

FLOOD DIVERSION AUTHORITY
FINANCE COMMITTEE
AGENDA FOR WEDNESDAY, MAY 25, 2017

Fargo City Commission Chambers
4:00 PM

1. Call to order
2. Approval of the minutes from the previous two meetings Pages 2-6
3. Approval of bills Pages 7-16
4. Financial report (Costin) Pages 17-30
5. Oxbow lot report (Brodshaug) Pages 31-33
6. PMC report (Robert Cowen) Pages 34-44
7. Bank loan refinancing (Montplaisir) Pages 45-47
8. Recommended contracting actions (Ty Smith)
 - a. Change order Pages 48-50
 - b. Contract award recommendation Pages 51-52
9. Land report (Eric Dodds)
 - a. Land acquisition status report Pages 53-63
 - b. Land acquisition directives (2) Pages 64-77
10. Other business
11. Next meeting—June 28, 2017
12. Adjournment

cc: Local Media
Flood Diversion Board of Authority
CH2M
AE2S

**FLOOD DIVERSION FINANCE COMMITTEE
APRIL 26, 2017—4:00 PM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Finance Committee was held on Wednesday, April 26, 2017, at 4:00 PM in the Fargo City Commission Chambers, Fargo City Hall, with the following present: Cass County Joint Water Resource District Chairman Mark Brodshaug; Fargo Finance Director Kent Costin; Clay County Auditor/Treasurer Lori Johnson; Cass County Auditor Mike Montplaisir; Cass County Commissioner Chad Peterson; Fargo City Assistant Administrator Mike Redlinger; Cass County Commission Representative Darrell Vanyo; and Moorhead Finance Director Wanda Wagner. Fargo City Commissioner Tony Gehrig; Fargo City Commissioner Tony Grindberg; Moorhead City Councilman Chuck Hendrickson; Fargo City Mayor Tim Mahoney; and Cass County Commissioner Rick Steen were absent.

Robert Cowen, CH2M; John Glatzmaier, CH2M; Randy Richardson, CH2M; Ty Smith, CH2M; Eric Dodds, AE2S; and John Shockley, Ohnstad Twichell were also present.

Mr. Montplaisir said the agenda needs to be amended to include P3 Test Pits Bids.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MOTION, passed

Mr. Brodshaug moved and Mr. Vanyo seconded to approve the minutes from the March 22, 2017, meeting as presented. Motion carried.

3. APPROVAL OF BILLS

Mr. Costin said bills received for the month total over \$3 million.

MOTION, passed

Mr. Redlinger moved and Mr. Peterson seconded to approve the bills in the amount of \$3,015,946.63 and to forward them to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

4. FINANCIAL UPDATE

Mr. Costin reviewed the financial statements for March. About \$20.5 million has been expended from the FY 2017 budget, and the total disbursed for the project to date is \$352,938,021.

Mr. Costin said the Diversion Authority has a cash balance of about \$74.3 million and the net position is about \$75.8 million.

5. PMC UPDATE

Robert Cowen of CH2M reviewed the Program Management Consultant (PMC) report, including the overall program status and the FY 2017 cash budget.

6. FY 2017 CASH BUDGET ADJUSTMENT

Mr. Cowen said funds need to be reallocated in the FY 2017 cash budget to cover an unexpected \$1.2 million payment to the US Army Corps of Engineers. The proposed revision will remove funds from the Diversion Channel & Associated Infrastructure budget

line item as a portion of these costs have now been rolled into the P3 agreement. The overall project budget will not be affected.

There was discussion on cash flow and upcoming cash needs pertaining to land acquisitions.

MOTION, passed

Mr. Costin moved and Mr. Brodshaug seconded to approve the budget adjustment to the FY 2017 cash budget as presented and to forward the recommendation to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

7. RECOMMENDED CONTRACTING ACTIONS

Ty Smith of CH2M was present to review the following contract actions:

Construction Change Order

- Landwehr Construction, Inc. (Demolition of Park East Apartments)—deduct unused unit rate budget to reconcile the final contract price in the amount of -\$7,500.00.

MOTION, passed

Mr. Vanyo moved and Mr. Peterson seconded to approve the appropriation of funds for the outlined Change Order, and to forward the recommendation to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

Construction Contract

- Earthwork Services, Inc. (Oxbow City Park relocation)—relocation of Oxbow city park in the amount of \$620,891.80.

Mr. Vanyo said he is familiar with the current park and he cited several concerns with the technical report and the project description. Mr. Vanyo is not critical of the park project in general, but he would like to see this contract tabled and the project studied further.

MOTION, passed

Mr. Vanyo moved and Mr. Peterson seconded to table the appropriation of funds for the outlined Construction Contract, and to forward the recommendation to the Metro Flood Diversion Authority. Discussion: Mr. Montplaisir asked if Oxbow is funding any portion of the total contract amount through betterments. John Glatzmaier, CH2M, said Oxbow will pay approximately \$43,000 for betterments. On roll call vote, the motion carried unanimously.

Construction Contract

- Hoffman & McNamara Co. (General landscaping and plantings)—landscaping and plantings along completed in-town flood walls in the amount of \$519,954.74.

MOTION, passed

Mr. Costin moved and Mr. Brodshaug seconded to approve the appropriation of funds for the outlined Construction Contract, and to forward the recommendation to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

8. LAND ACQUISITION STATUS REPORT

Eric Dodds of AE2S reviewed the Land Acquisition Status Report. The report is still in draft form and the budget is still being refined.

9. HOUSTON-MOORE GROUP MASTER SERVICES AGREEMENT

Attorney John Shockley was present to discuss the Houston-Moore Group (HMG) Master Services Agreement (MSA). Mr. Shockley said the new MSA has substantial changes due to the maturity of the project. Mr. Shockley discussed changes to the agreement, including an increase in fees and a requirement that HMG pay their own professional liability insurance.

Mr. Peterson said while he will support the MSA, he questions the use of hourly rates for a project of this scale.

Mr. Shockley said there will be a level of control over hourly fees via task orders, and hourly rates will provide information on who is working on each task order.

Mr. Vanyo said negotiating a Master Services Agreement is very difficult, and different payment structures present different pros and cons.

MOTION, passed

Mr. Brodshaug moved and Mr. Costin seconded to approve the Master Agreement for Professional Services between the Metro Flood Diversion Authority and Houston-Moore Group, LLC and to forward the recommendation to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

10. P3 TEST PITS BIDS

Randy Richardson of CH2M said part of the P3 process is to provide test pits for the teams to examine. Mr. Richardson presented two bid letters for test pit excavations for the test sites. At one time, it was thought that the Cass County Highway Department could provide an excavator for the test pits but it is no longer an option.

Mr. Richardson recommended that the low bid from American Enterprises Inc. in the amount of \$29,000 be accepted.

MOTION, passed

Mr. Peterson moved and Mr. Redlinger seconded to accept the Test Pit Excavation bid from American Enterprises Inc. in the amount of \$29,000 and to forward the recommendation to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

11. NEXT MEETING

The next meeting will be held on May 24th, at 4:00 PM.

12. ADJOURNMENT

MOTION, passed

On motion by Mr. Peterson, seconded by Mr. Vanyo and all in favor, the meeting was adjourned at 4:53 PM.

**FLOOD DIVERSION FINANCE COMMITTEE
MAY 11, 2017—3:00 PM**

1. MEETING TO ORDER

A meeting of the Flood Diversion Finance Committee was held on Thursday, May 11, 2017, at 3:00 PM in the Fargo City Commission Chambers, Fargo City Hall, with the following present: Cass County Joint Water Resource District Chairman Mark Brodshaug; Fargo Finance Director Kent Costin; Fargo City Commissioner Tony Gehrig; Moorhead City Councilman Chuck Hendrickson; Clay County Auditor/Treasurer Lori Johnson; Fargo City Mayor Tim Mahoney; Cass County Auditor Mike Montplaisir; Fargo City Assistant Administrator Mike Redlinger; and Moorhead Finance Director Wanda Wagner. Fargo City Commissioner Tony Grindberg; Cass County Commissioner Rick Steen; and Cass County Commission Representative Darrell Vanyo were absent.

John Glatzmaier, CH2M; Ty Smith, CH2M; and John Shockley, Ohnstad Twichell were also present.

2. RECOMMENDED CONTRACTING ACTIONS

Ty Smith of CH2M was present to review the following contract actions:

Recommendation of Award

- Schmidt & Sons Construction, Inc. (Schnell Drive and Oxbow Country Club Removals)—award Work Package 43E.2E in the amount of \$344,978.00.

Mr. Smith said seven total bids were received for this work package, all of which were acceptable. The low bid is 50% lower than the Engineer's Opinion of Probable Cost and it appears to be a complete and appropriate bid.

Mr. Gehrig said it is his recollection that several months ago there was an agreement not to go forward with any further removal of homes due to a federal injunction prohibiting construction.

Attorney John Shockley said a court order has partially lifted the injunction and authorized some construction projects to be completed in 2017.

Mr. Gehrig asked if all of the homes to be removed with this work package are necessary for the project.

John Glatzmaier of CH2M said the loss of utilities and road access prevents any of the homes included in this work package from remaining.

MOTION, passed

Mr. Brodshaug moved and Mr. Costin seconded to approve the appropriation of funds for Work Package 4E.2E as presented, and to forward the recommendation to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

Change Order

- Industrial Builders, Inc. (Diesel Generator Modifications)—diesel generator modifications; add landscaping; modify Case Plaza parking lot striping; and balance final quantities of unit rate items in the amount of \$101,473.05.

Mr. Smith said when this work package was bid the details on generator reliance were not known. Since that time, the City Hall project has moved forward and the generator needs for the two projects are now clear. For simpler accounting purposes, the previous work budget for the generator was removed and a new work budget was inserted.

MOTION, passed

Dr. Mahoney moved and Mr. Costin seconded to approve the appropriation of funds for the change order as presented, and to forward the recommendation to the Metro Flood Diversion Authority. On roll call vote, the motion carried unanimously.

3. WORK CHANGE DIRECTIVE

Mr. Smith reviewed the following Work Change Directive:

- Industrial Builders, Inc. (2nd Street North, North of Pump Station)—provide new asphalt pavement; furnish and install railroad ties; provide traffic control to facilitate sidewalk installation in the anticipated amount of \$39,360.05.

Mr. Smith said he expects the exact details of this work to be ready to be presented as a change order at the next regular Diversion Authority meeting.

MOTION, passed

Mr. Redlinger moved and Dr. Mahoney seconded to approve the Work Change Directive as presented. Discussion: Dr. Mahoney asked why the Diversion Authority must pay for railroad ties. Mr. Smith said it was a design standard included from the beginning. On roll call vote, the motion carried unanimously.

4. NEXT MEETING

The next meeting will be held on May 24th, at 4:00 PM.

5. ADJOURNMENT

MOTION, passed

On motion by Mr. Gehrig, seconded by Mr. Montplaisir and all in favor, the meeting was adjourned at 3:19 PM.

Minutes prepared by Brielle Edwards, HR Assistant

Finance Committee Bills through May 18, 2017

Vendor	Description		
Cass County Joint Water Resource District	Diversion bills	\$	1,208,919.41
Dorsey & Whitney LLP	Legal services rendered through March 31, 2017	\$	156,219.12
Civil Design Inc.	Professional engineering fees	\$	255.00
Ohnstad Twichell, P.C.	Professional services rendered	\$	155,505.28
Erik R. Johnson & Associates, Ltd.	Legal services rendered through April 25, 2017	\$	5,471.80
			<hr/>
Total Bills Received through May 18, 2017			<u>\$ 1,526,370.61</u>



Cass County
Joint Water
Resource
District

May 2, 2017

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

Mark Brodshaug
Chairman
West Fargo, North Dakota

Rodger Olson
Manager
Leonard, North Dakota

Dan Jacobson
Manager
West Fargo, North Dakota

Ken Lougheed
Manager
Gardner, North Dakota

Jacob Gust
Manager
Fargo, North Dakota

Greetings:

RE: Metro Flood Diversion Project
DPAC
Oxbow-Hickson-Bakke Ring Levee Project

Enclosed please find copies of bills totaling \$1,208,919.41 regarding the above referenced projects. The breakdown is as follows:

Metro Flood Diversion	\$ 556,106.22
DPAC	1,113.24
Oxbow-Hickson-Bakke Ring Levee	651,699.95

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

According to our records, the previous request dated March 31, 2017, for \$2,809,923.61 remains outstanding.

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

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis
Secretary-Treasurer

Enclosures

Carol Harbeke Lewis
Secretary-Treasurer
1201 Main Avenue West
West Fargo, ND 58078-1301

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

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

Updated 5/1/17

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
3/27/2017	4/13/2017	148532	100007	3,251.34	Ohnstad Twichell, P.C.	Legal-FM Diversion - Right of Entry
3/27/2017	4/13/2017	148534	130007	13,281.50	Ohnstad Twichell, P.C.	Legal-Diversion ROW Acquisition
3/25/2017	4/13/2017	148540	160007	758.50	Ohnstad Twichell, P.C.	Legal-Diversion Drayton Dam
3/25/2017	4/13/2017	148537	160007	5.00	Ohnstad Twichell, P.C.	Legal - Diversion Acquisition - 1099 Preparation
3/25/2017	4/13/2017	148538	160007	1,258.00	Ohnstad Twichell, P.C.	Legal-Diversion Authority Agreement-Drains
3/27/2017	4/13/2017	148539	160007	17,882.33	Ohnstad Twichell, P.C.	Legal-Channel Phase I
3/25/2017	4/13/2017	148541	160007	92.50	Ohnstad Twichell, P.C.	Legal-Channel Phase III
3/25/2017	4/13/2017	148531	90007	370.00	Ohnstad Twichell, P.C.	Legal-Basin Project 2009
3/25/2017	4/13/2017	148536	160007	722.97	Ohnstad Twichell, P.C.	Legal-Basin Project 2009-Inlet structure
4/5/2017	4/13/2017	148830	160007	1,299.00	Ohnstad Twichell, P.C.	Legal-Eminent Domain - Cossette
4/5/2017	4/13/2017	148831	160007	1,276.00	Ohnstad Twichell, P.C.	Legal-Eminent Domain-Ulstad
4/19/2017	4/27/2017	709576	38810.00001	442.00	Larkin Hoffman	Legal-Sauvageau property acquisition
4/19/2017	4/27/2017	709577	38810.00002	1,326.00	Larkin Hoffman	Legal-Richland County ROE agreements
4/21/2017	4/27/2017	15319	18244	87.50	Moore Engineering, Inc.	Engineering-Diversion Authority Utility Easement Team
4/24/2017	4/27/2017	15343	19115	1,800.00	Moore Engineering, Inc.	Engineering - Request for Proposal Services
4/5/2017	4/5/2017			5,121.18	The Title Company	Purchase - Edwin Ployhart
3/24/2017	4/13/2017			149,000.00	David and Shannon Campbell	Replacement Housing
3/24/2017	4/13/2017			158,000.00	Roger and Melissa Campbell	Replacement Housing
4/17/2017	4/19/2017			5,000.00	Peter Biegler, Jr.	Earnest money
	4/13/2017	968700		4,308.00	Clay County Auditor	Tax on parcel 15.028.4000
	4/13/2017	968390		3,702.00	Clay County Auditor	Tax on parcel 15.034.2000
	4/27/2017	160167604-1		313.81	Cass County Treasurer	Tax on parcel 64-0000-02730-020
	4/27/2017	160149876		786.91	Cass County Treasurer	Tax on parcel 15-0000-02690-020
	4/27/2017	984876		42.00	Clay County Auditor	Tax on parcel 15.029.3001
4/5/2017	4/13/2017	1134578		60.03	Cass County Electric Cooperative	Service to 2351 173 Ave SE
3/29/2017	4/13/2017	1445	2004	85,425.53	Houston-Moore Group	Task Order 4 - Property Acquisition Services
3/9/2017	4/13/2017	63434	R12.00049	44,796.89	Ulteig Engineers	Task Order 2 - project mgmt, ROW & appraisal, relocation
4/5/2017	4/27/2017	63851	R12.00049	47,447.23	Ulteig Engineers	Task Order 2 - project mgmt, ROW & appraisal, relocation
4/10/2017	4/13/2017			750.00	Heiden Family LLLP	3 soil borings
4/10/2017	4/13/2017			250.00	Angela Cossette LE	1 soil boring
4/10/2017	4/13/2017			250.00	Carl Larson Family Trust Agreement	1 soil boring
4/10/2017	4/13/2017			250.00	Harvey Brakken	1 soil boring
4/10/2017	4/13/2017			250.00	James Martin	1 soil boring
4/10/2017	4/13/2017			750.00	Janet Wanzek ETAL	3 soil borings
4/10/2017	4/13/2017			1,000.00	Jon and Julie Larson	4 soil borings
4/10/2017	4/13/2017			500.00	Kathryn Hecock Trust ETAL	2 soil borings
4/10/2017	4/13/2017			1,250.00	Mark Thorson	5 soil borings
4/10/2017	4/13/2017			750.00	Mary Ann Tintes	3 soil borings
4/10/2017	4/13/2017			500.00	Maxine Nelson Trust	2 soil borings
4/10/2017	4/13/2017			1,000.00	Mickeal Fosse	4 soil borings
4/10/2017	4/13/2017			250.00	Schoenberg Farms LLP	1 soil boring
4/10/2017	4/13/2017			250.00	Stuart Johnson	1 soil boring
4/10/2017	4/13/2017			250.00	Willaim Farms	1 soil boring

Total 556,106.22

DIVERSION PROJECT ASSESSMENT DISTRICT (DPAC) INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
3/25/2017	4/13/2017	148533	120007	453.24	Ohnstad Twichell, P.C.	Legal - Assessment district issues
3/31/2017	4/13/2017	52331	P11473-2012-000	660.00	AE2S	Engineering - Financial services - assessment district

Total 1,113.24

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

Invoice Paid	Invoice Date	Invoice No.	Purchase Order No.	Project No.	Amount	Vendor	Description
12/16/2016					16,500.00	City of Oxbow	auditor services - resubmitted from Dec

3/25/2017	4/13/2017	148535	140007	1571.50	Ohnstad Twichell, P.C.	Legal-property acquisition
4/5/2017	4/13/2017	148832	160007	406.00	Ohnstad Twichell, P.C.	Legal-Champ Relocation appeal
4/13/2017	4/27/2017	3	43E2D	31,425.30	Schmidt and Sons Construction, Inc.	Residential demolition on Schnell Dr and Riverbend Rd
4/5/2017	4/7/2017			192,127.50	The Title Company	Purchase property - Chad and Heidi McQuillan
4/5/2017	4/7/2017			345,466.34	The Title Company	Replacement property - Chad and Heidi McQuillan
4/11/2017	4/13/2017			10,866.45	Eldon Johnson	closing costs
4/25/2017	4/27/2017			10,914.82	Bob Schmit Construction & Installation	Additional funds for Jeffrey and Lonnie Pederson
9/16/2016	4/27/2017			25.05	Joe and Marie Talley	reimbursement of installation fee for Midco
4/25/2017	4/27/2017			3,980.00	Mike and Donnie Strei	moving costs
04/05/17	04/13/17	1108711		4,278.77	Cass County Electric Cooperative	Service to various addresses
4/5/2017	4/13/2017	1137975		50.45	Cass County Electric Cooperative	Service to 338 Schnell Drive
04/05/17	04/13/17	1133016		141.15	Cass County Electric Cooperative	Service to 805 Riverbend Rd
04/05/17	04/13/17	1125415		55.66	Cass County Electric Cooperative	Service to 808 Riverbend Rd
04/13/17	04/27/17	1136126		284.94	Cass County Electric Cooperative	Service to 828 Riverbend Rd
04/13/17	04/27/17	1121701		181.53	Cass County Electric Cooperative	Service to 840 Riverbend Rd
03/31/17	04/27/17	17871	2830-00	20,752.10	ProSource Technologies LLC	proj mgmt, acquisition, relocation, construction draw, relocation
3/29/2017	4/13/2017	1444	2003	2,660.00	Houston-Moore Group	Task Order 3 - WP-43 Services During Construction
4/6/2017	4/13/2017	B089214	B14-04209.03	1,885.00	Braun Intertec Corporation	Material testing services
4/7/2017	4/13/2017	B089320	B14-04209.04	5,054.25	Braun Intertec Corporation	Material testing services
4/1/2017	4/13/2017	5790		1,357.83	Sentry Security & Investigations	Security patrol services
4/15/2017	4/27/2017	5806		1,715.31	Sentry Security & Investigations	Security patrol services
Total				651,699.95		

OXBOW GOLF AND COUNTRY CLUB INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
Total				0.00		

IN-TOWN LEVEES INVOICES

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
Total				0.00		

Grand Total 1,208,919.41



MINNEAPOLIS OFFICE
612-340-2600

RECEIVED
BY _____ DATE 4-28-17

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

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

April 25, 2017
Invoice No. 3347214

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

For Legal Services Rendered Through March 31, 2017

INVOICE TOTAL

Total For Current Legal Fees	\$155,074.00
Total For Current Disbursements and Service Charges	\$1,145.12
Total For Current Invoice	\$156,219.12
Summary of Account	
*Prior Balance Due	\$96,884.62
Total Amount Due	\$253,103.74

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

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

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

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

(This account is only for Wire/ACH payments)
ABA Routing Number: 09100022
Account Number: 1047-8339-8282
Swift Code: USBKUS44IMT

Please make reference to the invoice number

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

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



Office of the City Attorney

City Attorney
Erik R. Johnson

Assistant City Attorney
Nancy J. Morris

May 4, 2017

Kent Costin
Finance Director
City of Fargo
200 North Third Street
Fargo, ND 58102

Re: Metro Flood Diversion Project

Dear Kent:

I am enclosing a Summary Invoice dated April 25, 2017 from the Dorsey & Whitney Firm in Minneapolis for their professional services rendered through March 31, 2017 on the Metro Flood Diversion Project. If you have any questions, please feel free to contact me. Please remit payment directly to Dorsey Whitney.

Sincerely,

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

Erik R. Johnson

ERJ/lmw
Enclosure
cc: Bruce Grubb



Civil Design Inc.
 609 Main Avenue S
 Brookings, SD 57006
 605-696-3200

Flood Diversion Board of Authority
 Ohnstad Twichell PC
 Katie Bertsch
 PO Box 458
 West Fargo, ND 58078-0458

Invoice number 12641
 Date 04/30/2017
 Project 2017-015 RRW - Red River Diversion Tech Assist

Invoice Summary

Description	Current Billed
SURVEYING	0.00
DRAFTING	0.00
ENGINEERING	255.00
Sales Tax	0.00
Total	255.00

Engineering

Professional Fees

	Date	Hours	Rate	Billed Amount
Carey L. Bretsch				
	04/10/2017	0.50	170.00	85.00
<i>Review drawing submitted by CH2M Hill, correspondence about invoices</i>				
	04/11/2017	1.00	170.00	170.00
<i>Conference call with Martin, et al. to discuss more specific details and the MOU.</i>				
	Subtotal	1.50		255.00
	Phase subtotal			255.00
			Invoice total	255.00

OHNSTAD TWICHELL, P.C.
Attorneys at Law

901 13th Avenue East, P.O Box 458
 West Fargo, ND 58078-0458
 701-282-3249

15-1535 JTS Invoice # 149735

Flood Diversion Board
 Bond Counsel Work - PPP

Date: May 17, 2017

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

PROFESSIONAL SERVICES RENDERED				
15-1395 JTS Invoice # 149735	Flood Diversion Board		Bond Counsel Work - PPP Research 1	
JTS	N/C entry reduced & rounded rate	170.8	\$298.24	\$50,940.00
CMM		0.4	\$300.00	\$120.00
KJB		110.5	\$265.00	\$29,282.50
TJL		147.3	\$250.00	\$36,825.00
LWC		1.9	\$200.00	\$380.00
CBC		85.4	\$200.00	\$17,080.00
AJM		71.6	\$150.00	\$10,740.00
HCG		29.3	\$130.00	\$3,809.00
LSH		30.2	\$130.00	\$3,926.00
Total		647.4		\$153,102.50
Expenses:				
AT & T Conference Calls				\$13.47
Westlaw				\$52.71
ND Records Search				\$102.00
Copies from Cass Cnty Recorder				\$28.00
Copies of TR's	11033 Copies @ \$.20 each			\$2,206.60
Total				\$2,402.78
Grand Total				\$155,505.28

* Drafting of documents and work streams related to financing, P3, and joint powers agreements.

