

Board Agenda



Diversion Board of Authority

February 23, 2023 @ 3:30 p.m. CST

This meeting will be in-person at Fargo City Hall Commission Chambers (225 4th St N, Fargo, ND 58102) and online.

1. Call to Order
 - a. Roll Call of Members
2. Approve minutes from January 26, 2023
[Attachment 00.01] (Pg. 3)
3. Approve Order of Agenda

CONSENT AGENDA – APPROVE THE FOLLOWING:

- a. Finance Report [Attachment 01.00] (Pg. 7)
- b. Voucher Approval [Attachment 02.00] (Pg. 28)
- c. 2023 Cash Budget Change Request [Attachment 03.00] (Pg. 41)
 - i. BCR-008 Recreational Grant Research Funding [Attachment 03.01] (Pg. 43)
 - ii. BCR-009 HMG TO 101 Adjustment [Attachment 03.02] (Pg. 44)
 - iii. BCR 010 HMG TO 102 Adjustment [Attachment 03.03] (Pg. 45)
- d. DA Board Approval Contract Actions
[Attachment 04.00] (Pg. 46)
 - i. Braun Intertec, MSA Revision 1
[Attachment 04.01] (Pg. 48)
 - ii. HMG, TO 101 – Amendment 6
[Attachment 04.02] (Pg. 50)

REGULAR AGENDA:

4. Executive Director Report
[Attachment 05.00] (Pg. 55)
5. General Counsel Update
6. Construction Project Updates
 - a. USACE Project Update
[Attachment 06.00] (Pg. 57)

- b. SWDCAI Project Update
[Attachment 07.00] (Pg. 59)
 - c. Drone Footage Video
 - 7. Communications Team Update
 - 8. Land Management Update
 - a. Property Acquisition Status Report
[Attachment 08.00] (Pg. 60)
 - 9. Finance Update
 - a. BNSF Railway Land Acquisition Directive
[Attachment 09.00] (Pg. 66)
 - 10. Other Business
 - 11. Next Meeting: March 23, 2023
 - 12. Adjournment
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MEDIA AND PUBLIC PARTICIPATION INFORMATION

There are multiple ways to attend or watch this public meeting.

- View the Meeting on Fargo TV or at www.TVFargo.com
- View the Meeting on the City of Fargo's Facebook or Twitter feed.
- View the Meeting at FMDiversion.com/Meeting
- View the Meeting at [Twitter.com/FMDiversion](https://twitter.com/FMDiversion)



Metro Flood Diversion Authority Board of Authority

Meeting Minutes

3:30 P.M. – January 26, 2023
City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on January 26, 2023. The following members were present: Chad Peterson, Cass County Commissioner; Dr. Tim Mahoney, Mayor, City of Fargo; Shelly Carlson, Mayor, City of Moorhead; Chuck Hendrickson, Moorhead City Council; Dave Piepkorn, Fargo City Commissioner; David Ebinger, Clay County Commissioner; John Strand, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Rodger Olson, Cass County Joint Water Resource District and Larry Seljevold, Moorhead City Council.

Members absent: Bernie Dardis, Mayor, City of West Fargo and Tony Grindberg, Cass County Commissioner.

1. CALL TO ORDER
Dr. Mahoney called the meeting to order at 3:31 PM. Roll call was taken, and a quorum was present.
2. APPROVE MINUTES FROM THE DECEMBER 2022 MEETING
MOTION PASSED
Mr. Campbell moved to approve the minutes from the December 2022 meeting and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.
3. APPROVE ORDER OF AGENDA
MOTION PASSED
Mr. Ebinger moved to approve the order of the agenda as amended to include 5c., items i. and ii., and Mr. Peterson seconded the motion. On a voice vote, the motion carried.
- CONSENT AGENDA
MOTION PASSED
Mr. Strand moved to approve the Consent Agenda and Mr. Peterson seconded the motion. On a roll call vote, the motion carried.
4. EXECUTIVE DIRECTOR REPORT
Mr. Nicholson provided the following updates:
Happenings
Event Highlights
 - Red River Basin Commission Conference: Joel presented a project update
 - State of the Cities: Mayor Dardis provided a project update
 - City of Moorhead meeting: Joel presented on supplemental crop insurance programs
 - American Water Summit: Joel presented and joined a roundtable on our financial plan structure

Program Highlights

- Move to Amber Valley office completed
- New settlement report on mitigation projects now available and can be provided upon request

5. GENERAL COUNSEL UPDATE

a. Resolution Confirming the Appointment of Members to the Diversion Authority Board, Land Management, Finance and Planning Committees

Mr. Shockley provided an overview and summary of the above-referenced resolution.

MOTION PASSED

Mr. Piepkorn moved to approve the resolution as presented and Mrs. Scherling seconded the motion. On a roll call vote, the motion carried.

b. Election of Vice Chair for the Diversion Authority Board

MOTION PASSED

Mayor Carlson nominated Mr. Campbell to serve as the vice chairman of the Board of Authority and Mr. Ebinger seconded the nomination. On a roll call vote, the motion carried.

c. Update on Insurance Quotes

Mr. Shockley provided an overview of the quotes that were received from AON Insurance for coverage on the following:

- Owners Interest General Liability for the SEAI
- Owners Interest General Liability for the SWDCAI

MOTION PASSED

Mr. Peterson moved to approve both insurance quotes as presented by Mr. Shockley and Mr. Campbell seconded the motion. On a roll call vote, the motion carried.

