

Task Order 1
Metro Flood Diversion Authority
Fargo-Moorhead Area Diversion Project

MFDA Purchase Order No. _____

In accordance with Article 1 of the *MASTER AGREEMENT FOR PROFESSIONAL SERVICES* (“AGREEMENT”), between the Metro Flood Diversion Authority (“OWNER”) and CH2M HILL ENGINEERS, INC. (“CONSULTANT”), dated January 14, 2017, OWNER and CONSULTANT agree to the scope of services, work schedule, and compensation as follows:

Task Order Title: Program Management and Related Services

Term: This Task Order shall commence on January 14, 2017, and terminate on April 1, 2018.

Description:

The AGREEMENT establishes the terms and conditions for the CONSULTANT to assist the OWNER with the management and implementation of the Fargo-Moorhead Area Diversion Project (“PROJECT”). OWNER responsibilities as PROJECT Non-Federal Sponsors are described in several agreements with the US Army Corps of Engineers (USACE), including the *Project Partnership Agreement* signed July 11, 2016.

Task Order 1 describes the functions and activities of the CONSULTANT’s team to assist the OWNER with program management, technical, legislative, project implementation, public outreach, land rights of way and acquisitions, relocations, disposal areas, Public Private Partnership (P3) procurement and implementation, and construction management aspects of the PROJECT.

Task Order 1 anticipates and is based on a level of activity that supports the OWNER’s planned future spending, including the approved FY 2017 Project Budget of \$241,311,231 and issuance of the draft P3 Request for Proposals (“RFP”) on December 16, 2016.

The period of performance for Task Order 1 is January 14, 2017, through April 1 2018. Task Order 1 anticipates P3 contract commercial and financial close, and P3 Notice to Proceed (NTP), before the end date of this task order. Task Order 1 authorizes CONSULTANT to provide staff and services at the level of effort (LOE) described herein. CONSULTANT has committed and will provide staff from CONSULTANT and sub-consultant AE2S (Advanced Engineering and Environmental Sciences, Inc.) to support the anticipated activities and deliver the work described in the Scope of Services. CONSULTANT may contract with additional sub-consultants as necessary to meet the needs of the PROJECT, provided that any contract with additional sub-consultants shall be approved by the Co-Deputy Executive Directors.

Scope of Services:

Tasks defining the general scope to support the listed activities are summarized in Table 1, and described in detail by task number following the table.

Table 1 – Summary of Scope of Work Tasks

Task	Title	Purpose
A	Program Level Services	Provide program direction, strategy assistance, coordination, and governance as well as administrative support, office space, and general implementation support.
B	Financial Support	Advise and provide input on the program financial plan, and on cost estimates, funding sources, and schedule; develop Diversion Authority program and annual budgets.
C	Program Controls and Reporting	Maintain and utilize the cost-loaded schedule, document controls systems, and cost management tool; develop and maintain a program risk/opportunity register; manage and communicate change; report on the status of the program schedule and budget.
D	Contract Administration	Manage agreements with sub-consultants and OWNER (third-party) contracts with consultants; monitor compliance of contract terms and conditions.
E	Technical and PROJECT Support	Manage and coordinate technical activities of third-party consultants directly contracted to OWNER; coordinate with USACE’s project technical and management teams; develop bidding documents and provide bidding administration services; review deliverables prepared by others.
F	Permitting and Permit Compliance Support	Manage the environmental permitting and compliance program; maintain and implement the permitting plan.
G	Federal & State Legislative Support	Manage OWNER’s legislative engagement efforts in Washington, D.C.; provide local, state, and federal legislative outreach and engagement services.
H	Public Involvement & Outreach Support	Manage OWNER’s public outreach, involvement, and education program.
I	P3 Procurement Support	Provide P3 procurement services up through financial close, including management of the RFP phase, development of comparative cost estimates and schedules, continued refinement of draft contract documents, assistance in selecting the preferred P3 proposer, and issuance of a NTP.
J	P3 Construction Monitoring Services Planning	Develop the procedure for overseeing the P3 Developer’s construction activities.
K	Property Rights Management and Impact Mitigation Support	Manage the acquisition of property rights required for the PROJECT; provide property rights acquisition management, surveying, and property management services; assist in updating and implementing mitigation plans for PROJECT impacts. Survey services will be allocated between CONSULTANT and HMG as more fully set forth in this Task Order.
L	Construction Management for non-P3 Work	Provide construction management services for current, non-federally contracted, non-P3 work designed by others (excluding City of Fargo “In-Town” projects unless specifically identified herein). This task does not include inspection services, the day-to-day administration or management of inspection services or inspection of survey work during construction. This task does not include services for future, non-federally contracted, non-P3 work for which contracts have not been awarded as of January 1, 2017.
M	Asset Management Planning	Assist OWNER in developing a framework strategy for managing the PROJECT assets, including providing value when not in use for flood mitigation.

Task 1.A-Program Level Services

The scope of services for Task 1.A generally includes the following:

1. Program Direction, Strategy Assistance, Coordination, and Governance – Provide direction and overall management to support implementation of the PROJECT through the following activities:
 - a. Provide guidance, strategy assistance, governance assistance, coordination and communications, organizational assistance, and input through prepared materials, meetings, and conference calls on OWNER’s governance, policy, and USACE coordination actions.
 - b. Prepare for and attend meetings with the Co-Executive Directors on the first Tuesday of every month to discuss, coordinate, and build a consensus around the intended services to be performed during that month.
 - c. Prepare for and attend OWNER’s Board and Committee (Finance, Land, and Outreach) meetings and report on program activities. Present monthly Program Management report and recommended contracting actions at Diversion Board meeting. Meeting attendees will generally include Program Manager, Deputy Program Manager, Public Outreach Lead, Land Management Lead, and P3 Delivery Lead.¹ Additional staff may attend based on agenda. Present to OWNER, at Admin Advisory meeting, proposed Board and Committee agenda topics for approval prior to issuing agendas.
 - d. Prepare for and participate in Admin Advisory meetings to assist OWNER’s staff in planning, organizing, and directing activities required to implement the Program. Meeting attendees from CONSULTANT will generally include Program Manager, Deputy Program Manager, Public Outreach Lead, Technical Services Lead, and P3 Delivery Lead. Additional staff may attend based on agenda.
 - e. Prepare for and participate in OWNER’s Executive Leadership calls (Board Chair, Vice-Chair, administrators, executive directors, and others as appropriate) to assist executives in planning, organizing, and directing activities required to implement the Program. Meeting attendees from CONSULTANT will generally include Program Manager, Deputy Program Manager, Public Outreach Lead, and P3 Delivery Lead.
 - f. Participate in USACE Joint Leadership meetings as scheduled. Develop, in coordination with OWNER leadership and staff, and USACE leadership, the leadership and governance meetings for implementation.
 - g. Consult and provide input to OWNER leadership and staff to support legal counsel activities for the PROJECT. Participate in conference calls and meetings as requested by OWNER.
2. Administrative Support
 - a. Provide office and administrative support and assist program staff in the performance of activities on the PROJECT.
 - b. Secure and maintain a PROJECT office and support facilities to conduct the activities of the program team and to support the confidentiality requirements of the P3 Developer procurement (competitive dialogue process).
3. Deliverables and Schedule

¹ For purposes of this Task Order, the Program Manager is Randy Richardson, the Deputy Program Manager is Rob Cowen (acting), the Public Outreach Lead is Rocky Schneider, the Land Management Lead is Eric Dodds, and the P3 Delivery Lead is Andrew Dobson.

