**West Fargo City Commission Meeting**
**West Fargo City Hall Commission Chambers**
**800 4th Ave E, West Fargo, 58078**
**Monday, August 1, 2022 5:30 PM**

## Meeting Items

A. Call to Order

B. Pledge of Allegiance

C. Approve Order of Agenda

D. Approval of Minutes – July 18, 2022 (Pages 3-5)

E. Building Permits (Pages 6-10)

## Consent Agenda - Approve the Following:

a. Bills (Pages 11-21)

b. Project No. 2266 – 9th Street E Concrete Pavement Repair (Pages 22-32)
Approve Plans and Specifications; Authorize DOT to Advertise for bid

c. White Trucking Inc. Equipment Lease Agreement (Pages 33-34)

d. Games of Chance for Kindred Alumni. Raffle on August 13, 2022 at Speedway Event Center at 680 Main Ave W (Page 35)

## Regular Agenda

1. Fencing on south side of City Hall - Duane Hanson
2. Red River Valley Fair Campground - Cody Cashman, CEO Red River Valley Fair (Pages 36-49)
3. Project No. 1342 – SA 40 Rehabilitation - Dan Hanson, City Engineer (Pages 50-59)
Approve Engineer's Report, Authorize Engineer to prepare Plans and Specifications
4. Project No. 2265 – 9th Street NE Urbanization - Dan Hanson, City Engineer (Pages 60-83)
Approve Phase II Contract for Design and Environmental Documents
5. Second Reading of Ordinance 1213 (Investments) - John Shockley, City Attorney (Pages 84-86)
6. Second Reading of Ordinance 1211 (Dickey Rural Services Franchise) - John Shockley, City Attorney (Pages 87-84)
7. Appointment of Committee Member in regards to the Joint Powers Agreement - Commissioner Mark Simmons
8. 2023 Preliminary Budget Approval - Tina Fisk, City Administrator
9. City Administrator's Report - Tina Fisk, City Administrator
10. Correspondence
11. Non-Agenda Items
12. Adjourn

# West Fargo City Commission Meeting
# Monday, July 18, 2022
# Commission Chambers 5:30 PM

The West Fargo City Commission met on Monday, July 18, 2022, at 5:30 pm. Those present were Commissioners Bernie Dardis, Brad Olson, Mark Simmons, Mandy George and Roben Anderson. President of the Board Bernie Dardis called the meeting to order at 5:30 PM.

The Pledge of Allegiance was recited.

Commissioner Olson moved and Commissioner Anderson seconded to approve the order of the agenda as distributed. No opposition. Motion carried.

Commissioner George moved and Commissioner Simmons seconded to approve the minutes of June 20, 2022 as distributed. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Anderson seconded to approve the Building Permit Reports as distributed. No opposition. Motion carried.

Commissioner Olson moved and Commissioner Anderson seconded to approve the following items from the Consent Agenda:

a. Bills (Pages 11-18)
b. Site Plan Review in the CO-I: Interstate Corridor Overlay District located at 455 Christianson Drive West (Lot 6, Block 1 of Christianson 1st Addition) (Pages 19-26)
c. Site Plan Review in the CO: Corridor Overlay Plan Review at 779 32nd Ave W (Lot 4, Block 1 of Eagle Run Plaza 12th Addition), City of West Fargo North Dakota (Pages 27-35)
d. Informational West Fargo Planning Needs Assessment (Pages 36-37)
e. Final Approval of Southdale 5th Addition (Pages 38-43)
f. Financial Dashboard as of May 31, 2022 (Pages 44-45)
g. Improvement District No. 1339 – Stockyards 1st Addition (Pages 46-52)
    - Approve Plans and Specifications, and Authorize Advertisement for Bid
h. Project No. 2262 – Concrete Pavement Repair (Pages 53-60)
    - Approve Plans and Specifications, and Authorize Advertisement for Bid
i. Project No. 2263 – Traffic Signal Installation (9th St E and 10th Ave E) (Pages 61-69)
    - Approve Plans and Specifications, and Authorize Advertisement for Bid
j. Games of Chance for Nativity Knights of Columbus for Raffle on September 24, 2022 at Speedway Event Center at 680 Main Ave W (Pages 70-71)
k. Gaming Site Authorization for Horse Race North Dakota for Raffles and Poker from July 20, 2022 to July 25, 2022 at DoubleTree by Hilton at 825 E Beaton Dr (Pages 72-73)
l. Games of Chance for West Fargo Sheyenne High School Mustang Booster Club for Raffle on August 26, 2022, September 16, 2022, October 7, 2022, and October 20, 2022 at West Fargo Sheyenne High School at 800 40th Avenue East (Page 74)
m. Games of Chance for the American Legion Department of North Dakota for Raffle on September 12, 2022 at The American Legion Department of North Dakota Headquarters at 405 West Main Avenue Suite 4A (Page 75)
n. Games of Chance for STOMP for Raffle from August 15-19, 2022 and August 22-26, 2022 at Brewtus Brickhouse at 635 32nd Ave E #108 (Page 76)
o. Games of Chance for Town Hall Bar at Town Hall Bar at 103 Main Avenue (Page 77)

p. Oath of Office for Appointed Positions
q. West Fargo Fire Department Supplemental Agreement (Pages 78-79)

No opposition. Motion carried.

Denis Otterness appeared before the Commission to introduce the West Fargo Police Department's comfort canine, Bella with SRO Pearson. No action was taken.

Kim Manuel and Mark Thiede from RLE appeared before the Commission to present the forensic needs assessment. Denis Otterness, Police Chief appeared before the Commission to discuss the results and how they would affect the Police Department. Tina Fisk, City Administrator appeared before the Commission requesting to approve an exploratory committee to look into the Police Department needs assessment. Following discussion, Commissioner George moved and Commissioner Simmons seconded to approve the exploratory committee for the Police Department needs assessment. No opposition. Motion carried. Commission President Dardis moved and Commissioner Simmons seconded to approve placing Commissioner George and Olson on the exploratory committee. No opposition. Motion carried.

Jim Larson, Finance Director and John Hagen from EideBailly appeared before the Commission to present the City of West Fargo 2021 financial statements and audit. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve the presentation of the City of West Fargo 2021 Financial Statements and Audit. No opposition. Motion carried.

Jim Larson, Finance Director appeared before the Commission for approval of the First Reading of Ordinance 1213 (Investments). Following discussion, Commissioner Simmons moved and Commissioner Anderson seconded to approve the First Reading of Ordinance 1213 (Investments). No opposition. Motion carried.

John Shockley, City Attorney appeared before the Commission for approval of the Dickey Rural Services, Inc. (a.k.a. ReadiTech) - Fiber Optic Data Franchise (Ordinance 1211). Following discussion, Commissioner Olson moved and Commissioner George seconded to approve the Dickey Rural Services, Inc. (a.k.a. ReadiTech) - Fiber Optic Data Franchise (Ordinance 1211). No opposition. Motion carried.

Matt Andvik, Public Works Director appeared before the Commission for approval of the agreement with Burian and Associates, to write and submit a BRIC grant for a redundant lift station. Following discussion, Commissioner Simmons moved and Commissioner George seconded to approve the agreement with Burian and Associates, to write and submit a BRIC grant for a redundant lift station. No opposition. Motion carried.

Malachi Petersen, City Planner appeared before the Commission for final approval of Conditional Use Permit for an accessory structure greater than 1,600 square feet Nelson Acres. Following discussion, Commissioner George moved and Commissioner Anderson seconded to approve the Conditional Use Permit for an accessory structure greater than 1,600 square feet Nelson Acres. No opposition. Motion carried.

Malachi Petersen, City Planner appeared before the Commission for final approval of 5-Year Renaissance Zone Project in the Restad Industrial Park. Following discussion, Commissioner Simmons moved and Commissioner Anderson seconded to approve the 5-Year Renaissance Zone Project in the Restad Industrial Park. Commissioner Olson opposed. Motion carried.

Jodi Kallias of SheyWest Garden Center appeared before the Commission for final approval of 5-Year Renaissance Zone Project in the Restad Industrial Park. Following discussion, Commissioner Simmons moved and Commissioner Olson seconded to table the request for an access easement at SheyWest Garden Center. No opposition. Motion carried.

Dan Hanson, City Engineer appeared before the Commission for approval of Project No. 1316.2 – Northside Regional Sanitary Sewer Collector; approve Change Order No. 1. Following discussion, Commissioner Simmons moved and Commissioner George seconded to approve Project No. 1316.2 – Northside Regional Sanitary Sewer Collector; approve Change Order No. 1. No opposition, which includes change order No. 1 and 2. No opposition. Motion carried.

Dan Hanson, City Engineer appeared before the Commission for approval of Project No. 1340 – Sanitary Sewer System Rehabilitation, Replacement, and Incidentals; accept Bid and award Contract. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve Project No. 1340 – Sanitary Sewer System Rehabilitation, Replacement, and Incidentals; accept Bid and award Contract. No opposition. Motion carried.

Dan Hanson, City Engineer appeared before the Commission for approval of Concrete Pavement Repair Project - 9th St E; create Project No. 2266, approve Engineer's Report; and direct Engineer to prepare Plans and Specifications. Following discussion, Commissioner Olson moved and Commissioner Anderson seconded to approve Concrete Pavement Repair Project - 9th St E; create Project No. 2266, approve Engineer's Report; and direct Engineer to prepare Plans and Specifications. No opposition. Motion carried.

Dan Hanson, City Engineer appeared before the Commission for approval of Pavement Rehabilitation Project - 7th Ave NE (9th St to City Limits) and 9th St NW (Main Avenue to Drain 21); create Project No. 2267, approve Engineer's Report; and direct Engineer to prepare Plans and Specifications. Following discussion, Commissioner Anderson moved and Commissioner Simmons seconded to approve Pavement Rehabilitation Project - 7th Ave NE (9th St to City Limits) and 9th St NW (Main Avenue to Drain 21); create Project No. 2267, approve Engineer's Report; and direct Engineer to prepare Plans and Specifications. No opposition. Motion carried.

John Shockley, City Attorney appeared before the Commission for approval of the Second Reading of Ordinance 1212 - Liquor Control Board. Following discussion, Commissioner Olson moved and Commissioner George seconded to approve the Second Reading of Ordinance 1212 - Liquor Control Board. No opposition. Motion carried.

John Shockley, City Attorney appeared before the Commission for approval of the West Fargo Refunding Improvement Bond 2022A. Mike Manstrom presented the information. Following discussion, Commissioner Simmons moved and Commissioner Olson seconded to approve the West Fargo Refunding Improvement Bond 2022A Board. No opposition. Motion carried.

Tina Fisk, City Administrator City Administrator Report:

A. 2023 Budget Adjustment Discussion -

~~B. Fencing by City Hall update~~ (This item was removed from the agenda.)

C. IT Proposals for Services

D. Jim Larson's last meeting

E. Introduction of Economic Development Manager – Casey Sanders

There were no correspondence.

There were no non-agenda items from Commissioners or City staff.

A citizen of West Fargo brought forth her concerns in regards to an issue within the area.

Commissioner Simmons moved and Commissioner Olson seconded to adjourn the meeting. No opposition. Meeting adjourned at 8:18 PM.

_____ _____

Bernie Dardis, Commission President Tina Fisk, City Administrator

## WEST FARGO CITY COMMISSION MEETING
# BUILDING DEPARTMENT ACTIVITY REPORT
**08/01/2022**

| | AS OF 7/29/2022 | | | YEAR TO DATE | | |
|---|---|---|---|---|---|---|
| | # PERMITS | # UNITS | VALUATION | # PERMITS | # UNITS | VALUATION |
| **BUILDING NEW** | | | | | | |
| COMMERCIAL | 3 | | $ 1,306,000.00 | 7 | | $ 3,848,790.00 |
| RESIDENTIAL DWELLING | 13 | 13 | $ 4,437,900.00 | 98 | 98 | $ 41,826,657.00 |
| RESIDENTIAL TWINHOME | | | | | | |
| RESIDENTIAL TOWNHOME | | | | | | |
| RESIDENTIAL MULTIPLE | | | | 1 | 52 | $ 14,000,000.00 |
| PUBLIC | | | | 3 | | $ 17,867,265.00 |
| CHURCH | | | | | | |
| ACCESSORY | 26 | | $ 513,727.00 | 130 | | $ 3,593,578.00 |
| FOUNDATION ONLY | | | | | | |
| **BUILDING REMODEL** | | | | | | |
| COMMERCIAL | 5 | | $ 1,296,000.00 | 39 | | $ 14,387,807.00 |
| RESIDENTIAL | 13 | | $ 478,523.00 | 79 | | $ 2,758,002.00 |
| PUBLIC | | | | 3 | | $ 3,490,330.00 |
| CHURCH | | | | | | |
| ACCESSORY | | | | | | |
| **BUILDING OTHER** | | | | | | |
| DEMOLITION | 1 | | $ 2,500.00 | 3 | | $ 166,500.00 |
| MOVE | | | | | | |
| PERMIT CANCELLATION | | | | 1 | | $ (530,000.00) |
| **TOTALS** | 61 | 13 | $ 8,034,650.00 | 362 | 150 | $ 101,408,929.00 |

## Building Department Report - Summary

| NO. | CONTRACTOR | ADDRESS | OWNER | VALUATION | PERMIT FOR |
|---|---|---|---|---|---|
| 220612 | Dawn Erdmann | 1421 15 Avenue East | Dawn Erdmann | $ 1,000.00 | Accessory - Stair Landing |
| 220711 | Angela Witte | 637 35 Avenue East | Angela Witte | $ 300.00 | Accessory - Pool |
| 220743 | Susan & Tim Dahl | 1601 16th Avenue East | Susan & Tim Dahl | $ 4,000.00 | Remodel - Residential - Remove wall and install beam |
| 220738 | Accelerated Green Work, Inc. | 4738 Lilac Drive | Nils & Abigail Tang | $ 37,000.00 | Accessory - Deck |
| 220736 | Jordahl Custom Homes | 942 50th Avenue West | Jordahl Custom Homes | $ 280,000.00 | Residential Dwelling |
| 220744 | Signature Landscapes | 307 35th Avenue East | Gregory & Angela Mehus | $ 13,873.00 | Accessory - Deck |
| 220747 | Deckmasters II, Inc. | 6046 Martin Lane West | Matthew Leonard | $ 14,000.00 | Accessory - Deck |
| 220752 | Jameson Benson | 2521 1st Street East | Jameson Benson ETAL | $ 5,000.00 | Accessory - Deck |
| 220739 | Nicholas & Zoe Evin | 5820 Deb Drive West | Nicholas & Zoe Evin | $ 10,000.00 | Remodel - Residential - Lower Level Finish |
| 220723 | Jordahl Custom Homes | 890 60th Avenue West | Jordahl Custom Homes | $ 220,000.00 | Residential Dwelling |
| 220720 | Cornerstone Specialties | 1057 22nd Avenue West | Cornerstone Specialties | $ 380,000.00 | Residential Dwelling |
| 220728 | SmithA1 Contracting | 2607 1st Street East | Lee & Katie Nieland | $ 12,201.00 | Accessory - Deck |
| 220756 | Premium Decks | 3838 Kensington Drive | Todd & Jocelyn Mattson | $ 30,000.00 | Accessory - Deck |
| 220847 | Krueger Construction | 2414 McLeod Drive East | River Bend Development | $ 55,000.00 | submitted - Permit Reflects Additional Cost |
| 220769 | Matt Benson | 577 South Sedona Drive | Matt Benson | $ 6,000.00 | Remodel - Residential - Reframe Garage Door |
| 200763 | Jordahl Custom Homes | 6183 Martin Lane West | Westport Investments LLC | $ 250,000.00 | Residential Dwelling |
| 200692 | Kochmann Brothers Homes | 3938 2nd Street East | Brian & Stephanie Grondahl | $ 120,000.00 | Remodel- Residential - Replace windows & siding North & West side |
| 220762 | Krueger Construction | 4802 11th Street West | Westport Investments LLC | $ 696,000.00 | Residential Dwelling |
| 220565 | Groundworks MN LLC | 355 Cedar Lane | Leonard Parker | $ 38,000.00 | Remodel - Residential - Repair Foundation |
| 220730 | Sean Christensen | 529 4th Avenue NW | Elizabeth Wedde, ETAL | $ 508.00 | Accessory - Deck |
| 220761 | Thomas Sawyer II | 2624 2nd Street East | Thomas Sawyer II | $ 10,000.00 | Accessory - Shed |

## Building Department Report - Summary

| NO. | CONTRACTOR | ADDRESS | OWNER | VALUATION | PERMIT FOR |
|---|---|---|---|---|---|
| 220777 | Robert Kozenskie Restoration | 5761 Deb Drive West | Shavelle Gaynor | $ 6,854.00 | Accessory - Deck |
| 220773 | Accelerated Green Work, Inc. | 973 6th Avenue West | Joanne Wileman, TOD | $ 11,750.00 | Accessory - Deck |
| 220772 | Arthur Chagonda | 3034 Ridge Drive | Arthur Chagonda | $ 4,557.00 | Accessory - Deck |
| 220774 | Accelerated Green Work, Inc. | 973 6th Avenue West | Joanne Wileman, TOD | $ 7,500.00 | Accessory - Deck |
| 220775 | Jordahl Custom Homes | 958 50th Avenue West | Jordahl Custom Homes | $ 250,000.00 | Residential Dwelling |
| 220782 | Signature Landscapes | 652 35th Avenue East | Gilman & Cindy Skarphol | $ 10,634.00 | Accessory - Pergola |
| 220746 | Krueger Construction | 2139 12th Street West | Krueger Construction | $ 540,000.00 | Residential Dwelling |
| 220771 | Premium Decks | 424 South Sedona Drive | Ryan & Mallory Skorheim | $ 18,000.00 | Accessory - Deck |
| 220787 | Deckmasters II, Inc. | 1316 27th Avenue West | Ross & Laura Halverson | $ 10,000.00 | Accessory - Deck |
| 220719 | Cornerstone Specialties | 1220 26th Avenue West | Cornerstone Specialties | $ 190,000.00 | Residential Dwelling |
| 220786 | Jordahl Custom Homes | 6055 8th Street West | Westport Investments LLC | $ 185,000.00 | Residential Dwelling |
| 220793 | Samuel Jager | 921 11th Street West | Samuel & Hiu Tung Jager | $ 3,500.00 | Accessory - Deck |
| 220803 | Maximum Roofing | 513 4th Avenue East | Brian & Nancy Usgaard | $ 6,500.00 | Remodel - Residential - replace roof decking |
| 220796 | Jon Schauer, ETAL | 4408 11th Street West | Jon Schauer, ETAL | $ 7,500.00 | Accessory - Detached Garage |
| 220800 | JNS Construction | 926 Ashley Drive West | Alicia Holst | $ 6,650.00 | Accessory - Deck |
| 220802 | Jordahl Custom Homes | 6175 Martin Lane West | Westport Investments LLC | $ 225,000.00 | Residential Dwelling |
| 220808 | DME Exteriors | 525 4th Avenue West | Jan Langston ETAL | $ 40,000.00 | Remodel - Residential - Reside dwelling and reframe sliding window |
| 220776 | Plecity Kowalski Construction | 2686 Rivers Bend Drive East | Plecity Kowalski Construction | $ 850,000.00 | Residential Dwelling |
| 220305 | Dabbert Custom Homes | 2726 12 Street West | Dabbert Custom Homes | $ 316,900.00 | Residential Dwelling |
| 220365 | Enclave Development | 300 23 Avenue East | Enclave HQ LLC | $ 750,000.00 | Remodel - Commercial - Office space |
| 220811 | RBF Contracting | 2915 Bluestem Drive | L46 Apartments | $ 36,000.00 | Remodel - Commercial - Convert apartment into office area |

## Building Department Report - Summary

| NO. | CONTRACTOR | ADDRESS | OWNER | VALUATION | PERMIT FOR |
|---|---|---|---|---|---|
| 220812 | RBF Contracting | 2915 Bluestem Drive | L46 Apartments | $ 60,000.00 | Remodel - Commercial - convert sleeping rooms into apartments |
| 220814 | Meridian Commercial Construction | 567 32 Avenue East | M4H LLC | $ 804,000.00 | Commercial - Mixed use building |
| 220809 | Dan Savageau Construction, Inc | 108 5th Street NW | Raymond & Ava Schmidt | $ 40,000.00 | Remodel - Residential - Remove wall and install header |
| 220816 | Krasley Services | 779 32 Avenue West | Oakridge Condos | $ 290,000.00 | Commercial - Office Building |
| 220740 | Thor Buildings LLC | 3325 Oak Ridge Pond Way East | Oakridge Condos | $ 212,000.00 | Commercial - Office Building |
| 220822 | Robert Arends | 2623 Pyle Lane East | Robert and Brandy Arends | $ 45,000.00 | Remodel - Residential - remove wall and install header |
| 220824 | Henco Property Leasing | 1317 Main Avenue East | Henco Property Leasing | $ 150,000.00 | Remodel - Commercial - Fitup tenant space |
| 220826 | Deckmasters II, Inc. | 1073 54 Avenue West | Guillermo Alonso | $ 12,900.00 | Accessory - Deck |
| 220819 | Shawn Gaulrapp | 414 7 Street West | Shawn & Trina Gaulrapp | $ 2,500.00 | Demolish - Shed and Detached Garage |
| 220820 | Joseph Schultz | 1102 Sommerset Drive | Joesph & Marrissa Schultz | $ 100,000.00 | Accessory - Pool |
| 220829 | Kochmann Brothers Homes | 1008 Mulberry Lane | Lance & Annie Thorson | $ 120,000.00 | Remodel - Residential - Lower Level Finish |
| 220745 | Olaf Anderson Construction | 301 Sheyenne Street | PEB Sheyenne LLC | $ 300,000.00 | Remodel - Commercial - Remodel Garage into office area |
| 220780 | Michael Monson | 3060 Claire Drive East | Michael & Abby Monson | $ 40,000.00 | Accessory - Shed |
| 220818 | Ryan Jenson | 1280 Goldenwood Drive | Ryan Jenson | $ 95,000.00 | Accessory - Pool |
| 220827 | Eric Wifall | 402 7 Street West | Eric Wifall | $ 2,500.00 | Remodel - Residential - install egress windows |
| 220841 | Groundworks MN LLC | 756 6th Avenue West | Ronald & Karen Parrott | $ 11,523.00 | Remodel - Residential - Install 9 wall anchors |
| 220839 | Todd Nelson Construction | 1118 36th Avenue West | Jeffery Richmond | $ 35,000.00 | Remodel - Residential - Bathroom remodel |
| 220823 | Brandon Lindstrom | 2753 10th Street West | Brandon Lindstrom | $ 15,000.00 | Accessory - Deck |
| 220840 | Todd Nelson Construction | 625 20 Street East | James & Linda Weber | $ 40,000.00 | Accessory - Detached Garage |