6. CONSTRUCTION PROJECT UPDATES

a. USACE Project Update

Ms. Williams provided the following USACE update:

[1 Diversion Inlet Structure \(DIS\) – Construction](#)

Structure includes 3-50 ft. wide Tainter gates. Construction is 93% complete and remains on schedule. Required completion date is 7 June 2023. Installation of the 3 gates has commenced. Bridge beams/deck and downstream riprap being installed. Schedule for remaining primary features:
2023: Install bridge and mechanical platform deck, gates, operating machinery, seeding.
2024: Turf established.

[2 Wild Rice River Structure \(WRRS\) – Construction](#)

Structure includes 2-40 ft. wide Tainter gates. Construction is 75% complete and remains on schedule. The required completion date is 20 October 2023. All three gates have been installed. Install of mechanical platform/vehicle service bridge and channel excavation ongoing. Remaining schedule:
2023: Control building, install gate operating machinery, complete excavation of engineered channel, close off natural channel / redirect to engineered channel, dam embankment, seeding.
2024: Turf established.

[3 I-29 Raise – Construction](#)

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 72% complete and remains on schedule. Most work has paused for winter. Paving of the mainline raise to be complete Summer 2023. Required completion date NLT 1 January 2024.

[4 Southern Embankment – Reach SE-1 \(Western Tieback\) - Construction](#)

Construction was completed 10 November 2022. O&M Manual being completed. Partial turnover to the Diversion Authority for Operations and Maintenance occurred on 29 December 2022.

5 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 8% complete. Foundation pile driving is ongoing. Structural concrete pours are anticipated to begin late Winter. Required completion date is 19 March 2026.

6 Drain 27 Wetland Mitigation Project - Construction

Construction was completed 2 December 2022. Native plantings 5-year service contract is scheduled to be advertised for bid on 1 February 2023.

7 Drayton Dam Mitigation Project Design - Construction

Construction is 45% complete. All work has paused for the winter. Removal of the existing dam planned for Summer 2023. Anticipated completion is Fall 2023.

8 Southern Embankment – Reach SE-2A - Construction

Construction is 12% complete. All work has paused for the winter. Scheduled completion date is 30 Sept. 2024.

9 Southern Embankment Design – All remaining reaches are being designed.

SE-1B: Final design signoff pending. Contract award: February 2024

SE-2B: 95% review starts mid-Feb 2023. Contract award: April 2024

SE-3: 35% review started 17 January 2023. Contract award: January 2025

SE-4: 35% review starts mid-March 2023. Contract award: April 2024

SE-5: 35% review starts early March 2023. Contract award: January 2025

Real estate needs have been identified for all reaches with the exception of SE-4 which is due 31 Jan 2023.

b. SWDCAI Project Update

Mr. Bakkegard presented a draft format for providing project status updates for the SWDCAI design and construction. An overview of a time and space diagram extracted from the overall detailed project schedule was presented to show the work planned for construction in 2023. A time lapse graphic was also presented that showed the progression of work throughout the entire construction schedule.

c. Drone Footage

A drone video highlighting the progress that has been achieved since December was viewed.

7. COMMUNICATIONS UPDATE

Ms. Harter provided the following communications update:

The Diversion Current: Issue 8 sent on January 5

Website: Launched!

Videos:

- Year-in-Review update
- Faces of the Diversion with IBI's Matt Pollert

PR: Distributed release on chairmanship change

8. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Ms. Smith provided the following property acquisition status report:

- 93.4% completion in the Construction Footprint
- 33.8% completion in the UMA Footprint
- 80.3% of the parcels in the Southern Embankment have been acquired
- 33.8% of the parcels in the Upstream Mitigation Area have been acquired
- 71.8% of the Environmental Easements have been signed

- 99.5% of the parcels in the Stormwater Diversion Channel have been acquired
- 100% of the Oxbow-Hickson-Bakke levee, MFDA constructed in-town levees and the Drayton Dam mitigation is completed

Key Activities

- Continue negotiating settlement agreements for existing eminent domain actions, including reaching agreement with two additional property owners.
- Batch #1 eminent domain actions were filed on seven property owners.
- Batch #2 eminent domain actions were filed on 11 property owners.
- Batch #3 of the last offer letters went out to 32 property owners.
- Finalized the list of 11 property owners for Batch #4 of last offer letters for Flowage Easements.

9. FINANCE UPDATE

Mr. Steen shared the financial report indicating that the bills for January totaled \$112,216,228 and the current net position is \$150,599,961. The Braun Interotec contracting action was approved, two MOUs, two insurance proposals and the City of Fargo project bid requesting additional funds; final approval is required from the Board.

a. City of Fargo Work Plan for Projects Bid in 2023

Mr. Bakkegard provided an overview of the City of Fargo's plans to bid the following projects in 2023:

NR-23-A0: STS LS #47 & #48 Reconstruction

- In December 2022, the MFDA Board of Authority approved the 2023 cash budget which included \$4,900,000 for construction on this project in 2023.
- This project scope includes reconstruction of sanitary sewer lift stations #47 and 48, I-29 ditch modifications adjacent to Drain 27, and two Drain 27 culvert replacements.
- The scope of this overall project has not changed since it was approved in 2018. The 2018 estimated total project cost was \$6,200,000.
- The updated engineer's estimate of total project cost is \$11,008,250.
 - o The increase in the engineer's estimate from the 2018 cost estimate is due to the current bidding market and inflation impacts.
 - o This project is projected to be bid in Q1 2023 and will be constructed in both 2023 and 2024.
 - o Design of the project is 95% complete and property acquisition is 50% complete.
 - o The estimated spend for this project in 2023 is not anticipated to exceed the \$4,900,000 which was included in the approved 2023 cash budget.