	2017 Hourly Rates
JTS - John T. Shockley, Partner, Supervising Attorney	\$300.00
Christopher M. McShane, Partner	\$300.00
KJB - Katie J. Bertsch, Associate	\$265.00
TJL - Tyler J. Leverington, Associate	\$250.00
LWC - Luke W. Croaker, Associate	\$200.00
CBC - Calley B. Campbell, Associate	\$200.00
AJM - Andrea J. Murphy, Paralegal	\$150.00
LSH - Lori S. Hersrud, Paralegal	\$130.00

PROFESSIONAL SERVICES RENDERED

15-1395 JTS Invoice # 149735	Flood Diversion Board	Bond Counsel Work - PPP Research 1
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FILE NUMBER	MATTER DESCRIPTION	INVOICE TOTAL
151395-0	Bond Counsel Work – PPP - Expenses	\$29.68
151395-1	General Topics (Includes General Governance Questions, Notices, ETC.)	\$9,353.50
151395-2	Executive Director	\$0.00
151395-3	P3 Procurement	\$39,600.10
151395-4	Public Finance Issues	\$3,553.00
151395-5	Consultant Contract Review/Development	\$1,800.00
151395-6	Support of External Litigation Counsel	\$1,410.00
151395-7	Coordination W/Member Entities	\$0.00
151395-8	MNDNR Permit Issues	\$75.00
151395-9	Environmental Permitting Issues/NEPA	\$5,540.50
151395-10	Insurance Issues	\$862.50
151395-11	Legislative Interface/Lobbying Support	\$3,900.00
151395-12	USACE Interface/Questions	\$9,040.00
151395-13	Third Party Utility MOUS	\$80,341.00
TOTAL		\$155,505.28

Erik R. Johnson & Associates, Ltd.
Attorneys at Law

City of Fargo-Auditor's Office
Attn: Kent Costin
200 Third Street North
Fargo, ND 58102

April 25, 2017
Invoice No. 2543

RE: Metro Flood Project-General Legal Matters

For Legal Services Rendered Through April 25, 2017

INVOICE TOTAL

Total for Current Legal Fees	\$5,471.80
Total for Current Disbursements and Service Charges	\$-0-
Total for Current Invoice	\$5,471.80

Summary of Account

*Prior Balance Due	\$
Total Amount Due	\$5,471.80

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

We appreciate your business.

790-7916-429-33-25 V00102

505 Broadway Street North • Suite 206 • Fargo, ND 58102
Phone: (701) 280-1901 • • • Fax: (701) 280-1902

FM Metropolitan Area Flood Risk Management Project
 Fiscal Accountability Report Design Phase (Fund 790)
 As of 4/28/2017

	2011	2012	2013	2014	2015	2016	2017	Cumulative Totals
Revenues								
City of Fargo	443,138	7,652,681	7,072,961	19,373,131	28,310,373	35,212,877	11,525,752	109,590,913
Cass County	443,138	7,652,681	7,072,961	19,373,131	28,310,373	111,715,540	4,883,446	179,451,269
State Water Commission			3,782,215	602,918	31,056,740	101,436,302	8,139,795	145,017,970
Other Agencies	98,475	1,700,595	1,571,769	4,305,140	6,291,194	(13,260,368)	-	706,805
Reimbursements						33,880	773	34,653
Lease/Rental Payments			17,358	154,180	180,341	260,806	144,892	757,577
Asset Sales				616,774	315,892	175,190	-	1,107,856
Miscellaneous			226	626	427		100,229	101,508
Total Revenues	984,751	17,005,957	19,517,490	44,425,900	94,465,340	235,574,227	24,794,887	436,768,552
Expenditures								
7905 Army Corp Payments	-	-	875,000	1,050,000	2,725,000	47,279,000	1,230,000	53,159,000
7910 WIK - Administration	107,301	331,321	77,614	169,019	282,227	545,555	222,842	1,735,879
7915 WIK - Project Design	149,632	5,366,147	3,220,859	9,118,723	4,660,226	2,719,505	868,224	26,103,316
7920 WIK - Project Management	679,037	7,223,650	4,695,477	3,579,339	4,500,955	8,464,392	2,761,479	31,904,329
7925 WIK - Recreation		163,223						163,223
7930 LERRDS - North Dakota	48,664	3,843,620	2,763,404	17,013,358	55,948,209	46,717,049	14,043,530	140,377,834
7931 LERRDS - Minnesota		27,996	287,907	13,068	32,452	1,815,566	21,758	2,198,747
7940 WIK Mitigation - North Dakota				587,180				587,180
7941 WIK Mitigation - Minnesota								-
7950 Construction - North Dakota				1,738,638	19,269,055	42,263,916	1,929,430	65,201,039
7951 Construction - Minnesota								-
7952 Construction - O/H/B				11,282,504	5,044,001	776,720	32,584	17,135,809
7955 Construction Management				556,209	2,867,422	5,182,366	749,443	9,355,440
7980 Operations & Maintenance							6,403	
7990 Project Financing		50,000	70,000	216,376	566,600	5,435,289	3,365,617	9,703,882
7995 Project Eligible - Off Formula Costs								-
7999 Non Federal Participating Costs	116							116
Total Expenditures	984,750	17,005,957	11,990,261	45,324,414	95,896,147	161,199,358	25,231,310	357,632,197

**FM Metropolitan Area Flood Risk Management Project
Statement of Net Position
April 30, 2017**

	Amount
Assets	
Cash	\$ 78,868,094
Receivables	
State Water Commission *	3,666,207
Proceeds from Oxbow Lot Sales	1,999,370
Total assets	84,533,671
 Liabilities	
Vouchers payable	2,901,547
Retainage payable	2,495,769
Total liabilities	5,397,316
 NET POSITION	\$ 79,136,355

* Receivable balance is as of 3.31.2017

FM Metropolitan Area Flood Risk Management Project
 FY 2017 Summary Budget Report (In Thousands)
 As of 28 April 2017

	FY 2017 Approved Budget	Current Month	Fiscal Year To Date	% Expended	Outstanding Encumbrances	Remaining Budget Balance
Revenue Sources						
City of Fargo	-	3,271	11,525.75			
Cass County	-	962	4,883.45			
State of ND - 50 % Match	-	572	2,561.95			
State of ND - 100% Match	-	3,095	5,577.95			
State of Minnesota	-		-			
Other Agencies	-		-			
Financing Proceeds	-		-			
Reimbursements	-	1	0.77			
Sales of Assets	-		-			
Property Income	-	140	140.39			
Miscellaneous	-	1	104.73			
Total Revenue Sources	241,311	8,042	24,795	-	-	216,516
Funds Appropriated (Rev1 - 27Apr2017)						
Diversion Channel & Assoc. Infrastructure	8,801	470	2,972.61	34%	12,179	(6,350)
Southern Embankment & Assoc. Infrastructure	1,230	-	1,230.00	100%	55	(55)
Other Mitigation Projects	24,246	47	107.27	0%	822	23,317
In-Town Flood Protection	46,176	508	3,119.53	7%	5,759	37,297
Enabling Work / Other	9,811	-	-	0%		9,811
Land Acquisition & Mitigation	107,420	2,892	12,457.92	12%	17,730	77,232
Engineering & Design Fees	10,694	216	894.81	8%	5,053	4,746
Program Management	17,247	48	3,929.99	23%	11,920	1,397
Contingency	7,449	-	-	0%		7,449
Debt Service	8,137	513	512.77	6%	1,365	6,260
Maintenance	100	0	6.40	6%	-	94
Total Appropriations	241,311	4,694	25,231	10%	54,882	161,198

Summary Of Expenses
EXP-2017-04

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-0000-206.10-00	4/26/2017	277410	LANDWEHR CONSTRUCTIO	\$90,222.49		V02816	DOWNTOWN AREA DEMOLITION
Retainage				\$90,222.49			
790-7910-429.33-20	4/25/2017	JB041700	City of Fargo	\$4,723.26	CHARGE FOR COF TIME-04/17	V00102	General & Admin. WIK
Other Services / Accounting Services				\$4,723.26			
790-7910-429.33-25	4/19/2017	277238	ERIK R JOHNSON & ASSOCI	\$991.90	METRO FLOOD PROJECT	V00102	General & Admin. WIK
Other Services / Legal Services				\$991.90			
790-7910-429.38-68	5/4/2017	614	FREDRIKSON & BYRON, PA	\$3,774.04	FREDRIKSON AND BYRON P	V00102	General & Admin. WIK
Other Services / Lobbyist				\$3,774.04			
790-7915-429.33-05	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$26,432.98	WORK IN KIND	V01608	WORK-IN-KIND (WIK)
	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$1,845.50	HYDROLOGIC/HYDRAULIC MOD	V01609	HYDROLOGY/HYDRAULIC MODE
	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$32,537.08	LEVEE DESIGN & SUPPORT	V01613	LEVEE DESIGN & SUPPORT
	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$46,374.50	PERMIT SUBMITTAL PREPARAT	V01616	PERMIT SUBMITTAL PREP
	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$14,503.25	GRADE RAISE DESIGN	V01620	SEAI I-29 GRADE RAISE DESIGN
	5/3/2017	277513	BEAVER CREEK ARCHAEOLOGICAL	\$30,523.47	CULTURAL INVESTIGATION	V02601	CULTURAL INVESTIGATION
Other Services / Engineering Services				\$152,216.78			
790-7920-429.33-05	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$43,866.78	PROJECT MANAGEMENT	V01601	HMG - PROJECT MANAGEMENT
Other Services / Engineering Services				\$43,866.78			
790-7930-429.33-05	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$942.00	UTILITY DESIGN	V01610	UTILITIES DESIGN
	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$12,747.50	DESIGN WORK PACKAGE 28	V01618	WP28 - CR-16/CR-17 BRIDGE
	5/3/2017	277521	HOUSTON-MOORE GROUP L	\$49,781.20	HOUSTON-MOORE GROUP	V01201	Cass Joint Water ROE
	5/3/2017	277521	MOORE ENGINEERING INC	\$7,921.80	MOORE ENGINEERING, INC.	V01201	Cass Joint Water ROE
	5/3/2017	277521	Prosource Technologies, Inc	\$45,035.79	PROSOURCE TECHNOLOGIES, L	V01203	Cass Joint Water OHB
	5/3/2017	277521	ULTEIG ENGINEERS INC	\$187,999.47	ULTEIG ENGINEERS INC	V01201	Cass Joint Water ROE
	Other Services / Engineering Services				\$304,427.76		
790-7930-429.33-06	5/3/2017	277521	BRAUN INTERTEC CORP	\$6,435.00	BRAUN INTERTEC CORPORATIO	V01203	Cass Joint Water OHB
Other Services / Quality Testing				\$6,435.00			

Summary Of Expenses
EXP-2017-04

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7930-429.33-25	5/3/2017	277521	Larkin Hoffman Attorneys	\$3,162.00	LARKIN HOFFMAN	V01201	Cass Joint Water ROE
	5/3/2017	277521	OHNSTAD TWICHELL PC	\$63,479.54	OHNSTAD TWICHELL, P.C.	V01201	Cass Joint Water ROE
	5/3/2017	277521	OHNSTAD TWICHELL PC	\$1,768.50	OHNSTAD TWICHELL, P.C.	V01202	Cass Joint Water DPAC
	5/3/2017	277521	OHNSTAD TWICHELL PC	\$2,315.50	OHNSTAD TWICHELL, P.C.	V01203	Cass Joint Water OHB
	5/3/2017	277521	OHNSTAD TWICHELL PC	\$26.00	OHNSTAD TWICHELL, P.C.	V02807	CASS JOINT WATER IN-TOWN
	5/3/2017	612	DORSEY & WHITNEY LLP	\$145,940.66	DORSEY AND WHITNEY LLP	V00101	Dorsey Whitney Legal
Other Services / Legal Services				\$216,692.20			
790-7930-429.33-32	5/3/2017	277521	Steve Herzog - CCJWRD	\$1,000.00	STEVEN HERZOG	V01201	Cass Joint Water ROE
Other Services / Appraisal Services				\$1,000.00			
790-7930-429.38-61	5/3/2017	277521	Sentry Security, Inc.	\$2,057.67	SENTRY SECURITY & INVESTI	V01203	Cass Joint Water OHB
Security Services				\$2,057.67			
790-7930-429.38-99	5/3/2017	277521	Soil Borings	\$5,432.50	H&S CONTRACTING, INC.	V01201	Cass Joint Water ROE
Other Services / Other Services				\$5,432.50			
790-7930-429.42-20	5/3/2017	277521	Valley Green & Associates	\$810.00	VALLEY GREEN AND ASSOCIAT	V01701	ND LAND PURCH-OUT OF TOWN
Snow Clearing				\$810.00			
790-7930-429.52-30	5/3/2017	277521	DAWSON INSURANCE AGEN	\$83.00		V01701	ND LAND PURCH-OUT OF TOWN
\$83.00							
790-7930-429.62-50	5/3/2017	277521	FERRELLGAS	\$82.14	FERRELLGAS	V01701	ND LAND PURCH-OUT OF TOWN
\$82.14							
790-7930-429.62-51	5/3/2017	277521	Cass County Electric Cooperativ	\$5,306.81	CASS COUNTY ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
Energy / Electricity				\$5,306.81			
790-7930-429.67-11	5/3/2017	277521	1222 - JOHNSON 8	\$6,912.57	VAUGHN & SHIRLEY JOHNSON	V01701	ND LAND PURCH-OUT OF TOWN
	5/3/2017	277521	9504 - RIEGER	\$10,904.50	DAN RIEGER	V01701	ND LAND PURCH-OUT OF TOWN
	5/3/2017	277521	9510 - PEDERSON 2	\$8,523.78	JEFFREY & LONNIE PEDERSON	V01701	ND LAND PURCH-OUT OF TOWN
	5/3/2017	277521	9643 - KAUTZMAN 2	\$2,332.50	JERRY KAUTZMAN	V01701	ND LAND PURCH-OUT OF TOWN
Relocation / Residential Buildings				\$28,673.35			

Summary Of Expenses
EXP-2017-04

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7930-429.71-30	5/3/2017	277521	2366 - FARGOCITY	\$657,186.65		V01701	ND LAND PURCH-OUT OF TOWN
	5/3/2017	277521	2367 - FARGOCITY	\$657,186.65		V01701	ND LAND PURCH-OUT OF TOWN
	5/3/2017	277521	9776 - FEDERREALTY	\$1,002,367.69	THE TITLE COMPANY	V01703	ND LAND PURCH - IN TOWN
Land / Land Purchases				\$2,316,740.99			
790-7930-429.73-20	5/3/2017	277521	Schmidt and Sons Inc.	\$41,175.00	SCHMIDT AND SONS CONSTRUC	V01701	ND LAND PURCH-OUT OF TOWN
Infrastructure / Site Improvements				\$41,175.00			
790-7930-429.80-17	5/3/2017	277521	CASS COUNTY TREASURER	\$14,732.85	CASS COUNTY TREASURER	V01701	ND LAND PURCH-OUT OF TOWN
Debt Service / Property Tax - FMDA				\$14,732.85			
790-7931-429.71-30	5/3/2017	277521	1802 - ANDERSON 4	\$21,400.00	ROBERT & JUDITH ANDERSON	V02302	MN LAND PURCHASE-HARDSHIP
Land / Land Purchases				\$21,400.00			
790-7931-429.80-17	5/3/2017	277528	CLAY COUNTY AUDITOR	\$358.00	PROPERTY TAX	V02302	MN LAND PURCHASE-HARDSHIP
Debt Service / Property Tax - FMDA				\$358.00			
790-7950-429.73-20	4/26/2017	277410	LANDWEHR CONSTRUCTIO	\$5,774.23	DEMO WORK	V02816	DOWNTOWN AREA DEMOLITION
Site Improvements				\$5,774.23			
790-7950-429.73-52	4/19/2017	277260	INDUSTRIAL CONTRACT SE	\$36,370.21	4 ST PUMP ST/FLOODWALL	V02805	PUMP STATION & FLOODWALL
	5/3/2017	277562	INDUSTRIAL BUILDERS INC	\$58,459.56	2 ST N FLOODWALL/PUMP STA	V02812	2ND ST NORTH FLOODWALL
Infrastructure / Flood Control				\$94,829.77			
790-7950-429.73-70	4/26/2017	277470	XCEL ENERGY-FARGO	\$544,715.04	UTILITY RELOCATION	V02811	XCEL WP42 UTILITY RELOCTE
Infrastructure / Utilities				\$544,715.04			
790-7955-429.33-05	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$74,172.60	CONST WORK PACKAGE 42	V02806	CONSTRUCTION SVCS WP42
	5/3/2017	277521	HOUSTON-MOORE GROUP L	\$4,504.50	HOUSTON-MOORE GROUP	V01203	Cass Joint Water OHB
Other Services / Engineering Services				\$78,677.10			
790-7955-429.33-06	5/3/2017	277641	TERRACON CONSULTING E	\$43.25	MATERIAL TESTING	V02802	WP-42 MATERIALS TESTING
	5/3/2017	277641	TERRACON CONSULTING E	\$2,239.00	MATERIALS TESTING	V02802	WP-42 MATERIALS TESTING
Other Services / Quality Testing				\$2,282.25			
790-7990-429.33-05	4/12/2017	277047	HOUSTON-MOORE GROUP L	\$357,670.11	PROP PROCUREMENT SUPPORT	V01621	P3 PROCUREMENT SUPPORT
Other Services / Engineering Services				\$357,670.11			

Summary Of Expenses
EXP-2017-04

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7990-429.33-25	5/3/2017	612	OHNSTAD TWICHELL PC	\$140,407.87	OHNSTAD TWICHELL ATTOR	V00102	General & Admin. WIK
Other Services / Legal Services				\$140,407.87			
790-7990-429.34-55	4/26/2017	277401	Ernst & Young	\$112,426.70	FINANCIAL ADVISORY SERVIC	V03301	PPP FINANCL ADVISORY SVCS
Technical Services / Financial Advisor				\$112,426.70			
790-7990-520.80-20	4/12/2017	277018	Wells Fargo	\$100,751.75	MARCH LOAN INTEREST	V02904	\$100M CASS WELLS FAR ADVNC
	4/10/2017	JB041700	Wells Fargo	\$48,347.55		V02903	\$100M COF WELLS FAR ADVNC
Debt Service / Interest On Bonds				\$149,099.30			
790-7990-520.80-30	4/10/2017	JB041700	Wells Fargo	\$37,312.50		V02903	\$100M COF WELLS FAR ADVNC
Debt Service / Fiscal Agent Fees				\$37,312.50			

Total Amount Invoiced this period:	\$4,784,397.39	
	\$90,222.49	Less Paid Retainage
	\$4,694,174.90	Total Less Paid Retainage

FM Metropolitan Area Flood Risk Management Project
Cumulative Vendor Payments Since Inception
As of April 28, 2017

Row Labels	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
CASS COUNTY JOINT WATER RESOUR	\$ 155,984,238.63	\$ 138,350,892.41	\$ 17,633,346.22	Land Purchases, O/H/B Ring Levee, DPAC, & ROE
ARMY CORP OF ENGINEERS	\$ 53,159,000.00	\$ 53,159,000.00	\$ -	Local Share
CH2M HILL ENGINEERS INC	\$ 50,618,819.01	\$ 29,137,257.91	\$ 21,481,561.10	Program, Project, Construction and Land Management
INDUSTRIAL BUILDERS INC	\$ 39,458,121.21	\$ 37,798,401.18	\$ 1,659,720.03	Const - 2nd St North Pump Station Project and 2nd Street Floodwall
HOUSTON-MOORE GROUP LLC	\$ 36,279,042.89	\$ 31,926,795.50	\$ 4,352,247.39	Engineering Services
INDUSTRIAL CONTRACT SERVICES I	\$ 17,576,871.19	\$ 16,659,876.89	\$ 916,994.30	Const - 4th St Pump Station and 2nd Street Floodwall
OXBOW, CITY OF	\$ 15,399,707.32	\$ 14,733,004.12	\$ 666,703.20	MOU Agreement
ASHURST LLP	\$ 6,715,133.70	\$ 2,708,446.97	\$ 4,006,686.73	PPP (P3) Legal Counsel
DORSEY & WHITNEY LLP	\$ 4,051,410.85	\$ 4,051,410.85	\$ -	Legal Services
JP MORGAN CHASE-LOCKBOX PROCES	\$ 3,377,000.00	\$ 2,012,178.75	\$ 1,364,821.25	Financial Advisor
CENTURYLINK	\$ 2,586,742.00	\$ 2,586,742.00	\$ -	Utility Relocation
MINNESOTA DNR	\$ 2,325,472.35	\$ 2,325,472.35	\$ -	EIS Scoping
LANDWEHR CONSTRUCTION INC	\$ 2,085,150.82	\$ 2,077,650.82	\$ 7,500.00	Const - In-Town Demolition Contracts
URS CORPORATION	\$ 1,922,118.42	\$ 1,730,992.17	\$ 191,126.25	Engineering Services
KENNELLY & OKEEFFE	\$ 1,729,110.56	\$ 1,729,110.56	\$ -	Home Buyouts
HOUGH INCORPORATED	\$ 1,603,909.25	\$ 1,215,633.53	\$ 388,275.72	Const - 2nd Street South Flood Control
REINER CONTRACTING INC	\$ 1,601,366.99	\$ 1,598,471.70	\$ 2,895.29	Const - El Zagal Flood Risk Management
CITY OF FARGO	\$ 1,548,181.85	\$ 1,548,181.85	\$ -	Digital Imagery Project, Utility Relocation, Accounting Svcs, and Bank Loan Advance DS Payments
ACONEX (NORTH AMERICA) INC	\$ 1,322,146.00	\$ 306,856.00	\$ 1,015,290.00	Electronic Data Mgmt and Record Storage System
CASS COUNTY TREASURER	\$ 1,302,446.34	\$ 1,206,161.35	\$ 96,284.99	Property Taxes and Bank Loan Advance DS Payments
OHNSTAD TWICHELL PC	\$ 1,289,522.82	\$ 1,289,522.82	\$ -	ROE and Bonding Legal Fees
CONSOLIDATED COMMUNICATIONS	\$ 1,063,096.11	\$ 1,063,096.11	\$ -	Utility Relocation
XCEL ENERGY	\$ 908,800.84	\$ 718,970.12	\$ 189,830.72	Utility Relocation
TERRACON CONSULTING ENGINEERS	\$ 828,792.49	\$ 814,506.17	\$ 14,286.32	Materials Testing
MOORE ENGINEERING INC	\$ 662,468.17	\$ 662,468.17	\$ -	Engineering Services
US BANK	\$ 626,849.03	\$ 626,849.03	\$ -	Loan Advance DS Payments
DUCKS UNLIMITED	\$ 587,180.00	\$ 587,180.00	\$ -	Wetland Mitigation Credits
HOUSTON ENGINEERING INC	\$ 576,669.57	\$ 576,669.57	\$ -	Engineering Services
ERIK R JOHNSON & ASSOCIATES	\$ 518,304.33	\$ 518,304.33	\$ -	Legal Services
RED RIVER BASIN COMMISSION	\$ 500,000.00	\$ 500,000.00	\$ -	Retention Projects - Engineering Services
NORTHERN TITLE CO	\$ 484,016.00	\$ 484,016.00	\$ -	Land Purchases
AT & T	\$ 461,031.30	\$ 461,031.30	\$ -	Utility Relocation
702 COMMUNICATIONS	\$ 326,243.91	\$ 266,892.07	\$ 59,351.84	Utility Relocation
FARGO MOORHEAD METROPOLITAN	\$ 253,858.35	\$ 238,030.07	\$ 15,828.28	
BEAVER CREEK ARCHAEOLOGY	\$ 252,470.00	\$ 109,156.69	\$ 143,313.31	Engineering Services
BUFFALO-RED RIVER WATERSHED DI	\$ 220,768.00	\$ -	\$ 220,768.00	Retention Projects - Engineering Services
ROBERT TRENT JONES	\$ 200,000.00	\$ 200,000.00	\$ -	Oxbow MOU - Golf Course Consulting Agreement
AON RISK SERVICES CENTRAL, INC	\$ 150,000.00	\$ 77,119.45	\$ 72,880.55	P3 Risk Advisory Services
CABLE ONE (FARGO)	\$ 148,511.37	\$ -	\$ 148,511.37	Utility Relocation
PFM PUBLIC FINANCIAL MANAGEMEN	\$ 146,460.00	\$ 146,460.00	\$ -	Financial Advisor
BOIS DE SIOUX WATERSHED DISTRI	\$ 145,380.00	\$ -	\$ 145,380.00	Retention Projects - Engineering Services
NDSU BUSINESS OFFICE-BOX 6050	\$ 135,167.00	\$ 135,167.00	\$ -	Ag Risk Study Services
AT&T NETWORK OPERATIONS	\$ 125,238.30	\$ 125,238.30	\$ -	Utility Relocation
ENVENTIS	\$ 115,685.62	\$ 115,685.62	\$ -	Utility Relocation
FREDRIKSON & BYRON, PA	\$ 105,796.12	\$ 98,796.12	\$ 7,000.00	Lobbying Services
UNITED STATES GEOLOGICAL SURVE	\$ 104,600.00	\$ 104,600.00	\$ -	Water Level Discharge Collection
SPRINGSTED INCORPORATED	\$ 99,365.85	\$ 99,365.85	\$ -	Financial Advisor

