.					
Monarch Butterfly	C	Section 7 consultations are not required for candidate species. NDDOT is a partner to the ND Monarch Butterfly and Native Pollinator Strategy and continues to implement pollinator conservation efforts across the state. Project-specific consultation for this species will not be undertaken at thistime.					
Designated Critical Habitat							
Piping Plover Critical Habitat	D	NDDOT Biologist Review required for ground disturbing activities occurring outside the paved or graveled surface of the roadway and within ½ mile of designated piping plover critical habitat or known nesting sites. See link for piping plover designated critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Poweshiek Skipperling Critical Habitat	D	NDDOT Biologist Review required for ground disturbing activities within 0.6 mile of Poweshiek Skipperling critical habitat. See link for Poweshiek Skipperling proposed critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Dakota Skipper Critical Habitat	D	NDDOT Biologist Review required for ground disturbing activities within 0.6 mile of Dakota Skipper critical habitat. See link for Dakota Skipper proposed critical habitat maps: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 North Dakota Ecological Services Field Office
 3425 Miriam Avenue
 Bismarck, ND 58501-7926
 Phone: (701) 250-4481 Fax: (701) 355-8513



In Reply Refer To:
 Project Code: 2024-0075903
 Project Name: TMA-SU-8-984(181), PCN 24237

04/11/2024 17:05:19 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Section 7 of the Endangered Species Act

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The Act requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service *if they determine their project and associated actions "may affect" listed species or critical habitat*. If Federal agencies or their non-federal representatives determine their project and associated actions will have "no effect" on listed species, their habitats, or designated critical habitat, consultation is not required. However, if a "no effect" is determined, we recommend that you maintain a written record in support of your conclusion.

Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act

Additionally, while not all are listed as threatened or endangered, eagles and migratory birds

have protections under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). The BGEPA prohibits take which is defined as, “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb” (50 CFR 22.3). Disturb is defined in regulations as, “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”. The MBTA makes it unlawful without a waiver to pursue, hunt, take, capture, kill, or sell birds listed as migratory birds, including eagles. The statute does not discriminate between live or dead birds and also grants full protection to any bird parts including feathers, eggs, and nests.

Service Property Interests

As part of the National Wildlife Refuge System, the Service administers fee title Refuge and Waterfowl Production Areas, as well as wetland and grassland easements, throughout North Dakota. For exact locations of Service interest lands, please contact the appropriate Wetland Management Districts (WMD) for guidance regarding FWS easements.

Northwest ND WMD Complex: Kyle Flanery, (701) 768-2548

Eastern ND WMD Complex: Dave Azure, (701) 285-3341

Central ND WMD Complex (also covers south and west): Todd Luke, (701) 442-5474

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

North Dakota Ecological Services Field Office

3425 Miriam Avenue

Bismarck, ND 58501-7926

(701) 250-4481

PROJECT SUMMARY

Project Code: 2024-0075903

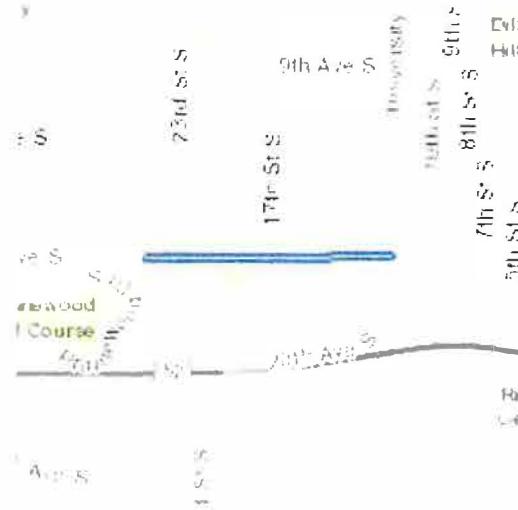
Project Name: TMA-SU-8-984(181), PCN 24237

Project Type: Road/Hwy - Maintenance/Modification

Project Description: The project is reconstruction of 17th Ave S from University Drive to 25th St. S. The project will replace storm sewer, sanitary sewer, watermain, sidewalks, construct a shared use path, and update street lighting and modify traffic signals.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@46.854299749999996,-96.80910945000001,14z>



Counties: Cass County, North Dakota

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none">This species only needs to be considered if the project includes wind turbine operations. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Fargo city
Name: Meaghan Dietrich
Address: 2 Carlson Parkway N
Address Line 2: Suite 110
City: Plymouth
State: MN
Zip: 55447
Email meaghan.dietrich@mooreengineeringinc.com
Phone: 6126990410

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

Appendix C
Section 6(f) Documentation



20 June 2024

Dylan Dunn
Moore Engineering
925 10th Ave. East
West Fargo, ND 58078

Re: TMA-SU-8-984(181), PCN 24237

Dear Mr. Dunn,

The North Dakota Parks and Recreation Department (NDPRD) Grants office has reviewed the above-referenced roadway improvement on 17th Ave S from University Drive to 25th St South, Fargo, North Dakota. The project does appear to take place near several Land and Water Conservation boundaries as stated in NDPRD's environmental review.

Upon review it appears that your project will not substantially affect the recreational value of the adjacent LWCF properties. If the scope of your project, if the scope of your project expands or the timeline of effect exceeds 6 months please contact us.

We appreciate your commitment to maintaining the integrity of the LWCF program by keeping the active recreation component intact and dedicating the LWCF boundary to public outdoor recreation use in perpetuity.

A handwritten signature in black ink, appearing to read "Ariel J. Torgerson". The signature is stylized with a large, sweeping "A" and "T".

Ariel J. Torgerson
Recreation Division Assistant
701.328.5381 • parkrec.nd.gov

Dylan Dunn

From: Dylan Dunn
Sent: Friday, November 1, 2024 2:18 PM
To: Torgerson, AJ J.
Cc: Dylan Kruzel; Langehaug, Char L.
Subject: RE: PCN 24237 17th Ave S, Fargo - Section 4(f) & 6(f) ROW Coordination

Update from the meeting with the City yesterday:
The City would pursue a 2' permanent easement, NOT permanent ROW requiring a change in ownership. So we should be good to go. Thanks for your help with this.

Dylan Dunn, PE (ND & MN)

Professional Engineer

moore engineering, inc.

Phone 701.282.4692 | Fax 701.282.4530

Direct 701.551.1075 | Cell 701.219.3600

25 10th Ave E, West Fargo, ND 58078

dylan.dunn@mooreengineeringinc.com | www.mooreengineeringinc.com

From: Torgerson, AJ J. <ajtorgerson@nd.gov>
Sent: Thursday, October 31, 2024 9:44 AM
To: Dylan Dunn <Dylan.Dunn@mooreengineeringinc.com>; Langehaug, Char L. <clangehaug@nd.gov>
Cc: Dylan Kruzel <Dylan.Kruzel@mooreengineeringinc.com>
Subject: RE: PCN 24237 17th Ave S, Fargo - Section 4(f) & 6(f) ROW Coordination

There is No Impact to the LWCF Boundary, formerly the 6(f) boundary, for Fargo's Southwest Park either in the case of a permanent easement or a change of ownership of the proposed 2' corridor. If a change of ownership occurs NPS would need to be notified so we can file a sponsorship change with NPS.

AJ Torgerson
Special Projects Officer
701-282-5381

From: Dylan Dunn <Dylan.Dunn@mooreengineeringinc.com>
Sent: Tuesday, October 29, 2024 2:51 PM
To: Torgerson, AJ J. <ajtorgerson@nd.gov>; -Info-Parks & Recreation <parkrec@nd.gov>; Duttonhefner, Kathleen G. <kgduttonhefner@nd.gov>
Cc: Dylan Kruzel <Dylan.Kruzel@mooreengineeringinc.com>
Subject: PCN 24237 17th Ave S, Fargo - Section 4(f) & 6(f) ROW Coordination

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

Hi ND Parks & Rec,

Trying to confirm some items on this NDDOT / City of Fargo project on 17th Ave S. We had sent SOV letters previously and received responses (see attached) and now that we are further in design the question boils down to are there any impacts to Section 4(f) or 6(f) properties. Since the SOV letter mailing, the City is now pursuing an option of shifting a proposed 10ft path on the north side of 17th

Page 178

Ave 2ft north and acquire a 2ft permanent easement or permanent ROW plus temporary construction easement in front of Fargo South High School to avoid many trees. See attached for location of acquisitions. There are some spot repairs of sidewalk on the south side that may require a temporary construction easement. That area consists of 1 Fargo Park District property and 1 Fargo School District property, both are agreeable to the path and acquisition.

My question is, would that be considered an impact (temporary or permanent) for the acquisition on the north side or a temporary construction easement on both the north and south sides. My opinion is that it would not be considered an impact since the small area is essentially not used by the adjacent sports fields, therefore not impacting any of the operations. But please let me know the ruling and we will coordinate any mitigation necessary.

Thanks for your time and I look forward to your response.

Dylan Dunn, PE (ND & MN)
Professional Engineer
moore engineering, inc.

Phone 701.282.4692 | Fax 701.282.4530
Direct 701.551.1075 | Cell 701.219.3600
925 10th Ave E, West Fargo, ND 58078
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Appendix D

Environmental Justice (EJ) Analysis Documentation



Environmental Justice (EJ) Analysis Guidance

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, dated February 11, 1994, directed "each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States... The proposed project has federal funding and federal permit requirements and is considered a federal project for purposes of compliance with the Executive Order."

FHWA Order 6640.23A FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations establishes policies and procedures for the Federal Highway Administration (FHWA) to use in complying with Executive Order 12898. FHWA issued Order 6640.23A on June 14, 2012.

Step 1 – Identify Environmental Justice Study Area

The EJ study area is the geographic area where the proposed project has potential for human health or environmental effects. The study area for the EJ analysis was determined by applying a 0.25-mile buffer to the project limits, including any required detours. Maps of the EJ study area are included at the end of this analysis as part of Step 2.

Step 2 – Readily Identifiable Minority or Low-Income Populations within Study Area

EJ populations include minority and low-income populations.

"Minority" is defined in the US Department of Transportation (DOT) Order 5610.2(a) on Environmental Justice as including "Black or African American, Hispanic, Asian American, American Indian/Alaskan Native and Native Hawaiian or Pacific Islander." "Minority population" means any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

"Low-income population" is defined in DOT Order 5610.2(a) as meaning "any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity."

The US Environmental Protection Agency's (EPA) Environmental Justice Screening and Mapping tool (EJScreen) was used to investigate the presence of readily identifiable low-income or minority populations. EJScreen defines percent low-income as the percent of a block group's population in households where the household income is less than, or equal to, twice the federal "poverty level."

The EJ study area was investigated for the presence of readily identifiable:

- minority and/or low-income populations
- community facilities that serve minority and/or low-income populations, and
- businesses that are owned by, employ, and/or serve minority and/or low-income populations.

The investigation included review of demographic data, field review, consultation with knowledgeable local representatives, and public outreach activities, as described below:

Step 2a. – EJScreen Demographic Data

Table 1 - EJScreen Data		
Demographic	Project Study Area (including 0.25-mile buffer)	City of Fargo
Minority Population	15%	20%
Low-Income Population	26%	13%

Compare the percentages of minority and low-income persons in the EJ study area to the percentages of minority and low-income persons at the city or county (city for urban projects and county for rural projects). If the percentages of the study area are meaningfully greater than those of the city or county, it is a strong indicator of the presence of an EJ population and a closer look at the community context is warranted. A study area where the percentage of either above demographic is 10 percentage points higher than the county or city average; or are greater than 50 percent within the study area would be a strong indicator of populations for purposes of the EJ analysis.

An EJScreen report was created for this project and identified that the project area and surrounding .25 mile area does consist of 50-90 percentile low income residents. The project study area's low income population is also more than 10 percentage points higher than the city average. This concludes the project is a readily identifiable EJ population in the EJ study area.

Step 2b. – Field/Office Review, Consultation, or Other Data

According to the US Department of Housing and Urban Development's Affordable Housing locator tool, [HUD Resource Locator](#) the following HUD resources are within the study area: Church Townhomes (1538 16 ½ St S), Crossroads Senior Living Community (1670 E Gateway Cir S) Fargo Housing and Redevelopment Authority (1101 21st St S) North Land Apartments (1115 23rd St S) are located in the study area, but outside of the project area.

Community facilities that provide services to minority and/or low-income populations within the study area may include: Three schools within the project area including South High School (1840 15th Ave), Lewis and Clark Elementary School (1729 16th St S) and Carl Ben Eielson Middle School (1601 13th Ave S). Within the study area there are thirteen religious organization including First Baptist Church (1501 17th Ave S), Tri-City Haitian Ministry Worship Center (1419 17th St S), The Church of Jesus Christ of Latter-day Saints (2502 17th Ave S), Olivet Lutheran Church (1330 S University Dr), Church of Christ (1401 13 ½ St S), Emmanuel Friends Church of Fargo ND (1101 17th Ave S), First Congregational United Church of Christ (1101 17th Ave S), Nativity Church of Fargo (1825 11th St S), First Free Methodist Church (1501 10th Ave S), Newman Center (1141 S University Dr), Relevant Life Church (1002 10th St S) Cornerstone

Baptist Church (1130 11 St S) and Fargo Baha'i Community (1726 14th St S). There are also several City of Fargo MATBUS Line 16 bus stops within the study area including 17th Ave S & 15th St S (Corner NE), 17th Ave S & 16th St S (Corner NE), Shelter 232 (17th Ave S & 16th St S Corner SW), 17th Ave S & 17th St S (Corner NE), 17th Ave S & 17th St S (Corner SW), 17th Ave S & South High School (Midblock S), 17th Ave S & South High School (Midblock North), 17th Ave S & 23rd St S (Corner NE), 17th Ave S & 23rd St S (Corner SW), and 25th St S & Flickertail Dr S (Corner SE).

Readily-identifiable businesses owned by, and/or serving minority and/or low-income populations within the study area may include: There are multiple businesses serving minority populations in the study area. Youthworks (1330 18th Ave S) provides services and support for at-risk youth is within the study area. Sanford/Essentia Health Hospital and Clinics located at the southeastern end of the study area, east of University Drive S. There are also two pharmacies located in the northwest side of the study area including CVS Pharmacy and Prescription Center Pharmacy and on the south east side of the study area is Dakota Clinic Pharmacy. There are three banks in the study area including U.S. Bank (1815 S University), Gate City Bank (1501 S University Dr), and Wells Fargo Bank (2501 13th Ave S). There are two gas stations including Marathon (2727 13th Ave S) and Casey's (2002 25th St S). Other retail businesses in the area include African Market (1230 23rd St S), and Hurley's Religious Goods (1417 S University Dr). In the northeastern corner of the study area are two international restaurants including Rugsan East African Cuisine (2424 13th Ave S) and Leela Thai Cuisine (1450 25th St S), on the west side of the study area is La Unica Mexican Restaurant (1531 S University Dr).

Consultation with local representatives knowledgeable about community demographics, identified the following facilities or relevant issues that may be impacted by the project: None. HUD was solicited for comment but no response was received. Fargo City Staff were consulted in a meeting and on the phone regarding the project detour and subsequent MATBUS Line 16 bus stops and expressed no issue with the proposed project or detour plans.

Step 2c. – Summary of Identification

Based on the data collection from Steps 2a and Step 2b. above:

- ☐ **There is not a readily identifiable EJ population in the EJ study area.**
Therefore, there are no readily identifiable minority or low-income populations affected by the project. (No further study needed)
- ☒ **There is a readily identifiable EJ population in the EJ study area. (Go to Step 3)**

Step 3 – Project Impacts, Avoidance, Minimization, and Benefits

Though HUD low-income housing resources are located outside of the study area, the City of Fargo MATBUS Line 16 runs through the project area along 17th Ave S. The project will temporarily impact public transit within this corridor during construction and buses will not be able to use 17th Ave S during construction.

Public transportation is crucial for low-income individuals, often providing essential access to employment, education, healthcare and services. For those in the nearby HUD low-income housing, maintaining access to MATBUS Line 16 during construction is critical for economic and social stability. For these reasons, the bus detour has been discussed with the City of Fargo to minimize disruptions and effectively communicate detour plans to the community.

The traffic detour route, including bus routes affected by the project, was discussed during the public input meeting on September 17th, 2024.

The project was assessed for applicable potential human health and environmental impacts for all populations, including any related minimization, avoidance, and benefits:

- No residential or business relocations are required for the project.
- Meetings with landowners with access currently limited to 17th Ave S will occur during project development to keep them informed of project development and to best understand how to minimize disruption. Access to all parcels will be maintained.
- Temporary construction impacts such as construction noise will be short term and will be minimized and mitigated by ensuring equipment is in proper working order with functional mufflers, limiting construction to daytime hours, and implementing fugitive dust control measure (water) would be implemented as necessary.
- Contaminated and hazardous waste encounters are not expected.
- The project is not a Type I noise project and noise abatement was not included in the scope of the project.
- A signed traffic detour around the project will be provided and maintained during construction. The detour is temporary and has potential to cause minor delays throughout the project area. The detour will be short term and will maintain access within and through the project area during construction.
- The detour for through traffic will utilize 13th Ave S, which adds 1 mile, resulting in 2 additional minutes from the pre-construction route. Access will be maintained to Fargo South High School and Tharaldson Little League Baseball Complex from 25th St or 17th St at all times. Also, the intersection of 17th Ave & 16th St will be open from 7:30 to 8:30am and 2:00 to 3:00pm during the school year for pick-up and drop-off for Lewis and Clark Elementary.
- There are no permanent impacts to any public parks or recreational facilities.
- Due to the nature and scope of the project, no high or adverse economic impacts are anticipated and no permanent disruptions or impacts to community/neighborhood cohesion are expected.
- There are no permanent impacts to existing transit routes, facilities, or locations. Temporary minor impacts or delays to transit due to any detour routes will be limited and sustained with detour routes. The MATBUS Line 16 bus route will be detoured to 13th Ave S north of the project area, parallel to the MATBUS Line 15 route and utilizing the same bus stops. Bus stops will be closed along 17th while the project is constructed.
- No impacts to existing parking are anticipated.

- Pedestrian facilities within the project area will be enhanced by improving crossing safety, constructing a shared use path, and enhancing pedestrian mobility and aesthetics
- Overall, the project will improve the deteriorated conditions identified for the project and enhance safety within the study area. Other benefits from the project include an added shared use path, improved storm sewer drainage, and upgraded street lighting.

☒ **The identified project impacts are sufficiently addressed through avoidance, minimization, mitigation, and/or benefits such that no substantial adverse impacts to any populations remain. Substantial or adverse impacts to human health and environment are not expected with the project. Therefore, no disproportionately high or adverse impacts to identified minority or low-income populations would occur.** *(No further study needed - document, attach, and summarize the EJ analysis and findings within environmental document)*

☐ **Substantial or adverse project impacts remain after consideration of avoidance, minimization, mitigation, and benefits. Substantial or adverse impacts to human health and environment are anticipated with the project.** *(Go to Step 4)*

Step 4 – Analyze proportionality of high or adverse impacts to EJ populations

EO 12898 requires that the proposed actions be reviewed to determine if there are “disproportionately” high or adverse impacts on these populations. Disproportionately high and adverse effect on minority and low-income populations means an adverse effect that:

- is predominately borne by a minority population and/or a low-income population, or
- is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Determine if any of the adverse impacts (identified in Step 3) to populations remaining after avoidance, minimization, mitigation, and benefits are predominately borne by a minority population and/or a low-income population; or are appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the nonminority population and/or non-low-income population.

☐ **Substantial or adverse project impacts remaining after consideration of avoidance, minimization, mitigation, and benefits are not disproportionately high or adverse for minority or low-income populations.** *(No further study needed - document, attach, and summarize the EJ analysis and findings within environmental document)*

☐ **Substantial or adverse project impacts remaining after consideration of avoidance, minimization, mitigation, and benefits are disproportionately high or adverse for minority or low-income populations.** *(Go to step 5)*

Step 5 – Consider feasibility of project refinements, enhancements, and/or additional mitigation to avoid disproportionate impacts or provide off-setting benefits to EJ population

The consideration of project refinements, enhancements, and additional mitigation may involve a balancing of impacts to other social, economic (including cost) or environmental resources as well as public engagement with the affected population.

Is avoidance of disproportionate impacts to EJ population feasible?

What project refinements, enhancements, or additional mitigation were considered to avoid disproportionate impacts or provide off-setting benefits to EJ populations? Why were they found to be or not to be practicable?

☐ **Additional project refinements, enhancements, and/or mitigation measures were implemented to reduce and avoid disproportionate effects or provide off setting benefits to minority or low-income populations.** *(No further study needed)*

☐ **Additional project refinements, enhancements, and/or mitigation measures to reduce and avoid disproportionate effects to EJ populations were considered but were found to not be practicable. Therefore, the proposed action will have a disproportionately high or adverse effect on minority or low-income populations.** *(Document, attach, and summarize the EJ analysis and findings within environmental document)*

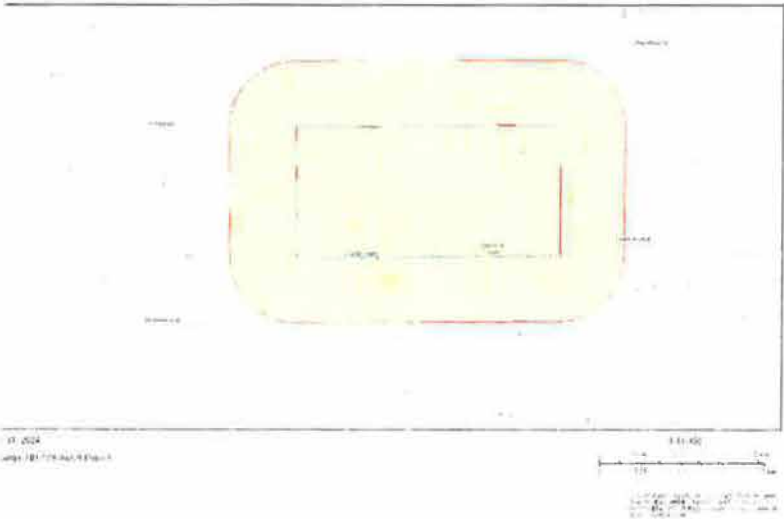


EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Fargo, ND 17th Ave S Project

.25 miles Ring around the Corridor
Population: 7,113
Area in square miles: 1.45



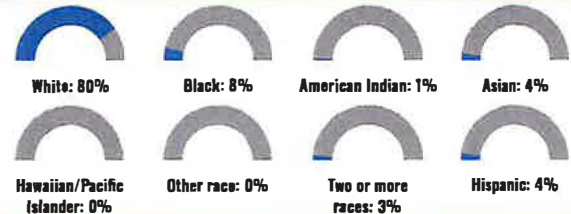
LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	93%
Arabic	4%
Other and Unspecified	2%
Total Non-English	7%

COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE



LIMITED ENGLISH SPEAKING BREAKDOWN



Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2018-2022. Life expectancy data comes from the Centers for Disease Control.