- a. Decision papers, presentation materials, meeting agendas, conference calls, and policy papers as requested.
- b. Provide draft DA Board agenda Friday prior to Board meeting.
- c. Provide material for DA Board packet Friday prior to Board meeting.
- d. Present the Program Management Consultant report at DA Board meeting, once per month.
- e. Provide a list of Recommended Contracting Actions Friday prior to Board meeting, and in the Finance Committee packet at OWNER's option.
- f. Provide the agenda and materials for Land Management Committee packet the Wednesday prior² to Committee meeting.
- g. Provide the agenda and materials for Public Outreach Committee packet the Wednesday prior³ to Committee meeting.
- h. Provide materials for Finance Committee packet Wednesday prior to Committee meeting.
- i. Provide the agenda and materials for the Admin Advisory meeting two days prior to the twice per month meetings.
- j. Provide the agenda and materials for the DA Executive Leadership calls two days prior to the twice per month meetings.
- k. Provide materials for USACE coordination meetings as requested.

Task 1.B-Financial Support

The scope of services for this Task 1.B generally includes the following:

1. Advise, provide input, and coordinate ongoing monitoring of the established PROJECT Financial Plan developed by Ernst & Young Infrastructure Advisors (EYIA), OWNER's Financial Advisor, as needed. With assistance from Owner, provide input to the strategic planning of existing and potential new revenue sources and alternative sources of local and state financing.
2. Develop and recommend the Diversion Authority FY 2018 Cash Budget based on projected expenditures consistent with the DA's approved Program Budget.
3. Deliverables and Schedule
 - a. Develop any necessary adjustments to the 2017 Budget as requested by OWNER.
 - b. Provide Financial Plan comments as needed.
 - c. Provide data and advice related to existing and potential funding sources and programs available to local and state entities as requested.
 - d. Provide position papers, talking points summaries, and other documents as required.
 - e. Present Recommended FY 2018 Cash Budget to OWNER's technical and administrative staff in September 2017.
 - f. Present recommended FY 2018 Cash Budget to Finance Committee in October 2017.
 - g. Present Recommended FY 2018 Cash Budget to Board in November 2017.

² For purposes of this Task Order, the agenda and materials will be provided one week (seven (7) days) prior to the Committee meeting.

³ For purposes of this Task Order, the agenda and materials will be provided one week (seven (7) days) prior to the Committee meeting.

Task 1.C-Program Controls and Reporting

The scope of services for Task 1.C generally includes the following:

1. Update and maintain a cost-loaded, Primavera P6 schedule of activities required to implement the PROJECT through construction and into operation.
2. Develop, maintain, and facilitate use of document control systems, processes, and tools, including an OWNER provided Electronic Data Management System (EDMS) for management and storage of Program documents. Coordinate with ACONEX, the OWNER's selected provider for the EDMS platform. The EDMS will allow storage, preservation, management, and retrieval records by OWNER, CONSULTANT, and third-parties, such as HMG and USACE.
3. Implement the cost management tool (e.g. Source) relating to program budget, fiscal year budget, contract budget, and invoiced costs. (The OWNER shall not be billed any direct expenses for implementing this tool.) Develop and prepare reports for OWNER on program expenditures, budget status, and projected cash flows.
4. Develop, update, and facilitate the use of a Program Risk/Opportunity Register for the PROJECT.
5. Monitor program scope and execution of scope to track potential scope, schedule, and cost changes. Manage change with OWNER input and report results.
6. Deliverables and Schedule
 - a. Provide access to the P6 Schedule, updated monthly, in native format and Adobe PDF format to TAG and OWNER.
 - b. Report to the Finance Committee, the Diversion Authority Board, and the Co-Executive Directors on program expenditures, budget status, and projected cash flows monthly.
 - c. Provide an updated Program Risk/Opportunity Register quarterly to the Finance Committee, the Diversion Authority Board, and the Co-Executive Directors.
 - d. Provide an updated Change Management Report quarterly to the TAG, the Finance Committee, the Diversion Authority Board, and the Co-Executive Directors.

Task 1.D-Contract Administration

The scope of services for Task 1.D generally includes the following:

1. Develop and manage agreements with CONSULTANT's sub-consultants, and OWNER (third-party) contracts with others.
2. Monitor compliance of contract terms and conditions and support program delivery with respect to scope, schedule, and budget performance. Maintain compliance records for contract terms and conditions on third-party contracts including insurance certifications and related items.
3. Review and process third-party contract invoices for payment by OWNER.
4. Deliverables and Schedule
 - a. Draft third-party agreements and task orders, amendments, work directives, and other changes for OWNER review, as requested.
 - b. Prepare final third-party agreements and task orders for OWNER approval as required.
 - c. Provide Contract Compliance Reports monthly to the Finance Committee, the Diversion Authority Board, and the Co-Executive Directors.
 - d. Review and process third-party invoices for payment monthly or more frequently if required.

Task 1.E-Technical and PROJECT Support Services

The scope of services for Task 1.E generally includes the following:

1. Manage and coordinate technical activities of Houston-Moore Group (HMG), AECOM, Beaver Creek Archeology, and other third-party consultants directly contracted to the Diversion Authority.
2. Develop bidding documents for construction contracts from technical plans and specifications prepared by HMG.
3. Provide bidding administration services including advertising for bids, preparing addenda, receiving bids, and recommending award of construction contracts.
4. Coordinate OWNER-led technical activities with USACE. Coordinate and facilitate Technical Advisory Group (TAG), Technical Working Group (TWG), and Local Sponsor/Local Consultant Technical Team (LSLCTT) meetings.
5. Provide review of HMG, USACE, AECOM, Beaver Creek Archeology, and other third party consultant's studies, reports, and designs for general consistency with OWNER's Program objectives.
6. Deliverables and Schedule
 - a. Draft task orders for OWNER Technical Staff review as requested.
 - b. Prepare final task orders for OWNER approval as required.
 - c. Draft Bidding Documents for OWNER Technical Staff review as needed.
 - d. Provide Final Bidding Documents for OWNER approval 3 days prior to scheduled advertisement date.
 - e. Prepare Advertisements for Bid 21 days prior to scheduled bid dates.
 - f. Prepare and issue Addenda as necessary.
 - g. Report on bid results the day after bid receipt.
 - h. Prepare a Recommendation of Award for inclusion into Finance Committee and DA Board packets the Wednesday and Friday before the meetings.
 - i. Prepare the TAG agenda and materials weekly.
 - j. Prepare TWG agenda and materials monthly.
 - k. Prepare the LSLCTT agenda and materials quarterly.

Task 1.F-Permitting and Permit Compliance Support

The scope of services for Task 1.F generally includes the following:

1. Manage the environmental permitting and compliance program. Update, as necessary, the Permit Compliance Monitoring and Tracking program.
2. Perform routine reviews and audits of the construction program and site visits to document and track compliance with permit conditions and other applicable regulations.
3. Prepare Environmental Compliance Reports. Coordinate with regulatory agencies, OWNER, USACE to manage environmental commitments and liabilities.
4. Maintain programmatic Permitting Plan, in coordination with USACE, to plan permitting activities.
5. Deliverables and Schedule

- a. Update the Permit Compliance Monitoring and Tracking Program, as needed, and provide to OWNER.
- b. Provide Environmental Compliance Reports monthly to OWNER.
- c. Maintain the Permitting Plan and update as needed.

