

**FLOOD DIVERSION AUTHORITY  
FINANCE COMMITTEE  
AGENDA FOR THURSDAY, FEBRUARY 25, 2016**

*Fargo City Commission Chambers*  
11:00 AM

1. Call to order
2. Approval of the minutes from the previous meeting Item No. 2
3. Financial report templates (Higgins)
  - a. Program Baselines and Changes Item No. 3a
  - b. Committed Costs Item No. 3b
  - c. Contracts by Vendor Summary Item No. 3c
4. P3 Summary Report (Shockley) Item No. 4
5. Contracting Actions
  - a. CH2M Task Order
  - b. Ernst & Young Task Order
6. Other business
7. Next meeting—March 9, 2016
8. Adjournment

cc: Local Media  
Flood Diversion Board of Authority  
CH2M  
AE2S

**FLOOD DIVERSION FINANCE COMMITTEE  
FEBRUARY 10, 2016—2:30 PM**

**1. MEETING TO ORDER**

A meeting of the Flood Diversion Finance Committee was held on Wednesday, February 10, 2016, at 2:30 PM in the Fargo City Commission Chambers, Fargo City Hall, with the following present: Cass County Administrator Keith Berndt; Cass County Joint Water Resource District Chairman Mark Brodshaug; Fargo Finance Director Kent Costin; Clay County Auditor/Treasurer Lori Johnson; Moorhead City Council Member Nancy Otto; Cass County Commissioner Rick Steen; Cass County Commission Representative Darrell Vanyo; Moorhead Finance Director Wanda Wagner; and Fargo City Commissioner Mike Williams. Fargo City Mayor Tim Mahoney; and Cass County Auditor Mike Montplaisir were absent.

Also present were Eric Dodds, AE2S; Martin Nicholson, CH2M; John Shockley, Ohnstad Twichell; and Scott Stenger, ProSource Technologies, Inc.

**2. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

*MOTION, passed*

**Mr. Williams moved and Ms. Otto seconded to approve the minutes from the January 13, 2016, meeting as presented. Motion carried.**

**3. APPROVAL OF BILLS**

Mr. Costin said the largest expense for the month is the reimbursement to the Cass County Joint Water Resource District (CCJWRD).

Mr. Steen asked if there is a line item in the budget for legal fees as the first Ashurst bill is over \$95,000. Mr. Shockley said he believes the budget has a \$17 million line item for fees, which would encompass legal fees. Mr. Williams asked if Ashurst has provided a timeline or description of their work. Mr. Shockley said they have provided estimates for hours and work streams, along with their hourly rates.

*MOTION, passed*

**Ms. Otto moved and Mr. Vanyo seconded to approve the bills in the amount of \$4,347,514.07 and to forward them to the Flood Diversion Board of Authority. Motion carried.**

**4. FINANCIAL UPDATE**

Mr. Costin reviewed the financial statements for January. The total disbursed to date is \$184,374,059 and the total disbursed in 2016 is \$5.6 million. The largest disbursements for the month include contract payments for in-town levee work and land management expenses.

Mr. Costin said the State Water Commission funds worksheet has been updated to reflect appropriations from previous legislative sessions and appropriations to be funded in future sessions. There is \$150.9 million remaining in the balance.

*MOTION, passed*

**Mr. Williams moved and Mr. Broadshaug seconded to approve the financial statement for January as presented and to forward it to the Flood Diversion Board of Authority. Motion carried.**

## 5. MN DNR CONTRACT AMENDMENT

Mr. Berndt said the MN DNR has submitted an amendment to the contract to complete the MN Environmental Impact Statement (EIS). The proposed new end date is December 2<sup>nd</sup>, 2016, which is for full completion; the final EIS is still expected to be released for review this spring. An additional cost of \$137,464.92 will be added, bringing the total cost of the study to \$2,325,472.35.

***MOTION, passed***

**Mr. Berndt moved and Ms. Otto seconded to approve Amendment #4 to Income Contract Number 39228 to the MN DNR in the amount of \$137,464.92 for the preparation of the Environmental Impact Statement and to recommend its approval to the Flood Diversion Board of Authority. Motion carried.**

## 6. PROPERTY ACQUISITION

Wold Property

Scott Stenger from ProSource Technologies was present to discuss the Wold property acquisition. The acquisition is needed to accommodate construction of the OHB Ring Levee. Mr. Stenger said the property is a single family dwelling similar to previous properties that have come before the group for approval.

Mr. Williams asked if any of the homeowners who have been bought out have wanted to move their existing houses to lots outside of the project footprint. Mr. Brodshaug said there are 10 lots set aside in Oxbow with the intent to move some of the homes that have been purchased onto the lots. Any proceeds from these sales will flow back to the Diversion Authority.

Mr. Vanyo inquired about an advertisement in the newspaper soliciting sealed bids for lots in Oxbow. Mr. Dodds said in addition to the ten lots described by Mr. Brodshaug, lots have been set aside for purchase by those in the staging area that may wish to relocate. It is Mr. Dodds understanding that the lots currently being advertised are excess lots that are not being held for the aforementioned, or any other purpose. The lots are owned by the Oxbow Job Development Authority.

***MOTION, passed***

**Mr. Brodshaug moved and Mr. Berndt seconded to authorize the Cass County Joint Water Resource District to execute a purchase agreement, replacement housing agreement, and payment for replacement lot for Joel Wold as presented. Motion carried, with eight members voting “Yes”, and Mr. Williams voting “No”.**

## 7. OTHER BUSINESS

USACE FY2016 Work Plan

Mr. Vanyo asked Martin Nicholson from CH2M to give an update on expectations now that it has been announced that the U.S. Army Corps of Engineers (USACE) has selected the F-M Diversion Project as one of six projects to begin construction in FY2016.

Mr. Nicholson said a timeline and agenda will be created in light of the new start for the project, and the roles of Ashurst and Ernst & Young will be aligned to begin the P3 process. The intent is to hold additional Diversion Authority and Flood Finance Committee meetings this month to discuss and amend plans for 2016.