FM Metropolitan Area Flood Risk Management Project
Cumulative Vendor Payments Since Inception
As of April 28, 2017

Row Labels	Approved Contract/Invoice Amount	Liquidated	Outstanding Encumbrance	Purpose
BRAUN INTERTEC CORP	\$ 77,629.00	\$ 77,629.00	\$ -	Quality Testing
EL ZAGAL TEMPLE HOLDING CO	\$ 76,000.00	\$ 76,000.00	\$ -	Easement Purchase for El Zagal Levee
CENTURYLINK ASSET ACCOUNTING-B	\$ 74,195.92	\$ 74,195.92	\$ -	Utility Relocation
GRAY PANNELL & WOODWARD LLP	\$ 66,300.68	\$ 66,300.68	\$ -	Legal Services
NIXON PEABODY LLC	\$ 60,000.00	\$ 60,000.00	\$ -	Legal Services
MIDCONTINENT COMMUNICATIONS	\$ 54,738.44	\$ -	\$ 54,738.44	Utility Relocation
ADVANCED ENGINEERING INC	\$ 50,000.00	\$ 50,000.00	\$ -	Public Outreach
IN SITU ENGINEERING	\$ 47,973.00	\$ 47,973.00	\$ -	Quality Testing
US GEOLOGICAL SURVEY	\$ 46,920.00	\$ 46,920.00	\$ -	Stage Gage Installation
CLAY COUNTY AUDITOR	\$ 34,538.71	\$ 34,538.71	\$ -	Property Tax, Home Buyout Demo
GEOKON INC	\$ 33,815.36	\$ 33,815.36	\$ -	Vibrating Wire Piezometer Equipment
COLDWELL BANKER	\$ 33,066.02	\$ 33,066.02	\$ -	Property Management Services
WARNER & CO	\$ 30,049.00	\$ 30,049.00	\$ -	General Liability Insurance
XCEL ENERGY-FARGO	\$ 16,275.85	\$ 16,275.85	\$ -	Utility Relocation
PRIMORIS AEVENIA INC	\$ 16,230.00	\$ 16,230.00	\$ -	Utility Relocation
MOORHEAD, CITY OF	\$ 15,062.90	\$ 15,062.90	\$ -	ROE Legal Fees
ND WATER USERS ASSOCIATN	\$ 15,000.00	\$ 15,000.00	\$ -	Membership Dues
BRIGGS & MORGAN PA	\$ 12,727.56	\$ 12,727.56	\$ -	Legal Services
PROSOURCE TECHNOLOGIES, INC	\$ 8,324.94	\$ 8,324.94	\$ -	Vibrating Wire Piezometer Equipment
MAP SERVICE CENTER	\$ 7,250.00	\$ 7,250.00	\$ -	Permit fee
NEWMAN SIGNS INC	\$ 5,816.00	\$ 5,816.00	\$ -	Sinage
ONE	\$ 3,575.00	\$ 3,575.00	\$ -	Legal Services
MCKINZIE METRO APPRAISAL	\$ 3,200.00	\$ 3,200.00	\$ -	Appraisal Services
BNSF RAILWAY CO	\$ 2,925.00	\$ 2,925.00	\$ -	Permits for In-Town Levee Projects
FORUM COMMUNICATIONS (LEGALS)	\$ 2,224.20	\$ 2,224.20	\$ -	Advertising Services
FORUM COMMUNICATIONS (ADVERT)	\$ 1,743.77	\$ 1,743.77	\$ -	Advertising Services
NORTH DAKOTA TELEPHONE CO	\$ 1,697.00	\$ 1,697.00	\$ -	Communication
SEIGEL COMMUNICATIONS SERVICE	\$ 1,490.00	\$ 1,490.00	\$ -	Public Outreach
HUBER, STEVE	\$ 1,056.43	\$ 1,056.43	\$ -	Home Buyouts
DEPT OF NATURAL RESOUR	\$ 1,000.00	\$ 1,000.00	\$ -	DNR Dam Safety Permit Application Fee
TRIO ENVIRONMENTAL CONSULTING	\$ 747.60	\$ 747.60	\$ -	Asbestos and LBP Testing - Home Buyouts
RED RIVER TITLE SERVICES INC	\$ 675.00	\$ 675.00	\$ -	Abstract Updates
RED RIVER VALLEY COOPERATIVE A	\$ 536.96	\$ 536.96	\$ -	Electricity - Home Buyouts
FERRELLGAS	\$ 496.00	\$ 496.00	\$ -	Propane - Home Buyouts
BROKERAGE PRINTING	\$ 473.33	\$ 473.33	\$ -	Custom Printed Forms
DAWSON INSURANCE AGENCY	\$ 388.52	\$ 388.52	\$ -	Property Insurance - Home Buyouts
KOCHMANN, CARTER	\$ 315.00	\$ 315.00	\$ -	Lawn Mowing Services
GALLAGHER BENEFIT SERVICES INC	\$ 250.00	\$ 250.00	\$ -	Job Description Review
DONS PLUMBING	\$ 240.00	\$ 240.00	\$ -	Winterize - Home Buyouts
CURTS LOCK & KEY SERVICE INC	\$ 138.10	\$ 138.10	\$ -	Service Call - Home Buyouts
GOOGLE LOVEINTHEOVEN	\$ 116.00	\$ 116.00	\$ -	Meeting Incidentals
FEDERAL EXPRESS CORPORATION	\$ 71.89	\$ 71.89	\$ -	Postage
Grand Total	\$ 412,487,537.74	\$ 357,632,196.44	\$ 54,855,341.30	

**FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 28, 2017**

Property Address	Purchase Date	Purchase Price	Replacement Lot	Down Payment	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Commercial Relocations - Fargo								
Park East Apartments - 1 2nd St S	6/23/2015	9,002,442.20	-	-	-	945,930.84	-	9,948,373.04
Howard Johnson - 301 3rd Ave N	11/2/2015	3,266,079.60	-	-	-	3,752,607.61	(1,100.00)	7,017,587.21
Fargo Public School District - 419 3rd St N	3/16/2016	1,903,475.78	-	-	-	7,550,036.23	-	9,453,512.01
Oak Rerrace Condos - 2 N Terrace N	3/30/2016	5,588.00	-	-	-	-	-	5,588.00
Mid America Steel - NP Ave, North	6/21/2016	437,371.41	-	-	-	5,370,000.00	-	5,807,371.41
Case Plaza - 117 NP Ave N	1/12/2017	250,449.12	-	-	-	-	-	250,449.12
Shakey's Pizza - DFI AP LLC - 203 4th Ave N	3/21/2017	1,002,367.69	-	-	-	-	-	1,002,367.69
Home Buyouts - Fargo								
1322 Elm St N	11/19/2014	347,270.27	-	-	-	47,168.14	-	394,438.41
1326 Elm St N	12/23/2014	230,196.41	-	-	-	8,001.02	-	238,197.43
1341 N Oak St	1/29/2015	309,888.24	-	-	-	78,889.24	-	388,777.48
1330 Elm St N	2/12/2015	229,982.44	-	-	-	62,362.63	-	292,345.07
18 North Terrace N	4/2/2015	129,698.25	-	-	-	44,688.72	-	174,386.97
1318 Elm St N	5/29/2015	229,012.67	-	-	-	55,452.01	-	284,464.68
724 North River Road	6/8/2015	204,457.83	-	-	-	35,615.30	(10,000.00)	230,073.13
1333 Oak Street N	6/24/2015	238,513.23	-	-	-	5,249.00	-	243,762.23
26 North Terrace N	9/11/2015	138,619.58	-	-	-	12,620.00	-	151,239.58
16 North Terrace N	9/24/2015	227,987.50	-	-	-	96,717.14	-	324,704.64
24 North Terrace N	11/25/2015	182,437.38	-	-	-	29,269.60	-	211,706.98
1314 Elm Street N	12/18/2015	225,800.09	-	-	-	42,025.00	-	267,825.09
12 North Terrace N	2/9/2016	10,191.00	-	-	-	-	-	10,191.00
1313 Elm Street N		350,000.00	-	-	-	3,360.00	-	353,360.00
Home Buyouts - Moorhead								
387 170th Ave SW	11/1/2013	281,809.91	-	-	-	-	(8,440.00)	273,369.91
16678 3rd St S		21,400.00	-	192,600.00	192,600.00	80,210.80	-	294,210.80
Home Buyouts - Oxbow								
105 Oxbow Drive	11/28/2012	216,651.85	-	-	-	-	(181,249.54)	35,402.31
744 Riverbend Rd	12/3/2012	343,828.30	-	-	-	2,435.00	-	346,263.30
121 Oxbow Drive	7/31/2013	375,581.20	-	-	-	-	(186,918.33)	188,662.87
333 Schnell Drive	9/20/2013	104,087.79	-	-	-	-	-	104,087.79
346 Schnell Drive	2/13/2014	512,970.73	-	-	-	7,200.00	-	520,170.73
345 Schnell Drive	10/24/2014	478,702.98	-	-	-	6,869.44	-	485,572.42
336 Schnell Drive	1/29/2015	310,888.51	-	-	-	185,620.00	-	496,508.51
5059 Makenzie Circle	5/21/2015	2,698,226.97	-	-	-	10,549.70	-	2,708,776.67
357 Schnell Dr / 760 River Bend Rd	6/18/2015	466,720.80	-	-	-	176,524.79	-	643,245.59
349 Schnell Dr / 761 River Bend Rd	6/26/2015	306,725.20	-	-	-	309,992.53	-	616,717.73
748 Riverbend Rd / 755 River Bend Rd	9/1/2015	480,784.30	-	-	-	205,699.82	-	686,484.12
361 Schnell Dr / 764 River Bend Rd	9/2/2015	490,091.32	-	-	-	267,757.65	-	757,848.97
752 Riverbend Rd / 768 River Bend Rd	9/4/2015	469,078.13	-	-	-	507,103.56	-	976,181.69
353 Schnell Dr / 772 River Bend Rd	9/11/2015	494,342.87	-	-	-	312,212.95	-	806,555.82
SE 1/4-23-137-49 & NW 1/4 SW 1/4 24-137-49 - Heitman	9/30/2015	1,328,151.00	-	-	-	-	-	1,328,151.00
350 Schnell Dr / 769 River Bend Rd	12/15/2015	491,024.01	-	-	-	279,237.35	-	770,261.36
365 Schnell Drive	1/7/2016	125,077.88	-	-	-	-	-	125,077.88
852 Riverbend Rd	1/11/2016	1,222,608.19	-	-	-	10,891.60	-	1,233,499.79
334 Schnell Dr / 751 River Bend Rd	1/15/2016	321,089.77	-	-	-	284,349.88	-	605,439.65
749 Riverbend Rd / 433 Trent Jones Dr	2/1/2016	598,885.43	-	-	-	469,875.64	-	1,068,761.07
326 Schnell Drive	2/19/2016	326,842.17	-	-	-	225,073.09	-	551,915.26
309 Schnell Dr / 325 Trent Jones Dr	5/12/2016	539,895.97	-	-	-	574,412.28	-	1,114,308.25
810 Riverbend Rd / 787 River Bend Rd	6/6/2016	672,125.84	-	-	-	640,625.43	-	1,312,751.27
833 Riverbend Rd / 446 Trent Jones Dr	7/14/2016	801,671.69	-	-	-	590,292.66	-	1,391,964.35
328 Schnell Dr / 347 Trent Jones Dr	7/14/2016	320,803.64	-	-	-	329,117.70	-	649,921.34
839 Riverbend Road	7/20/2016	1,775,311.60	-	-	-	10,631.50	-	1,785,943.10
332 Schnell Dr / 335 Trent Jones Dr	8/2/2016	328,639.47	-	-	-	353,321.19	-	681,960.66
317 Schnell Dr / 409 Trent Jones Dr	9/7/2016	548,393.52	-	-	-	558,413.52	-	1,106,807.04
330 Schnell Drive	10/4/2016	328,134.82	-	-	-	125,072.50	-	453,207.32
329 Schnell Dr / 417 Trent Jones Dr	10/4/2016	549,277.00	-	-	-	499,811.00	-	1,049,088.00
321 Schnell Dr / 410 Trent Jones Dr	10/7/2016	462,334.69	-	9,200.00	9,200.00	514,927.48	-	986,462.17
813 Riverbend Rd / 449 Trent Jones Dr	10/14/2016	660,997.62	-	-	-	797,937.65	-	1,458,935.27
325 Schnell Drive / 426 Trent Jones Dr	11/3/2016	403,498.66	-	-	-	402,935.97	-	806,434.63
844 Riverbend Road	11/11/2016	716,599.40	-	-	-	15,118.84	-	731,718.24
828 Riverbend Rd	11/30/2016	955,928.53	-	-	-	-	-	955,928.53
341 Schnell Dr / 343 Trent Jones Dr	12/8/2016	480,921.52	-	-	-	673,954.16	-	1,154,875.68
840 Riverbend Rd / 442 Trent Jones Dr	12/21/2016	547,075.19	-	-	-	423,662.02	-	970,737.21
816 Riverbend Rd / 441 Trent Jones Dr	12/27/2016	567,413.07	-	-	-	338,694.70	-	906,107.77
821 Riverbend Rd / 438 Trent Jones Dr	1/13/2017	580,617.35	-	-	-	331,100.87	-	911,718.22
805 Riverbend Rd / 776 River Bend Rd	2/10/2017	508,203.01	-	-	-	384,843.02	-	893,046.03
808 Riverbend Road / 254 South Schnell Dr	2/24/2017	713,814.95	-	-	-	529,495.96	-	1,243,310.91
338 Schnell Dr / 775 River Bend Rd	2/28/2017	560,402.15	-	-	-	397,094.89	-	957,497.04
817 Riverbend Road / 421 Trent Jones Dr	In Escrow	-	117,000.00	331,300.00	448,300.00	453,212.00	-	901,512.00
848 Riverbend Rd / 783 River Bend Rd	In Escrow	-	160,000.00	146,000.00	306,000.00	1,340,781.00	-	1,646,781.00
843 Riverbend Rd / 445 Trent Jones Dr	In Escrow	-	160,000.00	540,000.00	700,000.00	1,163,752.00	-	1,863,752.00
829 Riverbend Rd / 788 River Bend Rd	-	-	-	-	-	8,000.00	-	8,000.00
337 Schnell Dr / 353 Trent Jones Dr	-	-	124,000.00	98,021.00	222,021.00	-	-	222,021.00
313 Schnell Drive/ 413 Trent Jones Dr	-	-	133,000.00	64,243.00	197,243.00	-	-	197,243.00
Home Buyouts - Hickson								
17495 52nd St SE	4/28/2015	785,747.66	-	-	-	27,604.74	-	813,352.40
4989 Klitzke Drive, Pleasant Twp	7/20/2016	245,926.71	-	-	-	92,817.44	-	338,744.15

**FM Metropolitan Area Flood Risk Management Project
In-Town Levee Work
as of April 28, 2017**

Vcode #	Vendor Name	Descriptions	Contract Amount	Amount Paid
V02801	Industrial Builders	WP42.A2 - 2nd Street North Pump Station	\$ 8,683,649.98	\$ 8,683,649.98
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	\$ 828,792.49	\$ 814,506.17
V02803	Consolidated Communications	2nd Street Utility Relocation	\$ 1,178,781.73	\$ 1,178,781.73
V02804	702 Communications	2nd Street Utility Relocation	\$ 326,243.91	\$ 266,892.07
V02805	ICS	WP-42A.1/A.3 - 4th St Pump Station & Gatewell and 2nd St Floodwall S	\$ 17,583,287.19	\$ 16,666,292.89
V02806	HMG	WP42 - Services During Construction	\$ 4,932,000.00	\$ 4,270,620.42
V02807	CCJWRD	In-Town Levee Work	\$ 6,637,954.01	\$ 5,695,620.54
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	\$ 397,906.52	\$ 397,906.52
V02809	AT & T	2nd Street Utility Relocation	\$ 586,269.60	\$ 586,269.60
V02810	Cable One	2nd Street Utility Relocation	\$ 148,511.37	\$ -
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	\$ 925,076.69	\$ 735,245.97
V02812	Industrial Builders	WP-42F.1S - 2nd Street North Floodwall, South of Pump Station	\$ 16,737,490.08	\$ 15,927,445.08
V02813	Landwehr Construction	Park East Apartments Demolition	\$ 1,177,151.74	\$ 1,169,651.74
V02814	Primoris Aevenia	2nd Street Utility Relocation	\$ 16,230.00	\$ 16,230.00
V02815	Centurylink Communications	2nd Street Utility Relocation	\$ 2,660,937.92	\$ 2,660,937.92
V02816	Landwehr Construction	WP-42C.1 - In-Town Levees 2nd Street/Downtown Area Demo	\$ 907,999.08	\$ 907,999.08
V02817	Reiner Contracting, Inc	WP-42H.2 - El Zagal Area Flood Risk Management	\$ 1,601,366.99	\$ 1,598,471.70
V02818	Industrial Builders	WP-42I.1 - Mickelson Levee Extension	\$ 738,880.50	\$ 738,880.50
V02819	Industrial Builders	WP42F.1N - 2nd Street North	\$ 13,300,425.65	\$ 12,450,750.62
V02820	CH2M Hill	WP42 - Construction Management Services	\$ 1,020,000.00	\$ 851,775.30
V02821	Hough Incorporated	WP42F.2 - 2nd Street South	\$ 1,603,909.25	\$ 1,215,633.53
V02822	City of Fargo	COF - 2016 O&M on Lifts	\$ 6,402.85	\$ 6,402.85
V01703	Various	In-Town Property Purchases	\$ 40,027,230.39	\$ 37,544,244.37
			\$ 122,026,497.94	\$ 114,384,208.58

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

Time Period for This Request: February 25, 2017 - March 31, 2017

Drawdown Request No: 41	
Requested Amount:	\$ 3,666,207
Total Funds Expended This Period:	\$ 4,237,804
Total Funds Requested at 100% Match	3,094,610
Remaining Funds Requested at 50% Match	1,143,194
SB 2020 Matching Requirements	50%
Total Funds Requested at 50% Match	571,597
Total Funds Requested:	\$ 3,666,207

STATE AID SUMMARY:		
Summary of State Funds Appropriated		
Appropriations from 2009 Legislative Session		\$ 45,000,000
Appropriations from 2011 Legislative Session		30,000,000
Appropriations from 2013 Legislative Session		100,000,000
Appropriations from 2015 Legislative Session		69,000,000
Appropriations to be funded in 2017 Legislative Session - Available 7/1/2017	51,500,000	
Appropriations to be funded in 2019 Legislative Session - Available 7/1/2019	51,500,000	
Appropriations to be funded in 2021 Legislative Session - Available 7/1/2021	51,500,000	
Appropriations to be funded in 2023 Legislative Session - Available 7/1/2023	51,500,000	
Total State Funds	206,000,000	244,000,000
Less: Payment #1 through #35 - City of Fargo		(55,510,209)
Less: Payment #1 - Cass County		(136,039)
Less: Payment #1 through #28 - FM Diversion Authority		(38,049,107)
Less: Payment #29 - FM Metro Area Flood Risk Management Project		(2,900,000)
Less: Payment #30 - FM Metro Area Flood Risk Management Project		(3,681,747)
Less: Payment #31 - FM Metro Area Flood Risk Management Project		(6,900,000)
Less: Payment #32 - FM Metro Area Flood Risk Management Project		(3,725,044)
Less: Payment #33 - FM Metro Area Flood Risk Management Project		(4,655,547)
Less: Payment #34 - FM Metro Area Flood Risk Management Project		(22,500,000)
Less: Payment #35 - FM Metro Area Flood Risk Management Project		(6,062,680)
Less: Payment #36 - FM Metro Area Flood Risk Management Project		(3,506,589)
Less: Payment #37 - FM Metro Area Flood Risk Management Project		(4,676,079)
Less: Payment #38 - FM Metro Area Flood Risk Management Project		(4,401,701)
Less: Payment #39 - FM Metro Area Flood Risk Management Project		(1,535,060)
Less: Payment #40 - FM Metro Area Flood Risk Management Project		(465,203)
Less: Payment #41 - FM Metro Area Flood Risk Management Project		(3,666,207)
Total Funds Reimbursed		(162,371,212)
Total State Fund Balances Remaining		\$ 81,628,788

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

LOCAL MATCHING FUNDS SUMMARY:	
Matching Funds Expended To Date - FM Metro Area Flood Risk Management Project	\$ 74,626,164
Less: Match Used on Payment #1 through #35 - City of Fargo	(41,506,620)
Less: Match used on Payment #1 - Cass County	(136,039)
Less: Match Used on Payment #1-28 - FM Diversion Authority	(11,052,710)
Less: Match Used on Payment #30 - FM Metro Area Flood Risk Management Project	(1,581,147)
Less: Match Used on Payment #32 - FM Metro Area Flood Risk Management Project	(1,215,895)
Less: Match Used on Payment #33 - FM Metro Area Flood Risk Management Project	(2,785,070)
Less: Match Used on Payment #35 - FM Metro Area Flood Risk Management Project	(1,292,963)
Less: Match Used on Payment #36 - FM Metro Area Flood Risk Management Project	(509,507)
Less: Match Used on Payment #37 - FM Metro Area Flood Risk Management Project	(2,741,983)
Less: Match Used on Payment #38 - FM Metro Area Flood Risk Management Project	(3,580,994)
Less: Match Used on Payment #39 - FM Metro Area Flood Risk Management Project	(830,718)
Less: Match Used on Payment #41 - FM Metro Area Flood Risk Management Project	(3,094,610)
Balance of Local Matching Funds Available	\$ 4,297,908

