



Meeting Items

- A. Call to Order
- B. Pledge of Allegiance
- C. Approve Order of Agenda
- D. Approval of Minutes -- February 21, 2023 (Pages 3-5)
- E. Building Permits (Pages 6-8)

Consent Agenda - Approve the Following:

- a. Bills (Pages 9-25)
- b. Resolution Modifying Water Rates (Page 26)
- c. Care Resource Connection - Consulting Agreement (Dan Fuller, Fire Chief) (Pages 27-30)
- d. Gaming Site Authorization for Devils Lake American Legion #24. Games to be conducted: Poker on March 24 - 26, 2023 at DoubleTree by Hilton at 825 E Bearon Dr (Pages 31-32)
- e. Games of Chance for CCRI Inc. Games to be conducted: Raffle on March 18, 2023 at Veterans Memorial Arena at 1201 7th Ave E (Page 33)

Regular Agenda

- 1. Public Hearing and First Reading of Title IV zoning ordinance amendment regarding daycare uses -- Aaron Nelson, Planning Director (Pages 34-52)
- 2. First Reading of Ordinance 1220 in regards to 13-1522 Trucks Prohibited on Certain Streets - Truck Routes Established - Maps and Signs Required -- Mandy George, Commissioner (Pages 53-54)
- 3. Request approval of changes and implementation of our F.R.O.G. Pretreatment Program Policy (Fats,Rags,Oils,Grease) -- Matt Andvik, Public Works Director (Pages 55-62)
- 4. Request approval of the bulk purchase of 2023 water meters -- Matt Andvik, Public Works Director (Pages 63-64)
- 5. Approve the Purchase of a replacement Salt/ Sand Truck -- Matt Andvik, Public Works Director
 - Replacement Purchase of Salt/Sand Truck (Pages 65-66)
- 6. P3 development in conjunction with WF Public Schools -- Commissioner Mark Simmons
 - Authorize publication of Request for Proposals (Pages 67-95)
- 7. Economic Development Advisory Committee positions
 - Approve two nominees for open EDAC positions (Page 96)
- 8. Infrastructure Remediation -- Dustin Roberts, IT Director
 - Approval of requested funds (Pages 97-119)
- 9. FEMA SAFER Grant Application -- Dan Fuller, Fire Chief
 - Informational Presentation (Pages 120-123)

10. Ride Up Pay Policy Approval -- Dan Fuller, Fire Chief
 - Approve the Fire Department Ride Up Pay Policy (Pages 124-127)
11. Window Treatment Acceptance Fire HQ -- Dan Fuller, Fire Chief
 - Approve the order for window treatments from CE Contract (Pages 128-130)
12. Hiring of Department Heads -- Mark Simmons, Commissioner
 - Request to have two Commissioners on the hiring committee of Department Heads
13. Performance Reviews -- Mark Simmons, Commissioner
 - Request to reinstate performance reviews
14. City Administrator's Report
15. Correspondence
16. Non-Agenda Items
17. Adjourn



West Fargo City Commission Meeting
Tuesday, February 21, 2023
Commission Chambers 5:30 PM

The West Fargo City Commission met on Tuesday, February 21, 2023, at 5:30 p.m. Those present were Commissioners Bernie Dardis, Brad Olson, Roben Anderson, Mandy George, and Mark Simmons, who was present via Zoom. President of the Board Bernie Dardis called the meeting to order at 5:30 p.m.

Commissioner Olson moved and Commissioner George seconded to approve the order of the agenda as distributed. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Commissioner George moved and Commissioner Olson seconded to approve the minutes from February 6, 2023, as presented. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Commissioner Olson moved and Commissioner Anderson seconded to approve the building permits as distributed. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Commissioner Olson moved and Commissioner Anderson seconded to approve the consent agenda as presented.

- a. Bills (pages 8-48)
- b. Improvement District No. 2270 – Traffic Signal at 9th St W and 32nd Ave W
 - Approve Plans and Specifications and Authorize Advertisement for Bids (Pages 49-55)
- c. Improvement District No. 2271 – 7th Ave NE and 5th St CT NW
 - Approve Plans and Specifications and Authorize Advertisement for Bids (Pages 56-63)
- d. Site plan approval for Two Rivers Veterinary Clinic, 2630 Sheyenne St (Pages 64-73)
- e. Gaming Site Authorization for Fargo West Rotary. Games to be conducted: Raffle on May 25, 2023, at Fargo Harley Davidson at 701 Christianson Dr W (Page 74)
- f. Games of Chance for Red River Regional Marksmanship Center. Games to be conducted: Raffle on April 21, 2023, at Speedway Event Center at 680 Main Ave W (Page 75)
- g. Games of Chance for the American Legion Department of North Dakota. Games to be conducted: Raffle on June 19, 2023, at The American Legion Department of North Dakota at 405 West Main Ave Suite 4A (Page 76)
- h. Approve expenditure of asset forfeiture funds (Police funds that have been forfeited based on criminal investigations) (Pages 77-84)

Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Lisa Sankey, Planner, appeared before the Commission for the second reading of rezoning ordinance, final plat approval, & parking reduction resolution for the proposed North Pond at the Preserve 16th Addition. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve the second reading of rezoning ordinance, final plat approval, & parking reduction resolution for the proposed North Pond at the Preserve 16th Addition. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Dan Fuller, Fire Chief, appeared before the Commission for approval of a bid for a furniture package, which was previously approved for Headquarters budget. Following discussion, Commissioner Simmons moved and Commissioner George seconded to award the bid for a furniture package, which was previously approved for Headquarters budget for \$181,511.27 to Connect Interiors. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Casey Sanders-Berglund, Economic Development Manager, appeared before the Commission for the review of the Child Care Workforce Grant; approval to adopt Child Care Workforce Grant. Following discussion, Commissioner George moved and Commissioner Simmons seconded to approve the proposal of Child Care Workforce Grant; approval to adopt Child Care Workforce Grant with a \$1 million cap. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Casey Sanders-Berglund, Economic Development Manager, appeared before the Commission for the approval of a 5-year PILOT and Business Incentive Agreement for KramERICA Properties LLC dba Junkyard Brewing West Fargo. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve a 5-year PILOT and Business Incentive Agreement for KramERICA Properties LLC dba Junkyard Brewing West Fargo. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.

Dan Hanson, City Engineer, appeared before the Commission to request approval of Project No. 1343 – Sanitary Lift Station System Rehabilitation; Project No. 4068 – Storm Sewer Lift Station (SM64) and Forcemain Rehabilitation; accept Bid and award Contract. Following discussion, Commissioner Anderson moved and Commissioner Olson seconded to approve Project No. 1343 – Sanitary Lift Station System Rehabilitation; Project No. 4068 – Storm Sewer Lift Station (SM64) and Forcemain Rehabilitation; accept Bid and award Contract. Commissioners George, Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the motion was declared carried.



West Fargo City Commission Meeting
Tuesday, February 21, 2023
Commission Chambers 5:30 PM

Commissioners Mandy George and Roben Anderson brought forth the request to approve backyard chicken keeping for residential properties; direct City Attorney to draft an ordinance to allow for backyard chicken keeping; direct staff to work on public engagement/input. Following discussion, Commissioner George moved and Commissioner Anderson seconded to approve backyard chicken keeping for residential properties; direct City Attorney to draft an ordinance to allow for backyard chicken keeping; direct staff to work on public engagement/input. Commissioners George, Anderson, Simmons and Dardis voted aye. Commissioner Olson voted nay, the motion was declared carried.

In regards to the Administrator's Report, Dustin Scott, Assistant City Administrator, appeared before the Commission:

1. Legislative Forum in Commission Chambers February 18 at 9 a.m.
2. Next Legislative Forum in Commission Chambers on March 18 at 9 a.m.; 12 p.m. to 2 p.m. will be the Crossover Legislative update

The correspondence was passed out to each Commissioner.

There were no non-agenda items.

Commissioner Simmons moved and Commissioner Olson seconded to adjourn the meeting. Commissioners Anderson, Olson, Simmons, and Dardis voted aye. No Commissioners present voted nay, the meeting adjourned at 6:22 p.m.

Bernie Dardis, Commission President

Tina Fisk, City Administrator

**WEST FARGO CITY COMMISSION MEETING
BUILDING DEPARTMENT ACTIVITY REPORT
03/06/2023**

BUILDING NEW

COMMERCIAL
RESIDENTIAL DWELLING
RESIDENTIAL TWINHOME
RESIDENTIAL TOWNHOME
RESIDENTIAL MULTIPLE
PUBLIC
CHURCH
ACCESSORY
FOUNDATION ONLY

BUILDING REMODEL

COMMERCIAL
RESIDENTIAL
PUBLIC
CHURCH
ACCESSORY

BUILDING OTHER

DEMOLITION
MOVE
PERMIT CANCELLATION

TOTALS

AS OF 2/28/2023			YEAR TO DATE		
# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION
1		\$ 1,450,000.00	1		\$ 1,450,000.00
2	2	\$ 708,408.00	4	4	\$ 1,479,291.00
1		\$ 3,900.00	3		\$ 37,400.00
1		\$ 20,000.00	4		\$ 830,000.00
2		\$ 66,000.00	10		\$ 334,769.00
			1		\$ 141,652.00
1		\$ 40,000.00	2		\$ 60,000.00
8	2	\$ 2,288,308.00	25	4	\$ 4,333,112.00

Building Department Report - Summary

NO.	CONTRACTOR	ADDRESS	OWNER	VALUATION	PERMIT FOR
230074	Thomsen Homes, LLC	6044 8th Street West	Thomsen Homes LLC	\$ 209,428.00	Residential Dwelling
230078	Rick Keller	1740 Main Avenue West	Netreit West Fargo	\$ 20,000.00	Remodel - Commercial
230083	Precision Concrete Cutters	407 6th Street	High Valley Properties LLC	\$ 4,000.00	Remodel - Residential - egress window
230084	SJS Carpentry	3514 Shadow Wood Lane East	Aaron & Kelly Olson	\$ 62,000.00	Remodel - Residential - Finish Lower Level
230086	Dakota Construction	409 Sheyenne Street	State Bank of West Fargo	\$ 40,000.00	Demolish - Commercial - Interior
230090	Heritage Homes	830 Rania Way West	Active55, LLC	\$ 498,980.00	Residential Dwelling
230091	Chase Akers	221110th Court West	Chase Akers	\$ 3,900.00	Accessory - Deck
230055	Gateway Building Systems	630 9 Street NW	J&S Development	\$ 1,450,000.00	Commercial - Warehouse

**WEST FARGO CITY COMMISSION MEETING
BUILDING DEPARTMENT MONTHLY COMPARISON REPORT
03/06/2023**

	FEBRUARY 2022			FEBRUARY 2023		
	# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION
<u>BUILDING NEW</u>						
COMMERCIAL	1		\$ 906,390.00	1		\$ 1,450,000.00
RESIDENTIAL DWELLING	5	5	\$ 2,540,000.00	4	4	\$ 1,479,291.00
RESIDENTIAL TWINHOME						
RESIDENTIAL TOWNHOME						
RESIDENTIAL MULTIPLE						
PUBLIC	1		\$ 160,000.00			
CHURCH						
ACCESSORY	2		\$ 268,500.00	3		\$ 37,400.00
FOUNDATION ONLY						
<u>BUILDING REMODEL</u>						
COMMERCIAL	14		\$ 2,683,095.00	4		\$ 830,000.00
RESIDENTIAL	21		\$ 638,921.00	10		\$ 334,769.00
PUBLIC				1		\$ 141,652.00
CHURCH						
ACCESSORY						
<u>BUILDING OTHER</u>						
DEMOLITION	2		\$ 164,000.00	2		\$ 60,000.00
MOVE						
PERMIT CANCELLATION						
TOTALS	46	5	\$ 7,360,906.00	25	4	\$ 4,333,112.00

03/02/23
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CITY OF WEST FARGO, ND
Claim Approval List
For the Accounting Period: 3/23
For Pay Date: 03/07/23

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Report ID: AP100V

* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
109144		2365 AASLH	307.00						
	03/02/23	MEMBERSHIPS	307.00			7000 411600	667		101000
		Total for Vendor:	307.00						
109116		289 ACME TOOLS	99.00						
	10986642	02/22/23 SEARCH LIGHT	99.00			1000 455000	432		101000
109133		289 ACME TOOLS	102.21						
	11010859	03/02/23 5419 ANTENNA	102.21			1000 430001	427		101000
		Total for Vendor:	201.21						
		*** Claim from another period (2/23) ****							
109066		3490 AMAZON CAPITAL SERVICES	72.64						
	02/27/23	Coffee Supplies	72.64			1000 418000	410		101000
		Total for Vendor:	72.64						
109079		3383 ANDREW WRUCKE	30.00						
	State	tax withholding city error - reimburse additional state filing							
	1114	02/19/23 Split State Tax Reimbursement	30.00			1000 414100	420		101000
		Total for Vendor:	30.00						
109094		4653 AQUATIC INFORMATICS INC	3,280.00						
	103693	02/22/23 LINKOCTS SOFTWARE - BNELSON	3,280.00			1000 450000	497		101000
		Total for Vendor:	3,280.00						
109107		2931 AUTO VALUE PARTS STORES	122.16						
	99189288	02/28/23 OIL FILTERS	13.04			1000 421000	427		101000
	99189287	02/28/23 OIL FILTERS	3.26			1000 430000	427		101000
	99189284	02/28/23 OIL FLEET	54.65			6010 450200	427		101000
	99188134	02/21/23 OIL FLEET	27.89			6020 450000	427		101000
	99188139	02/21/23 OIL FILTERS	3.26			1000 421000	427		101000
	99188138	02/21/23 OIL FILTERS/OIL	20.06			6025 450000	427		101000
		Total for Vendor:	122.16						

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109102		1695 BAKER & TAYLOR	3,819.30						
	2037300230	02/08/23 BOOKS	748.28			7000 411600	662		101000
	2037302713	02/08/23 BOOKS	2,646.68			7000 411600	662		101000
	2037304758	02/08/23 BOOKS	12.67			7000 411600	662		101000
	2037315142	02/15/23 BOOKS	411.67			7000 411600	662		101000
		Total for Vendor:	3,819.30						
109131		3273 BERNIE DARDIS	177.80						
	02/13/23	Bismarck - Legislation	177.80			1000 415000	340		101000
109140		3273 BERNIE DARDIS	423.48						
	02/18/23	Legislative travel 2-16-2-17	423.48			1000 415000	340		101000
		Total for Vendor:	601.28						
109085		36 BERT'S TRUCK EQUIPMENT	370.64						
	96603 02/17/23	ADJUSTABLE SHELF	370.64			6020 450000	427		101000
109118		36 BERT'S TRUCK EQUIPMENT	2,604.46						
	96699 02/17/23	CUTTING EDGE	2,604.46			1000 430001	381		101000
		Total for Vendor:	2,975.10						
109087		4317 BETTY ADAMS	25.00						
	03/02/23	GAS REIMBURSEMENT	25.00			7000 411600	340		101000
		Total for Vendor:	25.00						
109125		3489 BOLTON & MENK, INC	28,000.00						
	0306169 01/23/23	Project #2273 Engineering	28,000.00*			4015 480000	313		101000
109126		3489 BOLTON & MENK, INC	987.50						
	0306168 01/23/23	CE0025 Traffic signal timing	987.50			1000 430000	487		101000
		Total for Vendor:	28,987.50						
109028		3025 BONANZAVILLE	600.00						
	02/20/23	holiday party 12-1-23	600.00			1000 421000	375		101000
		Total for Vendor:	600.00						

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109090		26 BORDER STATES INDUSTRIES INC	217.43						
	924623926	07/25/22 BG RET CREDIT	-58.55			1000 455000	420		101000
	925813729	02/17/23 FAN	275.98			6025 450000	826		101000
		Total for Vendor:	217.43						
109148		3479 BRAD OLSON	262.00						
	02/17/23	Travel to League of Cities Day	262.00			1000 415000	340		101000
		Total for Vendor:	262.00						
109067		73 BRAUN INTERTEC	5,496.50						
	B330938	02/17/23 4795	3,955.50*			4795 480000	313		101000
	B330939	02/17/23 4795	1,541.00*			4795 480000	313		101000
		Total for Vendor:	5,496.50						
109151		3905 BURIAN & ASSOCIATES LLC	6,088.50						
	20548	01/31/23 MASTER LIFT STATION PLAN	6,088.50*			2970 480000	307		101000
	PROJ 9021								
		Total for Vendor:	6,088.50						
		*** Claim from another period (12/22) ****							
109083		351 BUSINESS ESSENTIALS	1,273.13						
	oe6158821	02/21/23 proj 12 PR popper keychains	1,273.13			1000 421000	375		101000
109101		351 BUSINESS ESSENTIALS	428.25						
	615395	02/17/23 SEWER MAP BOOKS	428.25			6025 450000	410		101000
109146		351 BUSINESS ESSENTIALS	2,279.60						
	WO12303881	02/17/23 OFFICE SUPPLIES	208.73			7000 411600	410		101000
	OEQT710031	02/22/23 FURN / EQUIP	1,890.42			7000 411600	641		101000
	WO12314911	02/27/23 OFFICE SUPPLIES	180.45			7000 411600	410		101000
		Total for Vendor:	3,980.98						
109137		39 BUTLER MACHINERY	6,560.87						
	0609830	02/23/23 7700 GASKET/INJ GP FUEL/CORE	6,560.87*			4387 480000	427		101000
		Total for Vendor:	6,560.87						

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*** Claim from another period (2/23) ****									
109036		4743 BYJANNA BENNETT	20.00						
		Incorrect citation, Refunding payment transaction #052302352754.							
		Parking Ticket Refund	20.00			1000 322100			101000
		Total for Vendor:	20.00						
109063		61 CASS COUNTY FINANCE	3,615.95						
	02/27/23	jan 2023 jail	3,485.00			1000 421000	398		101000
	02/27/23	jan 2023 jail medical	45.95			1000 421000	398		101000
	02/27/23	jan 2023 jail intox	85.00			1000 421000	398		101000
		Total for Vendor:	3,615.95						
109078		46 CASS RURAL WATER USERS	27.86						
	6482 02/25/23	AIRPORT WATER BILLING	27.86			7050 500000	420		101000
		Total for Vendor:	27.86						
109092		4108 CED	221.55						
	3481018462 02/23/23	ELECT PARTS	221.55			1000 455000	420		101000
		Total for Vendor:	221.55						
109139		1623 CENGAGE GALE	25.89						
	80792741 02/27/23	AUDIO VIDEO	25.89			7000 411600	664		101000
		Total for Vendor:	25.89						
109159		3216 CINTAS	80.99						
	4147008278 02/20/23	SHOP TOWELS	80.99			1000 455000	433		101000
		Total for Vendor:	80.99						
109059		111 CITY OF FARGO	7,000.00						
	435347 02/22/23	Drone share cost RRVUAS	7,000.00			1000 421000	906		101000
109108		111 CITY OF FARGO	43,896.15						
	435345 02/22/23	LANDFILL FEES	22,513.10			6010 450200	355		101000
	435145 02/15/23	LANDFILL FEES	21,383.05			6010 450200	355		101000
		Total for Vendor:	50,896.15						

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109117		3245 CORE & MAIN	1,772.71						
	S441773	03/01/23 TAP SAD/BALL CORP	202.79			6020 450000	438		101000
	S442206	03/01/23 EXPY BG	661.90			6020 450000	438		101000
	S406739	03/01/23 WAT HYD FLAG	341.62			6020 450000	438		101000
	S391311	02/20/23 BALL VALVE	566.40			6020 450000	438		101000
		Total for Vendor:	1,772.71						
109103		60 CROSSCOUNTRY FREIGHT SOLUTIONS	137.92						
	1199314	02/13/23 WATER TESTING	137.92			6020 450000	335		101000
		Total for Vendor:	137.92						
109095		65 CURT'S LOCK & KEY	8.37						
	161422	02/16/23 DUP KEY	8.37			1000 455000	420		101000
		Total for Vendor:	8.37						
109115		662 CUSTOM GRAPHICS, INC	1,218.20						
	502474	02/16/23 BLACK AUTO DECALS	363.00			6020 450000	433		101000
	502473	02/16/23 BLACK AUTO NUMBERS	314.90			1000 455000	433		101000
	502475	02/16/23 WHITE AUTO DECALS	270.80			1000 430000	433		101000
	502472	02/16/23 WHITE AUTO NUMBERS	269.50			1000 430000	433		101000
		Total for Vendor:	1,218.20						
109143		4059 DAKOTA FENCE - ACCT REC	4,114.00						
	136447	02/23/23 SLIDE GATE REPAIR	4,114.00			6010 450200	420		101000
		Total for Vendor:	4,114.00						
109104		79 DAKOTA HOSE & EQUIP	102.33						
	3176187	02/16/23 ALUM COUPLER	102.33			6020 450000	433		101000
		Total for Vendor:	102.33						
109156		624 DAKOTA SUPPLY GROUP	127.48						
	102530648	02/22/23 HARDWARE	127.48			6025 450000	420		101000
		Total for Vendor:	127.48						

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*** Claim from another period (2/23) ****									
109034		3050 DAKOTA UPREIT LIMITED	7,654.81						
	2023000037	02/01/23 Pioneer Center Rental	7,654.81*			1000 415000	389		101000
		Total for Vendor:	7,654.81						
109052		856 DAVE'S WEST FARGO TIRE	31.31						
	117547	02/23/23 #1195 tire repair	31.31			1000 421000	427		101000
		Total for Vendor:	31.31						
109091		77 DEMCO INC	1,598.81						
	7265906	02/22/23 PROGRAMMING (STOOLS)	1,598.81			7000 411600	649		101000
		Total for Vendor:	1,598.81						
109147		3722 ENVIROTECH	5,256.69						
	202310327	02/15/23 ICE SLICER	5,256.69			1000 430000	377		101000
		Total for Vendor:	5,256.69						
109109		1648 FARSTAD OIL, INC	223.30						
	34078223	02/28/23 RIDGELINE DEF	223.30			6020 450000	424		101000
109135		1648 FARSTAD OIL, INC	222.75						
	33784523	02/27/23 RIDGELINE DEF	222.75			1000 430000	424		101000
		Total for Vendor:	446.05						
109032		151 FEDERAL EXPRESS	44.17						
	804765131	02/22/23 pkg mailed	16.95			1000 421000	661		101000
	803983222	02/15/23 pkg received from lab	17.05			1000 421000	661		101000
	803983223	02/15/23 pkgs mailed	10.17			1000 421000	661		101000
		Total for Vendor:	44.17						
109080		2499 FM CONVENTION & VISITORS BUREAU	26,039.60						
	Lodging Tax		17,359.74			2141 411500	533		101000
	Capital Fund		8,679.86			2141 411500	653		101000
		Total for Vendor:	26,039.60						

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CITY OF WEST FARGO, ND
Claim Approval List
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*** Claim from another period (12/22) ****									
109023		155 GALLS, LLC	409.75						
	023541023	02/13/23 med kit for danielson	86.63			1000 421000	422		101000
	023483780	02/07/23 badge for danielson	140.94			1000 421000	422		101000
	023520379	02/10/23 new cso shirt penina	104.99			1000 421000	422		101000
	023468027	02/06/23 shirt for mark morris	77.19			1000 421000	422		101000
109033		155 GALLS, LLC	1,476.11						
	023537655	02/13/23 pants/tag for nobles	176.40			1000 421000	422		101000
	023466286	02/06/23 gun light for brown	123.30			1000 421000	422		101000
	023452962	02/04/23 headband for a. feltman	4.50			1000 421000	422		101000
	023496566	02/08/23 new detective badges	332.20			1000 421000	422		101000
	023489833	02/08/23 new officer masset	162.00			1000 421000	422		101000
	023442962	02/03/23 new officer supler	42.48			1000 421000	422		101000
	023489831	02/08/23 new officer supler	331.77			1000 421000	422		101000
	023542468	02/13/23 new cso lyle	71.49			1000 421000	422		101000
	023542475	02/13/23 new cso lyle	126.98			1000 421000	422		101000
	023520377	02/10/23 new cso ali	104.99			1000 421000	422		101000
*** Claim from another period (12/22) ****									
109050		155 GALLS, LLC	4.41						
	023565324	02/15/23 2022 zak tool for morris	4.41			1000 421000	422		101000
Total for Vendor:			1,890.27						
109051		2974 GALVANIZERS, INC	1,188.64						
	023565221	02/15/23 511 rotation jackets	539.50			1000 421000	422		101000
	023560082	02/14/23 boots for nobles	121.50			1000 421000	422		101000
	023566489	02/15/23 belt loop for d. todd	9.90			1000 421000	422		101000
	023565408	02/15/23 pant for feltman	80.38			1000 421000	422		101000
	023588410	02/16/23 new cso ali	89.96			1000 421000	422		101000
	023584652	02/16/23 new officer supler	117.00			1000 421000	422		101000
	023560310	02/14/23 new officer equipment	125.80			1000 421000	422		101000
	023588483	02/16/23 new officer equipment	104.60			1000 421000	422		101000
Total for Vendor:			1,188.64						