Mr. Vanyo said the wording in the work plan indicates that the Assistant Secretary of the Army will review the regulatory issues of the MN DNR in July to determine if the issues are likely to be resolved. If everything is in order, the funds will be then be released to be appropriated by September of this year.

Mr. Berndt said as encouraged by the MN DNR, a permit application will be submitted next week.

**8. NEXT MEETING**

The next meeting will be held on Wednesday, March 9<sup>th</sup>.

**9. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:07 PM.

Minutes prepared by Brielle Edwards, HR Assistant

Project Title	Baseline Budget	Hours Net Changes	Baseline			Scope Impact		Details Funds Only	Net WBS Xfers	Current Budget
			Deletion	Deferral	Cost Savings	Additions				
<b>System Wide</b>										
01.02										
01.03										
01.04										
01.05										
01.06										
01.07										
01.09										
<b>System Wide</b>										
<b>Diversion Channel and Associated Infrastructure (DCAI)</b>										
02.03										
02.04										
02.05										
02.06										
02.07										
02.08										
02.09										
02.10										
<b>Diversion Channel and Associated Infrastructure (DCAI)</b>										
<b>Southern Embankment and Associated infrastructure (SEAI)</b>										
03.01										
03.02										
03.03										
03.04										

Project	Title	Baseline Budget	Hours Net Changes	Baseline		Scope		Impact		Details		Net WBS Xfers	Current Budget
				Deletion	Deferral	Cost Savings	Additions	Funds Only					
03.05	WP-30 WILD RICE RIVER CONTROL STRUCTURE												
03.06	WP-31 I-29 NS BRIDGE												
03.07	WP-33 CR81 BRIDGE												
03.08	WP-35 RED RIVER CONTROL STRUCTURE												
03.09	WP-39 OVERFLOW EMBANKMENT												
03.10	WP-46 UTILITIES												
03.11	WP-47 UTILITIES												
03.12	WP-50 PHASE II DEMO												
<b>Southern Embankment and Associated infrastructure (SEAI)</b>													
<b>Mitigation and Associated Infrastructure (MEAI)</b>													
04.02	WP-38 UPSTREAM STAGING												
04.03	WP-40 DRAYTON DAM MITIGATION												
04.04	WP-41 BUFFALO RIVER MITIGATION												
04.05	WP-42 IN-TOWN LEVEES												
04.06	WP-43 OXBOW-HICKSON-BAKKE												
04.07	WP-43												
04.08	WP-45A PHASE I UTILITY-PERFORMED RELOCATIONS												
<b>Mitigation and Associated Infrastructure (MEAI)</b>													
<b>P3 Enabling Works</b>													
05.01	WP-28 / CR16 Bridge & CR17 Crossing												
05.02	WP-44A												
05.03	WP-45A / Phase I Utility Performed Relocations												
16.90	Army Corp of Engineers Payments for Local Share of Funding												
TBD	TBD place holder												

Project Title	Baseline Budget	Hours Net Changes	Baseline			Scope Impact		Details		Net WBS Xfers	Current Budget
			Deletion	Deferral	Cost Savings	Additions	Funds Only				

P3 Enabling Works

Grand Total:

Unallocated Budget Available:	\$0
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**Project Budget Summary - Division/Phase**

Data Through Date: Friday, December 25, 2015

Description	Budget		Accounts Payable			Progress			Budget Exposure	
	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
System Wide										
Diversion Channel and Associated Infrastructure (DCAI)										
Southern Embankment and Associated infrastructure (SEAI)										
Mitigation and Associated Infrastructure (MEAI)										
P3 Enabling Works										
<b>Total:</b>										

Note: Risk = Allocated budget for unknowns such as unapproved change orders, unapproved PEIMs, items without Purchase Orders, etc...



**Project Budget Summary - Division/Phase**

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<b>System Wide</b>										
<b>01.02</b>	<b>WORK-IN-KIND PROGRAMS (WIK) STUDIES</b>									<b>FMDA</b>
WIK	Work In Kind									
Des	Design									
Con	Construction									
CM	Construction Management									
Prog	Program Management									
Cont	Contingency									
Fin	Financial									
Leg	Legal									
	<b>Subtotal:</b>									
<b>01.03</b>	<b>(LERRDs) - LAND, EASEMENTS, ROW, RELOCATION &amp; DISPOSAL AREAS (FMFDA)</b>									<b>FMDA</b>
WIK	Work In Kind									
Con	Construction									
Leg	Legal									
	<b>Subtotal:</b>									
<b>01.04</b>	<b>PROGRAM MANGEMENT</b>									<b>FMDA</b>
Des	Design									
	<b>Subtotal:</b>									
<b>01.05</b>	<b>LAND ACQUISITION</b>									<b>FMDA</b>
WIK	Work In Kind									
LA	Land Acquisition									
	<b>Subtotal:</b>									
<b>01.06</b>	<b>PERMITTING</b>									<b>FMDA</b>
WIK	Work In Kind									
	<b>Subtotal:</b>									
<b>01.07</b>	<b>CERTIFICATIONS</b>									<b>FMDA</b>

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System Wide										
WIK Work In Kind										
<b>Subtotal:</b>										
<b>01.09</b>	<b>Place Holder</b>									<b>FMDA</b>
PH Place Holder										
<b>Subtotal:</b>										
<b>System Wide</b>	<b>Total:</b>									

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Data Through Date: Friday, December 25, 2015

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	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
<b>02.03</b>	<b>HYDRAULIC STRUCTURES</b>									<b>P3</b>
Cont	Contingency									
<b>Subtotal:</b>										
<b>02.04</b>	<b>RAILROAD BRIDGES</b>									<b>P3</b>
Des	Design									
Con	Construction									
<b>Subtotal:</b>										
<b>02.05</b>	<b>UTILITIES</b>									<b>P3</b>
Des	Design									
Con	Construction									
<b>Subtotal:</b>										
<b>02.06</b>	<b>DEMOLITION</b>									<b>P3</b>
Des	Design									
Con	Construction									
<b>Subtotal:</b>										
<b>02.07</b>	<b>RECREATION AND NATIVE PLANTING</b>									<b>P3</b>
Des	Design									
Con	Construction									
<b>Subtotal:</b>										
<b>02.08</b>	<b>WP-44B Maple Inlet STA 683+00 to STA 1580</b>									<b>P3</b>
Des	Design									
Con	Construction									
CM	Construction Management									
<b>Subtotal:</b>										
<b>02.09</b>	<b>WP-49A / Phase I Demo</b>									<b>P3</b>
Des	Design									
Con	Construction									
<b>Subtotal:</b>										