Non-Buyout Lot Sales (Proceed Split 75/25)	Lot	Block	Addition	Address	Sale Price	Closed	Closing Date	Deposit	OJDA Share (25%)	Net Sale Proceeds	DA Share (75%)
	2	1	Oxbow 4th Addition	331 Trent Jones Drive	\$156,000.00	Yes	4/8/2016		\$38,956.25	\$155,825.00	\$116,868.75
	6	3	Oxbow 2nd Addition	779 River Bend Road	\$123,150.00	Yes	4/11/2016		\$30,718.75	\$122,875.00	\$92,156.25
	18	3	Oxbow 2nd Addition	754 River Bend Road	\$109,000.00	Yes	4/29/2016		\$27,208.75	\$108,835.00	\$81,626.25
	35	3	Oxbow 2nd Addition	425 Trent Jones Drive	\$119,000.00	Yes	4/29/2016		\$29,708.75	\$118,835.00	\$89,126.25
	20	1	Oxbow 3rd Addition	246 South Schnell Drive	\$160,000.00	Yes	4/29/2016		\$39,946.88	\$159,787.50	\$119,840.62
	21	1	Oxbow 3rd Addition	250 South Schnell Drive	\$160,000.00	Yes	4/29/2016		\$39,946.88	\$159,787.50	\$119,840.62
	49	3	Oxbow 2nd Addition	418 Trent Jones Drive	\$152,000.00	Yes	5/20/2016		\$37,905.00	\$151,620.00	\$113,715.00
	2	1	Oxbow 3rd Addition	784 River Bend Road	\$211,001.00	Yes	6/2/2016		\$52,655.30	\$210,621.20	\$157,965.90
	36	3	Oxbow 2nd Addition	429 Trent Jones Drive	\$111,000.00	Yes	7/7/2016		\$26,010.00	\$104,040.00	\$78,030.00
	23	2	Oxbow 2nd Addition	233 South Schnell Drive	\$65,000.00	Yes	7/22/2016		\$15,231.24	\$60,924.97	\$45,693.73
	17	3	Oxbow 2nd Addition	756 River Bend Road	\$99,000.00	Yes	8/31/2016		\$23,202.50	\$92,810.00	\$69,607.50
	11	3	Oxbow 2nd Addition	780 River Bend Road	\$144,000.00	Yes	8/31/2016		\$33,777.50	\$135,110.00	\$101,332.50
	46	3	Oxbow 2nd Addition	430 Trent Jones Drive	\$113,000.00	Yes	8/31/2016		\$26,492.50	\$105,970.00	\$79,477.50
	1	3	Oxbow 3rd Addition	119 Westview Lane	\$90,000.00	Yes	8/31/2016		\$21,087.50	\$84,350.00	\$63,262.50
	16	2	Oxbow 2nd Addition	261 South Schnell Drive	\$76,000.00	Yes	12/15/2016		\$17,797.48	\$71,189.92	\$53,392.44
	17	2	Oxbow 2nd Addition	257 South Schnell Drive	\$59,000.00	Yes	3/17/2017		\$13,802.50	\$55,210.00	\$41,407.50
32	2	Oxbow 2nd Addition	107 Westview Lane	\$62,000.00	Yes	3/29/2017		\$14,507.50	\$58,030.00	\$43,522.50	
18	2	Oxbow 2nd Addition	253 South Schnell Drive	\$73,000.00	No	TBD	\$7,300.00	\$0.00		\$0.00	
								\$0.00		\$0.00	
18	Lots			\$2,082,151.00			\$7,300.00	\$488,955.28	\$1,955,821.09	\$1,466,865.81	
									Sales Commission & Expenses	\$126,329.91	

Buyout Lot Sales (100% Diversion Authority Proceed)	Lot	Block	Addition	Address	Sale Price	Buyout Agreement				DA Share (100%)	
	8	3	Oxbow 2nd Addition	787 River Bend Road	\$174,000.00	Yes					\$174,000.00
	6	1	Oxbow 4th Addition	353 Trent Jones Drive	\$124,000.00	Yes					\$124,000.00
	9	1	Oxbow 3rd Addition	442 Trent Jones Drive	\$139,000.00	Yes					\$139,000.00
	7	1	Oxbow 3rd Addition	449 Trent Jones Drive	\$163,000.00	Yes					\$163,000.00
	15	3	Oxbow 2nd Addition	764 River Bend Road	\$111,000.00	Yes					\$111,000.00
	1	1	Oxbow 3rd Addition	788 River Bend Road	\$205,000.00	No					\$0.00
	7	3	Oxbow 2nd Addition	783 River Bend Road	\$160,000.00	Yes					\$160,000.00
	16	3	Oxbow 2nd Addition	760 River Bend Road	\$114,000.00	Yes					\$114,000.00
	47	3	Oxbow 2nd Addition	426 Trent Jones Drive	\$141,000.00	Yes					\$141,000.00
	3	1	Oxbow 4th Addition	335 Trent Jones Drive	\$133,000.00	Yes					\$133,000.00
	31	3	Oxbow 2nd Addition	409 Trent Jones Drive	\$136,000.00	Yes					\$136,000.00
	13	3	Oxbow 2nd Addition	772 River Bend Road	\$134,000.00	Yes					\$134,000.00
	3	3	Oxbow 2nd Addition	761 River Bend Road	\$104,000.00	Yes					\$104,000.00
	5	3	Oxbow 2nd Addition	775 River Bend Road	\$115,000.00	Yes					\$115,000.00
	33	3	Oxbow 2nd Addition	417 Trent Jones Drive	\$130,000.00	Yes					\$130,000.00
	4	1	Oxbow 4th Addition	343 Trent Jones Drive	\$143,000.00	Yes					\$143,000.00
14	3	Oxbow 2nd Addition	768 River Bend Road	\$143,000.00	Yes					\$143,000.00	
4	3	Oxbow 2nd Addition	769 River Bend Road	\$101,000.00	Yes					\$101,000.00	
5	1	Oxbow 4th Addition	347 Trent Jones Drive	\$150,000.00	Yes					\$150,000.00	
32	3	Oxbow 2nd Addition	413 Trent Jones Drive	\$133,000.00	Yes					\$133,000.00	
1	3	Oxbow 2nd Addition	751 River Bend Road	\$114,000.00	Yes					\$114,000.00	

Oxbow Buyout & Reloca	4	1	Oxbow 3rd Addition	437 Trent Jones Drive	\$95,000.00	Yes					\$95,000.00
	1	1	Oxbow 4th Addition	325 Trent Jones Drive	\$160,000.00	Yes					\$160,000.00
	12	3	Oxbow 2nd Addition	776 River Bend Road	\$131,000.00	Yes					\$131,000.00
	6	1	Oxbow 3rd Addition	445 Trent Jones Drive	\$160,000.00	Yes					\$160,000.00
	10	1	Oxbow 3rd Addition	438 Trent Jones Drive	\$108,000.00	Yes					\$108,000.00
	2	3	Oxbow 2nd Addition	755 River Bend Road	\$100,000.00	Yes					\$100,000.00
	8	1	Oxbow 3rd Addition	446 Trent Jones Drive	\$149,000.00	Yes					\$149,000.00
	37	3	Oxbow 2nd Addition	433 Trent Jones Drive	\$104,000.00	Yes					\$104,000.00
	22	1	Oxbow 3rd Addition	254 South Schnell Drive	\$150,000.00	Yes					\$150,000.00
	51	3	Oxbow 2nd Addition	410 Trent Jones Drive	\$148,000.00	Yes					\$148,000.00
	34	3	Oxbow 2nd Addition	421 Trent Jones Drive	\$117,000.00	Yes					\$117,000.00
	5	1	Oxbow 3rd Addition	441 Trent Jones Drive	\$107,000.00	Yes					\$107,000.00
	33	Lots			\$4,396,000.00						\$4,191,000.00

Staging Area Lot Sales (Proceed Split 75/25)	Lot	Block	Addition	Address	Sale Price	Closed	Closing Date	Deposit	OJDA Share (25%)	Net Sale Proceeds	DA Share (75%)
	48	3	Oxbow 2nd Addition	422 Trent Jones Drive	\$170,000.00	Yes	4/14/2017		\$42,437.50	\$169,750.00	\$127,312.50
	50	3	Oxbow 2nd Addition	414 Trent Jones Drive	\$158,000.00	Yes	4/14/2017		\$39,437.50	\$157,750.00	\$118,312.50
	45	3	Oxbow 2nd Addition	434 Trent Jones Drive	\$114,000.00	No			\$0.00		\$0.00
	7	1	Oxbow 4th Addition	359 Trent Jones Drive	\$131,000.00	No			\$0.00		\$0.00
	4	Lots			\$573,000.00			\$0.00	\$81,875.00	\$327,500.00	\$245,625.00

Lots	Lot	Block	Addition	Address	Appraisal Price
	1	2	Oxbow 3rd Addition	102 Westview Lane	\$105,000.00
	33	2	Oxbow 2nd Addition	103 Westview Lane	\$78,000.00
	2	2	Oxbow 3rd Addition	106 Westview Lane	\$58,000.00
	3	2	Oxbow 3rd Addition	110 Westview Lane	\$52,000.00
	31	2	Oxbow 2nd Addition	111 Westview Lane	\$58,000.00
	4	2	Oxbow 3rd Addition	114 Westview Lane	\$52,000.00
	30	2	Oxbow 2nd Addition	115 Westview Lane	\$64,000.00
	5	2	Oxbow 3rd Addition	120 Westview Lane	\$52,000.00
	2	3	Oxbow 3rd Addition	123 Westview Lane	\$100,000.00
	6	2	Oxbow 3rd Addition	124 Westview Lane	\$52,000.00
	3	3	Oxbow 3rd Addition	127 Westview Lane	\$158,000.00
	7	2	Oxbow 3rd Addition	128 Westview Lane	\$63,000.00
	8	2	Oxbow 3rd Addition	132 Westview Lane	\$63,000.00
	3	2	Oxbow 6th Addition	213 South Schnell Drive	\$69,000.00
	2	1	Oxbow 6th Addition	214 South Schnell Drive	\$114,000.00
	2	2	Oxbow 6th Addition	217 South Schnell Drive	\$72,000.00
	3	1	Oxbow 6th Addition	218 South Schnell Drive	\$94,000.00
	4	3	Oxbow 3rd Addition	221 South Schnell Drive	\$113,000.00
	4	1	Oxbow 6th Addition	222 South Schnell Drive	\$85,000.00
5	3	Oxbow 3rd Addition	225 South Schnell Drive	\$95,000.00	
5	1	Oxbow 6th Addition	226 South Schnell Drive	\$85,000.00	

Unassigned	24	2	Oxbow 2nd Addition	229 South Schnell Drive	\$65,000.00
	6	1	Oxbow 6th Addition	232 South Schnell Drive	\$84,000.00
	22	2	Oxbow 2nd Addition	237 South Schnell Drive	\$78,000.00
	7	1	Oxbow 6th Addition	238 South Schnell Drive	\$125,000.00
	21	2	Oxbow 2nd Addition	241 South Schnell Drive	\$75,000.00
	8	1	Oxbow 6th Addition	242 South Schnell Drive	\$150,000.00
	20	2	Oxbow 2nd Addition	245 South Schnell Drive	\$75,000.00
	19	2	Oxbow 2nd Addition	249 South Schnell Drive	\$102,000.00
	2	2	Oxbow 2nd Addition	304 Trent Jones Drive	\$76,000.00
	3	2	Oxbow 2nd Addition	308 Trent Jones Drive	\$75,000.00
	4	2	Oxbow 2nd Addition	312 Trent Jones Drive	\$75,000.00
	5	2	Oxbow 2nd Addition	316 Trent Jones Drive	\$70,000.00
	6	2	Oxbow 2nd Addition	320 Trent Jones Drive	\$64,000.00
	7	2	Oxbow 2nd Addition	324 Trent Jones Drive	\$69,000.00
	8	2	Oxbow 2nd Addition	328 Trent Jones Drive	\$87,000.00
	9	2	Oxbow 2nd Addition	332 Trent Jones Drive	\$89,000.00
	10	2	Oxbow 2nd Addition	336 Trent Jones Drive	\$102,000.00
	11	2	Oxbow 2nd Addition	340 Trent Jones Drive	\$87,000.00
	12	2	Oxbow 2nd Addition	344 Trent Jones Drive	\$80,000.00
	13	2	Oxbow 2nd Addition	348 Trent Jones Drive	\$84,000.00
14	2	Oxbow 2nd Addition	352 Trent Jones Drive	\$98,000.00	
15	2	Oxbow 2nd Addition	356 Trent Jones Drive	\$73,000.00	
43	Lots				\$3,565,000.00

Total Lot Values (98 Lots)	\$10,616,151.00
Diversion Authority Share to Date	\$5,903,490.81
Cash Advance to Oxbow	\$375,000.00
Amount Reimbursed to Diversion Authority to Date	\$5,528,490.81
Remaining to be Reimbursed to Date	\$0.00



24 May 2017

Finance Committee Report

Presented By:
Program Management Consultant

Report – April 2017

- ▶ Overall Program Status
- ▶ FY 2017 Cash Budget



Overall Program Status



METRO FLOOD DIVERSION PROJECT

Data Through Date: Friday, April 28, 2017

OVERALL PROGRAM (2015\$) SUMMARY

Schedule Budget Categories	Program Budget (2015\$)	Actual Cost to Date	Remaining Program Budget
DIVERSION CHANNEL & ASSOC. INFRASTRUCTURE	\$763,768,516	\$7,468,732	\$756,299,784
SOUTHERN EMBANKMENT & ASSOC. INFRASTRUCTURE	\$371,353,664	\$53,312,028	\$318,041,636
OTHER MITIGATION PROJECTS	\$64,712,848	\$7,502,739	\$57,210,110
IN-TOWN FLOOD PROTECTION	\$204,863,752	\$75,576,409	\$129,287,343
ENABLING WORK / OTHER	\$14,113,749	\$0	\$14,113,749
LAND ACQUISITION & MITIGATION	\$426,589,476	\$144,594,306	\$281,995,171
ENGINEERING & DESIGN FEES	\$80,539,955	\$32,643,239	\$47,896,716
PROGRAM MANAGEMENT	\$119,725,500	\$39,426,078	\$80,299,422
CONTINGENCY	\$159,898,584	\$0	\$159,898,584
Report Totals	\$2,205,566,043	\$360,523,529	\$1,845,042,514

FMDA

METRO FLOOD DIVERSION PROJECT

Data Through Date: Friday, April 28, 2017

OVERALL PROGRAM (2015\$) SUMMARY

Schedule Budget Categories	Program Budget (2015\$)	Actual Cost to Date	Remaining Program Budget
Diversion Channel & Assoc. Infrastructure	\$763,768,516	\$7,468,732	\$756,299,784
Management, Legal, Financial, Procurement	\$9,750,000	\$7,468,732	\$2,281,268
Channel - Construction	\$754,018,516	\$0	\$754,018,516
Southern Embankment & Assoc. Infrastructure	\$371,353,664	\$53,312,028	\$318,041,636
WP-26 Diversion Inlet	\$68,743,917	\$0	\$68,743,917
WP-27 Red River - West Embankment	\$18,050,477	\$0	\$18,050,477
WP-29 Red River - East Embankment	\$15,652,398	\$0	\$15,652,398
WP-30 Wild Rice River Control Structure	\$35,608,353	\$0	\$35,608,353
WP-31 I-29 NS Bridge	\$55,281,013	\$153,028	\$55,127,985
WP-33 CR81 Bridge	\$5,253,756	\$0	\$5,253,756
WP-35 Red River Control Structure	\$63,252,598	\$0	\$63,252,598
WP-39 Overflow Embankment	\$10,536,493	\$0	\$10,536,493
WP-46 Utilities	\$8,477,533	\$0	\$8,477,533
WP-47 Utilities	\$1,175,448	\$0	\$1,175,448
WP-50 Phase II Demo	\$12,364,450	\$0	\$12,364,450
WP-51 Recreation	\$9,528,439	\$0	\$9,528,439
WP-53 BNSF Moorhead Line Raise	\$44,008,615	\$0	\$44,008,615
WP-54 - Hwy 75 Road Raise	\$11,320,174	\$0	\$11,320,174
USACE Local Share \ Management Oversight	\$12,100,000	\$53,159,000	(\$41,059,000)
Other Mitigation Projects	\$64,712,848	\$7,502,739	\$57,210,110
WP-36 Wild Rice Dam Mitigation	\$2,027,696	\$0	\$2,027,696
WP-40 Drayton Dam Mitigation	\$6,758,988	\$0	\$6,758,988
WP-41 Buffalo River Mitigation	\$1,689,747	\$0	\$1,689,747
WP-43 Oxbow-Hickson-Bakke	\$42,773,436	\$7,502,739	\$35,270,698
WP-49 Cultural Remediation	\$542,999	\$0	\$542,999
WP-52 Comstock Ring Levee	\$10,919,981	\$0	\$10,919,981
In-Town Flood Protection	\$204,863,752	\$75,576,409	\$129,287,343
WP-42 In-Town Levees	\$100,714,949	\$75,576,409	\$25,138,539
Complementary In-Town Flood Protection	\$104,148,803	\$0	\$104,148,803

METRO FLOOD DIVERSION PROJECT

Data Through Date: Friday, April 28, 2017

OVERALL PROGRAM (2015\$) SUMMARY

Schedule Budget Categories	Program Budget (2015\$)	Actual Cost to Date	Remaining Program Budget
Enabling Work / Other	\$14,113,749	\$0	\$14,113,749
Demolition	\$508,353	\$0	\$508,353
WP-28 - Cass County Road 16 and 17 Bridge	\$13,605,396	\$0	\$13,605,396
Land Acquisition & Mitigation	\$426,589,476	\$144,594,306	\$281,995,171
Management, Legal, Financial, Procurement	\$51,463,000	\$9,492,620	\$41,970,379
DIVERSION CHANNEL AND ASSOCIATED INFRASTRUCTURE	\$72,199,150	\$13,491,963	\$58,707,187
SOUTHERN EMBANKMENT AND ASSOCIATED INFRASTRUCTURE	\$136,589,980	\$5,921,254	\$130,668,726
MITIGATION AND ASSOCIATED INFRASTRUCTURE	\$81,761,211	\$72,597,615	\$9,163,595
WP-38 Upstream Staging	\$47,160,000	\$5,716,751	\$41,443,249
IN-TOWN FLOOD PROTECTION	\$37,416,136	\$37,374,102	\$42,034
Engineering & Design Fees	\$80,539,955	\$32,643,239	\$47,896,716
Management, Legal, Financial, Procurement	\$8,685,616	\$4,513,034	\$4,172,582
WORK-IN-KIND PROGRAMS (WIK) STUDIES	\$19,682,433	\$9,304,666	\$10,377,767
INDICATIVE DESIGN	\$14,469,297	\$6,736,795	\$7,732,502
(LERRDs) - LAND, EASEMENTS, ROW, RELOCATION & DISPOSAL AREAS	\$534,000	\$299,469	\$234,531
PERMITTING	\$11,541,039	\$3,054,191	\$8,486,848
CERTIFICATION	\$2,050,000	\$0	\$2,050,000
FMDA DETENTION FUNDING	\$3,000,000	\$500,000	\$2,500,000
OTHER MITIGATION PROJECTS	\$19,741,602	\$8,235,085	\$11,506,518
ENABLING WORK	\$835,968	\$0	\$835,968
Program Management	\$119,725,500	\$39,426,078	\$80,299,422
Management, Legal, Financial, Procurement	\$119,725,500	\$39,426,078	\$80,299,422
Contingency	\$159,898,584	\$0	\$159,898,584
SYSTEM WIDE CONTINGENCY	\$21,795,449	\$0	\$21,795,449
DIVERSION CHANNEL AND ASSOCIATED INFRASTRUCTURE	\$47,173,841	\$0	\$47,173,841
SOUTHERN EMBANKMENT AND ASSOCIATED INFRASTRUCTURE	\$38,696,058	\$0	\$38,696,058
OTHER MITIGATION PROJECTS	\$40,891,969	\$0	\$40,891,969
IN-TOWN FLOOD PROTECTION	\$10,101,623	\$0	\$10,101,623
ENABLING WORK	\$1,239,644	\$0	\$1,239,644
Report Totals	\$2,205,566,043	\$360,523,529	\$1,845,042,514

FY 2017 Cash Budget



METRO FLOOD DIVERSION AUTHORITY

Data Through Date: Friday, April 28, 2017

Rev1 - 27apr2017

FY2017 Cash Budget

Schedule Budget Categories	FY2017 Cash Budget	FY2017 Paid	Expected Additional Payments	Remaining FY Budget
DIVERSION CHANNEL & ASSOC. INFRASTRUCTURE	\$ 8,801,499	\$ 2,972,613	\$ 5,828,886	\$ 5,828,886
SOUTHERN EMBANKMENT & ASSOC. INFRASTRUCTURE	\$ 1,230,000	\$ 1,230,000	\$ -	\$ -
OTHER MITIGATION PROJECTS	\$ 24,246,248	\$ 107,270	\$ 24,138,978	\$ 24,138,978
IN-TOWN FLOOD PROTECTION	\$ 46,175,722	\$ 3,119,528	\$ 43,056,194	\$ 43,056,194
ENABLING WORK / OTHER	\$ 9,810,803	\$ -	\$ 9,810,803	\$ 9,810,803
LAND ACQUISITION & MITIGATION	\$ 107,419,540	\$ 12,457,917	\$ 94,961,623	\$ 94,961,623
ENGINEERING & DESIGN FEES	\$ 10,693,575	\$ 894,810	\$ 9,798,765	\$ 9,798,765
PROGRAM MANAGEMENT	\$ 17,247,196	\$ 3,929,994	\$ 13,317,202	\$ 13,317,202
CONTINGENCY	\$ 7,449,379	\$ -	\$ 7,449,379	\$ 7,449,379
DEBT SERVICE	\$ 8,137,268	\$ 512,774	\$ 7,624,494	\$ 7,624,494
MAINTENANCE	\$ 100,000	\$ 6,403	\$ 93,597	\$ 93,597
Report Totals	\$ 241,311,230	\$ 25,231,309	\$ 216,079,921	\$ 216,079,921

FMDA

METRO FLOOD DIVERSION AUTHORITY

Data Through Date: Friday, April 28, 2017

Rev1 - 27apr2017

FY2017 Cash Budget

Schedule Budget Categories	FY2017 Proposed Cash Budget	FY2017 Paid	Expected Additional Payments	Remaining FY Budget
DIVERSION CHANNEL & ASSOC. INFRASTRUCTURE	\$ 8,801,499	\$ 2,972,613	\$ 5,828,886	\$ 5,828,886
Management, Legal, Financial, Procurement	\$ 8,801,499	\$ 2,972,613	\$ 5,828,886	\$ 5,828,886
Channel - Construction	\$ -	\$ -	\$ -	\$ -
SOUTHERN EMBANKMENT & ASSOC. INFRASTRUCTURE	\$ 1,230,000	\$ 1,230,000	\$ -	\$ -
WP-26 Diversion Inlet	\$ -	\$ -	\$ -	\$ -
WP-27 Red River - West Embankment	\$ -	\$ -	\$ -	\$ -
WP-29 Red River - East Embankment	\$ -	\$ -	\$ -	\$ -
WP-30 Wild Rice River Control Structure	\$ -	\$ -	\$ -	\$ -
WP-31 I-29 NS Bridge	\$ -	\$ -	\$ -	\$ -
WP-33 CR81 Bridge	\$ -	\$ -	\$ -	\$ -
WP-35 Red River Control Structure	\$ -	\$ -	\$ -	\$ -
WP-39 Overflow Embankment	\$ -	\$ -	\$ -	\$ -
WP-46 Utilities	\$ -	\$ -	\$ -	\$ -
WP-47 Utilities	\$ -	\$ -	\$ -	\$ -
WP-50 Phase II Demo	\$ -	\$ -	\$ -	\$ -
WP-51 Recreation	\$ -	\$ -	\$ -	\$ -
WP-53 BNSF Moorhead Line Raise	\$ -	\$ -	\$ -	\$ -
WP-54 - Hwy 75 Road Raise	\$ -	\$ -	\$ -	\$ -
USACE Local Share \ Management Oversight	\$ 1,230,000	\$ 1,230,000	\$ -	\$ -
OTHER MITIGATION PROJECTS	\$ 24,246,248	\$ 107,270	\$ 24,138,978	\$ 24,138,978
WP-36 Wild Rice Dam Mitigation	\$ -	\$ -	\$ -	\$ -
WP-40 Drayton Dam Mitigation	\$ -	\$ -	\$ -	\$ -
WP-41 Buffalo River Mitigation	\$ -	\$ -	\$ -	\$ -
WP-43 Oxbow-Hickson-Bakke	\$ 24,246,248	\$ 107,270	\$ 24,138,978	\$ 24,138,978
WP-49 Cultural Remediation	\$ -	\$ -	\$ -	\$ -
WP-52 Comstock Ring Levee	\$ -	\$ -	\$ -	\$ -