The 2023 engineer's estimate including engineering and contingency is \$11,008,250 of which \$4,900,000 is projected in 2023. The total project budget request increase is \$4,808,250.

MOTION PASSED

Mr. Peterson moved to approve the \$4.8 million budget increase and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.

10. OTHER BUSINESS

There was no other business to report.

11. NEXT MEETING

The next meeting will be February 23, 2023.

12. ADJOURNMENT

Mrs. Scherling moved to adjourn, and Mr. Peterson seconded the motion. The meeting adjourned at 4:08 PM.

Fiscal Accountability Report Design Phase As of 01/31/23										790: FM Diversion Project Fund	770: Budget Fund	773: Excess Capital Fund					
	2011-2017	2018	2019	2020	2021	2022	2023	Total	2021	2022	2023	Fund	2021	2022	2023	Total	Grand Total
Revenues																	
City of Fargo	135,530,327	30,150,091	32,835,957	30,746,840	39,900,525	37,222,232		306,385,971	-	-	-	-	-	-	-	-	306,385,971
Cass County	192,414,790	14,305,401	15,637,755	15,716,168	20,605,468	17,886,165		276,565,747	-	-	-	-	-	-	-	-	276,565,747
State Water Commission	165,835,767	9,227,010	26,655,616	69,249,584	44,928,872	21,249,909		337,146,758	-	-	-	-	-	-	-	-	337,146,758
State of ND - Legacy Fund	-	-	-	-	-	105,992,160		105,992,160	-	-	-	-	-	-	-	-	105,992,160
State of ND - SRF	-	-	-	-	-	1,272,652		1,272,652	-	-	-	-	-	-	-	-	1,272,652
Cass County Joint Water Resource District	-	-	-	-	28,630,991			28,630,991	-	-	-	-	-	-	-	-	28,630,991
Other Agencies	706,805	-	-	-	-			706,805	-	-	-	-	-	-	-	-	706,805
City of Osborn MOU Repayment	1,586,436	-	358,178	878,020	122,038			2,944,671	-	-	-	-	-	-	-	-	2,944,671
Reimbursements	78,599	27,396	22,600	40,007	52,055	18,930		239,587	-	-	-	-	-	-	-	-	239,587
Lease/Rental Payments	967,151	527,903	653,883	802,745	622,459	111,827		3,685,967	-	-	-	-	-	-	-	-	3,685,967
Asset Sales	1,222,335	-	-	13,234	1,802,265	1,348,132		4,385,967	-	-	-	-	-	-	-	-	4,385,967
Interest income	1,950,157	1,246,875	1,885,896	1,152,843	1,011,554	1,377,312	0	7,179,638	-	-	-	-	-	-	-	-	7,179,638
Miscellaneous	3,479	556	651	7,336	1,917	14,210		1,917	659,570	1,254,176	116,250	2,029,996	-	-	-	-	2,044,206
Total Revenues	498,851,246	55,485,032	78,049,884	118,600,091	137,683,563	186,481,307	0	1,075,151,124	659,570	1,254,176	116,250	2,029,996	-	-	-	-	1,077,181,120
Expenditures																	
7905 Army Corp Payments	53,159,000	-	-	-	-	-		53,159,000	-	-	-	-	-	-	-	-	53,159,000
7910 WIK - Administration	2,006,449	849,081	1,201,725	2,068,489	2,650,150	2,206,857	29,310	11,012,060	697,145	1,009,970	2,240	1,709,355	-	-	-	-	12,721,415
7915 WIK - Project Design	28,398,585	2,142,880	2,516,133	3,258,835	2,261,337	2,001,860		40,579,630	-	-	-	-	-	-	-	-	40,579,630
7920 WIK - Project Management	45,205,351	6,817,589	8,326,357	10,369,118	13,629,756	15,558,037		97,906,118	-	-	-	-	-	-	-	-	97,906,118
7925 WIK - Recreation	163,223	-	40,000	-	75,000	-		278,223	-	-	-	-	-	-	-	-	278,223
7930 LERRDS - North Dakota	170,376,168	8,114,895	30,223,861	66,942,804	42,321,398	53,424,101		371,403,228	-	-	-	-	-	-	-	-	371,403,228
7931 LERRDS - Minnesota	2,202,937	4,914	5,352	2,769,551	3,832,050	4,517,060		13,331,865	-	-	-	-	-	-	-	-	13,331,865
7940 WIK Mitigation - North Dakota	843,506	69,283	12,357	97,512	35,279,546	57,777		36,359,981	-	-	-	-	-	-	-	-	36,359,981
7941 WIK Mitigation - Minnesota	-	-	-	-	112,271	357,080		469,350	-	-	-	-	-	-	-	-	469,350
7950 Construction - North Dakota	69,359,502	4,384,090	18,183,794	12,172,911	25,488,649	13,314,770	6,576,696	149,480,411	-	-	-	-	-	-	-	-	149,480,411
7951 Construction - Minnesota	-	-	-	-	-	210,000		210,000	-	-	-	-	-	-	-	-	210,000
7952 Construction - O/H/B	28,025,762	4,111,617	369,936	1,104,928	2,070,541	640,921		36,323,705	-	-	-	-	-	-	-	-	36,323,705
7955 Construction Management	10,172,430	296,092	685,741	444,536	180,481	123,489		11,902,768	-	-	-	-	-	-	-	-	11,902,768
7980 Operations & Maintenance	34,941	41,493	35,328	79,049	2,971	-		193,782	-	-	-	-	-	-	-	-	193,782
7990 Project Financing	14,762,103	9,879,405	11,434,046	12,017,311	14,236,187	8,839,196	16,974	71,185,223	-	-	-	-	-	-	-	-	71,185,223
7995 Project Eligible - Off Formula Costs	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	-
7999 Non Federal Participating Costs	221,684	-	-	-	-	-		221,684	-	-	-	-	-	-	-	-	221,684
Total Expenditures	424,931,551	36,711,339	73,034,630	111,400,046	142,065,336	99,251,147	6,622,980	894,017,029	697,145	1,009,970	2,240	1,709,355	-	-	-	-	895,726,384
Other Financing Sources (Uses)																	
Transfers From Other Diversion Funds	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	-
7998 Transfers to Other Diversion Funds	-	-	-	-	659,566	1,250,000	116,250	2,025,816	-	-	-	-	-	-	-	-	2,025,816
Total Other Financing Sources (Uses)	-	-	-	-	659,566	1,250,000	116,250	2,025,816	-	-	-	-	-	-	-	-	2,025,816