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	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
<b>Diversion Channel and Associated Infrastructure (DCAI)</b>										
<b>02.10 Recreation 656+00 to 1580+00</b>										<b>P3</b>
Des Design										
Con Construction										
<b>Subtotal:</b>										
<b>Diversion Channel and Associated Infrastructure (DCAI)</b>	<b>Total:</b>									

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Description	Budget		Accounts Payable			Progress			Budget Exposure	
	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
<b>Southern Embankment and Associated infrastructure (SEAI)</b>										
<b>03.01</b>	<b>WP-26 DIVERSION INLET</b>									<b>USACE</b>
LA	Land Acquisition									
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
<b>Subtotal:</b>										
<b>03.02</b>	<b>WP-27 RED RIVER - WEST EMBANKMENT</b>									<b>USACE</b>
LA	Land Acquisition									
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
<b>Subtotal:</b>										
<b>03.03</b>	<b>WP-28 CR16 BRIDGE &amp; CR17 CROSSING</b>									<b>USACE</b>
LA	Land Acquisition									
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
<b>Subtotal:</b>										
<b>03.04</b>	<b>WP-29 RED RIVER - EAST EMBANKMENT</b>									<b>USACE</b>
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
<b>Subtotal:</b>										
<b>03.05</b>	<b>WP-30 WILD RICE RIVER CONTROL STRUCTURE</b>									<b>USACE</b>

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	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>03.06</b>	<b>WP-31 I-29 NS BRIDGE</b>									<b>USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>03.07</b>	<b>WP-33 CR81 BRIDGE</b>									<b>USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>03.08</b>	<b>WP-35 RED RIVER CONTROL STRUCTURE</b>									<b>USACE</b>
LA Land Acquisition										
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>03.09</b>	<b>WP-39 OVERFLOW EMBANKMENT</b>									<b>USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										

**Project Budget Summary - Division/Phase**

Data Through Date: Friday, December 25, 2015

Description	Budget		Accounts Payable			Progress			Budget Exposure	
	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
CM Construction Management										
<b>Subtotal:</b>										
<b>03.10</b>	<b>WP-46 UTILITIES</b>									<b>USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>03.11</b>	<b>WP-47 UTILITIES</b>									<b>USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>03.12</b>	<b>WP-50 PHASE II DEMO</b>									<b>USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>Southern Embankment and Associated infrastructure (SEAI)</b>	<b>Total:</b>									

**Project Budget Summary - Division/Phase**

Data Through Date: Friday, December 25, 2015

Description	Budget		Accounts Payable			Progress			Budget Exposure	
	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
<b>Mitigation and Associated Infrastructure (MEAI)</b>										
<b>04.02 WP-38 UPSTREAM STAGING</b>										<b>FMDA/USACE</b>
LA Land Acquisition										
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>04.03 WP-40 DRAYTON DAM MITIGATION</b>										<b>FMDA/USACE</b>
LA Land Acquisition										
<b>Subtotal:</b>										
<b>04.04 WP-41 BUFFALO RIVER MITIGATION</b>										<b>FMDA/USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>04.05 WP-42 IN-TOWN LEVEES</b>										<b>FMDA/USACE</b>
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										
<b>Subtotal:</b>										
<b>04.06 WP-43 OXBOW-HICKSON-BAKKE</b>										<b>FMDA/USACE</b>
LA Land Acquisition										
Des Design										
Con Construction										
SDC Services During Construction										
CM Construction Management										



**Project Budget Summary - Division/Phase**

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Description	Budget		Accounts Payable			Progress			Budget Exposure	
	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
<b>Mitigation and Associated Infrastrcure (MEAI)</b>										
<b>Subtotal:</b>										
<b>04.07</b>	<b>WP-43</b>									<b>FMDA/USACE</b>
LA	Land Acquisition									
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
<b>Subtotal:</b>										
<b>04.08</b>	<b>WP-45A PHASE I UTILITY-PERFORMED RELOCATIONS</b>									<b>FMDA/USACE</b>
WIK	Work In Kind									
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
<b>Subtotal:</b>										
<b>Mitigation and Associated Infrastrcure (MEAI)</b>	<b>Total:</b>									

**Project Budget Summary - Division/Phase**

Data Through Date: Friday, December 25, 2015

Description	Budget		Accounts Payable			Progress			Budget Exposure	
	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
<b>P3 Enabling Works</b>										
<b>05.01</b>	<b>WP-28 / CR16 Bridge &amp; CR17 Crossing</b>									<b>FMDA</b>
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
	<b>Subtotal:</b>									
<b>05.02</b>	<b>WP-44A</b>									<b>FMDA</b>
Con	Construction									
	<b>Subtotal:</b>									
<b>05.03</b>	<b>WP-45A / Phase I Utility Performed Relocations</b>									<b>FMDA</b>
Des	Design									
Con	Construction									
SDC	Services During Construction									
CM	Construction Management									
	<b>Subtotal:</b>									
<b>16.90</b>	<b>Army Corp of Engineers Payments for Local Share of Funding</b>									<b>FMDA</b>
WIK	Work In Kind									
	<b>Subtotal:</b>									
<b>TBD</b>	<b>TBD place holder</b>									<b>FMDA</b>
WIK	Work In Kind									
	<b>Subtotal:</b>									
<b>P3 Enabling Works</b>	<b>Total:</b>									

**Project Budget Summary - Division/Phase**

Data Through Date: Friday, December 25, 2015

Description	Budget		Accounts Payable			Progress			Budget Exposure	
	Current Budget	Current Contracts (Committed)	Actual Cost	% Used	Balance	% Complete	Earned Value	EV Cost Variance	Risk/Optional Amount	Estimate At Completion plus Risk
P3 Enabling Works										
<b>Total Program:</b>										