METRO FLOOD DIVERSION AUTHORITY

Data Through Date: Friday, April 28, 2017

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FY2017 Cash Budget

Schedule Budget Categories	FY2017 Proposed Cash Budget	FY2017 Paid	Expected Additional Payments	Remaining FY Budget
IN-TOWN FLOOD PROTECTION	\$ 46,175,722	\$ 3,119,528	\$ 43,056,194	\$ 43,056,194
WP-42 In-Town Levees	\$ 21,064,187	\$ 3,119,528	\$ 17,944,659	\$ 17,944,659
Complementary In-Town Flood Protection	\$ 25,111,535	\$ -	\$ 25,111,535	\$ 25,111,535
ENABLING WORK / OTHER	\$ 9,810,803	\$ -	\$ 9,810,803	\$ 9,810,803
Demolition	\$ -	\$ -	\$ -	\$ -
WP-28 - Cass County Road 16 and 17 Bridge	\$ 9,810,803	\$ -	\$ 9,810,803	\$ 9,810,803
LAND ACQUISITION & MITIGATION	\$ 107,419,540	\$ 12,457,917	\$ 94,961,623	\$ 94,961,623
Management, Legal, Financial, Procurement	\$ 10,238,047	\$ 1,379,445	\$ 8,858,602	\$ 8,858,602
DIVERSION CHANNEL AND ASSOCIATED INFRASTRUCTURE	\$ 36,892,899	\$ 1,536,317	\$ 35,356,582	\$ 35,356,582
SOUTHERN EMBANKMENT AND ASSOCIATED INFRASTRUCTURE	\$ 10,048,770	\$ 50,981	\$ 9,997,789	\$ 9,997,789
MITIGATION AND ASSOCIATED INFRASTRUCTURE	\$ 22,668,513	\$ 6,504,705	\$ 16,163,808	\$ 16,163,808
WP-38 Upstream Staging	\$ 24,844,800	\$ 1,733,542	\$ 23,111,258	\$ 23,111,258
IN-TOWN FLOOD PROTECTION	\$ 2,726,512	\$ 1,252,927	\$ 1,473,585	\$ 1,473,585
ENGINEERING & DESIGN FEES	\$ 10,693,575	\$ 894,810	\$ 9,798,765	\$ 9,798,765
Management, Legal, Financial, Procurement	\$ 1,545,549	\$ 245,700	\$ 1,299,849	\$ 1,299,849
WORK-IN-KIND PROGRAMS (WIK) STUDIES	\$ 1,853,166	\$ 243,053	\$ 1,610,113	\$ 1,610,113
INDICATIVE DESIGN	\$ 207,092	\$ 53,109	\$ 153,983	\$ 153,983
(LERRDs) - LAND, EASEMENTS, ROW, RELOCATION & DISPOSAL ARE	\$ 62,983	\$ 3,864	\$ 59,119	\$ 59,119
PERMITTING	\$ 3,409,278	\$ 113,338	\$ 3,295,940	\$ 3,295,940
CERTIFICATION	\$ 138,950	\$ -	\$ 138,950	\$ 138,950
FMDA DETENTION FUNDING	\$ 400,000	\$ -	\$ 400,000	\$ 400,000
OTHER MITIGATION PROJECTS	\$ 3,076,557	\$ 235,747	\$ 2,840,810	\$ 2,840,810
ENABLING WORK	\$ -	\$ -	\$ -	\$ -
PROGRAM MANAGEMENT	\$ 17,247,196	\$ 3,929,994	\$ 13,317,202	\$ 13,317,202
Management, Legal, Financial, Procurement	\$ 17,247,196	\$ 3,929,994	\$ 13,317,202	\$ 13,317,202

METRO FLOOD DIVERSION AUTHORITY

Data Through Date: Friday, April 28, 2017

Rev1 - 27apr2017

FY2017 Cash Budget

Schedule Budget Categories	FY2017 Proposed Cash Budget	FY2017 Paid	Expected Additional Payments	Remaining FY Budget
CONTINGENCY	\$ 7,449,379	\$ -	\$ 7,449,379	\$ 7,449,379
SYSTEM WIDE CONTINGENCY	\$ 116,423	\$ -	\$ 116,423	\$ 116,423
DIVERSION CHANNEL AND ASSOCIATED INFRASTRUCTURE	\$ 6,644,500	\$ -	\$ 6,644,500	\$ 6,644,500
SOUTHERN EMBANKMENT AND ASSOCIATED INFRASTRUCTURE	\$ 1,340	\$ -	\$ 1,340	\$ 1,340
OTHER MITIGATION PROJECTS	\$ 192,764	\$ -	\$ 192,764	\$ 192,764
IN-TOWN FLOOD PROTECTION	\$ 489,833	\$ -	\$ 489,833	\$ 489,833
ENABLING WORK	\$ 4,519	\$ -	\$ 4,519	\$ 4,519
DEBT SERVICE	\$ 8,137,268	\$ 512,774	\$ 7,624,494	\$ 7,624,494
Debt Service	\$ 8,137,268	\$ 512,774	\$ 7,624,494	\$ 7,624,494
MAINTENANCE	\$ 100,000	\$ 6,403	\$ 93,597	\$ 93,597
Maintenance	\$ 100,000	\$ 6,403	\$ 93,597	\$ 93,597
Report Totals	\$ 241,311,231	\$ 25,231,309	\$ 216,079,922	\$ 216,079,922



Auditor

Michael Montplaisir, CPA
701-241-5600
montplaisirm@casscountynd.gov

TO: Diversion Authority Finance Committee
FROM: Michael Montplaisir
Cass County Auditor
DATE: May 19, 2017
SUBJECT: Refinancing Wells Fargo Loans

The City of Fargo and Cass County each have two \$50M loans through Wells Fargo—one \$50M loan for each entity are due on July 31, 2017 and the other \$50M loan for each are due July 31, 2018. We pay interest on these loans monthly based on a variable rate established by the London Interbank Offered Rate (LIBOR). Our current arrangement for the loans due in 2017 are 70% of the LIBOR plus 50 basis points (.50%) adjusted monthly. The loans due in 2018 are 70% of the LIBOR plus 60 basis points.

The county has drawn down both of the \$50M loans fully, and the city has \$49.75M still available to be drawn down on the loan due in 2018. Fargo pays an undrawn fee, which is basically a fee to have the loan available to draw with a short notice—the fee is 30 basis points on the undrawn balance.

Our recommended proposal is to refinance all four loans so that both the county and city have one loan each for \$100M, and to extend the term on the loans to July 31, 2019. We looked at both fixed and variable options for the extension and are recommending to continue with a variable rate for the next two years on these short-term loans. The proposal we are working with right now continues with 70% of the LIBOR rate with the add on rate down to 45 basis points and the undrawn fee down to 15 basis points. We are, of course, concerned about interest rate risk, while the variable rate protects us should rates go down, it does not protect us if interest rates rise unexpectedly. We will be considering an issuance of longer term fixed rate debt later this year should we need additional funds. This debt would probably be backed by special assessments and would lock in these historically low rates for a longer term.

The interest rates are more favorable, recognizing the extension of the sales taxes pledged. In addition, the ability to borrow additional debt is more flexible. The current loans require that the lender approve any additional bonds pledging sales tax. The new loans will not have such a provision but instead will require that additional debt pledging the same revenues on parity may be issued as long as combined debt service has 1.5 times coverage and subordinate debt in addition to the current debt service has 1.3 times coverage.

The one remaining item being discussed is the acceleration clause. The acceleration clause comes into play should either the city or county not make required payments and are in default. We have not agreed on the proposed language and are working toward language acceptable to Fargo, Cass County and Wells Fargo.

We are asking the Finance Committee to endorse our financing plan and to recommend to the Diversion Authority to endorse the financing plan. The actual debt will be issued by Fargo and Cass County, but the interest payments will come from the Diversion Authority through the city and county sales taxes.

PO Box 2806
211 Ninth Street South
Fargo, North Dakota 58108

www.casscountynd.gov

Fargo Moorhead Diversion Project					
Comparison of Wells Fargo 2016 Loans to 2017 Loan Proposal					
	<i>Current Loan</i>	<i>Current Loan</i>	<i>Loan Proposal</i>	<i>Preferred Loan Proposal</i>	<i>Loan Proposal</i>
Form of Financing	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan
Face Amount	\$100,000,000	\$100,000,000	\$100,000,000	\$100,000,000	\$100,000,000
Available for Construction	\$100,000,000	\$100,000,000	\$100,000,000	\$100,000,000	\$100,000,000
Maturity Date	7/31/2017	7/31/2018	7/31/2018	7/31/2019	7/31/2020
Term	1 year	2 years	1 year	2 years	3 years
Pledged Revenue as Described in Loan Agreement	First lien on Sales Tax Revenues of the City/County on parity with the lien on Sales Tax Revenues granted in the Intergovernmental Agreement; provided if Sales Tax Revenues not extended...	First lien on Sales Tax Revenues of the City/County on parity with the lien on Sales Tax Revenues granted in the Intergovernmental Agreement; provided if Sales Tax Revenues not extended...	First lien on the City's 0.50% sales tax revenues as pledged in the Intergovernmental Agreement. Subordinate lien on 91% of Cass County's 0.50% sales tax. Vice versa for the County.	First lien on the City's 0.50% sales tax revenues as pledged in the Intergovernmental Agreement. Subordinate lien on 91% of Cass County's 0.50% sales tax.	First lien on the City's 0.50% sales tax revenues as pledged in the Intergovernmental Agreement. Subordinate lien on 91% of Cass County's 0.50% sales tax.
Pledged Revenue as Described in Context of City and County Sales Tax Funds	First lien on Sales Tax 3T of both the County and the City, and a subordinate lien on all other sales taxes pledged in the Intergovernmental Agreement; County and City 3T Sales Taxes would be cross pledged	First lien on Sales Tax 3T of both the County and the City, and a subordinate lien on all other sales taxes pledged in the Intergovernmental Agreement; County and City 3T Sales Taxes would be cross pledged	First lien on Sales Tax 3T of both the County and the City, and a subordinate lien on all other sales taxes pledged in the Intergovernmental Agreement; County and City 3T Sales Taxes would be cross pledged	First lien on Sales Tax 3T of both the County and the City, and a subordinate lien on all other sales taxes pledged in the Intergovernmental Agreement; County and City 3T Sales Taxes would be cross pledged	First lien on Sales Tax 3T of both the County and the City, and a subordinate lien on all other sales taxes pledged in the Intergovernmental Agreement; County and City 3T Sales Taxes would be cross pledged
Mechanics	\$1 million minimum advances Not more than 1 advance in 30-day period 3 business day notice for advance	\$1 million minimum advances Not more than 1 advance in 30-day period 3 business day notice for advance	\$1 million minimum advances Not more than 1 advance in 30-day period 3 business day notice for advance	\$1 million minimum advances Not more than 1 advance in 30-day period 3 business day notice for advance	\$1 million minimum advances Not more than 1 advance in 30-day period 3 business day notice for advance
Interest Rate Reset	Monthly	Monthly	Monthly	Monthly	Monthly
Interest Rate on Loan	70% of 30 day LIBOR + 50bps	70% of 30 day LIBOR + 60bps	70% of 30 day LIBOR + 40 bps	70% of 30 day LIBOR + 45 bps	70% of 30 day LIBOR + 55 bps
Undrawn Fee	30 bp	30 bp	15 bp	15 bp	15 bp
Interest Rate subject to Adjustment	Index rate subject to adjustment if either the City or County rating is downgraded	Index rate subject to adjustment if either the City or County rating is downgraded	Index rate subject to adjustment if either the City or County rating is downgraded.	Index rate subject to adjustment if either the City or County rating is downgraded.	Index rate subject to adjustment if either the City or County rating is downgraded.
Undrawn Fee subject to Adjustment	NA	NA	Undrawn fee subject to adjustment if either the City or County rating is downgraded	Undrawn fee subject to adjustment if either the City or County rating is downgraded	Undrawn fee subject to adjustment if either the City or County rating is downgraded
Prepayment Penalty	None	None	None	None	None
Interest Due	monthly	monthly	monthly	monthly	monthly
Estimated rate based on 1 Month LIBOR as of 4/22/2017 (See below for details)	1.1965%	1.2965%	1.0965%	1.1465%	1.2465%
Principal Due	At maturity	At maturity	At maturity	At maturity	At maturity
Limitation on Indebtedness/ Additional Bonds Test	Section 6.07 of the Loan Agreement - Parity Bonds require prior written consent of lender. Subordinate debt may be issued (with voter approval of sales tax extension) if sales tax revenues are at least 1.85 times Aggregate Debt Service (see definition in Loan).	Section 6.07 of the Loan Agreement - Parity Bonds require prior written consent of lender. Subordinate debt may be issued (with voter approval of sales tax extension) if sales tax revenues are at least 1.85 times Aggregate Debt Service (see definition in Loan).	Additional Bonds Tests: Sales tax revenue at least equal to 1.5 times the maximum annual debt service of senior debt; and Sales tax revenue at least equal to 1.3 times the maximum annual debt service of senior plus subordinate debt	Additional Bonds Tests: Sales tax revenue at least equal to 1.5 times the maximum annual debt service of senior debt; and Sales tax revenue at least equal to 1.3 times the maximum annual debt service of senior plus subordinate debt	Additional Bonds Tests: Sales tax revenue at least equal to 1.5 times the maximum annual debt service of senior debt; and Sales tax revenue at least equal to 1.3 times the maximum annual debt service of senior plus subordinate debt
Acceleration Clause	Section 7.02 of the Loan Agreement - Acceleration of the Required Payments 7 days after the occurrence of an Event of Default.	Section 7.02 of the Loan Agreement - Acceleration of the Required Payments 7 days after the occurrence of an Event of Default.	Under discussion	Under discussion	Under discussion
Reporting Requirements	Annual Financial Statements delivered within 180 days Compliance Certificate Report of Sales Tax Revenue collected in prior quarter delivered within 90 days	Annual Financial Statements delivered within 180 days Compliance Certificate Report of Sales Tax Revenue collected in prior quarter delivered within 90 days	Annual Financial Statements delivered within 180 days Compliance Certificate Report of Sales Tax Revenue collected in prior quarter delivered within 90 days	Annual Financial Statements delivered within 180 days Compliance Certificate Report of Sales Tax Revenue collected in prior quarter delivered within 90 days	Annual Financial Statements delivered within 180 days Compliance Certificate Report of Sales Tax Revenue collected in prior quarter delivered within 90 days
Credit Approval Timeframe/ Receipt of Funds	Close by July 1, 2016	Close by July 1, 2017	Close by July 31, 2017	Close by July 31, 2017	Close by July 31, 2017

Fargo Moorhead Diversion Project					
Comparison of Wells Fargo 2016 Loans to 2017 Loan Proposal					
	<i>Current Loan</i>	<i>Current Loan</i>	<i>Loan Proposal</i>	<i>Preferred Loan Proposal</i>	<i>Loan Proposal</i>
Form of Financing	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan	Wells Fargo Variable Rate Loan
Bank Counsel and Other Fees	\$60,000	\$60,000	Usual and customary	Usual and customary	Usual and customary
Banking Services	Already established	Already established	Already established	Already established	Already established
Finance Team Notes	Amendment to Intergovernmental Pledge Agreement required; actions required by governing bodies of both the City and the County and actions could be completed by early August 2016.	Amendment to Intergovernmental Pledge Agreement required; actions required by governing bodies of both the City and the County and actions could be completed by early August 2016.	A fixed rate option was also proposed in the initial loan proposals. City and County determined not to take the fixed rate option as it was more expensive.	A fixed rate option was also proposed in the initial loan proposals. City and County determined not to take the fixed rate option as it was more expensive.	A fixed rate option was also proposed in the initial loan proposals. City and County determined not to take the fixed rate option as it was more expensive.
<i>Prepared by Springsted Incorporated May 18, 2017</i>					
	RATE INFORMATION		RATE INFORMATION		
	Spread to LIBOR		Spread to LIBOR		
LIBOR 2-business days prior to May 1, 2017	0.99500%	0.99500%	0.99500%	0.99500%	0.99500%
Times percent of LIBOR	<u>70.00000%</u>	<u>70.00000%</u>	<u>70.00000%</u>	<u>70.00000%</u>	<u>70.00000%</u>
	0.696500%	0.696500%	0.696500%	0.696500%	0.696500%
Plus "LIBOR RATE" Definition	<u>0.50000%</u>	<u>0.60000%</u>	<u>0.40000%</u>	<u>0.45000%</u>	<u>0.55000%</u>
	1.19650%	1.29650%	1.09650%	1.14650%	1.24650%

Technical Advisory Group Recommendation

Meeting Date: 5/16/2017

RECOMMENDATION FOR ACTION:

The Technical Advisory Group have reviewed and recommends approval of the following Contract Action(s).

SUMMARY OF CONTRACTING ACTION:

Per the contract review and approval procedures, Section 5.C(2), that were adopted by the Diversion Authority on November 10, 2016, the Owner's Program Management Consultant (PMC) or Engineer of Record (EOR) shall submit a construction Change Order request to the Technical Advisory Group. The Technical Advisory Group shall review the Change Order request during its next regular meeting after receiving the Change Order request, and make a recommendation as to approval or denial of the Change Order request.

The Owner's Representative has reviewed and recommends the following Contract Action(s):

Description	Budget Estimate (\$)
Industrial Builders, Inc.	
<i>Change Order #6 (Asphalt Paving and Other Items)</i>	\$55,605.75
WP-42F.1N, 2 nd St Floodwall North of Pump Station – Asphalt Paving, BNSF Railroad Ties, Floodwall Cap, Traffic Control, Additional Differing Subsurface Conditions, and Balance Quantities	

Summary of Contracting History and Current Contract Action:

Original Agreement or Amendment	Previous Project Cost	Budget (\$) Change	Revised Project Cost	Project Start	Project Completion	Comments
Original Contract	0.00	12,969,699.05	12,969,699.05	25-Apr-16	1-Jul-17	Contract Award recommended to lowest responsive bidder, Industrial Builders, Inc.
Change Order No. 1	12,969,699.05	8,122.00	12,977,821.05	25-Apr-16	1-Jul-17	Water Main Insulation, Floodwall Caps Modification
Change Order No. 2	12,977,821.05	206,380.00	13,184,201.05	25-Apr-16	1-Jul-17	Differing Subsurface Conditions, Fire Hydrants and Vault 3A Relocation, Temporary Water for Area Businesses, Howard Johnson Foundation Removal, & BNSF Project Delay
Change Order No. 3	13,184,201.05	(22,030.50)	13,162,170.55	25-Apr-16	1-Jul-17	Plansheet Updates, Retaining Wall Column, 6" Impressioned Concrete, Additional Bridge Lighting
Change Order No. 4	13,162,170.55	8,648.00	13,170,818.55	25-Apr-16	1-Jul-17	8" Plaza Concrete, Additional Pull Boxes, Milestone Changes
Change Order No. 5	13,170,818.55	127,282.10	13,298,100.65	25-Apr-16	1-Jul-17	Temporary Striping and Quantity Balancing
Change Order No. 6	13,298,100.65	55,605.75	13,353,706.40	25-Apr-16	1-Jul-17	Asphalt Paving, BNSF Railroad Ties, Balance Quantities, and other items

DISCUSSION

Change Order No. 6 adds and modifies scope for an increase to the Contract Price of **\$55,605.75**. The Change Order consists of the following items:

1. **Work Change Directive No. 1** – This Work Change Directive was previously reviewed and approved by the Technical Advisory Group, the Co-Executive Directors, and the Finance Committee on May 11, 2017. Its total increase to the Contract Price is **\$39,360.05** and consists of the following items:
 - a. Provide new asphalt paving in the BNSF right-of-way to comply with BNSF permit requirements. Also provide new asphalt paving adjacent to the MEPS building as agreed in the final purchase agreement with that property owner. Both additions were changes after bidding and award of this project.
 - b. Furnish and install railroad ties at the edge of the new asphalt paving in the BNSF right-of-way. This is also required by BNSF as a condition of their permit.
 - c. Provide traffic control to facilitate a partial lane closure for installation of sidewalk. The sidewalk work was originally planned for fall of 2016 when 2nd St N was closed. Delay in receipt of the BNSF permit pushed this work to 2017. Since 2nd St N is now open, the traffic control is necessary for the contractor to safely install the sidewalk.
2. **Revised Tapered Floodwall Cap** – Increase of **\$2,545** to change the floodwall caps for transitioning from the style installed on the 2nd St Pump Station project to ensure aesthetic consistency of the 2nd St flood control projects. HMG has reviewed the proposed pricing and finds it reasonable. There is no schedule change associated with this item.

3. **Unit Rate Bid Item Quantity Adjustments** – This item establishes the final balancing for nine unit rate bid items associated with underground utilities by adjusting the contracted quantities to match the installed quantities as verified by HMG field staff.

This item also increases the lump sum value of the differing subsurface conditions bid item to account for the final amount of unsuitable excavation material that had to be removed from the site. Costs for this item were incurred on a Time & Materials basis. The process involved the Contractor notifying HMG or CH2M after encountering material suspected to be unsuitable. HMG and/or the Owner’s testing firm (Terracon) would then confirm that the material must be removed and the Resident Project Representative (HMG) would observe the effort. The Contractor would then submit documentation of the hours, equipment, and fees to accomplish the work, which CH2M would validate and process for payment. In this case, the final amount of effort to remove unsuitable material was \$19,351.20 more than the previous lump sum budget of \$200,000.

The net change for both unit rate quantity adjustments and the increase to the lump sum differing subsurface conditions bid item is an increase of **\$13,700.70**.

ATTACHMENT(S):

Draft Change Order No. 6
 Contractor pricing for Floodwall Cap
 Approved Work Change Directive No. 1

Submitted by:



 Tyler Smith, P.E.
 Construction Services Manager
 CH2M – Metro Flood Diversion Project

5/16/2017

 Date

 Nathan Boerboom, Diversion Authority Project
 Manager
 Concur: May 16, 2017 Non-Concur: _____

 April Walker, Fargo City Engineer
 Concur: May 17, 2017 Non-Concur: _____

 Mark Bittner, Fargo Director of Engineering
 Concur: May 16, 2017 Non-Concur: _____

 Jason Benson, Cass County Engineer
 Concur: May 16, 2017 Non-Concur: _____

 David Overbo, Clay County Engineer
 Concur: May 16, 2017 Non-Concur: _____

 Robert Zimmerman, Moorhead City Engineer
 Concur: May 16, 2017 Non-Concur: _____



Fargo Office
64 4th Street North
Suite 300
Fargo ND 58103
Tel 701-566-5470
Fax 701-634-9954

May 25, 2017

Metro Flood Diversion Authority
Attention: Tim Mahoney, Chairman
211 9th Street South, Box 2806
Fargo, ND 58108

Subject: Work Package 43E.2.F, Riverbend Road Removals
Recommendation of Award

Dear Board Members:

CH2M (Program Management Consultant) recommends the Metro Flood Diversion Authority award Work Package 43E.2.F, Riverbend Road Removals, to Landwehr Construction, Inc. in the amount of **\$234,593.50** as the lowest and best bid.