FM Metropolitan Area Flood Risk Management Project
Statement of Net Position
1.31.2023

	FM Diversion Project Fund	Budget Fund	Grand Total
Assets			
Cash	\$ 157,488,555	\$ 320,641	\$ 157,809,196
Cash Horace 3.01 MIT	5,028,941	-	5,028,941
Cash Held In Trust at BND			
Excess Revenue Fund	264,032	-	264,032
Temp Debt Obligation Fund	288,112	-	288,112
Authority Loan Fund	8,522	-	8,522
P3 Reserve Fund	16,129,157	-	16,129,157
SRF Loan Reserve Fund	2,283,750		2,283,750
Revenue Fund	456		456
Prepaid Expense	223,728	-	223,728
Total assets	181,715,254	320,641	182,035,895
Liabilities			
Vouchers payable	2,415,118	-	2,415,118
Retainage payable	160,632	-	160,632
Rent Deposit	19,725	-	19,725
Deferred Revenue	11,500		11,500
Total liabilities	2,606,976	-	2,606,976
NET POSITION	\$ 179,108,278	\$ 320,641	\$ 179,428,919

Data Through Date: Friday, January 27, 2023

Summary Of Expenses
EXP-2023-01

Monday, February 13, 2023

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.11-00	1/5/2023	324664	Cass County Government	\$76,274.50	DIVERSION PAYROLL EXP	V00106	ED & STAFF-PR/ADMIN EXP
Full Time Staff / Salaries				\$76,274.50			
770-7910-429.20-01	1/5/2023	324664	Cass County Government	\$6,412.00	DIVERSION PAYROLL EXP	V00106	ED & STAFF-PR/ADMIN EXP
Employee Benefits / Health Insurance				\$6,412.00			
770-7910-429.20-03	1/5/2023	324664	Cass County Government	\$200.00	DIVERSION PAYROLL EXP	V00106	ED & STAFF-PR/ADMIN EXP
Employee Benefits / Dental Insurance				\$200.00			
770-7910-429.21-01	1/5/2023	324664	Cass County Government	\$2,416.88	DIVERSION PAYROLL EXP	V00106	ED & STAFF-PR/ADMIN EXP
Employee Benefits / Social Security				\$2,416.88			
770-7910-429.21-02	1/5/2023	324664	Cass County Government	\$1,080.71	DIVERSION PAYROLL EXP	V00106	ED & STAFF-PR/ADMIN EXP
Employee Benefits / Medicare				\$1,080.71			
770-7910-429.22-07	1/5/2023	324664	Cass County Government	\$9,351.24	DIVERSION PAYROLL EXP	V00106	ED & STAFF-PR/ADMIN EXP
Pension Benefits / Retirement				\$9,351.24			
770-7910-429.33-37	1/19/2023	325009	HighRoad Partners, LLC	\$600.00	JANUARY HR PARTNER FEES	V09701	HR SERVICES
Other Services / HR Services				\$600.00			
770-7910-429.34-15	1/5/2023	324713	Marco Technologies	\$3,273.60	DIVERSION IT SERVICES	V10301	SERVICE AGREEMENT - IT
	1/19/2023	325025	Marco Technologies	\$2,218.12	DIVERSION IT SERVICES	V10301	SERVICE AGREEMENT - IT
	1/26/2023	325179	Marco Technologies	\$1,639.52	MARCO SERVICE AGREE IT SR	V10301	SERVICE AGREEMENT - IT
Technical Services / Computer Services				\$7,131.24			
770-7910-429.53-20	1/5/2023	324664	Cass County Government	\$1,219.66	DIVERSION MISC EXPENSES	V00106	ED & STAFF-PR/ADMIN EXP
Communications / Cellular Phone Service				\$1,219.66			
770-7910-429.57-60	1/5/2023	324664	Cass County Government	\$2,899.58	DIVERSION MISC EXPENSES	V00106	ED & STAFF-PR/ADMIN EXP
Out of State Travel / Out of State Travel Exp				\$2,899.58			
770-7910-429.59-21	1/5/2023	324664	Cass County Government	\$710.00	DIVERSION MISC EXPENSES	V00106	ED & STAFF-PR/ADMIN EXP
Education / Seminar & Conf. Outstate				\$710.00			
770-7910-429.61-10	1/5/2023	324664	Cass County Government	\$330.21	DIVERSION MISC EXPENSES	V00106	ED & STAFF-PR/ADMIN EXP
General Supplies / Office Supplies				\$330.21			