## WEST FARGO CITY COMMISSION MEETING
## BUILDING DEPARTMENT MONTHLY COMPARISON REPORT
## 08/01/2022

| | JULY 2021 | | | JULY 2022 | | |
|---|---|---|---|---|---|---|
| | # PERMITS | # UNITS | VALUATION | # PERMITS | # UNITS | VALUATION |
| **BUILDING NEW** | | | | | | |
| COMMERCIAL | 41 | | $ 46,785,619.00 | 7 | | $ 3,848,790.00 |
| RESIDENTIAL DWELLING | 183 | 183 | $ 59,820,184.00 | 98 | 98 | $ 41,826,657.00 |
| RESIDENTIAL TWINHOME | 4 | 4 | $ 837,500.00 | | | |
| RESIDENTIAL TOWNHOME | 5 | 38 | $ 7,883,537.00 | | | |
| RESIDENTIAL MULTIPLE | 1 | 54 | $ 6,500,000.00 | 1 | 52 | $ 14,000,000.00 |
| PUBLIC | 1 | | $ 3,150,550.00 | 3 | | $ 17,867,265.00 |
| CHURCH | | | | | | |
| ACCESSORY | 126 | | $ 1,060,623.00 | 130 | | $ 3,593,578.00 |
| FOUNDATION ONLY | 9 | | $ 5,231,275.00 | | | |
| **BUILDING REMODEL** | | | | | | |
| COMMERCIAL | 37 | | $ 4,011,703.00 | 39 | | $ 14,387,807.00 |
| RESIDENTIAL | 111 | | $ 3,436,650.00 | 79 | | $ 2,758,002.00 |
| PUBLIC | 3 | | $ 3,041,400.00 | 3 | | $ 3,490,330.00 |
| CHURCH | 1 | | $ 458,900.00 | | | |
| ACCESSORY | 1 | | $ 2,000.00 | | | |
| **BUILDING OTHER** | | | | | | |
| DEMOLITION | 2 | | $ 20,000.00 | 3 | | $ 166,500.00 |
| MOVE | | | | | | |
| PERMIT CANCELLATION | 1 | | $ 81,640.00 | 1 | | $ (530,000.00) |
| **TOTALS** | 524 | 279 | $ 142,321,581.00 | 362 | 150 | $ 102,468,929.00 |

Claim Checks

| Check # | Type | Vendor #/Name | Check Amount | Date Issued | Period Redeemed | Claim # | Claim Amount |
|---|---|---|---|---|---|---|---|
| 103448 | S | 3541 ND FRATERNAL ORDER OF POLICE | 1425.00 | 07/14/22 | | CL 104737 | 1425.00 |
| 103449 | S | 1464 RED RIVER VALLEY FOP LODGE #1 | 627.00 | 07/14/22 | | CL 104738 | 627.00 |
| 103450 | S | 4482 ND CHILD SUPPORT DIVISION | 369.24 | 07/15/22 | | CL 104835 | 369.24 |
| 103451 | S | 3549 WEX | 2560.47 | 07/18/22 | | CL 104862 | 2560.47 |
| 103452 | S | 2954 A-OX WELDING SUPPLY CO INC | 33.76 | 07/19/22 | | CL 104830 | 33.76 |
| 103453 | S | 289 ACME TOOLS | 105.81 | 07/19/22 | | CL 104653 | 105.81 |
| 103454 | S | 3179 ADVANCED ENGINEERING & ENVIRONMENTAL SER | 1007.75 | 07/19/22 | | CL 104882 | 1007.75 |
| 103455 | S | 4464 ADVERTISE EDGE LLC | 9950.00 | 07/19/22 | | CL 104630 | 9950.00 |
| 103456 | S | 2544 AIRGAS USA, LLC | 397.87 | 07/19/22 | | CL 104656 | 397.87 |
| 103457 | S | 3766 ALERT-ALL CORP | 810.00 | 07/19/22 | | CL 104756 | 810.00 |
| 103458 | S | 4467 ALL FINISH CONCRETE | 264127.89 | 07/19/22 | | CL 104642 | 264127.89 |
| 103459 | S | 2947 ALLSTATE PETERBILT OF FARGO | 109.11 | 07/19/22 | | CL 104649 | 109.11 |
| 103460 | S | 4103 ALTERATIONS BY L | 110.97 | 07/19/22 | | CL 104794 | 110.97 |
| 103461 | S | 3490 AMAZON CAPITAL SERVICES | 1827.11 | 07/19/22 | | CL 104709<br>CL 104753<br>CL 104757<br>CL 104785<br>CL 104860 | 118.76<br>1438.23<br>68.25<br>56.88<br>144.99 |
| 103462 | S | 317 AMERICAN WELDING & GAS, INC. | 211.96 | 07/19/22 | | CL 104775 | 211.96 |
| 103463 C | S | 4461 APPLIED ENGINEERING TECHNOLOGY | 0.00 | 07/19/22 | | CL 104758 | |
| 103464 * | S | 1807 ART PETERSON | 150.00 | 07/19/22 | | CL 104646 | 150.00 |
| 103465 | S | 3511 ASPEN MILLS | 1175.97 | 07/19/22 | | CL 104759<br>CL 104846 | 415.09<br>760.88 |
| 103466 | S | 4485 AUSTIN BRAGET | 433.19 | 07/19/22 | | CL 104874 | 433.19 |
| 103467 | S | 2931 AUTO VALUE PARTS STORES | 153.97 | 07/19/22 | | CL 104651<br>CL 104763 | 34.57<br>119.40 |
| 103468 | S | 1695 BAKER & TAYLOR | 5523.71 | 07/19/22 | | CL 104754 | 5523.71 |

Claim Checks

| Check # | Type | Vendor # | Name | Check Amount | Date Issued | Period Redeemed | Claim # | Claim Amount |
|---|---|---|---|---|---|---|---|---|
| 103469 | S | 1069 | BAKER GARDEN & GIFT | 259.97 | 07/19/22 | | | |
| | | | | | | | CL 104654 | 259.97 |
| 103470 | S | 999999 | BARRETT IRVING | 1612.02 | 07/19/22 | | | |
| | | | | | | | CL 104637 | 1612.02 |
| 103471 | S | 4275 | BATTERIES PLUS BULBS #022 | 755.15 | 07/19/22 | | | |
| | | | | | | | CL 104801 | 755.15 |
| 103472 | S | 999999 | BECKY CURRIER | 300.00 | 07/19/22 | | | |
| | | | | | | | CL 104707 | 300.00 |
| 103473 | S | 4466 | BEN'S STRUCTURAL FABRICATION INC | 9000.00 | 07/19/22 | | | |
| | | | | | | | CL 104641 | 9000.00 |
| 103474 | S | 3273 | BERNIE DARDIS | 132.72 | 07/19/22 | | | |
| | | | | | | | CL 104662 | 99.80 |
| | | | | | | | CL 104856 | 32.92 |
| 103475 | S | 36 | BERT'S TRUCK EQUIPMENT | 307.75 | 07/19/22 | | | |
| | | | | | | | CL 104773 | 307.75 |
| 103476 | S | 3489 | BOLTON & MENK, INC | 247.50 | 07/19/22 | | | |
| | | | | | | | CL 104621 | 247.50 |
| 103477 | S | 999999 | BRANDON HANNA | 149.45 | 07/19/22 | | | |
| | | | | | | | CL 104878 | 149.45 |
| 103478 | S | 73 | BRAUN INTERTEC | 44199.00 | 07/19/22 | | | |
| | | | | | | | CL 104663 | 7694.00 |
| | | | | | | | CL 104842 | 36505.00 |
| 103479 | S | 652 | BRENCO CORPORATION | 128.08 | 07/19/22 | | | |
| | | | | | | | CL 104829 | 128.08 |
| 103480 | S | 351 | BUSINESS ESSENTIALS | 463.46 | 07/19/22 | | | |
| | | | | | | | CL 104612 | 105.97 |
| | | | | | | | CL 104744 | 232.08 |
| | | | | | | | CL 104799 | 125.41 |
| 103481 | S | 39 | BUTLER MACHINERY | 9417.06 | 07/19/22 | | | |
| | | | | | | | CL 104783 | 9417.06 |
| 103482 | S | 51 | CASS COUNTY ELECTRIC COOP | 42027.68 | 07/19/22 | | | |
| | | | | | | | CL 104682 | 263.01 |
| | | | | | | | CL 104772 | 1224.32 |
| | | | | | | | CL 104866 | 702.41 |
| | | | | | | | CL 104867 | 1043.55 |
| | | | | | | | CL 104868 | 1571.39 |
| | | | | | | | CL 104869 | 21646.00 |
| | | | | | | | CL 104870 | 15577.00 |
| 103483 | S | 61 | CASS COUNTY FINANCE | 11813.07 | 07/19/22 | | | |
| | | | | | | | CL 104743 | 11813.07 |
| 103484 | S | 1512 | CDW GOVERNMENT, INC | 3777.34 | 07/19/22 | | | |
| | | | | | | | CL 104624 | 2792.35 |
| | | | | | | | CL 104879 | 984.99 |
| 103485 | S | 2875 | CENTRAL LANDSCAPE SUPPLY INC | 1493.00 | 07/19/22 | | | |
| | | | | | | | CL 104819 | 1493.00 |
| 103486 | S | 56 | CENTRE, INC. | 713.00 | 07/19/22 | | | |
| | | | | | | | CL 104698 | 713.00 |

Claim Checks

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| 103487 | S | 1777 | CENTURY LINK | 299.53 | 07/19/22 | | | |
| | | | | | | | CL 104735 | 230.18 |
| | | | | | | | CL 104875 | 69.35 |
| 103488 | S | 2429 | CERTIFIED LABORATORIES | 1235.95 | 07/19/22 | | | |
| | | | | | | | CL 104831 | 1235.95 |
| 103489 | S | 3417 | CHELSEA SIMDORN | 35.00 | 07/19/22 | | | |
| | | | | | | | CL 104741 | 35.00 |
| 103490 | S | 3492 | CHEMISTRY LAB | 397.20 | 07/19/22 | | | |
| | | | | | | | CL 104786 | 397.20 |
| 103491 | S | 4468 | CHEZY | 21564.00 | 07/19/22 | | | |
| | | | | | | | CL 104678 | 21564.00 |
| 103492 | S | 3216 | CINTAS | 140.01 | 07/19/22 | | | |
| | | | | | | | CL 104809 | 140.01 |
| 103493 | S | 111 | CITY OF FARGO | 83342.04 | 07/19/22 | | | |
| | | | | | | | CL 104647 | 21053.25 |
| | | | | | | | CL 104661 | 33912.11 |
| | | | | | | | CL 104767 | 27816.68 |
| | | | | | | | CL 104770 | 560.00 |
| 103494 | S | 1904 | CODE 4 SERVICES, INC | 2139.82 | 07/19/22 | | | |
| | | | | | | | CL 104690 | 2104.80 |
| | | | | | | | CL 104861 | 35.02 |
| 103495 | S | 3591 | CODY ZAVADIL | 84.00 | 07/19/22 | | | |
| | | | | | | | CL 104847 | 84.00 |
| 103496 | S | 133 | COLE PAPER | 63.72 | 07/19/22 | | | |
| | | | | | | | CL 104821 | 63.72 |
| 103497 | S | 229 | CONSOLIDATED COMMUNICATIONS | 2919.10 | 07/19/22 | | | |
| | | | | | | | CL 104680 | 2767.01 |
| | | | | | | | CL 104774 | 152.09 |
| 103498 | S | 3245 | CORE & MAIN | 1183.24 | 07/19/22 | | | |
| | | | | | | | CL 104778 | 1183.24 |
| 103499 | S | 60 | CROSSCOUNTRY FREIGHT SOLUTIONS | 149.82 | 07/19/22 | | | |
| | | | | | | | CL 104832 | 149.82 |
| 103500 | S | 3500 | CUMMINS SALES AND SERVICE | 1240.80 | 07/19/22 | | | |
| | | | | | | | CL 104776 | 1240.80 |
| 103501 | S | 4457 | CWD CASH-WA DISTRIBUTING | 447.60 | 07/19/22 | | | |
| | | | | | | | CL 104686 | 447.60 |
| 103502 | S | 624 | DAKOTA SUPPLY GROUP | 609.09 | 07/19/22 | | | |
| | | | | | | | CL 104655 | 609.09 |
| 103503 | S | 856 | DAVE'S WEST FARGO TIRE | 502.70 | 07/19/22 | | | |
| | | | | | | | CL 104699 | 25.66 |
| | | | | | | | CL 104713 | 31.02 |
| | | | | | | | CL 104736 | 232.23 |
| | | | | | | | CL 104858 | 213.79 |
| 103504 | S | 999999 | DAVID CEDARS | 300.00 | 07/19/22 | | | |
| | | | | | | | CL 104632 | 300.00 |
| 103505 | S | 999999 | DEBORAH LAVEN | 300.00 | 07/19/22 | | | |
| | | | | | | | CL 104631 | 300.00 |

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| 103506 | S | 2948 | DELTA 54 AVIATION LLC | 3300.00 | 07/19/22 | | | |
| | | | | | | | CL 104683 | 3300.00 |
| 103507 | S | 77 | DEMCO INC | 127.38 | 07/19/22 | | | |
| | | | | | | | CL 104746 | 127.38 |
| 103508 | S | 4075 | DOYLE'S YELLOW CHECKER CAB INC | 31.64 | 07/19/22 | | | |
| | | | | | | | CL 104704 | 31.64 |
| 103509 | S | 1502 | EIDE BAILLY | 1152.00 | 07/19/22 | | | |
| | | | | | | | CL 104617 | 1152.00 |
| 103510 | S | 2862 | ESSENTIA HEALTH | 6429.00 | 07/19/22 | | | |
| | | | | | | | CL 104676 | 878.00 |
| | | | | | | | CL 104701 | 1439.00 |
| | | | | | | | CL 104784 | 4112.00 |
| 103511 | S | 1851 | F/S MANUFACTURING INC | 13.10 | 07/19/22 | | | |
| | | | | | | | CL 104810 | 13.10 |
| 103512 | S | 3344 | FACTORY MOTOR PARTS | 319.99 | 07/19/22 | | | |
| | | | | | | | CL 104648 | 319.99 |
| 103513 | S | 660 | FARGO FREIGHTLINER | 1066.27 | 07/19/22 | | | |
| | | | | | | | CL 104769 | 1066.27 |
| 103514 | S | 1812 | FIRESTONE | 717.24 | 07/19/22 | | | |
| | | | | | | | CL 104694 | 717.24 |
| 103515 | S | 3347 | FIRST INTERNATIONAL INSURANCE | 25684.16 | 07/19/22 | | | |
| | | | | | | | CL 104615 | 18.00 |
| | | | | | | | CL 104616 | 25666.16 |
| 103516 | S | 104 | FORUM COMMUNICATIONS | 1002.34 | 07/19/22 | | | |
| | | | | | | | CL 104747 | 1002.34 |
| 103517 | S | 139 | FRS WORKS | 33.20 | 07/19/22 | | | |
| | | | | | | | CL 104724 | 33.20 |
| 103518 | S | 155 | GALLS, LLC | 1659.50 | 07/19/22 | | | |
| | | | | | | | CL 104706 | 626.84 |
| | | | | | | | CL 104792 | 311.21 |
| | | | | | | | CL 104854 | 721.45 |
| 103519 | S | 999999 | GEHRTZ CONTRUCTION | 370.00 | 07/19/22 | | | |
| | | | | | | | CL 104711 | 370.00 |
| 103520 | S | 803 | GOMPF DISPLAYS,INC | 3610.68 | 07/19/22 | | | |
| | | | | | | | CL 104782 | 3610.68 |
| 103521 | S | 2558 | GOODYEAR COMMERCIAL TIRE | 489.65 | 07/19/22 | | | |
| | | | | | | | CL 104823 | 489.65 |
| 103522 | S | 135 | HAWKINS WTR TREATMENT | 4123.41 | 07/19/22 | | | |
| | | | | | | | CL 104816 | 4123.41 |
| 103523 | S | 3593 | HOLIDAY COMPANIES | 320.00 | 07/19/22 | | | |
| | | | | | | | CL 104692 | 320.00 |
| 103524 | S | 1226 | HP INC. | 163.00 | 07/19/22 | | | |
| | | | | | | | CL 104791 | 163.00 |
| 103525 | S | 3087 | IBM CORPORATION | 420.04 | 07/19/22 | | | |
| | | | | | | | CL 104619 | 55.04 |
| | | | | | | | CL 104790 | 365.00 |
| 103526 | S | 999999 | ILDA DEDIC | 300.00 | 07/19/22 | | | |
| | | | | | | | CL 104633 | 300.00 |

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| 103527 | S | 2500 | INLAND TRUCK PARTS & SERVICE | 270.27 | 07/19/22 | | CL 104788 | 270.27 |
| 103528 | S | 1012 | INTERSTATE POWER SYSTEMS, INC | 2857.50 | 07/19/22 | | CL 104793 | 964.89 |
| | | | | | | | CL 104806 | 1892.61 |
| 103529 | S | 999999 | JENNIFER SCHOEPP | 300.00 | 07/19/22 | | CL 104845 | 300.00 |
| 103530 | S | 2798 | JOHNSON CONTROLS | 824.00 | 07/19/22 | | CL 104811 | 824.00 |
| 103531 | S | 2709 | JOHNSON LAWN SERVICE | 210.00 | 07/19/22 | | CL 104795 | 210.00 |
| 103532 | S | 4481 | KB FLOORING, INC | 1446.00 | 07/19/22 | | CL 104814 | 1446.00 |
| 103533 | S | 999999 | KIM LARSON | 300.00 | 07/19/22 | | CL 104634 | 300.00 |
| 103534 | S | 693 | KPH, INC | 85500.00 | 07/19/22 | | CL 104638 | 85500.00 |
| 103535 | S | 2325 | KUSTOM KONCEPTS | 374.79 | 07/19/22 | | CL 104691 | 374.79 |
| 103536 | S | 705 | LAWSON PRODUCTS | 756.84 | 07/19/22 | | CL 104803 | 756.84 |
| 103537 | S | 4123 | LEAGUE OF MINNESOTA CITIES | 246.75 | 07/19/22 | | CL 104672 | 246.75 |
| 103538 | S | 1741 | LIBERTY BUSINESS SYSTEMS, INC | 905.61 | 07/19/22 | | CL 104620 | 905.61 |
| 103539 | S | 3278 | LIBERTY FENCE & DECK CO | 750.00 | 07/19/22 | | CL 104836 | 750.00 |
| 103540 | S | 3418 | LOFFLER | 38.27 | 07/19/22 | | CL 104625 | 38.27 |
| 103541 | S | 711 | LUTHER FAMILY FORD | 423.55 | 07/19/22 | | CL 104780 | 423.55 |
| 103542 | S | 3304 | MAC'S - FARGO | 131.89 | 07/19/22 | | CL 104644 | 10.49 |
| | | | | | | | CL 104818 | 121.40 |
| 103543 | S | 3536 | MACQUEEN EMERGENCY | 186.05 | 07/19/22 | | CL 104838 | 186.05 |
| 103544 | S | 68 | MANNING MECHANICAL | 54399.91 | 07/19/22 | | CL 104639 | 54399.91 |
| 103545 | S | 4483 | MATT BERG | 84.00 | 07/19/22 | | CL 104849 | 84.00 |
| 103546 | S | 2903 | MATT OLDHAM | 423.28 | 07/19/22 | | CL 104677 | 423.28 |
| 103547 | S | 3119 | MATT RETKA | 50.00 | 07/19/22 | | CL 104684 | 50.00 |
| 103548 | S | 299 | MENARDS | 377.95 | 07/19/22 | | CL 104652 | 182.28 |
| | | | | | | | CL 104695 | 28.10 |
| | | | | | | | CL 104796 | 13.83 |
| | | | | | | | CL 104834 | 153.74 |