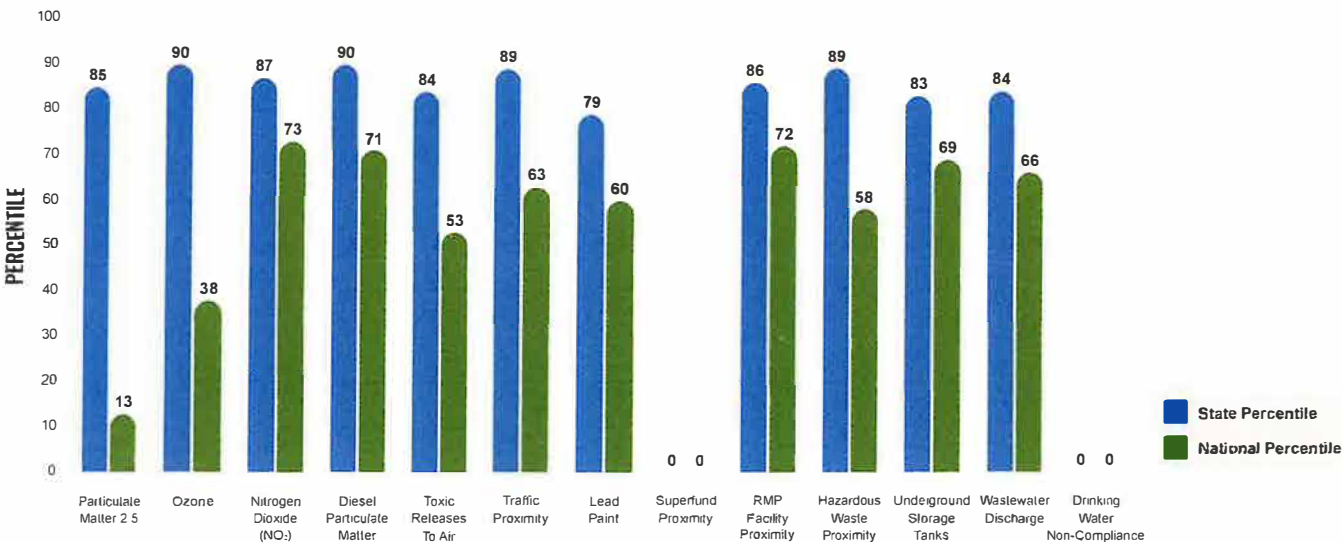
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the [EJScreen website](#).

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

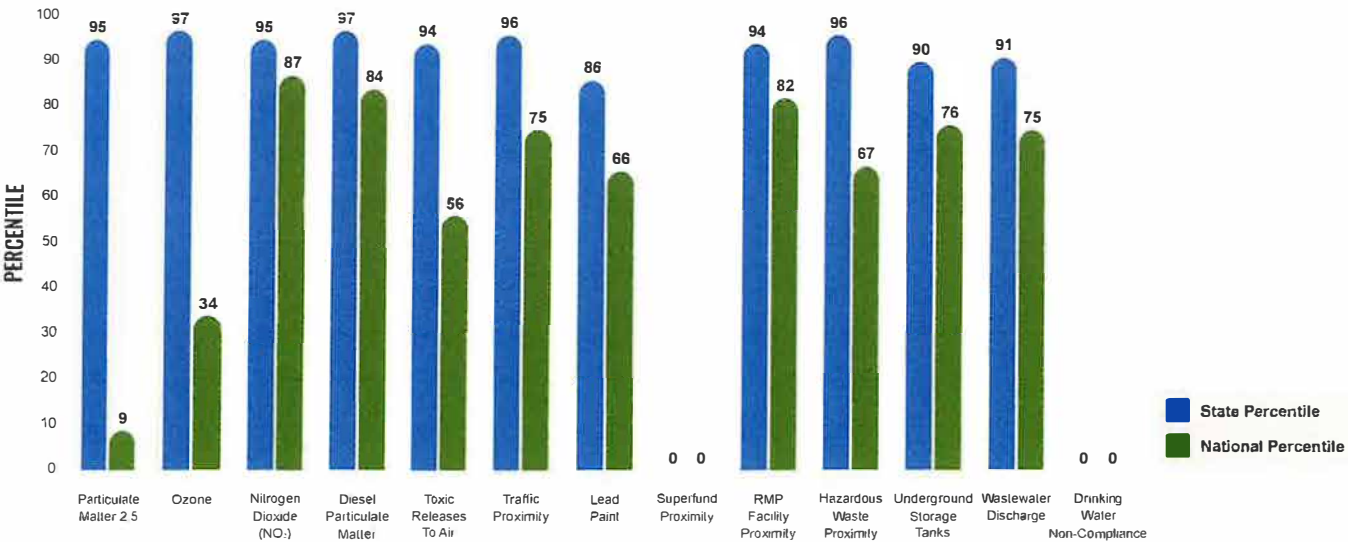
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low income, percent persons with disabilities, percent less than high school education, percent limited English speaking, and percent low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



Report for .25 miles Ring around the Corridor

Report produced October 31, 2024 using EJScreen Version 2.3

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
ENVIRONMENTAL BURDEN INDICATORS					
Particulate Matter 2.5 ($\mu\text{g}/\text{m}^3$)	6.28	5.66	81	8.45	8
Ozone (ppb)	56.1	51.7	94	61.8	28
Nitrogen Dioxide (NO_2) (ppbv)	17	9.1	95	7.8	98
Diesel Particulate Matter ($\mu\text{g}/\text{m}^3$)	0.336	0.116	97	0.191	87
Toxic Releases to Air (toxicity-weighted concentration)	520	460	73	4,600	47
Traffic Proximity (daily traffic count/distance to road)	1,800,000	470,000	97	1,700,000	69
Lead Paint (% Pre-1960 Housing)	0.41	0.29	67	0.3	67
Superfund Proximity (site count/km distance)	0	0	0	0.39	0
RMP Facility Proximity (facility count/km distance)	1.5	0.71	87	0.57	89
Hazardous Waste Proximity (facility count/km distance)	1.8	0.49	95	3.5	57
Underground Storage Tanks (count/ km^2)	4.7	2.1	83	3.6	78
Wastewater Discharge (toxicity-weighted concentration/m distance)	700	40000	74	700000	71
Drinking Water Non-Compliance (points)	0	0.13	0	2.2	0
SOCIOECONOMIC INDICATORS					
Demographic Index USA	1.09	N/A	N/A	1.34	47
Supplemental Demographic Index USA	1.65	N/A	N/A	1.64	56
Demographic Index State	1.56	1.24	74	N/A	N/A
Supplemental Demographic Index State	2.09	1.36	87	N/A	N/A
People of Color	20%	16%	74	40%	36
Low Income	33%	26%	72	30%	60
Unemployment Rate	3%	3%	68	6%	46
Limited English Speaking Households	9%	1%	96	5%	83
Less Than High School Education	9%	7%	74	11%	57
Under Age 5	8%	6%	69	5%	74
Over Age 64	15%	17%	43	18%	45

*Diesel particulate matter index is from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	1
Air Pollution	0
Brownfields	0
Toxic Release Inventory	0

Other community features within defined area:

Schools	4
Hospitals	2
Places of Worship	0

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for .25 miles Ring around the Corridor

Report produced October 31, 2024 using EJScreen Version 2.3

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	20%	18%	66	20%	52
Heart Disease	5.2	6	32	5.8	39
Asthma	9	9.1	60	10.3	17
Cancer	6.5	7.2	34	6.4	51
Persons with Disabilities	11.2%	12.1%	46	13.7%	39

CLIMATE INDICATORS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	1%	9%	12	12%	15
Wildfire Risk	0%	19%	0	14%	0

CRITICAL SERVICE GAPS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	14%	15%	53	13%	65
Lack of Health Insurance	10%	7%	77	9%	66
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access Burden	No	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for .25 miles Ring around the Corridor

Report produced October 31, 2024 using EJScreen Version 2.3

Appendix E Cost Estimate

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Cost Estimate

Project Number:	TMA-SU-8-983(069)	Bid Opening:	8/15/2025
PCN:	24237	Estimate Scope:	ENV
Length	0.98	Tied Project(s):	
City:	Fargo		
County:	Cass	Prepared By:	dylan.dunn
Work Description: Enter RIMS work description			

Location:	Enter RIMS project location
-----------	-----------------------------

Spec	Code	Item Description	Unit	Quantity	Unit Cost	Total Cost
103	0100	CONTRACT BOND	L SUM	1	\$60,000.00	\$60,000.00
201	0330	CLEARING & GRUBBING	L SUM	1	\$25,000.00	\$25,000.00
201	0370	REMOVAL OF TREES 10IN	EA	20	\$750.00	\$15,000.00
201	0380	REMOVAL OF TREES 18IN	EA	20	\$1,500.00	\$30,000.00
201	0390	REMOVAL OF TREES 30IN	EA	1	\$3,000.00	\$3,000.00
202	0114	REMOVAL OF CONCRETE PAVEMENT	SY	4000	\$20.00	\$80,000.00
202	0136	REMOVAL OF PAVEMENT	TON	11500	\$25.00	\$287,500.00
202	0173	REMOVAL OF SEWER PIPE	LF	4880	\$30.00	\$146,400.00
202	0174	REMOVAL OF PIPE ALL TYPES AND SIZES	LF	5000	\$50.00	\$250,000.00
202	0210	REMOVAL OF MANHOLES	EA	10	\$2,500.00	\$25,000.00
202	0235	REMOVAL OF CATCH BASIN	EA	37	\$1,500.00	\$55,500.00
203	0101	COMMON EXCAVATION-TYPE A	CY	5000	\$20.00	\$100,000.00
203	0109	TOPSOIL	CY	1500	\$20.00	\$30,000.00
216	0100	WATER	M GAL	150	\$30.00	\$4,500.00
230	0165	SUBGRADE PREPARATION-TYPE A-12IN	STA	51.5	\$2,000.00	\$103,000.00
251	0300	SEEDING CLASS III	ACRE	3	\$5,000.00	\$15,000.00
251	2000	TEMPORARY COVER CROP	ACRE	3	\$750.00	\$2,250.00
253	0201	HYDRAULIC MULCH	ACRE	6	\$5,000.00	\$30,000.00
302	0101	SALVAGED BASE COURSE	CY	6000	\$75.00	\$450,000.00
430	0500	COMMERCIAL GRADE HOT MIX ASPHALT	TON	100	\$400.00	\$40,000.00
550	0310	10IN NON REINF CONCRETE PVMT CL AE-DOWELED	SY	18200	\$125.00	\$2,275,000.00
702	0100	MOBILIZATION	L SUM	1	\$650,000.00	\$650,000.00
704	0100	FLAGGING	MHR	400	\$60.00	\$24,000.00
704	1000	TRAFFIC CONTROL SIGNS	UNIT	2000	\$3.50	\$7,000.00
704	1052	TYPE III BARRICADE	EA	50	\$120.00	\$6,000.00
704	1054	SIDEWALK BARRICADE	EA	10	\$75.00	\$750.00
704	1058	PEDESTRIAN WALKWAY	LF	400	\$40.00	\$16,000.00
704	1060	DELINEATOR DRUMS	EA	100	\$35.00	\$3,500.00
704	1067	TUBULAR MARKERS	EA	50	\$15.00	\$750.00
704	2108	TEMPORARY CURB RAMP	EA	20	\$500.00	\$10,000.00
704	4011	PORTABLE CHANGEABLE MESSAGE SIGN	EA	2	\$3,500.00	\$7,000.00
706	0400	FIELD OFFICE	EA	1	\$5,000.00	\$5,000.00
708	1540	INLET PROTECTION-SPECIAL	EA	50	\$250.00	\$12,500.00
708	1541	REMOVE INLET PROTECTION-SPECIAL	EA	50	\$50.00	\$2,500.00

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Spec Code	Item Description	Unit	Quantity	Unit Cost	Total Cost
709 0100	GEOSYNTHETIC MATERIAL TYPE G	SY	22000	\$5.00	\$110,000.00
714 0115	PIPE CONC REINF 12IN CL III-STORM DRAIN	LF	25	\$120.00	\$3,000.00
714 0210	PIPE CONC REINF 15IN CL III-STORM DRAIN	LF	700	\$140.00	\$98,000.00
714 0315	PIPE CONC REINF 18IN CL III-STORM DRAIN	LF	30	\$150.00	\$4,500.00
714 0620	PIPE CONC REINF 24IN CL III-STORM DRAIN	LF	60	\$175.00	\$10,500.00
714 0825	PIPE CONC REINF 30IN CL III-STORM DRAIN	LF	475	\$215.00	\$102,125.00
714 0910	PIPE CONC REINF 36IN CL III-STORM DRAIN	LF	400	\$240.00	\$96,000.00
714 1010	PIPE CONC REINF 42IN CL III-STORM DRAIN	LF	1500	\$250.00	\$375,000.00
714 1212	PIPE CONC REINF 54IN CL III-STORM DRAIN	LF	750	\$315.00	\$236,250.00
714 7040	SANITARY SEWER SERVICE CONNECTION	EA	7	\$1,000.00	\$7,000.00
714 7048	PIPE PVC 6IN SEWER	LF	266	\$100.00	\$26,600.00
714 7050	PIPE PVC 8IN SEWER	LF	408	\$150.00	\$61,200.00
714 7100	PIPE PVC 10IN SEWER	LF	160	\$225.00	\$36,000.00
714 9696	EDGEDRAIN NON PERMEABLE BASE	LF	11000	\$15.00	\$165,000.00
722 0100	MANHOLE 48IN	EA	5	\$7,000.00	\$35,000.00
722 0110	MANHOLE 60IN	EA	5	\$8,000.00	\$40,000.00
722 0120	MANHOLE 72IN	EA	6	\$10,000.00	\$60,000.00
722 0140	MANHOLE 96IN	EA	4	\$18,000.00	\$72,000.00
722 0315	MANHOLE CASTING	EA	10	\$2,500.00	\$25,000.00
722 3510	INLET-TYPE 2	EA	37	\$5,000.00	\$185,000.00
724 0210	FITTINGS-DUCTILE IRON	LBS	6000	\$25.00	\$150,000.00
724 0270	REMOVE GATE VALVE & BOX	EA	37	\$1,000.00	\$37,000.00
724 0300	GATE VALVE & BOX 6IN	EA	7	\$3,000.00	\$21,000.00
724 0310	GATE VALVE & BOX 8IN	EA	13	\$4,000.00	\$52,000.00
724 0314	GATE VALVE & BOX 12IN	EA	11	\$7,500.00	\$82,500.00
724 0315	GATE VALVE & BOX 10IN	EA	5	\$6,000.00	\$30,000.00
724 0317	GATE VALVE & BOX 16IN	EA	1	\$10,000.00	\$10,000.00
724 0410	HYDRANT-INSTALL 5IN	EA	7	\$7,500.00	\$52,500.00
724 0430	REMOVE HYDRANT	EA	7	\$1,500.00	\$10,500.00
724 0611	WATER SERVICE LINE 1IN	LF	155	\$50.00	\$7,750.00
724 0670	TEMPORARY WATER SERVICE	L SUM	1	\$25,000.00	\$25,000.00
724 0810	WATERMAIN 6IN PVC	LF	100	\$125.00	\$12,500.00
724 0830	WATERMAIN 8IN PVC	LF	300	\$140.00	\$42,000.00
724 0840	WATERMAIN 10IN PVC	LF	120	\$200.00	\$24,000.00
724 0850	WATERMAIN 12IN PVC	LF	2700	\$250.00	\$675,000.00
724 0905	CURB STOP & BOX 1IN	EA	7	\$1,000.00	\$7,000.00
724 0955	WATER SERVICE CONNECTION 1IN	EA	7	\$1,000.00	\$7,000.00
724 1212	BORE & PUSH 12IN WATERMAIN	LF	1600	\$100.00	\$160,000.00
724 6031	ABANDON WATER MAIN/SERVICE LINE	LF	2500	\$20.00	\$50,000.00
744 0050	INSULATION BOARD	CF	200	\$20.00	\$4,000.00
748 0190	CURB & GUTTER-TYPE I 30IN	LF	11000	\$40.00	\$440,000.00
750 0115	SIDEWALK CONCRETE 4IN	SY	1050	\$80.00	\$84,000.00
750 0120	SIDEWALK CONCRETE 5IN REINF	SY	4500	\$100.00	\$450,000.00

Spec	Code	Item Description	Unit	Quantity	Unit Cost	Total Cost
750	0140	SIDEWALK CONCRETE 6IN	SY	350	\$110.00	\$38,500.00
750	1000	DRIVEWAY CONCRETE	SY	2000	\$120.00	\$240,000.00
750	2115	DETECTABLE WARNING PANELS	SF	1200	\$70.00	\$84,000.00
752	0911	TEMPORARY SAFETY FENCE	LF	2000	\$5.00	\$10,000.00
754	0110	FLAT SHEET FOR SIGNS-TYPE XI REFL SHEETING	SF	300	\$30.00	\$9,000.00
754	0112	FLAT SHEET FOR SIGNS-TYPE IV REFL SHEETING	SF	500	\$35.00	\$17,500.00
754	0206	STEEL GALV POSTS-TELESCOPING PERFORATED TUBE	LF	300	\$25.00	\$7,500.00
754	0592	RESET SIGN PANEL	EA	5	\$150.00	\$750.00
762	0122	PREFORMED PATTERNED PVMT MK-MESSAGE(GROOVED)	SF	120	\$50.00	\$6,000.00
762	1307	PREFORMED PATTERNED PVMT MK 6IN LINE-GROOVED	LF	90	\$15.00	\$1,350.00
762	1309	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	LF	450	\$20.00	\$9,000.00
762	1317	PREFORMED PATTERNED PVMT MK 16IN LINE-GROOVED	LF	165	\$40.00	\$6,600.00
762	1325	PREFORMED PATTERNED PVMT MK 24IN LINE-GROOVED	LF	640	\$60.00	\$38,400.00
762	1344	PREF PATT PVMT MK 7IN LINE CONTRAST-GROOVED	LF	3100	\$20.00	\$62,000.00
770	0001	LIGHTING SYSTEM	EA	1	\$375,000.00	\$375,000.00
770	4567	REMOVE LIGHTING SYSTEM	EA	1	\$75,000.00	\$75,000.00
772	2110	FLASHING BEACON-POST MOUNTED	EA	2	\$7,500.00	\$15,000.00
772	3051	RELOCATE SIGNAL STANDARD	EA	1	\$25,000.00	\$25,000.00
970	1000	TREES	EA	60	\$700.00	\$42,000.00
					Subtotal	\$10,016,675.00

Estimate Summary and Totals

Engineering Percent: 15.00%

Subtotal:
\$10,016,675.00 + 15.00% Engineering = \$11,519,176.25

Appendix F

Comments and Responses From the Draft Documented CATEX

Summary of Comments on NDDOT Comments TMA-SU-8-984(181) Draft DCE_24237_archive.pdf

Page: 1

 Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Cross-Out Date: 12/2/2024 9:09:21 AM
Remove when submit final document.

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 11:59:02 AM
removed



Author: Sengaroun Marohl (smarohl@nd.gov)


Subject: Sticky Note Date: 12/2/2024 9:32:46 AM

Please include Appendix for Cost estimate.



Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 11:59:47 AM

added as Appendix E

 Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 7:21:31 AM
May want to consider putting a north arrow on the map


 Author: Dylan Dunn Subject: Sticky Note Date: 12/10/2024 8:28:51 PM
added

 Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Text Box Date: 12/2/2024 9:16:28 AM
8/15/2025

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 12:00:09 PM
updated

 Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Cross-Out Date: 12/2/2024 9:18:41 AM


 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 12:00:32 PM
removed

 Author: kl (khleben@nd.gov) Subject: Underline Date: 12/4/2024 9:20:41 AM
This should be rewritten. The purpose and need statement should explain the why the project is needed and what problems need to be addressed, not state what will be done.

 Author: Dylan Dunn Subject: Sticky Note Date: 12/10/2024 8:31:28 PM
section revised

 Author: Aaron Lehman (alehman@nd.gov) Subject: Comment on Text Date: 11/27/2024 11:12:11 AM
and upgrade

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:06:34 PM
leave as is

 Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 7:25:59 AM
Is this recon of the sidewalks throughout the project limits or just a select area? If only a select area, we may need to check for ADA compliance throughout the entire project. If this were a state road, we would need to make sure the sidewalk throughout the project was ADA compliant if we replace a portion of the sidewalk.

 Author: kl (khleben@nd.gov) Subject: Sticky Note Date: 12/4/2024 9:13:23 AM
Since this is recon, all the facilities in the within the project limits need to be ADA compliant.

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:08:41 PM
entire corridor being upgraded to be ADA compliant

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 Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Sticky Note Date: 12/2/2024 10:09:18 AM


Please include normal existing typical section that shows pavement thickness for each layer.

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 5:02:21 PM
typical section added

 Author: Wayne Zacher (wzacher@nd.gov) Subject: Sticky Note Date: 11/26/2024 7:32:18 AM

The math doesn't appear to work on this rendering as you work down/up through the varying dimensions. Typical sections usually also show cross slope and pavement section depths,

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 5:02:32 PM
typical section added

 Author: Amy Beise (abeise@nd.gov) Subject: Sticky Note Date: 11/19/2024 10:02:22 AM


What is the existing pavement type and thickness?

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:10:56 PM
added in typical section


Page: 7

- Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Text Box Date: 12/2/2024 12:53:57 PM
\$9,960,000 Total; \$5,400,000 Federal; \$4,560,000 City
- Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 12:01:58 PM
added
- Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Text Box Date: 12/2/2024 12:54:19 PM
2025-2028 Final STIP
- Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 12:01:51 PM
added
- Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Sticky Note Date: 12/5/2024 1:00:33 PM
Please show DCE cost estimate with total, federal and city.
- Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 12:02:02 PM
added
- Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 7:34:22 AM
This seems a little too good to be true.
- Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 5:03:28 PM
cost estimate revised and included in appendix
- Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 7:36:05 AM
This isn't a safety project, so I am not a fan of trying to use safety as a driver of the project.
- Author: Dylan Dunn Subject: Sticky Note Date: 12/10/2024 8:42:30 PM
section revised
- Author: Wayne Zacher (wzacher@nd.gov) Subject: Cross-Out Date: 11/26/2024 7:39:26 AM
We need to make sure that we have 2 viable alternatives in the environmental document, but with the information struck out and notes about safety in the no build; there is really only one. The alternative discussion should not identify one alternative being better than the other; we just need to be identifying the issues and impacts.
- Author: kl (khleben@nd.gov) Subject: Sticky Note Date: 12/4/2024 9:18:11 AM
I agree - the alternatives section should discuss how each option meets, or does not meet, the purpose and need that you have established for the project. The P&N should be clear and concise to enable easy comparison of alternatives. How does alternative B address the speeding need you identified?
- Author: Dylan Dunn Subject: Sticky Note Date: 12/10/2024 8:42:36 PM
section revised
- Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 7:40:47 AM
Why concrete? Is this a City standard/requirement for this type of roadway?
- Author: Dylan Dunn Subject: Sticky Note Date: 12/6/2024 2:07:55 PM
City selected concrete for pavement type on
- Author: Amy Beise (abeise@nd.gov) Subject: Sticky Note Date: 11/19/2024 10:09:35 AM
If cost is an issue there could be some opportunities to make this section thinner and still perform. There are not a lot of trucks on the corridor.
- Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:01:02 PM
City selected their standard street section
- Author: Sengaroun Marohl (smarohl@nd.gov) Subject: Sticky Note Date: 12/2/2024 10:09:56 AM
Please include normal proposed typical section with pavement thickness for each layer.
- Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 5:04:41 PM
info added with typical section
- Author: Wayne Zacher (wzacher@nd.gov) Subject: Sticky Note Date: 11/26/2024 7:44:40 AM
If speed is a current issue with 10.5' lanes, I imagine that the speed will go up with 13' lanes and no parking.
- Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:15:35 PM
unused parking lane makes the lanes feel larger than actual. 30' face of curb to face of curb selected for possible snow accumulation and bus route

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 Author: Wayne Zacher (wzacher@nd.gov) Subject: Sticky Note Date: 11/26/2024 7:45:37 AM
What is the cross slope?