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EXP-2023-01

Monday, February 13, 2023

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.68-30	1/5/2023	324664	Cass County Government	\$107.45	DIVERSION MISC EXPENSES	V00106	ED & STAFF-PR/ADMIN EXP
Miscellaneous / Meeting Incidentals				\$107.45			
770-7910-429.74-12	1/5/2023	324664	Cass County Government	\$6,138.99	DIVERSION MISC EXPENSES	V00106	ED & STAFF-PR/ADMIN EXP
Capital Outlay / Computer Software				\$6,138.99			
770 Subtotal				\$114,872.46			
790-7910-429.33-25	2/5/2023	1000	OHNSTAD TWICHELL PC	\$60,182.50	OHNSTAD TWICHELL PC	V00102	General & Admin. WIK
Other Services / Legal Services				\$60,182.50			
790-7910-429.34-20	1/12/2023	324779	C THREE MEDIA, LLC	\$9,916.81	DIVERSION VIDEOGRAPHY	V08601	VIDEOGRAPHY
	1/26/2023	325165	Michael H Klein	\$3,538.29	TASK ORDER 1 DEC SERVICES	V07201	COMMUNICATION CONSULTING
	1/26/2023	325190	Neon Loon Communications, LL	\$13,657.50	DEC COMMUNICATION SUPPORT	V09601	COMMUNICATIONS SUPPORT
	2/2/2023	325261	C THREE MEDIA, LLC	\$1,742.26	VIDEOGRAPHY SERVICES	V08601	VIDEOGRAPHY
Technical Services / Marketing / Public Relat.				\$28,854.86			
790-7910-429.34-40	1/5/2023	324685	Flint Group	\$22,438.75	DIVERSION WEBSITE DESIGN	V10201	WEBSITE DESIGN
	1/19/2023	325002	Flint Group	\$5,388.75	DIVERSION WEBSITE DESIGN	V10201	WEBSITE DESIGN
	1/19/2023	325002	Flint Group	\$150.00	DIVERSION WESITE DESIGN	V10201	WEBSITE DESIGN
Technical Services / Web Site Develop/Maintain				\$27,977.50			
790-7910-429.34-56	1/23/2023	ES01230	City of Fargo	\$16,974.40	FISCAL AGENT FEE - 01/23	V05902	MONTHLY FISCAL AGENT FEE
				\$16,974.40			
790-7910-429.38-68	1/26/2023	325137	GA Group, PC	\$4,000.00	MON CONTRACT SRVCE JAN 23	V07601	2021 GOVERNMENT RELATIONS
Other Services / Lobbyist				\$4,000.00			
790-7910-429.42-05	1/19/2023	324961	Ambassador, Inc.	\$925.00	JAN OFFICE CLEANING	V10501	JANITORIAL SERVICES
Cleaning Services / Custodial Services				\$925.00			
790-7910-429.43-50	1/26/2023	325087	Affinitext Inc	\$5,668.13	DOCUMENT MANAGEMENT SERV	V11001	DOCUMENT MGMT SERVICES
Repair and Maintenance / Maintenance Service Contract				\$5,668.13			
790-7910-429.57-60	1/26/2023	325182	MOORHEAD, CITY OF	\$2,595.79	REIMB TRAVEL-M CARLSON	V00102	General & Admin. WIK
Out of State Travel / Out of State Travel Exp				\$2,595.79			