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| 103549 | S | 4480 | MICHAEL BLOOM | 250.00 | 07/19/22 | | CL 104804 | 250.00 |
| 103550 | S | 1854 | MIDWEST TAPE | 7121.07 | 07/19/22 | | CL 104748 | 2142.11 |
| | | | | | | | CL 104755 | 4978.96 |
| 103551 | S | 305 | MOORE ENGINEERING INC | 5052.15 | 07/19/22 | | CL 104622 | 5052.15 |
| 103552 | S | 298 | MVTL LABORATORIES | 1042.00 | 07/19/22 | | CL 104789 | 767.00 |
| | | | | | | | CL 104827 | 275.00 |
| 103553 | S | 728 | NAPA CENTRAL | 458.65 | 07/19/22 | | CL 104822 | 458.65 |
| 103554 | S | 2764 | NAPWDA | 50.00 | 07/19/22 | | CL 104700 | 50.00 |
| 103555 | S | 999999 | NATHAN PEDERSON | 162.62 | 07/19/22 | | CL 104883 | 162.62 |
| 103556 | S | 999999 | ND DHS EMERGENCY RENT BRIDGE | 216.75 | 07/19/22 | | CL 104710 | 216.75 |
| 103557 | S | 723 | ND POST BOARD | 45.00 | 07/19/22 | | CL 104675 | 45.00 |
| 103558 | S | 334 | ND STATE RADIO COMM. | 2400.00 | 07/19/22 | | CL 104702 | 2400.00 |
| 103559 | S | 336 | NDAAO | 370.00 | 07/19/22 | | CL 104611 | 370.00 |
| 103560 | S | 364 | NELSON INTERNATIONAL | 416.19 | 07/19/22 | | CL 104813 | 416.19 |
| 103561 | S | 271 | NETCENTER TECHNOLOGIES | 1138.66 | 07/19/22 | | CL 104722 | 242.50 |
| | | | | | | | CL 104740 | 691.16 |
| | | | | | | | CL 104857 | 205.00 |
| 103562 | S | 2261 | NETWORK CENTER INCORPORATED | 1025.00 | 07/19/22 | | CL 104623 | 1025.00 |
| 103563 | S | 2626 | NICK LEE | 1291.86 | 07/19/22 | | CL 104609 | 1291.86 |
| 103564 | S | 999999 | NOLAN CLARK | 300.00 | 07/19/22 | | CL 104844 | 300.00 |
| 103565 | S | 4081 | NORTHLAND CHURCH | 250.00 | 07/19/22 | | CL 104853 | 250.00 |
| 103566 | S | 2889 | NORTHLAND TRUCK SALES INC | 282997.00 | 07/19/22 | | CL 104812 | 282997.00 |
| 103567 | S | 1774 | O'REILLY AUTOMOTIVE STORES, INC | 989.44 | 07/19/22 | | CL 104645 | 774.73 |
| | | | | | | | CL 104765 | 214.71 |
| 103568 | S | 3416 | OCLC, INC. | 2443.15 | 07/19/22 | | CL 104749 | 2443.15 |
| 103569 | S | 631 | ONE CALL CONCEPT INC | 1103.15 | 07/19/22 | | CL 104805 | 1103.15 |

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| 103570 | S | 3277 OUT FRONT POWER EQUIPMENT | 55.98 | 07/19/22 | | CL 104807 | 55.98 |
| 103571 | S | 2126 OVERDRIVE, INC | 4000.00 | 07/19/22 | | CL 104750 | 4000.00 |
| 103572 | S | 563 PETRO SERVE USA | 69139.45 | 07/19/22 | | CL 104681 | 197.08 |
| | | | | | | CL 104734 | 66934.85 |
| | | | | | | CL 104839 | 2007.52 |
| 103573 | S | 1987 PETSMART | 66.99 | 07/19/22 | | CL 104797 | 66.99 |
| 103574 | S | 66 PETTY CASH CITY OF WEST FARGO | 40.00 | 07/19/22 | | CL 104714 | 40.00 |
| 103575 | S | 3831 PLACEMAKERS, LLC | 6300.00 | 07/19/22 | | CL 104881 | 6300.00 |
| 103576 | S | 4484 POLICE ON BIKES - IPMBA | 900.00 | 07/19/22 | | CL 104859 | 900.00 |
| 103577 | S | 999999 PRAIRIE PROPERTY MGMT | 25.42 | 07/19/22 | | CL 104876 | 25.42 |
| 103578 | S | 3276 PREMIUM WATERS INC | 91.78 | 07/19/22 | | CL 104751 | 91.78 |
| 103579 | S | 1755 PRO SWEEP INC | 1525.00 | 07/19/22 | | CL 104808 | 1525.00 |
| 103580 | S | 1295 PRO-WEST & ASSOCIATES, INC | 38.03 | 07/19/22 | | CL 104679 | 38.03 |
| 103581 | S | 4348 R L ENGEBRETSON ARCHITECTS FARGO LLC | 12910.00 | 07/19/22 | | CL 104880 | 12910.00 |
| 103582 | S | 2982 RDO EQUIPMENT CO | 1043.61 | 07/19/22 | | CL 104777 | 1043.61 |
| 103583 | S | 3204 RECORD KEEPERS | 49.00 | 07/19/22 | | CL 104614 | 24.50 |
| | | | | | | CL 104689 | 24.50 |
| 103584 | S | 1016 RED WING BUSINESS ADVANTAGE | 441.98 | 07/19/22 | | CL 104828 | 441.98 |
| 103585 | S | 3522 RJ'S TESORO | 2859.83 | 07/19/22 | | CL 104840 | 2859.83 |
| 103586 | S | 999999 RKAK PROPERTY MGMT | 193.38 | 07/19/22 | | CL 104674 | 193.38 |
| 103587 | S | 999999 RKAK PROPERTY MGMT | 160.00 | 07/19/22 | | CL 104877 | 160.00 |
| 103588 | S | 4064 ROYAL TIRE INC | 56.42 | 07/19/22 | | CL 104766 | 56.42 |
| 103589 | S | 2526 RYAN BIRNEY | 256.00 | 07/19/22 | | CL 104739 | 256.00 |
| 103590 | S | 3353 SAM'S CLUB MC/SYNCB | 472.73 | 07/19/22 | | CL 104761 | 211.76 |
| | | | | | | CL 104843 | 167.49 |
| | | | | | | CL 104871 | 93.48 |

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| 103591 | S | 454 | SANITATION PRODUCTS | 1257.55 | 07/19/22 | | CL 104800 | 1257.55 |
| 103592 | S | 4162 | SELMER JORDHEIM | 2700.00 | 07/19/22 | | CL 104817 | 2700.00 |
| 103593 | S | 999999 | SHOPPES ON 4TH, LLP | 1212.00 | 07/19/22 | | CL 104673 | 1212.00 |
| 103594 | S | 2885 | SHORTPRINTER | 156.65 | 07/19/22 | | CL 104708 | 43.40 |
| | | | | | | | CL 104863 | 113.25 |
| 103595 | S | 3528 | SNACKS PLUS VENDING | 36.00 | 07/19/22 | | CL 104779 | 36.00 |
| 103596 | S | 2935 | STEPHEN ROLCZYNSKI | 1403.37 | 07/19/22 | | CL 104610 | 1403.37 |
| 103597 | S | 38 | STRATA CORPORATION | 5029.57 | 07/19/22 | | CL 104764 | 5029.57 |
| 103598 | S | 88 | STREICHER'S INC | 289.99 | 07/19/22 | | CL 104688 | 289.99 |
| 103599 | S | 176 | SUMMIT FIRE PROTECTION | 2052.50 | 07/19/22 | | CL 104628 | 142.50 |
| | | | | | | | CL 104745 | 900.00 |
| | | | | | | | CL 104798 | 286.75 |
| | | | | | | | CL 104820 | 723.25 |
| 103600 | S | 733 | SWANSTON EQUIPMENT CORP. | 47282.72 | 07/19/22 | | CL 104768 | 47282.72 |
| 103601 | S | 634 | SWEENEY CONTROLS COMPANY | 1669.00 | 07/19/22 | | CL 104650 | 1669.00 |
| 103602 | S | 2491 | TEAM LABORATORY CHEMICAL, LLC | 2900.00 | 07/19/22 | | CL 104802 | 2900.00 |
| 103603 | S | 3995 | TENTS & EVENTS RENTALL INC | 440.40 | 07/19/22 | | CL 104685 | 440.40 |
| 103604 | S | 3043 | THE FORUM | 293.70 | 07/19/22 | | CL 104703 | 293.70 |
| 103605 | S | 1907 | THE SHOOTING PARK OF HORACE | 400.00 | 07/19/22 | | CL 104697 | 400.00 |
| 103606 | S | 999999 | TRAVIS HOFFMAN | 190.00 | 07/19/22 | | CL 104636 | 190.00 |
| 103607 | S | 999999 | TROY HISCHER | 300.00 | 07/19/22 | | CL 104635 | 300.00 |
| 103608 | S | 3215 | TWIN CITY HARDWARE | 3320.85 | 07/19/22 | | CL 104815 | 3320.85 |
| 103609 | S | 2951 | TYLER TECHNOLOGIES, INC | 458.80 | 07/19/22 | | CL 104618 | 458.80 |
| 103610 | S | 2136 | ULINE INC | 218.56 | 07/19/22 | | CL 104826 | 218.56 |
| 103611 | S | 3833 | VALLEY GREEN | 18181.00 | 07/19/22 | | CL 104825 | 18181.00 |
| 103612 | S | 2211 | VANGUARD ID SYSTEMS | 1417.69 | 07/19/22 | | CL 104752 | 1417.69 |

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| | | | | | | CL 104705 | 251.42 |
| | | | | | | CL 104855 | 10872.97 |
| 103614 | S | 3212 VISA ADMINISTRATION | 1054.95 | 07/19/22 | _____ | | |
| | | | | | | CL 104727 | 1054.95 |
| 103615 | S | 2437 VISA ASSESSING | 15.70 | 07/19/22 | _____ | | |
| | | | | | | CL 104731 | 15.70 |
| 103616 | S | 3706 VISA COMMUNICATIONS | 735.32 | 07/19/22 | _____ | | |
| | | | | | | CL 104723 | 735.32 |
| 103617 | S | 4396 VISA COURT | 431.46 | 07/19/22 | _____ | | |
| | | | | | | CL 104730 | 431.46 |
| 103618 | S | 3693 VISA ENGINEERING | 109.99 | 07/19/22 | _____ | | |
| | | | | | | CL 104732 | 109.99 |
| 103619 | S | 2436 VISA FINANCE | 597.28 | 07/19/22 | _____ | | |
| | | | | | | CL 104729 | 597.28 |
| 103620 | S | 3569 VISA FIRE DEPT 1 | 4025.55 | 07/19/22 | _____ | | |
| | | | | | | CL 104852 | 4025.55 |
| 103621 | S | 3568 VISA FIRE DEPT 2 | 841.91 | 07/19/22 | _____ | | |
| | | | | | | CL 104850 | 841.91 |
| 103622 | S | 4351 VISA FIRE DEPT 3 | 5406.81 | 07/19/22 | _____ | | |
| | | | | | | CL 104851 | 5406.81 |
| 103623 | S | 4335 VISA HUMAN RESOURCES | 1972.85 | 07/19/22 | _____ | | |
| | | | | | | CL 104712 | 1972.85 |
| 103624 | S | 2439 VISA IT | 414.98 | 07/19/22 | _____ | | |
| | | | | | | CL 104728 | 414.98 |
| 103625 | S | 3161 VISA LIBRARY #1 | 2634.24 | 07/19/22 | _____ | | |
| | | | | | | CL 104873 | 2634.24 |
| 103626 | S | 3162 VISA LIBRARY #2 | 1995.00 | 07/19/22 | _____ | | |
| | | | | | | CL 104872 | 1995.00 |
| 103627 | S | 2438 VISA PLANNING | 657.04 | 07/19/22 | _____ | | |
| | | | | | | CL 104733 | 657.04 |
| 103628 | S | 2435 VISA POLICE #1 | 1295.86 | 07/19/22 | _____ | | |
| | | | | | | CL 104716 | 1295.86 |
| 103629 | S | 3233 VISA POLICE #2 | 3333.22 | 07/19/22 | _____ | | |
| | | | | | | CL 104717 | 3333.22 |
| 103630 | S | 3234 VISA POLICE #3 | 203.06 | 07/19/22 | _____ | | |
| | | | | | | CL 104719 | 203.06 |
| 103631 | S | 3244 VISA POLICE #4 | 1135.01 | 07/19/22 | _____ | | |
| | | | | | | CL 104718 | 1135.01 |
| 103632 | S | 4300 VISA POLICE #5 | 835.19 | 07/19/22 | _____ | | |
| | | | | | | CL 104720 | 835.19 |
| 103633 | S | 4301 VISA POLICE #6 | 1468.17 | 07/19/22 | _____ | | |
| | | | | | | CL 104721 | 1468.17 |
| 103634 | S | 2423 VISA PUBLIC WORKS #1 | 3564.79 | 07/19/22 | _____ | | |
| | | | | | | CL 104762 | 3564.79 |
| 103635 | S | 4256 VISA PUBLIC WORKS #2 | 492.30 | 07/19/22 | _____ | | |
| | | | | | | CL 104760 | 492.30 |

Claim Checks

| Check # | Type | Vendor # | Name | Check Amount | Date Issued | Period Redeemed | Claim # | Claim Amount |
|---|---|---|---|---|---|---|---|---|
| 103636 | S | 544 | WALLWORK TRUCK CENTER | 10497.20 | 07/19/22 | | CL 104771 | 10497.20 |
| 103637 | S | 3306 | WEST FARGO EVENTS, INC | 33336.58 | 07/19/22 | | CL 104658 | 33336.58 |
| 103638 | S | 2184 | WEST SIDE STEEL | 11.36 | 07/19/22 | | CL 104787 | 11.36 |
| 103639 | S | 4129 | WESTERN NATIONAL MUTUAL INS CO | 50.00 | 07/19/22 | | CL 104693 | 50.00 |
| 103640 | S | 807 | WEX HEALTH, INC | 594.10 | 07/19/22 | | CL 104660 | 594.10 |
| 103641 | S | 569 | WF ANIMAL HOSPITAL | 4679.98 | 07/19/22 | | CL 104687 | 4679.98 |
| 103642 | S | 4003 | WM CORPORATE SERVICES INC | 93911.10 | 07/19/22 | | CL 104833 | 93911.10 |
| 103643 | S | 4465 | WOODSIDE INDUSTRIES INC | 9393.56 | 07/19/22 | | CL 104640 | 9393.56 |
| 103644 | S | 4127 | X-TREME DETAILING | 150.00 | 07/19/22 | | CL 104696 | 150.00 |
| 103645 | S | 338 | XCEL ENERGY | 37328.10 | 07/19/22 | | CL 104613 | 1459.44 |
| | | | | | | | CL 104664 | 13473.75 |
| | | | | | | | CL 104665 | 17.20 |
| | | | | | | | CL 104666 | 26.73 |
| | | | | | | | CL 104667 | 200.40 |
| | | | | | | | CL 104668 | 124.10 |
| | | | | | | | CL 104669 | 17.67 |
| | | | | | | | CL 104670 | 69.44 |
| | | | | | | | CL 104671 | 52.31 |
| | | | | | | | CL 104715 | 13089.02 |
| | | | | | | | CL 104837 | 79.46 |
| | | | | | | | CL 104841 | 1099.43 |
| | | | | | | | CL 104864 | 591.22 |
| | | | | | | | CL 104865 | 7027.93 |
| 103646 | S | 2880 | CITY OF FARGO | 686834.55 | 07/21/22 | | CL 104888 | 450056.75 |
| | | | | | | | CL 104890 | 236757.00 |
| | | | | | | | CL 104892 | 20.80 |
| 103647 | S | 774 | ECONOMIC DEVELOPMENT ASSOCIATION OF ND | 525.00 | 07/21/22 | | CL 104893 | 525.00 |
| 103648 | S | 104 | FORUM COMMUNICATIONS | 235.71 | 07/21/22 | | CL 104895 | 235.71 |
| 103649 | S | 3733 | TIMECLOCK PLUS | 600.00 | 07/21/22 | | CL 104899 | 600.00 |
| 103650 | S | 2478 | VALLI | 9537.75 | 07/21/22 | | CL 104897 | 8338.17 |
| | | | | | | | CL 104898 | 1199.58 |
| 103651 | S | 338 | XCEL ENERGY | 91.64 | 07/21/22 | | CL 104885 | 51.91 |
| | | | | | | | CL 104887 | 39.73 |

Claim Checks

| Check # | Type | Vendor #/Name | Check Amount | Date Issued | Period Redeemed | Claim # | Claim Amount |
|---|---|---|---|---|---|---|---|
| 103665 | S | 61 CASS COUNTY FINANCE | 2899504.08 | 07/26/22 | _____ | CL 104994 | 2899504.08 |

**Total for Claim Checks** **5069634.33**
Count for Claim Checks 205

* denotes missing check number(s)

# of Checks: 205 Total: 5069634.33

"Consent" or "Regular" Agenda Item?

**[ Consent ]**

**To:** West Fargo City Commission

**From:** Dan Hanson, City Engineer

**Date:** August 1, 2022

**Subject:** Project 2266 – 9th Street E Concrete Pavement Repair

**Action:** Approve Plans and Specifications and Authorize Advertisement for Bid

**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

**Assistant City Administrator**
Dustin T. Scott

**New Information and Recommendation:**
This project was created at the July 18, 2022 meeting and aims to improve pavement conditions and preserve the integrity of an arterial roadway.

Engineering staff has prepared the plans and specifications and will advertise for bid with a bid date of August 19. Advertisement and bidding will be through NDDOT.

The following documents are attached for review/consideration:

- Cover sheet, which represent the Plans and Specifications. (Note: A full plan set is available at the Engineering Department)
- NDDOT Notice to Bidders for August 19
- Resolution Approving Plans and Specifications.
- Resolution Directing Bid Advertisement.

Staff Recommendation: *APPROVE* Plans and Specifications and Authorize Bid Advertisement for Project No. 2266 – "*Concrete Pavement Repair*"

**Policy Analysis:**
As part of a proactive pavement management philosophy, we anticipate similar projects to continue annually using local funds. This project will leverage one time funding to preserve a major arterial, lowering the cost to the city. The Engineering Department will continue to collaborate pavement management projects with Public Works and strive to improve the quality and sustainability of our public streets.

**Financial Analysis:**
The Engineer's Report shows a total estimated cost of $615,000 with an estimated cost of $228,000 to the city. The remainder of the funds will be paid from one-time federal funds administered by the NDDOT. The CIP had a budget of $575,000 with $188,000 coming from city funds.

## Previously Presented Information and Commission Actions:

**July 18, 2022-**

- **Staff Recommendation**: Create Project 2266 and Direct Engineer to prepare report; Approve Engineer's Report and Direct Engineer to prepare Plans and Specifications.
- **Commission Action**: Commissioner Simmons moved and Commissioner Anderson seconded to approve. No opposition, motion carried.

| | STATE | PROJECT NO. | PCN | SECTION NO. | SHEET NO. |
|---|---|---|---|---|---|
| | ND | CVD-8-992(046) | 23540 | 1 | 1 |

# NORTH DAKOTA
# DEPARTMENT OF TRANSPORTATION

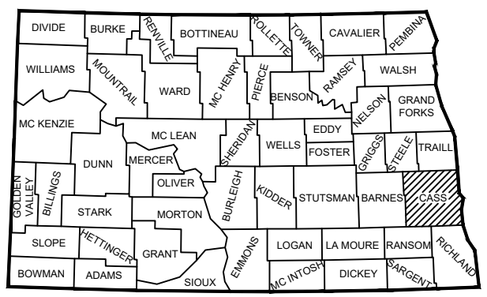
## CVD-8-992(046)

CASS COUNTY
WEST FARGO, NORTH DAKOTA
9TH STREET EAST FROM 13TH AVENUE TO MAIN AVENUE
CONCRETE PAVEMENT REPAIR, CURB & GUTTER, ADA,
MANHOLE & INLET ADJUSTMENTS

| GOVERNING SPECIFICATIONS | Date Published and Adopted by the North Dakota Department of Transportation |
|---|---|
| Standard Specifications | 1/1/2022 |
| Supplemental Specifications | NONE |

| PROJECT NUMBER \ DESCRIPTION | NET MILES | GROSS MILES |
|---|---|---|
| CVD-8-992(046) | 1 MILE | 1 MILE |

LEGAL DESCRIPTION
SECTIONS 8 & 9, TOWNSHIP 139 NORTH, RANGE 49 WEST




STATE COUNTY MAP

DESIGNER
CASSIE VLAMINCK

DESIGNER

DESIGNER

CITY OF WEST FARGO

# NOTICE TO BIDDERS
# BID OPENING OF August 19, 2022

North Dakota Department of Transportation
Construction Services Division
608 East Boulevard Avenue
Bismarck, ND 58505-0700
Telephone (701)328-2563
Website http://www.dot.nd.gov/

The North Dakota Department of Transportation (NDDOT) will receive electronic bids for the project(s) listed in this notice until 09:30AM, August 19, 2022. Electronic bids will be received through the Bid Express online bid exchange service at www.bidx.com.

Bid documents such as the Bidder's Proposal, plans, AASHTOWare Project Bids files, cross-sections and other related bid documents are available for viewing and downloading on the NDDOT's website at the following web address; http://www.dot.nd.gov/dotnet/eplans/default.aspx. The bid documents are also available for viewing at the Construction Services Division, NDDOT building in Bismarck, ND.

| Job | Project Number | Length | Type | Location | Time | Bid Range |
|---|---|---|---|---|---|---|
| 22434 | Withdrawn | | | | | |
| 22484 | Withdrawn | | | | | |
| 22613 | BND-IM-6-029(154)200 & IM-6-029(153)203 | 0.4650 | STRUCTURE REPLACEMENT, BRIDGE CURB, RAIL REPAIR, MEDIAN CROSSOVER & RAMP CONNECTIONS | PEMBINA CO; I29, 93RD ST NE N TO NEAR JCT US 81/ND 5 NB/SB & I29, NEAR JCT OF US 81/ND 5 (JOLIETTE INTERCHANGE) | September 16, 2023 | $2,500,001 to $3,000,000 |
| 22660 | NDS-SS-5-022(133)104 | 0.6030 | SIDEWALK/ADA & PEDESTRIAN BRIDGE | DUNN CO; ND 22, HUTCHINSON ST TO JCT ND 200/ND 22 BUSINESS; ND 22B, JCT ND 200/ND 22 N TO ADAMS DR (KILLDEER) | October 14, 2022 | $1,000,001 to $1,500,000 |
| 23526 | NH-6-005(046)317 | 0.0850 | JACK & BORE PIPE CONDUIT, GRADING, SIGNING, SEEDING AND WORK ZONE | PEMBINA CO; ND 5, E OF CAVALIER E TO JCT ND 18 | July 22, 2023 | $400,001 to $600,000 |
| 23540 | CVD-8-992(046) | 1.0000 | CONCRETE PAVEMENT REPAIR, CURB & GUTTER, ADA, MANHOLE & INLET ADJUSTMENTS | CASS CO; 9TH ST E, JCT 13TH AVE E N TO MAIN AVE (US BUSINESS 10) - WEST FARGO | November 18, 2022 | $400,001 to $600,000 |
| 23576 | ARP-9-999(494) | 0.0000 | STATEWIDE PORTABLE BARRIERS | BURLEIGH, CASS, GRAND FORKS, STARK & WARD COS; STATEWIDE PORTABLE BARRIERS - VARIOUS DISTRICT LOCATIONS | March 31, 2023 | $2,500,001 to $3,000,000 |
| 23621 | Withdrawn | | | | | |
| 23629 | Withdrawn | | | | | |
| 23643 | H-2-999(068) | 0.0000 | PIPE REPAIRS | DICKEY, LAMOURE, MCINTOSH & STUTSMAN COS; VARIOUS US/STATE HIGHWAYS - VALLEY CITY DISTRICT | November 19, 2022 | $400,001 to $600,000 |

**NOTICE TO BIDDERS (continued)**

1. Prequalification is required for all bidders submitting a bidding proposal form. Prequalification is required annually. Prequalified contractors who wish to renew their prequalification must submit a complete "Contractor's Prequalification Statement" by July 1 of each calendar year. Bidders who are not currently prequalified must submit a complete "Contractor's Prequalification Statement" at least 10 business days prior to the date of the bid opening. Information is available from the Construction Services Division of the North Dakota Department of Transportation.