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109062		4321 GO PROMO LLC	515.00						
	31907	02/20/23 backdrop	515.00			1000	421000	375	12 101000
		Total for Vendor:	515.00						
109153		2558 GOODYEAR COMMERCIAL TIRE	18.95						
	1301087316	02/19/23 SHORT PAID - TOOK CREDIT T	18.95			6010	450200	427	101000
		Total for Vendor:	18.95						
109064		556 GRAINGER, INC.	967.92						
	9578546831	01/19/23 flares/AAA grant	241.98*			2532	421000	500	101000
	9618896212	02/23/23 flares/AAA grant	241.98*			2532	421000	500	101000
	9578785355	01/19/23 flares/AAA grant	483.96*			2532	421000	500	101000
109089		556 GRAINGER, INC.	578.44						
	9616345360	02/21/23 DAMPER ACTUATOR	578.44			1000	455000	420	101000
		Total for Vendor:	1,546.36						
109100		2877 GREATAMERICA FINANCIAL SERVICES	537.97						
	33476207	02/17/23 SERVICE AGREEMENTS / CONTRAC	537.97			7000	411600	428	101000
		Total for Vendor:	537.97						
109029		2713 HAMPTON INN & SUITES	149.00						
	650496	02/17/23 lodging for chief	149.00			1000	421000	340	101000
		Total for Vendor:	149.00						
109119		135 HAWKINS WTR TREATMENT	7,870.60						
	6407926	02/21/23 AQUAHAWK	7,870.60			6025	450000	423	101000
		Total for Vendor:	7,870.60						
109054		3593 HOLIDAY COMPANIES	10.00						
	02/28/23	feb 2023 car wash	10.00			1000	421000	420	101000
		Total for Vendor:	10.00						

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109129		2500 INLAND TRUCK PARTS & SERVICE	35.52						
	1329355	03/02/23 GLADHAND SEAL	35.52			6020 450000	427		101000
		Total for Vendor:	35.52						
109132		211 INTERSTATE BATTERIES	35.35						
	2028239	03/01/23 BATTERIES	35.35			1000 455000	433		101000
		Total for Vendor:	35.35						
109081		233 J & L SPORTS	39.50						
	29970	02/23/23 sro shirt for pearson	39.50			1000 421000	422		101000
		Total for Vendor:	39.50						
109060		3173 KIESLER'S POLICE SUPPLY, INC.	1,390.00						
	209077	02/23/23 less lethal rounds	1,390.00			1000 421000	987		101000
		Total for Vendor:	1,390.00						
109127		2735 KLJ ENGINEERING LLC	3,150.81						
	10184037	01/30/23 #6058 Englewood Lights Path	3,150.81*			4019 480000	724		101000
		Total for Vendor:	3,150.81						
		*** Claim from another period (2/23) ****							
109035		4543 KRAUS-ANDERSON CONSTRUCTION	86,346.62						
	56187	02/06/23 Fire Headquarters	86,346.62*			4795 480000	670		101000
		Total for Vendor:	86,346.62						
		*** Claim from another period (12/22) ****							
109021		2325 KUSTOM KONCEPTS	171.59						
	8076	02/17/23 #1203/#1206 protective film	171.59			1000 421000	610		101000
		Total for Vendor:	171.59						
109105		711 LUTHER FAMILY FORD	205.18						
	345496	02/17/23 1205 DEFLECT	205.18			1000 421000	427		101000
		Total for Vendor:	205.18						
109134		3304 MAC'S - FARGO	33.43						
	G10993	03/02/23 TARP STRAP	33.43			1000 455000	433		101000
		Total for Vendor:	33.43						

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109152	35988541	308 MATTHEW BENDER & CO., INC nd rules	28.58 28.58*			1000 412000	667		101000
		Total for Vendor:	28.58						
		*** Claim from another period (12/22) ****							
109022	2070000831	102 MIDSTATES WIRELESS 02/16/23 2022 #158 lights install	1,134.00 1,134.00			1000 421000	610		101000
109053	205015626	102 MIDSTATES WIRELESS 02/02/23 new officer radio case	426.60 426.60			1000 421000	422		101000
109057	2070001361	102 MIDSTATES WIRELESS 02/23/23 install/equip radio AC veh	457.50 332.50			1000 421000	610		101000
	2060013311	02/23/23 removal of radio in van	125.00			1000 421000	610		101000
		Total for Vendor:	2,018.10						
109136	503439903	1854 MIDWEST TAPE 02/28/23 E RESOURCES	2,767.90 2,767.90			7000 411600	650		101000
109154	503398205	1854 MIDWEST TAPE 02/20/23 AUDIOBOOK	3,207.31 209.45			7000 411600	664		101000
	503398203	02/20/23 AUDIOBOOK	302.43			7000 411600	664		101000
	503410565	02/22/23 AUDIOBOOK	29.49			7000 411600	664		101000
	503432493	02/28/23 AUDIOBOOK	179.96			7000 411600	664		101000
	503432494	02/28/23 AUDIOBOOK	302.43			7000 411600	664		101000
	503398206	02/20/23 DVD	753.67			7000 411600	664		101000
	503398202	02/20/23 DVD	962.68			7000 411600	664		101000
	503432492	02/28/23 DVD	185.80			7000 411600	664		101000
	503432496	02/28/23 DVD	281.40			7000 411600	664		101000
		Total for Vendor:	5,975.21						
109110	3100481470	1014 MOTION INDUSTRIES, INC 02/16/23 CONN LINK	2.34 2.34			6010 450200	427		101000
		Total for Vendor:	2.34						

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109098		1031 NASETH CONSTRUCTION	88,923.37						
	02/27/23	PW SALT & BRINE BLDG PMT 8	24,618.63*			4796 480000	670		101000
	02/27/23	PW SALT & BRINE BLDG PMT 9	64,304.74*			4796 480000	670		101000
		Total for Vendor:	88,923.37						
109128		337 ND LEAGUE OF CITIES	80.00						
	10640 11/30/20	Grant Finder subscription023	80.00			1000 415000	667		101000
		Total for Vendor:	80.00						
109150		4746 ND WATER USERS ASSOCIATION	600.00						
	5084 2023	DUES	600.00			6020 450000	667		101000
		Total for Vendor:	600.00						
109099		756 NELCO FIRST AID	16.32						
	062719 02/13/23	FIRST AID SUPPLIES	16.32			7000 411600	672		101000
		Total for Vendor:	16.32						
109111		328 NORTHERN ENGINE & SUPPL	21.58						
	243552 02/21/23	3000 FITTING	21.58			1000 430000	427		101000
		Total for Vendor:	21.58						
109114		331 NORTHERN STATES SUPPLY	1,195.76						
	20550725 02/28/23	HARDWARE	24.80			1000 430000	427		101000
	1667400 02/28/23	HARDWARE	467.15			1000 430000	427		101000
	1666526 02/24/23	HARDWARE	703.81			1000 430000	427		101000
		Total for Vendor:	1,195.76						
109120		1028 NORTHERN TRUCK EQUIPMENT CORP.	7,415.00						
	FG21704 02/09/23	3046 BOSS MNT	1,255.00*			1000 430001	322		101000
	FG21707 02/09/23	5003 TOMMY GATE	6,160.00			1000 455000	610		101000
		Total for Vendor:	7,415.00						
109157		330 NORTHWESTERN EQUIP INC.	283.81						
	53186 02/22/23	CABLE BUTTON	163.04			1000 430000	427		101000
	53186 02/22/23	THIMBLE	120.77			6010 450200	427		101000
		Total for Vendor:	283.81						

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109112		4744 O'REILLY AUTOMOTIVE STORES, INC	440.79						
	1932186736	03/01/23 BRAKE CLEAN/CAPSULE	43.50			1000 455000	433		101000
	1932186723	03/01/23 WIPER BLADE	42.22			1000 430000	427		101000
	1932184718	02/22/23 412 BATTERY	228.90			6010 450200	427		101000
	1932184718	02/22/23 3046 BATTERY	126.17			1000 430000	427		101000
		Total for Vendor:	440.79						
109138		399 OLYMPIC SALES	3,483.24						
	13646	02/24/23 4021 ASL PARTS	3,483.24			6010 450200	427		101000
		Total for Vendor:	3,483.24						
109149		276 OSTROMS ACE HARDWARE	43.96						
	223250	02/21/23 BLADE SET	23.99			1000 430002	391		101000
	223238	02/17/23 GREASE FAUCET & VALVE	2.99			1000 455000	420		101000
	223234	02/16/23 BLADE JIG SET	16.98			1000 455000	420		101000
		Total for Vendor:	43.96						
109106		563 PETRO SERVE USA	3,424.51						
	91609	02/24/23 BULK OIL	3,424.51			1000 430000	424		101000
		Total for Vendor:	3,424.51						
109055		1310 PETTYS CONSULTING, LLC	273.00						
	1792	03/01/23 march 2023 hero schedule	273.00			1000 421000	497		101000
		Total for Vendor:	273.00						
109158		360 PIONEER RIM/WHEEL	128.41						
	02CQ9634	02/27/23 3046 REPLACEMENT PINS	23.90			1000 430001	427		101000
	02CQ8404	02/17/23 BREAKAWAY SWITCH	41.36			1000 430001	427		101000
	02CQ8403	02/17/23 HITCH PIN/CONNECTOR	63.15			1000 430000	427		101000
		Total for Vendor:	128.41						
109141		1166 PRODUCTIVITY PLUS ACCOUNT	1,757.00						
	18093153	02/22/23 294 TRANSMISSION COOLER	1,757.00			6020 450000	427		101000
		Total for Vendor:	1,757.00						

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109031		2885 SHORTPRINTER	96.95						
	134064	02/15/23 bc for jorgensen	44.45			1000 421000	668		101000
	134042	02/14/23 design time for banner	52.50			1000 421000	375	12	101000
109058		2885 SHORTPRINTER	281.09						
	133398	02/17/23 receipt books	281.09			1000 421000	668		101000
		Total for Vendor:	378.04						
109088		91 SIGN SOLUTIONS USA	343.42						
	405060	02/17/23 SIGNS	343.42			1000 430000	487		101000
		Total for Vendor:	343.42						
109121		2655 SIMPLIFILE	25.00						
	NDT8B3	02/28/23 Conditional Use Permit	25.00			1000 418000	668		101000
		Total for Vendor:	25.00						
109027		4742 STEVE BEBERG	100.00						
	02/23/23	WG mics	100.00			1000 421000	610		101000
		Total for Vendor:	100.00						
109113		733 SWANSTON EQUIPMENT CORP.	1,036.66						
	P87934	02/21/23 7013 CUTTING EDGE	141.19			1000 430001	381		101000
	P88237	03/01/23 FILTER ELEMENT	162.80			1000 430001	427		101000
	P88062	02/24/23 5414 CUTTING EDGES	672.41			1000 430001	381		101000
	W38191	02/17/23 SNOWBLOWER REPAIR	60.26			1000 430001	427		101000
		Total for Vendor:	1,036.66						
109030		3126 THE LOCKSHOP	210.00						
	255226	02/21/23 safe work for investigaitons	210.00			1000 421000	365		101000
		Total for Vendor:	210.00						
109145		2217 TINA FISK	246.28						
	02/16/23	Travel to Cities Day at Legislat	246.28			1000 414000	340		101000
		Total for Vendor:	246.28						

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109142		665 TWIN CITY GARAGE DOOR	1,187.50						
	Z233047	02/20/23 TRANSFER STATION DOOR REP	1,187.50			6010 450200	420		101000
		Total for Vendor:	1,187.50						
109086		2136 ULINE INC	769.69						
	159805962	02/09/23 NITRILE GLOVES	256.56			6025 450000	639		101000
	159805962	02/09/23 NITRILE GLOVES	256.56*			1000 455000	639		101000
	159805962	02/09/23 NIRTILE GLOVES	256.57			1000 430000	639		101000
		Total for Vendor:	769.69						
109077		2478 VALLI	9,105.28						
	86613	01/31/23 WEB POST&ONLINE MAINT/FEES	2,380.00*			6010 450200	360		101000
	86613	01/31/23 WEB POST&ONLINE MAINT/FEES	5,479.85*			6020 450000	360		101000
	86616	01/31/23 WEB POST&ONLINE MAINT/FEES	1,245.43*			6020 450000	360		101000
		Total for Vendor:	9,105.28						
109124	E	2437 VISA ASSESSING	1,778.49						
	CC-1042	01/05/23 RECEPTION FURNITURE	644.99			1000 202200			101000
	COSTCO WHOLESALE #1119			CC Accounting: 1000-		-414101-641			
	CC-1042	01/09/23 IT	96.74			1000 202200			101000
	BEST BUY BUSINESS ADVANTAGE ACCOUNT			CC Accounting: 1000-		-414101-497			
	CC-1042	01/19/23 OFFICE SUPPLIES	14.72			1000 202200			101000
	MENARDS			CC Accounting: 1000-		-415000-641			
	CC-1042	01/19/23 OFFICE SUPPLIES	63.62			1000 202200			101000
	MENARDS			CC Accounting: 1000-		-415000-641			
	CC-1042	01/09/23 OFFICE SUPPLIES	101.35			1000 202200			101000
	MENARDS			CC Accounting: 1000-		-414101-641			
	CC-1042	01/09/23 OFFICE SUPPLIES	9.64			1000 202200			101000
	DAKOTA BOYS RANCH			CC Accounting: 1000-		-415000-641			
	CC-1042	01/05/23 OFFICE FURNITURE	680.97			1000 202200			101000
	OFFICE DEPOT 6107 FARGO ND			CC Accounting: 1000-		-415000-641			
	CC-1042	01/22/23 OFFICE SUPPLIES	19.51			1000 202200			101000
	MENARDS			CC Accounting: 1000-		-415000-641			
	CC-1042	01/13/23 OFFICE SUPPLIES	124.00			1000 202200			101000
	AMAZON CAPITAL SERVICES			CC Accounting: 1000-		-415000-641			
	CC-1042	01/27/23 DOORBELL RING	22.95			1000 202200			101000
	MISC CLAIM VENDOR			CC Accounting: 1000-		-414101-641			
		Total for Vendor:	1,778.49						

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109123	E	2436 VISA FINANCE	36.72						
		CC-1043 01/10/23 OFFICE SUPPLIES	36.72			1000 202200			101000
		HOME DEPOT		CC Accounting: 1000-		-414101-410			
		Total for Vendor:	36.72						
		*** Claim from another period (12/22) ****							
108805	E	3234 VISA POLICE #3	21.45						
		CC-984 11/01/22 fuel for training	45.12			1000 202200			101000
		SHELL OIL		CC Accounting: 1000-		-421000-340			
		CC-984 11/02/22 knives	28.99			1000 202200			101000
		AMAZON CAPITAL SERVICES		CC Accounting: 1000-		-421000-420			
		CC-984 11/03/22 rifle maintenance	46.96			1000 202200			101000
		AMAZON CAPITAL SERVICES		CC Accounting: 1000-		-421000-987			
		CC-984 11/05/22 flash drives	75.94			1000 202200			101000
		AMAZON CAPITAL SERVICES		CC Accounting: 1000-		-421000-410			
		CC-984 11/05/22 kitchen items	57.58			1000 202200			101000
		AMAZON CAPITAL SERVICES		CC Accounting: 1000-		-421000-420			
		CC-984 11/06/22 welding gloves	35.96			1000 202200			101000
		AMAZON CAPITAL SERVICES		CC Accounting: 1000-		-421000-641			
		CC-984 11/06/22 rifle maintenance	65.33			1000 202200			101000
		AMAZON CAPITAL SERVICES		CC Accounting: 1000-		-421000-987			
		CC-984 11/06/22 leashes	45.53			1000 202200			101000
		AMAZON CAPITAL SERVICES		CC Accounting: 1000-		-421000-641			
		CC-984 11/14/22 overnight package	141.11			1000 202200			101000
		THE UPS STORE #6740		CC Accounting: 1000-		-421000-661			
		CC-984 11/29/22 kitchen	192.99			1000 202200			101000
		BEST BUY #13		CC Accounting: 1000-		-421000-641			
		CC-1029 12/22/22 previous credit transactions	-714.06			1000 202200			101000
		MISC CLAIM VENDOR		CC Accounting: 1000-		-421000-340			
		Total for Vendor:	21.45						
		*** Claim from another period (2/23) ****							
109037		566 WEST FARGO PARK DISTRICT	99,508.21						
		02/23/23 January 2023 State Aid	99,508.21			2050 451000	992		101000
		Total for Vendor:	99,508.21						

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109056		2625 WEST FARGO POLICE PUBLIC SAFETY	3,500.00						
	062	02/22/23 2023 conf reg/annual fees	3,500.00			1000 421000	375		101000
		Total for Vendor:	3,500.00						
109093		549 WF PUB SCHOOLS DIST #6	10,032.50						
	MISC06884	02/16/23 MARCH RENT	10,032.50			7000 411600	333		101000
		Total for Vendor:	10,032.50						
109061		4127 X-TREME DETAILING	300.00						
	150020	02/22/23 131, 132 detailed cleaning	300.00			1000 421000	427		101000
		Total for Vendor:	300.00						
109097		338 XCEL ENERGY	52.75						
	816628653	02/17/23 304509239 GOLDENWOOD BUBBLE	44.13*			6025 450000	351		101000
	816628653	02/17/23 FIRE & CIVIL DEF SIREN	8.62			1000 430002	391		101000
109130		338 XCEL ENERGY	53.51						
	813549692	02/22/23 51-0013659139-7	53.51			2310 452120	527		101000
		Total for Vendor:	106.26						
		# of Claims	110	Total:	516,999.58	# of Vendors	91		
		Total Electronic Claims			1,836.66				
		Total Non-Electronic Claims			515162.92				

03/02/23
14:29:56

CITY OF WEST FARGO, ND
Fund Summary for Claims
For the Accounting Period: 3/23

Page: 17 of 17
Report ID: AP110

Fund/Account	Amount
1000 GENERAL	
101000 CASH - OPERATING	\$64,593.06
2050 PARK	
101000 CASH - OPERATING	\$99,508.21
2141 FM CONVENTION VISITOR'S BUREAU	
101000 CASH - OPERATING	\$26,039.60
2310 SHEYENNE PLAZAS OPERATING FUND	
101000 CASH - OPERATING	\$53.51
2532 AAA TRAFFIC SAFETY GRANT-2022	
101000 CASH - OPERATING	\$967.92
2970 CAPITAL IMPROVEMENTS	
101000 CASH - OPERATING	\$6,088.50
4015 2273-CORRIDOR IMP(23RD AVE-6TH ST E)	
101000 CASH - OPERATING	\$28,000.00
4019 6058-EAGLEWOOD/LIGHTS BIKE PATH	
101000 CASH - OPERATING	\$3,150.81
4387 1309 LAGOON DECOMMISSIONING PROJECT	
101000 CASH - OPERATING	\$6,560.87
4795 FIRE HALL CONSTRUCTION 2022-2024	
101000 CASH - OPERATING	\$91,843.12
4796 SALT SHED REPLACEMENT 2022 - PW	
101000 CASH - OPERATING	\$88,923.37
6010 HEALTH & SANITATION	
101000 CASH - OPERATING	\$55,486.50
6020 WATER ENTERPRISE	
101000 CASH - OPERATING	\$12,115.59
6025 SEWER ENTERPRISE	
101000 CASH - OPERATING	\$9,023.06
7000 LIBRARY	
101000 CASH - OPERATING	\$24,617.60
7050 AIRPORT AUTHORITY	
101000 CASH - OPERATING	\$27.86
Total:	\$516,999.58

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION MODIFYING WATER RATE

WHEREAS, pursuant to a resolution adopted on February 6, 2023, the City increased it's residential/commercial water rate user cost per 1,000 gallons; and

WHEREAS, the City has a separate rate for water usage over 20,000 gallons, which amount was not included in the February 6, 2023, resolution; and

WHEREAS, the water rate currently charged for water usage of over 20,000 gallons is a \$8.75 per 1,000 gallons over 20,000 gallons residential/commercial user cost; and

WHEREAS, it is necessary to increase the rate for water usage of over 20,000 gallons.

NOW THEREFORE, be it resolved that the rate charged per 1,000 over 20,000 gallons to municipal/commercial water users is hereby increased to \$9.15 per 1,000 gallons over 20,000 gallons residential/commercial user cost.

Dated: March 6, 2023.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote the following commissioners voted aye: _____

_____. The following commissioners voted nay: _____.

The following commissioners were absent and not voting: _____. The majority having voted aye, the motion carried and the resolution was duly adopted.



15571 96th St NE 763-762-6137
Otsego, MN 55330 amy@careresourceconnections.org

MASTER CONSULTING AGREEMENT

This Agreement for Services ("Agreement") is made effective upon execution by and between Care Resource Connection ("Consultant") located at 15571 96th St NE, Otsego MN 55330, and The City of West Fargo ("Client") located at 800 Fourth Ave. E., Ste. 1 West Fargo, ND 58078.

THE PARTIES AGREE AS FOLLOWS:

1. **DESCRIPTION OF SERVICES.** Subject to the terms and conditions set forth in this Agreement, the Consultant will provide to the Client the services described in such Statements of Work (or "SOWs") that the Consultant and Client may execute from time to time (collectively, the "Services") in each case on the schedule and in accordance with the other requirements set forth in the applicable SOW. This Agreement and each SOW will be construed as consistent with each other to the extent reasonably practicable, but in the event of a conflict, the SOW will control with respect to its subject matter.
2. **PRICING & PAYMENT.** Payment for Services shall be made by the Client to the Consultant in the amount and in accordance with the terms set forth in the applicable SOW. a. A late fee of 10% will be assessed for every 30 days that an invoice is past due. b. The Client shall pay all costs of collection, including without limitation, reasonable attorney fees. In addition to any other right or remedy provided by law, if the Client fails to pay for the Services when due, Care Resource Connection has the option to treat such failure to pay as a material breach of this Agreement and may cancel this Agreement and seek legal remedies.
3. **EXPENSES.** Client agrees to reimburse Consultant for all reasonable expenses related to the Services. Such expenses may include, but are not limited to, subscription fees, stock photo purchases, services provided by third parties, and postal expenditures. Consultant shall obtain Client's approval for any such expenses in excess of fifty (50) dollars. Client shall reimburse Consultant for expenses incurred within 10 days of Client's receipt of invoice therefor.
4. **TERM AND TERMINATION.** This Agreement shall commence upon execution and remain in place through December 31, 2023. Each SOW shall become effective on the effective date thereof, and shall remain in effect for the period specified therein. All SOWs subject to Net15 payment terms. a. If the Client terminates this Agreement or any SOW early for any reason other than for the Consultant's material breach of this Agreement, the Consultant shall be paid the prorated amount due as of the effective date of termination and an early termination fee of \$1000.00. b. If the Consultant terminates this Agreement or any SOW early because of the

Client's material breach of this Agreement, the Consultant shall be paid the prorated amount due as of the effective date of termination and an early termination fee of \$1000.00.

5. INDEPENDENT CONTRACTOR STATUS. Consultant shall be in control of the time and manner in which the Services are performed.

6. PROPRIETARY RIGHTS. Consultant agrees that the work products from the Services provided to Client hereunder shall be owned by Consultant and the Client. Nothing contained in this Section 6 shall be construed as prohibiting the Consultant from utilizing in any manner, knowledge and experience of a general nature acquired in the performance of Services for the Client. Consultant reserves the right to use work produced for marketing purposes.