**METRO FLOOD DIVERSION PROJECT**

**Purchase Orders by Vendor**

February 10, 2016

<b>Vendor Name</b>	<b>Contract No.</b>	<b>PO Number</b>	<b>Vendor ID No</b>	<b>Original PO Amount</b>	<b>Contract Changes</b>	<b>Current Contract Value</b>	<b>Invoiced Amounts</b>	<b>Balance Remaining to Invoice</b>
702 COMMUNICATIONS			Vendor No: 18426					
ADVANCED ENGINEERING INC			Vendor No: 11604					
AIVENIA, INC			Vendor No: TBD					
ARMY CORP OF ENGINEERS			Vendor No: TBD					
AT&T			Vendor No: 23245					
BEAVER CREEK ARCHAEOLOGY			Vendor No: TBD					
BITTNER, MARK H			Vendor No: 139					
BNSF RAILWAY CO			Vendor No: 22249					
BRAUN INTERTEC CORP			Vendor No: 165					
BRIGGS & MORGAN PA			Vendor No: 14216					
BROKERAGE PRINTING			Vendor No: 20829					
CABLE ONE (FARGO)			Vendor No: TBD					
CASS COUNTY JOINT WATER RESOURCE DI			Vendor No: 19734					
CASS COUNTY RECORDER			Vendor No: 196					
CASS COUNTY TREASURER			Vendor No: 201					
CENTURYLINK COMMUNICATIONS			Vendor No: TBD					

**METRO FLOOD DIVERSION PROJECT****Purchase Orders by Vendor**

February 10, 2016

<b>Vendor Name</b>						
<b>Contract No.</b>	<b>PO Number</b>	<b>Vendor ID No</b>	<b>Original PO Amount</b>	<b>Contract Changes</b>	<b>Current Contract Value</b>	<b>Invoiced Amounts</b>
						<b>Balance Remaining to Invoice</b>
CH2M HILL ENGINEERS INC		Vendor No: 20663				
CITY OF FARGO-AUDITORS OFFICE		Vendor No: 16770				
CLAY COUNTY AUDITOR		Vendor No: 4029				
COLDWELL BANKER		Vendor No: 10078				
COMMERCIAL TITLE LLC		Vendor No: 22024				
CONSOLIDATED COMMUNICATIONS		Vendor No: 23124				
CURTS LOCK & KEY SERVICE INC		Vendor No: 296				
DAWSON INSURANCE AGENCY		Vendor No: 3841				
DELTA		Vendor No: 17842				
DONS PLUMBING		Vendor No: 12673				
DORSEY & WHITNEY LLP		Vendor No: 9367				
DUCKS UNLIMITED		Vendor No: 22404				
EL ZAGAL TEMPLE HOLDING CO		Vendor No: 22545				
ENVENTIS		Vendor No: 22589				
ERIK R JOHNSON & ASSOCIATES		Vendor No: 16872				
FEDERAL EXPRESS CORPORATION		Vendor No: 12961				

**METRO FLOOD DIVERSION PROJECT**

**Purchase Orders by Vendor**

*February 10, 2016*

<b>Vendor Name</b>	<b>Original PO Amount</b>	<b>Contract Changes</b>	<b>Current Contract Value</b>	<b>Invoiced Amounts</b>	<b>Balance Remaining to Invoice</b>
<b>Contract No. PO Number</b>	<b>Vendor ID No</b>				
FERRELLGAS		Vendor No: 17677			
FORUM COMMUNICATIONS (ADVERT)		Vendor No: 646			
FORUM COMMUNICATIONS (LEGALS)		Vendor No: 647			
FREDRIKSON & BYRON, PA		Vendor No: 22670			
GALLAGHER BENEFIT SERVICES INC		Vendor No: 20660			
GEEKON INC		Vendor No: 19581			
GOOGLE LOVEINTHEOVEN		Vendor No:			
GRAY PANNELL & WOODWARD LLP		Vendor No: 22446			
HOUSTON ENGINEERING INC		Vendor No: 801			
HOUSTON-MOORE GROUP LLC		Vendor No: 21007			
HUBER, STEVE		Vendor No: 21423			
IN SITU ENGINEERING		Vendor No: 20729			
INDUSTRIAL BUILDERS INC		Vendor No: 827			
INDUSTRIAL CONTRACT SERVICES INC		Vendor No: 18199			
INNOVATIVE ABSTRACT & TITLE CO		Vendor No: 22035			
JP MORGAN CHASE-LOCKBOX PROCESSING		Vendor No: 23046			

**METRO FLOOD DIVERSION PROJECT**

**Purchase Orders by Vendor**

*February 10, 2016*

<b>Vendor Name</b>	<b>Original PO Amount</b>	<b>Contract Changes</b>	<b>Current Contract Value</b>	<b>Invoiced Amounts</b>	<b>Balance Remaining to Invoice</b>
<b>Contract No. PO Number</b>	<b>Vendor ID No</b>				
KENNELLY & OKEEFFE		Vendor No: 20529			
KOCHMANN, CARTER		Vendor No: 22401			
LANDWEHR CONSTRUCTION INC		Vendor No: 7141			
MCKINZIE METRO APPRAISAL		Vendor No: 21845			
MINNESOTA DNR		Vendor No: 20723			
MOORE ENGINEERING INC		Vendor No: 1118			
MOORHEAD, CITY OF		Vendor No: 1122			
ND WATER USERS ASSOCIATN		Vendor No: 1218			
NDSU BUSINESS OFFICE-BOX 6050		Vendor No: 18252			
NIXON PEABODY LLC		Vendor No: 17842			
NORTH DAKOTA TELEPHONE CO		Vendor No: 13981			
NORTHERN TITLE CO		Vendor No: 7198			
OHNSTAD TWICHELL PC		Vendor No: 1286			
ONE		Vendor No: 22572			
OXBOW, CITY OF		Vendor No: 16980			
PARKWAY BP		Vendor No: 17842			