2. Contractor's License--A contractor is not required to have a license from the state of North Dakota before bidding on any project, however, no contract will be awarded unless said contractor holds a current North Dakota license in the class within which the value of the contract falls.

3. A bid guarantee is required by Section 24-02-20, NDCC. The bid guarantee may be a bid bond equal to 10 percent of the full amount of the bid or a cashier's check of the bidder on a solvent bank equal to 5 percent of the bid. Bid bond shall be on the department form SFN 14196. Prior arrangements may be made with the department to file bid guarantees in advance.

4. Foreign corporation bidders are required, by Section 10-22-01, NDCC, to file, with the secretary of state, a notice of intention to do business in the state.

5. In-State Contractor Preference--Section 44-08-01 of the NDCC provides a preference for in-state bidders, which is equal to the preference given or required by the state of the nonresident bidder. This preference is given only on non-federal aid projects.

6. The Plan Holders List can be obtained from the NDDOT website at www.dot.nd.gov/.

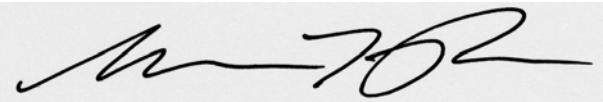
7. The Department of Transportation and all bidders are obligated to affirmatively ensure that in any contract entered into pursuant to this advertisement, minority or women's business enterprises will be afforded a full opportunity to participate and to submit bids in response to this invitation and will not be discriminated against on the grounds of race, religion, color, sex, age, or national origin in consideration for an award. Where applicable the contractor must fulfill all special provision requirements for utilization of Disadvantaged Business Enterprises.

8. Contractors are required to meet the provisions of the Contract Work Hours and Safety Standards Act on the federal aid projects, are required to meet the Fair Labor Standards Act on all projects, and are required to pay any minimum wage rates set forth in the proposal form.

9. The right is reserved to reject any and all proposals, to waive technicalities, or to accept such as may be determined to be for the best interests of the state.

10. Bidders are advised that signature on this Proposal Form or on a Request to Sublet Form certifies that the company or any person associated therewith is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three years; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION



William T. Panos, Director

## 22434

WITHDRAWN

*** END OF PROJECT 22434***

## 22484

WITHDRAWN

*** END OF PROJECT 22484***

## 22613 FEDERAL AID

PROJECT NUMBER BND-IM-6-029(154)200
AND IM-6-029(153)203

PROPOSED WORK CONSISTS OF 0.4650 MILES OF STRUCTURE REPLACEMENT, BRIDGE CURB, RAIL REPAIR, MEDIAN CROSSOVER & RAMP CONNECTIONS

LOCATED I29, 93RD ST NE N TO NEAR JCT US 81/ND 5 NB/SB
AND I29, NEAR JCT OF US 81/ND 5 (JOLIETTE INTERCHANGE)

AND INVOLVES APPROXIMATELY:
1 L SUM CONTRACT BOND; 2659 TON REMOVE AGGREGATE BASE & SURFACING; 2 EA REMOVAL OF STRUCTURE; 10 LF REMOVAL OF CURB; 40 LF REMOVAL OF CURB & GUTTER; 4 EA REMOVAL OF TEMPORARY BYPASS; 2334 CY COMMON EXCAVATION-TYPE A; 1534 CY TOPSOIL; 643 CY COMMON EXCAVATION-WASTE; 2960 CY BORROW-EXCAVATION; 1 EA BOX CULVERT EXCAVATION; 2952 CY FOUNDATION FILL; 1 EA FOUNDATION PREPARATION-BOX CULVERT; 159 M GAL WATER; 4.1 ACRE SEEDING CLASS II; .3 ACRE WETLAND SEED; 3.5 ACRE TEMPORARY COVER CROP; 7.9 ACRE STRAW MULCH; 111 CY RIPRAP GRADE II; 1222 LF SILT FENCE UNSUPPORTED; 611 LF REMOVE SILT FENCE UNSUPPORTED; 882 LF FIBER ROLLS 12IN; 441 LF REMOVE FIBER ROLLS 12IN; 836 LF FIBER ROLLS 20IN; 1192 LF FLOTATION SILT CURTAIN; 596 LF REMOVE FLOTATION SILT CURTAIN; 5067 TON AGGREGATE BASE COURSE CL 5; 515 SY MILLING PAVEMENT SURFACE; 2173 TON COMMERCIAL GRADE HOT MIX ASPHALT; 372 LF DBL 10FT X 6FT PRECAST RCB CULVERT; 2 EA DBL 10FT X 6FT PRECAST RCB END SECTION; 1 EA CONNECTION PLATE MODIFICATION; 1 L SUM MOBILIZATION; 670 MHR FLAGGING; 6876 UNIT TRAFFIC CONTROL SIGNS; 2 EA ATTENUATION DEVICE-TYPE B-55; 2 EA ATTENUATION DEVICE-TYPE B-65; 2 EA ATTENUATION DEVICE-TYPE B-75; 2 EA PORTABLE RUMBLE STRIPS; 30 EA TYPE III BARRICADE; 193 EA DELINEATOR DRUMS; 180 EA TUBULAR MARKERS; 31 EA DELINEATOR; 4 EA SEQUENCING ARROW PANEL-TYPE C; 2 EA SEQUENCING ARROW PANEL-TYPE C-CROSSOVER; 1 EA FLASHING BEACON; 3501 SF OBLITERATION OF PAVEMENT MARKING; 129 EA PRECAST CONCRETE MED BARRIER-STATE FURNISHED; 1 EA FIELD OFFICE; 1 EA AGGREGATE LABORATORY; 1 EA INLET PROTECTION-SPECIAL; 1 EA REMOVE INLET PROTECTION-SPECIAL; 6723 SY GEOSYNTHETIC MATERIAL TYPE G; 278 SY GEOSYNTHETIC MATERIAL TYPE RR; 196 LF PIPE PVC 12IN; 40 LF CURB & GUTTER-TYPE I; 50 EA DELINEATORS-TYPE A; 4 EA OBJECT MARKERS - TYPE III; .1 MILE RUMBLE STRIPS - ASPHALT SHOULDER; 22535 LF EPOXY PVMT MK 4IN LINE; 7562 EA RAISED PAVEMENT MARKERS; 1 EA W-BEAM GUARDRAIL END TERMINAL; 1140 LF REMOVE W-BEAM GUARDRAIL & POSTS; 4 EA REMOVE END TREATMENT & TRANSITION; 1 EA ATTENUATING CRASH CUSHION TL-3; 1 EA TEMPORARY STREAM DIVERSION.
*** END OF PROJECT 22613***

## 22660 FEDERAL AID

PROJECT NUMBER NDS-SS-5-022(133)104

PROPOSED WORK CONSISTS OF 0.6030 MILES OF SIDEWALK/ADA & PEDESTRIAN BRIDGE

LOCATED ND 22, HUTCHINSON ST TO JCT ND 200/ND 22 BUSINESS; ND 22B, JCT ND 200/ND 22 N TO ADAMS DR (KILLDEER)

AND INVOLVES APPROXIMATELY:
1 L SUM CONTRACT BOND; 34 SY REMOVAL OF CONCRETE PAVEMENT; 100 LF REMOVAL OF CURB & GUTTER; 6 EA REMOVAL OF END SECTION-

ALL TYPES & SIZES; 256 CY COMMON EXCAVATION-TYPE B; 1800 CY TOPSOIL; 3968 CY BORROW-EXCAVATION; 1 L SUM CLASS 1 EXCAVATION; 1 EA FOUNDATION PREPARATION; 100 M GAL WATER; 1.86 ACRE SEEDING CLASS I; 1.86 ACRE TEMPORARY COVER CROP; 3.72 ACRE HYDRAULIC MULCH; 839 SY ECB TYPE 2; 360 CY RIPRAP GRADE II; 1647 LF FIBER ROLLS 12IN; 1647 LF REMOVE FIBER ROLLS 12IN; 204 LF FLOTATION SILT CURTAIN; 204 LF REMOVE FLOTATION SILT CURTAIN; 528 TON AGGREGATE BASE COURSE CL 5; 504 TON COMMERCIAL GRADE HOT MIX ASPHALT; 38 CY CLASS AAE-3 CONCRETE; 35 CY CLASS AE-3 CONCRETE; 139 SY PENETRATING WATER REPELLENT TREATMENT; 178 LF PRESTRESSED BOX BEAM-33IN; 3474 LBS REINFORCING STEEL-GRADE 60; 7090 LBS REINFORCING STEEL-GRADE 60-EPOXY COATED; 410 LF STEEL PILING HP 10 X 42; 222 LF PEDESTRIAN FENCE; 1 L SUM MOBILIZATION; 448 MHR FLAGGING; 2508 UNIT TRAFFIC CONTROL SIGNS; 4 EA TYPE III BARRICADE; 4 EA DELINEATOR DRUMS; 13 EA TRAFFIC CONES; 49 EA TUBULAR MARKERS; 540 SY GEOSYNTHETIC MATERIAL TYPE RR; 14 LF PIPE CONC REINF 18IN CL III; 38 LF PIPE CONC REINF 24IN CL III; 1 EA END SECT-CONC REINF 18IN; 3 EA END SECT-CONC REINF 24IN; 34 LF PIPE CONDUIT 24IN-APPROACH; 8 LF PIPE METAL 18IN; 2 EA END SECT METAL 18IN; 137 LF CURB & GUTTER-TYPE I; 70 LF CURB-TYPE I; 233 SY SIDEWALK CONCRETE 4IN; 272 SF DETECTABLE WARNING PANELS; 91 SF FLAT SHEET FOR SIGNS-TYPE XI REFL SHEETING; 95 SF FLAT SHEET FOR SIGNS-TYPE IV REFL SHEETING; 403 LF STEEL GALV POSTS-TELESCOPING PERFORATED TUBE; 1 EA RESET SIGN PANEL; 8 EA OBJECT MARKERS - CULVERTS; 217 LF EPOXY PVMT MK 6IN LINE; 204 LF EPOXY PVMT MK 24IN LINE-GROOVED; 1 SET BRIDGE BENCH MARKS; 2 EA ABUTMENT UNDERDRAIN SYSTEM.
*** END OF PROJECT 22660***

## 23526 FEDERAL AID PROJECT NUMBER NH-6-005(046)317

PROPOSED WORK CONSISTS OF 0.0850 MILES OF JACK & BORE PIPE CONDUIT, GRADING, SIGNING, SEEDING AND WORK ZONE
LOCATED ND 5, E OF CAVALIER E TO JCT ND 18
AND INVOLVES APPROXIMATELY:
1 L SUM CONTRACT BOND; 1482 CY COMMON EXCAVATION-TYPE A; 1348 CY TOPSOIL; 1138 CY COMMON EXCAVATION-WASTE; 12 M GAL WATER; 1.65 ACRE SEEDING CLASS II; 1.65 ACRE TEMPORARY COVER CROP; 3.3 ACRE SOIL STABILIZATION; 62 SY ECB TYPE 2; 50 LF SILT FENCE SUPPORTED; 50 LF REMOVE SILT FENCE SUPPORTED; 858 LF FIBER ROLLS 12IN; 352 LF REMOVE FIBER ROLLS 12IN; 52 LF FIBER ROLLS 20IN; 1 L SUM MOBILIZATION; 100 MHR FLAGGING; 740 UNIT TRAFFIC CONTROL SIGNS; 2 EA PORTABLE RUMBLE STRIPS; 16 EA DELINEATOR DRUMS; 29 EA TUBULAR MARKERS; 52 LF PIPE CONDUIT 60IN; 168 LF PIPE CONDUIT 60IN-JACKED OR BORED; 75 LF STEEL GALV POSTS-TELESCOPING PERFORATED TUBE; 3 EA RESET SIGN PANEL.
*** END OF PROJECT 23526***

## 23540 FEDERAL AID PROJECT NUMBER CVD-8-992(046)

PROPOSED WORK CONSISTS OF 1.0000 MILES OF CONCRETE PAVEMENT REPAIR, CURB & GUTTER, ADA, MANHOLE & INLET ADJUSTMENTS
LOCATED 9TH ST E, JCT 13TH AVE E N TO MAIN AVE (US BUSINESS 10) - WEST FARGO
AND INVOLVES APPROXIMATELY:
1 L SUM CONTRACT BOND; 1740 SY REMOVAL OF CONCRETE PAVEMENT; 641 LF REMOVAL OF CURB & GUTTER; 1602 CY COMMON EXCAVATION-SUBCUT; 576 CY AGGREGATE SURFACE COURSE CL 5; 1723 SY 10IN CONCRETE PAVEMENT REPAIR-FULL DEPTH-DOWELED; 1 L SUM MOBILIZATION; 922 UNIT TRAFFIC CONTROL SIGNS; 8 EA TYPE III BARRICADE; 4 EA SIDEWALK BARRICADE; 100 EA DELINEATOR DRUMS; 90 EA TUBULAR MARKERS; 1 EA SEQUENCING ARROW PANEL-TYPE A; 1740 SY GEOSYNTHETIC MATERIAL TYPE S1; 3 EA INLET; 5 EA ADJUST MANHOLE; 641 LF CURB & GUTTER; 17 SY SIDEWALK CONCRETE; 16 SF DETECTABLE WARNING PANELS; 1490 LF PVMT MK PAINTED 4IN LINE.
*** END OF PROJECT 23540***

## 23576 STATE AID PROJECT NUMBER ARP-9-999(494)

PROPOSED WORK CONSISTS OF 0.0000 MILES OF STATEWIDE PORTABLE BARRIERS

LOCATED STATEWIDE PORTABLE BARRIERS - VARIOUS DISTRICT LOCATIONS

AND INVOLVES APPROXIMATELY:

1 L SUM CONTRACT BOND; 1 L SUM MOBILIZATION; 1000 EA PORTABLE CONCRETE BARRIER; 165 EA PORTABLE STEEL BARRIER.

*** END OF PROJECT 23576***

## 23621

WITHDRAWN

*** END OF PROJECT 23621***

## 23629

WITHDRAWN

*** END OF PROJECT 23629***

## 23643 STATE AID PROJECT NUMBER H-2-999(068)

PROPOSED WORK CONSISTS OF 0.0000 MILES OF PIPE REPAIRS

LOCATED VARIOUS US/STATE HIGHWAYS - VALLEY CITY DISTRICT

AND INVOLVES APPROXIMATELY:

1 L SUM CONTRACT BOND; 396 LF REMOVAL OF PIPE ALL TYPES AND SIZES; 440 LF FIBER ROLLS 12IN; 500 TON AGGREGATE BASE COURSE CL 5; 16 EA COFFERDAM; 1 L SUM MOBILIZATION; 200 MHR FLAGGING; 856 UNIT TRAFFIC CONTROL SIGNS; 2 EA PORTABLE RUMBLE STRIPS; 7 EA TYPE III BARRICADE; 20 EA DELINEATOR DRUMS; 40 EA TUBULAR MARKERS; 15 EA STACKABLE VERTICAL PANELS; 208 LF PIPE CONC REINF ARCH 58IN X 36IN CL III; 110 LF CURED-IN-PLACE PIPE-24IN; 84 LF PIPE CONDUIT 24IN-APPROACH; 150 LF PIPE CONDUIT 30IN-APPROACH; 80 GAL HIGH EXPANSION POLYURETHANE FOAM; 1 EA PIPE CLEANOUT.

*** END OF PROJECT 23643***

The City Auditor presented to the Board of City Commissioners the plans and specifications and estimates of cost for improvements in Project No. 2266 – Concrete Pavement Repair of the City of West Fargo, North Dakota, as prepared by Daniel Hanson, the Engineer for the City.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR IMPROVEMENTS IN PROJECT NO. 2266 – CONCRETE PAVEMENT REPAIR OF THE CITY OF WEST FARGO

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that the plans and specifications and estimates of cost for improvements in Project No. 2266 – Concrete Pavement Repair of the City of West Fargo heretofore prepared by Daniel Hanson, Engineer for the City, be and the same hereby are approved, ratified and confirmed as the plans and specifications and estimates of cost in accordance with which said improvements shall be constructed and the City Auditor shall file the same in her office open to public inspection.

Dated: August 1, 2022

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.

Commissioner _____ introduced the following resolution and moved for its adoption:

RESOLUTION DIRECTING AUDITOR TO
ADVERTISE FOR BIDS

WHEREAS, this Board has heretofore created Project No. 2266 – Concrete Pavement Repair of the City of West Fargo; and

WHEREAS, plans and specifications and estimates of costs for said Concrete Pavement Repair Project have heretofore been directed to be prepared by the Engineer for the City of West Fargo; and

WHEREAS, said plans, specifications and estimates of cost have been prepared and have been approved by the Board of City Commissioners of the City of West Fargo; and

WHEREAS, it is necessary to advertise for bids for the work in said project.

NOW THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, Cass County, North Dakota, that the City Auditor be, and she is hereby authorized and directed to cause notice of Advertisement for Bids for the construction of the work heretofore directed to be made in Project No. 2266 – Concrete Pavement Repair to be published once each week for three consecutive weeks in *The Forum*, and that the City Auditor and Engineer will meet at the City Hall in the City of West Fargo, at a time and date to be determined by the City Auditor, for the purpose of opening sealed bids received prior to the time of such meeting in accordance with such published advertisement for bids for the purpose of taking such other and further action with reference thereto as shall then be deemed necessary and expedient. Such advertisements shall be published in form as provided in Section 48-01.2 of the North Dakota Century Code as amended.

Dated: August 1, 2022

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.

# Equipment Lease Agreement

This Equipment Lease Agreement (the "Agreement") is entered into effective December 2021, by and between **White Trucking, Inc.,** a North Dakota corporation, whose mailing address is PO Box 1606, Fargo, North Dakota 58102 ("Lessor") and **City of West Fargo, North Dakota**, a political subdivision of the State of North Dakota, whose mailing address is 800 4th Avenue East, West Fargo, North Dakota ("Lessee"), who hereby agree as follows:

1. **Lease of Equipment.** Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, the following equipment: 1997 Ford 1FTYS80F2VVA34452 (the "**Equipment**").

2. **Location and Use of Equipment**. The Equipment has been delivered at Lessee's location at 1620 Main Ave W West Fargo, North Dakota 58078 (the "**Location**")**.** Lessee shall keep the Equipment at the Location at all times unless a move of the Equipment is authorized in writing by the Lessor. The Equipment shall be used only to move Lessor's trailers in and out of Lessee's transfer station, and for no other use by Lessee.

3. **Term**. The term of the Agreement shall commence on this the 1st Day of January, 2022 and shall automatically renew every January 1st of each year unless terminated earlier as provided in this Agreement.

4. **Rent**. Lessee agrees to pay Lessor annual rent in the amount of One Dollar and no/100 ($1.00) for the use of the Equipment.

5. **Non-Exclusive Use**. Lessee shall have the non-exclusive use of the Equipment to move Lessor's trailers in and out of the transfer station, in conjunction with Lessor's use of the Equipment from time to time. Lessor may also use the Equipment while the Equipment is located at the Location, also for the purpose of moving Lessor's trailers in and out of the transfer station. Lessor and Lessee agree to cooperate as to the times that the Equipment is used by each party. Lessee shall allow only its employees to use the Equipment on behalf of Lessee. Lessor shall allow only its employees or agents (including Franke Trucking, Inc.) to use the Equipment on behalf of Lessor.

6. **Title of Lessor; Assignment; Sub-Leasing**. Lessee shall not move the Equipment or part with possession or enter into any sub-lease with respect to the Equipment or any part thereof or assign this Agreement or its interest hereunder without the prior consent of the Lessor. Title to the Equipment shall at all times remain in the name of the Lessor, and Lessee at its own cost and expense shall protect and defend such title. Lessee shall at all times keep the Equipment free and clear from all levies, attachments, liens, encumbrances and charges or other judicial process of every kind whatsoever. Lessee will take whatever action may be necessary to file, or enable Lessor to file, this Agreement in such offices as may be necessary for the proper protection of Lessor's title.

7. **Condition of Equipment—No Warranty, Either Express or Implied**. Lessee shall examine and satisfy itself that Equipment is in good order before using. Lessee's use of the Equipment shall be conclusive evidence that Lessee is satisfied with the condition of the Equipment. Lessor shall not be liable for any claims, losses, labor expenses or damages, direct or consequential, resulting directly or indirectly from the use of, or inability to use, the Equipment. In addition, Lessor shall not be liable for any claims or expenses of third parties. THERE ARE NO EXPRESS OR IMPLIED WARRANTIES, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF FITNESS, WHICH EXTEND BEYOND THE DESCRIPTION ABOVE OF THE EQUIPMENT.

8. **Maintenance and Fuel**. Lessor shall be responsible for all maintenance, service and fuel for the Equipment. Lessee shall maintain the Equipment in good operating condition and shall return the Equipment in the same condition as received except for normal wear and tear.