7. CONFIDENTIALITY. Consultant and its employees shall not, during the time of rendering services to the Client or thereafter, disclose to anyone other than authorized employees of the Client or use for the benefit of Consultant and its employees or for any entity other than the Client, any Confidential Information. "Confidential Information" means any information disclosed by the Client to the Consultant at any time, either directly or indirectly in writing, orally or by inspection of tangible objects that arises from or in any way relates or pertains to the Client. Confidential Information shall not, however, include any information which: (i) is or becomes publicly known and made generally available in the public domain through no action or inaction of the Consultant; (ii) is already rightfully in the possession of the Consultant at the time of disclosure, as shown by the Consultant's files and records immediately prior to the time of disclosure; (iii) is obtained by the Consultant from a third party without a breach of such third party's obligations of confidentiality; (iv) is independently developed by the Consultant without use of or reference to the Client's Confidential Information, as shown by documents and other competent evidence in the Consultant's possession; (v) is required to be disclosed by a subpoena or order issued by a court of competent jurisdiction, provided that Consultant gives the Client prompt written notice of such requirement prior to such disclosure and assistance in obtaining an order protecting the information from public disclosure; or (vi) is, in Consultant's reasonable belief, intended to be used and disclosed to further the objectives of this Agreement and attached Statement of Work.

8. AMENDMENT. This Agreement may be amended only by a signed written agreement of the parties.

9. ASSIGNMENT. This Agreement shall not be assigned by either party without the consent of the other party.

10. INDEMNIFICATION. Client agrees to hold Consultant harmless from all claims, losses, expenses, fees, including attorney fees, costs, and judgments that may be asserted against the Consultant that result from the acts or omissions of the Client and/or the Client's employees, agents, or representatives.

11. GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of North Dakota, without regard to its conflict of laws and rules.

12. NO WAIVER OF RIGHTS. A failure or delay in exercising any right, power or privilege in respect of this Agreement will not be presumed to operate as a waiver, and a single or partial exercise of any right, power or privilege will not be presumed to preclude any subsequent or further exercise, of that right, power or privilege or the exercise of any other right, power or privilege.

IN WITNESS WHEREOF, the Client and the Consultant have each executed and delivered this Agreement as of the Effective Date.

Client: _____ Date: _____

Consultant: _____ Date: _____



15571 96th St NE 763-762-6137
Otsego, MN 55330 amy@careresourceconnections.org

STATEMENT OF WORK

This Statement of Work No. 1 ("Agreement") is made effective upon execution by and between Care Resource Connection ("Consultant") located at 15571 96th St NE Otsego, MN 55330, and The City of West Fargo ("Client") located at 800 Fourth Ave. E., Ste. 1 West Fargo, ND 58078.

Consultant shall provide the Client with the following consulting services subject to the following payment terms:

1. Community Health Alliance Program Direction

- Provide Community Health Alliance Program training
- Assist the Fire Department in building a community health alliance with community stakeholders to be referral partners in connecting 911 callers to care and services.
- Care Coordination Services with 911 calls, referrals, visits and follow up assistance with Community Risk Reduction Staff completing the actual visits in person.
- Weekly check-in call to discuss upcoming needs
- Monthly in-person visit for staff training/meetings, community connections with stakeholder and partners.

Payment terms:

- \$3000 per month
- \$65/hour for any related tasks beyond this scope
- Invoiced on the last day of each month

IN WITNESS WHEREOF, the Client and the Consultant have each executed and delivered this Statement of Work as of the Effective Date.

Client: _____

Date: _____

Consultant: _____

Date: _____



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02/2018)

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

Full, Legal Name of Gaming Organization

Devils Lake American Legion #24

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

Name of Location

Doubletree by Hilton Convention Center

Street

825 E Beeton Dr

City

West Fargo

ZIP Code

58078

County

Cass

Beginning Date(s) Authorized

March 23 2023

Ending Date(s) Authorized

March 28 2023

Number of twenty-one
tables if zero, enter "0":

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

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

Poker March 24 to March 26

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

☐

Bingo

☐

ELECTRONIC Quick Shot Bingo

☐

Raffles

☐

ELECTRONIC 50/50 Raffle

☐

Pull Tab Jar

☐

Pull Tab Dispensing Device

☐

ELECTRONIC Pull Tab Device

☐

Club Special

☐

Tip Board

☐

Seal Board

☐

Punchboard

☐

Prize Board

☐

Prize Board Dispensing Device

☐

Sports Pools

☐

Twenty-One

☒

Poker

☐

Calcuttas

☐

Paddlewheels with Tickets

☐

Paddlewheel Table

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

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

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.

\$1000 cash
02/24/23

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



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (Rev. 08-2019)

-License Number (Office Use Only)

Site Owner (Lessor) <i>Kajhospelity</i>		Site Name <i>Doubletree</i>		Site Phone Number <i>701 551 0120</i>	
Site Address <i>825 E Beaton Dr</i>		City <i>West Fargo</i>	State <i>ND</i>	Zip Code <i>58078</i>	County <i>Cass</i>
Organization (Lessee) <i>Devils Lake American Legion</i>		Rental Period <i>2022</i> <i>March 23</i> to <i>March 28</i> <i>2022</i>			Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				☐ No ☐ Yes ☐ No ☐ Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____ Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				☐ No ☐ Yes	\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				☐ No ☐ Yes	\$
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site? Please check: ☐ Jar Bar ☐ Standard Dispensing Device				☐ No ☐ Yes	\$
☐ Electronic Dispensing Device Number of Electronic Devices _____					\$
Total Monthly Rent					\$ <i>0</i>

5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here.

☐ *poker only*

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Kristy Blumley</i>	Title <i>Banquet Manager</i>	Date <i>2-24-23</i>
Signature of Lessee <i>Dwight A. Crosby</i>	Title Gaming Manager, Legion Post 24	Date <i>2-24-23</i>

(over)



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

LICENSING SECTION

SFN 9338 (09-2021)

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*

*Poker, Twenty-One, and Paddlewheels may be conducted **Only** with a Restricted Event Permit. Only one permit allowed per year.*

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

Name of Organization or Group of People permit is issued to CCRI, Inc	Dates of Activity March 18	If raffle, provide drawing date March 18	
Organization or Group Contact Person Anna Larson	Title or Position Development & Communication Director	Telephone Number 2182424542	
Business Address 2903 15th St S	City Moorhead	State MN	ZIP Code 56560
Mailing Address (if different)	City	State	ZIP Code
Site Name (where gaming will be conducted) Veteran's Memorial Arena			
Site Address 1201 7th Ave E	City West Fargo	ZIP Code 58078	County Cass

Description and Retail Value of Prizes to be Awarded

Game Type	Description of Prize	Retail Value of Prize
50/50	50/50 Raffle Drawing	Half of tickets sold. Est. Under \$1000
Add Row	Delete Row	
Also raffle off one of our auction items. Value less than \$700 Item not yet decided		Total (limit \$40,000 per year) Under 1700

Intended Uses of Gaming Proceeds
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 of \$40,000 per 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 used for political purposes.) ☐ Yes ☒ No

Organization or Group Contact Person

Name Anna Larson	Title Development Director	Telephone Number 218-242-4542	E-mail Address alarson@creativecare.org
Signature of Organization or Group's Top Official		Title	Date

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

1. CONTACT PERSON: Aaron Nelson
2. PHONE NUMBER: 515-5370 DATE: February 27, 2023
3. AGENDA TITLE:
Public Hearing and First Reading of Title IV zoning ordinance amendment
regarding daycare land-uses.
4. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:
The City Commission's recently established child care sub-committee is
recommending amendments to the zoning code in order to reduce regulatory
barriers to the ability to provide child care in the City of West Fargo.
5. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):
N/A
6. ACTION BEING REQUESTED FROM CITY COMMISSION:
Hold public hearing and approve First Reading of the proposed zoning ordinance
amendment.

STAFF REPORT

A23-6**ZONING ORDINANCE AMENDMENTS**

Zoning Ordinance Amendment to Title IV of the City Ordinances (Zoning Regulations) pertaining to daycare uses

Applicant: City of West Fargo

Staff Contact: Aaron Nelson

Planning and Zoning Commission Public Hearing:

02-14-2023 – Approval

City Commission Public Hearing & 1st Reading:

03-06-2023

2nd Reading:

PURPOSE:

The purpose of the proposed amendments is to modify and clarify zoning regulations for daycare uses within various districts. Specifically, the intent is to loosen zoning restrictions for day care uses.

DISCUSSION AND OBSERVATIONS:

- The City Commission recently established a sub-committee tasked with exploring opportunities for the City of West Fargo to support childcare within the City. To reduce regulatory barriers to the ability to provide child care, the sub-committee recommended modifications to the zoning ordinance as outlined within this staff report.
- Summary of primary changes
 - Home child care of 8-12 children would be allowed by-right and would no longer require City approval of a Provisional Use Permit. The Provisional Use Permit would cease to exist.
 - Stand-alone child care facilities of any size would be allowed in more districts, either by-right or through a Conditional Use Permit.
- Specific text amendments are attached to this staff report.

NOTICES:

Sent to:

Notice in the newspaper and to City Departments. Outreach to County & State childcare licensing agencies.

Comments Received:

- None to date.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- Availability of affordable child care is a key factor for workforce participation in the local economy by parents. The proposed amendments seek to remove regulatory barriers to child care and thereby support the availability of child care in West Fargo. The proposed amendments are consistent with the Comprehensive Plan.

PLANNING & ZONING COMMISSION RECOMMENDATION:

At their February 14, 2023 meeting, the Planning & Zoning Commission recommended approval of the proposed zoning ordinance amendment.

STAFF REPORT

RECOMMENDATION:

It is recommended that the City approve the proposed amendment on the basis that it is consistent with City plans and ordinances.

Attachments

- Proposed text amendments

ORDINANCE NO. 1219

AN ORDINANCE TO AMEND AND REENACT CHAPTER 4-200 (RELATING TO DEFINITIONS), 4-421-A.3 (RELATING TO PERMITTED USES IN THE R-R DISTRICT), 4-421-B.3 (RELATING TO PERMITTED USES IN THE R-1E DISTRICT), 4-421-C.2 (RELATING TO PERMITTED USES IN THE R-LA1 DISTRICT), 4-422.2 (RELATING TO PERMITTED USES IN THE R-1A DISTRICT), 4-422-A.2 (RELATING TO PERMITTED USES IN THE R-1B DISTRICT), 4-426.2 (RELATING TO PERMITTED USES IN THE R-4 DISTRICT), 4-426-A.2 (RELATING TO PERMITTED USES IN THE R-5 DISTRICT), 4-427.2 (RELATING TO PERMITTED USES IN THE C DISTRICT), 4-427-A.2 (RELATING TO PERMITTED USES IN THE C-OP DISTRICT), 4-428.2 (RELATING TO PERMITTED USES IN THE HC DISTRICT), 4-428-A.3 (RELATING TO CONDITIONALLY PERMITTED USES IN THE LI DISTRICT), 4-429.3 (RELATING TO CONDITIONALLY PERMITTED USES IN THE M DISTRICT), AND 4-451.3 (RELATING TO AUTOMOBILE PARKING SPACE REQUIRED), AND TO REPEAL SECTIONS 4-421-A.3-A, 4-421-B.3.A, 4-421-C.2.A, 4-422.2.A, 4-422-A.2.A, 4-423.2.A, 4-423-A.2.A, 4-423-B.2.A, 4-424.2.A, 4-424.2.A, 4-426-A.2-A, AND 4-549 (ALL RELATING TO PROVISIONALLY PERMITTED USES) OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WEST FARGO, NORTH DAKOTA:

SECTION 1. Chapter 4-200 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted by amending, creating, or repealing the following definitions to read as follows:

CHILD CARE CENTER: Any facility, other than a private residence, which is licensed by the State to provide child care services is licensed as a child care center by the Department of Human Services to provide early childhood services to 13 or more children.

CHILD CARE HOME: **This definition is hereby repealed in its entirety.** Any provider occupied single family dwelling (home) which is licensed as a “group child care home” or “group child care facility” by the Department of Human Services to provide early childhood services on a regular basis, and which facility has between eight (8) and twelve (12) children present, excluding the children of the childcare provider, as determined by the Department of Human Services.

FAMILY CHILD CARE HOME: **This definition is hereby repealed in its entirety.** An occupied private residence in which early childhood services are provided for no more than seven children at any one time, excluding the children of the childcare provider, as determined by the Department of Human Services.

HOME DAYCARE: An occupied private residence in which early childcare services are provided for no more than twelve children at any one time, excluding the children of the childcare

provider. The use of the dwelling unit for daycare services shall be clearly incidental and subordinate to its use for residential purposes by its occupants.

HOME OCCUPATION: An accessory use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services, excluding home daycares ~~child care home~~ as provided for in this ordinance.

PROVISIONAL PERMITTED USES: **This definition is hereby repealed in its entirety.**
~~A use which is generally held as appropriate and would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare throughout a zoning district when certain provisions as stated are met to minimize the use's affects on neighboring properties.~~

SECTION 2. Section 4-421-A.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-421-A.3. PERMITTED USES.

1. Single family detached dwellings.
2. State-licensed group homes serving six (6) or fewer developmentally disabled persons.
3. Publicly owned and operated parks, playgrounds, and recreational facilities.
4. Essential services and public buildings.
5. ~~Home child care facilities serving up to a maximum of seven (7) children~~ Home Daycares.
6. Churches, religious institutions and places of worship.

SECTION 3. Section 4-421-B.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-421-B.3. PERMITTED USES.

1. Single-family detached dwellings.
2. Schools, churches, religious institutions and places of worship.
3. State-licensed group homes serving six (6) or fewer developmentally disabled persons.
4. Publicly-owned and operated parks, playgrounds, and recreational facilities.

5. Essential services and public buildings.
6. Accessory buildings, provided that they shall be located as required in Section 4-442 of this ordinance.
7. Home occupations, provided they shall be operated as required in Section 4-448 of this ordinance.
8. ~~Home child care facilities serving up to a maximum of seven (7) children~~ Home Daycares.

SECTION 4. Section 4-421-C.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-421-C.2. Permitted Uses.

1. Single-family detached dwellings.
2. Publicly owned and operated parks, playgrounds, and recreational facilities.
3. Essential services and public buildings.
4. State-licensed group homes serving six or fewer developmentally disabled persons.
5. Accessory buildings, provided that they shall be located as required in Section 4-442 of this Ordinance.
6. Home occupations, provided that they shall be operated as required in Section 4-448 of this Ordinance.
7. ~~Family Child Care Home~~ Home Daycares.

SECTION 5. Section 4-422.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-422.2. Permitted Uses.

1. Single-family detached dwellings.
2. Publicly owned and operated parks, playgrounds, and recreational facilities.
3. Schools, churches, religious institutions and places of worship.
4. Essential services and public buildings.

5. State-licensed group homes serving six or fewer developmentally disabled persons.
6. Accessory buildings, provided that they shall be located as required in Section 4-442 of this Ordinance.
7. Home occupations, provided that they shall be operated as required in Section 4-448 of this Ordinance.
8. ~~Family Child Care Home~~ Home Daycares.

SECTION 6. Section 4-422-A.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-422-A.2. Permitted Uses.

1. Single-family detached dwellings.
2. Publicly owned and operated parks, playgrounds, and recreational facilities.
3. Schools, churches, religious institutions and places of worship.
4. Essential services and public buildings.
5. State-licensed group homes serving six or fewer developmentally disabled persons.
6. Accessory buildings, provided that they shall be located as required in Section 4-442 of this Ordinance.
7. Home occupations, provided that they shall be operated as required in Section 4-448 of this Ordinance.
8. ~~Family Child Care Home~~ Home Daycares.

SECTION 7. Section 4-426.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-426.2. Permitted Uses.

1. Mobile homes with a minimum floor area, excluding attached garage, of 650 square feet.
2. Parks and playgrounds.

3. Management offices, repair shops, and storage areas; sanitary facilities; indoor recreation areas; and convenience establishments subject to the following restrictions: Such establishments, together with their parking areas, shall not occupy more than ten (10) percent of the area of the park, shall be located, designed and intended to serve frequent trade or service needs only of persons residing in the park, and shall present no visible evidence of their commercial character to any portion of any residential district outside the park.
4. Essential services.
5. Entryways not to exceed 8 feet by 10 feet (8'x 10').
6. Accessory storage sheds and garages.
7. Home Daycares.

SECTION 8. Section 4-426-A.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

2. Permitted Uses and Structures. The following shall be permitted:
 - A. ~~Family child-care home~~ Home Daycares.
 - B. Single-family detached dwellings, including manufactured homes.
 - C. Publicly owned and operated parks, playgrounds, and recreational facilities.
 - D. Schools, churches, religious institutions and places of worship.
 - E. Essential services and public buildings.
 - F. State-licensed group homes serving six or fewer developmentally disabled persons.
 - G. Accessory buildings, provided that they shall be located as required in Section 4-422 of this ordinance.
 - H. Home occupations, provided that they shall be operated as required in Section 4-448 of this ordinance.

SECTION 9. Section 4-427.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-427.2. Permitted Uses.

1. Retail businesses, such as general merchandise, food, liquor, hardware, furniture, and apparel stores; eating and drinking establishments; and drugstores.
2. Business services, such as banks, and other financial institutions, and professional offices.
3. Commercial and professional office buildings, single or multi-tenant.
4. Personal services, such as barber and beauty shops, photographic studios, laundromats and dry cleaning establishments.
5. Entertainment, social or recreational businesses, such as bowling alleys, health clubs, theaters (excluding drive-ins), night clubs, private clubs and lodges.
6. Repair services, such as radio shops, appliance shops, upholstery shops and shoe repair shops.
7. Cultural and educational facilities, such as trade schools, museums, business colleges, and adult education centers.
8. Schools, churches, religious institutions and places of worship.
9. Public/semi-public facilities, such as armories, parks, police and fire stations; telephone exchange buildings, and civic centers.
10. Medical and dental facilities such as clinics, hospitals, nursing, basic care or convalescent homes, not including Behavioral Health Care Facility.
11. Veterinary clinics without overnight facilities.
12. Hotels and motels.
13. Public transportation depots.
14. Greenhouses and plant nurseries.
15. Automobile service stations and automobile repair shops, where motor vehicle fuels and minor automotive accessories are sold at retail and/or services for automobiles are performed, but not to include body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, outdoor storage of vehicle parts, or other work involving noise, glare, fumes, smoke, or other nuisance characteristics.
16. Parking lots.

17. On-premise signs.
18. Essential services.
19. ~~Child Care Facility, Child Care Center and Family Child Care Home~~ Home Daycare ~~in an existing residential building or in a non residential building.~~
20. Social Service uses such as homeless shelters, shelters for victims of domestic abuse, and facilities to feed the homeless and indigent.
21. Other: Uses not listed but similar to the permitted uses above and consistent with the stated purpose of this district.

SECTION 10. Section 4-427-A.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-427-A.2. PERMITTED USES.

1. Commercial and professional office buildings, single or multi tenant.
2. Business services, such as banks, and other financial institutions, and professional offices.
3. Cultural and educational facilities.
4. Churches and Schools.
5. Public/Semi-public facilities.
6. Medical and dental facilities such as clinics, hospitals, nursing, basic care or convalescent homes, not including Behavioral Health Care Facility.
7. Child Care Centers.

SECTION 11. Section 4-428.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-428.2. Permitted Uses.

1. General commercial uses, such as full-service gas stations, eating and drinking establishments, sales of new and used motor vehicles, motor vehicle rental, sale of construction equipment, farm implements, mobile homes, and recreational vehicles, and sale of lumber and other building materials.
2. Commercial and professional office buildings, single or multi-tenant.

3. Repair and service of automobiles and trucks.
4. Plant nurseries and greenhouses.
5. Veterinary clinics with overnight boarding facilities
6. Hotels and motels.
7. Social Service uses such as homeless shelters, shelters for victims of domestic abuse, and facilities to feed the homeless and indigent.
8. Parking lots.
9. ~~Child Care Facility~~ and Child Care Center.
10. Religious Institutions.
11. Public Buildings and Essential Services.
12. Indoor Personal Training Facilities.
13. Other: Uses not listed but similar to the permitted uses above and consistent with the stated purpose of this district.

SECTION 12. Section 4-428-A.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-428-A.3. Conditionally Permitted Uses.

1. Grain elevators, seed cleaning, feed mixing and grinding plants.
2. Above-ground class 1 and 2 liquid storage tanks with a maximum tank size of 20,000 gallons and overall capacity of 200,000 gallons; and propane fuel tanks subject to no more than 30,000 container capacity (water gallons), subject to the following:
 - a. A minimum distance of 75 feet is maintained from property lines, as well as placement and screening to ensure both aesthetic and public safety purposes.
 - b. The use is reviewed and approved by the Fire Department for quantities and separation from other lots of record and buildings.
3. Eating and drinking establishments, and commercial and professional office buildings, single or multi-tenant, subject to the following:

- a. The facilities have adequate separation from uses which may be injurious to health or pose life safety risks.
4. Indoor Personal Training Facilities, provided the facility has adequate separation from uses which may be injurious to health or pose life safety risk.
5. Compassion centers as described further in Section 4-429.8.
6. Child Care Center.

SECTION 13. Section 4-429.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-429.3. Conditionally Permitted Uses. The following uses may be permitted to the M District subject to the conditions hereinafter imposed for each use and subject further to review and approval by the City Commission as required by Section 4-550 of this ordinance dealing with conditional use permits:

1. Above ground class 1 and class 2 liquid storage tanks.
2. Wrecking and salvage yards when completely enclosed within a solid fence.
3. Stockyards.
4. Petroleum refining or storage.
5. Fertilizer manufacture.
6. Acid manufacture.
7. Cement, lime or gypsum manufacture.
8. Stockpiling of sand, gravel or fill dirt and any other materials.
9. ~~Child Care Facility or Child Care Center which is connected to a business and is limited to handling children of employees of that business.~~
109. Landfills (but only outside of the limits of the City of West Fargo and within the City's extra-territorial jurisdiction as provided in section 4-130 of these ordinances).
110. Animal slaughter or rendering (but only outside of the limits of the City of West Fargo and within the City's extra-territorial jurisdiction as provided in Section 4-130 of these ordinances).

121. Temporary or permanent industrial wood burners, including air curtain destructors, subject to the following conditions:
- a. For a permanent site, the site must be fenced with a sight obscuring fence and screened if necessary to keep materials out of sight.
 - b. The site is located a minimum of 2,640 feet from any residential or neighboring business structure.
 - c. The waste wood products may not be stored on a permanent or temporary site for more than two (2) months. For a permanent site, all waste wood products on site must be disposed of within a two (2) month period. At the time the site is completely cleared, another two-month cycle of storage may begin. An extension to the two-month period may be granted by the Fire Chief during the high fire risk times when burning is not allowed.
 - d. The use has received State Health Department and local Fire Department approval.
 - e. A permit for a temporary site may not exceed sixty (60) days, and only two (2) temporary permits may be granted for the same site in any year. The 60-day period may be extended by the Fire Chief if during that period burning is not allowed because of high risk conditions.
 - f. Other conditions as deemed necessary.
132. Indoor Personal Training Facilities, provided the facility has adequate separation from uses which may be injurious to health or pose life safety risk.
143. Compassion centers as described further in Section 4-429.8.

SECTION 14. Section 4-451.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

3. Institutional, Recreational and Special Residential Uses:
- a. Camps (Day or Youth) - One space per employee on the largest shift, plus one space per camp vehicle normally stored on the premises.
 - b. Church - One space per three seats of maximum capacity.
 - c. Community and Recreation Center - One space per 250 square feet of gross floor area, or one space per four patrons to the maximum capacity, plus one space per employee on the largest shift.

- d. Day or Nursery School, Child Care ~~Facility~~ Center - One space per teacher/employee on the largest shift, plus one per space per ten students for loading and unloading.
- e. Group Dwellings, Fraternity or Sorority, Boarding or Lodging Houses - One space per bedroom or sleeping room, unless it can be demonstrated that the occupants will not be driving.
- f. Libraries and Museums - One space per 350 square feet of floor area or one space per four seats to the maximum capacity, whichever is greater, plus one space per employee on the largest shift.
- g. Monasteries, Convents - One space per six residents, plus one space per employee on the largest shift, plus one space per five chapel seats if the public may attend.
- h. Nursing Homes - One space per six patient beds, plus one space per employee on the largest shift.
- i. Schools:
 - (1) Elementary and Junior High - One space per teacher and staff member.
 - (2) Senior High - One space per teacher and staff member on the largest shift, plus one space per five students.
 - (3) College, Trade and Vocational - One space per staff member of the largest shift, plus one space per four students of the largest class attendance period.
- j. Swimming Facility - One space per 100 square feet of gross water area, plus one space per employee on the largest shift.
- k. Tennis, Racquetball, Handball Courts - Two spaces per court, plus one space per employee on the largest shift.
- l. Bowling Alley - Three spaces per lane, plus one space per employee on the largest work shift.
- m. Miniature Golf - One space per hole, plus one space per employee on the largest work shift.
- n. Outdoor Theatre - One space per four patrons to the maximum capacity of the facility inclusive of both indoor and outdoor capacity.