Task 1.G-Federal and State Legislative Support Services

The scope of services for Task 1.G generally includes the following:

1. Advise, provide input, and manage the OWNER’s legislative engagement efforts to obtain annual Congressional appropriations and USACE work plan funding.
 - a. Meet and confer with federal legislative staff on a monthly basis to update and discuss status of the project.
 - b. Meet with US House and Senate members as required to communicate project status and receive input on congressional concerns.
 - c. Coordinate and provide feedback to OWNER leadership and staff.
2. Advise, provide input, coordinate, and participate in OWNER’s periodic visits to Washington, D.C., provide coordination and lobbying assistance from CONSULTANT’s Washington, D.C. staff, and coordinate national activities with the local public affairs team.
3. Provide local, state, and federal legislative outreach and engagement services, including:
 - a. Advise, provide input, and assist OWNER with pre-legislative session activities in North Dakota.
 - b. Advise, provide input, and assist OWNER during the 2017 North Dakota legislative session.
 - i. Monitor introduced legislation in North Dakota as it pertains to the PROJECT.
 - ii. Production of a weekly legislative tracking and analysis report.
 - c. Advise, provide input, and assist OWNER with legislative reporting requirements to ND Water Topics Overview Committee.
 - d. Prepare OWNER for legislative committee meetings regarding the PROJECT.
 - e. Prepare for and attend legislative committee meetings during discussions on legislation regarding the PROJECT.
 - f. Advise, provide input, and assist OWNER in routine reporting to the ND State Water Commission.
 - g. Advise, provide input, and assist OWNER with facilitating meetings and engagement with local, state, and federal elected leaders or their representatives.
 - h. Prepare communications or information for OWNER to provide to local, state, and federal elected leaders.
 - i. Coordinate and provide information to civic and business groups about PROJECT legislation.
 - j. Coordinate activities of OWNER’s Minnesota public affairs consultant.
4. Deliverables and Schedule
 - a. Prepare Trip Packets, including detailed speaking points, biographies, and meeting logistics, as needed (assume six (6) trips in 2017 and three (3) trips in 2018).
 - b. Conduct monthly legislative update conference calls.

- c. Provide position papers, speaking points, briefing notes as required.
- d. Prepare a North Dakota Legislative Action Plan as needed.
- e. Provide regular updates at Executive Team meetings, Board and Committee meetings, or as needed due to legislative session timelines.
- f. Draft presentations, draft communications and prepare final presentations and supporting materials as needed.

Task 1.H-Public Involvement and Outreach Services

The scope of services for Task 1.H generally includes the following:

1. Advise, provide input, and assist OWNER in managing its Public Outreach program.
 - a. Monitor and manage outreach services.
 - b. Coordinate and communicate with OWNER representatives and OWNER’s governmental entities.
 - c. Attend and facilitate monthly Outreach Committee meetings.
 - d. Organize, attend, and facilitate regular Outreach Working Group meetings.
 - e. Coordinate with OWNER’s staff and Diversion Committees as necessary for outreach coordination.
2. Advise, provide input, and assist OWNER with public outreach, involvement, and education. Such assistance is anticipated to include:
 - a. Coordinate and facilitate public meetings.
 - b. Organize materials for and/or present at meetings with individuals or agencies.
 - c. Produce and update maps⁴ and other documents, including educational materials for distribution to the public;
 - d. Develop a Web Map for general public viewing and use. Establish the appropriate information and layers that should be public facing.
 - e. Prepare and present PROJECT information to civic and business groups.
 - f. Coordinate with USACE (and other agencies) on outreach efforts.
 - g. Deliver answers to the public, media, opposition, and others interested in the PROJECT.
 - h. Assist in providing quarterly updates to commissions/councils, including individual meetings with local elected officials.
 - i. Prepare official correspondence for OWNER, including press releases, news alerts, and talking points for OWNER.
 - j. Produce educational videos, flyover update videos of PROJECT progress, and general outreach videos presenting PROJECT information.
3. Coordinate with Business Leaders Flood Taskforce, including coordination with the business group staffs and quarterly meetings and presentations with the task force.
4. Perform media tracking and analysis, including daily monitoring of media and notification to project stakeholders, and production of a bi-weekly media tracking and analysis report.

⁴ CH2M will utilize the services of AE2S, HMG, and other appropriate entities to produce and prepare maps.

5. Maintain and support a public website (www.fmdiversion.com) to provide information about the PROJECT and a library of public meeting documentation and studies.
6. Prepare and distribute monthly “Diversion Dialogue” E-newsletter, and:
 - a. Maintain and update an editorial calendar for the newsletter;
 - b. Maintain and update the distribution list for the newsletter, including offering a subscription service on the website www.fmdiversion.com;
 - c. Prepare draft articles for distribution and OWNER review; and
 - d. Finalize and publish articles to the monthly electronic newsletter.
7. Coordinate with and support legal counsel (Dorsey), through the Executive Director, on outreach items involved in litigation.
8. Advise, provide input, and manage the development and coordination of outreach activities in North Dakota and Minnesota in partnership with the OWNER.
9. Deliverables and Schedule
 - a. Prepare maps (hard copy) as required.
 - b. Maintain online interactive GIS and mapping as needed.
 - c. Draft correspondence, draft press releases and draft talking points as needed.
 - d. Prepare a bi-weekly media tracking and analysis report.
 - e. Maintain the Public website and issue the “Diversion Dialogue” E-newsletter.
 - f. Issue daily media tracking e-mail reports.

Task 1.I-P3 Procurement Support

The objective of Task 1.I is to manage the procurement of the P3 Developer from issuance of the RFP to commercial and financial close. This work will include coordination with OWNER’s staff and outside consultants.

The scope of services for this Task 1.I generally includes the following:

1. Issue the draft RFP to shortlisted Proposers and manage communications with Proposers throughout the RFP process.
 - a. Assemble and distribute all components of the draft and final RFPs to shortlisted Proposers, including:
 - i. Instructions to Proposers (EYIA as primary author).
 - ii. Project Agreement (Ashurst as primary author).
 - iii. Technical Requirements (CONSULTANT as primary author).
 - iv. Disclosed Information in the Data Room.
 - b. Use the ACONEX system to issue and receive formal communications with Proposers during the RFP process.
2. Manage confidential one-on-one discussions with Proposers.
 - a. Coordinate four one-on-one confidential discussions with each Proposer.

- b. Develop topics for discussion and respond to inquiries made by Proposers. Document the outcome of confidential one-on-one discussions. Log decisions made as a result of the discussions for possible inclusion into revisions of the RFP documents.
3. Develop an independent probabilistic cost and schedule estimate of P3 construction activities to compare against Proposers' RFP submissions.
 - a. Present activities using a PERT or similar network.
 - b. Conduct a risk-based assessment of P3 activities and assign values for a stochastic evaluation of the P3 construction costs and schedule.
 - c. Run multiple Monte Carlo simulations of P3 construction costs. Present simulation outcomes and identify the key variables driving the results.
 - d. Incorporate estimates of operations and maintenance costs into the models.
 - e. Coordinate with EYIA to finalize the results into a suitable format for comparing the independent cost and schedule estimates to Proposers' submittals.
4. Assist in revising and manage issuing subsequent versions of RFP documents, including the final documents prior to Proposers' technical and financial proposal submissions.
5. Assist in the selection of the preferred Proposer. Participate in negotiations with the preferred Proposer that lead to execution of the final P3 Agreement.
6. Deliverables and Schedule:
 - a. Begin confidential one-on-one discussions with Proposers in February 2017.
 - b. Develop the risk-based cost estimate and construction schedule for P3 activities by June 30, 2017.
 - c. Issue the final RFP to Proposers on or about July 1, 2017.
 - d. OWNER and Developer execute the Project Agreement and reach financial close on or about March 1, 2018.
 - e. Issue NTP1 to the Developer after execution of the Project Agreement.

Task 1.J-P3 Construction Monitoring Services Planning

The scope of services for Task 1.J generally includes the following:

1. Determine the scope of Construction Monitoring Services (CMS) that will be provided by the OWNER's Representative during the P3 construction period. Develop the tools, processes and procedures to implement the CMS.
2. Draft a CMS Plan that details the interaction between OWNER's representative and the P3 Developer. Coordinate with the P3 procurement team and the P3 early implementation team to ensure the P3 Project Agreement and CMS Plan agree. Lead review of the CMS Plan to include OWNER, USACE, HMG and other PROJECT stakeholders.
3. Mobilize the personnel and other resources required to execute CMS prior to P3 Developer NTP.
4. Deliverables and Schedule
 - a. Draft the CMS Plan and submit for review by September 1, 2017.
 - b. Finalize the CMS Plan by November 1, 2017.