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 5:00:29 PM
City of Fargo standard 2.35% at this width


 Author: Wayne Zacher (wzacher@nd.gov) Subject: Sticky Note Date: 11/26/2024 7:45:21 AM
This buffer math doesn't work unless it includes the 2' behind the sidewalk, but then it isn't shown correctly.

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 5:00:16 PM
revised with typical section





 Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 7:49:13 AM







How was this time calculated? Maybe is works in an ideal situation.

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:01:40 PM







google maps route

	Author: kl (khleben@nd.gov)	Subject: Comment on Text	Date: 12/4/2024 9:22:12 AM
Are any 4(f) properties present?			
	Author: Dylan Dunn	Subject: Sticky Note	Date: 12/5/2024 1:01:59 PM
none reported			


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-  Author: kl (khleben@nd.gov) Subject: Comment on Text Date: 12/4/2024 9:23:50 AM
as part of the project within the project limits, or elsewhere, or a combination of both?
-  Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:02:40 PM
within project limits. added to paragraph
-  Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 7:55:18 AM
May need to work with ROW, but a permanent easement may be different than permanent ROW because the property remains with the landowner.
-  Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:02:59 PM
City project. City selected permanent easement
-  Author: Aaron Lehman (alehman@nd.gov) Subject: Highlight Date: 11/27/2024 11:28:50 AM
Put the title on the same page as the table itself
-  Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:03:17 PM
adjusted to following page


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	Author: Sengaroun Marohl (smarohl@nd.gov)	Subject: Pencil	Date: 12/2/2024 12:54:35 PM
	Federal funds is capped for this project at \$5,400,000.		
	Author: Dylan Dunn	Subject: Sticky Note	Date: 12/5/2024 1:04:04 PM
	revised		
	Author: Sengaroun Marohl (smarohl@nd.gov)	Subject: Sticky Note	Date: 12/2/2024 12:56:38 PM
	Is this grant federal? Can't use federal to match federal.		
	Author: Dylan Dunn	Subject: Sticky Note	Date: 12/5/2024 1:04:23 PM
	federal grant		
	Author: Wayne Zacher (wzacher@nd.gov)	Subject: Highlight	Date: 11/26/2024 7:57:23 AM
	So why does the table not reflect this? Where is the additional \$1.4M coming from in the federal column?		
	Author: Dylan Dunn	Subject: Sticky Note	Date: 12/5/2024 1:04:29 PM
	table updated		


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 Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 8:05:23 AM
Was the commitment to mitigate the **lost** trees made at this time (**noted above**) or was that later?

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:16:48 PM
City intended to replace lost trees with project **before** comment

 Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 8:06:44 AM
Is this a flashing beacon or an RRFB?


 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:04:54 PM
City selected a **beacon**, not an RRFB

 Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 8:06:29 AM
I would **buy** the increased visibility of the crossing, **but how does this increase safety?**

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:05:41 PM
increased visibility results in **increased safety for pedestrians**

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-
-  Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 8:14:24 AM
Does this include temp accesses? What about for the apron replacements and not having access to driveway or how to get to driveway?
-
-  Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:17:57 PM
revised, temporary access change during construction
-
-  Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 8:25:11 AM
What about all of the parks mentioned above?
-
-  Author: dylan.dunn Subject: Sticky Note Date: 12/18/2024 11:13:28 AM
no 4(f) properties, 6(f) only
-
-  Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 8:25:35 AM
What about all of the parks mentioned above?
-
-  Author: dylan.dunn Subject: Sticky Note Date: 12/18/2024 11:13:32 AM
no 4(f) properties, 6(f) only
-
-  Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 8:26:19 AM
I know the plan is to maintain access, but there could be temporary access issues.
-
-  Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:19:45 PM
no temporary interference to the activities or purpose of the park. temporary access impact (detour) only
-

 Author: Wayne Zacher (wzacher@nd.gov) Subject: Highlight Date: 11/26/2024 9:24:52 AM
I would assume this is just a 'no'.

 Author: Dylan Dunn Subject: Sticky Note Date: 12/5/2024 1:19:58 PM
revised

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 Author: Sengaroun Marohl (smarohl@nd.gov)
On behalf of

Date: 11/18/2024 2:25:14 PM

Certificate Of Completion

Envelope Id: 3D6057DC-D46C-4BAD-A4D8-C06B8BB932DE		Status: Completed
Subject: Please DocuSign: 006NT_Notes.pdf		
Source Envelope:		
Document Pages: 90	Signatures: 0	Envelope Originator:
Certificate Pages: 1	Initials: 0	Dylan Dunn
AutoNav: Enabled	Stamps: 1	925 10th Ave E.
Envelopeld Stamping: Enabled		West Fargo, 58078
Time Zone: (UTC-06:00) Central Time (US & Canada)		dylan.dunn@mooreengineeringinc.com
		IP Address: 76.10.121.242

Record Tracking

Status: Original	Holder: Dylan Dunn	Location: DocuSign
2/6/2025 11:39:05 AM	dylan.dunn@mooreengineeringinc.com	

Signer Events

Dylan Dunn
dylan.dunn@mooreengineeringinc.com
Professional Engineer
Moore Engineering, Inc.
Security Level: Email, Account Authentication (None)

Signature

Signed



Using IP Address: 76.10.121.242

Timestamp

Sent: 2/6/2025 11:43:07 AM
Viewed: 2/6/2025 11:43:12 AM
Signed: 2/6/2025 12:04:26 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/6/2025 11:43:07 AM
Envelope Updated	Security Checked	2/6/2025 12:00:21 PM
Envelope Updated	Security Checked	2/6/2025 12:01:29 PM
Envelope Updated	Security Checked	2/6/2025 12:02:12 PM
Envelope Updated	Security Checked	2/6/2025 12:03:03 PM
Envelope Updated	Security Checked	2/6/2025 12:04:08 PM
Certified Delivered	Security Checked	2/6/2025 11:43:12 AM
Signing Complete	Security Checked	2/6/2025 12:04:26 PM
Completed	Security Checked	2/6/2025 12:04:26 PM
Payment Events	Status	Timestamps

(15)

Engineering Department
225 4th Street North
Fargo, ND 58102
Phone: 701.241.1545 | Fax: 701.241.8101
Email: feng@FargoND.gov
www.FargoND.gov

March 12, 2025

Honorable Board of City
Commissioners
City of Fargo
Fargo, ND

Re: Improvement District No. BR-25-B2

Dear Commissioners:

Bids were opened at 11:45 am on Wednesday, March 12, 2025, for Paving and Utility Rehab/Reconstruction, Improvement District No. BR-25-B2, located at 9th Avenue South from 5th Street to 8th Street, 10th Avenue South from 5th Street to 7th Street, 6th Street South from 9th Avenue to 11th Avenue, 7th Street South from 9th Avenue to 11th Avenue.

The bids were as follows:

Sellin Bros, Inc	\$4,622,287.00
Engineers Estimate	\$3,529,100.85

The only bid received exceeded the engineer's estimate by 30.9%. This project was initially bid on November 20, 2024, but the City received only one bid, which exceeded the engineer's estimate by 25.5%. In an effort to attract more competitive pricing, the project was revised to allow additional time and rebid. However, the City once again received only a single bid, this time from a different contractor, with an even greater overage.

Engineering is recommending that the City Commission reject all bids once again. The project will be revised further with modifications to the project limits to reduce its scope and will be rebid at a future date.

Sincerely,



Thomas Knakmuhs, P.E.
City Engineer



Engineering Department

225 4th Street North

Fargo, ND 58102

Phone: 701.241.1545 | Fax: 701.241.8101

Email: feng@FargoND.gov

www.FargoND.gov

March 12, 2025

Honorable Board of City
Commissioners
City of Fargo
Fargo, ND

Re: Improvement District No. PR-25-C1

Dear Commissioners:

Bids were opened at 11:45 am on Wednesday, March 12, 2025, for Seal Coat, Improvement District No. PR-25-C1, located as follows: Various Areas Citywide.

The bids were as follows:

Asphalt Preservation Company, Inc.	\$1,751,602.84
Asphalt Surface Tech Corp	\$1,997,629.38
Engineers Estimate	\$2,070,286.35

Private financial security is not needed.

No protests have been received.

This office recommends award of the contract to Asphalt Preservation Company, Inc. in the amount of \$1,751,602.84 as the lowest and best bid.

Sincerely,

Thomas Knakmuhs, P.E.

City Engineer



Engineer's Statement Of Cost
Improvement District # PR-25-C1
Seal Coat

Various Areas

WHEREAS, bids have been opened and filed for the above described Improvement District for City of Fargo, North Dakota; and WHEREAS, an estimate of the cost of work is required by the engineer for the City of Fargo, North Dakota;

NOW THEREFORE Thomas Knakmuhs, do hereby certify as follows:

That I am the City Engineer for the City of Fargo, North Dakota;

That the following is detailed statement of the estimated cost of the job described as:

Seal Coat Improvement District # PR-25-C1 of the City of Fargo, North Dakota.

Line	Description	Unit	Quantity	Unit Price (\$)	Amount (\$)
SECTION 1					
1	Mobilization	LS	1.00	191,500.00	191,500.00
2	F&I Pavement Mix Wear Course Asph	Ton	60.00	770.00	46,200.00
3	F&I Seal Aggregate A	SY	388,461.00	1.16	450,614.76
4	F&I Seal Aggregate B	SY	275,735.00	1.16	319,852.60
5	F&I Seal Oil	Gal	202,023.00	2.00	404,046.00
6	Traffic Control - Minor	LS	1.00	8,855.00	8,855.00
7	Tow Vehicle	EA	30.00	175.00	5,250.00
SECTION 1 Total					1,426,318.36
Section 1 Pavement Markings					
8	Masking	SF	192.00	11.61	2,229.12
9	Paint Epoxy Line 4" Wide	LF	49,942.00	0.40	19,976.80
10	Paint Epoxy Line 8" Wide	LF	9,278.00	0.84	7,793.52
11	Paint Epoxy Line 16" Wide	LF	324.00	16.77	5,433.48
12	Paint Epoxy Line 24" Wide	LF	1,974.00	21.40	42,243.60
13	Paint Epoxy Message	SF	2,912.00	14.14	41,175.68
Section 1 Pavement Markings Total					118,852.20
SECTION 2					
14	Mobilization	LS	1.00	30,500.00	30,500.00
15	F&I Seal Aggregate A	SY	59,488.00	1.16	69,006.08
16	F&I Seal Aggregate B	SY	34,872.00	1.16	40,451.52
17	F&I Seal Oil	Gal	28,021.00	2.00	56,042.00
18	Paint Epoxy Line 4" Wide	LF	736.00	0.40	294.40

Line	Description	Unit	Quantity	Unit Price (\$)	Amount (\$)
19	Paint Epoxy Line 8" Wide	LF	641.00	0.84	538.44
20	Paint Epoxy Line 24" Wide	LF	126.00	21.40	2,696.40
21	Paint Epoxy Message	SF	246.00	14.14	3,478.44
22	Traffic Control - Minor	LS	1.00	1,675.00	1,675.00
23	Tow Vehicle	EA	10.00	175.00	1,750.00
SECTION 2 Total					206,432.28
Total Construction in \$					1,751,602.84

Engineering	10.00%	175,160.29
Admin	4.00%	70,064.11
Legal	3.00%	52,548.09
Interest	4.00%	70,064.11
Contingency	5.00%	87,580.14
Total Estimated Costs		2,207,019.58
Sales Tax Funds - Infrastructure - 420		1,797,161.13
Utility Funds - Street Lights - 528		149,753.78
Special Assessments		260,104.67
Unfunded Costs		0.00

IN WITNESS THEREOF, I have hereunto set my hand and seal



A large, stylized handwritten signature in black ink, appearing to read "T. Knakmuhs".

Thomas Knakmuhs, P.E.
City Engineer

RESOLUTIONS PERTAINING TO IMPROVEMENT DISTRICT NO. PR-25-C1

SEAL COAT

Determining Insufficiency of Protests

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota (the "Board"), has created by resolution Improvement District No. PR-25-C1 (the "Improvement District") in the City of Fargo, North Dakota (the "City"), as required by North Dakota Century Code, Chapter 40-22 (the "Act"); and

WHEREAS, the Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered, as required by the Act; and

WHEREAS, the City has caused the resolution of necessity for the project relating to the Improvement District (the "Resolution") to be published once each week for two consecutive weeks in the official newspaper of the City, as required by the Act; and

WHEREAS, the Act provides that, if within thirty days after the first publication of the Resolution the owners of any property within the Improvement District file written protests describing the property which is the subject of the protest with the city auditor protesting against the adoption of said Resolution, the Board, at its next meeting after the expiration of the time for filing such protests, shall hear and determine the sufficiency thereof; and

WHEREAS, thirty days have passed since the date of the first publication of the Resolution and the time for filing protests has expired;

NOW THEREFORE BE IT RESOLVED, that the Board hereby finds that the written protests received are insufficient to bar any of the proceedings relating to the project in the Improvement District.

C E R T I F I C A T E

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

I, Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota do hereby certify that the foregoing is a full, true and correct copy of the resolution adopted by the Board of City Commissioners of the City of Fargo at the Regular Meeting of the Board held on Monday, March 17th, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Fargo, North Dakota, this 17th day of March, 2025.

Steven Sprague
City Auditor

(SEAL)

COVER SHEET
CITY OF FARGO PROJECTS

17

This sheet must be completed and turned in with all City of Fargo projects. NO items will be accepted by either the City Commission Office or the City Auditor's Office without this cover sheet attached and properly filled out.

Exact, full name of improvement district as it will appear in the contract:

Asphalt Mill & Overlay

Improvement

District No. PR-25-H

Call For Bids	<u>March 17</u>	<u>2025</u>
Advertise Dates	<u>March 26 & April 2</u>	<u>2025</u>
Bid Opening Date	<u>April 23</u>	<u>2025</u>
Substantial Completion Date	<u>September 20</u>	<u>2025</u>
Final Completion Date	<u>October 20</u>	<u>2025</u>

<u>N/A</u>	PWPEC Report (Part of 2025 CIP)
<u>X</u>	Engineer's Report (Attach Copy)
<u>X</u>	Direct City Auditor to Advertise for Bids
<u>X</u>	Bid Quantities (Attach Copy for Auditor's Office Only)
<u>X</u>	Notice to Property Owners (Special Assessments)
<u>N/A</u>	Supplemental Funding Language Included

Project Engineer Jason Hoogland

Phone No. (701) 241-1545

The items listed above are for use on all City projects. The additional items listed below are to be checked only when all or part of a project is to be special assessed:

<u>X</u>	Create District (Attach Copy of Legal Description)
<u>X</u>	Order Plans & Specifications
<u>X</u>	Approve Plans & Specifications
<u>X</u>	Adopt Resolution of Necessity
<u>N/A</u>	Approve Escrow Agreement (Attach Copy for Commission Office Only)
<u>X</u>	Assessment Map (Attach Copy for Auditor's Office Only)

RESOLUTIONS PERTAINING TO IMPROVEMENT DISTRICT NO. PR-25-H1

ASPHALT MILL & OVERLAY

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That the Board of City Commissioners deems it expedient that Improvement District No. PR-25-H1 (Asphalt Mill & Overlay) in the City of Fargo, North Dakota, be created in accordance with North Dakota Century Code, Section 40-22-08 and the location and comprising included with the Engineer's Report,

NOW THEREFORE BE IT RESOLVED, the Improvement District PR-25-H1 in the City of Fargo, North Dakota, be and the same is hereby created.

That, pursuant to North Dakota Century Code, Section 40-22-10, the Board of City Commissioners has directed the City Engineer to report as to the general nature, purpose and feasibility relative to the construction of Improvement District No. PR-25-H1 in the City of Fargo, North Dakota; as well as an estimate of the approximate cost of said construction,

That, pursuant to North Dakota Century Code, Section 40-22-11, the Board of City Commissioners has directed the City Engineer to prepare Plans and Specifications for the construction of Improvement District No. PR-25-H1 in the City of Fargo, North Dakota

WHEREAS, The Board of City Commissioners of the City of Fargo, North Dakota, has created Improvement District No. PR-25-H1 in the City of Fargo, North Dakota, as required by law; and

WHEREAS, Plans and Specifications and the Engineer's Report prepared by the City Engineer, have been considered;

NOW THEREFORE BE IT RESOLVED, That the Plans and Specifications and Engineer's Report for the construction of Improvement District No. PR-25-H1 in the City of Fargo North Dakota, be and the same are hereby approved and ordered filed in the Office of the Auditor.

C E R T I F I C A T E

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

Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota do hereby certify that the foregoing is a full, true and correct copy of the resolution adopted by the Board of City Commissioners of the City of Fargo at the Regular Meeting of the Board held on Monday, March 17th, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Fargo, North Dakota, this 17th day of March, 2025.

Steven Sprague
City Auditor

SEAL)



**ENGINEER'S REPORT
ASPHALT MILL & OVERLAY
IMPROVEMENT DISTRICT NO. PR-25-H
VARIOUS LOCATIONS IN THE CITY OF FARGO**

Nature & Scope

This project is part of the City's annual infrastructure improvement efforts and impacts multiple areas of Fargo each construction season. The purpose of the project is to correct deficiencies on the streets that have developed over time. As part of the project, the Contractor will be mud-jacking sections of the curb and gutter in an effort to alleviate major drainage problems. This process involves coring small holes through the curb and gutter section (and driveway apron when necessary) and injecting grout through the holes to raise the gutter to the desired grade. The Contractor will replace areas of broken up pavement as well as a limited amount of curb & gutter. The Contractor will also be replacing some sections of sidewalk that need to be updated to meet new standards for the Americans with Disabilities Act. After all the concrete work has been completed, the Contractor will mill off some of the asphalt and put on a new lift of asphalt. The project will take place in five different areas.

Purpose

This project is needed to correct deficiencies on the streets that have developed over time. By milling and overlaying the roads at this time, we can extend the life of the road and get a better riding street with improved drainage.

Special Assessment District

All properties within the Special Assessment District will benefit from the infrastructure improvements and were determined through consideration of the longevity, consistency, and uniformity of benefiting properties within the City of Fargo. Special Assessments will be levied to each property in accordance with the City's Infrastructure Funding Policy and are subject to the approval of the Special Assessment Commission and the City Commission.

Feasibility

The estimated cost of construction is \$2,211,546.00. The cost breakdown is as follows:

Pavement Markings and Traffic Signal Loops

Construction Cost			\$132,554.00
Fees			

Admin	4%	\$5,302.16
Contingency	5%	\$6,627.70
Engineering	10%	\$13,255.40
Interest	4%	\$5,302.16
Legal	3%	\$3,976.62

Total Estimated Cost		\$167,018.04
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Funding

Utility Funds - Street Lights - 528	50.00%	\$83,509.02
Special Assessments	50.00%	\$83,509.02

Storm Sewer

Construction Cost			\$10,400.00
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Fees

Admin	4%	\$416.00
Contingency	5%	\$520.00
Engineering	10%	\$1,040.00
Interest	4%	\$416.00
Legal	3%	\$312.00

Total Estimated Cost		\$13,104.00
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Funding

Utility Funds - Stormwater - 524	50.00%	\$6,552.00
Special Assessments	50.00%	\$6,552.00

Paving

Construction Cost		\$2,068,592.00
Fees		

Admin	4%	\$82,743.68
Contingency	5%	\$103,429.60
Engineering	10%	\$206,859.20
Interest	4%	\$82,743.68
Legal	3%	\$62,057.76

Total Estimated Cost		\$2,606,425.92
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Funding

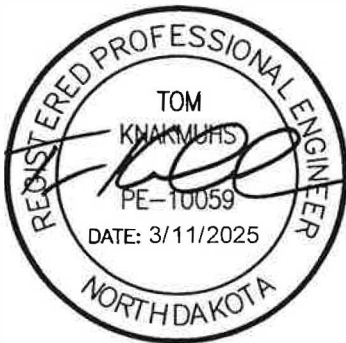
Sales Tax Funds - Infrastructure - 420	51.37%	\$1,338,918.66
Special Assessments	48.63%	\$1,267,507.26

Project Funding Summary

Utility Funds - Street Lights - 528	3.00%	\$83,509.02
Utility Funds - Stormwater - 524	0.24%	\$6,552.00
Sales Tax Funds - Infrastructure - 420	48.05%	\$1,338,918.66
Special Assessments	48.72%	\$1,357,568.28

Total Estimated Project Cost		\$2,786,547.96
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We believe this project to be cost effective.



A large, stylized handwritten signature in black ink, appearing to read "T. Knakmuhs".

Thomas Knakmuhs, P.E.
City Engineer



**LOCATION AND COMPRISING
ASPHALT MILL & OVERLAY
IMPROVEMENT DISTRICT NO. PR-25-H
VARIOUS LOCATIONS IN THE CITY OF FARGO**

LOCATION:

LOCATION (Section 1):

On 2nd Avenue North from 7th Street North to 14th Street North.
On 12th Street North from 1st Avenue North to 2nd Avenue North.

LOCATION (Section 2):

On Eddy Court South from 3rd Avenue South to 5th Avenue South.
On 14th Street South from 1st Avenue South to 5th Avenue South.
On 15th Street South from 1st Avenue South to 5th Avenue South.
On 16th Street South from 1st Avenue South to 5th Avenue South.
On 24th Street South from 1st Avenue South to 2nd Avenue South.
On 1st Avenue South from 23rd Street South to 24th Street South.
On 2nd Avenue South from University Drive South to 324' east of 18th Street South.
On 3rd Avenue South from University Drive South to 16th Street South.
On 4th Avenue South from Eddy Court South to 16th Street South.

LOCATION (Section 3):

On 9th Avenue Circle South north of 9th Avenue South.
On 9th Avenue South from 42nd Street South to 45th Street South.
On 10th Avenue South from 42nd Street South to 44th Street South.
On 43rd Street South from 9th Avenue South to 13th Avenue South.
On 43 ½ Street South from 10th Avenue South to 13th Avenue South.
On 44th Street South from 9th Avenue South to 13th Avenue South.

LOCATION (Section 4):

On 38th Street South from 330' south of 17th Avenue South for about 958' south.

LOCATION (Section 5):

On 24th Avenue South from 9th Street South to 371' east of University Drive South.

COMPRISING:

COMPRISING (Section 1):

Lots 4 through 10, Block 8.