**METRO FLOOD DIVERSION PROJECT**

**Purchase Orders by Vendor**

*February 10, 2016*

<b>Vendor Name</b>	<b>Original PO Amount</b>	<b>Contract Changes</b>	<b>Current Contract Value</b>	<b>Invoiced Amounts</b>	<b>Balance Remaining to Invoice</b>
<b>Contract No. PO Number</b>	<b>Vendor ID No</b>				
PFM ASSET MANAGEMENT LLC		Vendor No: 20174			
PFM PUBLIC FINANCIAL MANAGEMENT		Vendor No: 21621			
PRIMORIS AEVENIA INC		Vendor No: 23174			
PROSOURCE TECHNOLOGIES, INC		Vendor No: 21258			
RED RIVER BASIN COMMISSION		Vendor No: 12775			
RED RIVER TITLE SERVICES INC		Vendor No: 11046			
RED RIVER VALLEY COOPERATIVE ASSOC		Vendor No: 21974			
ROBERT TRENT JONES		Vendor No: TBD			
SEIGEL COMMUNICATIONS SERVICE LLC		Vendor No: 8645			
TERRACON CONSULTING ENGINEERS		Vendor No: 22504			
TITLE COMPANY		Vendor No: 2265			
TRIO ENVIRONMENTAL CONSULTING INC		Vendor No: 13109			
ULTEIG ENGINEERS INC		Vendor No: TBD			
UNITED		Vendor No: 17842			
UNITED STATES GEOLOGICAL SURVEY		Vendor No: 20583			
URS CORPORATION		Vendor No: 17791			



**METRO FLOOD DIVERSION PROJECT**

**Purchase Orders by Vendor**

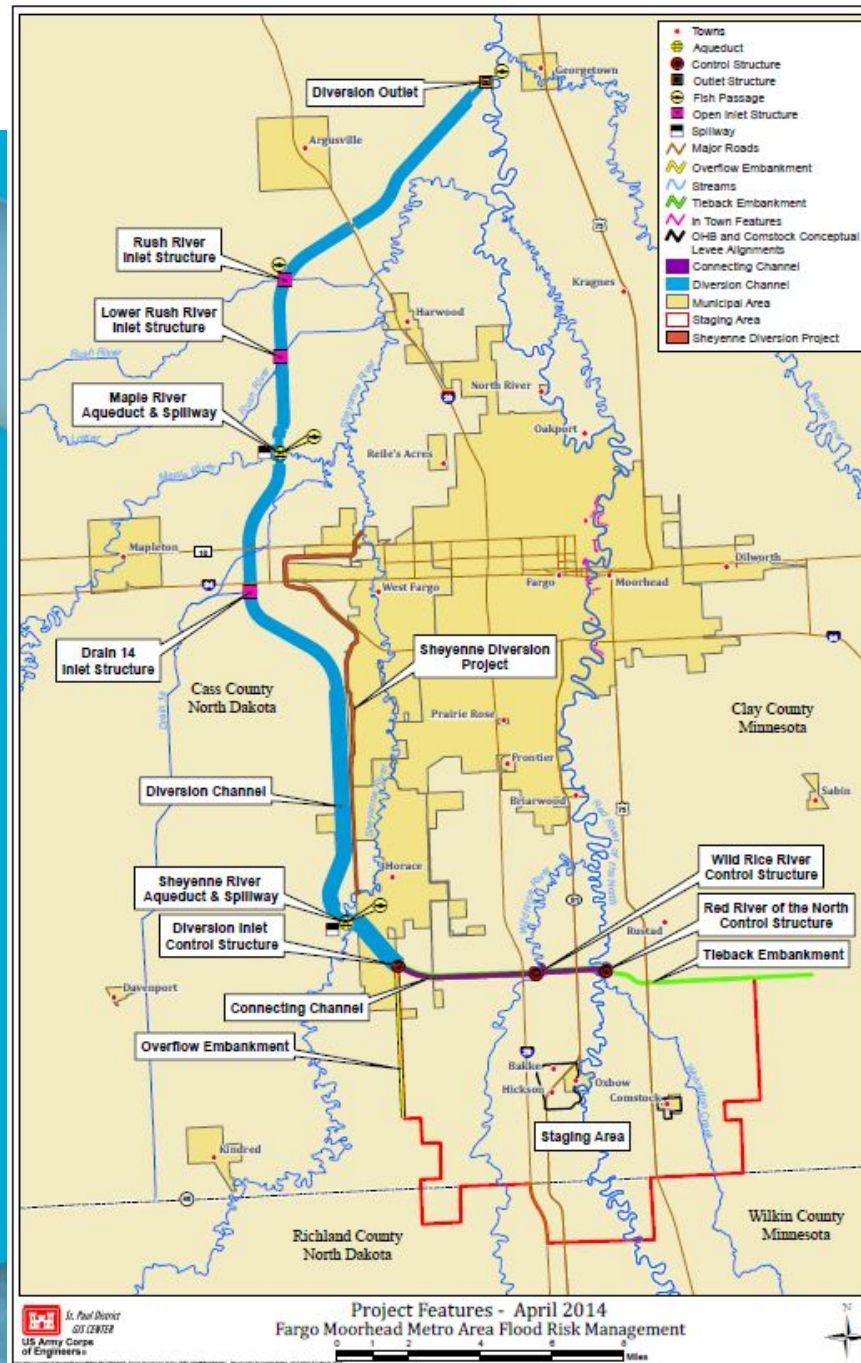
*February 10, 2016*

Vendor Name		Vendor ID No	Original PO Amount	Contract Changes	Current Contract Value	Invoiced Amounts	Balance Remaining to Invoice
Contract No.	PO Number						
US BANK		Vendor No: TBD					
US GEOLOGICAL SURVEY		Vendor No: 18968					
WALKER, APRIL		Vendor No: 11982					
WARNER & CO		Vendor No: 1772					
XCEL ENERGY-FARGO		Vendor No: 20691					
ZAVORAL, PAT		Vendor No: 1828					
<b>Report Totals</b>			_____	_____	_____	_____	_____