Task 1.K-Property Rights Management and Impact Mitigation Support

The scope of services for Task 1.K includes the functions and activities of the CONSULTANT's team to assist the OWNER with managing the acquisition of property rights required for the PROJECT. The property acquisition and property management services in Task 1.K will position the OWNER to deliver the property rights necessary for the Public Private Partnership (P3) developer as well as for the USACE constructed features of the PROJECT. The services provided in Task 1.K are summarized in four primary sub-tasks:

- A. Property Acquisition Management
- B. Surveying Services
- C. Property Management
- D. Impact Mitigation Support

Task 1.K is based on the condition that OWNER has assigned the role of acquiring property rights in North Dakota to the Cass County Joint Water Resource District ("CCJWRD"). CONSULTANT will answer to and comply with all work directives of the CCJWRD to manage land rights acquisitions, property management and related issues. Task 1.K is also based on the assumption that the Diversion Authority will participate in and assist USACE in the voluntary acquisition of property rights in Minnesota. As such, Task 1.K includes efforts by the CONSULTANT to acquire or manage voluntary property rights acquisitions or related property rights issues in Minnesota.

CONSULTANT has developed a Property Acquisition Workflow, attached as Exhibit 1, and a Property Acquisition Schedule, attached as Exhibit 2. CONSULTANT shall manage property acquisition activities in accordance with the Property Acquisition Workflow and Property Acquisition Schedule. To facilitate property acquisitions, OWNER intends to contract with several land acquisition firms. The land acquisition firms will conduct activities, such as serving as the primary point of contact with property owners, sending notices to property owners, appraising properties, reviewing draft appraisal reports, presenting initial purchase offers to property owners, negotiating with property owners, assisting OWNER's legal counsel with developing purchase agreements, attending property closings, providing and coordinating relocation assistance for displaced persons, and more. It is anticipated that OWNER, or OWNER's member entities will maintain or enter into contracts with land acquisition firms Houston-Moore Group, Inc., ProSource Technologies, and Ulteig Engineers, Inc. ("land acquisition firms").

Sub-Task 1.K.1 – Property Acquisition Management

The scope of services for Sub-Task 1.K.1 generally includes managing acquisition of property rights for the PROJECT. A schedule for property acquisitions is attached as Exhibit 2. The specific services included in Sub-Task 1.K.1 include:

1. Assist OWNER and CCJWRD in establishing and implementing operating principles for managing acquisition of property rights for the PROJECT. Provide assistance in analyzing and developing improved strategies, policies, plans, methods, procedures, and systems of acquisition management programs.
2. Continue to coordinate with CCJWRD for the purposes of managing the acquisition of property rights in North Dakota and Minnesota.
3. Update the land management plan to incorporate project implementation plans, split delivery, approaches, and acquisition process standards (documents, workflows, naming standards, etc.).
4. Provide guidance to OWNER on issues that affect property management, acquisition or appraisal of properties, negotiation with owners, or transferring title of properties after being acquired. These may include early acquisitions, opportunistic acquisitions, construction acquisitions, and management and disposition of properties.

5. Based on designs and recommendations by others (USACE, P3 Developer, and HMG), identify, assess, and recommend properties to be acquired.
6. Prepare and present Land Acquisition Directives (LADs) to the OWNER's Finance Committee.
7. Assist CCJWRD in seeking and obtaining rights of entry (ROE) to conduct boundary surveying work, which is necessary to produce certificates of survey and to provide data to appraisers. Services shall include identification of properties upon which ROE is necessary, managing the ROE request and receipt process, and coordinating follow-up calls to property owners who might have questions.
8. Assist OWNER or CCJWRD in seeking and obtaining ROE requested by USACE to conduct various biotic, geomorphologic, cultural, and environmental surveys. Services shall include managing the ROE request and receipt process, and coordinating follow-up calls to property owners.
9. Assist CCJWRD in overseeing land acquisition firms' activities to acquire lands, construction or other temporary easements, rights of way, relocations, and disposal areas (LERRDs) for the Program. This includes acquiring properties that may be used in exchange to acquire property.
10. Assist land acquisition firms with negotiations, including preparation and negotiation of Replacement Housing Agreements and Purchase Agreements.
11. Manage acquisition data to create schedules, track acquisition status, suggest technical alternatives, and identify acquisition risks, develop content for internal and external land acquisition information.
12. Track and report progress of property acquisitions regarding cost, schedule, and performance baselines.
13. Work with various contacts (municipal officials, property owners, planners, attorneys, engineers, brokers, real estate agents) to identify opportunities to improve acquisition processes related to approvals and permits, zoning, engineering plans, improvement estimates, soils/geology, building costs, and overhead allocations.
14. Prepare maps⁵ and exhibits (graphs, maps, marketing boards, and standard feature comparisons) for use in property acquisition and other project needs.
15. Create real estate plans, including affected parcels exhibit, affected parcels table, area of taking estimates, acquisition schedule, and acquisition budget. Real estate plans shall be based on the design and geodatabase files received from the designer of record. Real estate plans shall delineate the acquisition type (e.g. easement, fee title, temporary easement, flowage easement etc.). Real estate plans will be prepared when the work limits are defined by the designer.
16. Maintain and manage the ESRI WMX tool to function effectively and efficiently to meet the land acquisition needs of the PROJECT, including tracking the progress of acquisition activities, serving as a document repository, and allowing accurate reporting.
17. Coordinate with the City of Fargo IS Department regarding ongoing requirements and/or issues related to ESRI WMX for support, maintenance, and performance of the application.
18. Provide ESRI WMX application training and support to PROJECT representatives as requested.
19. Perform acquisition audits to verify that required inputs are tracked and noted in ESRI WMX. Audits will ensure proper use of tool, proper population of extended properties with critical

⁵ CH2M will utilize the services of AE2S, HMG, and other appropriate entities to produce and prepare maps.

schedule and dates, uploading of documents, and comments regarding land owner and other communications.

20. Continue to develop and refine ESRI WMX reports that will be used to monitor usage of ESRI WMX, performance of land agents on acquisition activities, and progress and status reports.
21. Streamline and enhance ESRI WMX application functionality as needed/when applicable, including implementing software and application updates.
22. Perform data management routines as necessary to enhance the performance of the ESRI WMX application.
23. Coordinate weekly ESRI WMX backups and database compressions with City of Fargo staff (Backups and compressions to be performed by City of Fargo).
24. Based on data from PROJECT design and construction (channel, structures, etc.) and data from the property acquisition process through the ESRI WMX, update and maintain a web map application (ESRI Web Map App) for graphical display of PROJECT features, construction progress, and parcel acquisition status and information.
25. Attend OWNER's and CCJWRD's regular board and committee meetings, as well as special board meetings to report on progress and activities, and provide or present informational materials, as requested by OWNER or CCJWRD. Attendees may include program manager, deputy program manager, property acquisition program manager, and property acquisition coordinator, property management coordinator, as appropriate. Others may attend depending on topics.
26. Prepare monthly property management summary to report the status and progress of property acquisitions to OWNER and CCJWRD.
27. Coordinate with legal counsel, including Erik R. Johnson & Associates, Ohnstad Twichell, P.C., and Larkin Hoffman.
28. Coordinate property management activities with the OWNER, its member entities, and USACE.
29. Assist OWNER with selection and management of consultants and contractors. Oversee and assign the property acquisitions workload among the land acquisition firms.