Lots 1, 2, 3, 10, 11 & 12, Block 9.
All in Roberts Addition.

Lots 1 through 12, Block 21.
Lots 1 through 7, Block 22.
Lots 1, 2, 3, 7 & 8, Block 27.
Lots 10, 11 & 12, Block 28.
Lots 1, 2, 3 & 12, Block 37.
Lots 1 through 12, Block 38.
Lots 1 through 6, Block 43.
Lots 1, 2 & 3, Block 44.
All in Roberts' 2nd Addition.

Lots 13 through 24, Block 13.
Lots 1 through 12, Block 19.
All in Reeve's Addition.

COMPRISING (Section 2):

Lots 1 through 8, Block 2.
Lots 13 through 24, Block 2.
Lots 1 through 4, Block 6.
Lots 6 through 10, Block 6.
Lots 1 & 7 through 12, Block 7.
All in Egbert, O'Neil & Haggart's Subdivision.

Lot 7, Block 4.
Lot 6, Block 6.
Lots 1 through 12, Block 8.
All in Arneson's Addition.

Lots A, B, B2, & 6 through 9, A10, B10, Block 4.
Lots 1, D6 & 7 through 12, Block 5.
Lots 1 & 2, Block 6.
Lots 1, A2 & B2, Block 7.
Lots 1 through 12, Block 8.
Lots A1, B1, C1, & 2 through 5 & 10, Block 9.
All in Fuller's Addition.

Lots 1 & 3, Block 1.
Lots 1 through 24, Block 2.
Lots 1 through 18, Block 3.
Lots 1 & 18, Block 4.

Lots 1 through 13, Block 5.

Lots 19 through 24, Block 5.

Lots 1 & 2, Block 6.

All in Case, Peake & Hall's Addition.

Lots C, D, E & F, Block 10.

Lot B, Block 11.

Lots B, C & D, Block 12.

Lots A, C, D & E, Block 13.

Lots A & C, Block 14.

Lots D & E, Block 15.

Lots D & E, Block 16.

Lots A, B, C & D, Block 17.

Lots A, B & C, Block 18.

Lots A, B, C & D, Block 24.

Lots A, B, C, D, E & F, Block 25.

Lots A, B, C & D, Block 26.

Lots A, B, C, D, E & F, Block 27.

Lots A, B, C, D, E, F & G, Block 28.

Lots A, B, C, D & E, Block 29.

Lots A, C, D, F, H, I & J, Block 30.

Lots G, H, I & J, Block 31.

Lots A, B & C, Block 32.

Lots A, B & C, Block 33.

Lots A & B, Block 34.

Lots A & B, Block 35.

Lots A, B & C, Block 36.

All in Eddy & Fuller's Auditors Outlots.

Lot 1, Block 1.

Lot 1, Block 2.

All in Bethany Homes Addition.

Lots 1 through 3, Block 1.

Lots 5 through 9, Block 1.

Lots 1 through 10, Block 2.

Lots 1 through 6 & 10, Block 3.

All in Eddy Place Addition.

COMPRISING (Section 3):

Lots 1 & 3, Block 1, Builders Square 1st Addition.

Lot 1 & 2, Block 1, Aldi First Addition.

Lots 1 through 3, Block A.

Lots 1 through 8, Block B.

All in the Replat of Part of Village West 2nd Addition.

Lots 1 through 9 & 24, Block 1.

Lots 1 through 11, Block 5.

Lots 1 through 5, Block 6.

Lots 1 through 6, Block 7.

Lots 1 through 14, Block 8.

Lots 1 through 13, Block 9.

All in Village West 2nd Addition.

Lots 5 through 7, Block 6.

Lot 1, Block 7.

All in Village West.

Lots 1 through 3, Block 1, Sisters Path Addition.

COMPRISING (Section 4):

Lots 1 & 2, Block 1, West Acres 1st Subdivision.

Lot 1, Block 1, AAA North Dakota Addition.

Lots 1 & 2, Block 5, West Acres 4th Addition.

COMPRISING (Section 5):

Lots 1 & 19, Block 1.

Lots 1 & 30, Block 2.

Lots 1 & 30, Block 3

Lots 2 through 15, Block 4.

All in Schonberg's Addition.

All of the foregoing is located in the City of Fargo, Cass County, North Dakota.

**RESOLUTION DECLARING
ASPHALT MILL & OVERLAY
NECESSARY
IMPROVEMENT DISTRICT NO. PR-25-H1**

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

That it be and is hereby declared necessary to construct Asphalt Mill & Overlay, Improvement District No. PR-25-H1 in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That a portion of said Asphalt Mill & Overlay improvement is to be paid from State and Local Funds, and approximately 48.72% is to be assessed against the benefited property in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed Asphalt Mill & Overlay must be in writing and must be filed with the City Auditor's Office within 30 days after the First publication of this Resolution.

BE IT FURTHER RESOLVED, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

CERTIFICATE

STATE OF NORTH DAKOTA)
COUNTY OF CASS) ss.

I, Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Board of City Commissioners of the City of Fargo at the Regular Meeting of the Board held on Monday, March 17th, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Fargo, North Dakota, this 17th day of March, 2025.

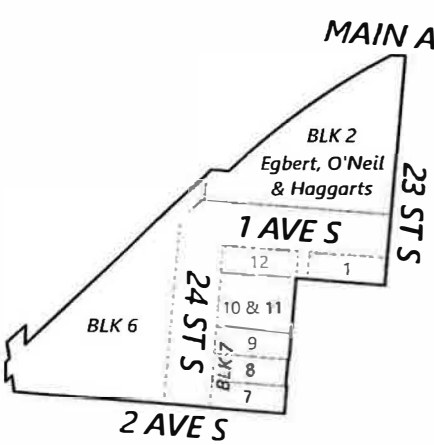
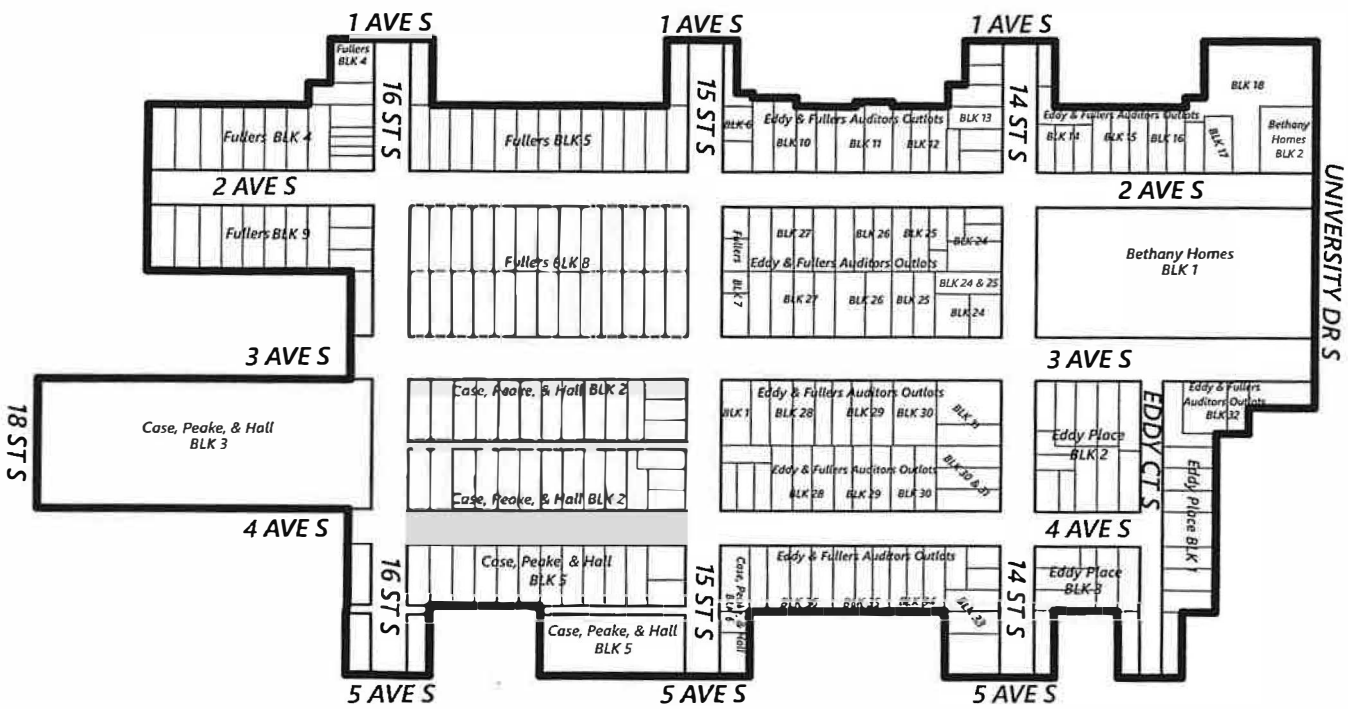
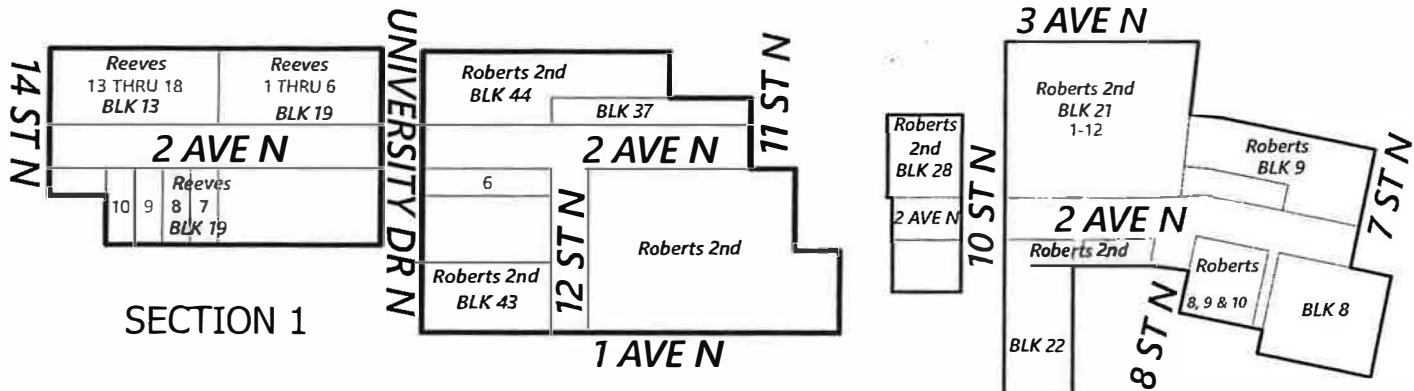
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Steven Sprague
City Auditor

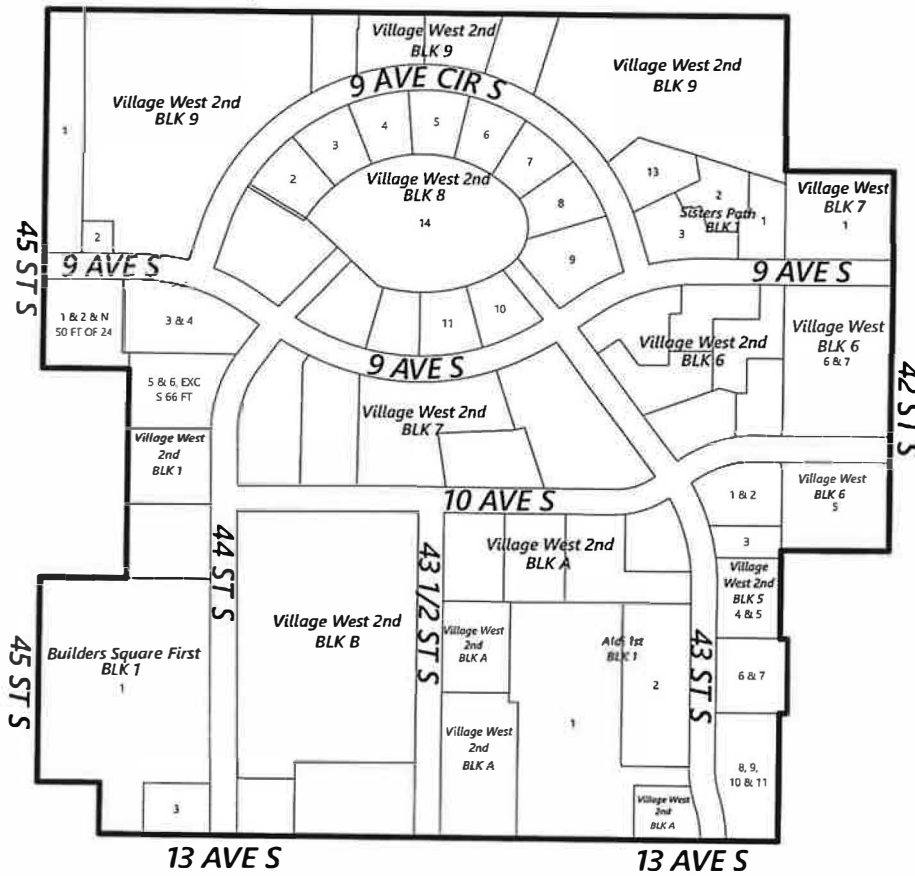
(SEAL)

(March 26 and April 2, 2025)

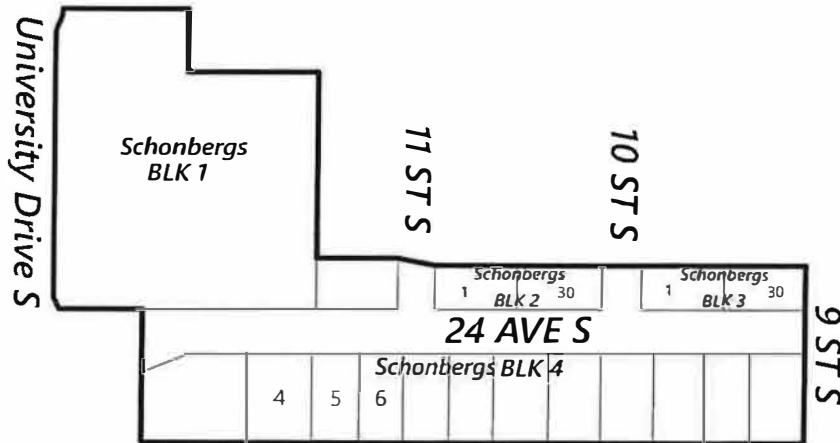


CITY OF FARGO
ENGINEERING DEPARTMENT
LOCATION & ASSESSMENT AREA
ASHPHALT MILL & OVERLAY
IMPROVEMENT DISTRICT NO. PR-25-H

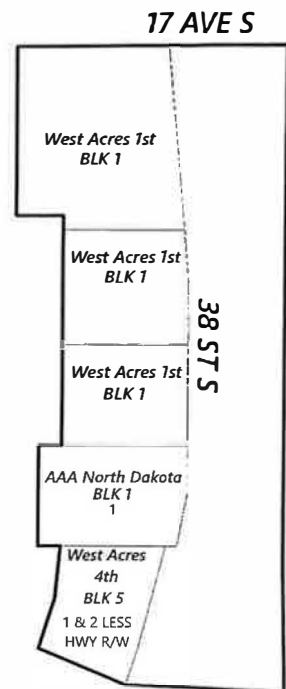




SECTION 3



SECTION 5



SECTION 4

CITY OF FARGO
ENGINEERING DEPARTMENT
LOCATION & ASSESSMENT AREA
ASHPHALT MILL & OVERLAY
IMPROVEMENT DISTRICT NO. PR-25-H





FINANCE OFFICE
225 4th Street North
Fargo, ND 58102
Phone: (701) 241-1333
www.FargoND.gov

TO: Board of Commissioners

FROM: Susan Thompson, Director of Finance

RE: FAHR Staff meeting – Items for Commission Review/Approval

DATE: March 17, 2025

Receive & File: General Fund – Budget to Actual through January 31, 2025

Action Needed: Various Financial Approvals
FAHR endorsed the respective departments' requests for City Commissions approval. Reports of Action, along with supporting schedules, are included.

Other Financial Considerations
Facilities – CMMS System Project

Budget Adjustments
Finance / Solid Waste – Budget Adjustment
Solid Waste – 2025 Front load containers conversion

City of Fargo, North Dakota
General Fund - Budget to Actual
 Unaudited Monthly Financial Statements - Through January 31, 2025
 Amounts shown in thousands

	YTD Budget	YTD Actual	YTD Variance
REVENUES:			
1 Taxes	\$ 7,060	\$ 7,606	\$ 546
2 Licenses & Permits	331	268	(63)
3 Intergovernmental Revenue	629	233	(396)
4 Charges for Services	542	455	(87)
5 Fines & Traffic Tickets	137	34	(103)
6 Interest	625	635	10
7 Miscellaneous Revenue	56	32	(24)
8 Transfers In	1,449	1,386	(62)
Total Revenues	\$ 10,829	\$ 10,649	\$ (179)
EXPENDITURES:			
9 General Government	\$ 3,103	\$ 3,211	\$ (109)
10 Public Safety	3,552	2,764	789
11 Public Works	1,050	962	87
12 Health & Welfare	1,107	740	367
13 Culture & Recreation	411	480	(69)
14 Economic Development	104	91	13
15 General Support	121	44	77
16 Capital Outlay	-	6	(6)
17 Operating Transfers	340	312	27
18 Contingency (Salary Savings)	(156)	1	(158)
Total Expenditures	\$ 9,632	\$ 8,611	\$ 1,021
Revenue Over (Under) Expenditures	\$ 1,197	\$ 2,038	\$ 841

- 1** Earlier Property Tax Receipts than typical for January.
- 3** Timing with Grant Revenue - offset with lower Expense.
- 5** Timing with Muncial Court Fines v budget.
- 9** Miscode of Equip Exp (corrected in Feb); timing w/ IT expense v budget.
- 10** Lower FT labor for Police & Fire; timing w/ Fire Pension Contribution v budget.
- 12** Lower Temp/Seasonal labor; timing w/ Grant-related Expenses (offset with lower Grant Rev).
- 18** Est salary savings budgeted here; actual salary savings reflected within specific departments.

Report of Action:
FAHR Meeting of 3-10-2025

☐ Purchase Policy
☐ Budget Adjustment/Reallocation
☐ Personnel Request
☒ Other Financial

Department: Facilities

Description: Following an RFP process, Facilities recommends FM360 be approved as the vendor to work with Facilities on selection and implementation of a Computerized Maintenance Management System (CMMS). The project is to be funded by a Federal Energy Block Grant. See memo. Subsequent to the memo, Facilities Director Bekki Majerus was assured by the Dept of Energy that the funding will be available; however, she is requesting 2024 budget carryover as a back-up should that be necessary.

Net Financial Impact: \$0 (Grant funded or Carryover Budget funds)

At their meeting, FAHR endorsed this request.

Suggested Motion:

Approve FM360 as the approved vendor for selection and implementation of a CMMS and approve transfer of 2024 unspent capital budget of \$152,870 to 2025.



Facilities Department
225 4th Street North
Fargo, ND 58102
Phone: 701.298.6966
Email facilities@fargoND.gov
www.FargoND.gov

Memorandum

To: City Commission
From: Bekki Majerus, Director of Facilities Management
Date: December 3, 2024
Re: CMMS System Project – (BP2501 – EECBG Voucher)

On August 9, 2024, the City of Fargo received approval for an Energy Efficiency and Conservation Block Grant (EECBG) Voucher, which was presented to the Commission. The City has been allocated direct grant eligibility in the amount of \$176,940 under CFDA number 81.128. While three projects were submitted on the application, depending on final pricing, we may only do one or two of the projects. The EECBG administrators have confirmed that this is up to our discretion.

The first project we are initiating is the implementation of a Computerized Maintenance Management System (CMMS) for Facilities Management. An RFP was published to retain the services of a CMMS implementation consultant that will be working with Facilities from selection to implementation of the new system. Four responses were submitted. FM360 was the only vendor that could provide the entire scope "end to end" for the project.

The cost for the five phases of the project, including a not-to-exceed price for the initial startup with the selected software vendor and estimated travel costs is \$152,870. The voucher program would cover the majority of the costs with the exception of travel and administrative tasks. Additionally, given the current climate in the Federal Government, the voucher program could be in jeopardy. I am still waiting for a response to my inquiry to the Department of Energy. Depending upon the outcome for the voucher program, Facilities can still cover part or all of this cost within our budget. Due to projects that came in under budget and changing priorities, \$230,645 in capital remained unused last year and has been requested to be rolled over for use in 2025.

Recommended Motion:

Recommend to the City Commission the approval of the selected vendor and balance transfer for the CMMS project.

Documents Included:
FM360 Quote
Budget Adjustment Form

RFP25068 Submission
Computer Maintenance Management System (CMMS)
Selection and Implementation Consultant

FEBRUARY 18TH, 2025



City of Fargo
Facilities Management Department
225 4th St. N
Fargo, ND 58102

Executive Summary

FM360 is excited to submit our response for the City of Fargo's Computerized Maintenance Management System and Implementation request for proposal. As an industry expert with nearly 100 year's combined experience in facility management processes, practices, and systems, FM360 is uniquely qualified to deliver all requested services.

FM360, founded in 2012, is headquartered in Charlotte, North Carolina with a growing staff of engineers and specialists distributed across the United States. We are an independent, third-party consulting firm that partners with our clients to evolve and advance their facility and operations program, helping drive value to their respective overall organizations and constituents.

FM360 is an industry leader that presents frequently at international conferences and publishes regularly in journals. We have a proven track record of helping clients select, implement, optimize, and integrate CMMS and related systems. Our comprehensive services include facility condition assessments, asset tagging and data collection, identification and scheduling of maintenance best practices, and remote support and administration. FM360 works heavily in the public sector, including with cities, counties, universities, and the federal government.

We look forward to partnering with the City of Fargo, if selected. Please feel free to contact me directly with any questions or requests for further information.

Kind Regards,

A handwritten signature in black ink that reads 'John Rimer'.

John Rimer, CFM
President, FM360, LLC
3440 Toringdon Way, Suite 205
Charlotte, NC 28277
john@fm360consulting.com
980-265-2555



General Qualifications

FM360, LLC., is headquartered in Charlotte, North Carolina and was established in 2012. Our growing firm has nearly 100 years' facility management and operations experience.

Specific Qualifications

Computerized Maintenance Management Systems (CMMS)

Since our inception, FM360 has partnered with clients to discern and identify the best CMMS for their organization. As an independent, third-party consulting firm, we objectively aid our clients with evaluating and selecting the most qualified product. Given our intimate knowledge of client operations, desired processes, and industry best practices, we generally lead efforts to implement, populate, integrate, and support the selected system. FM360 is well versed in a variety of CMMS, as we have implemented, improved, integrated, and/or supported more than 100 CMMS installations in the last handful of years – over twenty of which are in the public sector, including cities, counties, higher education, municipalities, and the federal government.

On-Site Data Collection and Data Preparation

FM360's team has deployed over 40,000 asset tags since 2020. On-site, we affix industry rated QR code labels, add asset to CMMS via mobile interface, gather asset information, and attach images to asset record. Post site visit, our data team reviews and edits asset nomenclature to ensure it aligns with the approved standard. Additionally, we extract manufacturer, model, and serial number from nameplate data. FM360 runs the asset nameplate data through a specification repository which includes a wide range of information, such as capacity/size, belt & filter sizes, refrigerant type & quantity, estimated age and replacement information; FM360 imports this data into the CMMS for applicable assets.