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EXP-2023-01

Monday, February 13, 2023

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7915-429.33-05	1/12/2023	324828	HOUSTON-MOORE GROUP L	\$139,805.07	PROJECT MANAGEMENT	V01633	DESIGN & CONST. SUPPORT
	1/19/2023	324957	AECOM	\$22,811.28	CULTURAL RESOURCES INVEST	V01004	SEAI CULTURAL RES INVEST
	1/26/2023	325105	Cass Rural Water	\$63,204.30	ENG FEES & ADMIN	V05005	CASS RURAL WATER US MOU
Other Services / Engineering Services				\$225,820.65			
790-7915-429.33-25	1/26/2023	325105	Cass Rural Water	\$26,124.50	LEGAL & ADMIN FEES	V05008	CASS RURAL WATER MURA
Other Services / Legal Services				\$26,124.50			
790-7920-429.33-05	1/12/2023	324828	HOUSTON-MOORE GROUP L	\$38,363.18	PROJECT MANAGEMENT	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$38,363.18			
790-7920-429.33-79	1/19/2023	324978	CH2M Hill Engineers Inc	\$461,099.77	PROGRAM MGMT & SERVICES	V00211	CH2M HILL-6/2019-12/2021
	1/19/2023	324978	CH2M Hill Engineers Inc	\$605,308.65	SUPPORT SERVICES	V00212	P3 PROCUREMENT SUPPORT
	1/19/2023	325045	MOORE ENGINEERING INC	\$1,149.38	REIMB MOORE ENG INVOICE	V02421	OXBOW MOU-MOORE PROJ MG
Other Services / Construction Management				\$1,067,557.80			
790-7930-429.33-05	1/12/2023	324828	HOUSTON-MOORE GROUP L	\$18,122.38	PROJECT MANAGEMENT	V01633	DESIGN & CONST. SUPPORT
	1/19/2023	324956	ADVANCED ENGINEERING I	\$180,770.05	DIVERSION ENGINEERING SER	V00302	PROGRAM MGMT SERVICES
	1/19/2023	324979	MOORE ENGINEERING INC	\$17,995.00	REIMB MOORE ENG INVOICE	V10601	CITY OF CHRISTINE MOU
Other Services / Engineering Services				\$216,887.43			
790-7930-429.33-79	1/19/2023	324978	CH2M Hill Engineers Inc	\$17,657.48	PROPERTY ACQUISITION	V00210	CH2M HILL-LAND ACQUISITON
Other Services / Construction Management				\$17,657.48			
790-7930-429.52-70	1/19/2023	325078	Watts and Associates, Inc.	\$5,072.95	CROP LOSS PROGRAM	V06901	CROP INSURANCE DEVELOPMN
Insurance / Crop Insurance				\$5,072.95			
790-7930-429.73-20	1/19/2023	325063	Schmidt and Sons Inc.	\$74,952.50	SHED/BIN/TANK REMOVAL	V03805	WP50F-STRUCTURE MITIGATIO
Infrastructure / Site Improvements				\$74,952.50			
790-7931-429.73-20	1/19/2023	325063	Schmidt and Sons Inc.	\$66,800.00	SHED/BIN/TANK REMOVAL	V03805	WP50F-STRUCTURE MITIGATIO
Infrastructure / Site Improvements / Demo				\$66,800.00			

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790-7941-429.33-05	1/19/2023	324980	MOORE ENGINEERING INC	\$4,836.25	REIMB MOORE ENG INVOICE	V10102	LAGOON
	1/26/2023	325101	BUFFALO-RED RIVER WATE	\$231.78	DIVERSION PROF SERVICES	V10801	GEORGETOWN-LEVEE CERTIFI
	1/26/2023	325101	BUFFALO-RED RIVER WATE	\$717.21	DIVERSION PROF SERVICES	V10901	WOLVERTON-FLOOD CONTROL
	1/26/2023	325101	HOUSTON ENGINEERING IN	\$21,421.75	DIVERSION PROF SERVICES	V10801	GEORGETOWN-LEVEE CERTIFI
	1/26/2023	325101	HOUSTON ENGINEERING IN	\$54,844.63	DIVERSION PROF SERVICES	V10901	WOLVERTON-FLOOD CONTROL
Other Services / Engineering Services				\$82,051.62			
790-7950-429.33-05	1/12/2023	324828	HOUSTON-MOORE GROUP L	\$10,548.22	PROJECT MANAGEMENT	V01633	DESIGN & CONST. SUPPORT
	2/3/2023	ES13220	City of Fargo	\$29,109.38	City of Fargo	V05405	LEVEE/FLOODWALL - BELMONT
	2/3/2023	ES13220	HOUSTON ENGINEERING IN	\$1,779.88	HOUSTON ENGINEERING INC	V05408	FLOOD MIT-ROYAL OAKS AREA
	2/3/2023	ES13220	HOUSTON ENGINEERING IN	\$1,816.25	HOUSTON ENGINEERING INC	V05426	RR EROSION-UNIV & 52ND AV
	2/3/2023	ES13220	HOUSTON ENGINEERING IN	\$939.95	HOUSTON ENGINEERING INC	V05410	FLOOD MIT-ELM CIRCLE AREA
	2/3/2023	ES13220	HOUSTON ENGINEERING IN	\$2,787.25	HOUSTON ENGINEERING INC	V05407	FLOOD MIT-RIVERWOOD ADDT
	2/3/2023	ES13220	HOUSTON ENGINEERING IN	\$33,313.27	HOUSTON ENGINEERING INC	V05406	DRAIN 27 LIFT STATION #56
	2/3/2023	ES13220	HOUSTON ENGINEERING IN	\$6,115.00	HOUSTON ENGINEERING INC	V05411	FLOOD MIT-OAK GROVE AREA
Other Services / Engineering Services				\$86,409.20			
790-7950-429.33-06	1/5/2023	324658	BRAUN INTERTEC CORP	\$114,907.25	MATERIALS TESTING	V00406	TASK ORDER #4
	1/26/2023	325100	BRAUN INTERTEC CORP	\$26,175.35	MATERIALS TESTING	V00406	TASK ORDER #4
Other Services / Quality Testing				\$141,082.60			
790-7950-429.38-99	2/3/2023	ES13220	Simplifile LC	\$46.50	SIMPLIFILE LC	V05409	FLOOD MIT-WOODCREST DRIVE
Other Services / Other Services				\$46.50			
790-7950-429.41-05	1/26/2023	325105	Cass Rural Water	\$29.70	CCRW DIVERSION INLET NOV	V05006	DIVERSION INLET UTILITY
	2/3/2023	ES13220	City of Fargo	\$130.03	City of Fargo	V05418	FLOOD ACQUISITIONS
Utility Services / Water and Sewer				\$159.73			
790-7950-429.62-50	2/3/2023	ES13220	XCEL ENERGY-FARGO	\$70.19	XCEL ENERGY	V05418	FLOOD ACQUISITIONS
				\$70.19			
790-7950-429.62-51	2/3/2023	ES13220	XCEL ENERGY-FARGO	\$754.47	XCEL ENERGY	V05418	FLOOD ACQUISITIONS
				\$754.47			