- o. Skating Rink, Ice or Roller - One space per 300 square feet of gross floor area.
- p. Health Club - One space per 100 square feet of gross floor area, plus one space per employee on the largest shift.
- q. Golf Courses - Five spaces per hole.
- r. Other Commercial Recreational Uses - One space per four patrons to the maximum capacity of the facility, or one space per 250 square feet of gross floor area, whichever is more appropriate.

SECTION 15. Section 4-421-A.3-A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-421-A.3-A. PROVISIONAL PERMITTED USES. The following uses may be permitted in the R-R District subject to the conditions hereinafter imposed for each use and subject further to review and approval by the City Planning Office:~~

- ~~1. Child care home facilities in single family homes with up to twelve (12) children, excluding the children of the child care provider, subject to the following provisions:~~
 - ~~a. The use of the dwelling unit for the child care facility shall be clearly incidental and subordinate to its use for residential purposes by its occupants.~~
 - ~~b. The rear yard shall be fenced with a solid fence. In the event that an existing fence is in place which is not a solid fence, the Planning Office may allow the existing fence to continue until such time that there is a complaint from an adjoining property owner. Upon receiving a complaint, the fence shall be changed to a solid fence.~~
 - ~~c. The children shall be dropped off and picked up in the driveway only.~~
 - ~~d. Adequate off-street parking shall be provided for the principal use, and child care facility including space(s) for dropping off children and employees.~~
 - ~~e. The hours of operation are limited to 6:00 a.m. to 10:00 p.m.~~

SECTION 16. Section 4-421-B.3.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-421-B.3.A. PROVISIONAL PERMITTED USES. Any provisional permitted use allowed in the "R-R" District, subject to the same provisions.~~

SECTION 17. Section 4-421-C.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-421-C.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-1E” District, subject to the same provisions.~~

SECTION 18. Section 4-422.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-422.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-L1A” District, subject to the same provisions.~~

SECTION 19. Section 4-422-A.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-422-A.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-1A” District, subject to the same provisions.~~

SECTION 20. Section 4-423.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-423.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-1A” District, subject to the same provisions.~~

SECTION 21. Section 4-423-A.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-423-A.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-1” District, subject to the same provisions.~~

SECTION 22. Section 4-423-B.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-423-B.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-1S” District, subject to the same provisions.~~

SECTION 23. Section 4-424.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-424.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-1SM” District subject to the same provisions.~~

SECTION 24. Section 4-425.2.A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-425.2.A. Provisional Permitted Uses. Any provisional permitted use allowed in the “R-2” District subject to the same provisions.~~

SECTION 25. Section 4-426-A.2-A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~2-A. Provisional Permitted Uses. The following uses may be permitted in the R-5 district subject to the conditions hereinafter imposed for each use and subject further to review and approval by the City Planning Office:~~

- ~~1. Child care home facilities in single family homes with up to twelve (12) children, excluding the children of the child care provider, subject to the following provisions:
 - ~~a. The use of the dwelling unit for the child care facility shall be clearly incidental and subordinate to its use for residential purposes by its occupants.~~
 - ~~b. The rear yard shall be fenced with a solid fence. In the event that an existing fence is in place which is not a solid fence, the Planning Office may allow the existing fence to continue until such time that there is a complaint from an adjoining property owner. Upon receiving a complaint, the fence shall be changed to a solid fence.~~
 - ~~c. The children shall be dropped off and picked up in the driveway only.~~
 - ~~d. Adequate off-street parking shall be provided for the principal use, and child care facility including space(s) for dropping off children and employees.~~
 - ~~e. The hours of operation are limited to 6:00 a.m. to 10:00 p.m.~~~~

SECTION 26. Section 4-549 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-549.1. INTENT. The provisions of this section are intended to permit certain land uses which are generally considered to be compatible with the uses permitted by right in a zoning district, and desirable to the development of the City as a whole, provided specific provisions are~~

~~met to minimize the use's affects on neighboring properties. The specific provisions to be met shall be stated within the zoning district.~~

~~4 549.2. WHO MAY APPLY. A property owner or representative of the property owner may request a provisional use permit if it applies to his/her property.~~

~~4 549.3. APPLICATION REQUIRED. To request a provisional use permit, a property owner or his/her authorized representative shall fill out an application, copies of which are available in the City Planning Office, together with a site plan of the property and other pertinent information needed to complete the administrative review.~~

~~4 549.4. PUBLIC NOTIFICATION AND ADMINISTRATIVE REVIEW. The City Planning Office shall notify the property owners of any adjoining properties, as well as those properties directly across any public street in front of or on the side of the provisional use property. If no objections are received from the property owners within ten (10) days from the date notices are sent out, the Planning Office may complete the administrative review and issue the provisional use permit. The administrative review shall consist of review of the application and site plan to insure compliance with the zoning district provisions and other zoning ordinance requirements.~~

~~4 549.5. PLANNING AND ZONING COMMISSION CONSIDERATION. The Planning and Zoning Commission shall review the application for a provisional use permit only when requested by the applicant following City Planning Department disapproval of the application, or upon written opposition by twenty five percent (25%) or more of the property owners of any adjoining properties, as well as those properties directly across any public street in front of or on the side of the provisional use property. The application shall be reviewed at the next regular meeting of the Planning and Zoning Commission following notification to the applicant and property owners. The Planning and Zoning Commission shall review all pertinent information to ascertain compliance with the specific standards governing the provisional use and to determine if the provisional use has significant opposition to not approve the use.~~

~~4 549.6. TERMINATION OF PROVISIONAL USE PERMIT. Provisional use permits are granted to the owner of the property and shall automatically terminate upon the sale or transfer of the property. A provisional use may be revoked with due cause following a hearing by the Planning and Zoning Commission.~~

SECTION 27. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

President of Board of City Commissioners
of the City of West Fargo, North Dakota

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:

ORDINANCE NO. 1220

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WEST FARGO, NORTH DAKOTA, AS ADOPTED IN SECTION 4-301 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WEST FARGO, NORTH DAKOTA:

SECTION 1. Section 13-1522 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

13-1522. TRUCKS PROHIBITED ON CERTAIN STREETS - TRUCK ROUTES ESTABLISHED - MAPS AND SIGNS REQUIRED.

1. No truck or commercial vehicle exceeding in weight of ten thousand pounds per axle or configured with three or more axles, shall be operated in the City of West Fargo, except upon truck routes designated as hereinafter provided in subsection 2 of this section; provided, that this ordinance shall not prohibit:
 - a. Such vehicles from operating upon other City streets when delivering or picking up materials or merchandise, provided entrance or exit to or from such street is made at the nearest intersection connecting an established truck route to such street; through streets as established elsewhere in the West Fargo City Ordinances shall be considered as secondary truck routes and must be used in preference to other streets whenever possible.
 - b. The operation of trucks owned or operated by the City of West Fargo; trucks owned or operated by power companies and telephone companies franchised in West Fargo or trucks owned and operated by any contractor or material supplier while under contract with the City and engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the City.
 - c. The operation of class A emergency vehicles, as defined in the traffic ordinances of the City of West Fargo, upon any street in the City.
 - d. Trucks making more than one delivery/drop-off and/or pick-up location within the City limits of the City of West Fargo on any one trip may take the most direct route between one delivery/drop-off and/or pick-up and the next delivery/drop-off and/or pick-up location. Trucks must stay within the City limits of the City of West Fargo between stops for this exception to apply. A truck that leaves the City of West Fargo City limits for a delivery/drop-off and/or pick-up outside of City limits must abide by subsection a of this section until two (2) or more consecutive stops at locations within the City limits of the City of West Fargo.

2. Truck routes shall be established by resolution of the Board of City Commissioners, after notice and hearing. The notice shall be by one publication in the official newspaper of the City at least 10 days prior to the date of the hearing. The truck routes, as established by the Board of City Commissioners, shall be stated in the resolution and on an official map which shall be kept and maintained in the office of the City Auditor and shall be available for public inspection.
3. On each street or avenue designated as a truck route in accordance with subsection 2 above, such street or avenue shall be posted with appropriate signs.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

President of Board of City Commissioners
of the City of West Fargo, North Dakota

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:



To: West Fargo City Commission
From: Matthew Andvik, Public Works Director
Date: March 6, 2023
Subject: F.R.O.G. Program Policy
Action: Approve changes and implementation of our F.R.O.G. Pretreatment Program Policy (Fats,Rags,Oils,Grease)

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Sanitation

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

Administration

Tina Fisk, Administrator

Dustin Scott, Assistant Administrator

Summary and Recommendation:

The F.R.O.G. (Fats,Rags,Oils,Grease) program is being set forth to create a schedule of quarterly inspections of any grease trap or interceptor device. The program will include businesses that pose a potential risk of polluting the sewer system with fats, rags, oils, and grease. This includes any or all, of the unacceptable discharges listed in West Fargo City Ordinance 09-0321.

This program would aid in finding a potential sewer discharge risk before it can occur. These inspections would reduce the labor and equipment costs for unacceptable discharges by being proactive.

Policy Analysis:

City ordinance 09-0321 currently partially covers this policy. This policy change would ensure that we have quarterly inspections and applicable fines when there is a violation. Ordinance lists unacceptable sewer discharges along with potential penalties and admin fees. The goal of this F.R.O.G program is to prevent those harmful discharges from occurring in the sewer system.

Financial Analysis:

The cost of this project would be covered by the permit fee for each business. The cost of the permit is meant to cover our cost to perform the inspection. If a violation occurs that business would be held responsible for the total cost of the repair caused by the violation. The policy has the potential for a 10% scaling administrative fee if a business has multiple violations.

Process/Timeline:

Once the policy is approved, we will begin our inspections in the second quarter of 2023. The remainder of this first quarter we would be working with businesses on informing them of our new process.



FROG

Fats, Rags, Oils, and Grease Program

City of West Fargo Pretreatment Program

City of West Fargo
Industrial Pretreatment Program
810 12th Ave. NW
West Fargo, ND 58078
701-515-5411

FROG Program

Purpose

Fats, Rags, Oils, and Grease (“FROG”) are common causes of blockages and Sanitary Sewer Overflows (“SSO”s) in communities across the United States. Sanitary sewer lines are not equipped to handle FROG; the results of grease, rags, and oil discharged to a Sanitary Sewer System are costly to remedy and create public health hazards when overflows occur. The City of West Fargo (“Authority”) has designed this program to eliminate FROG from the sewer systems. This FROG Program has been designed to provide a solution for the costly and hazardous problems that FROG creates. The regulations in this program are designed to protect the sanitary sewer system from FROG in order to prevent SSOs and Sanitary Sewer Blockages. These regulations are designed to primarily regulate, (but not limited to), Food Service Establishments, customers with petroleum-based oil and grease, automotive shops, and car wash facilities. Residential homes are also included in order to prevent hazardous sewer line conditions and the negative impact these substances can have on the Publicly Owned Treatment Works (POTW). Any commercial and/or residential entity that could potentially contribute to SSO's through the discharge of rags to the sanitary sewer system will also be monitored under this program.

Sources of FROG

- ❖ Residential
 - Improper disposal of grease and oil produced from regular cooking
 - Cleaning habits, including putting cooking oil and grease down the drain
 - Improper disposal of motor oil and mechanical grease products
 - Flushing wipes, rags, paper towels, and any other personal hygiene products down the drain, including those labelled as “flushable”
- ❖ Commercial
 - Failure to use Best Management Practices (“BMP”s) in regard to grease disposal and regular cleaning
 - Absence of a needed Grease Interceptor device
 - Inadequate maintenance of Grease Interceptor devices
 - Improper disposal of wipes, shop rags, and paper products down the drain

FROG Program Authority

Authority for this program is provided by Environmental Protection Agency Clean Water Act Pretreatment Program regulations at 40 CFR 403.5(b) (3). The City of West Fargo discharge permit also provides authority for this program by requiring regulation of indirect discharges that have the ability to cause interference at the POTW. This includes anything that has the ability to obstruct the flow to the POTW or interfere with the treatment processes at the POTW. This policy is also supplemental to the City of West Fargo water and sewer services ordinance and follows the regulations found in Section 9-0321 of the City of West Fargo ordinance code. This also coordinates with meeting all regulations for the current North Dakota Plumbing Code found in section 8 of the city ordinance. Penalties and cost for violations coordinate with city ordinance 9-0326.

All Food Service Establishments, Petroleum using establishments, Auto shops, and Car Washes (But not limited to)

All Establishments (Unless classified under 8-0102 Section H) are required to have one of the following. A properly sized Grease Interceptor Device, Oil/Water separator device, Sand/Oil Grit Interceptor and in some cases a rag or lint interceptor, installed and maintained in a manner that prevents the pass through of fats, rags, oils, and grease to the sanitary sewer system.

I. Monitoring Requirements

- A. Each business permitted under the F.R.O.G. program will receive a quarterly inspection.
- B. Records of grease trap repairs and maintenance must be available and kept for 3 years.
- C. For any FSE (Food Service Establishment) the combined grease and solids may not exceed 25% of the total volume of the device.
- D. For any Sand/oil and grit interceptor cleaning should occur when 50% of the sand/oil retention capacity is reached.
- E. If an issue occurs with any establishment the City of West Fargo Reserves the right to inspect more frequently and perform a sample analysis of the effluent if needed, at the cost of the establishment.
- F. All establishments must meet the existing guidelines in city ordinance Section 9-0321 and Section 8 (ND Plumbing Code).

Regulation

I. Compliance

At a minimum, an establishment will be considered to be in non-compliance with the City of West Fargo Authority FROG Program based on any of the following:

- A. Failure to install an appropriate fats, rags, oil, and grease control device.
- B. Failure to clean and/or maintain a fats, oil, and grease control device in a manner that prevents fats, oil, and grease from passing through to the sewer system.
- C. Exceeding 25% of the grease/solids depth in a grease interceptor.
- D. Exceeding 50% of the sand/oil retention capacity.
- E. For Oil/Water separator Cleaning is also required when the levels of accumulated sludge and/or oil meet the manufacturer's recommended levels for cleaning. This will vary based on the manufacturer of the OWS. If the manufacturer's recommendations are unknown, the following guidelines are appropriate for determining when to clean:
 - 1. When sludge accumulates to 25% of the wetted height of the separator compartment; or
 - 2. When oil accumulates to 5% of the wetted height of the separator compartment; or
 - 3. When 75% of the retention capacity of the OWS is filled.
- F. Failure to maintain Required Maintenance File
- G. Falsification of records.
- H. Denying access or causing unreasonable delays of inspection.
- I. Contributing to or being the source of a sewer line blockage and/or sanitary sewer overflow.

II. Enforcement

- A. Non-compliance with the City of West Fargo Authority FROG Program will result in the issuance of a violation. Violations will result in charges and fees based on the severity and number of violations.
- B. If discharge from any establishment causes a deposit, obstruction, or damage to any publicly owned sewer line or treatment works, the City of West Fargo Authority will remove and/or repair it promptly. The cost for removal and/or repair will be charged to the establishment/s that contributed to the deposit, obstruction, or damage.

Cost

- A. The wastewater F.R.O.G. permit application and fee will be listed at westfargond.gov, it is meant to cover the costs and expenses of inspections for all facilities that pose a potential risk of polluting or damaging the sewer system. The permit will need to be renewed yearly.
- B. The City of West Fargo also reserves the right to charge a facility for a water sample test if it is found that a facility may be in violation of the permit.

Notice of Violation Enforcement

Any penalties, cost, and administrative fee for a violation will be in pursuant with the City of West Fargo Ordinance Chapter 9 sections 0311 and 0326.

Violations	1st Violation	2nd Violation	3rd Violation
Enforcement	Dependent on severity of violation	Labor and Machine costs with 10% admin fee	Labor and machine costs with 20% admin fee
	There will be a written notice sent stating the violation along with actions that will be associated with cleaning or repairing the sewer system.	Written violation will be sent, stating the non-compliant party will be responsible for the following. If discharge from any establishment causes a deposit, obstruction, or damage to any publicly owned sewer line or treatment works, the City of West Fargo Authority will remove and/or repair it promptly. The cost for removal and/or repair in addition with a 10% total cost admin fee will be charged to the establishment/s that contributed to the deposit, obstruction, or damage.	Written violation will be sent, stating the non-compliant party will be responsible for the following. If discharge from any establishment causes a deposit, obstruction, or damage to any publicly owned sewer line or treatment works, the City of West Fargo Authority will remove and/or repair it promptly. The cost for removal and/or repair in addition with a 20% total cost admin fee will be charged to the establishment/s that contributed to the deposit, obstruction, or damage.

*As an alternate approach, water and sewer service may be discontinued at an earlier point in the number of offenses for both moderate and severe/major violations, including immediately, for severe/major violations.

* The admin fee will increase by 10% (e.g. 4th violation 30 %, 5th violation 40%) for every future violation that occurs and will be charged to the establishment/s that contributed to the deposit, obstruction, or damage.

Examples of damages FROGS can cause to the City waste water system.



Lift Station full of illegal/improper discharge. Required multiple people to suck out the lift station with the vector truck in order to correct this before it went further down the sewer system line and potentially causing even more damage and required clean-up costs.



The same lift station 4 days later again requiring multiple people to suck out the lift station with the vector truck to correct the issue once again.



Sewer main line almost blocked entirely by “flushable” wipes. Potential to either clog the outlet and back up, or if dislodged has the potential to make it to the lift station and damage the pump.



Pump had to be replaced due to bent shaft from the rags being lodged inside.



To: West Fargo City Commission

From: Matthew Andvik, Public Works Director

Date: March 6, 2023

Subject: Purchase of 2023 meter stock in bulk

Action: Approve the bulk purchase of 2023 water meters.

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

Commission

Vice President

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Sanitation

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and Engineering

Secondary Portfolio:

Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Police and Fire

Administration

Tina Fisk, Administrator

Dustin Scott, Assistant Administrator

Summary and Recommendation:

This year we are again looking to order all our water meters for the year in one large purchase. This process worked well in 2022. These water meters are for new home construction, new commercial units. This stock also would replace old meters that stop working throughout the year. We have an area to store the meters, and the meters will be able to be installed any time during the year. These meters would still be “stale” so they will not lose any battery life sitting on the shelf waiting to be installed.

The benefits of a bulk order

- Better pricing (bulk pricing, no price increases during year)
- The meters would be on hand for new installs
- No missed reads due to waiting on a meter shipment
- We wouldn't have to worry about any manufacturing or shipment delays throughout the year.

Policy Analysis:

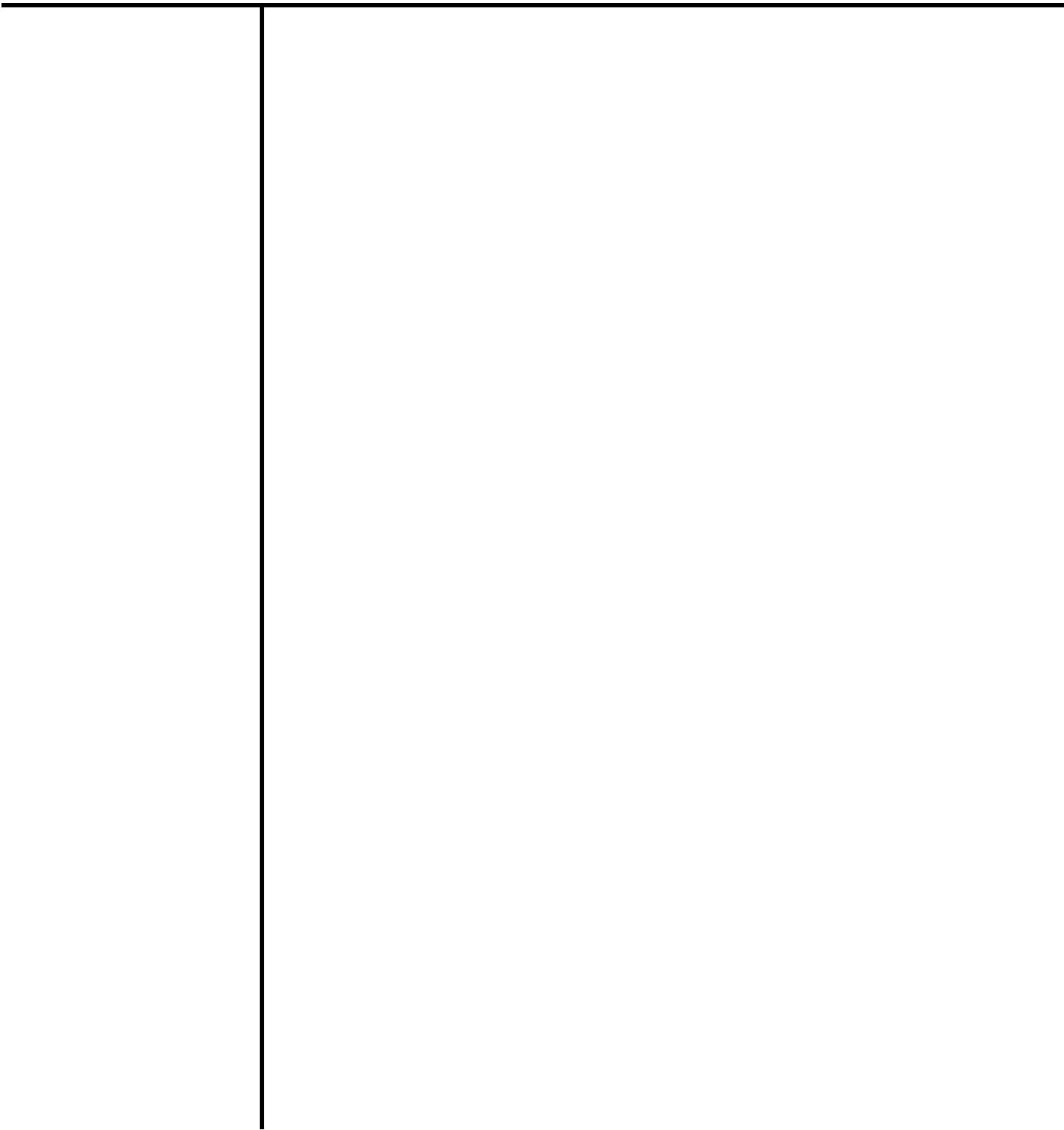
The meters we are proposing to purchase would need to be purchased throughout the year. By purchasing in bulk, we will secure better pricing and have readily available meters in stock. This quantity of meters in this order is almost identical to the number of meters purchased in 2022.

Financial Analysis:

The total cost of the order is \$363,641. The cost of the meters installed in new construction is included in our building permits. Our monthly meter fees are used to purchase new meters for those at end of life. They are then allocated to a specific fund for meter purchasing.

Process/Timeline:

If approved, once the order is placed, delivery of the meters would be in 4-6 weeks.





To: West Fargo City Commission

From: Matthew Andvik, Public Works Director

Date: March 6, 2023

Subject: Replacement Purchase of Salt/Sand Truck.

Action: Approve the Purchase of a replacement Salt/ Sand Truck.

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Administration/Finance

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

Administration

Tina Fisk, Administrator

Dustin Scott, Assistant Administrator

Summary and Recommendation:

During the last snow storm, our salt/sand truck Unit #228, broke down. The truck is 20 years old and the cost of the repair could be \$20,000. We located a truck that is available to purchase. This is a 2018 salt/sand truck, with a plow and a wing already installed. The cost of this truck is \$158,800. A new truck set up to our specifications is around \$280,000-\$300,000. The weather that we have been getting during the winter months has required us to put salt/sand down more frequently than in the past. If we would wait to budget this purchase in the 2024 budget, it would mean being down one sander for the rest of this snow season and all of the next.

It is my recommendation that the Commission approves the purchase of a replacement salt/sand truck for \$158,800.