Deliverables and Schedule:

- i. Maintain the Property Acquisition Schedule (see attached Exhibit 2)
- ii. Property Management Summary – monthly, for the CCJWRD's first board meeting each month.
- iii. Agenda items for CCJWRD board meetings – twice-monthly (2nd and 4th Thursday of each month)
- iv. Property Acquisition Summary documents – as needed
- v. Property acquisition, management, and disposition guidance documents – as needed
- vi. Maps and exhibits – as needed
- vii. Land Acquisition Directives (LADs) – as needed
- viii. Land Acquisition Firm Task Orders and Amendments – as needed
- ix. GIS maintenance and updates – ongoing, as design files are updated and shared, and as property acquisition progresses.
- x. QA/QC checks of ESRI WMX data – Weekly.

Sub-Task 1.K.2 – Property Surveying Services

The scope of services for Sub-Task 1.K.2 generally includes managing and performing the property surveying work necessary to acquire property rights for the PROJECT. Thus far, the CONSULTANT (through AE2S) has completed the cadastral surveying for the entire diversion channel and has completed boundary surveys and certificates of survey for all Phase 1 properties. Additionally, AE2S is the Clay County surveyor of record, and has completed a metrocog cadastral survey monumenting effort that has proven useful to the survey needs of the project. To assure consistent delivery of survey services necessary to acquire property rights for the PROJECT, CONSULTANT shall meet with HMG and AE2S each and every quarter of each and every year of this Task Order to determine and agree upon the following:

1. The scope and amount of survey work for property acquisition that is anticipated to occur within the subsequent three (3) month period; and
2. An allocation of survey work for property acquisition as between AE2S and HMG that will most efficiently deliver the necessary surveys for the PROJECT.

Following the above-described meeting, CONSULTANT shall develop a written report with the division of labor. The CONSULTANT shall:

1. Provide a written report addressed to the Co-Deputy Executive Directors outlining the above items.
2. If CONSULTANT is not able to obtain agreement by and between HMG and AE2S regarding survey work, the Co-Deputy Executive Directors shall make the final determination as to the division of survey work.

The OWNER shall retain ultimate authority to determine which firm, whether HMG or AE2S, shall perform survey services and the amount of such work.

CONSULTANT, in conformance with the written report set forth above, will perform activities to accomplish the scope described herein, as well as other services which may be mutually agreed to by the parties pursuant to the terms of the Agreement. The specific services included in Sub-Task 1.K.2 include:

1. **Surveying Management.** Manage the production of boundary surveys, certificates of survey, and cadastral surveys that are necessary for the PROJECT. Surveying management will require development and maintenance of a schedule, review of work products, coordination with project leadership, and management of workload.
2. **Boundary Surveying.** Conduct boundary surveys for parcels impacted by the PROJECT.
3. **Certificates of Survey.** Prepare certificates of survey for partial parcels being acquired for the PROJECT. Certificates of Survey are not required for acquisition of full parcels.
4. **Cadastral Surveying Services:**
 - a. Perform cadastral surveying services for the Public Land Survey System (PLSS) sections along the Southern Embankment alignment.
 - b. Include researching corner locations, field surveying and establishing corners, setting monuments and associated ties, and preparing and recording corner records for section and one-quarter section corners (not including center quarter corners).
 - c. Incorporate the cadastral surveying work completed for the Certificates of Survey.

Deliverables and Schedule:

- i. Perform Certificates of Survey in accordance with the attached Property Acquisition Schedule.

- ii. Cadastral survey of section corners for Southern Embankment shall be complete according to a schedule to be agreed with USACE.
- iii. Arrange for and attend a meeting each and every quarter of each and every year of this Task Order with the Co-Deputy Executive Directors to discuss and present the written report set forth above.

Sub-Task 1.K.3 – Property Management

The scope of services for Sub-Task 1.K.3 generally includes managing the property that has been acquired for the PROJECT, prior to giving control of the property to the P3 Developer or other Contractor(s). CONSULTANT will perform activities to accomplish the scope described herein, as well as other services which may be mutually agreed to by the parties pursuant to the terms of the Agreement. The specific services included in Sub-Task 1.K.3 include:

1. Assist in development of recommendations for short term and long term use, salvage, demo, removal, and/or disposition for OWNER or CCJWRD acquired property. Update the recommendations as needed.
2. Manage the salvage, demo, removal and/or disposition of OWNER or CCJWRD acquired property. This may include coordinating the development of demolition plans and specifications (prepared by others), coordinating the solicitation of bids from contractors, coordinating asbestos or other testing as necessary prior to demo/removal of homes, coordinating with Habitat for Humanity for salvage of appliances and other items, coordinating with emergency response teams (fire departments, SWAT, etc.) for training exercises, and other activities as necessary.
3. Provide property management support to manage and maintain OWNER's or CCJWRD's residential, commercial, farmstead buildings, and farmland properties prior to their removal, disposal, demolition, auction, or incorporation into the project.
4. Perform weekly exterior inspections of residential and commercial properties. External inspection includes drive by and/or physically check that doors and windows are secure.
5. Perform bi-weekly interior inspections of residential and commercial properties.
6. Upon property acquisition, coordinate utility services, including shutting off water service, turning down heat, switching billing, etc.
7. Coordinate changing locks and re-keying properties after acquisition.
8. Coordinate with OWNER's farmland management firm (Pifer's) to assist with management and maintenance of OWNER's farmland properties prior to the disposal or use for the PROJECT.
9. Coordinate requests for bidder/contractor access, Habitat for Humanity access, Historic District mitigation, fire department training, law enforcement training, etc. as requested.
10. Provide direction to, and manage OWNER's maintenance firms (e.g. security patrol, locksmith, lawn care, snow removal, and handyman (e.g. plumber for sump pumps, leaks, etc.)) as required.
11. CONSULTANT may authorize emergency work as necessary to provide immediate security or repair of OWNER's property. Document authorized emergency work with a cover letter on the vendor's invoices for such work to OWNER.
12. For new, non-emergency property management work, coordinate preparation of a proposal for OWNER's consideration.

Deliverables & Schedule:

- i. Property Management Status Report – Monthly, for the CCJWRD’s first board meeting of each month. Include the property status and disposition, including if the property is rented, available for rent, and when the property will be needed for the PROJECT.

Sub-Task 1.K.4 – Impact Mitigation Support

The scope of services for Sub-Task 1.K.4 generally includes updating and assisting OWNER implement the Mitigation Plan. CONSULTANT will perform activities to accomplish the scope described herein, as well as other services which may be mutually agreed to by the parties pursuant to the terms of the Agreement. The specific services included in Sub-Task 1.K.4 include:

1. Manage the OWNER’s local cemetery mitigation team and development of the OWNER’s Cemetery Mitigation Plan. Coordinate with OWNER’s Design Consultant, HMG to develop the details of the OWNER’s Cemetery Mitigation Plan.
2. Manage the updates, implementation, and policy development of the Mitigation Plan, including the following specific items.
 - a. Manage the research, analysis, and development of a supplemental farm revenue program for mitigation of impacts to farmland caused by summer operation of the PROJECT.
 - b. Manage the development of a post-operation private lands clean-up plan.
 - c. Manage the development of a post-operation public lands repair and clean-up plan.
 - d. Manage the review and socializing of the sample flowage easement with additional stakeholders such as permitting agencies, agricultural industry representatives, and others.
 - e. Manage the development of a financial plan for on-going mitigation requirements.
3. Manage the development of budgetary information for flowage easements, including coordination with CCJWRD’s Consultant.
4. Manage the development of sample flowage easement values for two CCJWRD owned properties.

Scope not Included in Task 1.K: The following scope items are not included in this task. These scope items are necessary for the completion of the PROJECT, and may be included in future task orders, performed by CONSULTANT under contract to others, or performed by others.

- Property management of OWNER’s farmlands. OWNER has retained a farmland management consultant that will manage farmland rental agreements, managing rents, coordinating with producers, and other functions.
- Property maintenance services (lawn care, snow removal, handyman, etc.) will be contracted and paid directly by OWNER or CCJWRD.

Attachments: The following documents referenced in this Task Order 1 are attached.