# FM Area Diversion Project

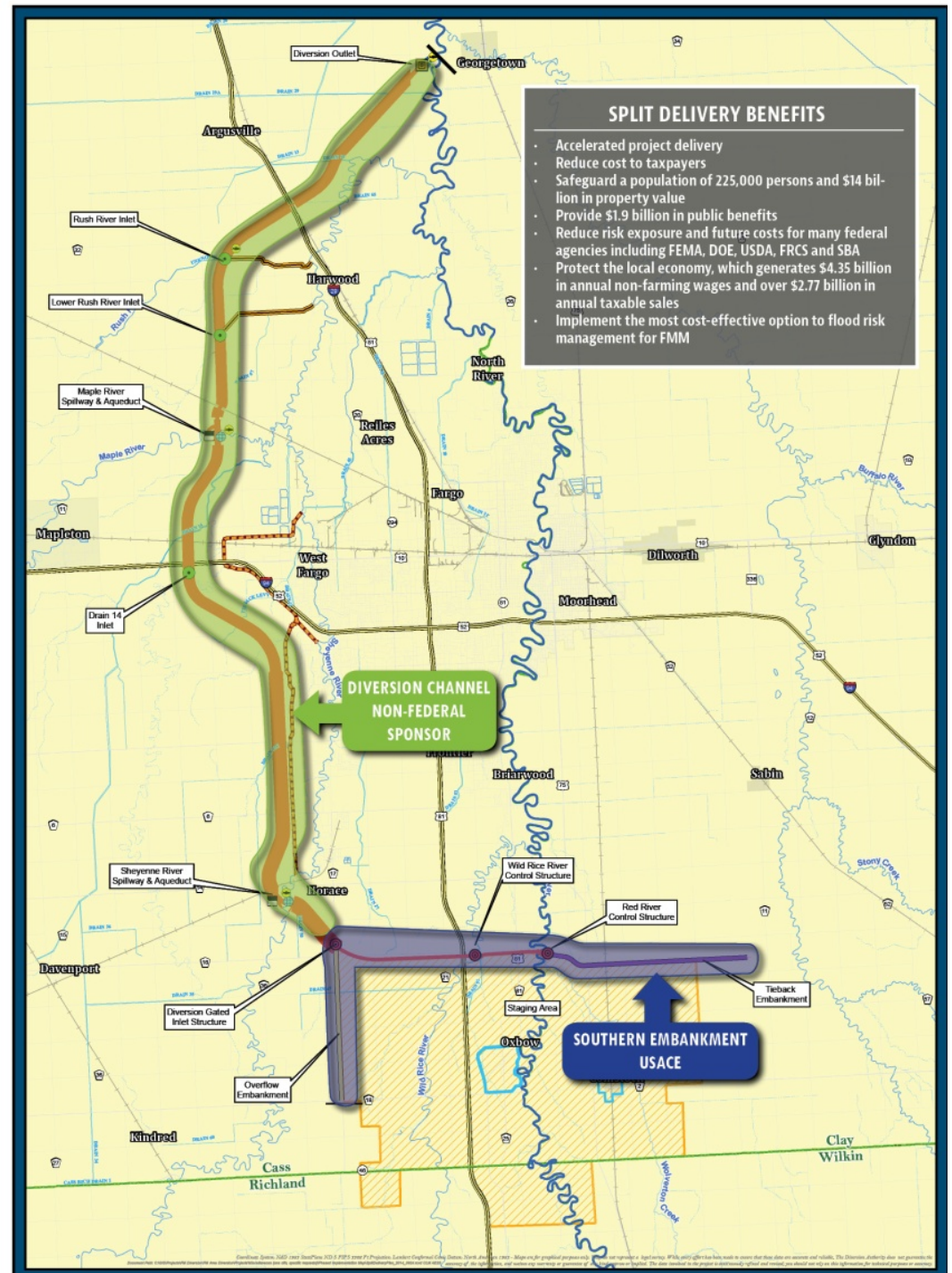
## P3 Basics

February 25, 2016



# PPP Split Delivery Plan

- **Diversion Channel and Associated Infrastructure**
  - Non-Federal Sponsors (Diversion Authority)
- **Southern Embankment and Associated Infrastructure, and Mitigation**
  - USACE





# P3 – WHAT IS IT?

## P3 = PUBLIC PRIVATE PARTNERSHIP

“A contractual agreement between a Public Agency (federal, state, or local) and a private sector entity. Through this agreement, the skills, and assets of each sector (public and private) are shared in delivering a service or facility for the use of the general public. In addition to the sharing of resources, each party shares in the risks and rewards potential in the delivery of the services and/or facility.”

- The National Council for Public-Private Partnerships, “Testing Tradition Assessing the Added Value of Public-Private Sector Partnerships,” (Arlington, Virginia 2012) p.2, <http://www.ncppp.org/wp-content/uploads/2013/03/WhitePaper2012-FinalWeb.pdf>