Asset Capital Replacement Planning

FM360 leverages our extensive, boots-in-the-field experience, coupled with industry tools, to assess and estimate asset replacement forecasts. We document and manage such in client's CMMS for ease of reporting and maintenance.

Preventive Maintenance Program

FM360 has assembled a library of industry best maintenance practices for common facility equipment types. Our team utilizes various sources, such as NFPA, ASHRAE, and IEEE, to identify and maintain recommended tasking and frequencies. FM360 adds the procedures and inspections to the client's CMMS and schedules accordingly.

Public Sector Partners

FM360 has worked with nearly three dozen public sector clients the past handful of years, including city, county, state, and federal entities. Three references are provided below.

- Southern Arkansas University – Keith Labit, Associate Director, 870-235-5438, krlabit@saumag.edu
- College of Western Idaho – Brian Dunaway, Director, 208-562-3138, briandunaway@cw.edu
- City of Springboro (OH) – Mike Eaton, Director, 937-748-2572, mike@cityofspringboro.com



Project Approach

Phase I – CMMS Selection

The first key step is to perform an on-site assessment, which is comprised of stakeholder interviews, workflow review/optimization, and assessment of the various documents and data sets, all within the context of the overarching organizational vision and direction. Based upon these observations and discussions, FM360 will assemble specifications that the City can use for their forthcoming CMMS RFP. The specifications will outline and describe the requirements and desired functionality. Additionally, FM360 will include a functionality matrix that respondents must complete and return with their submissions; this will allow for a quick quantitative analysis of proposed systems and their ability to satisfy the City's current and future needs. Based upon our findings, FM360 will provide a list of recommended software platforms to consider.

After completing a quantitative analysis of the submissions, FM360 will provide a summary of the top contenders and a script for the invited companies to follow during the demonstrations. FM360 will be available to answer respondent questions and participate in the demonstrations remotely or on-site.

Phase II – On-Site Data Collection and Data Preparation

The largest hurdle to a timely implementation is the required effort to assemble building and asset data. Per the City's request, FM360 will provide a team of facility and CMMS experts to QR code and collect asset data into a temporary CMMS via the platform's mobile interface.

Prior to arriving on-site, FM360 will prepare a database with the City's buildings and location information. On-site data collection and asset barcoding will be conducted by data specialists. Pictures will be taken of equipment, including visible nameplate data; from which our team will transcribe discernable manufacturer and model information and enter such into the database. The agreed-to standard nomenclature will be applied to the asset records.

Industrial, UV-resistant barcodes (QR) will be applied; tags will be sequentially numbered and associated with the applicable asset in the CMMS.

Smaller high-count components, such as fire extinguishers, exit signs, fire doors, and VAV boxes, will not be tagged or added to database as assets. However, these items can be documented within procedures or other tables within the CMMS, as is the common approach.

Phase III – Preventive Maintenance (PM) Program

After capturing asset data (phase II) and identifying the various equipment types across City's portfolio, FM360 will assemble a collection of industry recommended/required best practices and provide such in a PM matrix for review. Sources for FM360's best practices library include NFPA, ANSI, NETA, ASHRAE, and OSHA. After receiving City's feedback regarding the desired PMs and schedule, FM360 will prepare the procedures for import into the selected CMMS. We have allocated hours to setup the PM schedules in the CMMS per the City's direction. FM360 has also set aside hours to create inspections and rounds & readings in the CMMS. A PM forecast report will be delivered to the City once the maintenance has been scheduled.



Phase IV – Asset Capital Replacement Planning (CRP)

FM360 will leverage our consulting team conduct on-site assessment of facility assets, including identification of asset condition and install date. From which, FM360 will document estimated replacement date and cost for each of the assets entered in the CMMS. The output of this effort will be a multi-year capital reinvestment forecast that can be maintained and generated from the selected CMMS. CRP is a key, fundamental building block of a robust facility maintenance program. The FCA will focus upon facility systems equipment, excluding structural, architectural, grounds, finishes, furniture, and fixtures.

To minimize cost, FM360 will leverage nameplate data for HVAC and boiler equipment to extract asset specifications, including age and replacement cost. The cost for this data is included in our proposal.

Phase V – CMMS Implementation

Implementation is the most crucial factor determining the long-term success of the CMMS, as this is where many, if not most, fail. Thus, FM360 will act as the Owner's Agent, partnering with the City and selected provider, to ensure a smooth transition and start-up. Additionally, depending upon the software selected, our team could use our in-depth knowledge of the City and desired workflows to lead or assist with configuring and training.



Estimated Project Timeline

Below is an estimated project timeline for the respective phases. Timeline assumes an April 1st, 2025 start and can be adjusted based upon City's needs and requirements.

- Phase I – CMMS Selection
 - April
 - On-site assessment/interviews
 - Draft specifications
 - May
 - Identify potential candidate software
 - Finalize specifications
 - Post CMMS RFP (assume at least four weeks)
 - June
 - Draft demo script
 - Review responses
 - Conduct quantitative analysis; provide recommendations to City
 - Down select vendors (assumes 3 to 4)
 - Extend invitations to demonstrate
 - June/July
 - Host demonstrations
 - Select vendor; notice of intent
 - July/August
 - Finalize contract
 - Obtain necessary approvals
- Phase II – Onsite Data Collection and Data Prep
 - April/May
 - Draft nomenclature standard
 - Onsite asset tagging and data collection
 - June
 - Extract nameplate data and enter into (temporary) CMMS
 - Ensure data aligns with approved nomenclature standard
 - August
 - Prep asset data for import into selected CMMS
 - September/October
 - Import asset data into CMMS
- Phase III – Asset Capital Replacement Planning
 - May/June
 - Onsite assessment/evaluation
 - July
 - Assemble estimated replacement dates and costs
 - August



- Prep data for import into CMMS
- September/October
 - Configure CMMS to accommodate replacement data
 - Import replacement data
- Phase IV – Preventive Maintenance (PM) Program
 - July
 - Identify recommended PMs based upon equipment types from phase II
 - August
 - Provide PM matrix to City for review and approval
 - September
 - Prep PM procedures for import
 - October
 - Import PM procedures
 - Setup inspections
 - November
 - Schedule PMs in CMMS; schedule to initiate after Go-Live
- Phase V – CMMS Implementation
 - August/September/October
 - Configure CMMS
 - Import Data
 - October/November
 - Create training material/tutorials
 - Draft training and go-live plans
 - November/December
 - Training
 - Go-Live



Public Sector Partners

FM360 has worked with nearly three dozen public sector clients the past handful of years, including city, county, state, and federal entities. Three references are provided below.

- Southern Arkansas University – Keith Labit, Associate Director, 870-235-5438, krlabit@saumag.edu
- College of Western Idaho – Brian Dunaway, Director, 208-562-3138, briandunaway@cw.edu
- City of Springboro (OH) – Mike Eaton, Director, 937-748-2572, mike@cityofspringboro.com



Cost for Proposed Services

Service	Est. Cost
Phase I – CMMS Selection (est. 120 hours)	\$25,120*
<ul style="list-style-type: none"> • Prep for site visit; review org and site data • On-site assessment and interviews (assume 2.5 days on-site) • Draft CMMS specifications • Identify potential CMMS to invite • Finalize specs and create functionality matrix • Answer respondent questions • Perform quantitative analysis and provide summary of response review (assume 6 proposals) • Create demo script • Attend vendor demos (assume 3 demos; 1.5 days on-site) • Draft preliminary workflows for use during implementation • Provide recommendation and summary of demo performance • Participate in decision meetings • Assist with contract review 	
Phase II – On-Site Data Collection and Asset Tagging (est. 250 hrs)	\$18,700*
<ul style="list-style-type: none"> • Review Location/Asset data • Draft nomenclature SOP • Enter building and location data into import template and into temporary field database • Configure field database for on-site data collection • Add assets via mobile device to field database • Barcode (QR) assets; link to assets in field database • Extract Mfr/Model/Serial from asset nameplates • Prep asset data for import into selected CMMS • Provide field database and mobile platform • Assumes 8 days on-site with two data specialists; two trips 	
Phase III – Asset Capital Replacement Forecasting (est. 150 hours)	\$36,850*
<ul style="list-style-type: none"> • On-site assessment to capture Condition Rating • Estimate Replacement Date and Costs for Assets • Utilize nameplate data for HVAC and Boiler equipment to extract specifications and replacement data from data repository (assumes 1000 assets) • Enter/Import Data into Selected CMMS • Create Capital Forecast Report • Draft Summary Report • Host Meeting to Review and Solicit Feedback 	



Phase IV – Preventive Maintenance Program Setup (est. 100 hrs) \$11,250

- Identify Best Practices by Asset Type
- Assemble PM Procedures and Prep for Import into Selected CMMS
- Provide PM Matrix for Review
- Create Inspections in Selected CMMS (assume 25)
- Schedule PMs in Selected CMMS
- Provide PM Forecast Report

Phase V – CMMS Implementation (Not to Exceed) (est. 200 hours) \$35,000*

- Review and update workflows
- Configure CMMS per desired workflows and client direction, including:
 - Automations and notifications
 - Dashboards and reports
 - Modules, forms, and fields
- Training and Go-Live
 - Draft training and go-live plans
 - Create client-specific end-user tutorials
 - 1.5 days on-site training and go-live support
 - 20 hours remote training

Phase VI – Annual Support (est. 40 hours) \$5000/yr

- Remote support
- Additional configuring and training (remote)

Estimated Travel Expenses \$20,950 (est travel)

- Phase I – Assessment – 1 person; 2.5 days on-site (\$2000)
- Phase I – Demos – 1 person; 1.5 days on-site (\$1600)
- Phase II – On-Site Data Collection – 2 persons; two trips; two weeks on-site (\$9750)
- Phase III – Facility Condition Assessment – 1 person; two trips; two weeks on-site (\$5600)
- Phase IV – Implementation – 1 person; 2 days on-site (\$2000)

Additional Consulting Services

- Senior Engineer - \$235/Hr
- Consulting Engineer - \$175/Hr
- Data Specialist - \$75/Hr

BUDGET ADJUSTMENT REQUEST

This form must be completed for all budget adjustments. Please include this form with any requests submitted to FAHR and Commission. If the requested adjustment is a reallocation of budgeted funds within the same department, the request form can be sent directly to Finance. Please email to: Finance@fargond.gov.

*Finance should review this adjustment request form for validity before it is presented to ensure accuracy. Any budget adjustments that increase expenditures **MUST** be approved by City Commission to be entered.*

DEPARTMENT: Facilities Management

REQUESTED BY: Bekki Majerus

PROJECT NUMBER : BP2501

DATE PREPARED: 3/6/2025

DESCRIPTION OF REQUEST:

NOTE: if relevant, please identify the appropriate fiscal year in the description

Request for 2025 budget adjustment for the CMMS select

REVENUE ACCOUNT NUMBER:	CURRENT BUDGET	REQUESTED ADJUSTMENT	NEW BUDGET
			= \$ -
			= \$ -
		+	= \$ -
		+	= \$ -
TOTAL REVENUE ADJUSTMENTS:		\$ -	-

EXPENSE ACCOUNT NUMBER:	CURRENT BUDGET	REQUESTED ADJUSTMENT	NEW BUDGET
2024 475-1050-510.73-20	\$ 82,638	\$ (82,638) =	\$ -
2024 475-1050-510.74-10	\$ 152,570	\$ (70,232) =	\$ 82,338
2025 475-1050-510.74-12	\$ -	\$ + 152,870 =	\$ 152,870
		+	= \$ -
		+	= \$ -
		+	= \$ -
		+	= \$ -
TOTAL EXPENSE ADJUSTMENTS:		\$ -	-

MONTHLY ALLOCATION (if not evenly over the remaining months of the year)					
Jan	Feb	Mar	Apr	May	June
Jul	Aug	Sep	Oct	Nov	Dec

FINANCE DEPT USE ONLY:

FAHR REVIEWED ON:

COMMISSION APPROVED ON:

ENTERED BY FINANCE: Date:

By:

BA#



Report of Action:
FAHR Meeting of 3-10-2025

- ☐ Purchase Policy
- ☒ Budget Adjustment/Reallocation
- ☐ Personnel Request
- ☐ Other Financial

Department: Finance/Solid Waste

Description: See memo. Finance requests 2025 budget adjustments be approved for Solid Waste to allow adequate resources for 2025 equipment purchases. The budget shortfall was due to an oversight during the budget process.

Net Financial Impact: \$343,418 (2025 Solid Waste Budgeted Revenues in Excess of Expense have capacity for this additional expense)

At their meeting, FAHR endorsed this request.

Suggested Motion: Approve 2025 Solid Waste budget adjustments of \$353,418, as presented.



FINANCE OFFICE
225 4th Street North
Fargo, ND 58102
Phone: (701) 241-1333
www.FargoND.gov

TO: Board of Commissioners

FROM: Susan Thompson, Director of Finance

RE: Budget Adjustment Requests

DATE: March 17, 2025

Upon review of the 2025 budget and discussion with Solid Waste Director Scott Olson, it was determined that Finance misinterpreted several 2025 Solid Waste budget requests resulting in inadequate budgets for necessary 2025 equipment purchases. It appears this issue was isolated to Solid Waste.

For 2025, Solid Waste's budgeted revenues exceed budgeted expenses generating capacity to support these additional expenditures. Additionally, Solid Waste continues to be mindful of their budget and works toward savings wherever possible.

Suggested Motion:

Approve 2025 Solid Waste budget adjustments as presented.

BUDGET ADJUSTMENT REQUEST

This form must be completed for all budget adjustments. Please include this form with any requests submitted to FAHR and Commission. If the requested adjustment is a reallocation of budgeted funds within the same department, the request form can be sent directly to Finance. Please email to: Finance@fargond.gov.

Finance should review this adjustment request form for validity before it is presented to ensure accuracy. Any budget adjustments that increase expenditures **MUST** be approved by City Commission to be entered.

DEPARTMENT: Finance/Solid Waste

REQUESTED BY: Susan Thompson, Finance Director

PROJECT NUMBER : _____

DATE PREPARED: 3/6/2025

DESCRIPTION OF REQUEST:

NOTE: If relevant, please identify the appropriate fiscal year in the description

Budget adjustments for 2025 equipment maintenance to be added to 2025 budget.

REVENUE ACCOUNT NUMBER:	CURRENT BUDGET	REQUESTED ADJUSTMENT	NEW BUDGET
			= \$ -
			= \$ -
		+	= \$ -
		+	= \$ -
TOTAL REVENUE ADJUSTMENTS:		\$ -	-

EXPENSE ACCOUNT NUMBER:		CURRENT BUDGET	REQUESTED ADJUSTMENT	NEW BUDGET
530-3072-432.44-20	Equip & Vehicle Rent (new dual arm)	\$ 171,230	\$ 160,212	= \$ 331,442
530-3074-433.44-20	Equip & Vehicle Rent (new offroad hauler)	\$ 577,381	\$ 120,706	= \$ 698,087
531-3072-432.74-12	Computer Outlay (routing software)	\$ -	\$ 12,500	= \$ 12,500
531-3071-432.72-20	Building Improvements (shop wall issue)	\$ -	\$ 50,000	= \$ 50,000
		+		= \$ -
		+		= \$ -
		+		= \$ -
TOTAL EXPENSE ADJUSTMENTS:		\$ 343,418		

PLEASE NOTE: Budget Adjustments that increase expenditures MUST be approved by Finance & Commission.

MONTHLY ALLOCATION (if not evenly over the remaining months of the year)					
Jan	Feb	Mar	Apr	May	June
Jul	Aug	Sep	Oct	Nov	Dec

FINANCE DEPT USE ONLY:

FAHR REVIEWED ON: _____

COMMISSION APPROVED ON: _____

ENTERED BY FINANCE: _____ Date: _____

By: _____

BA# _____

Report of Action:
FAHR Meeting of 3-10-2025

- ☐ Purchase Policy
- ☒ Budget Adjustment/Reallocation
- ☐ Personnel Request
- ☐ Other Financial

Department: Solid Waste

Description: See Memo. Solid Waste requests to re-allocate excess budgeted funds for roadway improvements (savings due to in-house services in collaboration with Engineering) to allow front-load collection conversion to a larger route than originally planned, resulting in efficiencies for the department.

Net Financial Impact: \$0 budget reallocation

At their meeting, FAHR endorsed this request.

Suggested Motion:

Approve the transfer of \$75,000 from the Landfill Capital Improvements budget to the Commercial Collection Machinery & Equipment budget to develop the RFP and complete the purchase of 335 front-load containers.



SOLID WASTE

DIVISION OF SOLID WASTE
 2301 8th Avenue North
 Fargo, North Dakota 58102
 Office: 701.241.1449 | Fax: 701.241.8109
FargoND.gov

MEMORANDUM

DATE: March 3, 2025
TO: Honorable Board of City Commissioners
FROM: Scott Olson, Solid Waste Utility Director
Subject: Request Budget Transfer for Order of Front-Load Containers

As part of our department mission to convert commercial collection from "rear-load" to "front-load" collection we intend to convert the 515 route in early-mid 2025 which collects waste from businesses and schools in the area east of Interstate 29 and north of Main Ave. The original plan while developing the 2025 budget was to convert the 504 route which has less containers, however with time for truck delivery and identified fund savings in the Landfill division we believe converting the larger route now would be most beneficial to the City.

The 2025 budgeted amount for front-load containers is approximately \$205,000. In checking with our local vendors the total cost to transition the entirety of route 515 to front-load collection is estimated at approximately \$260,000 which includes:

Container Size	Number of Containers
2 Yard	100
3 Yard	65
4 Yard	50
6 Yard	80
8 Yard	40
	335

Converting the whole of route 515 removes the need to bring a rear-load truck from other parts of the City, increasing efficiencies.

FUNDING

Solid Waste has identified funds in the Landfill Capital Improvement budget (531-3074-433.73-10) that was originally intended for Landfill closure construction and roadway improvements. Solid Waste staff will complete the planned closure project in-house, and in collaboration with the Engineering Department we were able to secure and will use recycled asphalt millings from an upcoming 2025 roadway project to improve one of our main roads, which Landfill staff will also be installing material as delivered to site.

REQUEST

We are requesting City Commission approval to transfer \$75,000 from the Landfill Capital Improvements budget (531-3074-433.73-10) to the Commercial Collection Machinery & Equipment budget (531-3073-432.74-10) to develop the RFP and complete purchase of 335 front-load containers.

BUDGET ADJUSTMENT REQUEST

This form must be completed for all budget adjustments. Please include this form with any requests submitted to FAHR and Commission. If the requested adjustment is a reallocation of budgeted funds within the same department, the request form can be sent directly to Finance. Please email to: Finance@fargond.gov.

*Finance should review this adjustment request form for validity before it is presented to ensure accuracy. Any budget adjustments that increase expenditures **MUST** be approved by City Commission to be entered.*

DEPARTMENT:	Solid Waste	
REQUESTED BY:	Scott Olson	PROJECT NUMBER : NA
DATE PREPARED:	3/5/2025	
DESCRIPTION OF REQUEST:	Transfer funds from Landfill division to Commercial division for purchase of commercial front-load containers.	
NOTE: If relevant, please identify the appropriate fiscal year in the description		

REVENUE ACCOUNT NUMBER:	CURRENT BUDGET	REQUESTED ADJUSTMENT	NEW BUDGET
			= \$ -
			= \$ -
	+		= \$ -
	+		= \$ -
TOTAL REVENUE ADJUSTMENTS:		\$ -	

EXPENSE ACCOUNT NUMBER:	CURRENT BUDGET	REQUESTED ADJUSTMENT	NEW BUDGET
531-3073-432.74-10: Machinery & Equipment	\$ 445,000	\$ 75,000	= \$ 520,000
			= \$ -
531-3074-433.73-10: Capital Improvements	\$ 1,292,740	+ \$ (75,000)	= \$ 1,217,740
		+	= \$ -
		+	= \$ -
		+	= \$ -
		+	= \$ -
TOTAL EXPENSE ADJUSTMENTS:		\$ -	

MONTHLY ALLOCATION (if not evenly over the remaining months of the year)					
Jan	Feb	Mar	Apr	May	June
Jul	Aug	Sep	Oct	Nov	Dec

FINANCE DEPT USE ONLY:	
FAHR REVIEWED ON:	
COMMISSION APPROVED ON:	
ENTERED BY FINANCE:	
Date:	
By:	
BA#	





Memorandum

To: Board of City Commissioners
From: Bekki Majerus, Director of Facilities Management
Date: March 17, 2025
Re: Computer Maintenance Management System (CMMS) Selection and Implementation Consultant (RFP25068)

Dear Commissioners:

A Request for Proposal (RFP) was posted on January 24, 2025. The scope of this RFP included CMMS selection, CMMS implementation, onsite data collection, asset capital replacement planning, preventative maintenance program, and annual support beyond implementation for 25 city buildings with the capability to add more. The deadline for proposals was February 21, 2025. Four (4) proposals were submitted and reviewed by an evaluation committee.

After evaluation, it was determined that FM360 best meets the specifications based on qualifications, experience, scope of services, cost, and references. The project will be funded by an EECBG from the Department of Energy. I have received an e-mail stating that the grant will not be affected by cuts at the Federal level.

Facilities is requesting the City Commission's approval of the agreement between the City and FM360 for this project. The agreement is attached and has been reviewed by the City Attorney.

Recommended Action:

Move to approve the agreement between the City and FM360 for Computer Maintenance Management System (CMMS) Selection and Implementation Consultant.

Range

RFP25068 Computer Maintenance Management System (CMMS) Selection and Implementation Consultant Scoring Summary

ID	P	Weight	Score	B - Scope of Services / 30 pts	e - Quality of Client Feedback				
					/ 30 pts	/ 30 pts	/ 30 pts	/ 10	P
FM360, LLC	90.5	30	30	27	27	24	24	9.5	9.5
Consultadd INC.	79	21	21	22.5	22.5	27	27	8.5	8.5
Bureau Veritas Technical Assessments LLC	68	27	27	25.5	25.5	9	9	6.5	6.5
Avero, LLC	47.5	15	15	19.5	19.5	7.5	7.5	5.5	5.5

**Agreement
Between
City of Fargo and
FM360, LLC**

This Agreement (the "Agreement," which includes all attached schedules), effective March 18, 2025 ("Effective Date"), is entered into by and between FM360, LLC (the "Vendor"), having a principal place of business at 300 Cedar Hill Ct, Monroe, NC 28110, and City of Fargo (the "City"), a North Dakota municipal corporation, having a principal place of business at 225 4th Street North, Fargo, North Dakota 58102 (each a "Party" and collectively, the "Parties").

1. TERM

The term of this Agreement will be from March 18, 2025, to December 31, 2025

2. STATEMENT OF WORK

A Summary of all services and costs the Vendor will be providing for this project as described in the proposal in Attachment A. Vendor hereby agrees to complete work pursuant to the RFP. Any services provided by the Vendor under this Agreement are referred to as "Services."