We conducted a public Bid Opening for this project on May 16, 2017 where four bids were received. After review, Landwehr Construction, Inc. was determined to be the lowest responsive bidder. Their price is approximately 52% lower than the Engineer's Opinion of Probable Cost and it appears to be a full and valid bid.

Contact me at 208-771-1686 or tyler.smith@ch2m.com if you have any questions regarding this recommendation.

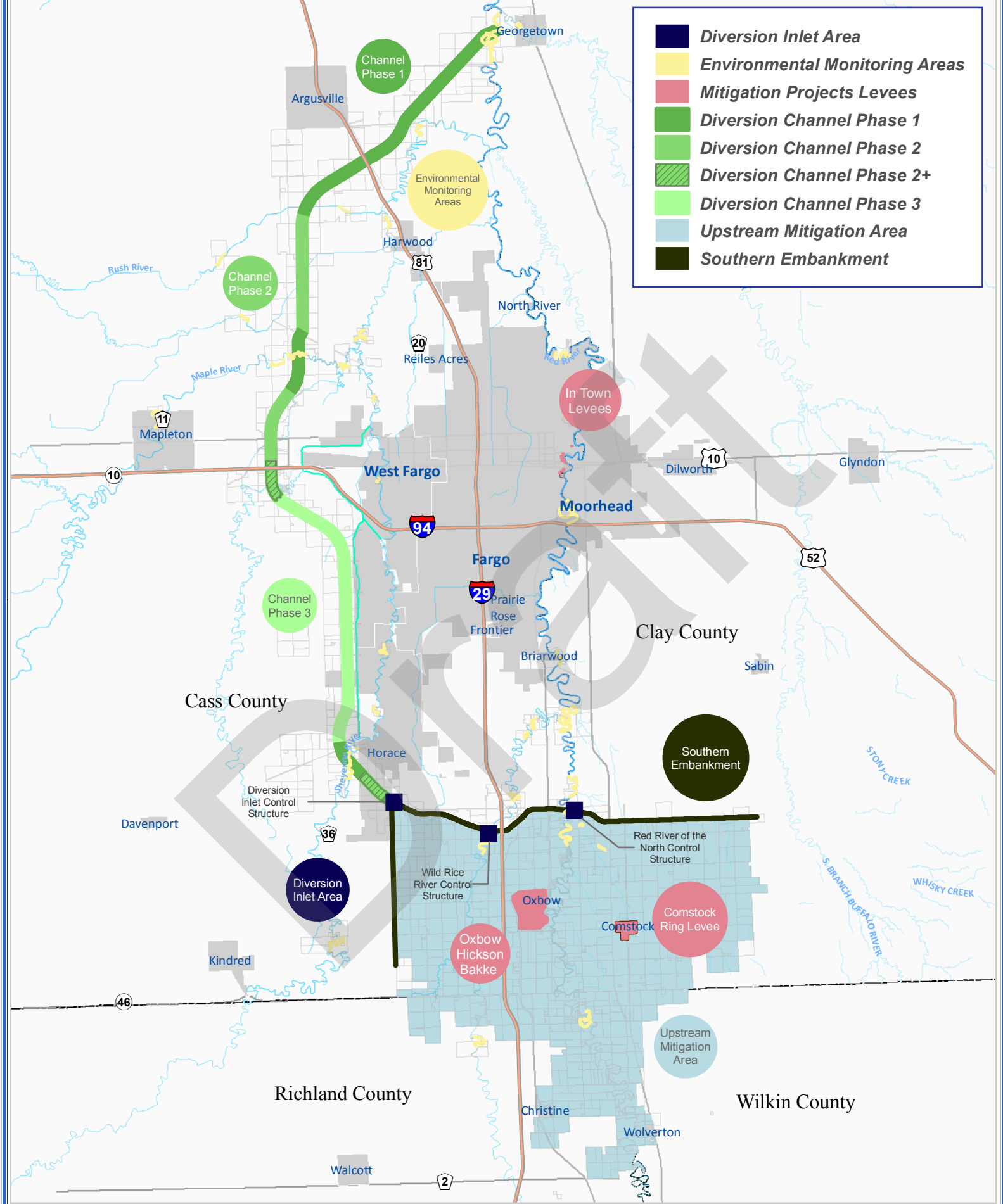
Sincerely,

Tyler Smith, P.E.
Construction
Manager CH2M
HILL
Owner's Representative

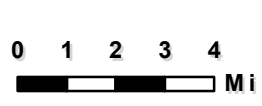
c: Randy Richardson/CH2M
Heather Worden/Cass County

Nicole Schlepp/HMG
Peter Chitwood/CH2M

Bidder Name	Bid Price	Bid Bonds	Contractor Lic.	Addenda
Landwehr Construction, Inc.	\$234,593.50	✓	✓	✓
Schmidt & Sons Construction Inc.	\$297,991.50	✓	✓	✓
M&M Contractors	\$421,127.25	✓	✓	✓
Hough Inc.	\$526,276.58	✓	✓	✓



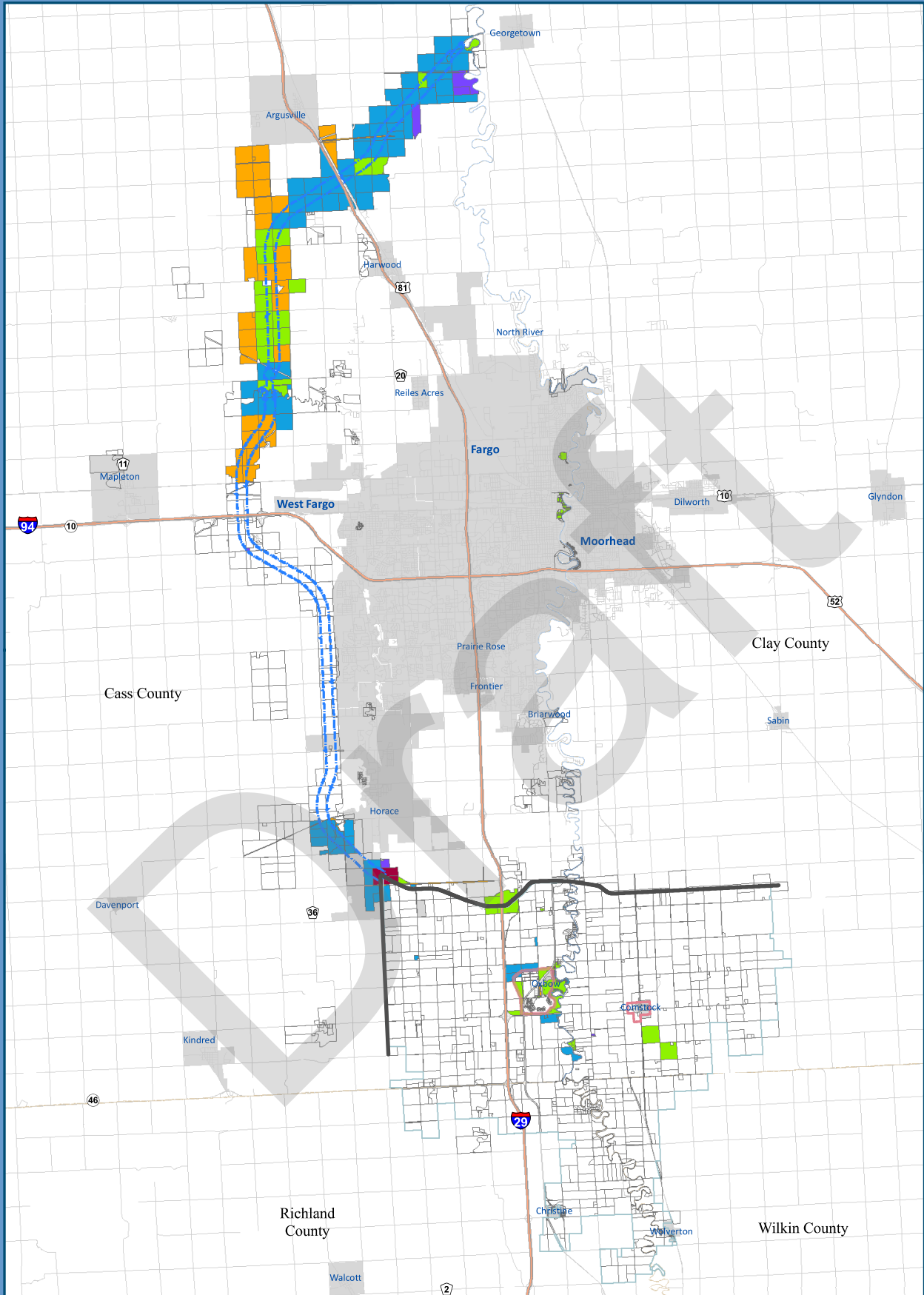
Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable, The Diversion Authority does not guarantee the accuracy of the information, and waives any warranty or guarantee of any kind, express or implied. The data involved in the project is continuously refined and revised; you should not rely on this information for technical purposes or accuracy.



FM Area Diversion Key Acquisition Areas

5/17/2017





Any reliance upon this map is at user's own risk. AE2S does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.
 Date: 5/17/2017 | Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet

<p>STATUS</p> <ul style="list-style-type: none"> Impacted Parcel (1,497) Appraisal Pending (108) In Negotiation (127) Purchase Agreement Signed (14) Acquired; Easement Secured (151) Condemnation for Acquisition (5) 	 	<p>Property Acquisition Status Report</p> <p>5/17/2017</p>		 <small>Advanced Engineering and Environmental Services, Inc.</small>
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Diversion Inlet Area

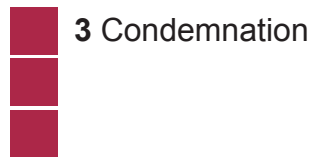


Diversion Inlet Control Structure

(WP 26)

Targeted Completion Date: Complete

Parcel Status



3 parcels total

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

County Roads 16 & 17 Roundabout

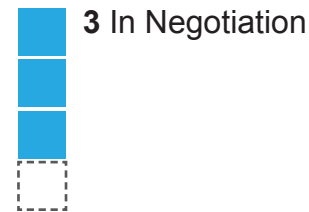
(WP 28)

Targeted Completion Date: July 2017

Parcel Status



Roundabout



Re-route after Channel Construction

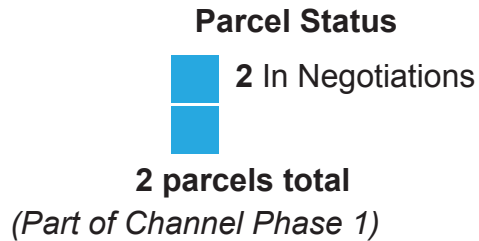
7 parcels total

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

Cultural Mitigation Areas

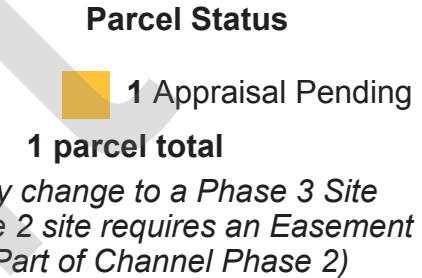
Sheyenne River Phase 3 Sites

(32-CS-201) Target Completion: June 1, 2017



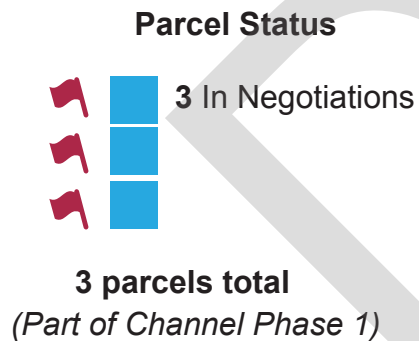
Drain 14 Phase 2 Site

(32-CS-5135) Target Completion: Fall 2017



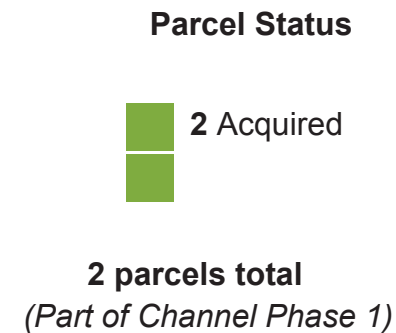
South of Maple River Phase 3 Site

(32-CS-5127) Target Completion: July 1, 2017



North of Maple River Phase 2 Site

(32-CS-5139) Target Completion: Done

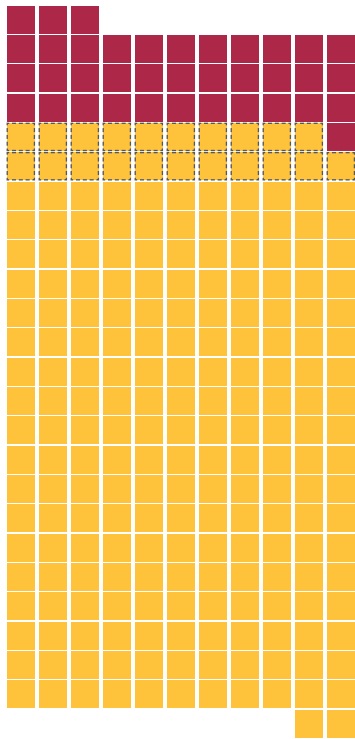


-  Appraisal Pending
-  In Negotiation
-  Agreement Signed
-  Acquired Parcel
-  Condemnation
-  Change from last report

Environmental Monitoring Areas

Cass County

Parcel Status

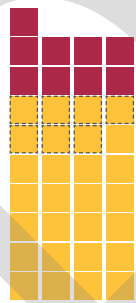


258 parcels total

- Letters Sent/Communication Initiated - Mailed 02/03/17
- 221 Signed ROE - Expires 12/31/18
- 37 Filed for Court Action
- Signed Easement
- Change from last report

Richland County

Parcel Status

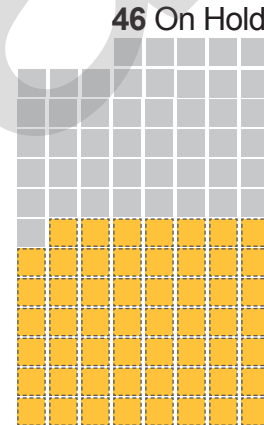


37 parcels total

- Letters Sent/Communication Initiated Mailed 02/23/17
- 28 Signed ROE - Expires 12/31/18
- 9 Filed for Court Action
- Signed Easement
- Change from last report

Clay County

Parcel Status



101 parcels total

- Letters Sent/Communication Initiated
- 55 Signed ROE (City of Moorhead/Clay County)
- Filed for Court Action
- Signed Easement
- Change from last report

Wilkin County

Parcel Status



8 parcels total

- Letters Sent/Communication Initiated
- Signed ROE
- Filed for Court Action
- Signed Easement
- Change from last report

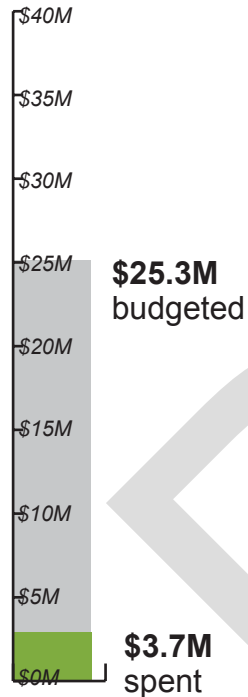
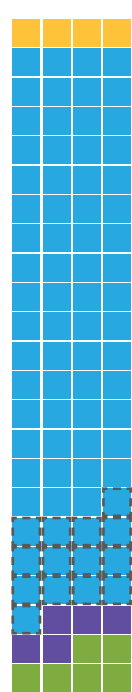
Diversion Channel

Phase 1

Target Completion: Feb. 2018

Parcel Status

Hard Costs paid to Property Owners



92 parcels total

- 4 Appraisal Pending
- 77 In Negotiation
- 5 Agreement Signed
- 6 Acquired Parcel
- 0 Condemnation
- Change from last report

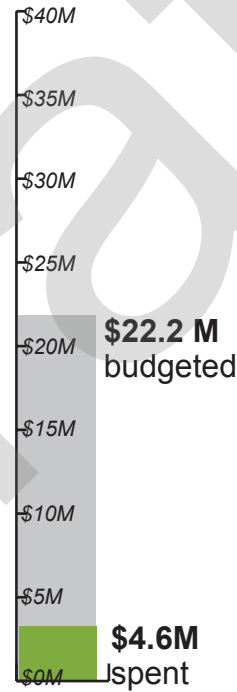
■ Budgeted
■ Spent

Phase 2 & 2+

Target Completion: Aug. 2018

Parcel Status

Hard Costs paid to Property Owners



87 parcels total

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

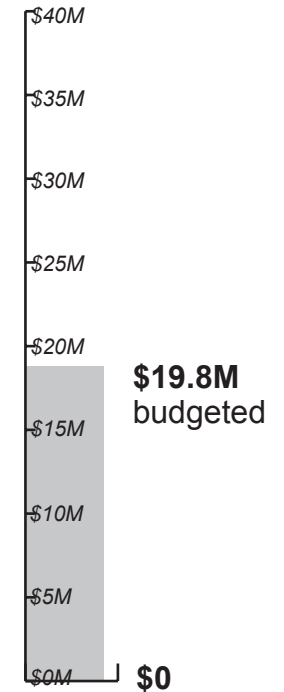
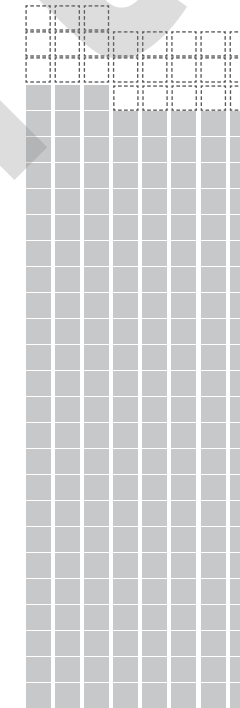
■ Budgeted
■ Spent

Phase 3

Target Completion: April 2019

Parcel Status

Hard Costs paid to Property Owners



187 parcels total

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

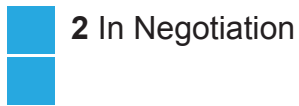
■ Budgeted
■ Spent

Mitigation Projects

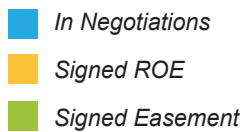
Wild Rice Dam Removal

(WP 36)
Targeted Completion Date: July 1, 2017

Parcel Status



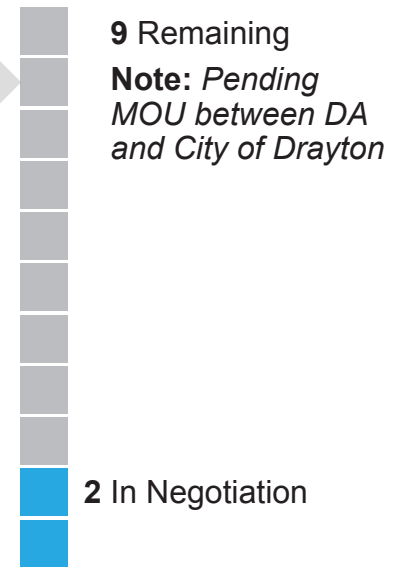
2 parcels total



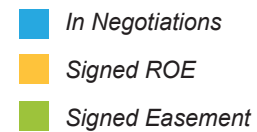
Drayton Dam Replacement

(WP 40)
Targeted Completion Date: July 1, 2017

Parcel Status



11 parcels total

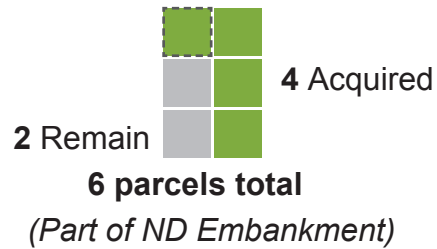


Southern Embankment

Wild Rice Control Structure

Target Completion: May 2018

Parcel Status



ND Embankment

Target Completion: May 2019

Parcel Status



Red River Control Structure

Target Completion: May 2019

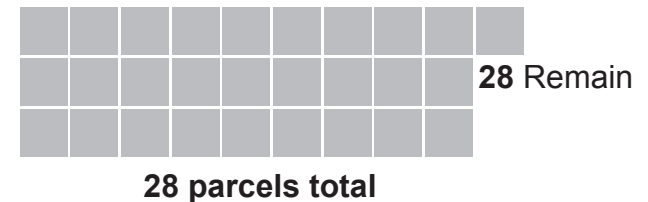
Parcel Status



MN Embankment

Target Completion: May 2020

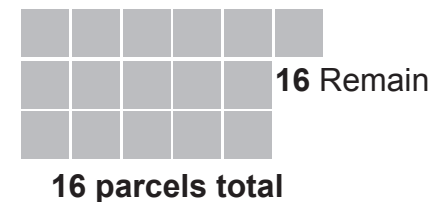
Parcel Status



Limited Service Spillway

Target Completion: May 2021

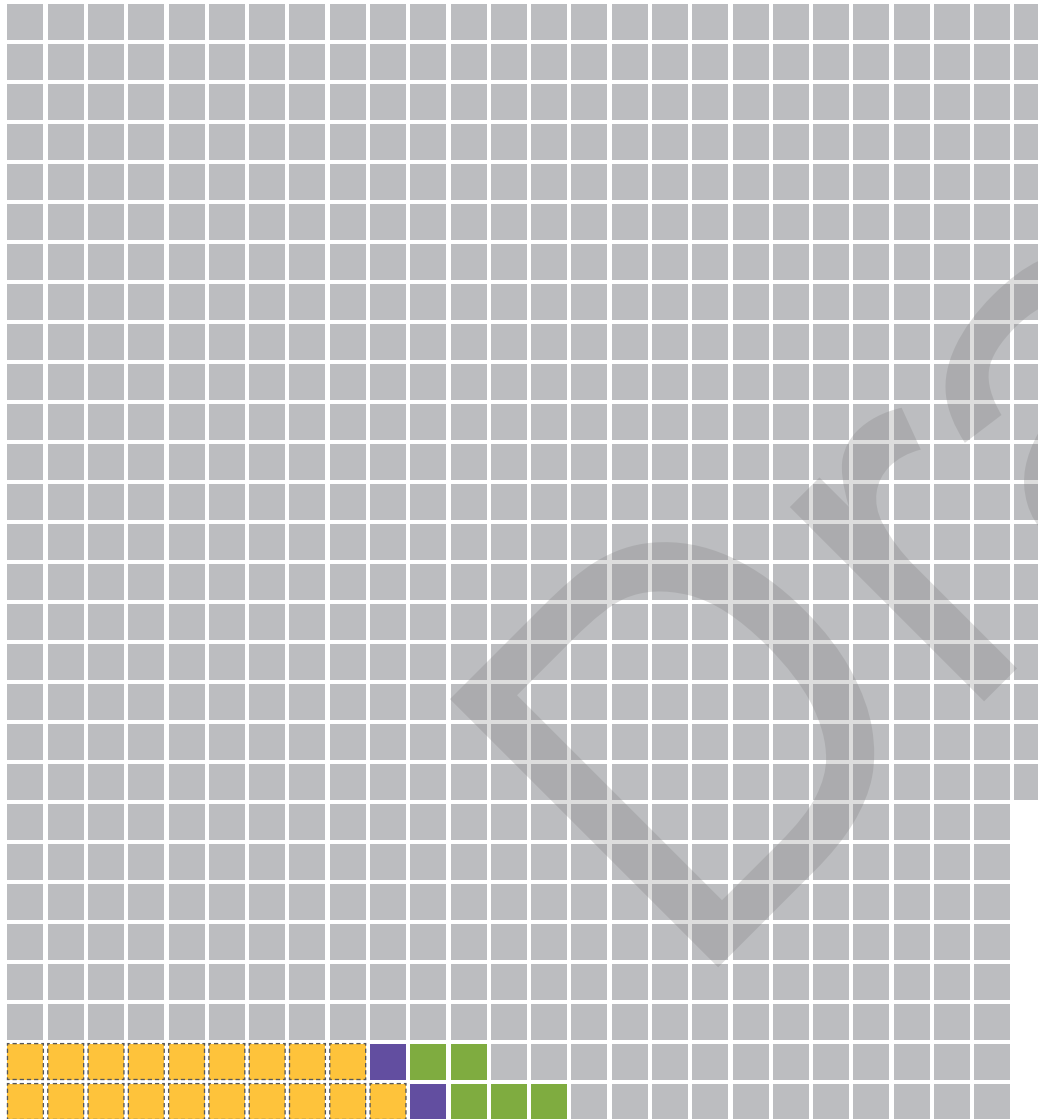
Parcel Status



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

Upstream Mitigation Area

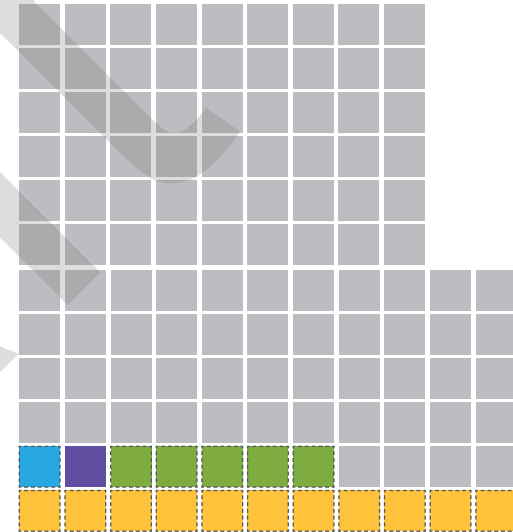
Flowage Easements



Approximately 720 parcels total

- 19 Appraisal Pending
- In Negotiation
- 2 Agreement Signed
- 5 Acquired Parcel
- Condemnation
- Changed