# HISTORY

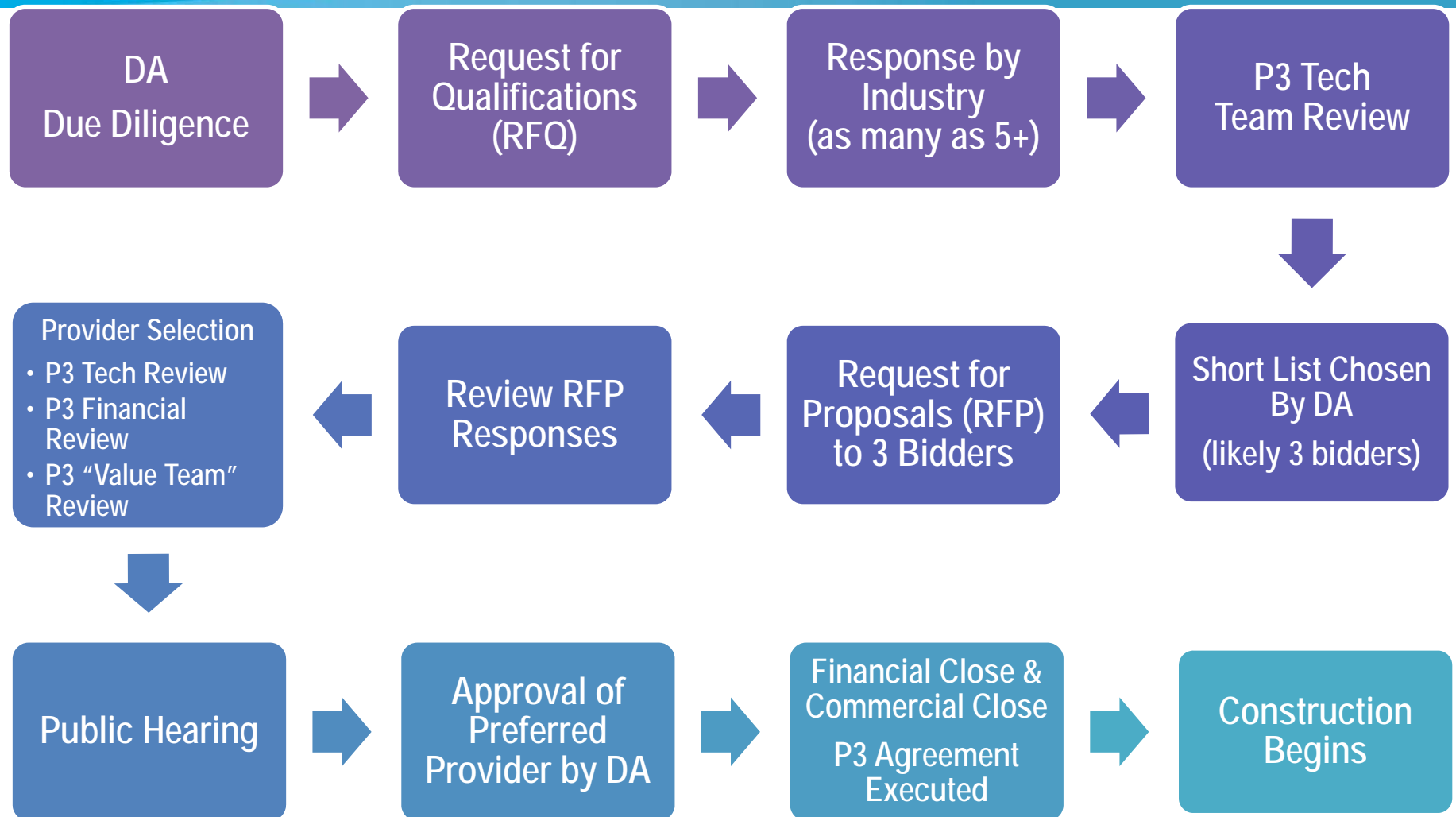
Use of P3s in the U.S. predates American Revolutionary War

- 💧 1652: Boston Water Works Company, 1<sup>st</sup> private entity to supply drinking water to U.S. citizens
- 💧 1793: Lancaster Turnpike, toll road built by private sector with public sector oversight and rights of way
- 💧 1825: Erie Canal
- 💧 1868: First Transcontinental Railroad
  - *Funded by stock issued by private companies that were chartered by Congress*
  - *As tracks were completed, federal lands adjacent to tracks were granted to railroads for private development, provided return to investors*

# P3 vs. Privatization

- 💧 “Public Private Partnership” & “Privatization” often used interchangeably, but **are not** synonymous
- 💧 In P3, the Public Sector Partner retains ownership & control over the asset, even when some responsibilities are transferred to Private Sector
- 💧 Public Sector retains control over establishment of user rates, operating standards, other requirements
- 💧 Degree to which responsibilities are retained or shared is defined in the P3 Agreement
- 💧 In Privatization, Public Sector sells some or all of asset to the Private Sector

# HOW DOES IT WORK?





# HOW WILL IT BE USED FOR PROJECT?

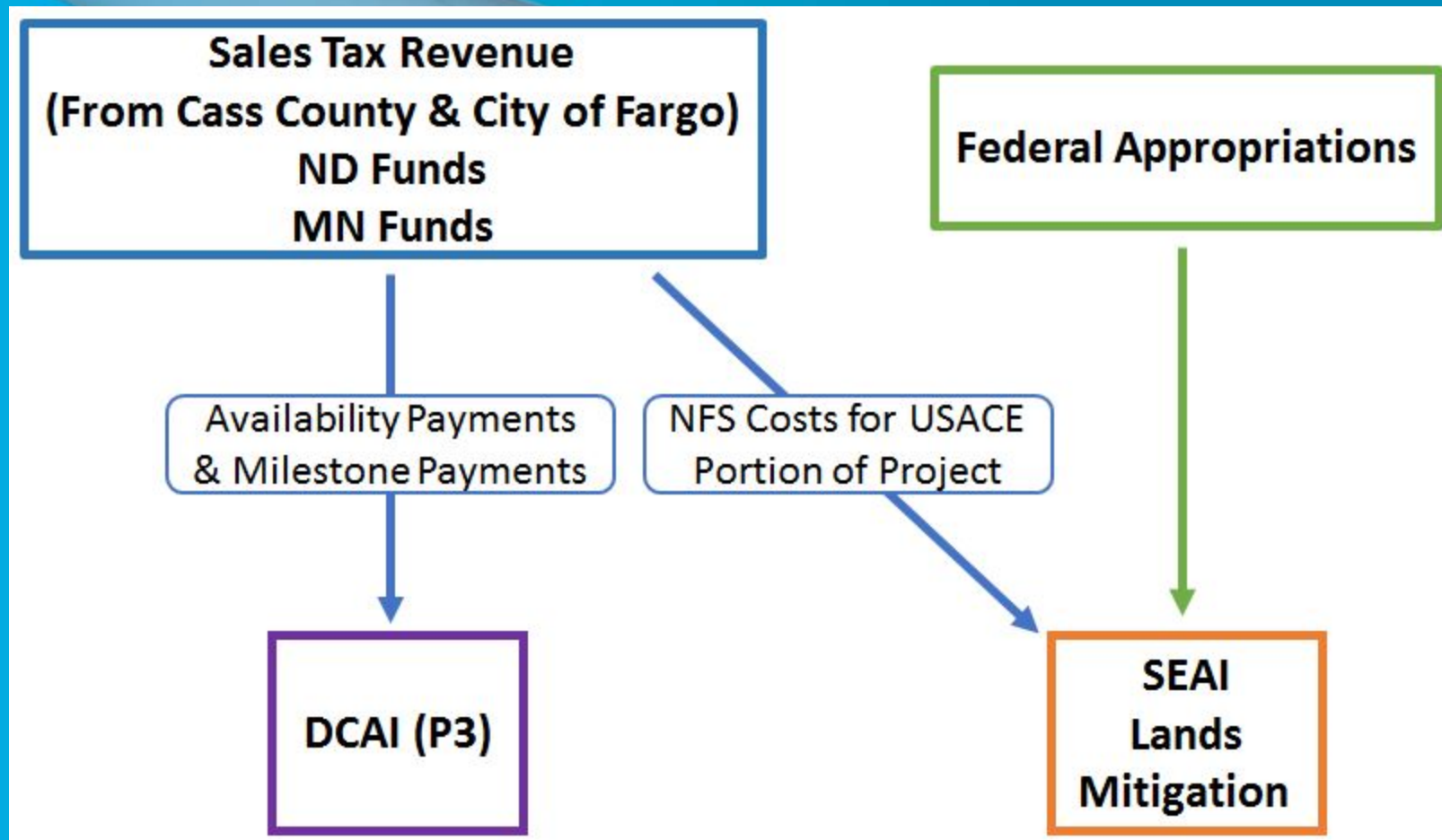
💧 P3 will **only** be used for NFS Element (Diversion Channel and Associated Infrastructure, DCAI)  
(Split-delivery)