- Attachment A – OWNER’s Responsibilities
- Exhibit 1 – Property Acquisition Workflow
- Exhibit 2 – Property Acquisition Schedule

Deliverables Schedule: The Mitigation Plan shall be ninety percent (90%) complete on or before April 1, 2018.

Task 1.L-Construction Management for non-P3 Work

The scope of services for Task 1.L generally includes Construction Management and related services for non-P3, non-federal work on the PROJECT. In-Town Levee CM is limited to completing Work Package 42 elements listed below. Task 1.L includes CM and related services for the following PROJECT elements:

1. Bidding and Construction Management Services (including final closeout) for Work Package 42 (In-Town Levees) projects designed by HMG for the PROJECT. CONSULTANT previously performed these services for the CCJWRD under Task Order No. 2, whose Period of Performance (POP) ended on May 27, 2016, then continued these services for the Diversion Authority under Task Order No. 7, whose POP ended on December 15, 2016. Specific WP42 elements include:
 - a. WP-42A.1/A.3 – In-Town Levees – 4th Street Pump Station and Floodwall
 - b. WP-42A.2 – In-Town Levees – 2nd Street Pump Station and Floodwall
 - c. WP-42C.1 – Downtown Levees – Howard Johnson, Fargo Public School, and Feder Realty Demolition
 - d. WP-42C.2 – Downtown Levees – Park East Apartments Demolition
 - e. WP-42F.1S – Flood Control 2nd St N, South of PS
 - f. WP-42F.1N – Flood Control 2nd St N, North of PS
 - g. WP-42F.2 – Flood Control 2nd Street South
 - h. WP-42H.2 – El Zagal Phase 2 Levee
 - i. WP-42I.1 – Mickelson Field Levee Extension
2. Construction Management Services for Work Package 43 (Oxbow-Hickson-Bakke Ring Levee) projects designed by HMG for the PROJECT, and Construction Monitoring of projects in Oxbow-Hickson-Bakke, which consist of the golf course, single-family home construction, and the Oxbow-Hickson-Bakke Ring Levee for which the OWNER has financial responsibility, but is not the contracting party for construction contracts. Additionally, CONSULTANT will manage related Professional Services contracts. CONSULTANT previously performed these services for the CCJWRD under Task Order No. 2, whose POP ended on May 27, 2016, then continued these services under Task Order No. 3, whose POP ended on January 13, 2017. CONSULTANT understands that the CCJWRD is the contracting party for construction contracts for the Oxbow-Hickson-Bakke project. CONSULTANT will answer to and comply with all CCJWRD work directives that are consistent with the scope and level of effort described in this Task Order, in furtherance of its responsibilities as the contracting party for the Oxbow-Hickson-Bakke Ring Levee. The following construction contracts and professional services contracts are expected to be active during the duration of this Task Order 1:

Construction Management
 - a. WP-43E.2C – Residential Demolition
 - b. WP-43E.2D – Residential Demolition
 - c. WP-43E.2E – Residential Demolition
 - d. WP-43B.1/C/D – Oxbow-Hickson-Bakke Ring Levee Phase B.1/C/D

Construction Monitoring

- e. Oxbow Country Club – Golf Course Reconfiguration and Reconstruction
- f. City of Oxbow – Construction of replacement single family homes, including landscaping

Professional Services Management

- g. Quality Assurance Testing and Inspection – Terracon
- h. Engineering Services During Construction – HMG

3. Construction Management and related services include the following:

- a. Services During Bidding - Provide CM staff and assistance during the bidding process for contracts identified for bid during the Task Order POP. This may include, but not be limited to:
 - i. Arrange and facilitate a pre-bid conference and site visit.
 - ii. Assist as required with the development of addenda.
 - iii. Attend the bid opening.
 - iv. Prepare conformed Contract Documents from the Bidding Documents and Addenda.
 - v. Print up to fifteen (15) copies of conformed Contract Documents per project.
 - vi. Assist OWNER with execution of Contract Award Documents.
- b. Services During Request for Qualifications (RFQs) - Assist OWNER in procuring firms to provide professional services related to hazardous materials identification and material testing (soils, concrete, etc.). This assistance may include, but not be limited to:
 - i. Develop RFQs.
 - ii. Advertise and distribute RFQs.
 - iii. Receive and assist OWNER in evaluating Statements of Qualifications.
 - iv. Making Recommendations of Award to OWNER.
 - v. Assist OWNER in development of contracts, task orders, and scopes of work.
 - vi. Assist OWNER with execution of Contracts.
- c. Construction Management - Comply with the general guidelines of the Memorandum for Record No. 018 (MFR 018) "Fargo-Moorhead Metro (FMM) Flood Risk Management (FRM) Project – Sponsor Constructed Features Roles and Responsibilities" between the Diversion Authority, USACE, and the Program Management Consultant as modified herein. Provide Construction Management staff to fulfill the duties of OWNER's Representative in accordance with the specific requirements of the Contract Documents for each project, including:
 - i. Monitor overall schedule.
 - ii. Develop project documentation guidelines for OWNER's design consultant.
 - iii. Facilitate one or more Partnering meetings.
 - iv. Prepare a project specific supplement to the Master Construction Management Plan for each project.
 - v. Prepare a Monthly Report for each project covering the period from contract award through contract closeout, including the contract award amount, amount

paid to date, current construction schedule, description of recent progress, issues encountered since the last report along with resolutions, and modifications and/or change orders issued.

- vi. Prepare a Final Construction Report following completion of each project feature.
 - vii. Manage receipt, process, distribute, record, and store Construction Management documents including, but not limited to, Requests for Information (RFIs), submittals, shop drawings, invoices and payment applications, CONSULTANT's Quality Assurance documentation, official correspondence, and contract change documentation. Use SharePoint, Aconex, or other document management platforms to perform these tasks, and develop, implement, and manage processing workflows by project team. Maintain the Project Record for OWNER.
- d. Quality Assurance
- i. Develop the QA Plan as part of the Construction Management Plan for each project. Coordinate Engineer's efforts to define the expectations for type, frequency, and responsibility (if not already given in the Specifications) for tests and inspections.
 - ii. Receive and store testing results and reports (hard copy and electronic) as part of the permanent project documentation.
 - iii. Coordinate Construction Checkpoint meetings with USACE to allow them opportunity to inspect QA documentation to date and review of construction progress.
 - iv. Prior to acceptance or graduated acceptance of a project feature construction contract, coordinate a pre-final inspection to verify the contract requirements have been met and the design intent is represented in the completed construction.
 - v. Perform warranty inspections after completion of construction, as requested by OWNER.
- e. Administer Professional Services Contracts
- i. Administer OWNER's contracts with materials testing and inspection firms including Braun Intertec and Terracon. Monitor performance, schedule, and budget, and prepare contracts and contract management recommendations to the OWNER as appropriate.
 - ii. Administer OWNER's contracts with Engineer for engineering Services during Construction on construction projects for which Engineer is the Designer of Record ("DOR"). Manage Engineer's activities related to technical inspections, review and response to project documentation (submittals, RFIs, etc.), and other Quality Assurance and project execution services. Monitor performance, schedule, and budget, and prepare contract management recommendations to the OWNER as appropriate.

4. Surveying Services

- a. Support OWNER's Representative duties and QA requirements for each project requiring surveying services, currently expected to be those under Work Package 43. Perform the following survey tasks in accordance with MFR-015, Survey Standards:
 - i. Additional project control, if required.