Structure Sites



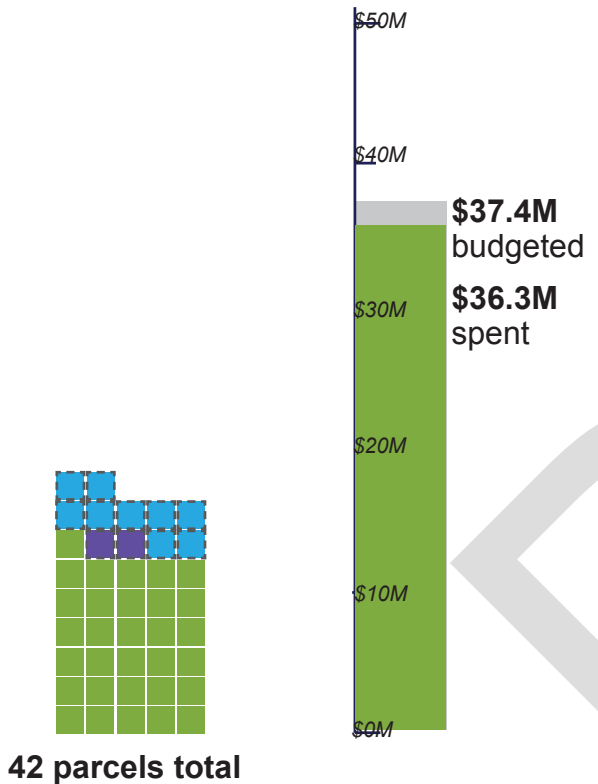
**Parcel Status
Approximately 120 parcels total**

- 11 Appraisal Pending
- 1 In Negotiation
- 1 Agreement Signed
- 5 Acquired Parcel
- Condemnation
- Changed

Levee Projects

In Town Levees

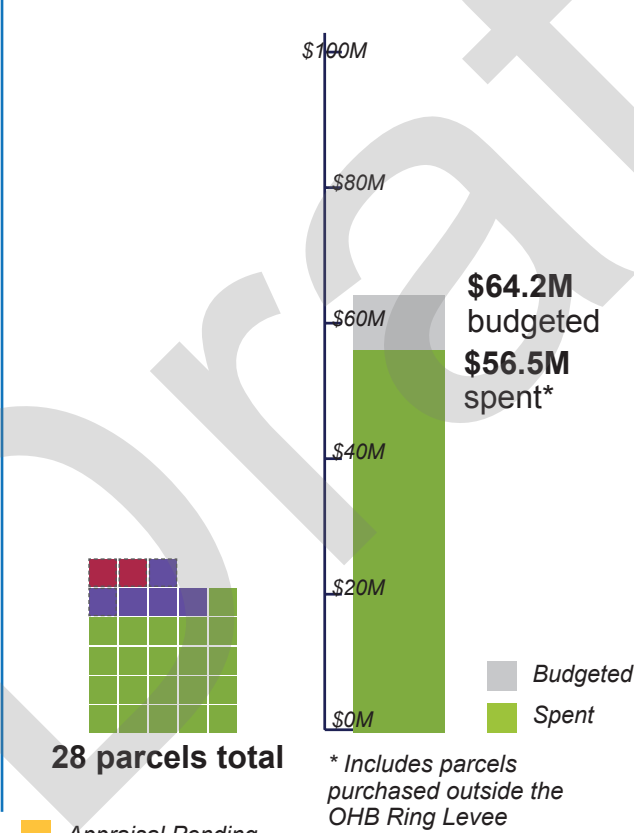
Parcel Status Hard Costs paid to Property Owners



- Appraisal Pending
- 9 In Negotiation
- 2 Agreement Signed
- 31 Acquired Parcel
- Condemnation
- Changed from last report
- Budgeted
- Spent

OHB Ring Levee

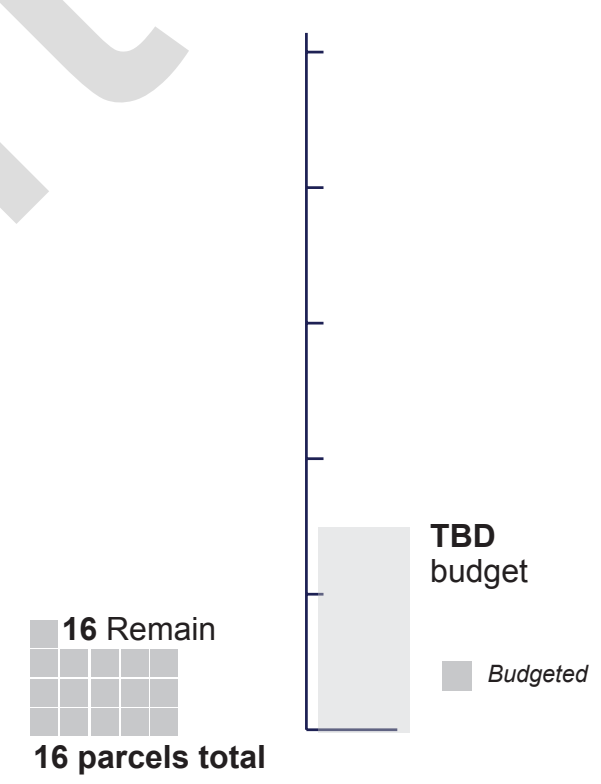
Parcel Status Hard Costs paid to Property Owners



- Appraisal Pending
- In Negotiation
- 5 Agreement Signed
- 21 Acquired Parcel
- 2 Condemnation
- Changed from last report
- Budgeted
- Spent

Comstock Ring Levee

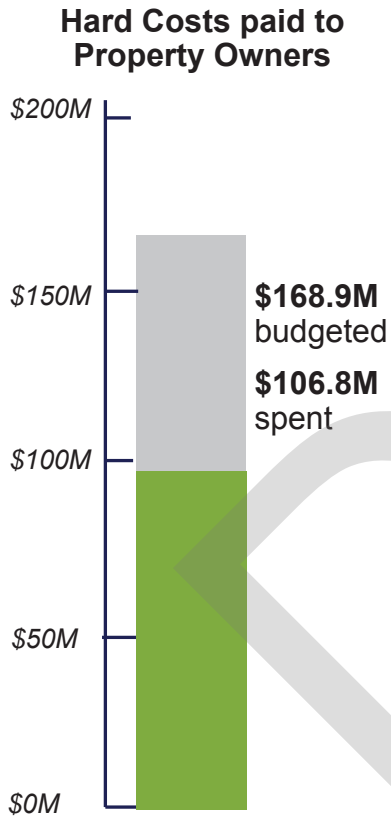
Parcel Status Hard Costs paid to Property Owners



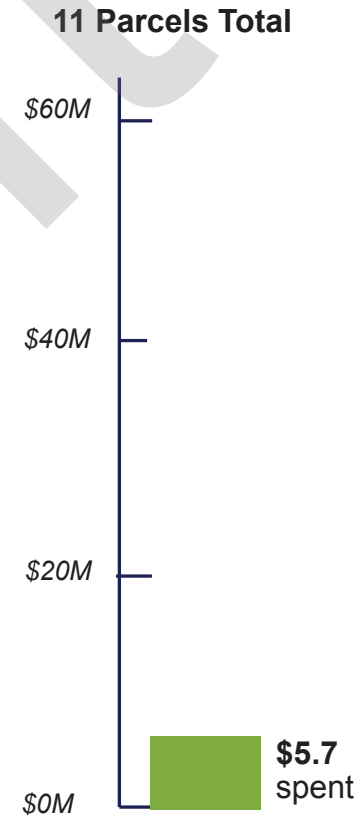
- Budgeted

Overall Budget

Diversion Channel, In Town Levees, OHB Ring Levee



Land Assets



■ Budgeted
■ Spent

LAND ACQUISITION DIRECTIVE (LAD) LAD-OPP-01 REV-04

DATE: 5/24/2017
AQUIRING ENTITY: Cass County Joint Water Resource Districts (CCJWRD)
WORK PACKAGE: WP38 Upstream Mitigation & Phase 3 Channel

The following property acquisitions are recommended and directed.

BACKGROUND :

The Diversion Authority approved a budget for opportunistic acquisitions that is intended to provide a source of funding for acquisition of properties where the property owner requests early acquisition, provided the property would ultimately be needed for the project.

This Land Acquisition Directive (LAD) will serve as a tracking and reporting tool for early, opportunistic acquisitions. Each request for early acquisition will be presented as a revision to this LAD.

OPPORTUNISTIC PROPERTY ACQUISITIONS:

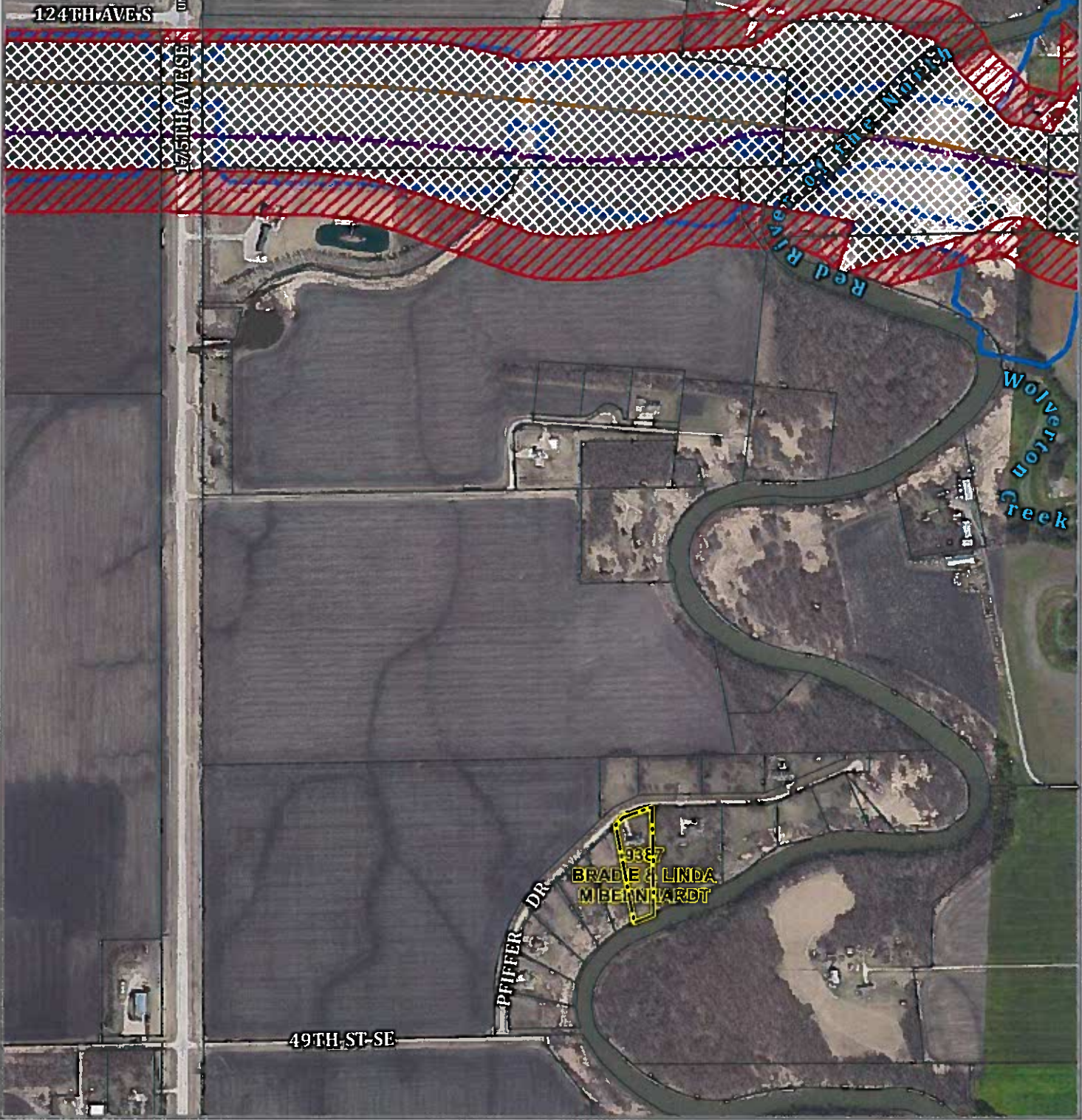
The following opportunistic property acquisitions are recommended and directed.

OIN	OWNER	PROP TYPE	ACREAGE
9387	Brad & Linda Bernhardt	Rural Residential (WP 38)	1.6
818, 1915, 1916, 1917, 1943, 1945	Lawrence & Susan Richard	Farmstead & Ag Land (818-Southern Embankment, other parcels-WP 38)	440.0
722, 723, 9279	Bruce Cossette	Ag Land (Phase 3 Channel)	307.1
9742	Derek Flaten	Ag Land w/ Grain Bins (Phase 3 Channel)	47.5
9286, 9743	Dan Flaten	Ag Land (Phase 3 Channel)	9.9
1914	George & Sharon Richard	Farmstead (WP 38)	20.3
1834	Jim & Jan Ness	Farmstead (WP 38)	9.5
9993	BJM Land Inc.	Farmstead (WP 38)	2.0
9994	Robert & Jacquelyn Mitchell	Rural Residence (WP 38)	1.8

ATTACHMENTS:

- Parcel Maps of all previously listed Opportunistic Land Parcels

This SKETCH showing the approximate area for taking, any easements, acreage amounts, and property boundary location is for illustrative purposes only, which is based on public parcel mapping over ESRI Aerial Photography. All parcel acreages and legal descriptions shown hereon are based on County GIS. Final acreages and legal descriptions to be determined by boundary survey.

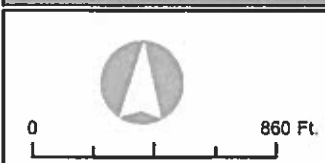


FM AREA DIVERSION

LAST UPDATED:
5/16/2017



- Impacted Parcel
- Channel Footprint
- Fee Title
- Upstream Mitigation Area
- Perm. Ease.
- Temp. Ease.
- 100-yr with project

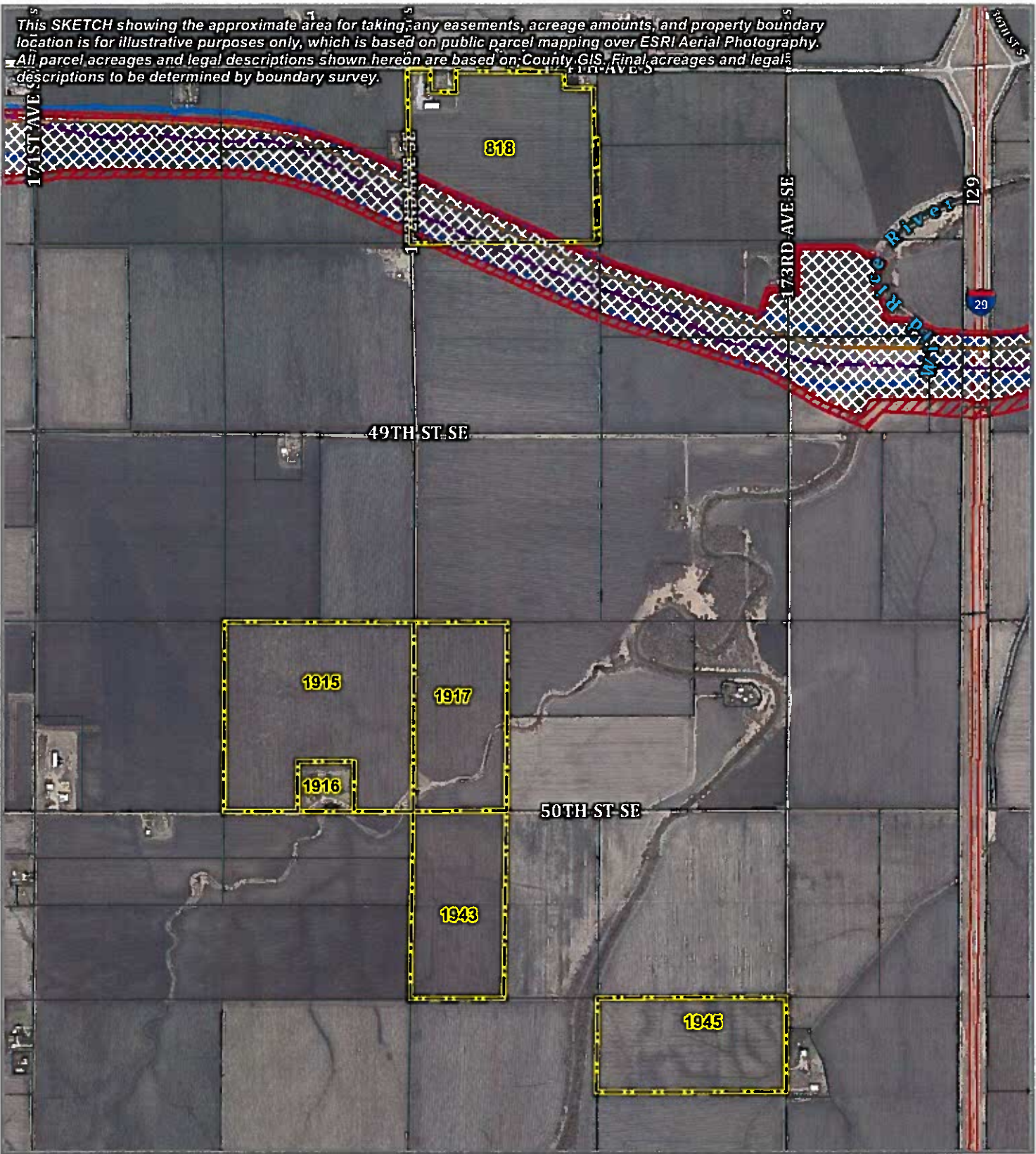


OIN: 9387
 County Parcel ID:
 57-0500-00070-000
 GIS Acres: 1.59
 TC: 0
 FT: 0

Cass County - flown aerial imagery 2016
 Richland County - 2016 NAIP
 Clay County - 2015 NAIP
 Wilkin County - 2015 NAIP



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FM AREA DIVERSION



- Impacted Parcels
- Channel Footprint
- Fee Title
- Upstream Mitigation Area
- Perm. Ease.
- 100-yr Flood with project
- Temp. Ease.