3. MATERIALS

Vendor shall furnish all materials, supplies, tools, equipment, and transportation required to provide services or deliverables required under Statements of Work. Vendor shall provide all available material safety data sheets for City approval prior to use of materials.

4. LIEN WAIVER

Vendor shall submit its lien waivers and obtain and submit lien waivers from all subcontractors, and material suppliers with invoices Vendor submits to City. City's obligation to pay invoices will be contingent upon receipt of applicable lien waivers.

5. COMPENSATION

The Vendor shall receive compensation not to exceed \$152,870.00 as stated in Attachment A. Except as otherwise provided, undisputed invoices shall be payable within 30 calendar days after the receipt of the invoice. Invoices shall be e-mailed to FinanceAPAR@FargoND.gov.

6. OWNERSHIP OF DOCUMENTS

Vendor's work product reimbursed by the City, including all data, documents, results, ideas, developments and inventions that Vendor conceives or uses during the course of its performance under this Agreement shall be the City's property, unless otherwise agreed.

7. INDEPENDENT CONTRACTOR

The relationship between the Parties shall, within the context of this Agreement, be that of an independent contractor and nothing in this Agreement should be construed to create a partnership, joint venture, or employer-employee relationship. The Vendor shall, at all times during the term of this Agreement, perform the duties and responsibilities herein. Neither Party is an agent of the other Party and is not authorized to make any representation contract, or contract commitment on behalf of the other Party.

8. NO CONFLICTS OF INTEREST

Vendor must disclose any actual, apparent, or potential Conflict of Interest to the City prior to execution of this Agreement if a conflict of interest arises or appears to arise during the term of this Agreement, Vendor agrees to abide by any reasonable mitigation plan developed with or by the City. "Conflict of Interest" means any activity, interest, or relationship of Vendor or any of its officers, directors, affiliates, or principals that may compromise that person's ability to render impartial assistance or advice to the City or that may give rise to legal or reputational concerns or any competitive advantage unfair to the City.

9. CONFIDENTIALITY

The Vendor agrees to not, directly or indirectly, disclose, make known, divulge, publish, or communicate any confidential information to any person, firm, or corporation without consent unless that disclosure is authorized under North Dakota law.

10. INSURANCE

a. Vendor will obtain and maintain the following insurance coverage, naming the City of Fargo as an additional insured, via commercial insurance:

i. Commercial General Liability covering bodily injury and tangible property damage liability with a limit of not less than U.S. \$2,000,000 each occurrence.

ii. Workers' Compensation (or maintenance of a legally permitted and government-approved program of self-insurance) covering Vendor Personnel pursuant to applicable state workers' compensation laws for work-related injuries suffered by Vendor's Personnel, if Vendor employs Personnel.

iii. Employer's Liability with limits of not less than U.S. \$1,000,000 per accident.

iv. Professional Liability/Errors and Omissions Liability covering damages arising out of negligent acts, errors, or omissions committed by Vendor or Vendor's Personnel in the performance of services with a liability limit of not less than U.S. \$2,000,000 per claim.

v. Automobile Liability with \$2,000,000 combined single limit per occurrence, for bodily injury and property damage combined covering owned, if Vendor owns any

vehicles, non-owned, and hired vehicles, if Vendor brings vehicles on the City's premises or uses vehicles in the performance of services.

vi. Limits for Commercial General Liability and Automobile Liability may be provided through a combination of primary and umbrella coverage; and

b. Vendor shall provide the City with evidence of the foregoing coverage before providing any services.

c. Vendor shall notify the City 30 days prior to cancellation or reduction in limits of any insurance required hereunder.

11. INDEMNIFICATION

Vendor agrees to indemnify, defend, and hold harmless the City, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, Vendor error, mistake, negligence, or other fault of the Vendor, any subcontractor of the Vendor, or any officer, employee, representative, or agent of the Vendor or of any subcontractor of the Vendor, or which arises out of any workmen's compensation claim of any employee of the Vendor or of any employee of any subcontractor of the Vendor. The Vendor agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims or demands at the sole expense of the Vendor, or at the option of the City, agrees to pay the City or reimburse the City for the defense costs incurred by the City in connection with, any such liability, claims, or demands. The Vendor does not agree to defend, indemnify, or hold harmless the city of the City's own actions, omissions or negligence.

12. FORCE MAJEURE

Neither Party shall be liable for damages or deemed in default of this Agreement and any Statement of Work hereunder to the extent that any delay or failure in the performance of its obligations (other than the payment of money) results, without its fault or negligence, from any cause beyond its reasonable control, such as acts of God, acts of civil or military authority, embargoes, epidemics, war, riots, insurrections, fires, explosions, earthquakes, floods, adverse weather conditions, union activity, strikes or lock-outs, and changes in laws, statutes, regulations, or ordinances.

13. DISPUTE RESOLUTION

Vendor and the City will exercise good faith efforts to resolve disputes through an acceptable mediation process. Nothing prevents the Parties from pursuing litigation in the appropriate State or Federal Court, located in Cass County, North Dakota, at any time.

14. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the state of North Dakota.

15. ENTIRE AGREEMENT

The terms and conditions set forth herein and any Attachment referenced herein constitute the entire understanding of the Parties relating to the provision of services by Vendor to City and shall be incorporated in all Statements of Work unless otherwise so stated therein. This Agreement may be amended only by a written instrument signed by both Parties.

16. ASSIGNMENT

This Agreement may not be assigned by Vendor or City without the prior written consent of the other Party.

17. TERMINATION

This Agreement may be terminated by either Party upon seven days written notice should the other Party fail to perform in accordance with the terms hereof, provided such failure is not cured within such seven-day period. City may terminate this Agreement for convenience at any time, in which event Vendor shall be compensated in accordance with the terms hereof for Services performed and reimbursable expenses incurred prior to its receipt of written notice of termination from City.

18. SEVERABILITY

Should a court of law determine that any clause or section of this Agreement is invalid, all other clauses or sections shall remain in effect.

IN WITNESS WHEREOF, City and FM360, LLC have caused this Agreement to be duly executed as of the date first above written.

CITY OF FARGO

BY _____

Dr. Timothy J Mahoney, Mayor

FM360, LLC

BY John Rimer _____

John Rimer, President

DATE: _____

DATE: March 6, 2025

ATTEST:

BY _____

Steven Sprague, City Auditor

Attachment A

BUILDING INFORMATION

Number of Facilities: The City of Fargo has over 40 Facilities. The scope for this project will include 25 Facilities of varying types and sizes. The selected software solution should have the capacity to expand to cover all City Facilities.

Facilities:

Building	Address	Total Sq. Ft.
Central Fire Station #1 (Headquarters)	637 NP Ave.	14,435
Central Library	102 3rd St N	57,950
Police Headquarters	105 25th St N	99,500
City Hall	225 4th St N	105,108
Civic Center	207 4th St N	53,218
Engagement Center	222 4th St N	25,827
Evidence Building (PD)	715 7th St N	4,133
Fargo Cass Public Health	1240 25th St S	59,952
Fire Station #2	3020 25th St S	3,050
Fire Station #3	1101 25th Ave N	5,420
Fire Station #4	2701 1st Ave N	8,137
Fire Station #5	930 40th St S	5,365
Fire Station #6 (see Public Safety Building)	4630 15th Ave N	
Fire Station #7	3957 Village Lane S	13,038
Fire Station #8	6617 33rd St S	11,403
Gladys Ray Shelter	1519 1st Ave S	6,948
Harm Reduction Center	510 5th St N	3,400
Law Enforcement Center	2802 North University Drive	10,181
Municipal Court	402 NP Ave	17,995
Newman Outdoor Field	1515 15th Ave N	55,365
Northside Library	2715 N Broadway	5,000
Public Safety Building	4630 15th Ave N	60,000
Public Works West (Administration)	2401 3rd Ave N	18,496
Skyway System		18,660
Southside Library (Carlson)	2801 32nd Ave S	16,000

Total: 678,581



Project Approach

Phase I – CMMS Selection

The first key step is to perform an on-site assessment, which is comprised of stakeholder interviews, workflow review/optimization, and assessment of the various documents and data sets, all within the context of the overarching organizational vision and direction. Based upon these observations and discussions, FM360 will assemble specifications that the City can use for their forthcoming CMMS RFP. The specifications will outline and describe the requirements and desired functionality. Additionally, FM360 will include a functionality matrix that respondents must complete and return with their submissions; this will allow for a quick quantitative analysis of proposed systems and their ability to satisfy the City's current and future needs. Based upon our findings, FM360 will provide a list of recommended software platforms to consider.

After completing a quantitative analysis of the submissions, FM360 will provide a summary of the top contenders and a script for the invited companies to follow during the demonstrations. FM360 will be available to answer respondent questions and participate in the demonstrations remotely or on-site.

Phase II – On-Site Data Collection and Data Preparation

The largest hurdle to a timely implementation is the required effort to assemble building and asset data. Per the City's request, FM360 will provide a team of facility and CMMS experts to QR code and collect asset data into a temporary CMMS via the platform's mobile interface.

Prior to arriving on-site, FM360 will prepare a database with the City's buildings and location information. On-site data collection and asset barcoding will be conducted by data specialists. Pictures will be taken of equipment, including visible nameplate data; from which our team will transcribe discernable manufacturer and model information and enter such into the database. The agreed-to standard nomenclature will be applied to the asset records.

Industrial, UV-resistant barcodes (QR) will be applied; tags will be sequentially numbered and associated with the applicable asset in the CMMS.

Smaller high-count components, such as fire extinguishers, exit signs, fire doors, and VAV boxes, will not be tagged or added to database as assets. However, these items can be documented within procedures or other tables within the CMMS, as is the common approach.

Phase III – Preventive Maintenance (PM) Program

After capturing asset data (phase II) and identifying the various equipment types across City's portfolio, FM360 will assemble a collection of industry recommended/required best practices and provide such in a PM matrix for review. Sources for FM360's best practices library include NFPA, ANSI, NETA, ASHRAE, and OSHA. After receiving City's feedback regarding the desired PMs and schedule, FM360 will prepare the procedures for import into the selected CMMS. We have allocated hours to setup the PM schedules in the CMMS per the City's direction. FM360 has also set aside hours to create inspections and rounds & readings in the CMMS. A PM forecast report will be delivered to the City once the maintenance has been scheduled.

Attachment A (cont.)



Phase IV – Asset Capital Replacement Planning (CRP)

FM360 will leverage our consulting team conduct on-site assessment of facility assets, including identification of asset condition and install date. From which, FM360 will document estimated replacement date and cost for each of the assets entered in the CMMS. The output of this effort will be a multi-year capital reinvestment forecast that can be maintained and generated from the selected CMMS. CRP is a key, fundamental building block of a robust facility maintenance program. The FCA will focus upon facility systems equipment, excluding structural, architectural, grounds, finishes, furniture, and fixtures.

To minimize cost, FM360 will leverage nameplate data for HVAC and boiler equipment to extract asset specifications, including age and replacement cost. The cost for this data is included in our proposal.

Phase V – CMMS Implementation

Implementation is the most crucial factor determining the long-term success of the CMMS, as this is where many, if not most, fail. Thus, FM360 will act as the Owner's Agent, partnering with the City and selected provider, to ensure a smooth transition and start-up. Additionally, depending upon the software selected, our team could use our in-depth knowledge of the City and desired workflows to lead or assist with configuring and training.

Attachment A (cont.)



Estimated Project Timeline

Below is an estimated project timeline for the respective phases. Timeline assumes an April 1st, 2025 start and can be adjusted based upon City's needs and requirements.

- Phase I – CMMS Selection
 - April
 - On-site assessment/interviews
 - Draft specifications
 - May
 - Identify potential candidate software
 - Finalize specifications
 - Post CMMS RFP (assume at least four weeks)
 - June
 - Draft demo script
 - Review responses
 - Conduct quantitative analysis; provide recommendations to City
 - Down select vendors (assumes 3 to 4)
 - Extend invitations to demonstrate
 - June/July
 - Host demonstrations
 - Select vendor; notice of intent
 - July/August
 - Finalize contract
 - Obtain necessary approvals
- Phase II – Onsite Data Collection and Data Prep
 - April/May
 - Draft nomenclature standard
 - Onsite asset tagging and data collection
 - June
 - Extract nameplate data and enter into (temporary) CMMS
 - Ensure data aligns with approved nomenclature standard
 - August
 - Prep asset data for import into selected CMMS
 - September/October
 - Import asset data into CMMS
- Phase III – Asset Capital Replacement Planning
 - May/June
 - Onsite assessment/evaluation
 - July
 - Assemble estimated replacement dates and costs
 - August

Attachment A (cont.)



- Prep data for import into CMMS
- September/October
 - Configure CMMS to accommodate replacement data
 - Import replacement data
- Phase IV – Preventive Maintenance (PM) Program
 - July
 - Identify recommended PMs based upon equipment types from phase II
 - August
 - Provide PM matrix to City for review and approval
 - September
 - Prep PM procedures for import
 - October
 - Import PM procedures
 - Setup inspections
 - November
 - Schedule PMs in CMMS; schedule to initiate after Go-Live
- Phase V – CMMS Implementation
 - August/September/October
 - Configure CMMS
 - Import Data
 - October/November
 - Create training material/tutorials
 - Draft training and go-live plans
 - November/December
 - Training
 - Go-Live



Cost for Proposed Services

Service	Est. Cost
Phase I – CMMS Selection (est. 120 hours) <ul style="list-style-type: none"> • Prep for site visit; review org and site data • On-site assessment and interviews (assume 2.5 days on-site) • Draft CMMS specifications • Identify potential CMMS to invite • Finalize specs and create functionality matrix • Answer respondent questions • Perform quantitative analysis and provide summary of response review (assume 6 proposals) • Create demo script • Attend vendor demos (assume 3 demos; 1.5 days on-site) • Draft preliminary workflows for use during implementation • Provide recommendation and summary of demo performance • Participate in decision meetings • Assist with contract review 	\$25,120*
Phase II – On-Site Data Collection and Asset Tagging (est. 250 hrs) <ul style="list-style-type: none"> • Review Location/Asset data • Draft nomenclature SOP • Enter building and location data into import template and into temporary field database • Configure field database for on-site data collection • Add assets via mobile device to field database • Barcode (QR) assets; link to assets in field database • Extract Mfr/Model/Serial from asset nameplates • Prep asset data for import into selected CMMS • Provide field database and mobile platform • Assumes 8 days on-site with two data specialists; two trips 	\$18,700*
Phase III – Asset Capital Replacement Forecasting (est. 150 hours) <ul style="list-style-type: none"> • On-site assessment to capture Condition Rating • Estimate Replacement Date and Costs for Assets • Utilize nameplate data for HVAC and Boiler equipment to extract specifications and replacement data from data repository (assumes 1000 assets) • Enter/Import Data into Selected CMMS • Create Capital Forecast Report • Draft Summary Report • Host Meeting to Review and Solicit Feedback 	\$36,850*



Phase IV – Preventive Maintenance Program Setup (est. 100 hrs) <ul style="list-style-type: none"> • Identify Best Practices by Asset Type • Assemble PM Procedures and Prep for Import into Selected CMMS • Provide PM Matrix for Review • Create Inspections in Selected CMMS (assume 25) • Schedule PMs in Selected CMMS • Provide PM Forecast Report 	\$11,250
Phase V – CMMS Implementation (Not to Exceed) (est. 200 hours) <ul style="list-style-type: none"> • Review and update workflows • Configure CMMS per desired workflows and client direction, including: <ul style="list-style-type: none"> ○ Automations and notifications ○ Dashboards and reports ○ Modules, forms, and fields • Training and Go-Live <ul style="list-style-type: none"> ○ Draft training and go-live plans ○ Create client-specific end-user tutorials ○ 1.5 days on-site training and go-live support ○ 20 hours remote training 	\$35,000*
Phase VI – Annual Support (est. 40 hours) <ul style="list-style-type: none"> • Remote support • Additional configuring and training (remote) 	\$5000/yr
Estimated Travel Expenses <ul style="list-style-type: none"> • Phase I – Assessment – 1 person; 2.5 days on-site (\$2000) • Phase I – Demos – 1 person; 1.5 days on-site (\$1600) • Phase II – On-Site Data Collection – 2 persons; two trips; two weeks on-site (\$9750) • Phase III – Facility Condition Assessment – 1 person; two trips; two weeks on-site (\$5600) • Phase IV – Implementation – 1 person; 2 days on-site (\$2000) 	\$20,950 (est travel)
Additional Consulting Services <ul style="list-style-type: none"> • Senior Engineer - \$235/Hr • Consulting Engineer - \$175/Hr • Data Specialist - \$75/Hr 	



Fire Department
637 NP Avenue
Fargo, ND 58102
Phone: 701.241.1540 | Fax: 701.241.8125
www.FargoND.gov

MEMORANDUM

TO: FARGO CITY COMMISSION

FROM: FIRE CHIEF STEVE DIRKSEN

DATE: MARCH 17, 2025

SUBJECT: CHANGE ORDER No.2 FOR CONSTRUCTION PROJECT BP2405 FIRE STATION 5

This request is for two changes to the Fire Station 5 construction:

1. In conjunction with the scope of work included in the original contract, the city has elected to extend the extents of the new epoxy flooring in the existing apparatus bay. This is summarized in GPR-04 and results in an additional cost of \$4,674.75.
2. During construction, it was discovered some of the block veneer on the existing parapet was loose. After review of several options, the city elected to move forward with removal of the existing block veneer. The veneer is being replaced with rigid foam insulation, plywood sheathing, and EPDM roofing. The EPDM roofing will extend from the new roof, up the parapet wall, and tie into the existing roof of the apparatus bay. This is summarized in GPR-05 and results in an additional cost of \$11,695.81.

The original adjusted price of the contract was \$1,180,763.36. The proposed changes of this change order will bring the total cost of the contract to \$1,197,133.92.

RECOMMENDED MOTION: Approve change order No.2 for the contract BP2405, Fire Station 5, in the amount of \$16,370.56.

CHANGE ORDER NO.: 2

Owner: City of Fargo
 Engineer: KLJ Engineering LLC
 Contractor: Roers Construction Joint Venture,
 LLC

Owner's Project No.:
 Engineer's Project No.: 2404-00262
 Contractor's Project
 No.:

Project: Fire Station No. 5 Addition

Contract Name: General Construction (Stipulated Price)

Date Issued: March 10, 2025

Effective Date of Change Order: February 12, 2025

The Contract is modified as follows upon execution of this Change Order:


Description:

1. In conjunction with the scope of work included in the original contract, the city has elected to extend the extents of the new epoxy flooring in the existing apparatus bay. This is summarized in GPR-04 and results in an additional cost of \$4,674.75.00.
2. During construction, it was discovered some of the block veneer on the existing parapet was loose. After review of several options, the city elected to move forward with removal of the existing block veneer. The veneer is being replaced with rigid foam insulation, plywood sheathing and EPDM roofing. The EPDM roofing will extend from the new roof, up the parapet wall, and tie into the existing roof of the apparatus bay. This is summarized in GPR-05 and results in an additional cost of \$11,695.81.00.

Attachments:

GPR-04 and GPR-05

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 1,173,000.00	Original Contract Times: Substantial Completion: August 13, 2025 Ready for final payment: August 27, 2025
Increase from previously approved Change Orders: \$ 7,763.36	Increase from previously approved Change Orders: Substantial Completion: N/A Ready for final payment: N/A
Contract Price prior to this Change Order: \$ 1,180,763.36	Contract Times prior to this Change Order: Substantial Completion: August 13, 2025 Ready for final payment: August 27, 2025
Increase this Change Order: \$ 16,370.56	Change resulting from this Change Order: Substantial Completion: N/A Ready for final payment: N/A
Contract Price incorporating this Change Order: \$ 1,197,133.92	Contract Times with all approved Change Orders: Substantial Completion: August 13, 2025 Ready for final payment: August 27, 2025

Recommended by Engineer (if required)		Accepted by Contractor	
By:	<u>Cassie Trueman</u>		<u></u>
Title:	<u>Project Manager</u>		<u>Construction Executive</u>
Date:	<u>3/10/2025</u>		<u>3/11/2025</u>
	<u>Authorized by Owner</u>		
By:	<u></u>		<u></u>
Title:	<u>Mayor</u>		<u></u>
Date:	<u></u>		<u></u>



300 23rd Ave E, Suite 100
West Fargo, ND 58078-7820
701 232 5353
KLJENG.COM

January 24, 2025

Tyler Miller
Project Manager
Roers Construction Joint Venture, LLC
200 45th St S
Fargo, ND 58103

Re: Fire Station No 5 Proposal Request 04 – Epoxy Flooring Modifications

Dear Mr. Miller:

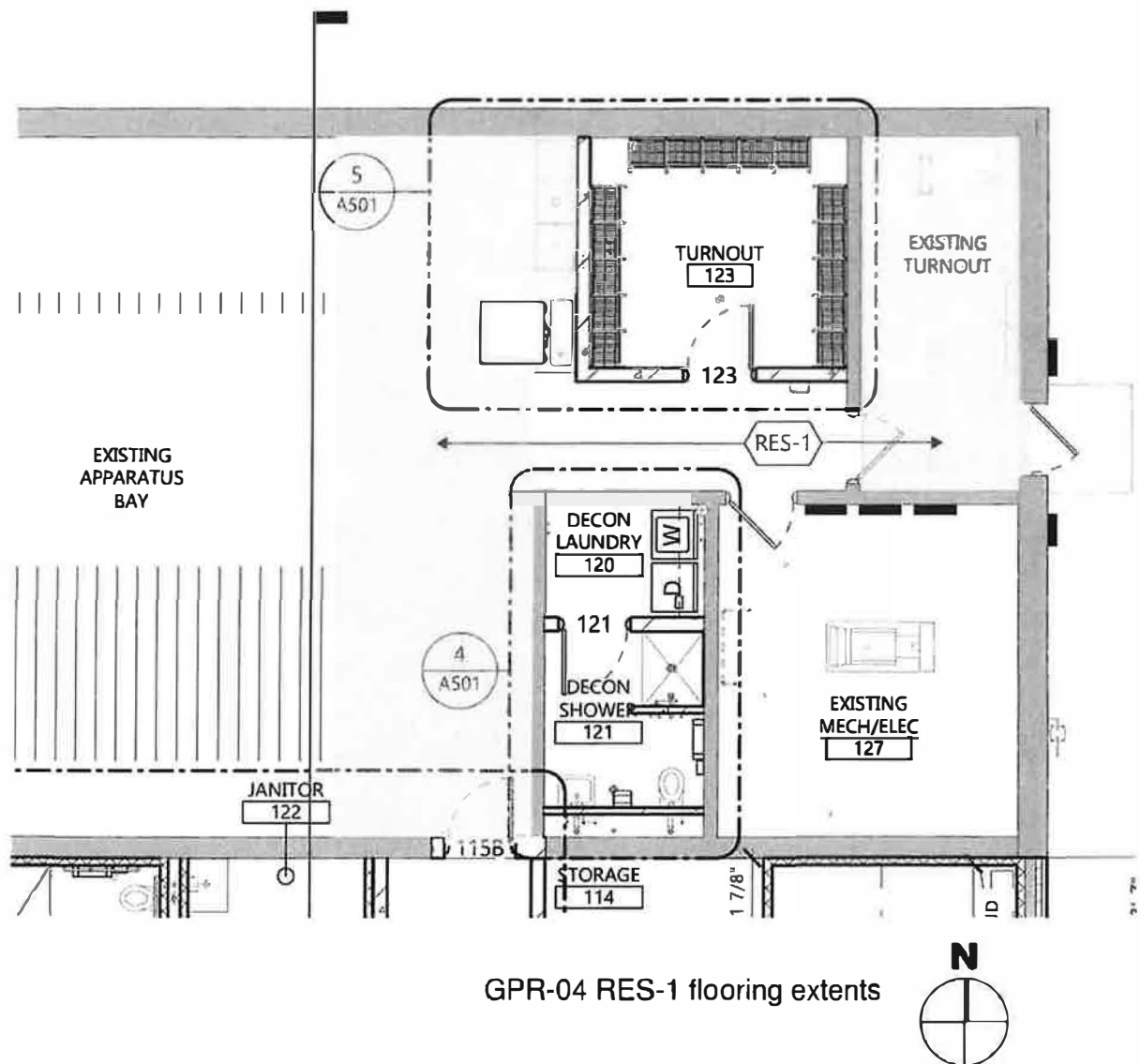
The owner has requested to expand the extents of the epoxy flooring in the existing apparatus bay as highlighted in the sketch attached. Please submit a proposal for this additional work on or before January 30, 2025. Proposal shall include detailed/itemized costs to be broken down into labor and materials.