Policy Analysis:

We currently run 5 salt/sand trucks in our fleet. With unit #228 being out of service we are down to 4. We would be able to get between \$20,000 and \$40,000 for unit #228 on an auction. This truck was scheduled to be in the 2024 budget to be replaced. Purchasing this salt/sand truck now would have the following benefits:

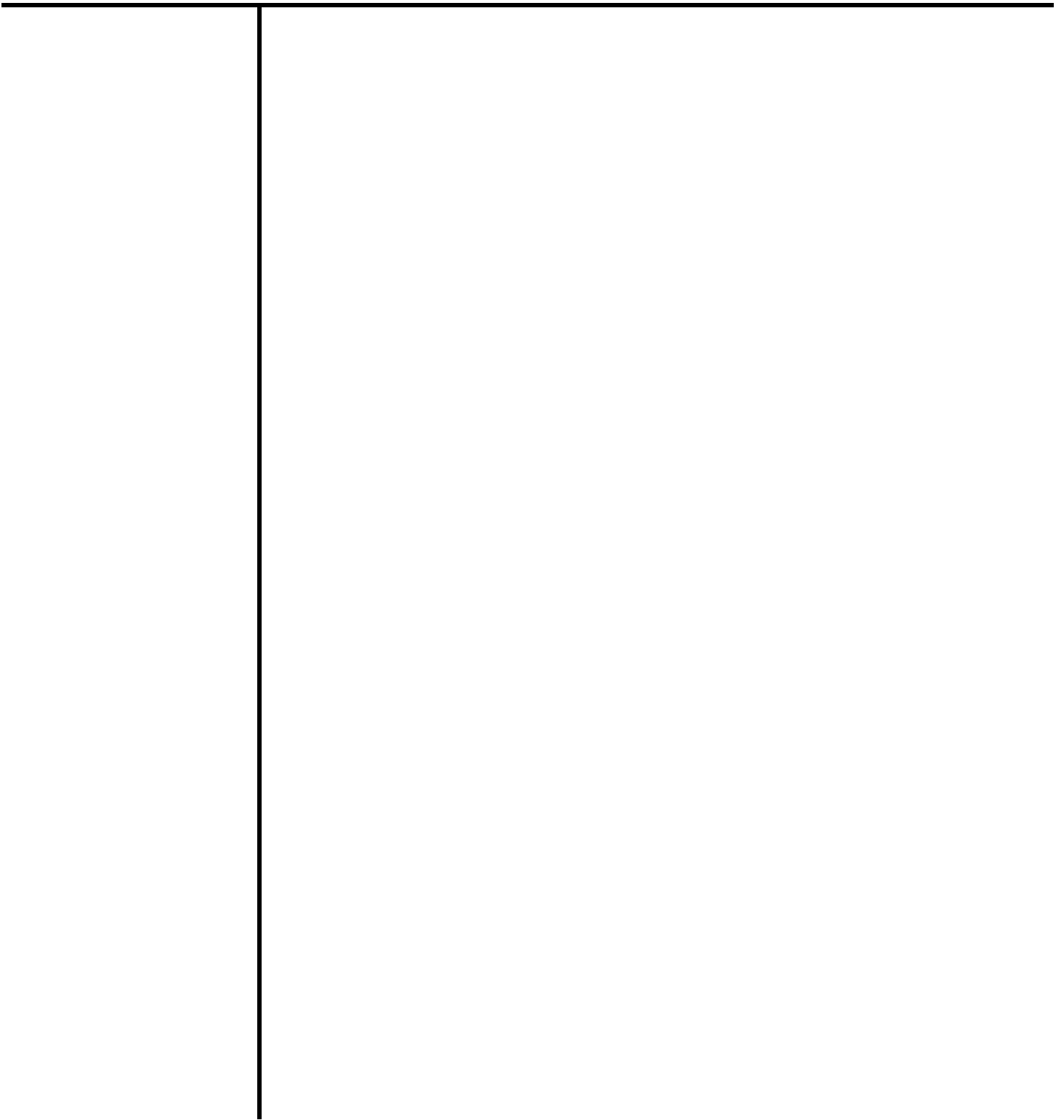
- This truck is set up similar to our current trucks and comes with a plow and a wing.
- Half the cost of a new truck, yet we will still be able to get another 5 to 10 years out of it.
- It will fit well into the replacement schedule we are trying to establish with our Public Works vehicles.
- It will fill an immediate need for a 5th truck.
- This truck will help us during the rest of this snow season and this fall.

Financial Analysis:

The funds to purchase this vehicle would come from General Fund Reserves.

Process/Timeline:

Once the purchase is approved, we will have the truck in service within two weeks.





To: West Fargo City Commission

From: Commissioner Simmons & Administration

Date: March 6, 2023

Subject: P3 development in conjunction with WF Public Schools

Action: Authorize publication of Request for Proposals

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire
Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation
Secondary Portfolio:
Police and Fire

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering
Secondary Portfolio:
Sanitation

Administration

Tina Fisk, Administrator
Dustin Scott,
Assistant Administrator
Emily Hagemeister,
Executive Assistant

Summary:

On June 20, 2022, city commissioners approved a Joint Powers Agreement (JPA) with West Fargo Public Schools to pursue a P3 development near the West Fargo Sports Arena along 32nd Ave West. This project would convert non-taxable land (owned by WFPS) to a taxable mixed-use development.

The attached Request for Proposals outlines project parameters and provides instructions for submittals as well as the selection process.



REQUEST FOR PROPOSALS

For the Development of Property around the West Fargo Sports Arena

Issued by:	City of West Fargo, North Dakota
RFP number:	2023-1
Date issued:	Wednesday, March 15, 2023
Proposals due:	Friday, May 12, 2023, at 4:30 PM Central Time
Designated Contact For RFP Questions:	Dustin Scott, PE Assistant City Administrator (701) 515-5055 dustin.scott@westfargond.gov

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EXHIBIT A – JOINT POWERS AGREEMENT

EXHIBIT B – SITE LOCATION MAP

EXHIBIT C – MAP OF PROPERTY TO BE TRANSFERRED

EXHIBIT D – LARGER PARCEL AND WEST FARGO SPORTS ARENA
EXHIBIT E – THE LIGHTS AND NORTHERN LIGHTS DEVELOPMENTS
EXHIBIT F – CITY RETENTION PONDS
EXHIBIT G – CITY PARKING REQUIREMENTS

ARTICLE I. INTRODUCTION

Section 1.01 INTRODUCTION.

The City of West Fargo, North Dakota (the “City”), is inviting the submission of competitive proposals, pursuant to N.D.C.C. ch. 48-02.1, for the design, construction, and financing of a multi-use development in the City (the “Project”). The operation and maintenance of the Project is an additional option that may be included in a proposal as described herein.

The City is undertaking the Project in conjunction with West Fargo Public Schools (the “District”). The City and the District entered into a Joint Powers Agreement (the “Joint Powers Agreement”), attached as Exhibit A, for the facilitation of the Project. Under the terms of the Joint Powers Agreement, the District will transfer real property to the selected proposer (the “Developer”) to design and construct the Project, on behalf of the District, in accordance with the project agreement between the City and the Developer (the “Project Agreement”). Depending upon the desires of the Developer and the District, the Developer and the District may also enter into an annual lease agreement or a management agreement to operate and maintain the Project for a set number of years, all in accordance with North Dakota law.

Section 1.02 RESPONSIBILITY AND LIABILITY.

Each respondent submitting a proposal (each a “Proposer”) is solely responsible and liable for:

- (a) All investigations and analysis related to the Project;
- (b) Preparation of its technical proposal and financial proposal; and
- (c) Any design, construction, and financing solutions and means and methods that it selects, as well as operation and maintenance solutions and means and methods if applicable.

Section 1.03 SUCCESSFUL PROPOSER.

The Proposer selected by the City in accordance with the RFP to enter into the Project Agreement with the City, or an entity created by the selected Proposer, will become the Developer upon execution of the Project Agreement. Proposers are encouraged to provide sufficient detail in both their technical proposal and financial proposal in order to allow the City to fully review and understand the terms and conditions of such proposals.

ARTICLE II. OVERVIEW AND ANTICIPATED SCHEDULE

Section 2.01 FOCUS.

The focus of this RFP is for the City and the District to invest in a multi-use project that can supplement current development that exists in the area of the Project. The development is intended

to add taxable value to the tax bases of the City and of the District and to provide amenities for citizens to utilize.

Section 2.02 LOCATION.

The property (the “Property”) is located on the southwestern side of the City, just west of the intersection of Sheyenne Street and 32nd Avenue West, as shown on attached Exhibit B. The address of the Property is 520 32nd Avenue West, West Fargo, North Dakota 58078, and it sits on a larger parcel that is owned by the District which is approximately 10.79 acres (the “Larger Parcel”). Of the Larger Parcel, the District, pursuant to the terms of the Joint Powers Agreement, will transfer the portion identified in Exhibit C to the Developer for the Project.

The Property is surrounded by residential, commercial, and mixed-use developments. Within five (5) minutes of the Property, the estimated population is 17,613, and there are approximately 6,758 households. The median household income in that area is \$92,764, and the median age is 32.7 years old.

Section 2.03 CURRENT DEVELOPMENT.

As shown on Exhibit D, the Larger Parcel currently consists of the West Fargo Sports Arena and three (3) adjacent parking lots. The West Fargo Sports Arena is a two-rink ice facility owned by the District. The facility opened in November 2017 and is home to the West Fargo High School, Sheyenne High School, and West Fargo United hockey teams. It also hosts practices and events for the West Fargo Hockey Association. The main sheet of ice, on the south side of the facility, has seating for about 830 people with a mezzanine and viewing area that will allow for 1,100 to 1,200 spectators to see a hockey game. The auxiliary rink, on the north side of the facility, has mezzanine seating for about 400 spectators.

Immediately adjacent to the east of the West Fargo Sports Arena are two (2) large mixed-used developments, as shown in Exhibit E. The Lights and Northern Lights developments feature commercial space on the lower levels and residential space on the upper levels. A City-owned parking garage is constructed between the two (2) developments, and the center courtyard area in the Lights boasts a City-owned plaza that hosts various community events.

Section 2.04 ANTICIPATED CONSTRUCTION SCHEDULE.

The City desires construction of the Project to commence in 2024 but would like proposals to include a realistic anticipated design and construction schedule for the work.

ARTICLE III. SCOPE OF WORK

Section 3.01 GENERALLY.

The general scope of work for the RFP is split into two (2) scopes: (i) a base scope of designing, constructing, and financing the Project; and (ii) an additional option scope of operating and maintaining the Project.

Section 3.02 DESIGN AND CONSTRUCTION.

Minimum Requirements:

The Developer will be responsible for designing and constructing the Project, a multi-use development, on the Property. The City is also willing to allow the Developer to repurpose all or portions of its adjacent land containing stormwater retention ponds identified on Exhibit F as part of the multi-use development (see “optional requirements” below). The minimum requirements for the Project are as follows:

- (a) A facility with a third sheet of ice to supplement the sheets of ice constructed within the West Fargo Sports Arena (the “Hockey Facility”). The City desires a minimum of 30,000 square feet for this area of the Hockey Facility. The District will provide bleachers and rink boards for the third sheet of ice. The City also desires that the Hockey Facility be convertible into a public multi-use space that can be used to supplement the public space available in the Lights development.
- (b) At least 30,000 square feet of raw storage in the Hockey Facility.
- (c) A mix of commercial and higher-density residential development, such as denser townhomes, apartments, or condominiums.
- (d) A hotel with amenity features.
- (e) Parking in accordance with City parking requirements, as set forth in Exhibit G. If necessary to meet the City parking requirements, the Developer can design and construct a parking ramp.
- (f) Utility infrastructure such as sewer, water, and storm/drainage facilities, as well as dry utilities to adequately service the multi-use development.
- (g) Street infrastructure (new and/or modifications to existing) to provide safe and adequate traffic flow, pedestrian circulation, and ingress/egress access for the development, as well as connectivity with surrounding developments. This will include improvements proposed by the Developer, as well as a new traffic signal system at the intersection of 6th Street and 32nd Avenue West with corresponding changes to existing conditions in order to meet minimum design standards as provided by the City’s Engineering Department. As a point of reference, the City is currently finalizing plans for a similar project at 9th Street and 32nd Avenue West (Improvement District No. 2270), with public bidding scheduled for Spring 2023.
- (h) Improvements shall comply with applicable local, state, and federal laws and regulations. Proposers may obtain design and construction standards for the City through the City’s Engineering Department.

Optional Requirements:

In an effort to effectively meet the minimum requirements, enhance the Project, and maximize benefits to the Property and surrounding developments, a Proposer may propose to utilize the City's land shown in Exhibit F. The City and the District encourage creative use of this land and some examples may include, but are not limited to, extending utilities, streets, or paths; vertical building construction; parking facilities; recreational uses; and other amenities to complement the Project. If the City accepts a Proposer's proposal, the following optional requirements apply:

(a) Provide geotechnical reports signed by a qualified and registered engineer in the State of North Dakota supporting the design and construction of the proposed improvements.

(b) Demonstrate that soil stability will be maintained and structural integrity of adjacent infrastructure will not be compromised, both during and after construction.

(c) Provide stormwater reports signed by a qualified and registered engineer in the State of North Dakota supporting the design and construction of the proposed improvements.

(d) Demonstrate that any loss of retention storage volume or change in the existing stormwater/drainage system is effectively relocated (e.g., new pond, underground facility, etc.) and/or replaced by a viable alternative stormwater solution.

(e) Improvements shall comply with applicable local, state, and federal laws and regulations. Proposers may obtain design and construction standards for the City through the City's Engineering Department.

Section 3.03 FINANCING.

The Developer will be responsible for financing the development of the Project. The City is receptive, however, to providing reimbursement to the Developer in accordance with means and methods offered under North Dakota law. For example, the City is willing to offer reimbursement to the Developer through a 25-year tax increment financing district. Each Proposer should include a financing package as part of the proposal.

Section 3.04 OPERATION, MARKETING, AND MAINTENANCE.

Operation, marketing, and maintenance of the Project is an additional option for the Developer and separate from the base scope of designing, constructing, and financing the Project with the City. If a Proposer desires to engage in the operation, marketing, and maintenance of the Project with the District, following the construction of the Project, the Proposer will enter into an annual lease or management agreement with the District for the Project improvements. The Developer will be responsible, however, for the marketing, operation, and maintenance of the Project. This would include the operation and maintenance of a parking ramp if constructed by the Developer. The terms and conditions of the marketing, operation, and maintenance of the Project would be set forth in a separate agreement between the Developer and the District. These terms and conditions will include restrictions on the ability of the Developer to charge for parking in a parking ramp, such as limiting the ability to charge for general parking and reserving a minimum number of parking spots for events occurring at the West Fargo Sports Arena or the Lights.

ARTICLE IV. PROPOSAL PROCESS

Section 4.01 SCHEDULE OF DATES.

The City anticipates that an award will be made in response to this RFP based on the following schedule:

Activity	Date
Release of RFP	March 15, 2023
Deadline for Submission of Questions	May 1, 2023
Deadline for the City to Respond to Questions	May 4, 2023
Submission Due Date for Proposals	May 12, 2023, at 4:30 PM Central Time
Interviews	First week of June 2023
Anticipated Selection Date	July 10, 2023

The City reserves the right to modify any of the above-described dates.

Section 4.02 PROPOSALS.

Each Proposer should submit a technical proposal and a financial proposal (collectively, a “Proposal”) which clearly and concisely provide all the information requested. Each Proposer is advised to thoroughly read and follow all instructions contained in this RFP. Proposals that do not comply with these instructions or do not meet the full intent of all the requirements of this RFP may be subject to scoring reductions during the evaluation process or may be deemed ineligible for consideration. Any information quantified in currency in a Proposal shall be provided in U.S. dollars.

(a) Technical Proposal. The purpose of the technical proposal is to provide Proposers with an opportunity to demonstrate their qualifications, competence, and capacity to undertake the engagement described herein, in a manner which complies with applicable laws and regulations and the requirements of the RFP. Below is a listing of the technical information to be provided by each Proposer. No information is required to be submitted beyond what is specifically requested. The City requests that all technical proposals be bound and organized with dividers identified to match the specific information requested below:

(1) *Table of Contents*. The table of contents should clearly identify the location of all material within the technical proposal by section and page number.

(2) *Proposer Description*. A description of the Proposer should include but not be limited to:

(A) The intended form and structure of the Proposer if selected as the Developer, with any proposed partnership or joint venture clearly explained. A chart or diagram of the proposed Developer, showing percentage of ownership and investment, must be included;

(B) Name, address, phone number, and email of each member of the Proposer. Proposers must provide Federal EIN numbers of the development entity and identify a primary contact person;

(C) Resumes of key management team members;

(D) Current operating budget and the previous three (3) years of audited financials for all entities with an ownership percentage in the Proposal;

(E) Documentation addressing whether the Proposer, or any responding member of the Proposer team, has been involved in any litigation or legal dispute regarding a business venture during the past five (5) years; and

(F) Description of background and experience in design and construction of a facility of comparable scale and scope.

(3) *Project Description.* The Project description should include a detailed narrative describing all relevant aspects of the Project. The description should address:

(A) A narrative detailing the proposed vision for the Property, including whether the City-owned property is proposed as part of the Project;

(B) Specific plans for meeting all aspects of the scope of work;

(C) Proposed schedule for design and construction of the Project; and

(D) If applicable, a narrative detailing the proposed vision for operations, marketing, and maintenance of the Project.

(b) Financial Proposal. The purpose of the financial proposal is to provide Proposers with the opportunity to present their approach to financing the Project, in a manner which complies with applicable laws and regulations and the requirements of the RFP. Below is a listing of the financial information to be provided by each Proposer. No information is required to be submitted beyond what is specifically requested. The City requests that all financial proposals be bound and organized with dividers identified to match the specific information requested below:

(1) *Table of Contents.* The table of contents should clearly identify the location of all material within the financial proposal by section and page number.

(2) *Proposer Description.* A description of the ownership and organizational structure of all entities involved in the Project, including financial relationships with other entities included or involved in the delivery of this Project, should be included.

(3) *Financial Plan.* The financial plan should address:

(A) A narrative describing all financial elements to finance the Project as proposed;

(B) Cost estimates for design and construction of the Project;

(C) If applicable, cost estimates for operation, marketing, and maintenance of the Project; and

(D) Proposed private and public financing sources to fund the Project.

(4) *Preliminary Letter of Commitment.* If the Proposer proposes to finance debt as a source of funds for the Project, a preliminary letter of commitment from a lender must contain at a minimum:

(A) An interest in providing financial support for the Project;

(B) An indication that the lender has reviewed the financial elements associated with the Project;

(C) The amount the lender intends to lend; and

(D) Any conditions to which the letter of commitment is subject.

(5) *Audited Financial Statements.* Audited financial statements for the most recent two (2) fiscal years from the Proposer or any partners of the joint venture that make up the Proposer that will be responsible for the repayment of financial support related to the Project or will directly provide financial support related to the Project should be included. Lenders that are not partners of the joint venture that comprise the Proposer are not required to provide financial statements.

(6) *Bonding Company Affidavit.* An affidavit from a bonding company that certifies the Proposer has the financial means and capacity to bond one hundred percent (100%) payment and performance for the estimated amount for the Project should be included.

(7) *Other Financial Proposal Information.* Any other information relating to the financial plan that the Proposer considers to be material or valuable for offering the City a better understanding of the financial plan should be included.

Section 4.03 QUESTIONS.

Questions or requests for clarification regarding the RFP should be submitted via email, citing the RFP page and section, by the question deadline to dustin.scott@westfargond.gov. Questions will not be accepted orally, and any question received after the deadline may not be answered.

Section 4.04 MODIFICATIONS AND WITHDRAWALS.

(a) A Proposer may modify its Proposal prior to the submission due date, and all modifications shall be emailed to dustin.scott@westfargond.gov. Any modification shall conform

in all respects to the requirements for submission of a Proposal, shall be clearly marked as such on the face of the document to prevent confusion with the original Proposal, and shall specifically state that the modification supersedes the original Proposal and all previous modifications, if any, submitted by such Proposer. If a Proposer submits multiple modifications, the modifications should be numbered sequentially to allow the City to accurately identify the final Proposal.

(b) A Proposer may withdraw its Proposal at any time prior to the time due on the submission due date by means of a written request signed by its representative emailed to dustin.scott@westfargond.gov. A withdrawal of a Proposal will not prejudice the right of a Proposer to file a Proposal; provided, however, that the new Proposal is received before the time due on the submission due date. A Proposer may not withdraw a Proposal after the time submissions are due on the submission due date.

Section 4.05 PROPOSAL SUBMISSIONS.

(a) When all items are complete, the Proposer must submit the Proposal to dustin.scott@westfargond.gov by 4:30 PM Central Time on May 12, 2023. Complete Proposal packets must be received by the deadline. Upon a successful submission, the City will provide an email response confirming the Proposal were received by the submission deadline.

(b) Each Proposer may only submit one (1) technical proposal and one (1) financial proposal; multiple or alternative proposals may not be submitted.

(c) Proposers submitting a Proposal are indicating their acceptance of the conditions in this RFP.

Section 4.06 LATE SUBMISSIONS.

The City will not consider any late Proposals. Proposals and associated modification or withdrawal requests received after the submission due date will be rejected without consideration or evaluation.

Section 4.07 PUBLIC DISCLOSURE.

(a) The City is subject to North Dakota open records law, N.D.C.C. ch. 44-04, and once submitted, Proposals, questions, requests for clarification or comments, and any other information or materials proposed by Proposers will become property of the City and may be subject to disclosure under open records law.

(b) Proposers should familiarize themselves with open records law and all other applicable regulations and statutes relating to confidentiality and public disclosure.

(c) Open records law provides for certain exemptions where information or materials provided to an agency may not be produced in response to a request. The City will not advise a Proposer as to the nature or content of documents entitled to protection under open records law or as to the interpretation of open records law. The City reserves the right to disagree with a

Proposer's assessment regarding the confidential nature of any materials in the interest of complying with open records law or any other applicable law.

(d) If a Proposer believes that any information it submits is not subject to disclosure under North Dakota open records law, it shall include a header on each applicable page identifying the information as confidential and shall submit an index of such information. No designation by a Proposer will be determinative of whether such information is not subject to disclosure or be binding on the City.

(e) In no event will the City or the District, or any of their agents, representatives, consultants, directors, officers, or employees, be liable to a Proposer or any member of the Proposer's team for the disclosure of all or a portion of any information or materials submitted in connection with the RFP.

ARTICLE V. SELECTION

Section 5.01 SELECTION COMMITTEE.

(a) Each Proposal will be reviewed by the Selection Committee, which will consist of (i) City representatives; (ii) District representatives; (iii) three (3) members recommended by the West Fargo City Commission and appointed by the West Fargo City Commission (the "WFCC Members"); and (iv) three (3) members recommended by the District and appointed by the District (the "District Members," along with the WFCC Members, the "Member Committee").

(b) Proposals will first be reviewed by the Selection Committee to determine if they are complete and eligible for consideration. In the Selection Committee's discretion, a Proposal may be considered ineligible for consideration and may be disqualified from the RFP process for any of the following reasons:

(1) The Proposal is submitted in a format other than as specified in this RFP;

(2) Any part of the Proposal is missing from the Proposal package;

(3) The Selection Committee determines that the Proposal contains irregularities that make the Proposal incomplete, indefinite, or ambiguous as to its meaning, including illegible text, omissions, erasures, alterations, or items not required by the RFP or unauthorized additions;

(4) A Proposal includes conditions prior to accepting the award of Developer or entering into the Project Agreement;

(5) Any required information is not included in the Proposal; or

(6) Any other reasons that the Proposal is non-responsive to any other instructions, requirements, terms, or conditions of the RFP, as determined by the Selection Committee.

(c) The Selection Committee will then read and score all complete and eligible Proposals. Depending on the number and quality of Proposals, Proposers may be invited to be interviewed by the Selection Committee to make a final selection. The City, however, reserves the right to forego the interview phase based on the Proposal evaluations.

(d) The City, in coordination with the District, will select the Developer, and the Member Committee will review and approve a Project Agreement for the City to enter with the Developer.

(e) If a Proposer includes the operation, marketing, and maintenance of the Project as a portion of its Proposal, the Selection Committee will review and score those portions of the Proposal separately from the portions of the Proposal for the base scope of work for the Project. The Selection Committee will utilize the selection criteria set forth in the subsection (a) of the subsequent section to evaluate each Proposal for operation, marketing, and maintenance of the Project. A Proposer may be selected for both the base scope of work and the additional option scope of work or only the base scope of work and not the additional option scope of work or vice versa.

Section 5.02 SELECTION CRITERIA.

The City's goal is to create a fair and uniform basis to evaluate the Proposals in compliance with applicable legal requirements governing the RFP process. Proposals will be reviewed and evaluated using the criteria described in this section. Tentative or contingent commitments will not be considered in the evaluation of a Proposal. Point values indicate the relative importance placed on each section, and points will be awarded based on the extent to which the Proposal addresses the criteria listed. Proposers should prepare their proposals with these criteria in mind.

(a) General Proposal Requirements. The selected Developer team should be proficient and have demonstrated experience in projects of a similar nature. In evaluating Proposals submitted pursuant to this RFP, the Selection Committee places high value on the following factors, not necessarily in order of importance:

(1) Approach in methodology with respect to the scope of services that demonstrates maximum comprehensive of and ability to provide such services.