Lawrence and Susan Richard

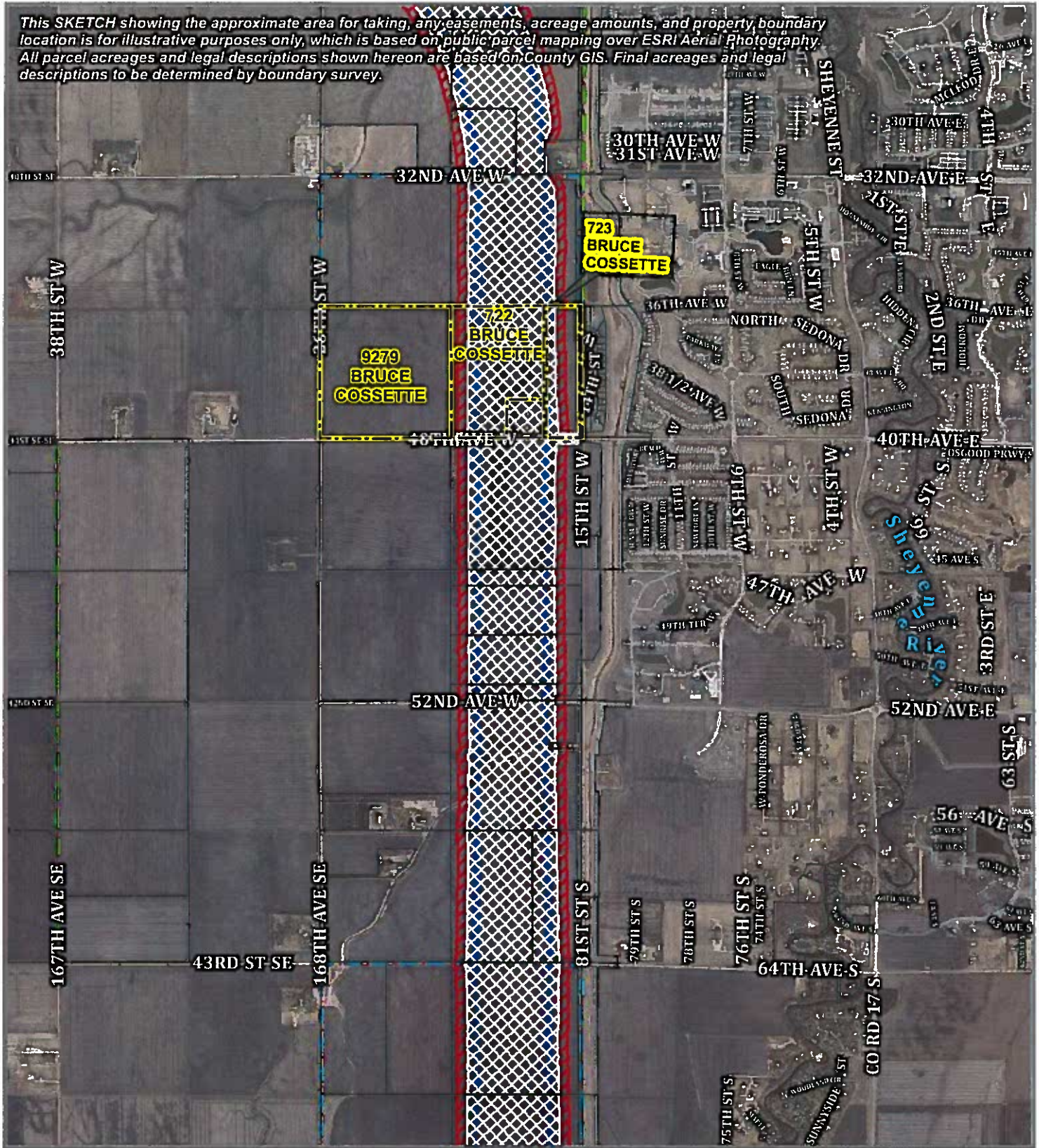
OIN's 818, 1915, 1916, 1917, 1943 and 1945

LAST UPDATED:
5/16/2017

Imagery: Cass County 2016 Aerial, Richland County 2016 NAIP



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FM AREA DIVERSION



- Impacted Parcels
- Channel Footprint
- Fee Title
- Upstream Mitigation Area
- Perm. Ease.
- Temp. Ease.
- 100-yr Flood with project



Bruce Cossette

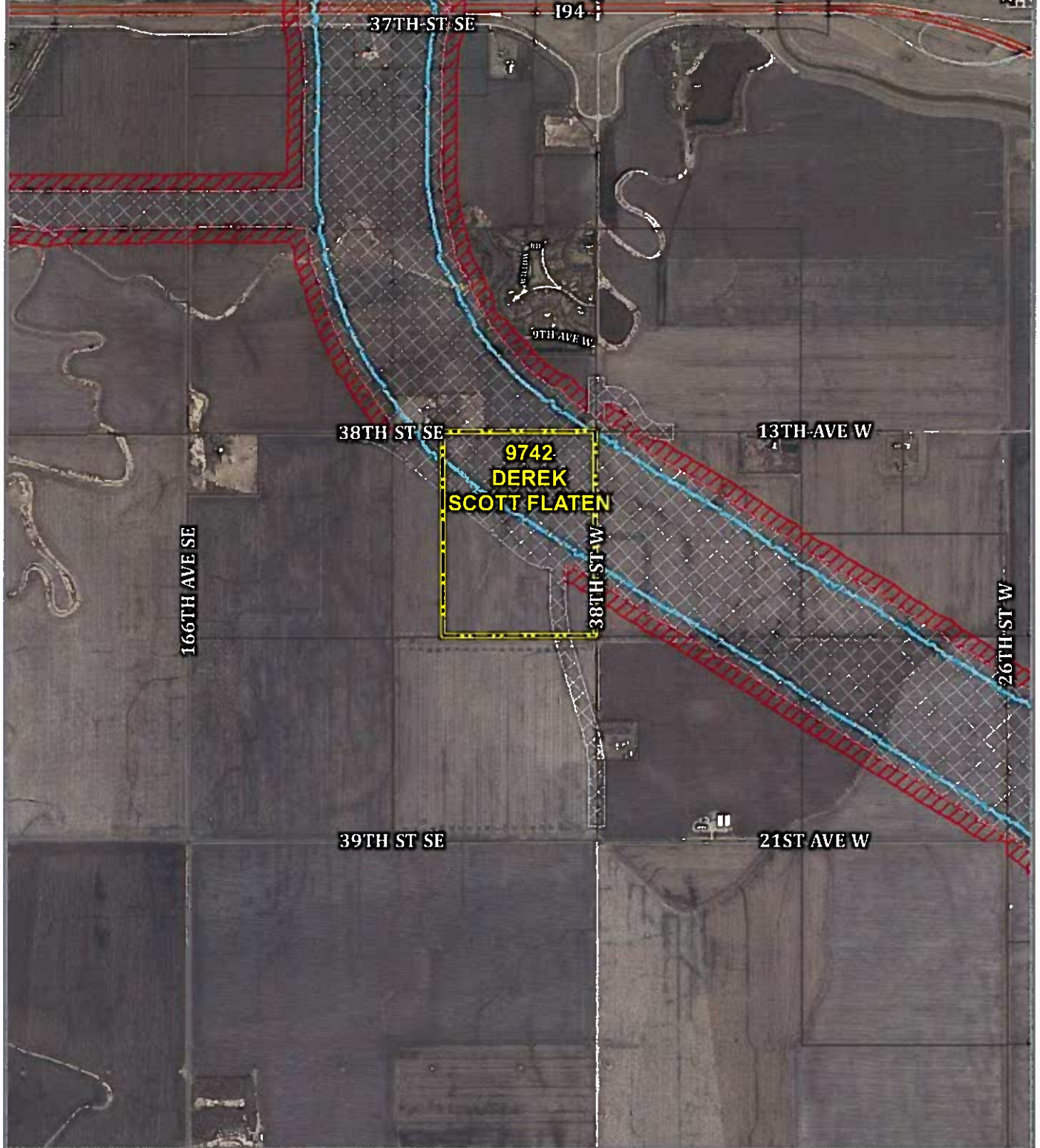
OINs 722, 723, 9279

LAST UPDATED:
5/16/2017

Imagery: Cass County 2016 Aerial,
Richland County 2016 NAIP



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FM AREA DIVERSION

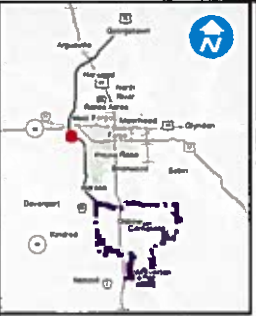


- Impacted Parcel
- Channel Footprint
- Fee Title
- Temp. Ease.

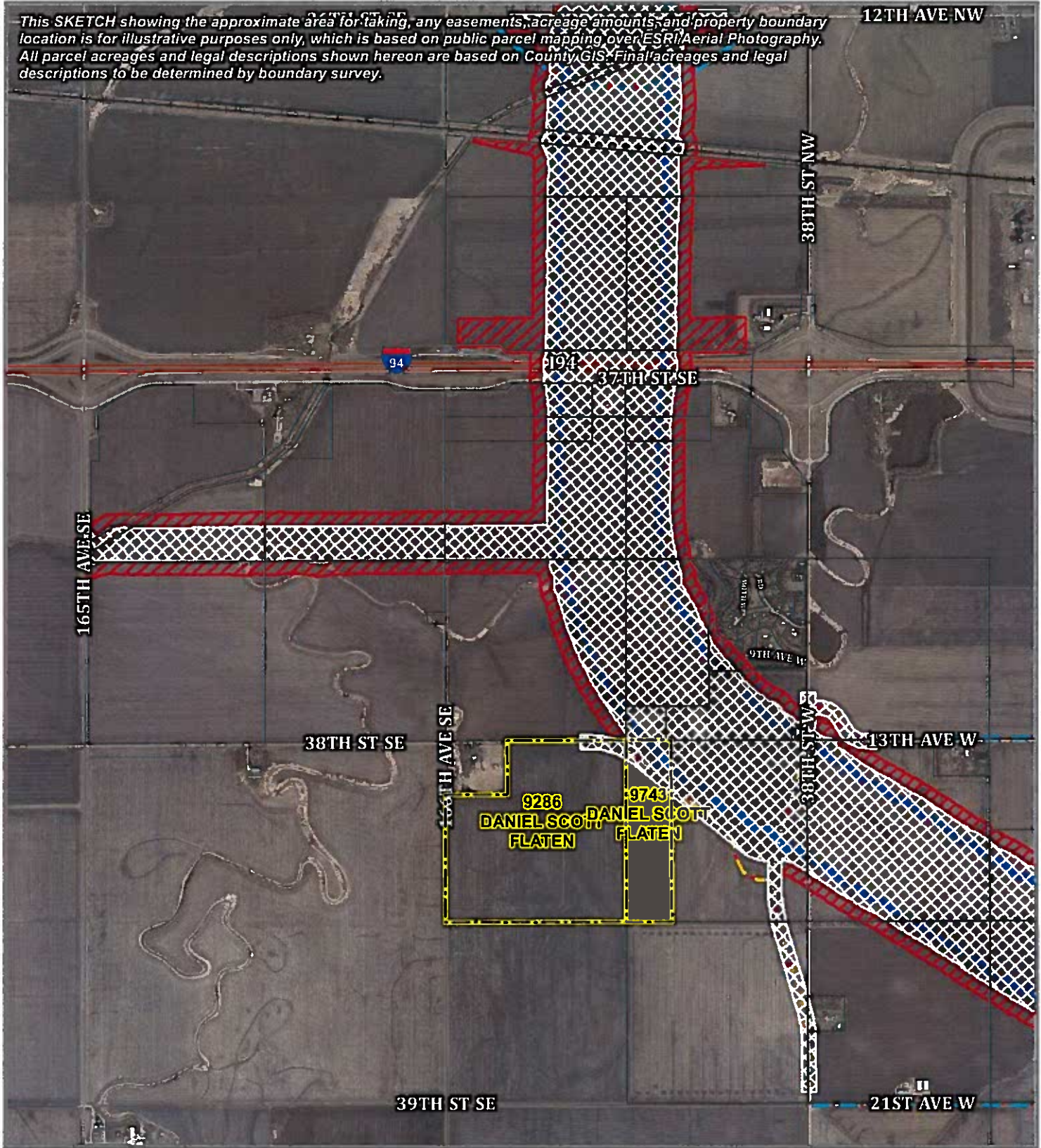


OIN: 9742
 County Parcel ID:
 53-0000-09083-020
 GIS Acres: 120.75
 Fee Title: 71.23
 Temp Constr: 2.07

LAST UPDATED:
 5/16/2017
 AERIAL: USDA NAIP 2015 1 M










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FM AREA DIVERSION



-  Impacted Barcels
-  Fee Title
-  Perm. Ease.
-  Temp. Ease.
-  Channel Footprint
-  Upstream Mitigation Area
-  100-yr Flood with project



Daniel Flaten
OINs 9286 and 9743

LAST UPDATED:
 5/16/2017
 Imagery: Cass County 2016 Aerial,
 Richland County 2016 NAIP



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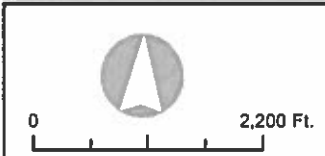


FM AREA DIVERSION

LAST UPDATED:
5/16/2017



- Impacted Parcel
- Fee Title
- Perm. Ease.
- Temp. Ease.
- Channel Footprint
- Upstream Mitigation Area
- 100-yr with project

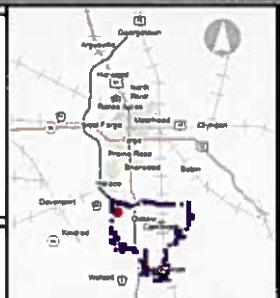


OIN: 1914

County Parcel ID:
57-0000-10274-020

GIS Acres: 20.32
TC: 0
FT: 0

Cass County - flown aerial imagery 2016
Richland County - 2016 NAIP
Clay County - 2015 NAIP
Wilkin County - 2015 NAIP



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FM AREA DIVERSION



- Impacted Parcel
- Channel Footprint
- Fee Title
- Temp. Ease.



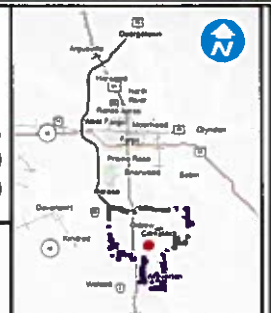
OIN: 1834

County Parcel ID:
15-031-4401

GIS Acres: 9.53
Fee Title: 0.00
Temp Constr: 0

LAST UPDATED:
5/16/2017

AERIAL: USDA NAIP 2015 1 M



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FM AREA DIVERSION

LAST UPDATED:
5/16/2017

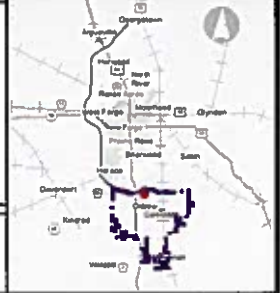


- Impacted Parcel
- Channel Footprint
- Fee Title
- Upstream Mitigation Area
- Perm. Ease.
- 100-yr with project
- Temp. Ease.

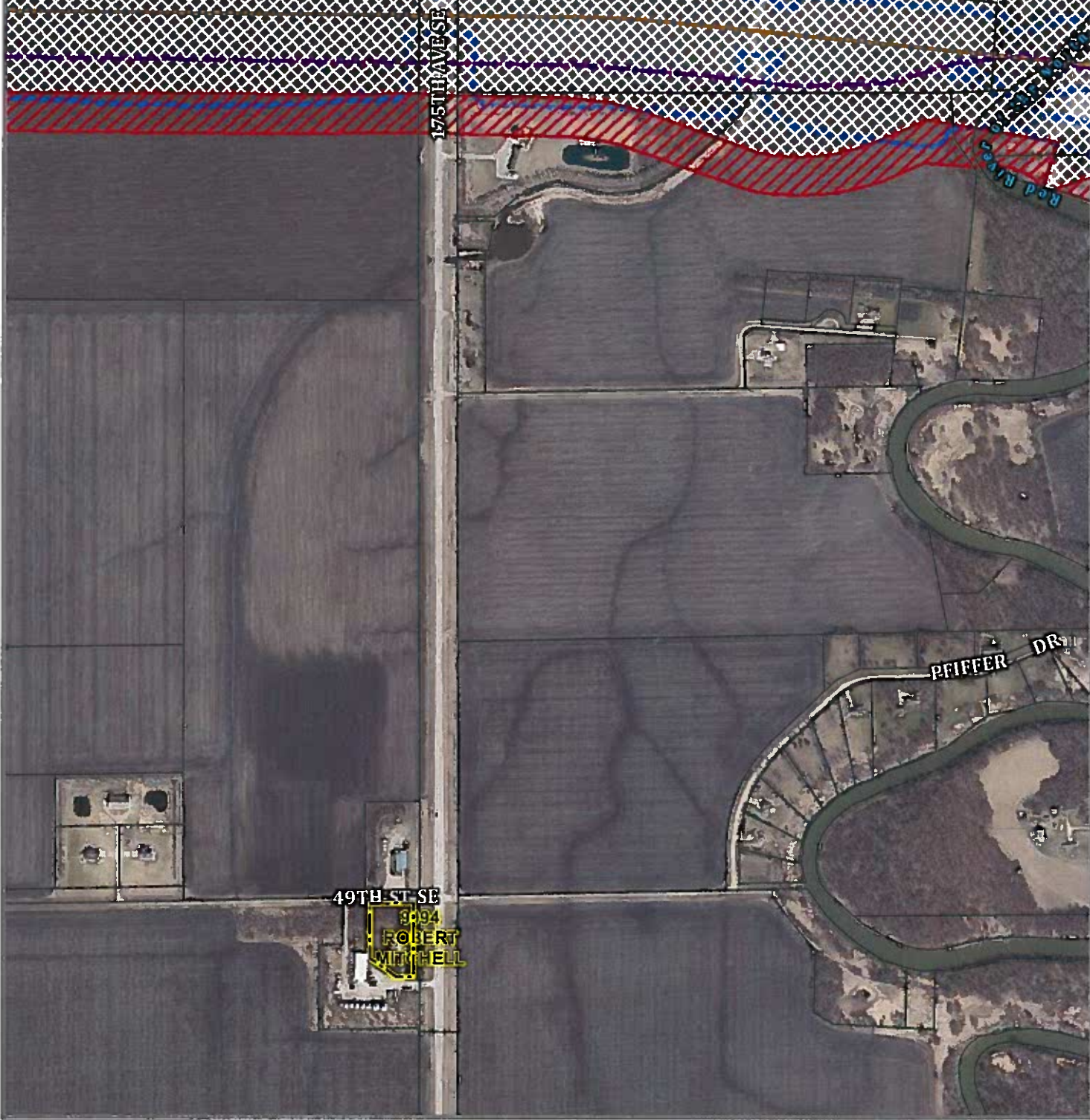


OIN: 9993
 County Parcel ID:
 57-0000-10286-030
 GIS Acres: 5.39
 TC: 0
 FT: 0

Case County - flown aerial imagery 2016
 Richland County - 2016 NAIP
 Clay County - 2015 NAIP
 Wilkin County - 2015 NAIP



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FM AREA DIVERSION

LAST UPDATED:
5/16/2017



- Impacted Parcel
- Channel Footprint
- Fee Title
- Upstream Mitigation Area
- Perm. Easement
- 100-yr with project
- Temp. Easement



OIN: 9994

County Parcel ID:
57-0000-10287-020

GIS Acres: 1.82
TC: 0
FT: 0

Case County - flown aerial Imagery 2016
Richland County - 2018 NAIP
Clay County - 2015 NAIP
Wilkin County - 2015 NAIP





FARGO-MOORHEAD AREA DIVERSION PROJECT

LAND ACQUISITION DIRECTIVE (LAD) LAD-00017 REV-1

DATE: 5/24/2017

AQUIRING ENTITY: Cass County Joint Water Resource Districts (CCJWRD)

WORK PACKAGE: Diversion Channel – Phase 2

The following property acquisitions are recommended and directed. Initially these parcels were part of the Diversion Channel-Phase 3, but are now being added to Phase 2 by request of the P3 Proposers.


SUMMARY OF PROPERTY NEEDS:	
Work Package	Diversion Channel Phase 2
Land Agent Firm	Ulteig & HMG
Total Number of Parcels	23
Fee Title Acres	410 acres
Temporary Construction Easement Acres	143 acres
Number of Residential Properties	1
Number of Farmsteads/Commercial Properties	1 / 2
Property Acquisition Budget	\$10,210,288
Completion Schedule	August 2018

ATTACHMENTS:

- Parcel Listing for Diversion Channel Phase 2 that were formerly part of Phase 3
- Phase 2 Land Parcel Map for these added parcels

Recommended by: Eric C. Dodds Program Manager

Program Management Consultant / AE2S

 5/15/17

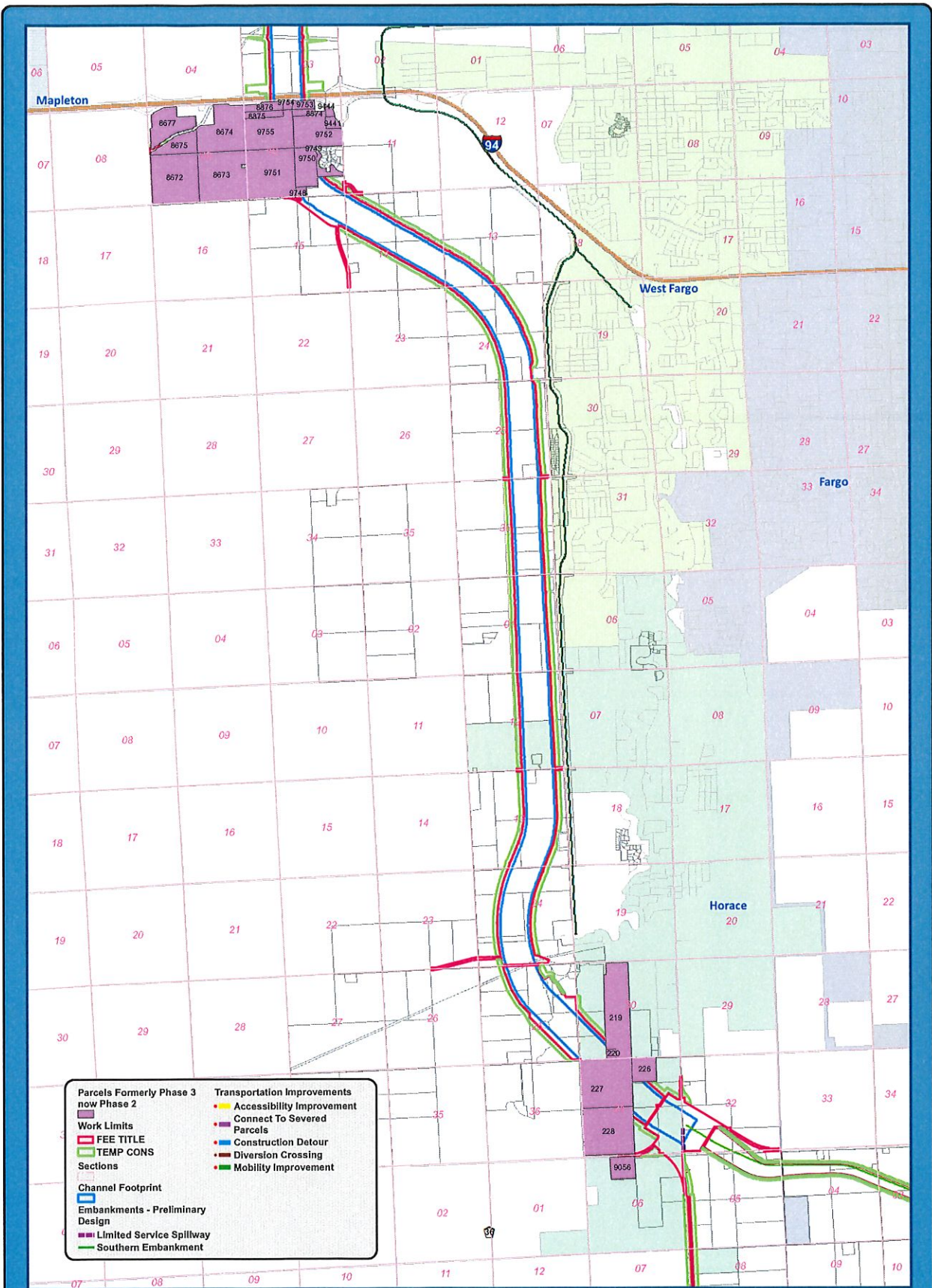
Signature Date

Directed by: Tony Grindberg Finance Committee Chairman

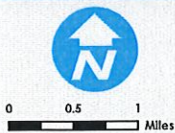
Diversion Authority Finance Committee Title

Signature Date

Parcel Count	OIN	OWNER	TOTAL ACREAGE	TC	FT
1	219	LEANNE KAE HOLMEN	153	8	6
2	220	VERDEN O ANDERSON	6	0	6
3	226	MARCELLIN SAUVAGEAU LIFE EST ETAL	41	7	10
4	227	MARTIN G JOHNSON	169	15	108
5	228	MARTIN G JOHNSON ETAL	161	5	4
6	9749	KARN E JAMESON	18	4	2
7	9750	MARY ANN TINTES	58	5	52
8	9751	MARY ANN TINTES	161	18	41
9	8672	JANET WANZEK ETAL	157	10	0
10	8673	JANET WANZEK ETAL	160	11	0
11	8674	JANET WANZEK ETAL	129	14	30
12	8675	JANET WANZEK ETAL	48	10	26
13	8677	LORI A WANZEK REVOCABLE TRUST ETAL	74	2	0
14	8874	NEWMAN SIGNS INC	10	2	5
15	8875	NEWMAN SIGNS INC	18	2	5
16	8876	NEWMAN SIGNS INC	22	2	7
17	9748	PETER JR BIEGLER	7	0	7
18	9752	NEIL WARNER THOMPSON	93	8	25
19	9753	MARY E NEWMAN QTIP MARITAL TRUST ETAL	13	2	7
20	9754	SCHMITZ & BRENNAN LLC	6	6	0
21	9755	NEIL WARNER THOMPSON	109	13	66
22	9344	CO DRAIN 50	10	0	0
23	8676	MAPLE RIVER WATER RESOURCE DISTRICT	0	1	2
Subtotals			1622	143	410



Any reliance upon this map is at user's own risk. AES does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.



**FM Area Diversion
Phase 2 Properties
Formerly Phase 3**

Map Date: 5/4/2017