Please note this is not a change order nor direction to proceed with the work. If you have any questions, please contact me at 701-241-2317 or cassie.mcnames@kljeng.com.

Sincerely,
KLJ

A handwritten signature in cursive script that reads 'Cassie McNames'.

Cassie McNames
Senior Project Manager
Enclosure(s): GPR-04 Sketch
Project #: 2404-00262
cc: File, Alec Korby, Nicholas Naujokas



ROERS**PCO #004**

Building success.

ROERS
200 45th St S
Fargo, North Dakota 58103
Phone: (701) 356-5050
Fax: (701) 282-2121

Project: 24-012 - Fire Station #5 Addition

Prime Contract Potential Change Order #004: CE #005 - PR 04 -

TO:		FROM:	
PCO NUMBER/REVISION:	004 / 0	CONTRACT:	24-012 - Fire Station No. 5 Addition
REQUEST RECEIVED FROM:		CREATED BY:	Tyler Miller (Roers Construction Joint Venture)
STATUS:	Pending - In Review	CREATED DATE:	2/10/2025
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:		PAID IN FULL:	No
EXECUTED:	No	SIGNED CHANGE ORDER RECEIVED DATE:	
		TOTAL AMOUNT:	\$4,674.75

POTENTIAL CHANGE ORDER TITLE: CE #005 - PR 04 -

CHANGE REASON: Design Development

POTENTIAL CHANGE ORDER DESCRIPTION: (The Contract Is Changed As Follows)**CE #005 - PR 04 -**

The owner has requested to expand the extents of the epoxy flooring in the existing apparatus bay as highlighted in the sketch attached. Please submit a proposal for this additional work on or before January 30, 2025. Proposal shall include detailed/itemized costs to be broken down into labor and materials.

Please note this is not a change order nor direction to proceed with the work. If you have any questions, please contact me at 701-241-2317 or cassie.mcnames@kljeng.com.

ATTACHMENTS:

#	Budget Code	Description	Amount
1	9-900.S PAINTING.SUBCONTRACT	GPR 04 - Epoxy Flooring	\$4,065.00
Subtotal:			\$4,065.00
Overhead and Profit (15.00% Applies to all line item types.):			\$609.75
Grand Total:			\$4,674.75

SIGNATURE

DATE

SIGNATURE

DATE

SIGNATURE

DATE

High Performance Coatings, Inc.
 568 50th Street NE
 Buffalo, MN 55313
 +13208152141
 highperformancecoatingsmn@hotmail.com
 http://highperformancecoatingsinc.com



Estimate

ADDRESS

CITY OF FARGO FIRE
 STATION NO 5 ADDITION
 GPR-04 RES-1 flooring extents

ESTIMATE # 6673

DATE 02/07/2025

ACTIVITY	QTY	RATE	AMOUNT
ADD			
ADDITIONAL WORK-			
Add Res-1 Tnemec Deco Flake system to Existing Turnout and portion of existing apparatus bay			
Materials		1,465.00	1,465.00
Materials			
Labor		2,600.00	2,600.00
Labor			

Thank you for giving us the opportunity to look at your upcoming project. We look forward to working with you. Please do not hesitate to reach out with any questions.

TOTAL

\$4,065.00

Mike Wheeler - 320-815-2141
 Sam Adams - 763-204-5889

Accepted By

Accepted Date



300 23rd Ave E, Suite 100
West Fargo, ND 58078-7820
701 232 5353
KLJENG.COM

February 3, 2025

Tyler Miller
Project Manager
Roers Construction Joint Venture, LLC
200 45th St S
Fargo, ND 58103

Re: Fire Station No 5 Proposal Request 05 – Existing Parapet Veneer

Dear Mr. Miller:

As discussed on site on January 27, 2025, some of the existing block veneer above the new roof is loose and detached from the structural CMU wall (south wall of the apparatus bay). Below you'll find a description of what is being proposed to correct this issue. Please submit a proposal for this additional work on or before February 10, 2025. Proposal shall include detailed/itemized costs to be broken down into labor and materials.

- Remove delaminating masonry veneer at existing south wall parapet above new precast roof deck starting from the west 13'-8" to the east, 8'-0" from east wall. Existing masonry at west and east ends of existing parapet to remain and remain visible 13'-8" from west end and 8' from east end. Verify veneer scheduled to remain is sound and secure. Tuckpoint existing veneer to remain as necessary. Foam, plywood and EPDM infill only between exposed masonry veneer sections as noted below.
- Infill with rigid foam insulation, plywood sheathing and EPDM assembly similar to back side of new parapets, face flush with existing masonry veneer.
- Terminate ends of EPDM with water tight transition to masonry, (IE reglet/flashing).
- Wrap rubber membrane over infill, from lower roof and tie into upper roof membrane.
- Salvage masonry veneer units necessary to repair all damaged areas of existing construction.

Please note this is not a change order nor direction to proceed with the work. If you have any questions, please contact me at 701-241-2317 or cassie.mcnames@kljeng.com.

Sincerely,
KLJ

A handwritten signature in cursive script that reads "Cassie McNames".

Cassie McNames
Senior Project Manager
Enclosure(s): None.
Project #: 2404-00262
cc: File, Alec Korby, Nicholas Naujokas

Building success.

ROERS
200 45th St S
Fargo, North Dakota 58103
Phone: (701) 356-5050
Fax: (701) 282-2121

Project: 24-012 - Fire Station #5 Addition

Prime Contract Potential Change Order #005: CE #006 - GPR 005 - Parapet at Existing Building

#	Budget Code	Description	Amount	Overhead and Profit (15.00% Applies to All Line Items)	Subtotal
1	7-540.S ROOF- MEMBRANE.BUILT UP.SUBCONTRACT	EPDM Roof work	\$6,750.00	\$1,012.50	\$7,762.50
2	2-020.L BUILDING DEMOLITION.DIRECT LABOR	Demo existing masonry	\$700.00	\$105.00	\$805.00



Building success.

#	Budget Code	Description	Amount	Overhead and Profit (15.00% Applies to All Line Items)	Subtotal
3	6-102.L WALL FRAMING PLYWOOD.DIRECT LABOR	Parapet Framing	\$2,720.27	\$408.04	\$3,128.31
Subtotal:			\$10,170.27	\$1,525.54	\$11,695.81
Grand Total:					\$11,695.81

SIGNATURE DATE

SIGNATURE DATE

SIGNATURE DATE



CONSTRUCTION | PROPERTY MANAGEMENT | DEVELOPMENT | REAL ESTATE

Building success.

Fargo Fire Station # 5 Addition – GPR 05

Demo of parapet wall

- 10 Labor Hours @ \$70 = \$700.00

Framing of new parapet wall

- **Metal Studs @ 24" OC , Batt insulation, and Plywood**
 - o Labor – 20 Labor Hours at \$70 = \$1,400.00
 - o Material:
 - metal studs 18 gauge
 - Top and Bottom Track
 - Insulation
 - Plywood
 - Screws
 - \$1,320.37

Total (not including roofing) : \$3,420.37

www.roers.com

FARGO

200 45th S S,
Fargo, ND 58103

DICKINSON

1260 West Villard
Dickinson, ND 58601

BISMARCK

1519 Continental Ave
Bismarck, ND 58504

MINOT

24 1st Ave NE
Minot, ND 58703

Change Order

All Weather Roofing & Metal LLC.

26 3rd St S, Sabin, MN 56580



Project: Fargo Fire Station Change
Order 1

Date: 02/10/25

Contract Change Order

*Additional labor and material to cover existing wall and flash ends with rubber, furnish and install new wall cap on existing wall at new building tie in.

- Roofing Material: \$3,689.90
- Roofing Labor- \$1800.00
- Sheet Metal Fabrication and Install: \$1,260.00

Total: \$6,750.00

X _____

Customer Signature

X _____

Kasey Kluver





Foundation Building Materials

Branch 236
4502 15TH AVE N STE C
FARGO, ND 58102-2866
Ph: (701) 297-2371

Quote

Whse: 236 Order: 236003218-00
Company Number: 1

Bill To: 83083

ROERS CONSTRUCTION
200 45TH STREET SOUTH
FARGO ND 58103
(701) 282-6413

Ship To: MISC

ROERS CONSTRUCTION
200 45TH STREET SOUTH
FARGO ND 58103
(701) 282-6413

Quotation expires 30 days from quote date

Order Number	Order Date	Promise Date
236003218-00	02/06/2025	02/08/2025
Customer PO		
TYLER QUOTE		
Sales Rep		
236 House Account		
Shipping Instructions		Page #
		1 of 1

Order Entered By

Krogstad, Brady

Ship Via

Our Truck

Placed By

TYLER

Job # / Name

ROERS CONSTRUCTION

LN	Qty Ordered	Sell Unit	Product Code Product Description	Weight	UOM Qty	UOM	Price UOM (\$)	Net Amount (\$)
1	10.00	SHT	FRPLY12CDX-MSF 1/2" FIRE RATED CDX PLYWOOD 4X8 (15/32")	448	0.320	MSF SHT	1,560.00 49.92	499.20
2	1.00	BAG	R19U-2496-OC R19U 24X96 UNFACED M50A (128) 5/UNIT	38	0.128	MSF BAG	620.00 79.36	79.36
3	19.00	PC	S600S162-43-10 18GA 6" STUD 1 5/8" FL 10FT	276	0.190	MLF PC	1,710.00 17.10	324.90
4	16.00	PC	T600T125-43-10 18GA 6" TRACK 1 1/4" LEG 10FT	208	0.160	MLF PC	1,499.00 14.99	239.84
5	1.00	BOX	GRB-VB34Z GRABBER VB34Z 8X1/2" SD ZINC WAFER HEAD (5LB)	5	1.000	BOX	34.95	34.95

5 Lines Total

Subtotal 1,178.25
Freight 50 50.00
Taxes 92.12
Total 1,320.37

Total Weight on this order: 975.18
Total Steel MLF on this order:

0.350 MLF



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and account has
never been easier!



MyFBM.com

A signed purchase order is due within 30 days of the order date that appears on this quotation. Otherwise, we reserve the right to terminate this quotation and / or issue a replacement quote. A transportation surcharge will be applied for each delivered order. This quotation is conditioned upon buyer's acknowledgement and acceptance of FBM's terms and conditions located at <http://www.fbmsales.com/salesterms>. Any new, additional or different terms are rejected.

(21)

March 7, 2025

Board of City Commissioners
 City Hall
 225 4th Street N
 Fargo, ND 58102

RE: 2025 Water Reclamation Hook and Hoist Chassis (**PBC 25034**)

Commissioners:

Jim Hausauer and Tom Ganje reviewed and evaluated North Dakota State Contract 378. This North Dakota Specification is a cooperative purchasing contract established pursuant to North Dakota Century Code (NDCC) sections 54-44.4-13. This item was approved at the FAHR Staff Meeting and City Commission Meeting on February 17, 2025. Funding for this project is included in the 2025 Water Reclamation budget.

The results are as follows:

<u>Model</u>	<u>Unit Cost</u>
Northern Central Int LC	\$120,317.39

Using the State contract for vehicle purchasing has been very successful for the City of Fargo as we have been able to capitalize on significant cost savings over purchasing from the dealer networks.

SUGGESTED MOTION:

Approve the purchase of one 2026 HV607 International Chassis from North Central INT LLC in the amount of \$120,317.39.

Respectfully submitted,



Tom Ganje
 Fleet Purchasing Manager

Registration Required - Impoundment for Violation and Section 1-0305 of Article 1-03 of Chapter 1, of the Fargo Municipal Code, Relating to the Classification of Ordinance Violations.

7. 1st reading of an Ordinance Amending Section 25-1509, of Article 25-15, of Chapter 25, of the Fargo Municipal Code Relating to Restrictions on Sale, Service or Dispensing of Alcoholic Beverages.
8. Interim Financing Agreement, Series E with Garrison Diversion Conservancy District, Lake Agassiz Water Authority and City of Grand Forks for the Red River Valley Water Supply Project.
9. Extension of the Class "FA" Alcoholic Beverage License for Mexican Village II, LLP d/b/a Mexican Village until 6/30/25.
10. Applications for Games of Chance:
 - a. FM Walleye's Unlimited, Inc. for a raffle 4/3/25.
 - b. NDSU Lions Club for a raffle 4/2/25.
 - c. North Central Turfgrass Association for a raffle 2/26/25.
 - d. Red River Volkswagen Club for a raffle 7/26/25.
 - e. St. Joseph's School for a raffle 4/26/25.
 - f. Love Your Buns for a raffle 3/15/25.
 - g. Red River Valley Figure Skating Club for a raffle 3/16/25.
11. Bid award to Central Specialties, Inc. in the amount of \$562,302.20 for Project No. SN-25-A1.
12. Bid advertisement for Project No. PR-25-A.
13. Bid advertisement for Project No. QR-25-A.
14. Bid advertisement for Project No. TR-25-C.
15. Bid advertisement for Project No. TR-25-D.
16. Bid award to Northern Improvement Company in the amount of \$1,995,413.50 for Improvement District No. BR-25-F1.
17. Create Improvement District No. PR-25-E and adopt Resolution of Necessity (Asphalt Mill and Overlay).
18. Items from the FAHR Meeting:
 - a. Agreement with Rochester Armored Car Company, Inc. to include the addition of the Transit locations.
 - b. 2025 Program of Projects for Transit - Public Hearing to be held for final approval.
 - c. Agreement with the City of Moorhead for Federal Transit Grant Fund Distribution and related budget adjustment.
 - d. Reallocation of unspent funds from Project No. WW1707 for procurement of a hook and hoist refuse truck.

INTERNATIONAL

February 24, 2025

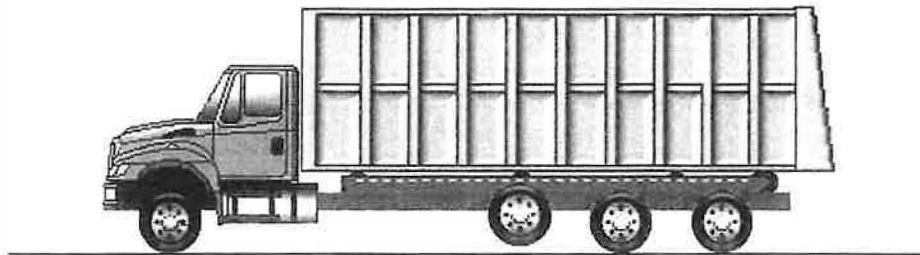
Prepared For:
 City of Fargo
 TOM GANJE
 402 23rd St. N
 Fargo, ND 58102-4114
 (701)241 - 1460
 Reference ID: ROLL OFF

Presented By:
 NORTH CENTRAL INTL LLC
 Greg Barsgard
 PO BOX 993
 WILLMAR MN 562010993
 701-282-2817

State Bid Contract #378

Water Reclamation

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.



Model Profile
 2026 HV607 SBA (HV607)

AXLE CONFIG:	6X4
APPLICATION:	Roll-On/Roll-off
MISSION:	Requested GVWR: 60000. Calc. GVWR: 68000. Calc. GCWR: 80000 Calc. Start / Grade Ability: 21.84% / 2.25% @ 55 MPH Calc. Geared Speed: 67.4 MPH
DIMENSION:	Wheelbase: 270.00, CA: 202.90, Axle to Frame: 67.00
ENGINE, DIESEL:	{Cummins L9 360} EPA 2024, 360HP @ 2200 RPM, 1150 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 359 Peak HP (Max)
TRANSMISSION, AUTOMATIC:	{Allison 3000 RDS} 6th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max. On/Off Highway
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-20-133A} Wide Track, I-Beam Type, 20,000-lb Capacity
AXLE, REAR, TANDEM:	{Meritor RT-46-160} Single Reduction, 46,000-lb Capacity, Driver Controlled Locking Differential in Forward-Rear and Rear-Rear Axle, 200 Wheel Ends Gear Ratio: 6.14
CAB:	Conventional, Day Cab
TIRE, FRONT:	(2) 425/65R22.5 Load Range L HAC 3 (CONTINENTAL), 465 rev/mile, 68 MPH, All-Position
TIRE, REAR:	(8) 11R22.5 Load Range H HDR2+ (CONTINENTAL), 491 rev/mile, 75 MPH, Drive
SUSPENSION, REAR, AIR, TANDEM:	{Hendrickson PRIMAAX EX} 46,000-lb Capacity, 56" Axle Spacing, 9.0" Ride Height, with Shock Absorbers
FRAME REINFORCEMENT:	Full Outer C-Channel, Heat Treated Alloy Steel (120,000 PSI Yield), 10.813" x 3.892" x 0.312" (274.6mm x 98.8mm x 7.9mm), 480.0" (12192mm) OAL
PAINT:	Cab schematic 100WL Location 1: 4421, School Bus Yellow (Std) Chassis schematic N/A

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
HV60700	Base Chassis, Model HV607 SBA with 270.00 Wheelbase, 202.90 CA, and 67.00 Axle to Frame.	6136/3644	9780
1586	TOW LOOP, FRONT	85/0	85
1AND	AXLE CONFIGURATION 6x4	196/71	267
	<u>Notes</u> : Pricing may change if axle configuration is changed.		
1CBU	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.125" x 3.580" x 0.312" (257.2mm x 90.9mm x 8.0mm); 480.0" (12192) Maximum OAL	165/316	481
1GBP	FRAME REINFORCEMENT Full Outer C-Channel, Heat Treated Alloy Steel (120,000 PSI Yield), 10.813" x 3.892" x 0.312" (274.6mm x 98.8mm x 7.9mm), 480.0" (12192mm) OAL	535/659	1194
1LLA	BUMPER, FRONT Swept Back, Steel, Heavy Duty	0/0	0
1MEJ	FRAME DIMPLE Dimple on Left and Right Top Flange of Frame Rail to Reference Rear Axle Centerline	0/0	0
1WGZ	WHEELBASE RANGE 264" (670cm) Through and Including 311" (790cm)	469/-469	0
2ARY	AXLE, FRONT NON-DRIVING {Meritor MFS-20-133A} Wide Track, I-Beam Type, 20,000-lb Capacity	186/0	186
3ACS	SUSPENSION, FRONT, SPRING Multileaf, Shackle Type, 20,000-lb Capacity, Less Shock Absorbers	224/0	224
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications	0/0	0
	<u>Includes</u> : BRAKE LINES Color and Size Coded Nylon : DRAIN VALVE Twist-Type : GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster : PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel : PARKING BRAKE VALVE For Truck : QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4 : SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6		
4619	TRAILER CONNECTIONS Four-Wheel, with Hand Control Valve and Tractor Protection Valve, for Straight Truck	2/0	2
	<u>Notes</u> : When electronic stability control is ordered with trailer connections on a 4x2 truck, please check the operator manual for trailer weight restrictions.		
4732	DRAIN VALVE {Berg} with Pull Chain, for Air Tank	0/0	0
4AZA	AIR BRAKE ABS {Bendix AntiLock Brake System} 4-Channel (4 Sensor/4 Modulator) Full Vehicle Wheel Control System	0/0	0
4EBD	AIR DRYER {Wabco System Saver 1200} with Heater	9/2	11
4EXU	BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 SqIn Spring Brake	0/14	14
4EXV	BRAKE CHAMBERS, FRONT AXLE {Bendix} 24 SqIn	4/0	4
4GBM	BRAKE, PARKING Manual Push-Pull Pneumatic Parking Brake	1/0	1

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
4JBR	BRAKES, PUSHER AXLE Air S-Cam Type, 15" x 4.0", Includes MGM 20 Sq.In. Brake Chambers, Furnished with One Pusher Lift Axle	0/0	0
4JNJ	SLACK ADJUSTER, PUSHER AXLE {Haldex} Automatic; for Single Pusher Axle	0/0	0
4LAA	SLACK ADJUSTERS, FRONT {Haldex} Automatic	14/0	14
4LGA	SLACK ADJUSTERS, REAR {Haldex} Automatic	0/32	32
4SPA	AIR COMPRESSOR {Cummins} 18.7 CFM	0/0	0
4VKC	AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab	16/5	21
4VKK	AIR TANK LOCATION (2) Mounted Under Battery Box, Outside Right Rail, Back of Cab, Perpendicular to Rail	-7/13	6
4WBX	DUST SHIELDS, FRONT BRAKE for Air Cam Brakes	10/0	10
4WDM	DUST SHIELDS, REAR BRAKE for Air Cam Brakes	0/20	20
4XDR	BRAKES, REAR {Meritor 16.5X7 Q-PLUS CAST} Air S-Cam Type, Cast Spider, Fabricated Shoe, Double Anchor Pin, Size 16.5" X 7", 23,000-lb Capacity per Axle	0/104	104
4XDT	BRAKES, FRONT {Meritor 16.5X6 Q-PLUS CAST} Air S-Cam Type, Cast Spider, Fabricated Shoe, Double Anchor Pin, Size 16.5" X 6", 23,000-lb Capacity	33/0	33
4XEE	PARK BRAKE CHAMBERS, ADDITIONAL (2) Spring Brake Type	0/60	60
5710	STEERING COLUMN Tilting and Telescoping	18/1	19
5CAW	STEERING WHEEL 4-Spoke; 18" Dia., Black	0/0	0
5PTB	STEERING GEAR (2) {Sheppard M100/M80} Dual Power	100/-4	96
6DGT	DRIVELINE SYSTEM {Dana Spicer} SPL170 Main Driveline with SPL170 Interaxle Shaft, for 6x4	5/33	38
7BEU	AFTERTREATMENT COVER Aluminum	9/2	11
7BLW	EXHAUST SYSTEM Horizontal Aftertreatment System, Frame Mounted Right Side Under Cab, for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab	149/28	177
7WBA	TAIL PIPE (1) Turnback Type, Bright	7/2	9
7WBS	MUFFLER/TAIL PIPE GUARD (1) Bright Stainless Steel	18/7	25
7WDM	EXHAUST HEIGHT 10'	21/7	28
7WZY	SWITCH, FOR EXHAUST 2 Position, Lighted & Latching, On/Off Type, Mounted in IP, Inhibits Diesel Particulate Filter Regeneration as Long as Switch is in On Position	2/0	2
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment	0/0	0
	<u>Includes</u>		
	: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab		
	: HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel		
	: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever		
	: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light		
	: STARTER SWITCH Electric, Key Operated		
	: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear. Combination with Reflector		
	: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature		