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790-7950-429.73-52	1/19/2023	ES13220	Red River Valley Alliance LLC	\$500,000.00	RECORD WIRE MADE TO RRVA	V11401	P3 DEVELOPER PAYMENTS
	2/3/2023	ES13220	INDUSTRIAL BUILDERS INC	\$173,112.88	INDUSTRIAL BUILDERS INC	V05409	FLOOD MIT-WOODCREST DRIVE
	2/3/2023	ES13220	Linnco, Inc.	\$48,781.86	LINNCO, INC	V05412	DEMO - CITY WIDE
Infrastructure / Flood Control				\$721,894.74			
790-7950-429.73-58	2/3/2023	ES13220	City of Fargo	\$33,750.00	City of Fargo	V05419	STORM LIFT STATION #24
				\$33,750.00			
790-7950-429.73-62	2/3/2023	ES13220	City of Fargo	\$149,402.06	City of Fargo	V05405	LEVEE/FLOODWALL - BELMONT
				\$149,402.06			
790-7950-429.73-70	1/26/2023	325105	Cass Rural Water	\$4,163,320.00	UTILITY ADJUST WORK	V05008	CASS RURAL WATER MURA
	1/26/2023	325106	CENTURYLINK COMMUNIC	\$65,853.12	WILD RICE RELOCATION	V04803	100 PAIR CABLE INSTALL
	2/2/2023	325343	Magellan Pipeline	\$2,413,376.08	MEGELLAN PIPELINE REIMB	V07401	PIPELINE RELOCATION
Infrastructure / Utilities				\$6,642,549.20			
790-7950-429.74-10	2/3/2023	ES13220	City of Fargo	\$717.04	City of Fargo	V05405	LEVEE/FLOODWALL - BELMONT
				\$717.04			
790-7952-429.33-05	1/12/2023	324828	HOUSTON-MOORE GROUP L	\$1,317.00	PROJECT MANAGEMENT	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$1,317.00			
790-7955-429.33-05	1/12/2023	324828	HOUSTON-MOORE GROUP L	\$5,177.85	PROJECT MANAGEMENT	V02827	IN TOWN LEVY MAINTENANCE
Other Services / Engineering Services				\$5,177.85			
790-7959-429.33-05	2/3/2023	ES13220	HOUSTON ENGINEERING IN	\$94,354.00	HOUSTON ENGINEERING INC	V05431	STORM LIFT IMPROVEMENTS #4
				\$94,354.00			
790-7959-429.38-99	2/3/2023	ES13220	BRAUN INTERTEC CORP	\$331.00	P CARD BMO	V05430	STORM LIFT IMPROVEMENTS #1
				\$331.00			
790-7959-429.73-52	2/3/2023	ES13220	CC STEEL, LLC	\$23,779.10	CC STEEL, LLC	V05430	STORM LIFT IMPROVEMENTS #1
	2/3/2023	ES13220	INDUSTRIAL BUILDERS INC	\$395,514.45	INDUSTRIAL BUILDERS INC	V05409	FLOOD MIT-WOODCREST DRIVE
	2/3/2023	ES13220	Key Contracting Inc	\$622,547.35	KEY CONTRACTING INC	V05406	DRAIN 27 LIFT STATION #56
				\$1,041,840.90			

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790-7990-429.33-05	1/12/2023	324828	HOUSTON-MOORE GROUP L	\$50,723.24	PROJECT MANAGEMENT	V01633	DESIGN & CONST. SUPPORT
	1/26/2023	325095	BNSF RAILWAY CO	\$7,523.79	ENGINEERING SERVICES	V11101	PRELIMINARY ENGINEERING
Other Services / Engineering Services				\$58,247.03			
790-7990-429.33-25	2/5/2023	1000	OHNSTAD TWICHELL PC	\$18,525.00	OHNSTAD TWICHELL PC	V00102	General & Admin. WIK
Other Services / Legal Services				\$18,525.00			
790-7990-429.34-55	1/5/2023	324680	Ernst & Young	\$8,293.40	DIVERSION FIN ADVISORY	V03301	PPP FINANCL ADVISORY SVCS
Technical Services / Financial Advisor				\$8,293.40			
790-7990-429.34-57	1/26/2023	2240	BANK OF NORTH DAKOTA	\$16,974.00	BND TRUSTEE FEE - 01/2023	V08502	MONTHLY TRUSTEE FEE
	1/5/2023	359	BANK OF NORTH DAKOTA	\$16,480.00	BND TRUSTEE FEE 12/2022	V08502	MONTHLY TRUSTEE FEE
Technical Services / FMDA Trustee Fees BND				\$33,454.00			
790-7998-555.90-81	1/23/2023	ES01230	Diversion Admin Budget Transfe	\$0.00	ANNUAL ADMIN BDGT TRF-JAN	VADMIN	Diversion Administration
FMDA Admin. Budget Fund				\$0.00			
790 Subtotal				\$11,006,842.20			