9. **Loss of or Damage to Equipment; Insurance.** Lessee shall be responsible for any and all damage caused to or by the use of the Equipment by Lessee's employees or agents. Lessor shall be responsible for any and all damage caused to or by the use of the Equipment by Lessor's employees or agents, or Franke Trucking, Inc. Each of Lessor and Lessee shall maintain liability insurance with respect to the Equipment and the use of the Equipment by that party's employees and agents. Each party shall maintain during the entire period of this Agreement, a policy of public liability and property damage insurance covering the Equipment, protecting the Lessee and Lessor in connection with the use and operation of the Equipment in amounts not less than **$1,000,000** for injury to or death of one person, of not less than **$1,000,000** for all persons injured or killed in any one accident, and not less than **$1,000,000** for damage to or loss of use of property of third persons as a result of any one accident. All policies shall name the other party as an additional insured and shall be written by a company acceptable to Lessor, and shall include contractual liability for this agreement.

10. **Indemnity**. To the Extent permitted by law, Lessee shall indemnify Lessor against, and hold Lessor harmless from any and all claims, actions, damages, costs (including reasonable attorney's fees), obligations, liabilities and liens, violation of environmental laws, imposed on, incurred by or asserted against Lessor or its successors or assigns, arising out of the use of the Equipment by Lessee, its employees or agents, except where arising out of the negligence or act of Lessor. Lessor shall indemnify Lessee against, and hold Lessee harmless from any and all claims, actions, damages, costs (including reasonable attorney's fees), obligations, liabilities and liens, violation of environmental laws, imposed on, incurred by or asserted against Lessee or its successors or assigns, arising out of the use of the Equipment by Lessor, its employees or agents, except where arising out of the negligence or act of Lessee.

11. **Permits and Taxes**. Lessor shall comply with all laws and regulations and obtain all permits required by municipal, state and federal laws and regulations and shall pay all taxes, assessments and fees relating to the Equipment or its use during the terms of this Agreement.

12. **Termination.** Either party may terminate this Agreement with ten (10) days written notice to the other party, for any reason.

13. **Right of Inspection**. The Equipment shall at all times be located at the Location. Lessor shall at any and all times during business hours have the right to enter into and upon the premises where the Equipment may be located for the purpose of inspecting the same or observing its use.

14. **Personal Property**. The Equipment shall remain the personal property of Lessor.

15. **Governing Law.** This Agreement and the legal relations among the parties hereto shall be governed by and construed in accordance with the substantive laws of the State of North Dakota. In the event that any litigation is brought relating to this Agreement, the parties hereto agree that the venue for all such actions shall be in State District Court in Cass County, North Dakota. The parties further agree that said Cass County District Court shall have jurisdiction in all matters relating to this Agreement.

**CITY OF WEST FARGO | City Administrator**, Lessee

Print: _____

Sign: _____

**CITY OF WEST FARGO | Commission President**, Lessee

Print: _____

Sign: _____

**WHITE TRUCKING, INC.**, Lessor

Print: _____

Sign: _____

3418611.1

# 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 | Dates of Activity | If raffle, provide drawing date |
|---|---|---|
| Kindred Alumni | 8/13/22 | 8/13/22 |

| Organization or Group Contact Person | Title or Position | Telephone Number |
|---|---|---|
| Bruce LykKen | Treasurer | 701-729-4509 |

| Business Address | City | State | ZIP Code |
|---|---|---|---|
| | | | |

| Mailing Address *(if different)* | City | State | ZIP Code |
|---|---|---|---|
| 5565 CORD 3 | Kindred | ND | 58051 |

Site Name *(where gaming will be conducted)*
Speedway Event Center

| Site Address | City | ZIP Code | County |
|---|---|---|---|
| 680 Main Ave W | West Fargo | 58078 | Cass |

Description and Retail Value of Prizes to be Awarded

| Game Type | Description of Prize | Retail Value of Prize |
|---|---|---|
| Raffle 50/50 | Homemade Quilt, painting | $600.00 |

Add Row | Delete Row

| Total *(limit $40,000 per year)* | $600.00 |
|---|---|

Intended Uses of Gaming Proceeds: Help fund next Alumni reunion.

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 | Title | Telephone Number | E-mail Address |
|---|---|---|---|
| Bruce LykKen | Treasurer | 701-729-4509 | hunter-280@hotmail.com |

| Signature of Organization or Group's Top Official | Title | Date |
|---|---|---|
| Bruce | Treasurer | 7/23/22 |

# City Commission Agenda Item Request

Please Note: The following information must be completed and submitted before noon on the Wednesday preceding the City Commission Meeting. Failure to comply may delay action being taken on your request.

## Office Use:

**Regular Agenda Item #:**

**Consent Agenda Item #:**

## Agenda Item Information:

**Contact Name:** *

Cody Cashman

**Phone Number:** *

17012822200

**Email Address:**

cody@redrivervalleyfair.com

**Date** *

8/1/2022

**Topic for Consent or Regular Agenda?**

Please select one option:

- [ ] Consent Agenda
- [x] Regular Agenda

**Please Briefly Describe Your Request** *

This is a follow up on the RRVF Association's desire to expand the campground facilities at the fairgrounds. We are again coming to you with a request that the West Fargo City Commission, have City staff work with us on an ordinance amendment that would accommodate an option for stand-alone campgrounds. We attended a metting June 6th and it was requested that we hold 2 public meetings. We have held the public meetings and would like to meet with you again to discuss the next steps.

**Site Address or Legal Description (if applicable)**

**Action Being Requested from City Commission** *

Ordinance change to allow for a stand-alone campgrounds.

**Upload Additional Documentation (Optional):**

Campground Expansion Powerpoint.pptx 1.52MB

# Campground Expansion

Red River Valley Fair

# Objective:

The RRVF Association desires to expand the campground facilities at the fairgrounds. We are requesting the West Fargo City Commission have City staff work with us on an ordinance amendment that would accommodate an option for a stand-alone campgrounds.  We will then submit this request to the Planning & Zoning Commission for their consideration.

At this time we have 78 seasonal spots available, all are full. The expansion of our campground would bring in 130 new seasonal residences resulting in approximately $500,000.00 in additional income for the Red River Valley Fair. This expansion will not only benefit the Fair but also the City of West Fargo. The people staying in our campground will visit your grocery stores, restaurants, gas stations, etc.

On the following slide is a draft of our expansion plan. I have also included some of the other improvement projects we have planned for the grounds in the coming years.

# Expansion Draft

# Existing Infrastructure

The area bordered by 15th St to the west, Main Ave to the north, Cass County Highway Department to the east, and the existing campground to the south. The 16” PVC water main is available for connection on the west side of15th St that **has ample capacity** to service the area. An existing 12” VCP sewer bisects the area that will provide the nearest connection.

# Future Planning

## Storm Water Ponds

Figure 10: Proposed Storm Water Pond System

# North Main Entrance Pond

# NE Pond

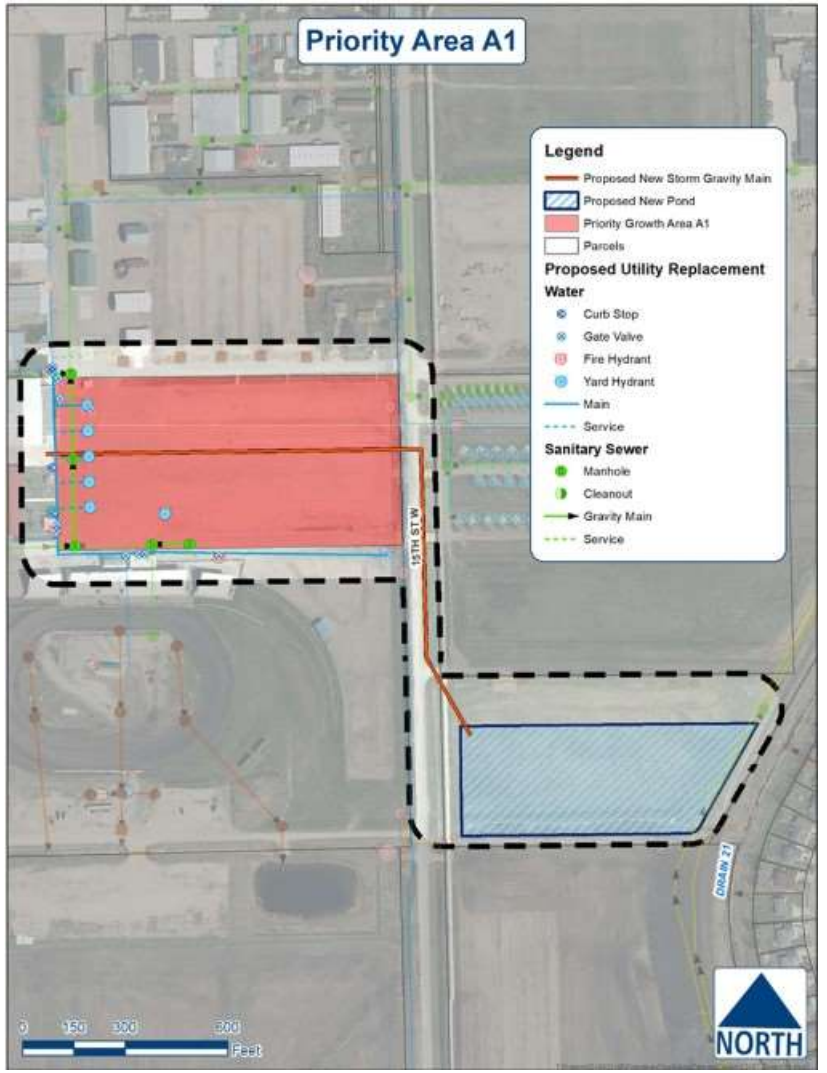
Priority Area B1 East
Legend
Proposed New Water
Proposed New Storm Gravity Main
Proposed New Pond
Priority Growth Area B1 East
Parcels
Proposed Utility Replacement
Sanitary Sewer
Manhole
Gravity Main
2ND AVE NW
15TH ST NW
MAIN AVE W
13TH ST W
0 150 300 600
Feet
NORTH

# Pond West of the Track

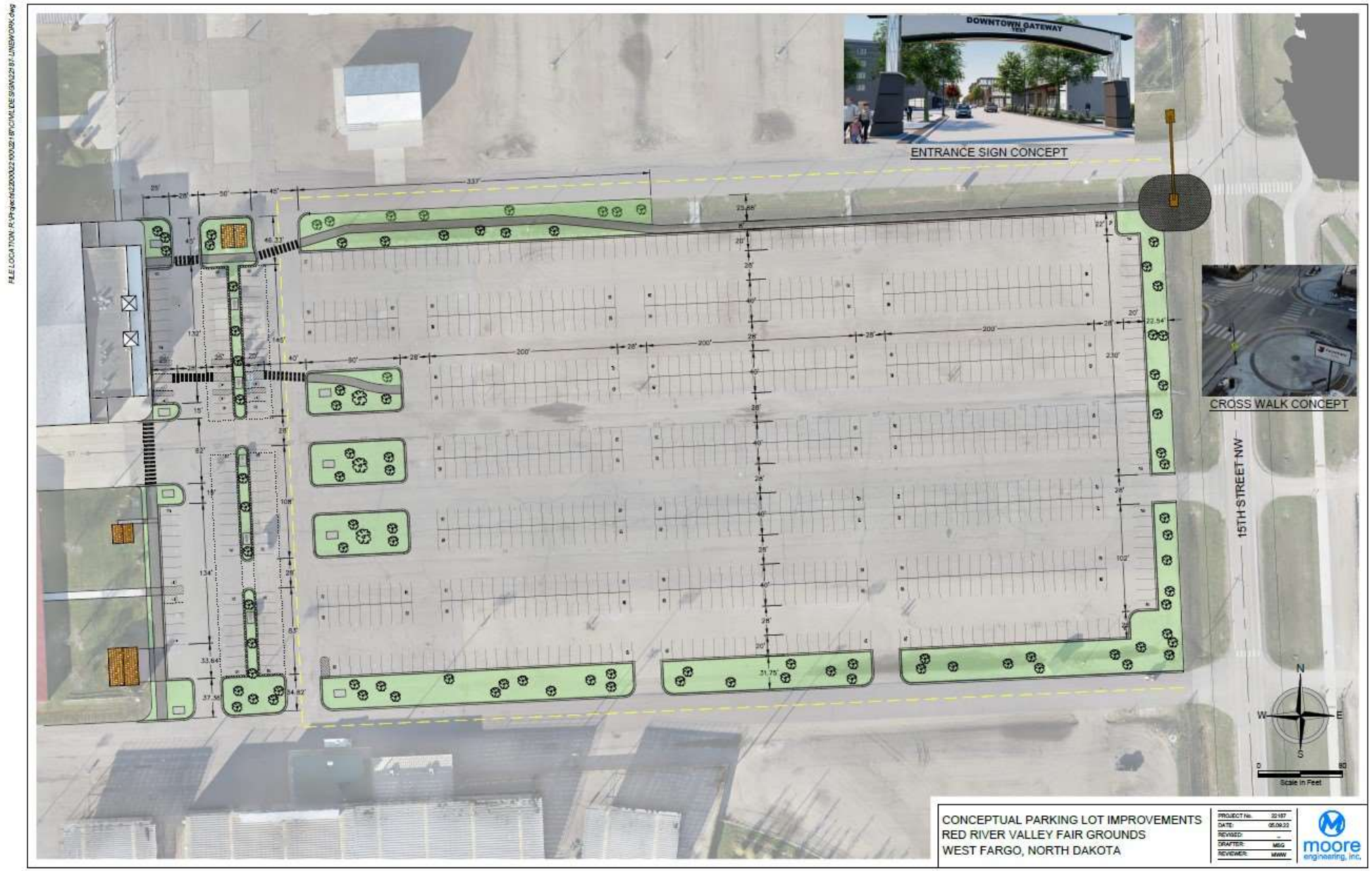
# Southeast Pond

# Southwest Pond

## Regional Storm Sewer Lift Station



# Parking Lot Concept



MBN
RED RIVER VALLEY
FAIR ASSOCIATION
CAMPGROUND
IMPROVEMENTS
EXISTING SITE PLAN / PROPOSED PLAN
C0
SYMBOL LEGEND:
EXISTING CAMP SITES: 71
PROPOSED CAMP SITES: 130
TOTAL CAMP SITES: 201

Thank you!

"Consent" or "Regular" Agenda Item?
**[ Regular ]**

**To:** West Fargo City Commission

**From:** Dan Hanson, City Engineer

**Date:** August 1, 2022

**Subject:** SA-40 Sanitary Lift Station Rehabilitation

**Action:** Create Project No. 1342, Approve Engineer's Report, Authorize Engineer to prepare Plans and Specs.

**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

**Assistant City Administrator**
Dustin T. Scott

**New Information and Recommendation:**
The SA40 lift station is the master lift station of the City and receives all of the City's wastewater. It was originally installed 14 years ago (2008). In 2017 there was some minor updates and repairs. In recent years the soft starters have been failing more frequently as well as the cooling fans have also been failing. Additionally, there has been corrosion occurring which requires additional ventilation improvements to be completed and backup generation is manual, not automated. The existing coating in the wet well is also failing in areas and in need of replacement.

The recommended improvements include electrical improvements, building generator room improvements (automated ventilation) and wet well coatings. Public Works has identified this work as critical to maintain operation of this lift station as if it were to fail, potential property damage would be significant. Plans will be brought to Commission for approval before advertising for bids.

The following documents are attached for review/consideration:
- Engineer's Report
- Associated Resolutions

Staff Recommendation: *Create Project No. 1342; Approve Engineer's Report; AND direct Engineer to prepare Plans and Specifications*

**Policy Analysis:**
This project will update the most critical sanitary lift station that the City operates. It will be designed by a consultant and bid by West Fargo following local, state and federal regulations.

**Financial Analysis:**
The total project costs are estimated to be $1,200,000. This project was included in the current CIP with a total project cost estimate of $500,000. The $500,000 only included the electrical work, added to that is the structural modifications to the building generator room for ventilation improvements and wet well coatings which caused the additional cost.

**Previously Presented Information and Commission Actions:**

**None**

City of WEST FARGO

Dan Hanson, City Engineer
Jerry Wallace, Asst. City Engineer
Andrew Wrucke, Asst. City Engineer
Kayla Volness, Office Manager

**Engineering Department**
800 4th Ave E, West Fargo, ND
(701) 515-5100
westfargond.gov/Engineer

# Engineer's Report

(Pursuant to N.D.C.C. 40-22-10)

## Project No. 1342

SA 40 Sanitary Lift Station Rehabilitation

**General Nature (Scope)**

The SA40 lift station is the master lift station of the City and receives all of the City's wastewater. It was originally installed 14 years ago (2008). In 2017 there was some minor updates and repairs. In recent years the soft starters have been failing more frequently as well as the cooling fans have also been failing. Additionally, there has been corrosion occurring which requires additional ventilation improvements to be completed.

**Purpose**

Given recent minor failures in the soft starters and cooling fans as well as the inadequate ventilation which is causing corrosion, Public Works has identified this project as a critical need to ensure the continued operation of SA 40 without disruption.

Electrical Improvements:

- Replace the manual power transfer for the emergency backup generator to a fully automated generator startup and power transfer system.
- Replacement of the three soft starters with variable speed drives (VFDs) to improve pump operation.
- Relocation of power feed
- Upgrading internal control panel equipment.

Building Generator Room Improvements:

The generator room is currently equipped with two coiling rollup doors which must be manually opened to provide generator equipment cooling when it is operating. Since the new electrical equipment will automatically start and operate the generator, there is need to automate the ventilation by removing these doors and installing louvers with actuated control dampers.

Wet Well Improvements:

With the recent approval of Change Order No. 2 to the 1316.2 project providing bypass ability to the separate wet wells within SA 40, the wet wells will now be able to be worked on independently. Wet wells will be waterproofed and new coatings will be applied.

**Feasibility**

SA 40 Electrical Rehab (city's primary sewer lift station) was listed on the 2022 CIP as a $500,000 project. This was only the electrical components described. The additional work detailed above increases the total project cost to an estimated $1,200,000. It is anticipated that this cost will be paid via Capital Improvement Sales Tax revenue.

**Estimate of Probable Cost**

| | | |
|---|---|---|
| Construction | | $1,020,000 |
| Bid Proposal Items | $850,000 | |
| Contingency (~20%) | $170,000 | |
| Consultant (Design/Construction) | | $ 140,000 |
| Legal | | $ 20,000 |
| Administration | | $ 20,000 |
| Land Acquisition | | $ 0 |
| Utility Relocation | | $ 0 |
| Bonding/Interest | | $ 0 |
| Total Estimated Cost | | $1,200,000 |

**Source of Funds**

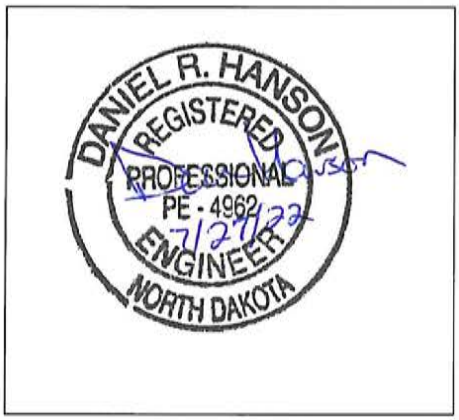
| | | |
|---|---|---|
| Special Assessments | | $ 0 |
| City Funds | | $ 1,200,000 |
| Capital Impr. Sales Tax | $ 1,200,000 | |
| Water/Sewer Revenue | $ 0 | |
| Water/Sewer Bond | $ 0 | |
| Total | | $1,200,000 |

**Supporting Documents (available upon request)**

A. Consultants Preliminary Engineer's Report that includes an Estimate of Probable Cost
B. Maps, Drawings, Etc.
C. Photos

*The proposed improvements are cost effective and will adhere to city policies as well as applicable state and/or federal regulations.*

Daniel R. Hanson, P.E.
ND Registration No. PE-4962



Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION CREATING PROJECT NO. 1342 – SANITARY SEWER SYSTEM REHABILITATIONS, REPLACEMENTS, AND INCIDENTALS OF THE CITY OF WEST FARGO, NORTH DAKOTA

WHEREAS, Daniel Hanson, a Registered Professional Engineer, is the Engineer for the City of West Fargo, and the Board of City Commissioners has consulted with him relating to the establishment, size and form and other matters with regard to Project No. 1342 –Sanitary Sewer System Rehabilitations, Replacements, and Incidentals of the City of West Fargo; and

WHEREAS, it is deemed necessary to establish a sanitary sewer system rehabilitation project; within the City of West Fargo;

NOW THEREFORE, be it resolved as follows:

That there is hereby created Project No. 1342 – Sanitary Sewer System Rehabilitations, Replacements, and Incidentals of the City of West Fargo.

Dated: August 1, 2022

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.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION DIRECTING ENGINEER TO PREPARE REPORT

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, deeming it necessary to make certain improvements consisting of rehabilitating sanitary sewer lift station along with modifying and/or replacing associated forcemains and other system components, related incidentals, and all other appurtenances, contrivances and stuctures used or useful in connection with the above specified improvements, be constructed and made in Project No. 1342 –Sanitary Sewer System Rehabilitations, Replacements and Incidentals of the City of West Fargo, the City hereby directs Daniel Hanson, the Engineer for the City of West Fargo and being a competent engineer, to prepare a report as to the general nature, purpose and feasibility of the proposed project and an estimate of the probable cost of the work.

Dated: August 1, 2022

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.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING ENGINEER'S REPORT

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that the report of the Engineer for the City of West Fargo as to the general nature, purpose and feasibility along with an estimate of the probable cost of the work has been filed with this Board and that the same is hereby approved for Project No. 1342 –Sanitary Sewer Syatem Rehabilitations, Replacements and Incidentals.