- ii. Benchmark checks during construction.
 - iii. Existing condition surveys.
 - iv. As-built construction surveys.
 - v. Quantity surveys for Contractor’s monthly payment application.
 - vi. QA surveys to spot check Contractor construction staking, grades, elevations, etc. as needed.
- b. Store, maintain, license, and insure survey equipment owned by the CCJWRD.
5. Reporting
- a. Attend OWNER’s twice-monthly Board Meetings to report on progress and activities, and provide or present informational materials, as requested by OWNER.
 - b. Attend CCJWRD’s twice-monthly Board Meetings, as needed, to report on progress and activities, and provide or present informational materials, as requested by OWNER or CCJWRD.
 - c. Prepare periodic reports or other information for OWNER to present to the Diversion Authority Board and its committees.
 - d. Coordinate with legal counsel, including Ohnstad Twichell, P.C. and Erik R. Johnson & Associates.
6. On-Call Services - Respond to requests for services from OWNER for tasks not included above. Services will be provided only with written authorization from OWNER.
7. Deliverables and Schedule

The above scope requires the following regular deliverables, with additional on-call services deliverables as requested:

Table 2 – Summary of Task M Deliverables

Task	Deliverable	Transmit To	When
CM	PROJECT Construction Management Plan	OWNER, Engineer, USACE	Once, by start of field work
QA	Quality Assurance Plan (included in CMP)	OWNER, Engineer, USACE	Once, by start of field work
CM	PROJECT Monthly Progress Report	OWNER, Engineer, USACE	Monthly, before second Thu of next month
General	Monthly Status Report	OWNER	Monthly, by end of second week of following month
CM	PROJECT Final Construction Report	OWNER, Engineer, USACE	Once, within 1 month of contract close-out
QA	Final record of QA data	OWNER, Engineer, USACE	Once, within 2 months of contract close-out

Deliver to the DOR any and all day-to-day contract observation reports so as to permit the DOR to certify the levees as constructed.

The following scope items are not included in this Task Order.

1. Preparing Technical Specifications or Drawings for the Bidding Documents and Contract Documents.
2. Scoping or managing utility removal, installation, or relocation.
3. Management of pre-demolition hazardous materials testing and inspection services.
4. Future non-P3 work packages/contracts which have not been awarded as of January 1, 2017.

Task 1.M-Asset Management Planning

The objective of Task 1.M is to develop strategy and tactics for the management of the physical assets installed as part of the PROJECT. The Asset Management Plan will address handoff and accountability of assets, review of manuals regarding routine operations and maintenance, and approaches for maximizing value provided by those assets when not in use for flood mitigation.

The scope of services for Task 1.M includes the following:

1. Working closely with the OWNER, develop a framework for the transfer and accountability of assets to the managing entity.
2. Evaluate and present for consideration a set of potential uses for assets when not in use for flood mitigation.
3. Evaluate and refine potential uses, develop an overall strategy and individual tactics considering environmental, social, and economic objectives
4. Deliverables:
 - a. Deliver a draft Asset Management Plan by December 31, 2017.
 - b. Finalize the Asset Management Plan by April 1, 2018.

Obligations of OWNER:

OWNER's responsibilities shall be as shown Sections Thirty-two (32) through Forty (40), inclusive, of the AGREEMENT and Attachment A to this Task Order 1.

Times for Rendering Services:

Start: January 14, 2017

End: April 1, 2018

Budget and Payments to CONSULTANT:

The budgetary amount established for services under this Task Order 1 is **\$23,436,000**. Compensation and payments are as per the AGREEMENT, including the cost reimbursement provisions.

CONSULTANT will advise OWNER when 80 percent of the budget on this Task Order is expended. CONSULTANT will prepare and submit to OWNER an amendment for additional compensation when 90 percent of the budget on this Task Order is expended. CONSULTANT will not perform work beyond 100 percent of the budget without OWNER's written authorization by amendment to this Task Order.

The expected distribution of budgetary amounts by task in this Task Order 1 are shown in the table below:

Task Order 1 Budgetary Breakdown		
Billing Group	Description	Budget Amount
Group 1 Services	Core Program Management	\$10,892,000
	Task A – Program Level Services	
	Task B – Financial Support	
	Task C – Program Controls and Reporting	
	Task D – Contract Administration	
	Task E – Technical and PROJECT Support	
	Task F – Permitting and Permit Compliance Support	
	Task G – Federal and Legislative Support	
	Task H – Public Involvement and Outreach	
	Task M – Asset Management Planning	
Group 2 Services	P3 Procurement and Implementation	\$6,433,000
	Task I – P3 Procurement Support	
	Task J – P3 Construction Oversight Services Planning	
Group 3 Services	Lands and Impact Mitigation	\$4,444,000
	Task K – Lands Rights Management and Impact Mitigation	
	Sub-Task K.1 – Property Acquisition Management	
	Sub-Task K.2 – Property Surveying Services	
	Sub-Task K.3 – Property Management	
	Sub-Task K.4 – Impact Mitigation Support	
Group 4 Services	Construction Management	\$1,667,000
	Task L – Construction Management for non-P3 Work	
	In-Town Levee General PM/CM Services	
	WP-42A.1/3 – 4 th Street Pump Station and Floodwall	
	WP-42A.2 – 2d Street Pump Station and Floodwall	
	WP-42C.1 – Howard Johnson, Fargo PS, etc. Demolition	
	WP-42C.2 – Park East Apts Demolition	
	WP-42F.1S – Flood Control 2d Street N, South of PS	
	WP-42F.1N – Flood Control 2d Street N, North of PS	
	WP-42F.2 – Flood Control 2d Street S	
	WP-42H.2 – El Zagal Phase 2 Levee	
	WP-42I.1 – Mickelson Field Levee Extension	
	Oxbow-Hickson-Bakke General PM/CM Services	
	WP-43E.2C – Residential Demolition	
	WP-43E.2D – Residential Demolition	
	WP-43E.2E – Residential Demolition	
	WP43B.1/C/D – Oxbow-Hickson-Bakke Ring Levee	
General On-Call Services		
Task Order 1 Total Budgetary Amount		\$23,436,000

Note: CONSULTANT office space expenses are included in the Group 1 Services budget.

Other Modifications to AGREEMENT: None

Sub-consultants: AE2S, Inc.

Attachments: Attachment A - OWNER's Responsibilities
 Exhibit 1 – Property Acquisition Workflow
 Exhibit 2 – Property Acquisition Schedule

Documents Incorporated By Reference: Standard Master Agreement for Professional Services between the OWNER and CONSULTANT dated January 13, 2017, and any attachments and executed amendments. Approval and Acceptance of this Task Order 1, including the attachments listed above, shall incorporate this document as part of the AGREEMENT. CONSULTANT is authorized to begin performance as stated herein.

Effective Date of this Task Order: January 14, 2017

This Task Order 1 and the services covered by this Task Order 1 will be performed in accordance with the provisions and any attachments or schedules of the AGREEMENT. This Task Order 1 will become a part of the referenced AGREEMENT when executed by both parties.

Metro Flood Diversion Authority

Signature: _____
Name: Timothy J. Mahoney
Title: Chairman, Diversion Authority Board
Date: _____

CH2M HILL ENGINEERS, INC.