(2) Experience of the Proposer team.

(3) Quality of work product as demonstrated in submitted work samples of past projects.

(4) Conformity with or exceeding applicable City goals or objectives noted below and herein:

(A) A water feature, such as a water park, in the hotel;

(B) Creative use of space;

- (C) Outdoor amenities;
- (D) Youth/family interactive amenities;
- (E) Destination museum/shopping;
- (F) Walkable design and connectivity;
- (G) Maximization of commercial development along 32nd Avenue West corridor;
- (H) Parking in excess of that required by City ordinance;
- (I) Public art;
- (J) A dense mix of housing options, including upscale housing units;
- (K) Conformity with the “Principles of Good Planning and Design” and other relevant community goals set forth in the City’s Comprehensive Plan, West Fargo 2.0; and
- (L) If the Proposer is including a proposal for operations and maintenance in its Proposal, the ability to work with the manager of the Lights to integrate the operation of the public spaces in the Lights with the Project.
- (5) Viability of financial proposal.

(b) Scoring of Base Scope of Work. Proposals will be evaluated on a 100-point scale, broken down as follows:

- (1) Proposer experience and qualifications to undertake the scope of work [20 points]
- (2) Project design and suitability for the Property [25 points]
- (3) Project schedule [25 points]
- (4) Financial proposal [30 points]

Following the review of the Proposal submission, the Selection Committee will assign point values to each of the above-listed scoring criteria. If a Proposer is selected for an interview, following the interview, the Selection Committee will meet and confer to increase, decrease, or leave unmodified the previously assigned score in each scoring criteria.

(c) Scoping of Additional Option of Work. Proposals for the operation, marketing, and maintenance of the Project will be evaluated on a 100-point scale, broken down as follows:

- (1) Proposer experience and qualifications to undertake the scope of work [25 points]
- (2) Project operation, marketing, and maintenance proposal [40 points]
- (3) Financial proposal [35 points]

Following the review of the Proposal submission, the Selection Committee will assign point values to each of the above-listed scoring criteria. If a Proposer is selected for an interview, following the interview, the Selection Committee will meet and confer to increase, decrease, or leave unmodified the previously assigned score in each scoring criteria.

Section 5.03 OTHER EVALUATION CONSIDERATIONS.

The City, in its sole discretion, may waive mistakes, clerical errors, and minor irregularities, omissions, nonconformities, or discrepancies unrelated to the material content of a Proposal and may offer a Proposer the opportunity to clarify its Proposal or request revisions to all Proposals.

Section 5.04 REQUESTS FOR CLARIFICATION.

The City may, at any time during evaluation of the Proposals, issue one (1) or more requests for clarification to one (1) or more Proposers seeking additional information or clarification from a Proposer and may request a Proposer to verify or certify certain aspects of its Proposal. Proposers shall respond to any such request by such time as is specified by the City in its request. The scope, length, and topics to which the City may make a request are entirely within the discretion of the City. Upon receipt of any requested additional information or clarification from a Proposer, such information will become part of the Proposer's Proposal and the Proposal may be re-evaluated by the City to consider the additional information or clarification.

ARTICLE VI. PROTEST PROCESS

Section 6.01 PROTEST OF INELIGIBILITY.

If a Proposer's Proposal is deemed ineligible for consideration, the City will issue a notice to the Proposer explaining the reason for removing it from consideration. Within five (5) calendar days of the City's issuance of a notice of ineligibility, any Proposer that has submitted a Proposal and believes that the City has incorrectly determined that its Proposal is ineligible may submit a written notice of protest. The protest must be received by the City on or before the fifth (5th) business day following the City's issuance of the notice of ineligibility.

The notice of protest must include a written statement specifying in detail each and every ground asserted for the protest. The protest must be signed by an individual authorized to represent the Proposer and must cite the law, rule, procedure, or RFP provision on which the protest is based. In addition, the Proposer must specify facts and evidence sufficient for the City to determine the validity of the protest.

Section 6.02 PROTEST OF DEVELOPER SELECTION.

Within five (5) business days of the City's selection of the Developer, any Proposer that has submitted an eligible Proposal and believes that the City has incorrectly selected another Proposer for award may submit a written notice of protest. The notice of protest must be received by the City on or before the fifth (5th) business day after the City's selection of the Developer.

The notice of protest must include a written statement specifying in detail each and every ground asserted for the protest. The protest must be signed by an individual authorized to represent the Proposer and must cite the law, rule, procedure, or RFP provision on which the protest is based. In addition, the Proposer must specify facts and evidence sufficient for the City to determine the validity of the protest.

Section 6.03 DELIVERY OF PROTESTS.

All protests must be received by 4:30 PM Central Time on the due date. The City highly recommends submitting the protest via email to dustin.scott@westfargond.gov. If a protest is mailed in hard copy, the protestor bears the risks of non-delivery within the deadline specified herein. Protests should be transmitted by a means that will objectively establish the date the City received the protest. Protests or notice of protests made orally (e.g., by telephone) or fax will not be considered. Letters transmitted electronically must be sent in PDF format and be signed by an individual authorized to negotiate or sign agreements on behalf of the protesting organization.

Protests must be addressed to:

Dustin Scott, PE
Assistant City Administrator
800 Fourth Ave. E., Ste. 1
West Fargo, ND 58078

Following the City's receipt of a timely protest, the City may decide to schedule a meeting to review and attempt to resolve the protest. The meeting will be scheduled within ten (10) calendar days of the receipt of the protest. If the City determines a meeting is not necessary to address the protest, the Proposer can anticipate a written response from the City within ten (10) calendar days of submission of the letter of protest. The City's decision may be appealed in accordance with N.D.C.C. ch. 28-34.

ARTICLE VII. GENERAL PROVISIONS

Section 7.01 COSTS NOT REIMBURSABLE.

The cost of preparing a Proposal, and any and all other costs incurred by a Proposer at any time during the RFP process, shall be borne by the Proposer.

Section 7.02 RESERVED RIGHTS.

The issuance of this RFP and the submission of a response by a Proposer or the acceptance of such a response by the City does not obligate the City in any manner. The City reserves the right to:

- (a) Amend, modify, or withdraw this RFP;
- (b) Revise any requirement of this RFP;
- (c) Require supplemental statements or information from any responsible party;
- (d) Accept or reject any or all responses thereto;
- (e) Extend the deadline for submission of responses hereto;
- (f) Negotiate potential contract items with any Proposer;
- (g) Communicate with any Proposer to correct and/or clarify responses which do not conform to the instructions contained herein;
- (h) Investigate the qualifications and Proposal of any Proposer under consideration, require confirmation of information furnished by a Proposer, and require additional evidence of the Developer's qualifications to perform its obligations under the Project Agreement;
- (i) Cancel or reissue, in whole or in part, this RFP if the City determines in its sole discretion that it is in its best interest to do so; and
- (j) Extend the term of any agreement on terms consistent with this RFP.

The City may exercise the foregoing rights at any time without notice and without liability to any responding firm or any other party for its expenses incurred in preparation of responses hereto or otherwise.

Section 7.03 PERFORMANCE.

The Developer's performance will be assessed by the City according to the achievement of the Developer's contractual obligations in a timely and professional manner, as set forth in the resulting Project Agreement. The Developer will utilize progress reports and periodic meetings to ensure that the Project is carried out on a timely basis and results in effective recommendations and work products.

The Developer warrants that its services will be performed in accordance with applicable professional standards and that the Developer shall correct, at no charge to the City, services which fail to meet applicable professional standards and which result in obvious or patent errors in the progression of its work.

Section 7.04 NO IMPROPER INFLUENCE.

Proposers are expected to conduct themselves with professional integrity and to refrain from all lobbying activities related to the Project or the RFP. Any substantiated allegation that a Proposer or any employee, member, agent, consultant, advisor, representative, promoter, or advocate of the Proposer has engaged in prohibited communications or attempted to influence the selection process may be cause for the City to disqualify the Proposer, or to disqualify the Proposer employee, member, agent, consultant, advisor, representative, promoter, or advocate, from participating with the Proposer, in each case, in the absolute discretion of the City.

(Remainder of page intentionally left blank.)

Exhibit A
Joint Powers Agreement

[See the following pages.]

Exhibit B

Site Location Map

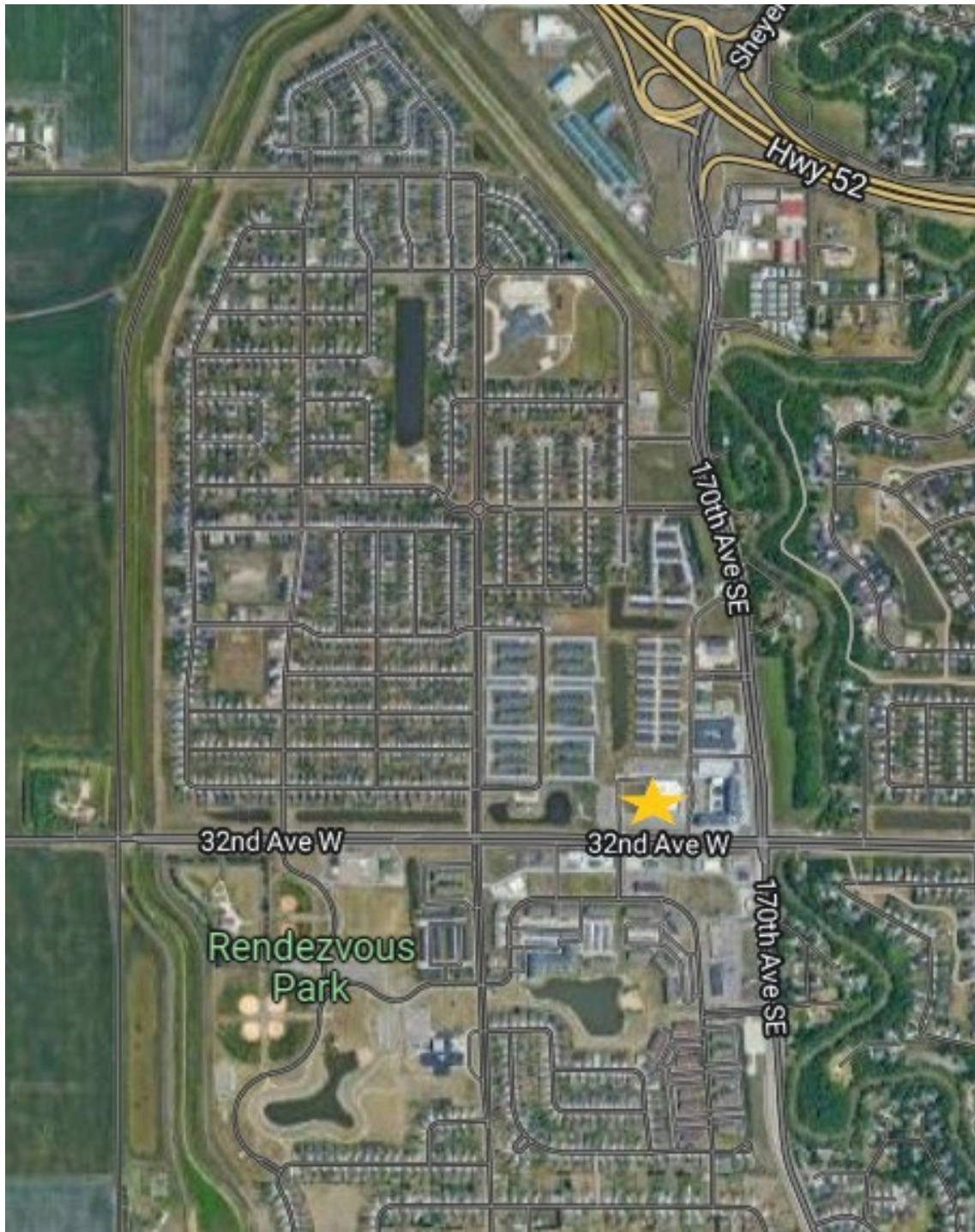


Exhibit C

Map of Property to be Transferred

(exact boundary will be determined based on agreed project plans)

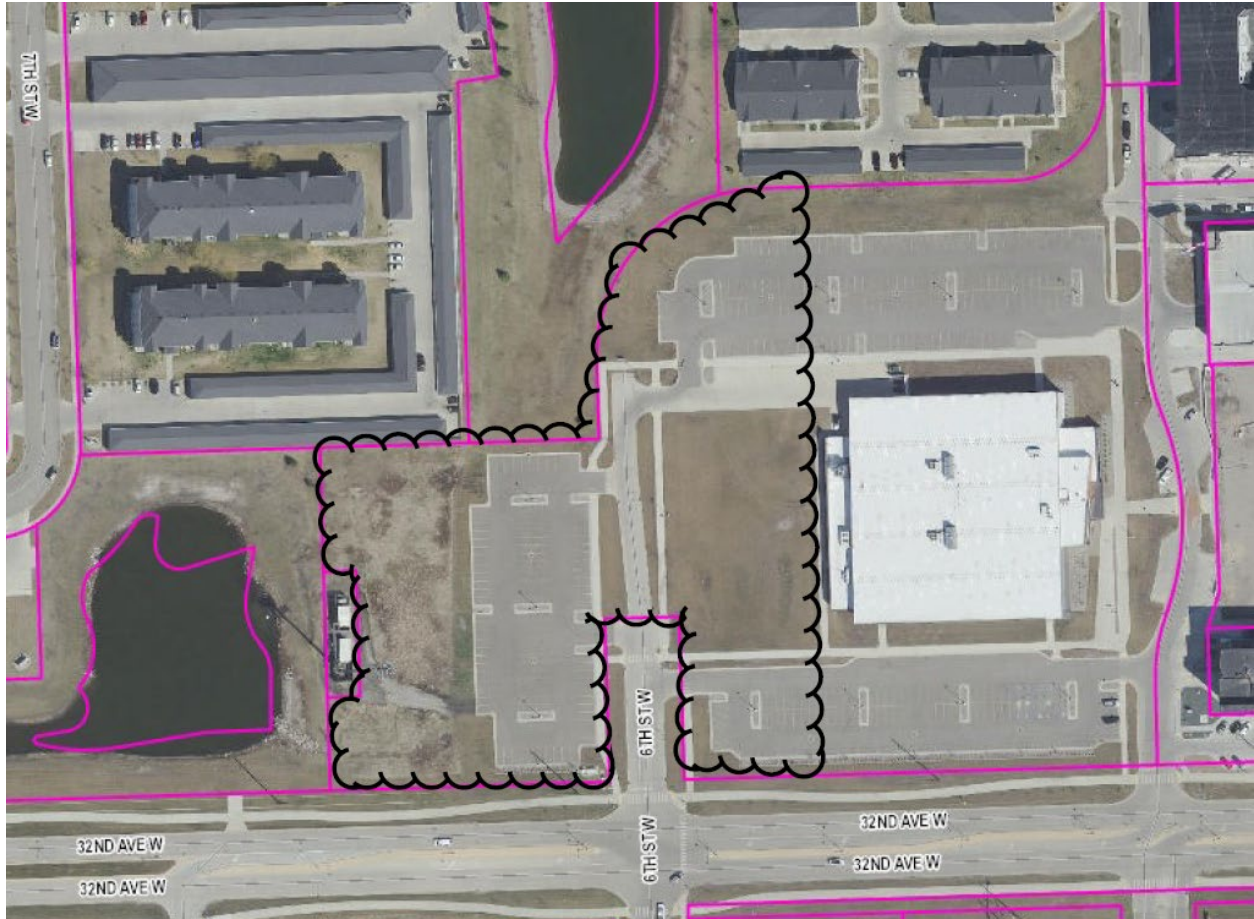


Exhibit D

Larger Parcel and West Fargo Sports Arena

Legal Description:

Lot 1, Block 2, Eagle Run Plaza 5th Addition to the City of West Fargo, Cass County, North Dakota

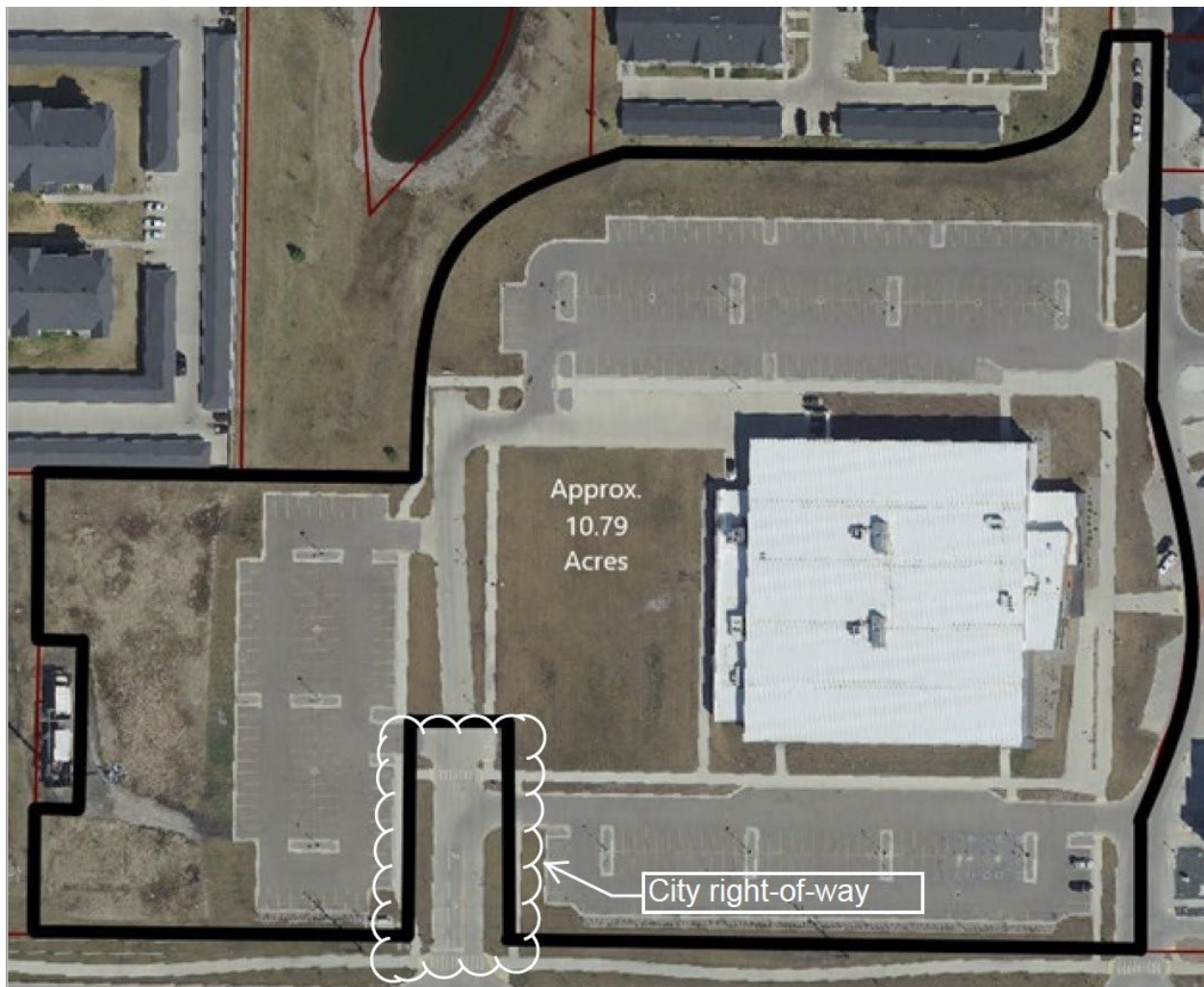






Exhibit E

The Lights and Northern Lights Developments





Exhibit F

City Retention Ponds

Legal Descriptions:

Lots 5 and 6, Block 2, Eagle Run 12th Addition to the City of West Fargo, Cass County, North Dakota

and

Lots 1, 2, and 3, Block 1, Lake Crest Addition, City of West Fargo, Cass County, North Dakota

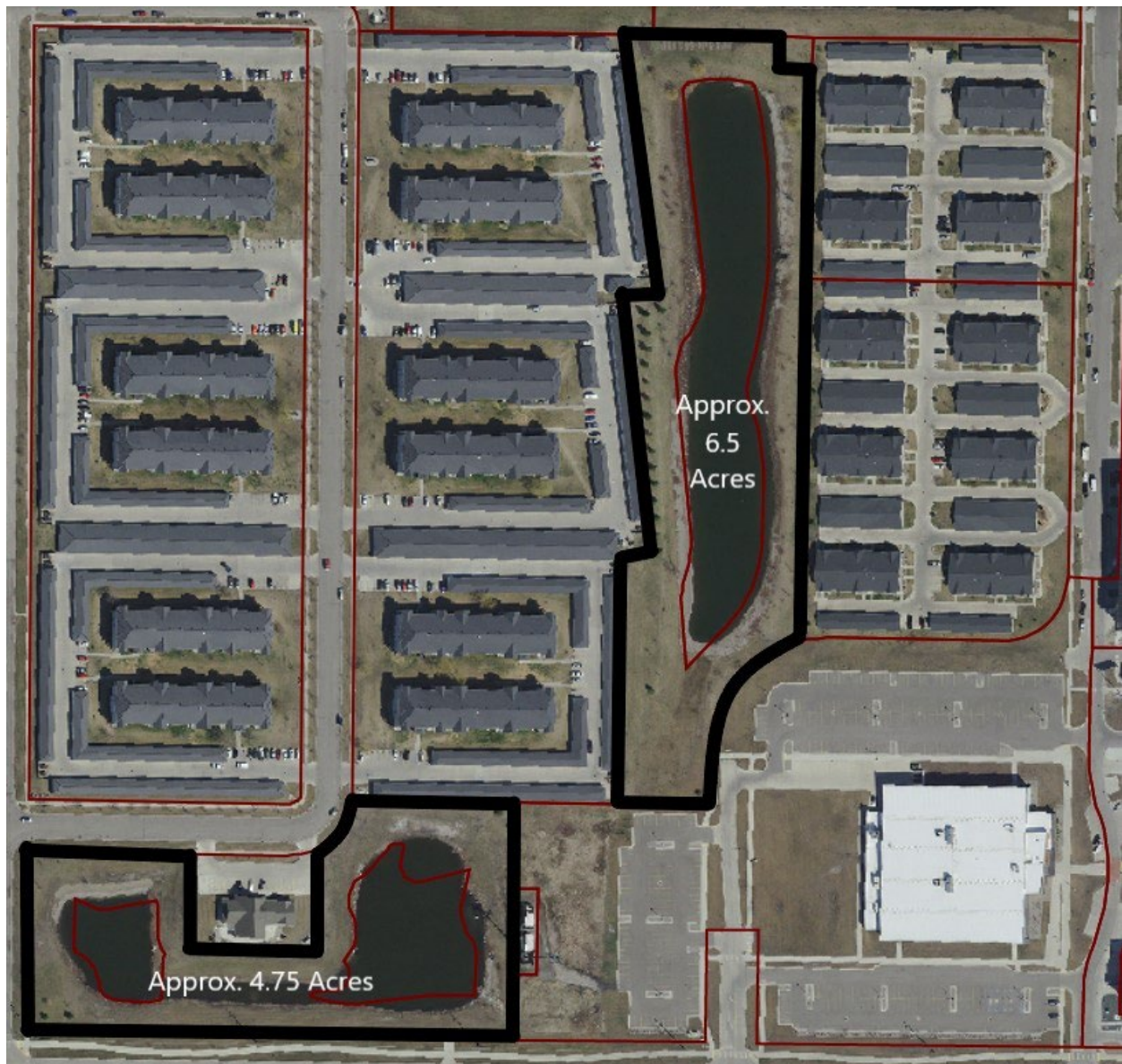


Exhibit G

City Parking Requirements

1. Assembly or Exhibition Hall, Sports Arenas, Theaters, and Auditoriums: one (1) space per five (5) seats based on maximum capacity
2. Hotel: one (1) space per room or suite, plus fifty percent (50%) of the spaces otherwise required for accessory uses (e.g., restaurants and bars)
3. Multi-family Units: one (1) space per efficiency unit and two (2) spaces per dwelling unit for one (1) or more bedroom units for the floor area divided by four hundred forty (440), whichever is greater
4. Eating and Drinking Establishments: one (1) space per four (4) patron seats or one (1) space per one hundred (100) square feet of gross floor area, whichever is greater, plus one (1) space per employee on the largest shift
5. Taverns, Dance Halls, Nights Clubs, and Lounges: one (1) space per fifty (50) square feet of gross floor area
6. Fast Food Establishments:
 - A. With seating: one (1) space per three (3) patron seats, plus one (1) space per employee on the largest shift
 - B. Without seating: one (1) space per two hundred (200) square feet of gross floor area, plus one (1) space per employee on the largest shift
7. Banks: one (1) space per two hundred (200) square feet of gross floor area
8. Commercial and Entertainment Uses (unless otherwise specified in Ordinance Section 4-451): one (1) space per two hundred fifty (250) square feet of gross floor area of customer sales and services, plus one (1) space per two hundred fifty (250) square feet of storage and/or office gross floor area



To: West Fargo City Commission

From: Casey Sanders-Berglund, Economic Development Manager

Date: March 6, 2023

Subject: Economic Development Advisory Committee positions

Action: Approve two nominees for open EDAC positions

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Sanitation

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Administration/Finance

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

City Administrator

Tina Fisk

Summary:

The Economic Development Advisory Committee recently added three positions to the voting members. Two individuals have been nominated and expressed interest in participating and supporting the work of this committee.