Dated: August 1, 2022

APPROVED:

_____
President of Board of City Commissioners

ATTEST:

_____
City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. Upon roll call vote being taken thereon, the following commissioners voted in favor thereof: _____. The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. The majority having voted aye, the motion was carried and the resolution was duly adopted.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION DIRECTING ENGINEER
TO PREPARE PLANS AND SPECIFICATIONS

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, deeming it necessary to make certain improvements consisting of water main, sanitary sewer, storm sewer, streets, lot services, and other essential infrastructure necessary to service the properties in connection with the abvoce specified improvements, be constructed and made in Project No. 1342 – Sanitary Sewer System Rehabilitations, Replacements and Incidentals of the City of West Fargo, the City hereby directs Daniel Hanson, the Engineer for the City of West Fargo and being a competent engineer, to prepare plans and specifications for such work.

Dated: August 1, 2022

APPROVED:

_____
President of Board of City Commissioners

ATTEST:

_____
City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. Upon roll call vote being taken thereon, the following commissioners voted in favor thereof: _____. The following commissioners were absent and not voting: _____. The following commissioners voted nay: _____. The majority having voted aye, the motion was carried and the resolution was duly adopted.

"Consent" or "Regular" Agenda Item?

**[ Regular ]**

**To:** West Fargo City Commission

**From:** Dan Hanson, City Engineer

**Date:** August 1, 2022

**Subject:** Project 2265 – 9th Street NE Reconstruction

**Action:** Approve Phase II Contract with Houston Engineering

**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

**Assistant City Administrator**
Dustin T. Scott

**New Information and Recommendation:**
The City signed a contract with Houston Engineering in April 2022 for consulting services on the federally funded project for summer 2025. Phase One of the contract was to determine a scope of work for design for the consultant. The consultant and City Staff met several times during phase one to discuss design outcomes and survey the existing roadway conditions. Attached is a Task Order No. 3-1 for services to complete the design phase of the project.

In addition to the 9th St corridor work, the Task Order from Houston includes preliminary engineering for the reconstruction of 7th Avenue NE that is intended to be included with this project.

Since the city has an established Master Service Agreement with Houston Engineering, we requested a Task Order be prepared for these services.

The following documents are attached for review/consideration:

- Project Location Exhibit
- Task Order No 3-1 for services identified in RFP as "Phase Two - Design

Staff Recommendation: *Approve Phase II Contract with Houston Engineering*

**Background and Project Summary:**
An extensive transportation study of the 9th Street corridor was conducted in 2019 through MetroCOG and the results were presented to City Commissioners in March 2020. The study identified the reconstruction and urbanization of 9th Street NE from Main to 12th Ave was a high priority for the FM area. As directed by City Commissioners, the City applied for grant funding through the NDDOT Urban Roads Program (URP) and was awarded $7.52 million for FY 2025. For more on background and summary, refer to the agenda packets from prior City Commission meetings listed below.

**Policy Analysis:**
We are working with NDDOT to ensure state and federal compliance and the project will also adhere to city policy, process and standards.

**Financial Analysis:**
The 9th Street NE project is included in the CIP with a rough cost estimate of $10.5 million. Funding sources are anticipated to be a combination of URP grant ($7.52 million), capital improvement sales tax, and special assessments.

7th Avenue NE reconstruction from 9th Street NE east to the City Limits is intended to be overlaid this year by Public Works to provide a navigable roadway between 2022 and 2025 where it is intended to be reconstructed in conjunction with the 9th Street NE project. This project will be added to the next CIP as a 2025 construction project.

## Previously Presented Information and Commission Actions:

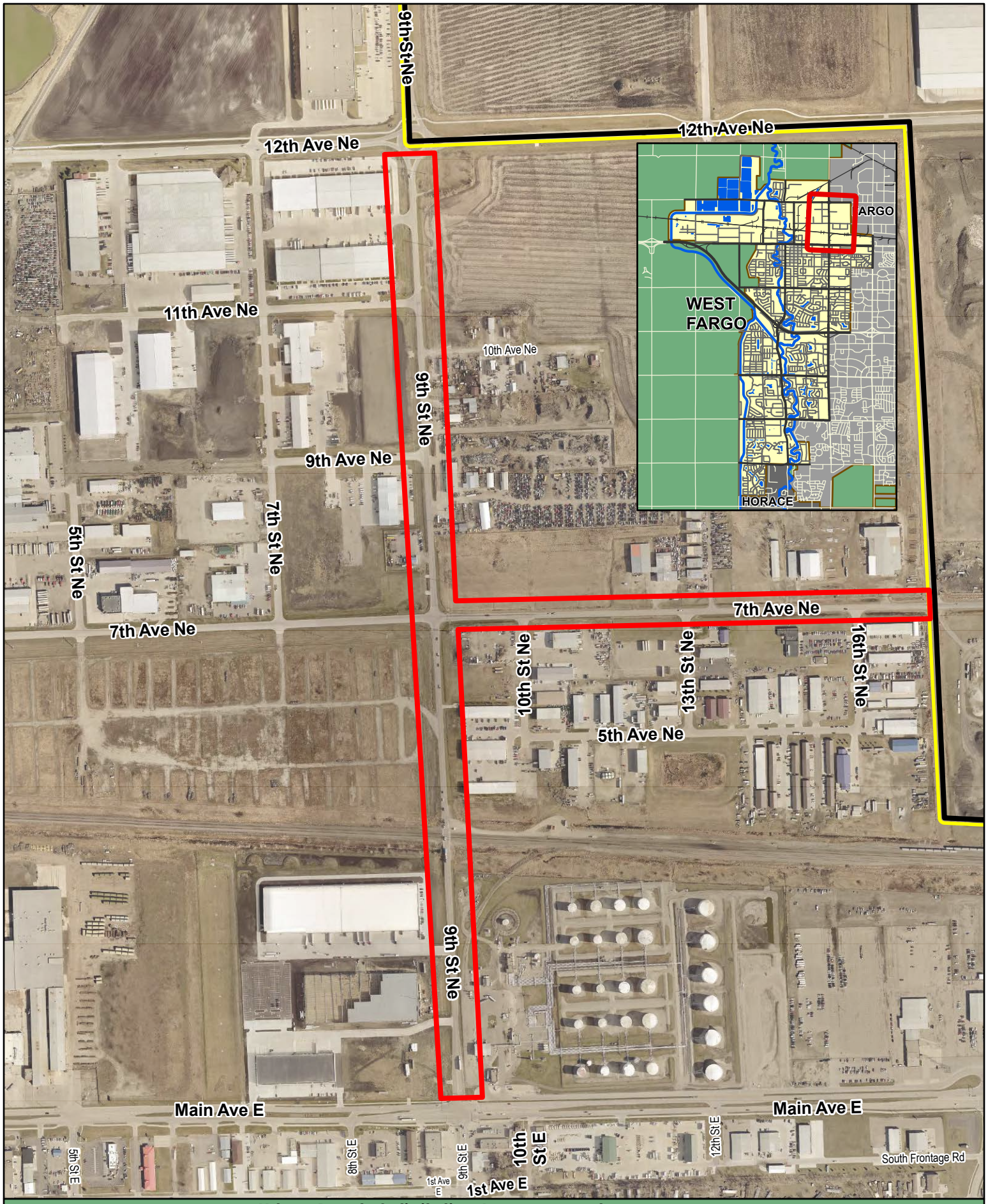
**April 18, 2022-**
Approve Task Order 3 – "Phase One – Scoping"

- **Staff Recommendation:** Approve the Task Order
- **City Commission Action:** Approved the Task Order

**Feb 22, 2022-**
Authorize RFP to be published for project 2265.

- **Staff Recommendation:** Approve the RFP
- **City Commission Action:** Approved the RFP

**Dec 7, 2020-**
City Commission authorized grant application




**Urban Roads Solicitation Improvements**
**9th St NE and 7th Ave NE**

West Fargo City Limits | Area Of Interest

0 500 1,000 2,000 Feet

This map is intended for reference purposes only. The City of West Fargo does not make claim that the features depicted represent true locations; therefore the City assumes no liability for any errors or omissions herein.

N W E S

Map created by: West Fargo GIS

Date Exported: 7/27/2022 11:05 AM

gis@westfargond.gov

# TASK ORDER NO. 3-1

This is Task Order No. 3-1, consisting of 4 pages.

In accordance with Paragraph 1.01, Main Agreement, of the Agreement Between Owner and Engineer for Professional Services—Task Order Edition dated **November 2, 2021**, Owner and Engineer agree as follows:

**1. TASK ORDER DATA**

| | | |
|---|---|---|
| a. | Effective Date of Task Order: | **August 1, 2022** |
| b. | Owner: | **City of West Fargo** |
| c. | Engineer: | **Houston Engineering, Inc.** |
| d. | Specific Project (title) | **SU-8-992(045), PCN 23537, City Improvement District No. 2265. Reconstruction of 9th St. NE** |
| e. | Specific Project (description): | **Reconstruction of 9th St. NE from Main Ave. to 12th Ave.** |
| f. | Related Task Orders<br>Supplemented by this Task Order:<br>Superseded by this Task Order: | Task Order 3, April 18, 2022 |

**2. BASELINE INFORMATION**

**Baseline Information.** Owner has furnished the following Specific Project information to Engineer as of the Effective Date of the Task Order. Engineer's scope of services has been developed based on this information. As the Specific Project moves forward, some of the information may change or be refined, and additional information will become known, resulting in the possible need to change, refine, or supplement the scope of services.

***See Task Order 3***

**3. SERVICES OF ENGINEER ("SCOPE")**

A. The specific Basic Services to be provided or furnished by Engineer under this Task Order are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as follows: **Scope of services are as detailed in Exhibit A. Defined scope of services for Phase II to be performed as part of this Task Order.**

B. All the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order, with the exception of Resident Project Representative Services, if any, which are compensated separately.

C. Resident Project Representative (RPR) Services:

1. **Not applicable currently**

D. Additional Services: Services not expressly set forth as Basic Services in Paragraph 3.A above, and necessary services listed as not requiring Owner's written authorization, or requiring additional effort in an immediate, expeditious, or accelerated manner as a result of unanticipated construction events or Specific Project conditions, are Additional Services, and will be compensated by the method indicated for Additional Services in this Task Order. All other Additional Services require mutual agreement and may be authorized by amending the Task Order as set forth in Paragraph 8.05.B.2 of the Main Agreement, with compensation for such other Additional Services as set forth in the amending instrument.

**4. DELIVERABLES SCHEDULE**

A. In submitting required Documents and taking other related actions, Engineer and Owner will comply with Exhibit B to Task Order, attached to this specific Task Order.

**5. ADDITIONS TO OWNER'S RESPONSIBILITIES**

A. Owner shall have those responsibilities set forth in Article 2 of the Main Agreement, and the following supplemental responsibilities that are specific to this Task Order: **None.**

**6. TASK ORDER SCHEDULE**

A. In addition to any schedule provisions provided in Exhibit B or elsewhere, the parties shall meet the following schedule: **Schedule in Appendix B of Task order 3.0 indicates overall schedule included in the proposal.**

**7. ENGINEER'S COMPENSATION**

A. The terms of payment are set forth in Article 4 of the Main Agreement.

B. Owner shall pay Engineer for services rendered under this Task Order as follows:

**See Exhibit A for Scope of Services. Subsequent phases will be negotiated as additional Task Orders.**

C. Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and


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Subconsultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

**8. ENGINEER'S PRIMARY SUBCONSULTANTS FOR TASK ORDER, AS OF THE EFFECTIVE DATE OF THE TASK ORDER:**

A. **Alta Planning + Design**

B. **Flint Group**

C. **Braun Intertec**

D. **Pagan Appraisal Consulting**

E. **Juniper Environmental Consulting**

F. **Professional Real Estate Consulting**

G. **Quality Counts**

**9. EXHIBITS AND ATTACHMENTS:**

A. Exhibit A to Task Order—Scope of Services

B. Exhibit B to Task Order—Schedule

C. Exhibit C to Task Order – Reserved

D. Exhibit D to Task Order— Reserved

E. Exhibit E to Task Order- Reserved

F. Other:


**EJCDC® E-505, Agreement between Owner and Engineer for Professional Services—Task Order Edition.**
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Execution of this Task Order by Owner and Engineer makes it subject to the terms and conditions of the Main Agreement and its exhibits and appendices, which Main Agreement, exhibits, and appendices are incorporated by this reference.

| OWNER: | ENGINEER: |
|---|---|
| By: | By: |
| Print Name: Tina Fisk | Print Name: Jeremy McLaughlin |
| Title: City Administrator | Title: Sr. Project Manager & VP |
| | Engineer's License or Firm's Certificate No. (if required): 015C |
| | State of: North Dakota |
| DESIGNATED REPRESENTATIVE FOR TASK ORDER: | DESIGNATED REPRESENTATIVE FOR TASK ORDER: |
| Name: Daniel Hanson | Name: Jeremy McLaughlin |
| Title: City Engineer | Title: Sr. Project Manager & VP |
| Address: 800 Fourth Ave. East, Suite 1<br>West Fargo, ND 58078 | Address: 1401 21st Avenue N<br>Fargo, ND 58102 |
| E-Mail Address: Daniel.Hanson@westfargond.gov | E-Mail Address: jmclaughlin@houstoneng.com |
| Phone: 701-515-5103 | Phone: 701-237-5065 |
| Date: 8/1/2022 | Date: 8/1/2022 |


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# Exhibit A - Scope of Services

**Phase II – Preliminary Engineering and Environmental Documentation**

**West Fargo:** City Improvement District No. 2265
**NDDOT:** SU-8-992(045)
**PCN:** 23537
**Description:** Reconstruction of 9th St NE from Main Ave. to 12th Ave.
**Date:** July 20, 2022
**Project:** 8654-0004

## PROJECT DESCRIPTION

The project consists of the reconstruction and urbanization of 9th Street NE between Main Avenue East and 12th Avenue East. Anticipated improvements include a three-lane section with center turn lanes, pedestrian facilities, lighting, railroad crossing improvements, drainage improvements, and City Utilities including storm sewer, sanitary sewer, and water main modifications. Our analysis will cover the functional limits of the Main Avenue intersection to the existing roundabout at 12th Avenue.

The reconstruction of 7th Avenue Northeast from 9th Street Northeast to the City of Fargo limits is also included in the project. The functional limits of 7th Avenue Northeast are from the intersection of 9th Street Northeast in West Fargo to 45th Street in Fargo. It is anticipated that the 7th Avenue improvements will be incorporated into one environmental document with the 9th Street Project.

The project is funded by The City of West Fargo and NDDOT Local Government through the Urban Roads Program.

Phase II consists of Preliminary Engineering and Environmental Documentation to satisfy the NEPA requirements.

## ACTIVITIES/TASKS

### *1.0 PROJECT ADMINISTRATION*

1.1 Coordinate all Project Activities

Coordination with the City of West Fargo, NDDOT and internal consultant team throughout the project. Internal progress meetings with the subconsultant will be held on a regular basis to ensure the project is on schedule. Progress meetings between the consultant and The City of West Fargo are anticipated monthly.

1.2 Set up and conduct Project Review Committee Meetings

Schedule and hold Project Review Committee meetings throughout project development. Project Review Committee will consist of representatives from The City of West Fargo, NDDOT and the Consultant. It is anticipated that three project review committee meetings will be held within Phase II.

1.3 Consultant Project Team Meetings

Schedule and hold Consultant project team meetings bi-weekly to coordinate tasks, project schedules and budget.

1.4 Bi-Weekly Status Reports

A biweekly status report will be submitted, in writing, to the City of West Fargo and the NDDOT Local Government Representative. This report shall identify the percentage of progress on milestone activities, outline activities accomplished during the month, activities to be accomplished next month, activities to be completed by NDDOT, and information and decisions needed to complete the project. The status report shall also identify any milestone activity that is not completed or anticipated not to be completed on time. The report will include the reasons why any milestone date was missed and what actions will be taken to get the project back on schedule.

Task 1 Deliverables:

1. Project Review Committee Meeting Agenda, Notes
2. Project Status Reports

## 2.0 PRELIMINARY SURVEY

2.1 Project Control Network and LiDAR Targets

Primary control points will be set near the street R/W to avoid disturbances.

Secondary control points will be used to densify project control from the primary control points and will be set at ¼ mile intervals throughout the project. Secondary control positions will be established using RTK GPS and Total Station methods.

LiDAR intensity targets will be set at 600-foot intervals for use in mobile LiDAR data acquisition. LiDAR targets will be surveyed using RTK GPS methods.

2.2 Boundary and Right of Way Survey

The existing roadway alignments will be established by locating existing PI's, POT's, curve points and Public Land Survey System (PLSS) corners using existing plans, plats, and GLO plats. The alignments will be shown on the CADD drawings. Existing property pins will be recovered. The existing right of way will be calculated and shown in the Right of Way CAD drawing.

2.3 Topographic Survey

Survey data will be collected for hydraulics including flowlines, culverts and structures. Topographic features will include pavement, curb and gutter, railroad centerline, top of rail, building corners and finished floors. Utilities will be identified through North Dakota one Call. Location and ownership of utilities will be identified and included in the survey deliverables.

2.4 LiDAR Survey

LiDAR Acquisition and Feature Extraction – Aerial LiDAR will be utilized for the topographic ground survey of the project area. The LiDAR collection will include:

1. Acquisition of high-resolution imagery of the project area defined.
2. Office processing and 3d Feature extraction from LiDAR point cloud.
3. Creation of Civil 3d surface files.
4. Creation of topographic file showing surface features to be utilized in exhibits and plan development
5. HEI will survey points for use in ground truthing to check the vertical accuracy of the point cloud.

Task 2 Deliverables:

1. Boundary CAD File
2. Topography CAD File
3. Existing Ground Surface

## *3.0 PRELIMINARY ROADWAY ENGINEERING*

3.1 Preliminary Corridor Alternative Conceptual Layouts

Through coordination with the project stakeholders, conceptual corridor alternatives will be developed. The conceptual layouts are anticipated to consist of plan view graphics and typical sections to aid in the selection of the alternatives to carry forward. It is anticipated that up to six corridor alternatives may be developed at this phase. These alternatives will also include possible intersection alternatives at 7th Ave N.

Our team will develop alternative conceptual layouts, with particular attention to the pedestrian and bicycle components. This will draw largely from the pedestrian/multimodal analysis under Task 10.2 and from expertise on pedestrian and bicycle design projects. This can include advising on widths and configuration of modal elements such as sidewalks, bikeways, paths, boulevards, and travel lanes, as well as intersection and signal design. Our team will develop cross sections, exhibits, and photo simulations to help illustrate how the different elements could look in a future condition.

3.2 Preliminary Design of Preferred Alternatives

The preferred build alternatives that are selected through the development and evaluation of the Preliminary Corridor Alternative Conceptual Layouts will be designed to a 30% level. This includes plan view linework of the corridor elements such as curb lines, sidewalks and other pedestrian facilities. As well as a preliminary corridor model and grading of the alternative. It is anticipated that up to two build alternatives and up to two optional work items will be carried forward from the conceptual layouts to the preliminary design. Conceptual layouts developed during the preliminary design will be utilized for determination of impacts in Task 3.3 and visual aids for presentation of alternatives to the public as detailed in Task 11.0 Public Participation and Engagement.

3.3 Preferred Alternatives Impact Determination

The preliminary design completed under Task 3.2 will be utilized to determine and evaluate the impacts anticipated from each build alternative. The impacts will be summarized and included in the Draft DCE.

Task 3 Deliverables:

1. Preliminary Corridor Alternative Plan Views and Conceptual Renderings
2. 30% Design of the Preferred Alternatives
3. Summary of Preferred Alternative Impacts for Inclusion in Draft DCE

## *4.0 PRELIMINARY UTILITY ENGINEERING*

4.1 Preliminary Storm Sewer Design

The preliminary storm sewer network will be designed to meet NDDOT design standards for pipe sizing and roadway spread. The existing corridor and adjacent areas utilize several existing storm sewer networks to convey water west to Cass County Drain No. 45. Some of these systems utilize existing storm lift stations to move water to the drain. These lift stations include SM-37, SM-46 and SM-70. Lift station SM-23 also conveys runoff from the area south of Main Ave up into the project corridor. Due to the complex nature of the existing storm sewer networks, we anticipate developing a SWMM based hydrologic and hydraulic model to analyze the capacity of the existing systems. This will guide the storm sewer design and determine if surface storage or upgrades to the existing systems will be needed. Using this information, a 30% level design will be completed. This includes plan view linework of the proposed system,

preliminary pipe sizing and inlet spacing, and alternatives for overcoming any identified capacity issues in the receiving storm sewer system.

4.2 Preliminary Sanitary Sewer Design

The corridor and adjacent properties will be evaluated for future service connections to support development on adjacent properties. With guidance from the project stakeholders, a 30% level design will be completed. This includes plan view linework of the proposed system and proposed service connections to future development areas along the corridor.

4.3 Preliminary Water Main Design

The corridor contains an existing water main network located west of the existing roadway. With guidance from the project stakeholders, service connections and/or water main extensions will be identified to support future development adjacent to the corridor. A 30% level design will be completed consisting of plan view linework of the proposed system and preliminary pipe sizing necessary to service future development.

Task 4 Deliverables:

1. Preliminary Storm Sewer Analysis Findings
2. 30% Utility Design Drawings
3. Summary of Alternatives to Address Storm Sewer Capacity Issues

## *5.0 PRIVATE UTILITY COORDINATION*

5.1 Identify Existing Utilities

Information will be solicited from private utility owners to verify ownership of utility features as well as identify additional utilities that were not located during the topographic survey.

5.2 Preliminary Utility Coordination

Coordination meetings with private utility companies once conceptual layouts have been determined.

5.3 Identify Preferred Alternatives Utility Conflicts

Conflicts between the proposed improvements and existing utilities will be identified for the preferred build alternatives.