💧 Not used for

- *Land acquisition*
- *Tie-back levees*
- *Red River Control Structure*
- *Wild Rice Inlet and Control Structure*

*These items will be constructed using traditional bidding and procurement practices.*

*(NFS= Non-Federal Sponsor, DA)*



# HOW DO WE PAY FOR IT?

## 💧 Milestone Payments

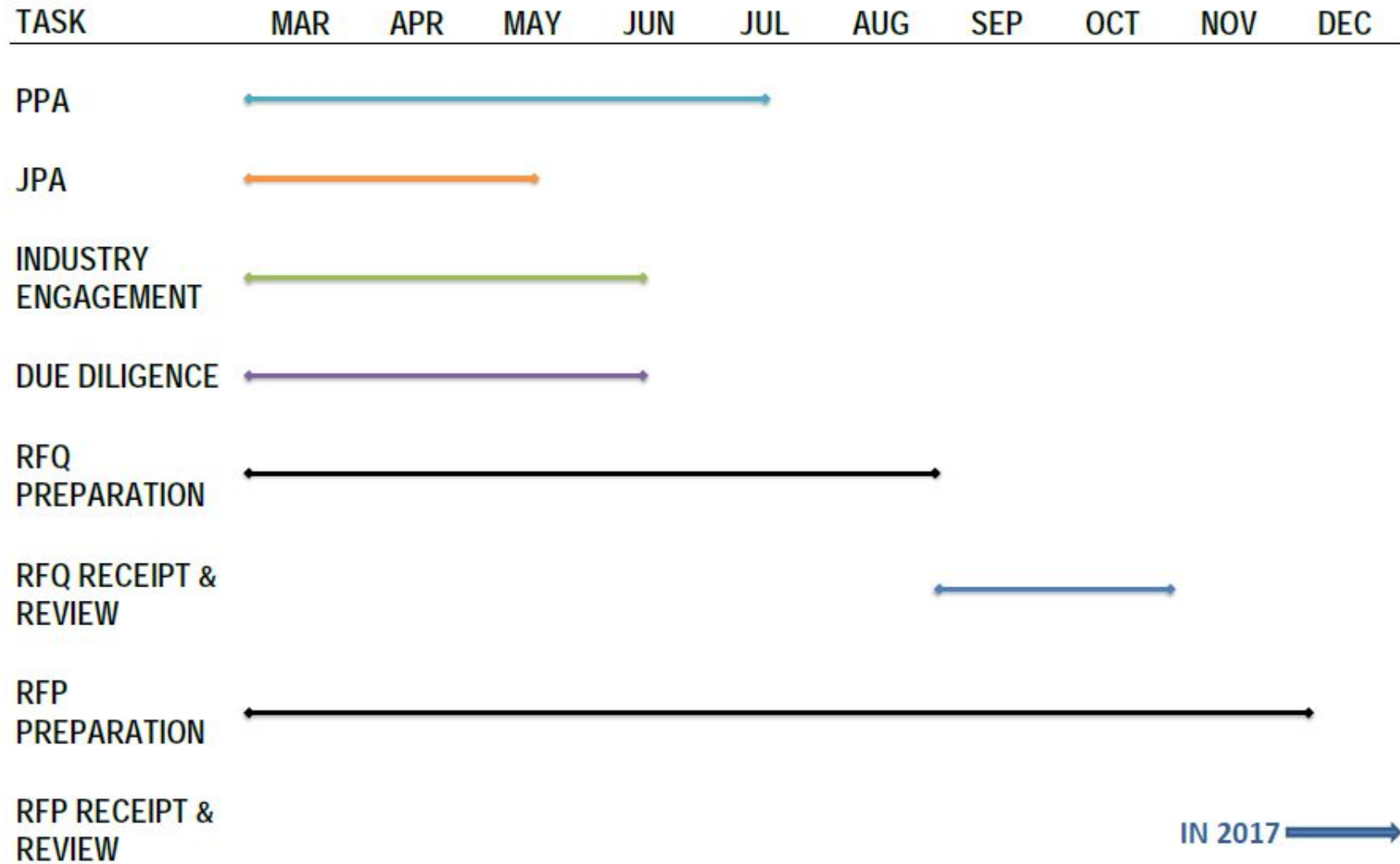
- *Payments to the P3 Developer for achievement of agreed upon construction or progress milestones in the P3 Agreement*

## 💧 Availability Payments

- *Periodic performance payments to the P3 Developer for the term for the P3 Agreement, for the design, construction, financing, operation, and maintenance of the Project in accordance with the agreed technical requirements*

## 💧 Term = Generally 30-50 years

2016 TIMELINE



# Questions