Positions and Nominations:

- Jeff Volk has been nominated and if approved would take the position representing the industry sector of Construction/ Engineering.
- Nicholas Killoran has been nominated and if approved would take the position representing the industry sector of Small Business Owner.
- A third position remains open (Member at Large).

Recommendation:

The Economic Development Manager recommends approval of the two proposed nominations to join the Economic Development Advisory Committee to continue foster the overall work and support this committee provides.



To: West Fargo City Commission

From: Dustin Roberts, Director of Information Technology

Date: February 21, 2023

Subject: Infrastructure Remediation

Action: Approval of requested funds for remediation

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Administration/Finance

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

Administration

Tina Fisk, Administrator

Dustin Scott, Assistant
City Administrator

Summary and Recommendation:

After a thorough review of current City of West Fargo technology infrastructure, additional funding is requested to remediate security and operational concerns that have been identified.

Policy Analysis:

We have determined that the majority of the network and server infrastructure is end of life. In addition to the increased risk of unexpected failure, equipment that is no longer supported by the manufacturer does not receive necessary security updates which are required to maintain our compliance with CJIS standards.

Additionally, operational and administrative functionality has been thoroughly reviewed in an effort to increase efficiencies and reduce the amount of manual administration required.

Financial Analysis:

The Cost of the recommended solution \$674,450, with an expected lifespan of 5 years. At year 5 an evaluation will be made to determine if additional maintenance should be purchased, or if new equipment is required.

Process	Action
First Reading	
Second Reading	
Approval	

Item	Description	Quantity	each	total
AP	Wifi Access Points	1	17232	17232
Edge Switches	Switches for end user devices	1	175344	175344
Core Switches	Switches for server/fiber/uplinks	1	89532	89532
SAN	Shared storage, City hall and Public Works	1	231170	231170
IX systems	Backup Storage	1	14120	14120
vm Hosts	vmware hosts, run server workloads	1	40434	40434
clearpass	Security & policy enforcement tool	1	35782	35782
Aruba Central	Centralized Management	1	36426	36426
sub				640040
labor	implementation labor for network	1	34410	34410
				674450
whats in budget	pieces included in 2023 budget			50000
shortfall				624450

Prepared for:

City of West Fargo

Attn: Dustin Roberts
800 4th Avenue E
West Fargo, ND 58078

Prepared by:

High Point Networks, LLC

Kyle Bishop
Direct: 701-499-5234
kyle@highpointnetworks.com



Switches

Qty	Item	Description	Price	Ext. Price
4	7520-48Y-8C-AC-F	Extreme 7520-48Y Switch with-Front Airflow; Ships with Two AC Power Supplies Six Fans One 4-Post Rack Mount Kit; Supports 48x25/10/1G and 8x100/40G Ports	\$11,898.00	\$47,592.00
4	97004-7520-48Y-8C-AC-F	EW NBD AHR 7520-48Y-8C-AC-F [Term: 5 year]	\$5,371.00	\$21,484.00
8	10061	Pwr Cord10ANEMA 5-15PIEC320-C13	\$7.00	\$56.00
8	100G-DACP-QSFP1M	100G Passive DAC QSFP28 1m MSA P/N EQPC1HPC010C0100.	\$147.00	\$1,176.00
30	5420F-48P-4XE	ExtremeSwitching 5420F 48 10/100/1000BASET FDX/HDX PoE+ 2 stacking/SFP-DD 4 10G unpopulated SFP+ MACsec capable internal fixed PSU fans 1 unpopulated modular PSU slots. Includes 1 year XIQ Pilot cloud subscription.	\$3,705.00	\$111,150.00
30	97004-5420F-48P-4XE	EW NBD AHR 5420F-48P-4XE - Term: 5 Years	\$1,462.00	\$43,860.00
30	10099	Power Cord 15A USA NEMA 5-15 IEC320-C15	\$14.00	\$420.00

Subtotal: \$225,738.00

Access Points

Qty	Item	Description	Price	Ext. Price
35	AP4000-1-WW	Indoor Tri Radio Wi-Fi 6E AP 2.4 GHz 5 GHz 6 GHz & Multirate Port. Integrated Light Power Sensors AI/ML Green Mode INT Antennas T-Bar Incl Mt (AH-ACC-BKT-AX-TB) Domain: World SKU	\$414.00	\$14,490.00
35	97000-AP4000-1-WW	ExtremeWorks Software & TAC - AP4000-WW COTERM: This Term: 1825 Days	\$79.00	\$2,765.00

Subtotal: \$17,255.00

BUDGETARY - Extreme Fabric

XIQ Pilot License

Qty	Item	Description	Price	Ext. Price
34	XIQ-PIL-S-C-EW-DELAY	XIQ Pilot SaaS EW SaaS Support 1 Year Delay This Term: 1460 Days XIQ Licenses for Switches	\$228.00	\$7,752.00
40	XIQ-PIL-S-C-EW	Aerohive - XIQ Pilot SaaS EW SaaS Support - ExtremeCloud IQ Pilot SaaS Subscription and EW SaaS Support for One -1 Device (1 Year) COTERM: This Term: 1825 Days XIQ Licenses for AP's and NAC	\$285.00	\$11,400.00

Subtotal: \$19,152.00

NAC

Qty	Item	Description	Price	Ext. Price
3	XIQ-NAC-S-1K-EW	ExtremeNAC SW Subscription for 1000 End-Systems for 5 Years ExtremeWorks	\$6,650.00	\$19,950.00

Subtotal: \$19,950.00

New Fire Hall

*** Optional**

Qty	Item	Description	Price	Ext. Price
5	5420F-48P-4XE	ExtremeSwitching 5420F 48 10/100/1000BASET FDX/HDX PoE+ 2 stacking/SFP-DD 4 10G unpopulated SFP+ MACsec capable internal fixed PSU fans 1 unpopulated modular PSU slots. Includes 1 year XIQ Pilot cloud subscription.	\$3,705.00	\$18,525.00
5	97004-5420F-48P-4XE	EW NBD AHR 5420F-48P-4XE - Term: 5 Years	\$1,462.00	\$7,310.00
5	10099	Power Cord 15A USA NEMA 5-15 IEC320-C15	\$14.00	\$70.00
27	AP4000-1-WW	Indoor Tri Radio Wi-Fi 6E AP 2.4 GHz 5 GHz 6 GHz & Multirate Port. Integrated Light Power Sensors AI/ML Green Mode INT Antennas T-Bar Incl Mt (AH-ACC-BKT-AX-TB) Domain: World SKU	\$414.00	\$11,178.00
27	97000-AP4000-1-WW	ExtremeWorks Software & TAC - AP4000-WW COTERM: This Term: 1825 Days	\$79.00	\$2,133.00
5	XIQ-PIL-S-C-EW-DELAY	XIQ Pilot SaaS EW SaaS Support 1 Year Delay This Term: 1460 Days XIQ Licenses for Switches	\$228.00	\$1,140.00
27	XIQ-PIL-S-C-EW	Aerohive - XIQ Pilot SaaS EW SaaS Support - ExtremeCloud IQ Pilot SaaS Subscription and EW SaaS Support for One -1 Device (1 Year) COTERM: This Term: 1825 Days XIQ Licenses for AP's and NAC	\$285.00	\$7,695.00

New Fire Hall

* Optional

Qty	Item	Description	Price	Ext. Price
* Optional Subtotal:				\$48,051.00

HPN Service Bundle

Qty	Item	Description	Price	Ext. Price
1	PROSERVE-PKG	High Point Networks Professional Services defined in the pdf online or above in this document	\$34,410.00	\$34,410.00
Subtotal:				\$34,410.00

Quote Summary

Description	Amount
Switches	\$225,738.00
Access Points	\$17,255.00
XIQ Pilot License	\$19,152.00
NAC	\$19,950.00
HPN Service Bundle	\$34,410.00
Total:	\$316,505.00

*Optional Expenses

Description	One-Time
New Fire Hall	\$48,051.00
Optional Subtotal:	\$48,051.00

For questions related to your quotation, please contact us using the information above. By signing below, the undersigned accepts High Point Networks Master Service Agreement and represents that he or she is authorized to execute the agreement on behalf of the customer. Acceptance of the quote online is considered acceptance of an offer and binding. All quotes are subject to shipping costs that may not be listed on the quote. Prices quoted are valid for 30 days from Quotation Date. Limitation of Liability for Consequential Damages. High Point Networks, LLC shall not be liable for any indirect, incidental, consequential, exemplary, or punitive damages of any kind or nature. Orders will be invoiced when shipped. Orders may be partial invoiced as items ship and thus there may be multiple invoices per order. "Projects" will be invoiced in the same method. Professional services may be progress billed over the term of the project. All licensing and subscription orders will be invoiced immediately upon customer approval. Payment for all orders are due in 30 days subject to credit approval. Credit card usage as a form of payment may be accepted on pre-approval basis and may be subject to a convenience fee. "Optional" items on the above quote are not included in the total pricing at the bottom of the quote. This offer to sell the listed products is subject to product availability and High Point Networks standard terms and condition and prices are subject to change without notice. Please consult your Account Representative prior to placing an order for timely, updated pricing. High Point Networks reserves the right to adjust pricing based on any error or omission.

Note: Once product is ordered and shipped there is NO right of return and may be subject to a restocking fee. Product cannot be returned if ordered in error. Product cannot be returned if next generation product has been released.

listed on the quote. Prices quoted are valid for 30 days from Quotation Date. Limitation of Liability for Consequential Damages. High Point Networks, LLC shall not be liable for any indirect, incidental, consequential, exemplary, or punitive damages of any kind or nature. All product will be invoiced once confirmation of shipment is received. All licensing and subscription orders will be invoiced immediately upon customer approval. Payment for all other orders are due in 30 days subject to credit approval. Credit card usage as a form of payment may be accepted on pre-approval basis and may be subject to a convenience fee. "Optional" items on the above quote are not included in the total pricing at the bottom of the quote. This offer to sell the listed products is subject to product availability and High Point Networks standard terms and condition and prices are subject to change without notice. Please consult your Account Representative prior to placing an order for timely, updated pricing. High Point Networks reserves the right to adjust pricing based on any error or omission.

Note: Once product is ordered and shipped there is NO right of return and may be subject to a restocking fee. Product cannot be returned if ordered in error. Product cannot be returned if next generation product has been released.

Signature

Date



Proposal Summary

Completion Date: TBD

P.O.C(s): Dustin Roberts

Site Address: West Fargo, ND

Project Brief: Upgrade server and storage hardware at City Hall and Public works with an HPe DHCi solution.

2 x HPE DHCi Systems

4 - HPE DL380 Gen10 Plus

- Dual Intel Xeon-Gold 6326 2.9GHz 16-core Processors
- 1TB of memory
- OS Boot Device - VMware install
- 4 - 10GB SFP+ interfaces (2 on PCI 2 onboard)
- Dual Power Supplies
- ILO Advanced
- Dual Power Supplies
- 5 Yr Tech Care Essentials

2 - Alletra 6030

- 46TB (12x3.84TB) NVMe Flash
- 4 x 10GB SFP+ per controller (x2)
- 5 Yr Tech Care Essentials

Scope of Work:

HPN Responsibilities:

- Rack/Cable DHCi systems
- Install new DHCi (New Vcenter)
- Configure any additional VMware settings following install
- Migrate VM's to new cluster
- Setup DHCi in DR
- Configure any additional VMware settings following install
- Setup Witness server for replication
- Configure datastores for synchronous replication
- Professional project management

Client Responsibilities:

- Provide all applicable Windows licensing
- Provide adequate rack space for equipment (8U per site), network, and power (220v on UPS for Alletra's)
- Allow access to datacenters for onsite installation
- Provide remote access for all remote work - typically we use BeyondTrust for this (formerly Bomgar)
- Work with HPN Project Manager on scheduling all resources

Exclusions:

- Anything not mentioned in the above scope of work

Change Control:

- In the event that it becomes necessary to alter the scope of work, High Point Networks will initiate contact with the company's point of contact to work out the details associated with impacts to schedules, deliverables, and/or financial commitments. No changes to the scope of work will occur without prior written authorization.

All product will be invoiced once confirmation of shipment is received.

Prepared for:

City of West Fargo

Attn: Dustin Roberts
800 4th Avenue E
West Fargo, ND 58078

Prepared by:

High Point Networks, LLC

Kyle Bishop
Direct: 701-499-5234
kyle@highpointnetworks.com



City Hall

Qty	Item	Description	Price	Ext. Price
1	P05172-B21	Qty 2: HPE DL380 Server	\$54,337.00	\$54,337.00
1	R7L27A	Qty 1: HPE Alletra 6030 NVME Storage	\$108,458.00	\$108,458.00

Subtotal: \$162,795.00

Public Works

Qty	Item	Description	Price	Ext. Price
1	P05172-B21	Qty 2: HPE DL380 Server	\$54,337.00	\$54,337.00
1	R7L27A	Qty 1: HPE Alletra 6030 NVME Storage	\$108,458.00	\$108,458.00

Total List Price for Complete DHCi Solution: \$1,127,710.00

Subtotal: \$162,795.00

VMware

Qty	Item	Description	Price	Ext. Price
8	VS8-EPL-C-T1	VMWare CPP T1 VSPH 8 ENT+ 1 PROC LICS	\$3,753.00	\$30,024.00
8	VS8-EPL-P-SSS-C	PROD SNS VSPH 8 ENT+ 1 PROC 1Y LICS	\$988.00	\$7,904.00
1	VCS8-STD-C-T1	VMWare CPP T1 VCTR SERVER 8 STD VSPH 8LICS	\$5,866.00	\$5,866.00
1	VCS8-STD-P-SSS-C	PROD SNS VCTR SERVER 8 STD VSPHLICS 8 1Y	\$1,544.00	\$1,544.00

Subtotal: \$45,338.00

HPN Service Bundle

Qty	Item	Description	Price	Ext. Price
1	PROSERVE-PKG	High Point Networks Professional Services defined in the pdf online or above in this document	\$16,050.00	\$16,050.00
			Subtotal:	\$16,050.00

Quote Summary

Description	Amount
City Hall	\$162,795.00
Public Works	\$162,795.00
VMware	\$45,338.00
HPN Service Bundle	\$16,050.00
Total:	\$386,978.00

For questions related to your quotation, please contact us using the information above. By signing below, the undersigned accepts High Point Networks Master Service Agreement and represents that he or she is authorized to execute the agreement on behalf of the customer. Acceptance of the quote online is considered acceptance of an offer and binding. All quotes are subject to shipping costs that may not be listed on the quote. Prices quoted are valid for 30 days from Quotation Date. Limitation of Liability for Consequential Damages. High Point Networks, LLC shall not be liable for any indirect, incidental, consequential, exemplary, or punitive damages of any kind or nature. Orders will be invoiced when shipped. Orders may be partial invoiced as items ship and thus there may be multiple invoices per order. "Projects" will be invoiced in the same method. Professional services may be progress billed over the term of the project. All licensing and subscription orders will be invoiced immediately upon customer approval. Payment for all orders are due in 30 days subject to credit approval. Credit card usage as a form of payment may be accepted on pre-approval basis and may be subject to a convenience fee. "Optional" items on the above quote are not included in the total pricing at the bottom of the quote. This offer to sell the listed products is subject to product availability and High Point Networks standard terms and condition and prices are subject to change without notice. Please consult your Account Representative prior to placing an order for timely, updated pricing. High Point Networks reserves the right to adjust pricing based on any error or omission.

Note: Once product is ordered and shipped there is NO right of return and may be subject to a restocking fee. Orders can be subject to extreme product delays. Product cannot be returned if ordered in error. Product cannot be returned if next generation product has been released.

Signature

Date

Prepared for:

City of West Fargo

Attn: Dustin Roberts
800 4th Avenue E
West Fargo, ND 58078

Prepared by:

High Point Networks, LLC

Kyle Bishop
Direct: 701-499-5234
kyle@highpointnetworks.com



Switches

Qty	Item	Description	Price	Ext. Price
4	JL479A	Aruba 8320 48 10/6 40 X472 5 2 Bundle	\$13,990.00	\$55,960.00
4	H8XP1E	Aruba 5Y FC NBD Exch 8320 SVC [for JL479A]	\$8,183.00	\$32,732.00
4	JH234A	HPE X242 40G QSFP+ to QSFP+ 1m DAC Cable	\$210.00	\$840.00
30	JL728A	Aruba 6200F 48G Class4 PoE 4SFP+ 740W Switch	\$3,928.00	\$117,840.00
30	HL2P6E	Aruba 5Y FC NBD Exch 6200F 48G 740POE SVC [for JL728A]	\$1,883.00	\$56,490.00
13	J9281D	Aruba 10G SFP+ to SFP+ 1m DAC Cable	\$60.00	\$780.00
3	J9283D	Aruba 10G SFP+ to SFP+ 3m DAC Cable	\$78.00	\$234.00

Subtotal: \$264,876.00

AP-505

*** Optional**

Qty	Item	Description	Price	Ext. Price
35	R2H29A	Aruba AP-505 (US) Unified AP	\$378.00	\$13,230.00
3	Q9G69A	AP-MNT-MP10-B AP mount bracket 10-pack B	\$99.00	\$297.00
5	R3J16A	AP-MNT-B AP mount bracket individual B: suspended ceiling rail, flat 15/16	\$13.00	\$65.00

*** Optional Subtotal:** \$13,592.00

AP-615

Qty	Item	Description	Price	Ext. Price
35	R7J50A	Aruba AP-615 (US) Campus AP	\$482.00	\$16,870.00

AP-615

Qty	Item	Description	Price	Ext. Price
3	Q9G69A	AP-MNT-MP10-B AP mount bracket 10-pack B	\$99.00	\$297.00
5	R3J16A	AP-MNT-B AP mount bracket individual B: suspended ceiling rail, flat 15/16	\$13.00	\$65.00
			Subtotal:	\$17,232.00

Central Licenses

Qty	Item	Description	Price	Ext. Price
35	Q9Y60AAE	Aruba Central AP Foundation 5y Sub E-STU	\$222.00	\$7,770.00
4	R3K05AAE	Aruba Central 8xxx Switch Foundation 5y Sub E-STU	\$2,900.00	\$11,600.00
26	Q9Y75AAE	Aruba Central 62xx/29xx Switch Foundation 5y Sub E-STU	\$656.00	\$17,056.00
			Subtotal:	\$36,426.00

ClearPass

Qty	Item	Description	Price	Ext. Price
1	JZ399AAE	Aruba ClearPass Cx000V VM Appliance E-LTU	\$1,600.00	\$1,600.00
1	H9WX9E	Aruba 5Y FC SW CP Cx000V VMApp E-L SVC [for JZ399AAE]	\$1,327.00	\$1,327.00
1	JZ403AAE	Aruba ClearPass NL AC 2500 CE E-LTU	\$18,000.00	\$18,000.00
1	HA0B6E	Aruba 5Y FC SW CP NLAC 2500 CE E-L SVC [for JZ403AAE]	\$14,855.00	\$14,855.00
			Subtotal:	\$35,782.00

HPN Service Bundle

Qty	Item	Description	Price	Ext. Price
1	PROSERVE-PKG	High Point Networks Professional Services defined in the pdf online or above in this document	\$34,410.00	\$34,410.00
			Subtotal:	\$34,410.00

New Fire Hall

* Optional

Qty	Item	Description	Price	Ext. Price
5	JL728A	Aruba 6200F 48G Class4 PoE 4SFP+ 740W Switch	\$3,928.00	\$19,640.00
5	HL2P6E	Aruba 5Y FC NBD Exch 6200F 48G 740POE SVC [for JL728A]	\$1,883.00	\$9,415.00
4	J9281D	Aruba 10G SFP+ to SFP+ 1m DAC Cable	\$60.00	\$240.00
1	J9283D	Aruba 10G SFP+ to SFP+ 3m DAC Cable	\$78.00	\$78.00
27	R7J50A	Aruba AP-615 (US) Campus AP	\$482.00	\$13,014.00
3	Q9G69A	AP-MNT-MP10-B AP mount bracket 10-pack B	\$99.00	\$297.00
5	Q9Y75AAE	Aruba Central 62xx/29xx Switch Foundation 5y Sub E-STU	\$656.00	\$3,280.00
27	Q9Y60AAE	Aruba Central AP Foundation 5y Sub E-STU	\$222.00	\$5,994.00

* Optional Subtotal: \$51,958.00

Quote Summary

Description	Amount
Switches	\$264,876.00
AP-615	\$17,232.00
Central Licenses	\$36,426.00
ClearPass	\$35,782.00
HPN Service Bundle	\$34,410.00

Total: \$388,726.00

*Optional Expenses

Description	One-Time
AP-505	\$13,592.00
New Fire Hall	\$51,958.00

Optional Subtotal: \$65,550.00

For questions related to your quotation, please contact us using the information above. By signing below, the undersigned accepts High Point Networks Master Service Agreement and represents that he or she is authorized to execute the agreement on behalf of the customer. Acceptance of the quote online is considered acceptance of an offer and binding. All quotes are subject to shipping costs that may not be listed on the quote. Prices quoted are valid for 30 days from Quotation Date. Limitation of Liability for Consequential Damages. High Point Networks, LLC shall not be liable for any indirect, incidental, consequential, exemplary, or punitive damages of any kind or nature. Orders will be invoiced when shipped. Orders may be partial invoiced as items ship and thus there may be multiple invoices per order. "Projects" will be invoiced in the same method. Professional services may be progress billed over the term of the project. All licensing and subscription orders will be invoiced immediately upon customer approval. Payment for all orders are due in 30 days subject to credit approval. If payment is not received within 45 days of the invoice date, we reserve the right to suspend or terminate your service without further notice. Credit card usage as a form of payment may be accepted on pre-approval basis and may be subject to a convenience fee. "Optional" items on the above quote are not included in the total pricing at the bottom of the quote. This offer to sell the listed products is subject to product availability and High Point Networks standard terms and condition and prices are subject to change without notice. Please consult your Account Representative prior to placing an order for timely, updated pricing. High Point Networks reserves the right to adjust pricing based on any error or omission.

Network Refresh - Aruba Option

Note: Once product is ordered and shipped there is NO right of return and may be subject to a restocking fee. Orders can be subject to extreme product delays. Product cannot be returned if ordered in error. Product cannot be returned if next generation product has been released.

Signature

Date



....
www.netcenter.net
701-235-0940

We have prepared a quote for you

Cisco Network 1-19-23

Quote # 047207
Version 2

Prepared for:

City of West Fargo

Dustin Roberts
dustin.roberts@westfargond.gov

Cisco Network 1-19-23

Quote #047207 v2

Prepared For:

City of West Fargo

Dustin Roberts
Accounts Payable
800 4th Avenue East, Ste 1
West Fargo, ND 58078

P: (701) 433-5353

E: dustin.roberts@westfargond.gov

Prepared by:

Network Center Inc.