Task 5 Deliverables:

1. Existing Utilities included in the Topography CAD file
2. Documentation of utility coordination and contacts
3. Preliminary documentation of Utility Conflicts

## 6.0 RAILROAD COORDINATION

6.1 Quiet Zone Preliminary Design

Develop a 30% conceptual plan for the implementation of a quiet zone at the BNSF Railway Crossing between Main Avenue and 7th Avenue Northeast. Up to two alternatives will be developed for the quiet zone. Hours to evaluate an underpass of the railway if grant funding becomes available is not included in this scope.

6.2 Coordination meeting with BNSF Railway

Coordination meeting to discuss proposed improvements to railroad crossing and other project features that impact BNSF Railway right of way.

6.3 Grant Funding Investigation

Research available grant funding sources to offset the cost of safety improvements at the railroad crossing. The recently passed Infrastructure Investment and Jobs Act provides new funding opportunities that can be utilized to offset project costs. We will evaluate the eligibility of the project for new and existinggrants and provide a summary to the City of West Fargo. The timing of grant funding availability may affect the construction timeline of the project and will be discussed early in Phase II.

Task 6 Deliverables:

1. Preliminary Layout for Quiet Zone
2. Memorandum of Available Grants

## 7.0 ENVIRONMENTAL DOCUMENTATION

7.1 Solicitation of Views

Prepare and distribute Solicitation of Views letters to agencies and stakeholders following the procedures in Chapter 2 of the NDDOT Design Manual. The solicitation of views letters will include a site map and general description of the project. The letters, map attachment and mailing list will be submitted to the City and NDDOT for review prior to mailing.

7.2 Aquatic Resources Delineation

Aquatic Resources Inventory – A field wetland delineation will be completed in association with Prairie Soils Consulting, a soils classifying subconsultant. The corridor width for the delineation will extend 50 feet outside of the existing right of way. Field delineations will be conducted in accordance with the USACOE wetland delineation manual. Impacts and mitigation are to be tabulated and presented in the DCE. A copy of the delineation report will be provided to the

City of West Fargo and NDDOT. The Wetland Delineation report will follow recently updated guidelines prepared by the NDDOT.

The Engineer will prepare an Aquatic Resources Report in accordance with the NDDOT Design Manual, identifying wetlands or waters of the US that occur within the study area, as well as tree/shrub survey results.

7.3 Cultural Resources Survey

Completion of a Class I Literature Review of the ND SHPO site and manuscript files for the project area:

Juniper's Principal Investigator shall review the results of the Literature Review, including reading relevant portions of manuscripts for previous projects that overlap the project area and data in manuscripts relating to evaluation of cultural resources within the project area that may not be contained in the NDCRS forms.

The Class III Cultural Resource Inventory of the project area as defined below:
Conduct a Class III Intensive Pedestrian Inventory of the project area.

This scope includes the identification, recording, updating, and reporting of two cultural resources (site, site lead, or isolated find) within the overall project area.
GPS data (shape files) from the recording of the cultural resources will be provided to HEI with the final report.

NDCRS Forms for the cultural resources discussed in the report will be submitted with the final report as well.

Project Reporting:

A professional quality report summarizing the results of the inventory following the NDDOT and NDSHPO published guidelines will be provided. A digital copy (no hard copy unless requested) of the draft report will be submitted.

The report will include:

- A discussion of all sites, newly or previously recorded, within the inventory area in a “Results” section,
- Discussion of the entire project area, including previously recorded/evaluated sites and areas of investigation,
- Preliminary recommendations (based on surface observations and previous research) as to the significance of any sites located during the inventory, or previously recorded sites within the APE, in regard to their eligibility for nomination to the National Register of Historic Places,
- Consideration of the potential for an Historic District for the historic and/or prehistoric resources, if relevant,

- Recommendations for any additional evaluative work necessary to achieve a determination of eligibility,
- Recommendations considering direct effects and reasonably foreseeable effects of the project, which may occur later in time, be farther removed in distance, or be cumulative,
- A discussion of the potential to avoid specific cultural resources.

7.4 Noise Memo

A Traffic Noise Memo will be completed for the project corridor evaluating the need for a traffic noise analysis. A Traffic Noise analysis is not anticipated. It is anticipated the proposed alternatives will not include additional through lanes, half the distance to a receptor, or substantially alter the vertical profile of the roadway.

7.5 Draft Documented Categorical Exclusion (DCE)

A DCE will be required to document and evaluate the impacts associated with the project. The document will be completed following the NDDOT reference templates and procedures outlined in the NDDOT Design Manual. It is anticipated the Draft DCE may include up to two build alternatives, a do nothing alternative and up to two optional work items. A draft DCE will be submitted to the City of West Fargo and NDDOT for review prior to finalizing and signing the document.

7.6 Final DCE

Upon review of the draft DCE, comments that have been received will be evaluated and incorporated into the signed DCE. Responses to comments will be documented within Bluebeam/Adobe and submitted with the final DCE.

7.7 Endangered Species Act (ESA) Consultation

The Section 6 ESA documentation will be completed and provided within an Appendix of the draft DCE. The consultation will be completed following the NDDOT Design Manual.

7.8 Hazardous Materials Investigation

Review of potential for hazardous materials within the project corridor. Research previous project data for known sites.

Task 7 Deliverables:

1. Solicitation of Views Letters and associated mailing list
2. Final Aquatic Resources Delineation report following the NDDOT format.
3. Final Cultural Resources Survey report.
4. Memorandum summarizing the final results from the Noise Analysis.

5. Completed ESA Consultation (will be provided as an Appendix in the draft and final DCE.
6. Draft DCE.
7. Final, signed DCE and SFN 18878.

## 8.0 PRELIMINARY RIGHT OF WAY ACTIVITIES

8.1 Identify Existing Right of Way

Collect all available data including digital base mapping, right-of-way and property lines,

8.2 Develop Preliminary Right of Way Needs

Identify needs for permanent and right of way and temporary construction easements based on the existing right of way and preliminary design.

8.3 Acquire Landowner Information

Surface Ownership Reports will be prepared for affected parcels along 9th Street East, from Main Avenue to 12th Avenue Northeast.

Surface ownership reports will include:

- Five (5) landowner title transfers with a minimum of 20 years duration.
- Existing utility easements per parcel
- Existing utility corridors per recorded plat maps
- Recorded judgements, tax liens, mortgages, and satisfactions, if any, will be noted.
- Suspected title issues will be noted for attorney review

8.4 Databook

A Basic Databook will be prepared summarizing property values for the project corridor. The data book will contain information and analysis of the project, the subject real estate market, and supporting comparable sales, together with the appraiser's conclusions, The data book will contain supported value for every type of property along the project, including separate comparisons, analysis and value conclusions for each.

Task 8 Deliverables:

1. Preliminary Right of Way Plats
2. Surface Ownership Reports (38-40)
3. Basic Data Book of Property Values

## 9.0 GEOTECHNICAL

9.1 Linear Soils Investigation

Per Chapter VII of the NDDOT Design Manual, we will perform linear soils survey borings at approximate 250-foot spacing's along the alignment. These borings will be performed using

power auger at locations within 12 feet of the roadway centerline and advanced to 7 feet below existing grade. We will collect samples of the cuttings from off the auger at 1-foot intervals beginning at the bottom of any presumed aggregate base course. We will also collect a bulk sample (minimum 20 pounds) of the soil layer immediately beneath the aggregate base course.

Following the drilling and the laboratory testing, boring logs will be prepared. The boring logs will summarize our drilling methods and the soil classification information. Also, the majority of the laboratory testing results will be indicated on the logs. This includes the time to enter the soil classification samples and provide other standard information on the logs and to review the soil samples.

Laboratory testing will be performed on soil samples from each of the linear soils survey borings to aid in soil classification and provide the NDDOT Materials and Research Department with a linear soils survey. Chapter VII of the Design Manual requires that for each boring in the existing roadway, we perform one moisture content (per AASTO T 265) per foot drilled more than 2 feet below the surface, one modified Proctor (per ND T 180), one Atterberg limit (per AASHTO T 89 and T 90), and one particle size analysis (per AASHTO T88).

At the completion of our exploration and testing, we will prepare a linear soils survey report. The report will include a summary of the soils encountered with AASHTO classifications, and recommendations for subgrade preparation (length, depth, and compaction control), subcutting (length, depth, backfilling), embankment fill materials, subgrade drainage, unsuitable materials and any other observations and recommendations. We will supply an electronic copy of the draft report.

Task 9 Deliverables:

1. Linear Soils Report
2. Pavement Recommendation

## *10.0 TRAFFIC OPERATIONS*

10.1 Traffic Operations Analysis

The 9th Street Corridor Study (March 2020) included traffic analysis for the 9th Street Corridor. Since that time, an Amazon facility opened on the northwest corner of Main Ave E and 9th St E. In an effort to understand the traffic impacts of the Amazon facility on traffic along 9th St E, our Team will collect new turning movements and re-examine the existing conditions from the report.

New AM and PM peak hour turning counts will be collected at three intersections along 9th St E: Main Ave E, 7th Ave NE, and 12th Ave NE. We will gather 12-hour turning movement counts at the three intersections. A Synchro model will be run to capture existing traffic conditions and a no build plus 20 years scenario. This will include four models: present day AM

and PM peak and then the no build scenario plus 20 years AM and PM peak. A report that compares the 2020 report with the new analysis will be provided.

10.2 Pedestrian/Multimodal Analysis

We will look to previous studies and plans to help determine needs for people walking, biking, and rolling on and around 9th Street. This includes the Corridor Study, Fargo Safe Routes to School (SRTS) Plan, and the Fargo Moorhead COG Bicycle and Pedestrian Plan.

Due to constrained right-of-way and competing roadway uses, the cross-section and intersection approaches will likely generate comments from multiple stakeholders—some of which may provide contradictory guidance. Our Team will review proposed final designs and identify potential issues, check adherence to established industry standards, and review safety/operational concerns. Our team will distill any major issues into a memo format for discussion to review with the project team and provide potential recommendations. We will provide additional design review and guidance through the design phases to help address comments, review the application of preliminary design, and provide design direction recommendations.

Our team will review recent planning and implementation projects, and summarize operations and lessons learned. Additionally, we will summarize the applicability of local policies and relevant planning and design guides as they relate to year-round multimodal transportation operations in West Fargo. Part of the review will be to consider evolving design best practices and standards for shared use trails. Additionally, we will provide special consideration for ADA/PROWAG guidance for pedestrian refuges and waiting areas.

Our team will incorporate considerations for maintenance requirements during design, including how to best facilitate City snow removal operations. We will provide recommendations for context-specific buffers between the roadway and any proposed multimodal facility, to consider logical crossing points and to avoid bicycle/pedestrian conflicts. Additionally, we will use input from the disability community to identify design options that maintain access and use for people with disabilities to and between sidewalks/trails, roads, and properties.

Ultimately, our team will determine how best to make the multimodal facilities as accessible and low-stress as possible for people of all ages and abilities—regardless of experience or background.

Task 10 Deliverables:

1. Traffic Operations Report
2. Pedestrian/Multimodal Analysis Report

## 11.0 PUBLIC PARTICIPATION AND ENGAGEMENT

### 11.1 Initial Planning

We will create a message matrix with proof points to help the Consultant, NDDOT, and City of West Fargo tell a consistent message of improvement and project details.

### 11.2 Business and Landowner Engagement

We will reach out to individual businesses and landowners along the project corridor throughout the process to hear their concerns with the corridor and help meet their needs both during construction and with the final improvements.

### 11.3 Public Input Meetings

We will plan, prepare for, and facilitate two (2) public input events. The first event will introduce the project to the public, review existing corridor conditions, and gather the public's ideas, desires, and vision for the corridor.

The second meeting will provide an opportunity to share and collect comments on proposed alternatives following initial review and evaluation by the PSC. This meeting is proposed to be an open house format meeting the requirements of the NDDOT Design Manual II-03.02.01.

We will provide advertising for each public input meeting which may include a flyer, media release, public notice for the newspaper, and direct mail postcards to property owners adjacent to the study corridor. We assume that the City will provide an address list for direct mail in Excel or CSV format. Our team will develop a public input meeting summary following each event.

Our team will follow up after the postcards are sent and directly reach out to property owners along the corridor to provide additional information about the project and answer questions in the form of an in-person or phone interview. Property owners may include Hazer's Auto and Truck Parts and other stakeholders that may be interested in proposed changes to transportation circulation along the corridor.

### 11.4 Pop-up Events

Our Team will work with the City and the PSC to identify potential meeting times and locations where people already gather along the study area.

Pop-up events may include:

- Table staffed by the project team with project information and engagement activities
- Host Pop-up engagement events within West Fargo to educate the community about the upcoming project
- Have a table at events with fact sheet and promotional items
- Provide a way for the public to give input (survey or email address)

- Determine Pop-up engagement locations

Ideas/Options include:

- West Fargo Street Fair
- West Fest
- Cruise Night
- West Fargo High School sporting events

Determine promotional items for Pop-up engagement:

- Fanny packs
- Water Bottles
- Travel sunscreen
- Phone chargers for the car
- Hot Wheels sized (1:64 scale) cars, trucks, construction equipment that is branded with City of West Fargo/Houston Engineering

## 11.6 Website and Social Media

It is assumed that West Fargo will host a webpage for the project on their website. Our team will coordinate with West Fargo to develop materials for web page updates that coincide with project milestones and engagement opportunities.

We will work in coordination with the City and other applicable agencies/organizations to develop a social media strategy for the Reconstruction Project. We will develop messaging and graphics and suggest social media platforms, target audiences, and timing.

## 11.7 Walking Workshop

Facilitated walk-shop led by the Alta team that allows participants to walk the study area and discuss challenges and potential opportunities for improvement. the walk-shop will focus on properties directly adjacent to 9th St from Main to 12th Ave N. The official route is to be determined; However, it is anticipated to start just south of Main and walk north, head north to include the railroad crossing, a portion of 7th Ave to the east, and possibly up to the roundabout. Alta will ask participants to share their thoughts on how the street feels and operates currently and what they envision it could feel like in the future.

## 11.8 West Fargo High School Engagement

We will host a West Fargo High School walk assessment, bike ride, or other school-based activities. It is anticipated this engagement will take place in the fall of 2022 soon after school starts and will largely focus on the portion of 9th Street near Main Ave and to the south for the purpose of considering connections to and from the high school.

11.9 Ongoing Content Development

Development of project branding and graphics. Design of signage, flyers, direct mail, swag and handouts.

Task 11 Deliverables:

1. Business and Landowner Engagement Report
2. Public Meetings Report
3. Popup Engagement Report
4. Walking Workshop Report
5. Walk/Bike assessment for WFHS Report

## 12.0 7TH AVENUE NORTH PRELIMINARY ENGINEERING

12.1 Preliminary Corridor Alternative Conceptual Layouts

Through coordination with the project stakeholders, conceptual corridor alternatives will be developed. The conceptual layouts are anticipated to consist of plan view graphics and typical sections to aid in the selection of the alternatives to carry forward. It is anticipated that up to four corridor alternatives may be developed at this phase.

We will develop alternative conceptual layouts, with particular attention to the pedestrian and bicycle components. This will draw largely from the pedestrian/multimodal analysis under Task 10.2 and from expertise on pedestrian and bicycle design projects. This can include advising on widths and configuration of modal elements such as sidewalks, bikeways, paths, boulevards, and travel lanes, as well as intersection and signal design. Alta can develop cross sections, exhibits, and photo simulations to help illustrate how the different elements could look in a future condition.

12.2 Preliminary Design of Preferred Alternatives

The preferred build alternatives that are selected through the development and evaluation of the Preliminary Corridor Alternative Conceptual Layouts will be designed to a 30% level. This includes plan view linework of the corridor elements such as curb lines, sidewalks and other pedestrian facilities. As well as a preliminary corridor model and grading of the alternative. It is anticipated that up to two build alternatives and up to two optional work items will be carried forward from the conceptual layouts to the preliminary design.

12.3 Preliminary Utility Design

A 30% level storm sewer design will be completed for the 7th Avenue North corridor. This area will be added to the hydrologic and hydraulic model developed in Task 4 above to ensure proper integration with the 9th Street system. Plan view linework of the proposed system, preliminary pipe sizing, and inlet spacing will be developed to meet capacity and roadway spread requirements for this portion of the roadway.

12.4 Survey

Survey for 7th Avenue Northeast will be completed in accordance with section 2.0 above.

12.5 Utility Coordination

Determine potential utility impacts and reconstruction and present the City with alternatives to mitigate impacts. Notify private utility companies of potential project. Coordination meetings with private utility companies once conceptual layouts have been determined.

Task 12 Deliverables:

1. Preliminary Corridor Alternative Plan Views and Conceptual Renderings
2. 30% Design of the Preferred Alternatives

## *13.0 QUALITY ASSURANCE / QUALITY CONTROL*

13.1 QA/QC Review of Deliverables

A senior member of our staff will be designated to perform an independent technical review of all deliverables, including but not limited to Reports, Preliminary Designs, Right-of-Way, Utility Coordination, Tasks related to QA/QC review will be documented in employee comments correlating to time billed to the City of West Fargo.

# Phase II

Estimated Hours and Cost Summary

Project: SU-8-992(045)
PCN: 23537
City Improvement District No. 2265
Reconstruction of 9th Street NE (Main to 12th Ave)
Date: July 20, 2022

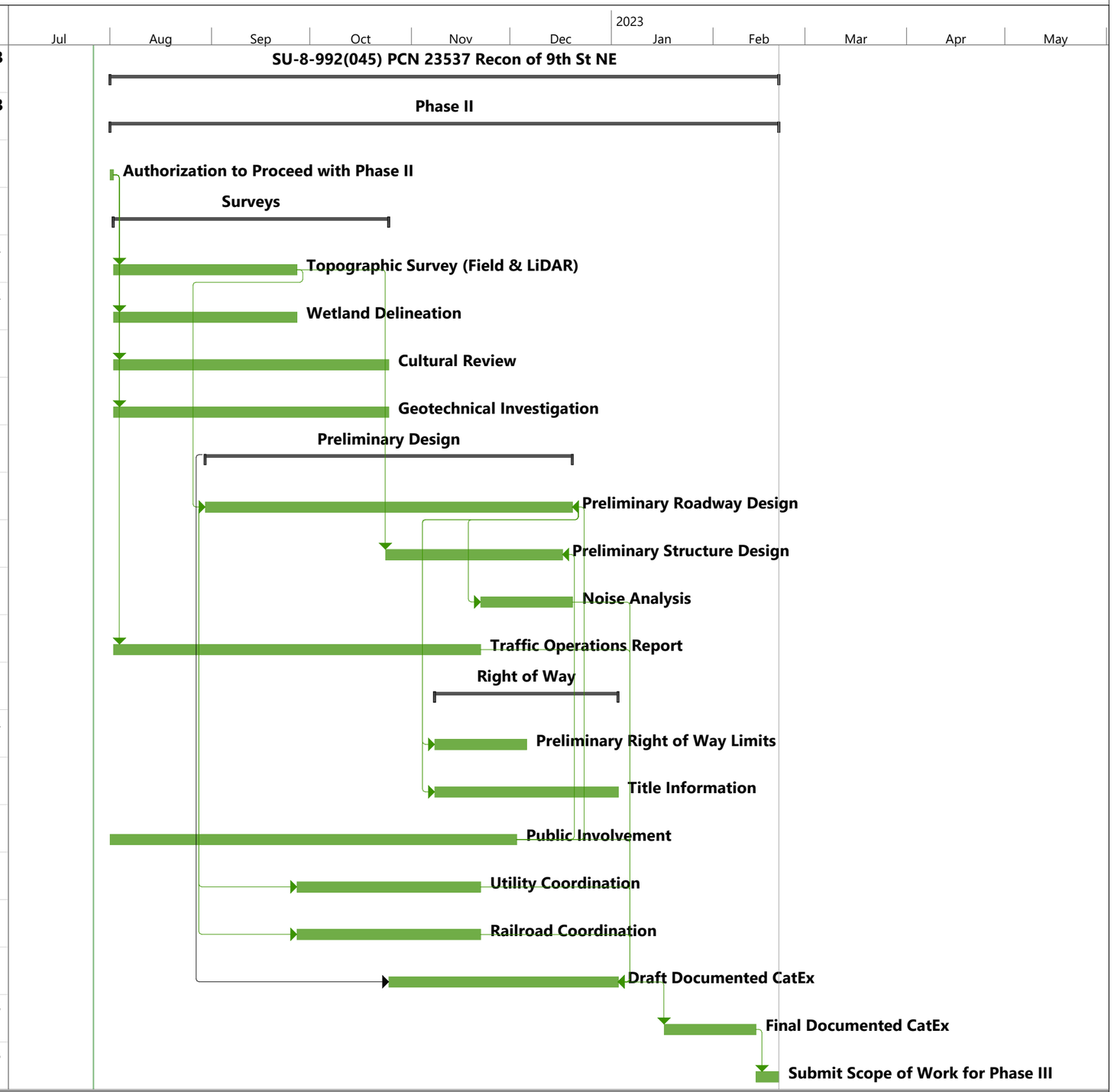
| | Hours | Cost |
|---|---|---|
| **PHASE II - Preliminary Engineering** | | |
| **Totals** | 3581 | $604,238.87 |
| | Direct Expense | $17,640.50 |
| | Subconsultant Totals | $2,000.00 |
| | Total Estimated Costs | **$623,879.37** |

| Direct Costs | | | | | |
|---|---|---|---|---|---|
| **Description** | **Units** | **Phase II** | **Total** | **Rate** | **Total** |
| Subsistence | Day | 16 | 16 | $40.00 | $640.00 |
| Hotel | Night | 8 | 8 | $200.00 | $1,600.00 |
| Mileage-Vehicles: | | | | | |
| 2-Wheel Drive | Miles | 2100 | 2100 | $0.575 | $1,207.50 |
| 4-Wheel Drive | Miles | 120 | 120 | $0.775 | $93.00 |
| GPS or Total Station | Hours | 90 | 90 | $15.00 | $1,350.00 |
| Robotic Total Station | Hours | 40 | 40 | $40.00 | $1,600.00 |
| Sound Equipment Rental | Each | 4 | 4 | $500.00 | $2,000.00 |
| LiDAR Collection Large UAS | Hours | 8 | 8 | $300.00 | $2,400.00 |
| Imagery Collection P1 Camera | Hours | 8 | 8 | $200.00 | $1,600.00 |
| Facebook Ads | LSum | 1 | 1 | $750.00 | $750.00 |
| Media Purchasing | LSum | 1 | 1 | $4,000.00 | $4,000.00 |
| Printing | LSum | 1 | 1 | $400.00 | $400.00 |
| Total | | | | | $17,640.50 |

| Subconsultants and Vendors | | |
|---|---|---|
| **Subconsultant/Vendor** | **Phase II** | **Total** |
| Quality Counts (Traffic Counts) | $2,000.00 | $2,000.00 |
| Total Subconsultant Fees | | $2,000.00 |