Signature: _____
Name (printed): Sherrill Doran
Title: Vice President
Date: _____

DRAFT

Attachment A

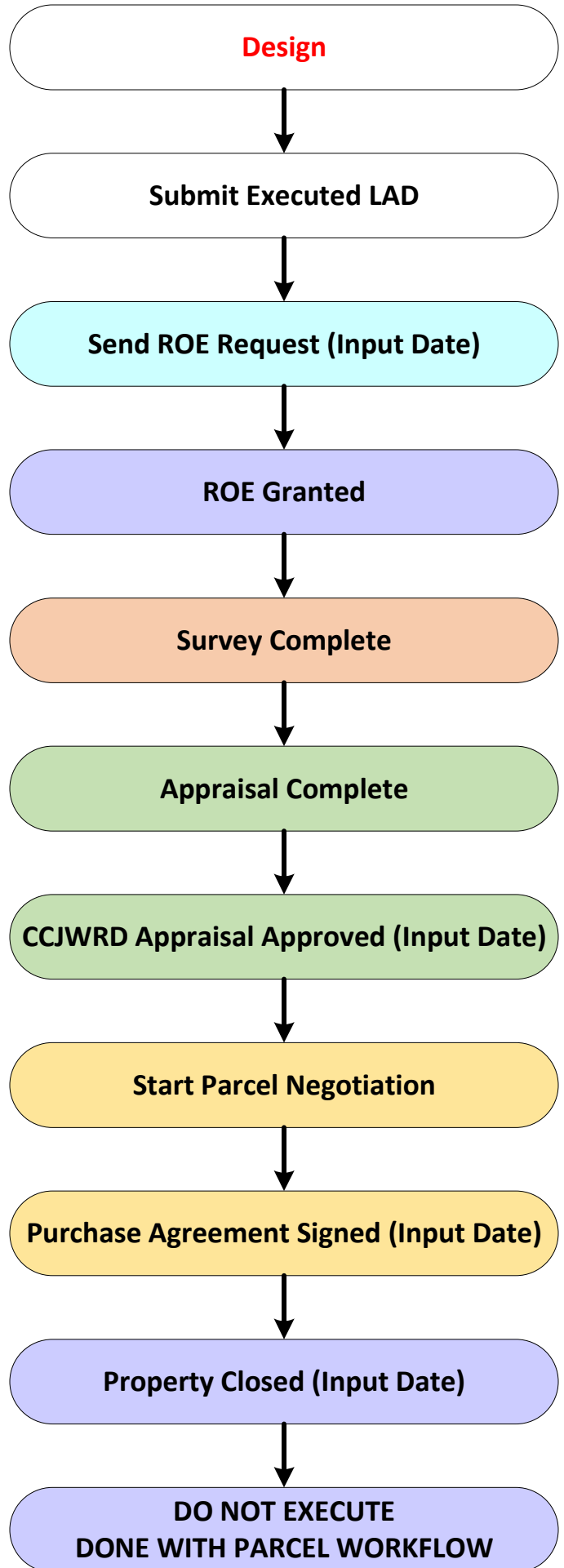
OWNER's Responsibilities

1. Track and report funding status.
2. Track WIKS/LERRDs crediting and report to USACE (if required).
3. Assist with communications on agricultural mitigations to landowners, agencies, and elected leaders.
4. Designate OWNER's staff lead to coordinate each ongoing cross-functional (technical, outreach, land, policy) action such as Oxbow/Hickson/Bakke levee, staging area mitigation planning, and phased construction planning.
5. Review, process, and pay invoices for OWNER-held agreements and task orders.
6. Designate OWNER's staff to coordinate Authority governance activities such as JPA extensions, FY18 OWNER's Budget development, Construction MOU negotiations, Work In-Kind requests and other agreements.
7. Lead and facilitate Admin Advisory Staff meetings; monthly Board and Committee meetings; and Joint Program Management Board and Executive Leadership Council meetings.
8. Execute agreements to implement the project as approved.
9. Continue the agreement with ACONEX, subject to approval by the DA Board, to provide an EDMS platform and host an "ACONEX Local Copy" on the OWNER's IT infrastructure.
10. Participate in public outreach, legislative support and market engagement activities.

EXHIBIT 1



Master Land Acquisition Workflow Diagram



Acronyms

LAD – Land Acquisition Directive

ROE – Right of Entry

CCJWRD – Cass County Joint Water Resources District

EXHIBIT 2

Property Acquisition Schedule 1

Major Project Element	Work Package ²	State	Work Limits Defined by Designer	Start Property Acquisition ³	Notification to Property Owners ⁴	Final Design Complete	Final Permit Application	Complete Property Acquisition	Permit Issuance (Goal)	Number of Parcels Impacted	Land Firm
Features Constructed by Diversion Authority using Public-Private-Partnership (P3)											
Diversion Channel Phase 1⁵	DC1A	ND	June 2016	June 2016	July 2016	Nov 2017	Nov 2017	Nov 2017	Dec 2017	41	HMG
	DC1B	ND	June 2016	June 2016	July 2016	Nov 2017	Nov 2017	Nov 2017	Dec 2017	49	Ulteig
Diversion Channel Phase 2	DC2	ND	June 2017	June 2017	July 2017	Nov 2018	Nov 2018	Nov 2018	Dec 2018	80	
Diversion Channel Phase 3	DC3	ND	June 2017	August 2017	Aug 2017	Nov 2019	Nov 2019	Nov 2019	Dec 2019	210	
Features Constructed by Diversion Authority											
CR16/17 Bridge & Road	WP28	ND	Feb 2016	Feb 2016	Jan 2016	Aug 2016	Aug 2016	April 2017	April 2017	13	HMG
Features Constructed by USACE											
Diversion Inlet Control Structure	WP26	ND	Feb 2016	Jan 2016	Jan 2016	June 2016	May 2016	June 2016	June 2016	3	HMG
Wild Rice Control Structure	WP30	ND	Jan 2017	Jan 2017	Feb 2017	April 2018	April 2018	April 2018	May 2018	9	
I-29 Road Raise	WP31	ND	Jan 2017	Jan 2017	Feb 2017	April 2018	April 2018	April 2018	May 2018	- ⁶	
Red River Control Structure	WP35	MN	Jan 2018	Jan 2018	Feb 2018	April 2019	April 2019	April 2019	May 2019	8	
Southern Embankment (ND)⁷	WP27	ND	Jan 2018	Jan 2020	Feb 2018	April 2021	April 2021	April 2021	May 2021	20	
CR 81 Road Raise	WP33	ND	Jan 2018	Jan 2018	Feb 2018	April 2021	April 2021	April 2019	May 2021	4	
Southern Embankment (MN)⁸	WP29	MN	Jan 2019	Jan 2019	Feb 2019	April 2019	April 2019	April 2020	May 2019	29 ⁹	
BNSF Moorhead Line Raise	WP29	MN	Jan 2019	Jan 2019	Feb 2019	April 2019	April 2019	April 2020	May 2019	-	
HWY 75 Bridge/Raise	WP29	MN	Jan 2019	Jan 2019	Feb 2019	April 2019	April 2019	April 2020	May 2019	-	
Limited Service Spillway	WP39	ND	Jan 2020	Jan 2020	Feb 2020	April 2022	April 2022	April 2021	May 2022	17	
Comstock Ring Levee	WP52	MN	Jan 2020	Jan 2020	Feb 2020	April 2020	April 2020	April 2021	May 2020	18	
Upstream Retention Area	WP38	ND	Jan 2018	Jan 2018	Feb 2018	-	-	April 2022	May 2022	513 ¹⁰	
	WP38	MN	Jan 2018	Jan 2018	Feb 2018	-	-	April 2022	May 2022	324	

NOTE: The property rights in the Upstream Retention Area will be acquired prior to the Project being operational, which is after the final segment of the embankment is constructed.

¹ Based on proposed P3 and USACE schedules from February 2016.

² See associated maps for location of work packages and impacted parcels.

³ The work limits defining property acquisition needs are generally expected at the 65 percent design level.

⁴ Initial notification shall be a letter from the acquiring entity, introducing the Land Agent, who will follow-up with separate correspondence indicating an intent to acquire, the process for acquisition, and an offer to meet.

⁵ Diversion Channel Phase 1 includes Maple River & Sheyenne River Aqueduct Structures.

⁶ Parcels for the I-29 Road Raise are the same as those for the Wild Rice Control Structure.

⁷ The southern embankment in ND will likely be designed and constructed in three (3) phases.

⁸ The southern embankment in MN will likely be designed and constructed in two (2) phases.

⁹ Parcels for the southern embankment in MN include the properties needed for the BNSF and HWY 75 projects.

¹⁰ Upstream retention area property rights will affect approximately 838 parcels in ND and MN.