Matt Helgeson
3487 S University Dr
Fargo, ND 58104

P: 701-235-0940

E: matt.helgeson@netcenter.net

Date Issued:

01.31.2023

Expires:

02.16.2023

Cisco

Description	Price	Qty	Ext. Price
Catalyst 9200 48-port PoE+, Network Essentials	\$2,923.12	25	\$73,078.00
SNTC-8X5XNBD Catalyst 9200 48-port PoE+, Network Esse	\$1,507.87	25	\$37,696.75
C9200 Cisco DNA Essentials, 48-port - 3 Year Term License	\$506.01	25	\$12,650.25
Catalyst 9200 48-port 8xmGig PoE+, Network Essentials	\$3,786.06	5	\$18,930.30
SOLN SUPP 8X5XNBD Catalyst 9200 48-port 8xmGig PoE+, Netwo	\$2,226.71	5	\$11,133.55
SOLN SUPP SW SUBC9200 Cisco DNA Esse	\$181.52	5	\$907.60
C9200 Cisco DNA Essentials, 48-port - 3 Year Term License	\$506.01	5	\$2,530.05
Catalyst 9200 4 x 10G Network Module	\$903.59	1	\$903.59
1M Type 1 Stacking Cable	\$100.98	1	\$100.98
650W AC Config 4 Power Supply front to back cooling	\$895.14	4	\$3,580.56
Catalyst 9500 24x1/10/25G and 4-port 40/100G, Essential	\$8,846.17	1	\$8,846.17
SOLN SUPP 8X5XNBD Catalyst 9500 24-port 25/100G only, Esse	\$5,203.72	1	\$5,203.72
Cisco pluggable SSD storage	\$1,192.74	1	\$1,192.74
SOLN SUPP SW SUBC9500 DNA Essentials	\$142.80	1	\$142.80
DNA Essentials 3 Year License	\$397.58	1	\$397.58
SOLN SUPP SWSS Cisco Catalyst 9800-CL Wireless Controll	\$4,465.51	2	\$8,931.02
C9120AX Internal 802.11ax 4x4:4 MIMO;IOT;BT5;mGig;USB;RHL	\$727.58	32	\$23,282.56
Wireless Cisco DNA On-Prem Essential, 3Y Term Lic	\$89.46	32	\$2,862.72
Cisco ISE Virtual Machine Common PID	\$2,157.83	2	\$4,315.66
SOLN SUPP SWSS Cisco ISE Virtual Machine Common PID	\$3,485.28	2	\$6,970.56

Cisco

Description	Price	Qty	Ext. Price
Cisco Identity Service Engine Essentials Subscription	\$4.62	400	\$1,848.00
10 Training credit. Expires in 1 yr. Team Captain required	\$0.00	6	\$0.00
Subtotal:			\$225,505.16

Meraki

Description	Price	Qty	Ext. Price
Meraki MS350-48FP L3 Stck Cld-Mngd 48x GigE 740W PoE Switch	\$5,028.06	25	\$125,701.50
Meraki MS350-24X L3 Stck Cld-Mngd 24xGigE mGig UPOE Switch	\$3,239.49	5	\$16,197.45
Meraki MS350-48FP Enterprise License and Support, 3YR	\$527.87	25	\$13,196.75
Meraki MS350-24X Enterprise License and Support, 3YR	\$346.78	5	\$1,733.90
650W AC Config 4 Power Supply front to back cooling	\$868.81	4	\$3,475.24
Catalyst 9500 24x1/10/25G and 4-port 40/100G, Essential	\$8,585.90	1	\$8,585.90
SOLN SUPP 8X5XNBD Catalyst 9500 24-port 25/100G only, Esse	\$5,203.72	1	\$5,203.72
Cisco pluggable SSD storage	\$1,157.66	1	\$1,157.66
SOLN SUPP SW SUBC9500 DNA Essentials	\$142.80	1	\$142.80
DNA Essentials 3 Year License	\$385.89	1	\$385.89
Cisco ISE Virtual Machine Common PID	\$2,094.34	2	\$4,188.68
SOLN SUPP SWSS Cisco ISE Virtual Machine Common PID	\$3,485.28	2	\$6,970.56
Cisco Identity Service Engine Essentials Subscription	\$4.62	400	\$1,848.00
Meraki 40GbE QSFP Cable, 1 Meter	\$84.86	1	\$84.86
Meraki MR46 Wi-Fi 6 Indoor AP	\$615.49	32	\$19,695.68
Meraki MR Enterprise License, 3YR	\$115.59	32	\$3,698.88
10 Training credit. Expires in 1 yr. Team Captain required	\$0.00	6	\$0.00
Subtotal:			\$212,267.47

Quote Summary	Amount
Cisco	\$225,505.16
Meraki	\$212,267.47
Total:	\$437,772.63

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors. NCI will invoice for all purchased hardware and software upon delivery to Network Center's offices, or to the end user's location.

Acceptance

Network Center Inc.

City of West Fargo

Matt Helgeson

Signature / Name

01/31/2023

Date

Dustin Roberts

Signature / Name

Initials

Date



....
www.netcenter.net
701-235-0940

We have prepared a quote for you

Lenovo Hosts 1-3-23

Quote # 047007
Version 2

Prepared for:

City of West Fargo

Dustin Roberts
dustin.roberts@westfargond.gov

Lenovo Hosts 1-3-23

Quote #047007 v2

Prepared For:

City of West Fargo

Dustin Roberts
Accounts Payable
800 4th Avenue East, Ste 1
West Fargo, ND 58078

P: (701) 433-5353

E: dustin.roberts@westfargond.gov

Prepared by:

Network Center Inc.

Matt Helgeson
3487 S University Dr
Fargo, ND 58104

P: 701-235-0940

E: matt.helgeson@netcenter.net

Date Issued:

01.11.2023

Expires:

01.31.2023

Lenovo Hosts

Description	Price	Qty	Ext. Price
LENOVO THINKSYSTEM SR650 SYST	\$3,965.56	2	\$7,931.12
LENOVO SILVER 4314 16C 135W 2.4G WORKSCHIP WITH SR650 V2	\$1,298.48	2	\$2,596.96
LENOVO 64GB 3200MHZ 2RX4 1.2V RDIMM ENCL	\$508.92	32	\$16,285.44
LENOVO M.2 SATA/NVME 2-BAY CMOD KIT	\$103.48	2	\$206.96
LENOVO 128GB THINKSYSTEM M.2 SATA SSD INT CV3 6GBPS NON-HOT-SWAP	\$130.26	4	\$521.04
LENOVO 1GBE RJ45 4PORT OCP CPNT	\$135.14	2	\$270.28
LENOVO THINKSYSTEM E810-DA4 10/25GBE ADAP SFP28 4-PORT PCIE ENET ADAPTER	\$956.11	4	\$3,824.44
LENOVO TOPSELLER THINKSYSTEM 2U X16/X8SYST PCIE G4 RISER1/2 OPT KIT V2	\$126.49	4	\$505.96
LENOVO THINKSYSTEM 750W 230/115V V2 CPNT PLATINUM HOT-SWAP POWER SUPPLY	\$216.44	2	\$432.88
LENOVO 2.8M 10A/120V C13 TO NEMA US CABL LINE CORD	\$34.21	4	\$136.84
LENOVO SR650 V2 PERFORMANCE FAN OPTIONFAN KIT	\$76.55	2	\$153.10
LENOVO 2U M.2 CABLE KIT V2 CABL	\$55.78	2	\$111.56
LENOVO PREM 5Y 24X7X4+YDYD SR650 V2 SVCS	\$2,009.02	2	\$4,018.04
Labor - Server/Storage Infrastructure - T&M	\$215.00	16	\$3,440.00
Subtotal:			\$40,434.62

Quote Summary	Amount
Lenovo Hosts	\$40,434.62
Total:	\$40,434.62

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors. NCI will invoice for all purchased hardware and software upon delivery to Network Center's offices, or to the end user's location.

Acceptance

Network Center Inc.

City of West Fargo

Matt Helgeson

Dustin Roberts

Signature / Name

Signature / Name

Initials

01/11/2023

Date

Date



• • • •
www.netcenter.net
701-235-0940

We have prepared a quote for you

Pure Storage 7-26-22

Quote # 045431
Version 3

Prepared for:

City of West Fargo

Dustin Roberts
dustin.roberts@westfargond.gov

Pure Storage 7-26-22

Quote #045431 v3

Prepared For:

City of West Fargo

Dustin Roberts
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800 4th Avenue East, Ste 1
West Fargo, ND 58078
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Prepared by:

Network Center Inc.

Matt Helgeson
3487 S University Dr
Fargo, ND 58104
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E: matt.helgeson@netcenter.net

Date Issued:

01.12.2023

Expires:

01.31.2023

Hardware

Description	Price	Qty	Ext. Price
Production			
Pure Storage FlashArray X20R3-ETH- 45TB-45/0- EMEZZ	\$79,872.44	1	\$79,872.44
Pure Storage FA-X20R3- 45TB 1 Month Evergreen Forever Subscription, NBD Delivery, 24/7 Support	\$1,531.82	36	\$55,145.52
Pure Flash Array Install Service	\$2,028.41	1	\$2,028.41
DR			
Pure Storage FlashExpress bundle including X20 chassis, 45TB DFM data pack & 10 TiBs of Cloud Block Store for 12 months	\$57,895.45	1	\$57,895.45
Pure Storage FAFlashExpressSuite- 45TB-Bundle 1 Month Evergreen Foundation Subscription, NBD Delivery, 24/7 Support	\$950.00	36	\$34,200.00
Pure Flash Array Install Service	\$2,028.41	1	\$2,028.41
Subtotal:			\$231,170.23

Quote Summary	Amount
Hardware	\$231,170.23
Total:	\$231,170.23

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors. NCI will invoice for all purchased hardware and software upon delivery to Network Center's offices, or to the end user's location.

Acceptance

Network Center Inc.

City of West Fargo

Matt Helgeson

Signature / Name

01/12/2023

Date

Dustin Roberts

Signature / Name

Initials

Date



To: West Fargo City Commission
From: Fire Chief Dan Fuller
Date: March 6th, 2023
Subject: FEMA SAFER Grant Application
Action: Informational Presentation

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Administration/Finance

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

Administration

Tina Fisk, Administrator

Dustin Scott, Assistant
City Administrator

Summary and Recommendation:

The 2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant application period is open now and closes March 17th, 2023. The grant is funded to \$360,000,000 for the application year, the award period begins in June through October 2023, and the projected performance period is through 2027. There is no cost share or match for the grant.

The department retained a grant writer last year in preparation to be successful in this year's round of awards. The purpose of the grant is to provide funding directly to fire departments to help increase or maintain the number of trained, "front line" firefighters available in their communities. The goal is to enhance local fire departments abilities to comply with National Fire Protection Association code and standards.

Specifically, the West Fargo Fire Department will be applying the NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. Applying this standard means 4 firefighters per apparatus, 17 firefighters on scene for single family dwelling fires, within 5:20 for the first arriving company and 8:00 for the balance of the alarm (effective response force) with staffing levels increasing as emergencies become more complex.

Policy Analysis:

By meeting the goals contained in NFPA 1710, the department will be in the best possible position to save lives and property in the city, as well as increase the quality of life of the residents and visitors of the city. Today, staffing levels and response times are not meeting goals and the department does have a Standards of Cover, and a Strategic Plan that contains Long-Range Staffing and Long-Range Facility Plans to help close the gap and manage growth in the city into the future. However, these plans are limited by funding, with the

goal to maintain department budget numbers inline with regional cost comparisons for fire and emergency services.

Financial Analysis:

Being awarded the 2022 SAFER Grant will result in \$4,088,572 in federal grant dollars for the fire department to pay for 15 additional firefighters to be hired by the end of 2024. The city would assume the cost of the employees hired on the grant beginning in 2028.

Process/Timeline:

Application period closes March 17th, 2023

Award period between June and October 2023

Hiring period before end of year 2023

Two academy classes during 2024

Performance period ends 2027

Budget pickups employee costs 2028



KEY REQUIREMENTS FOR EMERGENCY SERVICES IN NFPA 1710

The minimum requirements for provision of emergency services by career fire departments can be found in NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*.

NFPA 1710 addresses the structure and operation of organizations providing such services, which include fire suppression and other assigned emergency response responsibilities such as EMS and special operations.

The requirements intend to provide effective, efficient, and safe protective services to help prevent fires, reduce risk to lives and property, deal with incidents that occur, and help prepare for anticipated incidents.

The requirements are listed in NFPA 1710 for fire department service deployment based on the type of occupancy, along with the appropriate response staffing levels for each. The minimum staffing level for each occupancy is listed below. For the full breakdown of staffing requirements by position, refer to the subsections specific to each occupancy in 5.2.4.

KEY REQUIREMENTS



Occupancy Type: Single-Family Dwelling
Deployment: Minimum of 16 members or 17 if aerial device is used

The initial full alarm assignment to a structure fire in a typical 2000 ft² (186 m²), two-story, single-family dwelling without a basement and with no exposures must provide for a minimum of 16 members (17 if an aerial device is used).



Occupancy Type: Garden-Style Apartment
Deployment: Minimum of 27 members or 28 if aerial device is used

The initial full alarm assignment to a structure fire in a typical 1200 ft² (111 m²) apartment within a three-story, garden-style apartment building must provide for a minimum of 27 members (28 if an aerial device is used).



Occupancy Type: Open-Air Strip Mall
Deployment: Minimum of 27 members or 28 if aerial device is used

The initial full alarm assignment to a structure fire in a typical open-air strip shopping center ranging from 13,000 ft² to 196,000 ft² (1203 m² to 18,209 m²) in size must provide for a minimum of 27 members (28 if an aerial device is used).



Occupancy Type: High-Rise
Deployment: Minimum of 42 members or 43 if building is equipped with fire pump

The initial full alarm assignment to a fire in a building with the highest floor greater than 75 ft (23 m) above the lowest level of fire department vehicle access must provide for a minimum of 42 members (43 if the building is equipped with a fire pump).



KEY REQUIREMENTS FOR EMERGENCY SERVICES IN NFPA 1710 *CONTINUED*

ADDITIONAL REQUIREMENTS

Fire departments that respond to fires in occupancies that present hazards greater than those found in 5.2.4 must deploy additional resources on the initial alarm as described in 5.2.4.6.

Even though fireground staffing levels have changed, NFPA 1710 continues to require that engine companies be staffed with a minimum of four on-duty members, as stated in 5.2.3. In addition, 5.2.2.2.1 requires that the fire department identify minimum company staffing levels as necessary to meet the deployment criteria required in 5.2.4 to ensure that a sufficient number of members are assigned, on duty, and available to safely and effectively respond with each company.

Additional changes to the 2020 edition of the standard include an update to the definition for *career fire department* and a clarification of how to determine if the department would fall under either NFPA 1710 or NFPA 1720, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments*.

Several new definitions relating to geographic areas based on population density have been added and the number of responders needed based on the type of incident and tasks to accomplish has been included. New requirements have been added for mobile water supply tankers/tenders and deployment and training of incident safety officers. Also, material on wildland fire suppression has been expanded.

RESPONSE OBJECTIVES

Documenting the benchmarks and response objectives that make up NFPA 1710 is crucial to capturing and tracking data that would be helpful in ensuring the necessary allocation of resources.

Benchmarks	Response Objectives
Alarm answer	15 sec 95% of the time or 40 sec 99% of the time
Alarm processing	64 sec 95% of the time or 106 sec 99% of the time
Turnout - Fire	80 sec
Turnout - EMS	60 sec
First-due engine	240 sec (4 min) 90% of the time
Second-due engine	360 sec (6 min) 90% of the time
Initial full alarm - Low/ medium hazard	480 sec (8 min) 90% of the time
Initial full alarm - High hazard	610 sec (10 min 10 sec) 90% of the time

Learn More

- ▶ Visit nfpa.org/1710 for free digital access to the standard.
- ▶ Sign up on nfpa.org/NFPA-Membership to:
 - Get one-on-one help with your technical questions at nfpa.org/tqs
 - Access exclusive content
 - Search content and connect with your peers to share information and answer questions on NFPA's online community at nfpa.org/xchange



IT'S A BIG WORLD.
LET'S PROTECT IT TOGETHER.®

This material contains some basic information about NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*. It identifies some of the requirements in these documents as of the date of publication. This material is not the official position of any NFPA Technical Committee on any referenced topic which is represented solely by the NFPA documents on such topic in their entirety. For free access to the complete and most current version of all NFPA documents, please go to nfpa.org/docinfo. While every effort has been made to achieve a work of high quality, neither the NFPA nor the contributors to this material guarantee the accuracy or completeness of or assume any liability in connection with this information. Neither the NFPA nor the contributors shall be liable for any personal injury, property, or other damages of any nature whatsoever, whether special, indirect, consequential, or compensatory, directly or indirectly resulting from the publication, use of, or reliance upon this material. Neither the NFPA nor the contributors are attempting to render engineering or other professional services. If such services are required, the assistance of a professional should be sought.

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To: West Fargo City Commission

From: Fire Chief Dan Fuller

Date: Feb 21st, 2023

Subject: Ride Up Pay Policy Approval

Action: Approve the Fire Department Ride Up Pay Policy

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Administration/Finance

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

Administration

Tina Fisk, Administrator

Dustin Scott, Assistant
City Administrator

Summary and Recommendation:

As part of fire department policy, a minimum staffing standard exists, which has been updated to include a Battalion Chief (BC), Captain (Capt.), and three firefighters as the minimum standard. Both the number of staff on shift and the specific positions of Battalion Chief and Captain are included, meaning that five can be on duty, but one has to be filling the Captain position, and one has to be filling the Battalion Chief position. These standards are in place for the safety of our firefighters. If either of the assigned BC or Capt. are on vacation, sick or at a school, the position needs to be staffed.

Currently, the only option available is to assign an off-duty employee of equal rank to the shift at that employee's overtime rate. With this new policy, an additional option would be to have an already assigned employee, who meets the qualifications to "ride up" cover the opening. The latter solution allows for our department to provide opportunity for employees to temporarily assume an increase in responsibility and experience so that our candidates for future positions are as prepared as they can be.

Policy Analysis:

This fire department specific policy has a few requirements which are meant to ensure that qualified personnel are placed into these positions when vacancies occur. Additionally, this policy reduces burnout of assigned employees from working more than 24 consecutive hours to cover overtime, reduces the overtime cost for these openings, and increases the professional development of our employees. This policy is the result of a collaboration with our Command Staff and our operations employees.

Financial Analysis:

When a BC or Capt. opening occurs, if the department were to use the overtime policy exclusively, costs would be roughly \$1,101 for a BC overtime shift and \$874 for a Capt. overtime shift. By "riding up"

an employee who has a lesser rank but meets the qualifications of the policy, the cost is a shift differential pay of \$75.

Process/Timeline:

If approved, direct the Human Resources Director to create the pay code in the Neo-Gov system, and begin paying the Ride Up differential within 30 days.

	Policy and Procedure – West Fargo Fire Department		
	Subject: Ride up for Battalion Chief and Captains		Policy
	Series: Staffing		
	Date Authorized: 6/30/2022	Authorized by: Chief Daniel Fuller	11.017
	Date Reviewed: 1/1/2023		

Intent

To set policy regarding requirements for staffing open Captain and Battalion Chief positions each shift

References

Definitions

Policy

1. On occasion, a Captain or Battalion Chief will be on vacation, take sick leave, or be assigned to an out of area school. When this happens, the position and the responsibility of that position needs to be filled with a qualified employee to maintain crew integrity for the shift.
2. When a Captain opening needs to be filled
 - a. Move up a firefighter from the shift on duty and backfill the firefighter's position with overtime
 - b. If no firefighter can be moved up, due to eligibility requirements, bring in an off-duty Captain, utilizing the overtime policy
 - c. If no off-duty Captain can be found, bring in an off-duty firefighter who meets requirements
3. When a Battalion Chief opening needs to be filled
 - a. Move up a captain from the shift on duty, move up a firefighter to captain, and backfill the firefighter's position with overtime
 - b. If no captain can be moved up, due to eligibility requirements, bring in an off-duty Batt Chief, utilizing the overtime policy
 - c. If no off-duty Batt Chief can be found, bring in an off-duty captain who meets requirements
 - d. If no off-duty captain can be found, bring in a higher rank chief officer to fill the shift
4. Whenever a captain or battalion chief position is open on shift, the following requirements should be met for a firefighter or captain to move into a higher position, although it is understood that occasionally, operational constraints will not allow these requirements to be met
 - a. Met time in grade requirements for the higher rank
 - b. Hold a spot on the current eligibility list for the higher rank

In Station Requirements for Paid on Call	Staffing	11.017
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	Policy and Procedure – West Fargo Fire Department		
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	Date Reviewed: 1/1/2023	Chief Daniel Fuller	

5. Whenever a firefighter moves up to cover a Captain opening, or captain rides up to cover a Battalion Chief opening, the difference in responsibility and job description warrant a pay differential of \$75.00 per 24-hour shift, given the following conditions are met;
 - a. The entire shift of 24 hours is worked – half shifts or quarter shifts are not eligible for the pay differential
 - b. Be assigned by the Deputy Chief of Operations to the position
 - c. The differential does not interfere with the work period pay of 144 hours in 19 days for overtime purposes
 - d. If a firefighter or captain riding up for the shift and is on overtime, the differential still applies

In Station Requirements for Paid on Call	Staffing	11.017
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To: West Fargo City Commission

From: Fire Chief Dan Fuller

Date: March 6th, 2023

Subject: Window Treatment Acceptance Fire HQ

Action: Approve the order for window treatments from CE Contract

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

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Administration

Tina Fisk, Administrator

Dustin Scott, Assistant City Administrator

Summary and Recommendation:

As part of the Furniture, Fixtures, and Equipment (FFE) package for the new Fire Headquarters, is a line item for window treatments. Through our architectural firm, EAPC, we have been reviewing and revising on this package since the first of the year. The result is a contract proposal for \$53,420 to furnish and install 67 window treatments. It is important to note that 30 of these shades are large, motorized shades for areas that are too high to reach or the shades themselves are too heavy to manually operate.

The recommended action is to approve the Fire Chief to accept the contract from CE Contract for \$53,420.

Policy Analysis:

This package was included in the initial bid letting, and one bid was received. However, that bid did not meet the requirements of the process and had to be removed from consideration. We contacted the company and negotiated the contract after the line item was removed from the construction budget and placed in FFE. CE Contracting is the single company that was able to provide the equipment that has been specified in the project.

Financial Analysis:

The budget for the FFE packages is \$640,000 and this portion of the FFE budget was estimated to be \$40,000. The proposed contract is for \$53,420. Within the FFE budget, other efficiencies have been gained that can offset this item.

Process/Timeline:

Approval of the contract during the week of March 6th will ensure delivery and install in time for the opening of the station.

Date: **February 22, 2023**
Submitted to: **EAPC Architect Engineers**
Project: **West Fargo Fire Department Headquarters**

We propose to furnish all materials and perform all the necessary work for the completion of:

Scope & Description: SWF Contract Roller Window Shades

Qty (18) – SWF Contract, manually operated roller shades with aluminum fascia cover, S100 series, 1% openness fabric, color TBD.

Qty (13) – SWF Contract, manually operated roller shades with aluminum fascia cover, Blackout fabric, color TBD.

Qty (30) – SWF Contract, RTS motorized roller shades with aluminum recessed pocket, S100 series, 1% openness fabric, color TBD. ** Includes RTS wireless switches for control.

Qty (6) – SWF Contract, RTS motorized roller shades with aluminum recessed pocket, Blackout fabric, color TBD. ** Includes RTS wireless switches for control.

** Installation of recessed pockets at motorized shades included.

Furnish & Install -

\$53,420.00 – Base Bid

Standard Motor Alternate

- In lieu of RTS wireless control motors, propose standard 120V motors, motor group controllers, and standard line voltage switches for control.

Add to Base Bid -

\$270.00

Notes:

1. 7.5% Sales Tax Included
2. Non-Union Labor
3. Addendum 1-5 Noted
4. Quoted price is contingent on having submittals approved by 3/7/2023. The quoted price increases 0.5% per month there after until submittals are approved.
5. Maximum of 3 installation mobilizations.
 1. Availability of elevator or lift for delivery of product to floors at no charge to CE Contract.
 2. Availability of on-site dumpster for CE Contract use at no charge.
 3. Availability of job site to receive and stage CE Contract product.
 4. Window treatment installation will be prior to furniture installation and final cleaning.
 5. All hardware to be selected from manufacturer's standard color options, custom color finish not included.
 6. Attic stock excluded – window treatments are custom and very rarely are interchangeable.
 7. General Contractor is responsible for all necessary wiring and low voltage beyond motors.
 8. CE Contract will provide a non-plenum rated 5' J-box lead for motorized shades.

Submitted for above work and completed in a substantial workmanlike manner for the sums above.

Payments: TBD

All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner shall carry fire, tornado, and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work shall be taken out by CE Contract.

Authorized Signature: 
Derek Ugland - Commercial Estimator

Note: This Proposal may be withdrawn by us if not accepted within **90** days

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

ACCEPTED: _____ TITLE: _____ DATE: _____