Exhibit B - Phase II Schedule

| ID | Task Name | Duration | Start | Finish |
|---|---|---|---|---|
| 1 | **SU-8-992(045) PCN 23537 Recon of 9th St NE** | **146 days** | **Mon 8/1/22** | **Mon 2/20/23** |
| 2 | **Phase II** | **146 days** | **Mon 8/1/22** | **Mon 2/20/23** |
| 3 | Authorization to Proceed with Phase II | 1 day | Mon 8/1/22 | Mon 8/1/22 |
| 4 | **Surveys** | **60 days** | **Tue 8/2/22** | **Mon 10/24/22** |
| 5 | Topographic Survey (Field & LiDAR) | 40 days | Tue 8/2/22 | Mon 9/26/22 |
| 6 | Wetland Delineation | 40 days | Tue 8/2/22 | Mon 9/26/22 |
| 7 | Cultural Review | 60 days | Tue 8/2/22 | Mon 10/24/22 |
| 8 | Geotechnical Investigation | 60 days | Tue 8/2/22 | Mon 10/24/22 |
| 9 | **Preliminary Design** | **80 days** | **Tue 8/30/22** | **Mon 12/19/22** |
| 10 | Preliminary Roadway Design | 80 days | Tue 8/30/22 | Mon 12/19/22 |
| 11 | Preliminary Structure Design | 40 days | Mon 10/24/22 | Fri 12/16/22 |
| 12 | Noise Analysis | 20 days | Tue 11/22/22 | Mon 12/19/22 |
| 13 | Traffic Operations Report | 80 days | Tue 8/2/22 | Mon 11/21/22 |
| 14 | **Right of Way** | **40 days** | **Tue 11/8/22** | **Mon 1/2/23** |
| 15 | Preliminary Right of Way Limits | 20 days | Tue 11/8/22 | Mon 12/5/22 |
| 16 | Title Information | 40 days | Tue 11/8/22 | Mon 1/2/23 |
| 17 | Public Involvement | 90 days | Mon 8/1/22 | Fri 12/2/22 |
| 18 | Utility Coordination | 40 days | Tue 9/27/22 | Mon 11/21/22 |
| 19 | Railroad Coordination | 40 days | Tue 9/27/22 | Mon 11/21/22 |
| 20 | Draft Documented CatEx | 50 days | Tue 10/25/22 | Mon 1/2/23 |
| 21 | Final Documented CatEx | 20 days | Tue 1/17/23 | Mon 2/13/23 |
| 22 | Submit Scope of Work for Phase III | 5 days | Tue 2/14/23 | Mon 2/20/23 |



ORDINANCE NO. 1213

AN ORDINANCE TO CREATE AND ENACT CHAPTER 1-11 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO CITY FINANCES.

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

SECTION 1. Chapter 1-11 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

CHAPTER 1-11

CITY FINANCES

SECTIONS:

1-1101. Investment of Funds.

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1-1101. INVESTMENT OF FUNDS. The City may invest monies in its general fund, or balances in any special or temporary fund, in types of investments as authorized by state law, including Section 21-06-07 of the North Dakota Century Code. In addition, the city may invest such monies or balances in the following:

A. Direct obligations of the United States of America and securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, provided, that the full faith and credit of the United States of America must be pledged to any such direct obligation or guarantee ("Direct Obligations").

B. Debt securities issued by government sponsored enterprises ("GSE"), federal agencies, and federal financing banks.

C. Direct obligations of the State of North Dakota or any subdivision or agency thereof those unsecured, and uninsured is rated, at the time of purchase, "A3" or better by Moody's Investors Services and "A-" or better by Standard & Poor's Corporation, or any obligation fully and unconditionally guaranteed by any state, subdivision or agency whose uninsured and unguaranteed general obligation debt is rated, at the time of purchase, "A3" or better by Moody's Investors Service and "A-" or better by Standard & Poor's Corporation.

D. Commercial paper rated, at the time of purchase, "P-1" by Moody's Investor's Services and "A-1" or better by Standard & Poor's Corporation.

E. Bankers' acceptances issued by a domestic bank or a branch office of a foreign bank which branch office is located in the United States.

F. Negotiable certificates of deposit issued by a nationally-chartered or state-chartered bank or a savings association or federal association, a state or federal credit union, or by a state-licensed branch of a foreign bank.

G. Certificates of deposit and time deposits issued or endorsed by a domestic bank, or a savings and loan association, organized and supervised under the laws of the United States and denominated in US dollars; provided, however, that deposits are fully insured or guaranteed by the Federal Deposit Insurance Corporation ("FDIC").

H. Obligations or notes issued by corporations organized and operating within the United States or by depository institutions licensed by the United States that have a minimum long term debt ratings, at the time or purchase, of "A3" by Moody's and "A-" by Standard & Poor's Corporation.

I. Investments in money-market funds rated "AAAm" by Standard & Poor's Corporation.

J. Repurchase agreements that are collateralized only by direct obligations of the U.S. government, or of Government National Mortgage Association ("GNMA"), The Federal National Mortgage Association ("FNMA", "Fannie Mae"), The Federal Home Loan Mortgage Corporation ("FHLMC", "Freddie Mac"), Federal Farm Credit Bank ("FFCB"), or Federal Home Loan Banks ("FHLB").

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

_____
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. 1211

AN ORDINANCE TO CREATE AND ENACT CHAPTER 14-05 OF TITLE XIV OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO, NORTH DAKOTA, GRANTING TO DICKEY RURAL SERVICES, INC., A NORTH DAKOTA COOPERATIVE, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, INSTALL, OPERATE, REPAIR, AND MAINTAIN FIBER OPTIC DATA SYSTEMS, COMMUNICATION SYSTEMS, AND TELEPHONE FACILITIES IN THE CITY OF WEST FARGO, NORTH DAKOTA, INCLUDING THE NECESSARY TOLL AND TRUCK LINES, CONDUITS, CABLES, POLES, WIRES, FIBERS, VOICE RADIO CIRCUITS, EXCHANGES, SWITCHES, BOARDS, AND ALL FIXTURES AND APPURTENANCES NECESSARY OR DESIRABLE FOR SUPPLYING DATA AND COMMUNICATIONS AND TELEPHONE SERVICES FOR PUBLIC AND PRIVATE USE THEREIN AND FOR THE TRANSMISSION OF DATA AND COMMUNICATION AND TELEPHONE SERVICE THROUGH AND BEYOND THE CITY OF WEST FARGO, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF THE CITY OF WEST FARGO FOR SUCH PURPOSES.

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

SECTION 1. Chapter 14-05 of Title XIV of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

CHAPTER 14-05

DICKEY RURAL SERVICES, INC. - FIBER OPTIC DATA FRANCHISE

SECTIONS:


14-0501. Grant of Authority.
14-0502. Installation of Facilities.
14-0503. Obstruction of Roadways to be Minimized.
14-0504. Underground Installation.
14-0505. Relocating.
14-0506. Property Restoration.
14-0507. Removal of Abandoned Equipment.
14-0508. Rights to Trim Trees.
14-0509. Cooperative Subject to Police Power Regulations.
14-0510. Eminent Domain Authority.
14-0511. General Provisions.
14-0512. Limitation of Liability.
14-0513. Indemnification.
14-0514. Effective Date.

14-0501. **GRANT OF AUTHORITY**.

1. The City of West Fargo (the "City") hereby grants to Dickey Rural Services, Inc., its successors and assigns, including without limitation Dickey Rural Services, Inc., a North Dakota cooperative, (the "Cooperative"), a non-exclusive franchise for a period of twenty (20) years from and after the passage and approval of this franchise ordinance, subject to the conditions and requirements hereinafter set forth, which authorizes the Cooperative to construct or acquire, either or both, and, thereafter, to operate and maintain fiber-optic data systems and communications systems and telephone facilities consisting of, without limitation, exchange, toll, and truck lines, conduits, cables, poles, wires, fibers, voice radio circuits, exchanges, switches, boards, and all fixtures and appurtenances necessary or desirable for the proper construction, operation and maintenance of said system within the limits of the City of West Fargo, State of North Dakota, for the purpose of supplying data and communications and telephone service for public and private use therein and for the transmission of data and telephone service through and beyond the City.

2. Effective Date; Written Acceptance. This franchise agreement shall be in force and effect from and after passage of this Ordinance, its acceptance by Cooperative, and its publication as required by law. The City by resolution may revoke this franchise agreement if Cooperative does not file a written acceptance with the City within 90 days after publication.

3. Service and Rates. The service to be provided and the rates to be charged by Cooperative for fiber optic service in City are subject to the jurisdiction of the Commission.

4. Publication Expense. The expense of publication of this Ordinance will be paid by City and reimbursed to City by Cooperative.

5. Dispute Resolution. If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in Cass County District Court to interpret and enforce this franchise or for such other relief as may be permitted by law or equity for breach of contract, or either party may take any other action permitted by law.

14-0502. **INSTALLATION OF FACILITIES**.

1. Cooperative is authorized to construct, reconstruct, maintain, and operate the data and telephone systems and lines with all necessary appurtenances, including, without limitation, exchanges, switches, poles, wires, fibers, anchors, anchor rods, conduits, cables, and all fixtures and appurtenances necessary or advisable for the operation of

the data and telephone systems in, on, over, under, across, and through public streets, roads, alleys, or other public ways of the City. The data and telephone systems shall be constructed, operated, and maintained in a proper workmanlike manner so as to afford all reasonable safeguards to the public.

2. The Cooperative will not open or disturb any public way for any purpose without first having obtained a permit from the City, if required by a separate ordinance, for which the City may impose a reasonable fee. Permit conditions imposed on the Cooperative must not be more burdensome than those imposed on other utilities for similar facilities or work. The Cooperative may, however, open and disturb any public way without permission from the City where an emergency exists requiring the immediate repair of the Cooperative's facilities. In such event the Cooperative will notify the City Auditor by telephone as soon as practicable. Not later than the second working day thereafter, the Cooperative will obtain any required permits and pay any required fees.

3. Whenever the Cooperative is erecting, constructing, or maintaining poles, wires, fibers, anchors, anchor rods, or other appurtenances and disturbs any pavement, sidewalk, crossing, or curb on any street, alley, bridge, or public way in the City or makes any excavations thereon, such disturbed area or excavations must be refilled and the pavement, sidewalk, crossing, or curb replaced under the direction of the City. Any excavation must be properly lighted at night during construction, and in case of the failure to do so on the part of the Cooperative, then the City may do the same at the expense of the Cooperative and the Cooperative agrees to pay the City for the reasonable cost or value of the work. The Cooperative is liable for all loss or damage caused by the negligence of the Cooperative, which may result to persons or property within the City, caused by it, or its agents, servants, employees, or subcontractors in erecting, operating, and maintaining the fiber-optic data systems, communications systems, and telephone facilities.

14-0503. **OBSTRUCTION OF ROADWAYS TO BE MINIMIZED**. All exchanges, switches, poles, wires, fibers, anchors, anchor rods, conduits, cables, and all fixtures and appurtenances installed by virtue of this franchise ordinance must be erected in such places and in such a manner as not to unnecessarily encroach upon streets, alleys, bridges, or public ways of the City, and so as not to unnecessarily obstruct the use thereof for the ordinary purpose of travel thereon, and the erection thereof is subject to the reasonable supervision and direction of the City. Whenever practicable, all poles shall be set in alleys. Poles now in position upon or along streets, whenever practicable, will be removed and the location of said poles shall be located in alleys or underground.

Poles set in alleys must be set at or near the boundary line of the property and where set in streets must be located at such distances as directed by the City from the property line of the abutting owner and placed so as not to interfere with the construction or placing of any water pipes, sewers, drains, or the flow of water therefrom which has been or may be placed by authority of the City. In the event that the Cooperative makes any unnecessary obstructions of streets, alleys, bridges, public ways, or places not designated by the City, the City may cause the removal of such obstructions and charge and collect from the Cooperative the actual cost of such removals.

14-0504. **UNDERGROUND INSTALLATION.**

1. All new wires, fibers, and new services, and any other equipment installed by the Cooperative must be buried underground in the following areas:

   (a) Any new district zoned residential.

   (b) Any new district zoned commercial.

2. In a district zoned residential and/or commercial, whenever the Cooperative undertakes any major replacement of any line, fiber, or other equipment, such replacement equipment will be buried underground. A major replacement is defined as five hundred feet (500') of line or fiber in an undeveloped property area or one (1) City block if in a developed property area.

3. Whenever the Cooperative relocates any of its existing equipment, such equipment capable of the same will be placed underground at the new location.

4. In districts zoned industrial, new lines and fiber do not have to be buried or placed underground.

5. The Cooperative may seek the permission of the City Auditor to waive the requirements contained in this section, or his/her designee who is granted the discretion to grant exceptions, upon good cause shown.

14-0505. **RELOCATING.**

1. Relocation of Fiber Optic Cables in Public Ways. If the City determines to vacate a Public Way for a City improvement project, or at City's cost to grade, regrade, or change the line of any Public Way, or construct or reconstruct any City Utility System in any Public Way, it may order Cooperative to relocate its fiber optic cables located therein if relocation is reasonably necessary to accomplish the City's proposed public improvement. Except as provided in paragraph 3 below, Cooperative shall relocate its fiper optic cables at its own expense. The City shall give Cooperative reasonable notice of plans to vacate for a City improvement project, or to grade, regrade, or change the line of any Public Way or to construct or reconstruct any City Utility System. If a relocation is ordered within five years of a prior relocation of the same fiber optic cables, which was made at Cooperative expense, the City shall reimburse Cooperative for non-betterment costs on a time and material basis, provided that if a subsequent relocation is required because of the extension of a City Utility System to a previously unserved area, Cooperative may be required to make the subsequent relocation at its expense. Nothing in this Ordinance requires Cooperative to relocate, remove, replace or reconstruct at its own expense its fiber optic cables where such relocation, removal, replacement or reconstruction is solely for the convenience of the City and is not reasonably necessary for the construction or reconstruction of a Public Way or City Utility System or other City improvement.

2. Relocation of Fiber Optic Cables in Public Ground. City may require Cooperative at Cooperative's expense to relocate or remove its fiber optic cables from Public Ground

upon a finding by City that the fiber optic cables have become or will become a substantial impairment to the existing or proposed public use of the Public Ground.

3. Projects with Federal Funding. Relocation, removal, or rearrangement of any Cooperative fiber optic cables made necessary because of the extension into or through City of a federally-aided highway project shall be governed by the provisions of North Dakota Century Code, Chapter 24-01-41, as supplemented or amended. It is understood that the right herein granted to Cooperative is a valuable right. City shall not order Cooperative to remove or relocate its fiber optic cables when a Public Way is vacated, improved or realigned because of a renewal or a redevelopment plan which is financially subsidized in whole or in part by the Federal Government or any agency thereof, unless the reasonable non-betterment costs of such relocation and the loss and expense resulting therefrom are first paid to Cooperative, but the City need not pay those portions of such for which reimbursement to it is not available.

4. No Waiver. The provisions of this franchise apply only to facilities constructed in reliance on a franchise from the City and shall not be construed to waive or modify any rights obtained by Cooperative for installations within a Cooperative right-of-way acquired by easement or prescriptive right before the applicable Public Way or Public Ground was established, or Cooperative's rights under state or county permit.

5. Failure to Relocate. Upon Cooperative's receipt of notice from City to relocate its fiber optic cables, Cooperative must respond to City regarding said notice within sixty (60) days and work with City on said relocation. Failure by Cooperative to respond to the notice and work with City regarding relocation is punishable as an infraction. Each day following the sixty (60) day response requirement will constitute a separate violation.

14-0506. **PROPERTY RESTORATION.** After undertaking any work requiring the opening of any public way, the Cooperative must restore the same, including paving and its foundation, to as good a condition as formerly existed, and will maintain any paved surface in good condition for two (2) years thereafter. The work must be completed as promptly as weather permits, and if the Cooperative does not promptly perform and complete the work, remove all dirt, rubbish, equipment, and material, and put the public way in the same condition as existed before the work was completed, the City has, after demand to the Cooperative to cure and the passage of a reasonable period of time following the demand, but not to exceed five (5) days, the right to make the restoration at the expense of the Cooperative. The Cooperative must pay to the City the cost of such work done for or performed by the City. This remedy is in addition to any other remedy available to the City for noncompliance with this section, but the City hereby waives any requirement for the Cooperative to post a construction performance bond, certificate of insurance, letter of credit, or any other form of security or assurance that may be required, under a separate existing or future ordinance of the City, of a person or entity obtaining the City's permission to install, replace, or maintain facilities in a public way.

14-0507. **REMOVAL OF ABANDONED EQUIPMENT.** Whenever the Cooperative abandons any site or any equipment, including but not limited to its poles, wires, fibers, anchors, anchor rods, and other appurtenances; such equipment must be completely removed by the Cooperative and the site cleaned of any remaining or residual equipment or Cooperative property.

14-0508. **RIGHTS TO TRIM TREES.** There is granted to the Cooperative, its successors and assigns, during the term of this franchise ordinance, permission and authority to trim all trees in streets, alleys, bridges, and public ways of the City so as to remove all parts of the trees interfering with the proper erection, maintenance, and operation of poles, wires, fibers, anchors, anchor rods, and other appurtenances installed or to be installed pursuant to authority granted by this franchise ordinance.

14-0509. **COOPERATIVE SUBJECT TO POLICE POWER REGULATIONS.** The City reserves the right to make and adopt, and the rights and privileges hereby granted will at all times be and remain subject to such reasonable regulations of a police nature as it may deem necessary for the best interests of the City, but the City will not by any such regulations or by acts of its own or agents do anything to prevent or interfere with the Cooperative carrying on its business in accordance with the franchise hereby granted by this franchise ordinance.

14-0510. **EMINENT DOMAIN AUTHORITY**. The granting of the franchise will in no way be construed to limit or restrict the right of the City to exercise the powers of eminent domain as set forth in Chapter 32-15 of the North Dakota Century Code and any other applicable laws of the State of North Dakota.

14-0511. **GENERAL PROVISIONS.**

1. Severability. Every section, provision, or part of this franchise ordinance is declared separate from every other section, provision, or part; and if any section, provision, or part is held invalid, it will not affect any other section, provision, or part. Where a provision of any other City ordinance conflicts with the provisions of this franchise ordinance, the provisions of this franchise ordinance prevail.

2. Limitation on Applicability. This franchise ordinance constitutes a franchise between the City and the Cooperative as the only parties and no provision of this franchise ordinance will in any way inure to the benefit of any third person (including the public at large) so as to constitute any such person as a third party beneficiary of the agreement or of any one (1) or more of the terms hereof, or otherwise give rise to any cause of action in any person not a party hereto.

3. Force Majeure. The service rendered by the Cooperative shall be continuous except that the Cooperative shall not be held accountable for a failure of service which is caused by floods, Acts of God, strikes, weather, or other causes beyond the control of the Cooperative.

4. Amendments. The City or the Cooperative may at any time propose that this franchise ordinance be amended to address a subject of concern and the other party will consider whether it agrees that the amendment is mutually appropriate.

5. Publication Expense. The expense of publication of this franchise ordinance will be paid by the City and reimbursed to the City by the Cooperative.

6. Management Costs. Any management costs incurred by City related to this Franchise shall be paid by Cooperative, as allowed by N.D.C.C. § 49-21-26.

7. Change in Form of Government. Any change in the form of government of the City will not affect the validity of this franchise ordinance. Any governmental unit succeeding the City shall, without the consent of the Cooperative, succeed to all of the rights and obligations of the City provided in this franchise ordinance.

14-0512. **LIMITATION OF LIABILITY**. The Cooperative will use due diligence and care in supplying data and communications and telephone service as herein provided but will not be liable for any loss or damage which may arise from failure of the service, either partial or total, but this will not be construed to exempt the Cooperative from liability for negligence caused by it, or its agents, servants, employees, or subcontractors.

14-0513. **INDEMNIFICATION.** The Cooperative will indemnify, keep, and hold the City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, or operations of the Cooperative's data and communications and telephone service facilities located in, on, over, under, across, or through the public ways and public grounds of the City, unless such injury or damage results from the negligence of the City, its employees or agents. In the event a suit is brought against the City under circumstances where the above agreements to indemnify applies, the Cooperative at its sole cost and expense agrees to defend the City in such suit if written notice thereof is promptly given to the Cooperative within a period wherein the Cooperative is not prejudiced by lack of such notice. If such notice is not reasonably given as hereinbefore provided, the Cooperative will have no duty to either indemnify or defend. If the Cooperative is required to indemnify and defend, it will thereafter have complete control of such litigation, but the Cooperative may not settle such litigation without the consent of the City, which consent will not be unreasonably withheld, conditioned, or delayed. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the Cooperative; and every defense or immunity that the City could assert in its own behalf.

14-0514. **EFFECTIVE DATE.** This franchise ordinance takes effect and is in full force from and after its passage and approval by the Board of City Commissioners. The Cooperative must specify its acceptance of the franchise in writing, within ninety (90) days of Board approval of this franchise ordinance, to be filed with the City Auditor and in no event will this franchise ordinance be binding on the Cooperative until the filing of such acceptance.

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

APPROVED:

_____
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:

**COOPERATIVE:**
**Dickey Rural Services, Inc.**

Date: _____, 2022

By: _____

Its: _____