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
	: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever : WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted : WIRING, CHASSIS Color Coded and Continuously Numbered		
8518	CIGAR LIGHTER Includes Ash Cup	1/0	1
8541	HORN, ELECTRIC (2) Disc Style	1/0	1
8875	BATTERY TERMINALS Sealed	2/0	2
8GXD	ALTERNATOR {Leece-Neville AV1160P2013} Brush Type. 12 Volt, 160 Amp Capacity, Pad Mount, with Remote Sense	0/0	0
8HAB	BODY BUILDER WIRING Back of Day Cab at Left Frame or Under Sleeper, Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/ Turn	2/0	2
8MJV	BATTERY SYSTEM {Fleetrite} Maintenance-Free, (4) 12-Volt 3800CCA Total. Top Threaded Stud	89/45	134
8RMV	SPEAKERS (2) 6.5" Dual Cone Mounted in Doors	0/0	0
8RPB	RADIO, STEERING WHEEL CONTROLS Mounted in Steering Wheel, Radio Function Control Switch, Includes Volume Up/Down, Mute, Forward/Back and Bluetooth Answer/Disconnect	9/1	10
8RPR	ANTENNA for Increased Roof Clearance Applications	1/0	1
8RPS	RADIO AM/FM/WB/Clock/Bluetooth/USB Input/Auxiliary Input	3/0	3
8THB	BACK-UP ALARM Electric, 102 dBA	0/3	3
8TMG	TRAILER CONNECTION SOCKET {Phillips} 7-Way, Mounted at Rear of Frame, Wired for Turn Signals Combined with Stop, Compatible with Trailers with Combined Stop, Tail, Turn Lamps	0/7	7
8VUJ	BATTERY BOX Steel, with Plastic Cover, 18" Wide, 2-4 Battery Capacity, Mounted Right Side Back of Cab	-31/8	-23
8WBW	JUMP START STUD 12V, Remote Mounted	2/0	2
8WCK	POWER SOURCE, TERMINAL TYPE 2-Post	1/0	1
8WMA	SWITCH, TOGGLE, FOR WORK LIGHT Lighted; on Instrument Panel and Wiring Effects for Customer Furnished Back of Cab Light	2/1	3
8WPH	CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade	0/0	0
8WTK	STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt, Less Thermal Over-Crank Protection	8/0	8
8WWJ	INDICATOR, LOW COOLANT LEVEL with Audible Alarm	0/0	0
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses	0/0	0
8XGE	BATTERY BOX MODIFICATION Plastic Pad Added Inside Bottom of Battery Box, Additional Plastic Pad Covering All Batteries	6/3	9
8XGT	TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender	0/0	0

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
8XHD	BATTERY DISCONNECT SWITCH 300 Amp, Disconnects Charging Circuits, Locks with Padlock, Cab Mounted	2/0	2
8XHN	HORN, AIR Single Trumpet, Black, with Lanyard Pull Cord	3/0	3
8XHX	SWITCH, MARKER INTERRUPT for Marker Lights and Headlights, Located in Steering Wheel	0/0	0
8XNY	HEADLIGHTS Halogen	0/0	0
8XPK	POWER SOURCE, ADDITIONAL Auxiliary Power Outlet (APO) with USB-A Port and USB-C Port, Located in the Instrument Panel	0/0	0
9585	FENDER EXTENSIONS Rubber	6/0	6
9AAB	LOGOS EXTERIOR Model Badges	0/0	0
9AAE	LOGOS EXTERIOR, ENGINE Badges	0/0	0
9HAN	INSULATION, UNDER HOOD for Sound Abatement	10/0	10
9HBM	GRILLE Stationary, Chrome	0/0	0
9HBN	INSULATION, SPLASH PANELS for Sound Abatement	2/0	2
9WBC	FRONT END Tilting, Fiberglass, with Three Piece Construction, for WorkStar/HV	0/0	0
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100	0/0	0
	<u>Includes</u> : PAINT SCHEMATIC ID LETTERS "WL"		
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone	0/0	0
10AGB	COMMUNICATIONS MODULE Telematics Device with Over the Air Programming; Includes Five Year Data Plan and International 360	1/0	1
10RHG	DUAL DRIVE Customer Does Not Intend to Convert to In-Cab Dual Drive Positions	0/0	0
10SLV	PROMOTIONAL PACKAGE Government Silver Package	0/0	0
10UAV	VEHICLE REGISTRATION IDENTITY ID for Non-CARB Omnibus and/or Non-ACT Adopting State or Exempt Vehicle. Not for use on vehicles registering in CA/MA / OR/NJ/NY/WA. Contains non-mitigated legacy engine & cannot be registered in CA unless exempt. You may be held liable under state law for failure to properly register vehicle.	0/0	0
	<u>Notes</u> : CANNOT BE REGISTERED IN CA. For vehicles that will be registered in States other than CA.		
10WWP	MUD FLAPS, FRONT WHEELS (2) Rubber, Mounted on Fender Extension, for Tire Size 425/445	3/0	3
10XBU	SPECIAL RATING, GVWR Limited to 68,000-lb GVWR	0/0	0
11001	CLUTCH Omit Item (Clutch & Control)	0/0	0
12703	ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection	0/0	0
12849	BLOCK HEATER, ENGINE 120V/1000W, for Cummins ISB/B6.7/ISL/L9 Engines	3/0	3
	<u>Includes</u> : BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door		

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
12EYZ	ENGINE, DIESEL {Cummins L9 360} EPA 2024, 360HP @ 2200 RPM, 1150 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 359 Peak HP (Max)	577/-13	564
12THT	FAN DRIVE {Horton Drivemaster} Two-Speed Type, Direct Drive, with Residual Torque Device for Disengaged Fan Speed	0/0	0
	<u>Includes</u> : FAN Nylon		
12UWZ	RADIATOR Aluminum, Cross Flow, Front to Back System, 1228 SqIn, with 1167 SqIn Charge Air Cooler, Includes In-Tank Oil Cooler	21/-3	18
	<u>Includes</u> : DEAERATION SYSTEM with Surge Tank : HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps : RADIATOR HOSES Premium, Rubber		
12VBB	AIR CLEANER Dual Element	4/0	4
12VKC	EMISSION, CALENDAR YEAR {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2025	0/0	0
12VXT	THROTTLE, HAND CONTROL Engine Speed Control; Electronic, Stationary, Variable Speed; Mounted on Steering Wheel	0/0	0
12WVH	EPA IDLE COMPLIANCE Low NOx Idle Engine, Complies with EPA Clean Air Regulations; Includes "Certified Clean Idle" Decal on Door	0/0	0
12WZE	CARB IDLE COMPLIANCE Does Not Comply with California Clean Air Idle Regulations	0/0	0
12XBM	ENGINE CONTROL, REMOTE MOUNTED Provision for; Includes Wiring for Body Builder Installation of PTO Controls and Starter Lockout, with Ignition Switch Control, for Cummins B6.7 and L9 Engines	0/0	0
12XCS	CARB EMISSION WARR COMPLIANCE Does Not Comply with CARB Emission Warranty	0/0	0
13BCS	TRANSMISSION, AUTOMATIC {Allison 3000 RDS} 6th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder. Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway	241/42	283
13WET	TRANSMISSION SHIFT CONTROL Column Mounted Stalk Shifter, Not for Use with Allison 1000 & 2000 Series Transmission	1/0	1
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints	0/0	0
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS) and Regional Haul Series (RHS), General Purpose Trucks, Construction, Package Number 223	0/0	0
13WVV	NEUTRAL AT STOP Allison Transmission Shifts to Neutral When Service Brake is Depressed and Vehicle is at Stop; Remains in Neutral Until Service Brake is Released	0/0	0
13WYH	TRANSMISSION TCM LOCATION Located Inside Cab	0/0	0
13WYU	SHIFT CONTROL PARAMETERS {Allison} 3000 or 4000 Series Transmissions, Performance Programming	0/0	0
13XAL	PTO LOCATION Customer Intends to Install PTO at Left Side of Transmission	0/0	0
14899	SUSPENSION AIR CONTROL VALVE Pressure Release Control In Cab	0/1	1

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
14HRM	AXLE, REAR, TANDEM {Meritor RT-46-160} Single Reduction, 46,000-lb Capacity, Driver Controlled Locking Differential in Forward-Rear and Rear-Rear Axle, 200 Wheel Ends . Gear Ratio: 6.14	0/2536	2536
14RAR	AXLE, LIFT, CONTROLS for One Lift Axle; Controls Inside and Outside Cab; Includes Lift/Lower Switch Inside Cab on Dash; Pressure Gauge and Pressure Regulator Outside Cab	0/0	0
14UAC	AXLE SPACING, FIRST PUSHER 54" Ahead of Drive Axle	0/0	0
14UNX	SUSPENSION, REAR, AIR, TANDEM {Hendrickson PRIMAAX EX} 46,000-lb Capacity, 56" Axle Spacing, 9.0" Ride Height, with Shock Absorbers	0/1089	1089
14WAS	SUSPENSION LEVELING VALVE Dual Height; One Additional, for Air Ride Suspension	0/3	3
14WBA	LIFT AXLE ENGR REVIEW Special Quotation to Allow Engineering Review of Lift Axle Configurations	0/0	0
14WMK	AXLE, REAR, LUBE {EmGard FE-75W-90} Synthetic Oil; 65 thru 89.99 Pints	0/0	0
14WNH	AXLE, PUSHER, LIFT TYPE {Watson & Chalin SL1190SSR Tru-Trk Alumilite} 13,500-lb Capacity, One Self-Steer Axle	234/585	819
15924	FUEL TANK STRAPS Bright Finish Stainless Steel	0/0	0
15BAA	DEF TANK COVER Stainless Steel	2/0	2
15DYP	DEF TANK 9.5 US Gal (36L) Capacity, Frame Mounted Outside Left Rail, Under Cab	15/2	17
15LNS	FUEL/WATER SEPARATOR {Racor 400 Series} 12 VDC Electric Heater, Includes Pre-Heater, with Primer Pump, Includes Water-in-Fuel Sensor, Mounted on Engine	-2/-3	-5
15SJZ	FUEL TANK Top Draw, Non-Polished Aluminum, 26" Dia, 80 US Gal (303L), Mounted Left Side, Under Cab	18/6	24
16030	CAB Conventional, Day Cab	0/0	0
16975	HEATER HOSES Silicone	0/0	0
16BAM	AIR CONDITIONER with Integral Heater and Defroster	0/0	0
16GEG	GAUGE CLUSTER Premium Level; English with English Electronic Speedometer <u>Includes</u> : GAUGE CLUSTER DISPLAY: Base Level (3" Monochromatic Display), Premium Level (5" LCD Color Display); Odometer, Voltmeter, Diagnostic Messages, Gear Indicator, Trip Odometer, Total Engine Hours, Trip Hours, MPG, Distance to Empty/ Refill for : GAUGE CLUSTER Speedometer, Tachometer, Engine Coolant Temp, Fuel Gauge, DEF Gauge, Oil Pressure Gauge, Primary and Secondary Air Pressure : WARNING SYSTEM Low Fuel, Low DEF, Low Oil Pressure, High Engine Coolant Temp, Low Battery Voltage (Visual and Audible), Low Air Pressure (Primary and Secondary)	0/0	0
16HGH	GAUGE, OIL TEMP, AUTO TRANS for Allison Transmission	1/0	1
16HHE	GAUGE, AIR CLEANER RESTRICTION {Filter-Minder} Mounted in Instrument Panel	2/0	2
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster	0/0	0

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
16KBC	SEAT, DRIVER {National 2000 195} Air Suspension, High Back with Integral Head Rest, Cloth, Isolator, 8" Adjuster, 1 Chamber Lumbar, 2 Position Front Cushion Adjust, 6-23 Degree Back Angle Adjust, Dual Shocks	0/0	0
16SEE	GRAB HANDLE, EXTERIOR Chrome, Towel Bar Type, with Anti-Slip Rubber Inserts, for Cab Entry Mounted Left Side at B-Pillar	3/0	3
16SJX	MIRROR, CONVEX, HOOD MOUNTED {Lang Mekra} (2) Right and Left Sides, Bright, Heated, 7.5" Sq.	9/0	9
16SMM	SEAT, PASSENGER {National} Non Suspension, High Back, Fixed Back, Integral Headrest, Cloth	18/5	23
16SNV	MIRRORS (2) Aero Pedestal, Power Adjust, Heated, Turn Signals, Bright Heads, Black Arms, 6.5" x 14" Flat Glass, Includes 6.5" x 6" Convex Mirrors, for 102" Load Width	0/0	0
<u>Notes</u> : Mirror Dimensions are Rounded to the Nearest 0.5"			
16VKK	CAB INTERIOR TRIM Diamond, for Day Cab	6/1	7
<u>Includes</u> : CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger : DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Reading Lights; Integral to Overhead Console, Center Mounted : SUN VISOR (3) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Vanity Mirror and Toll Ticket Strap, plus 1 Auxiliary Visor (Front Only), Driver Side			
16VLV	MONITOR, TIRE PRESSURE Omit	-10/-1	-11
16WBY	ARM REST, RIGHT, DRIVER SEAT	3/0	3
16WHJ	HOSE CLAMPS, HEATER HOSE {Breeze} Belleville Washer Type	0/0	0
16WJU	WINDOW, POWER (2) and Power Door Locks, Left and Right Doors, Includes Express Down Feature	0/0	0
16WLS	FRESH AIR FILTER Attached to Air Intake Cover on Cowl Tray in Front of Windshield Under Hood	0/0	0
16WSK	CAB REAR SUSPENSION Air Bag Type	0/0	0
16XJP	INSTRUMENT PANEL Wing Panel	0/0	0
16ZBT	ACCESS, CAB Steel, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab and Extended Cab	0/0	0
27DBA	WHEELS, FRONT {Accuride 29374} DISC; 22.5x12.25 Rims, Extra Polish Aluminum, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs	-10/0	-10
28DUK	WHEELS, REAR {Accuride 29169} DUAL DISC; 22.5x8.25 Rims, Powder Coat Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with .472" Thick Increased Capacity Disc and Steel Hubs	0/48	48
29WLK	WHEEL BEARING, FRONT, LUBE {EmGard FE-75W-90} Synthetic Oil	0/0	0
34ACJ	WHEELS, LIFT AXLE PUSHER {Accuride 51408} Single Wheels, For One Lift Axle; 22.5x8.25 Rims, Powder Coat Steel, 2-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut << Pricing Includes Standard Tires >>	81/279	360

INTERNATIONAL

Vehicle Specifications
2026 HV607 SBA (HV607)

February 24, 2025

<u>Code</u>	<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
60AAG	BDY INTG, REMOTE POWER MODULE Mounted Inside Cab Behind Driver Seat, Up to 6 Outputs & 6 Inputs, Max 20 amp per Channel, Max 80 amp Total; Includes 1 Switch Pack with Latched Switches	0/0	0
7382135444	(8) TIRE, REAR 11R22.5 Load Range H HDR2+ (CONTINENTAL), 491 rev/mile, 75 MPH, Drive	0/40	40
7752525421	(2) TIRE, PUSHER 255/70R22.5 Load Range H HSR2 SA (CONTINENTAL), 565 rev/mile, 75 MPH, All-Position	0/0	0
7752665441	(2) TIRE, FRONT 425/65R22.5 Load Range L HAC 3 (CONTINENTAL), 465 rev/mile, 68 MPH, All-Position	112/0	112
Services Section:			
40128	WARRANTY Standard for HV507, HV50B, HV607 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A	0/0	0
Total Component Weight:		9859/9232 (lbs)	19091 (lbs)
		(lbs)	(lbs)
DOT-FIRE EXT-TRS WINTER FRONT-NELSON/NCI FLOOR MATS-PDI WASH-PARMATERS		0/0	0
XX-TRUCK PRICING 2024 CY ORDER ROLL OFF W/PUSHER ND DOT CONTRACT #378-24-SSP-21-1UB		0/0	0
Total Goods Purchased:		0/0	0

The weight calculations included in this proposal are an estimate of future vehicle weight. The actual weight as manufactured may be different from the estimated weight. Navistar, Inc. shall not be liable for any consequences resulting from any differences between the estimated weight of a vehicle and the actual weight.

INTERNATIONAL

Financial Summary
2026 HV607 SBA (HV607)

February 24, 2025

<u>Description</u>	(US DOLLAR)	<u>Price</u>
Net Sales Price:		\$120,317.39

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

Approved by Seller:

Accepted by Purchaser:

Official Title and Date_____
Firm or Business Name_____
Authorized Signature_____
Authorized Signature and Date

This proposal is not binding upon the seller without
Seller's Authorized Signature

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.

The limited warranties applicable to the vehicles described herein are Navistar, Inc.'s standard printed warranties which are incorporated herein by reference and to which you have been provided a copy and hereby agree to their terms and conditions.

REPORT OF ACTION

UTILITY COMMITTEE

(22)

Project No. WA1910

Type: Engineering Task Order Amendment

Location: Downtown Water Tower (7th Avenue North)

Date of Hearing: 3/11/2025

Routing _____ Date _____
 City Commission _____ 3/3/2025 _____
 Project File _____

Dan Portlock, Assistant Water Utility Director, requested an electronic vote for approval of a proposed Amendment No. 2 to Task Order No. WA04. Dan provided the attached memo explaining the request. Project WA191 is the new Downtown Water Tower. Approval of this amendment will allow remaining 2024 expenses to be paid and approve estimated to finish the project. In preparation for the annual financial audit, 2024 expenses need to be paid. The contractor has been late in finishing the water tower construction. This has resulted in additional consulting engineering fees for construction observation and inspection.

MOTION:

On a motion by Scott Olson, seconded by Jim Hausauer, the Utility Committee voted to approve Amendment No. 2 to Task Order No. WA04 with Apex Engineering Group in the amount of \$85,800.

<u>COMMITTEE:</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Unanimous</u>
				<u>X</u>
				<u>Proxy</u>
Denise Kolpack, Deputy Mayor				
Brenda Derrig, Assistant City Administrator				
Susan Thompson, Finance Director		X		
Brian Ward, Water Plant Supt.		X		
Mark Miller, Wastewater Plant Supt.		X		
Bruce Grubb, Temp. Assistant City Administrator		X		
Scott Liudahl, City Forester		X		
James Hausauer, Water Reclamation Utility Director		X		
Troy Hall, Water Utility Director		X		
Ben Dow, Public Works Operations Director		X		
Tom Knakmuhs, City Engineer		X		
Dan Portlock, Water Utility Engineer		X		
Scott Olson, Solid Waste Utility Director		X		

ATTEST:


 Dan Portlock
 Assistant Water Utility Director

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

MEMORANDUM
March 11th, 2025

To: Utility Committee

From: Dan Portlock, Assistant Water Utility Director

Re: Apex Task Order No. WA04 – Amendment No. 2

Attached, please find a proposed task order amendment in the amount of \$85,800 with Apex for additional engineering services related to the new downtown water tower. The contractor for the water tower (Phoenix Fabricator's) is about a year late on substantial completion and also late on final completion. Apex Engineering has had to spend additional construction inspection and management services due to the project not being completed on time.

There is estimated engineering dollars in the amendment to finish the project and those engineering services are billed hourly. There is language in the construction contract regarding late delivery of the water tower project that will fund the additional engineering services.



Downtown Water Tower

The task order will be billed hourly. The following is the estimate cost breakdown for the Amendment.

Agreement Summary:

<i>Original agreement amount:</i>	<u>\$ 681,160 00</u>
<i>Net change for prior amendments:</i>	<u>\$ 216,272 00</u>
<i>This amendment amount:</i>	<u>\$ 85,800 00</u>
<i>Adjusted Agreement amount:</i>	<u>\$ 983,232.00</u>

Change in time for services: Extended to July 15, 2025

Plan of Financing

This project is funded under the downtown water tower project through the infrastructure sales tax fund 450. This project is in the Water Utility Capital Improvement Plan (CIP).

SUGGESTED MOTION:

Approve task order No. WA04 Amendment #2 with Apex in the amount of \$85,800 for inspection services related to the Downtown Water Tower.

Your consideration in this matter is greatly appreciated.

This is **EXHIBIT K**, consisting of 3 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated January 1, 2021.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Task Order No. WA04 – Amendment No. 2

The Effective Date of this Amendment is: March 11, 2025.

Background Data

Effective Date of Task Order WA04 Agreement: April 1, 2021

Owner: City of Fargo, ND – Water Division

Engineer: Apex Engineering Group, Inc.

Project: Downtown Water Tower Construction Phase Services

Nature of Amendment:

- X Additional Services performed by Engineer
- X Modifications of payment to Engineer
- X Modifications to time(s) for rendering services

Description of Modifications:

The Contract Documents called for Substantial Completion to be achieved on October 15, 2023, and Final Completion to be achieved on June 14, 2024. Substantial Completion was achieved on October 14, 2024. However, as of the date of this Amendment, Final Completion has yet to be achieved.

As of the date of this Amendment, the following major work tasks remain:

- *Complete Interior Room Work and Finishes*
- *Finish Site Work at New Tower*
- *Generator Load Testing*
- *Punch List, Closeout, Record Drawings*
- *1-Year Warranty Inspection (Apex & KLM)*

This Amendment accounts for additional effort and reimbursable expenses for additional construction observation and administration that has already occurred and that is reasonably anticipated to be necessary to close out the project, as follows:

- *Additional Work Completed in 2024: \$13,800.00*
- *Additional Work Completed in 2025, as of 2/28/25: \$16,500.00*
- *Anticipated Work: \$55,500.00*

The Contract Documents allow for Liquidated Damages of \$2,500 per day for both Substantial Completion and Final Completion. The anticipated work assumes that the project is closed out and final paperwork completed by July 15, 2025. If there are further delays with the Contractor completing the project, additional work may be necessary.

Agreement Summary:

<i>Original agreement amount:</i>	<u>\$ 681,160.00</u>
<i>Net change for prior amendments:</i>	<u>\$ 216,272.00</u>
<i>This amendment amount:</i>	<u>\$ 85,800.00</u>
<i>Adjusted Agreement amount:</i>	<u>\$ 983,232.00</u>

Change in time for services: Extended to July 15, 2025

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

City of Fargo

By: _____

Print

name: Troy Hall

Title: Water Utility Director

Date Signed: _____

ENGINEER:

Apex Engineering Group, Inc.

By:  _____

Print

name: Timothy J. Paustian, PE

Title: Senior Vice President

Date Signed: March 11, 2025