Total Amount Invoiced this period:	\$11,121,714.66	
	\$0.00	Less Paid Retainage
	\$11,121,714.66	Total Less Paid Retainage

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Cummulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
LAND PURCHASE	\$294,216,241.42	\$294,216,241.42	\$0.00	Land Purchase
CH2M HILL ENGINEERS INC	\$152,843,307.12	\$99,966,330.69	\$52,876,976.43	Project & Construction Management
HOUSTON-MOORE GROUP LLC	\$89,418,161.73	\$64,647,994.65	\$24,770,167.08	Engineering Services
INDUSTRIAL BUILDERS INC	\$60,615,221.52	\$60,579,468.18	\$35,753.34	2nd St N Pump Station Project and 2nd St Floodwall, South of Pu
ARMY CORP OF ENGINEERS	\$53,159,000.00	\$53,159,000.00	\$0.00	Local Share
RICHLAND-WILKIN JPA	\$35,000,000.00	\$35,000,000.00	\$0.00	Economic Impact Relief Fund
NORTH DAKOTA PUBLIC FINANCE AUTHORIT	\$31,491,435.00	\$31,491,435.00	\$0.00	Debt Service
MEYER CONTRACTING	\$18,686,535.25	\$18,686,535.25	\$0.00	WP-43CD and Gatewell - PVD & Surcharge Installation
INDUSTRIAL CONTRACT SERVICES INC	\$18,419,743.64	\$18,419,743.64	\$0.00	4th St Pump Station and 2nd Street Floodwall
OHNSTAD TWICHELL PC	\$17,980,708.15	\$17,980,708.15	\$0.00	Legal Services
ADVANCED ENGINEERING INC	\$14,452,673.31	\$9,396,996.01	\$5,055,677.30	Lands Management and Public Outreach
KEY CONTRACTING INC	\$12,909,518.42	\$12,909,518.42	\$0.00	FM1413 - Oakcreek and Copperfield Court Levee
WELLS FARGO	\$11,607,080.05	\$11,607,080.05	\$0.00	Debt Service
DORSEY & WHITNEY LLP	\$11,166,442.49	\$11,166,442.49	\$0.00	Legal Services
DAKOTA UNDERGROUND	\$11,141,625.69	\$11,141,625.69	\$0.00	Utility Relocation
LANDSCAPES UNLIMITED	\$11,007,612.78	\$11,007,612.78	\$0.00	Golf Course Construction - Oxbow Country Club
OKEEFE, OBRIAN, LYSON & FOSS LTD	\$9,962,512.68	\$9,962,512.68	\$0.00	FLDBUY - COF Flood Home Buyouts
CITY OF FARGO	\$6,942,679.37	\$6,937,040.62	\$5,638.75	Utility Relocation, Accounting Svcs, Interest on Deficit Funds
MOORE ENGINEERING INC	\$6,501,559.04	\$5,759,614.25	\$741,944.79	Engineering Services
ASHURST LLP	\$6,352,853.01	\$6,352,853.01	\$0.00	PPP Legal Counsel
SRF CONSULTING GROUP	\$5,953,366.44	\$2,284,079.72	\$3,669,286.72	Engineering Services
NUSTAR PIPELINE OPERATING PARTNERSHIP	\$5,836,208.35	\$5,819,359.23	\$16,849.12	Utility Relocation
ERNST & YOUNG	\$5,377,000.00	\$5,003,678.20	\$373,321.80	P3 Financial Advisory Services
CASS RURAL WATER	\$5,257,621.72	\$5,235,314.72	\$22,307.00	Utilities and Utility Relocation
BRAUN INTERTEC CORP	\$4,730,021.08	\$1,082,135.01	\$3,647,886.07	Materials Testing
PROSOURCE TECHNOLOGIES, INC	\$4,198,291.71	\$2,944,759.13	\$1,253,532.58	Land Acquisition Services
HOUSTON ENGINEERING INC	\$3,860,378.08	\$3,860,378.08	\$0.00	Engineering Services

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Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
RILEY BROS	\$3,656,841.67	\$3,656,841.67	\$0.00	Construction - OHB Ring Levee & WP-28A
MAGELLAN PIPELINE	\$3,607,000.00	\$2,413,376.08	\$1,193,623.92	Utility Relocation
RED RIVER VALLEY & WESTERN RAILROAD C	\$3,589,388.46	\$3,589,388.46	\$0.00	Railroad Facilities and the Rail Property
CENTURYLINK COMMUNICATIONS	\$3,577,225.67	\$3,577,225.57	\$0.10	Utility Relocation
PLENARY AMERICAS USA LTD	\$3,000,000.00	\$3,000,000.00	\$0.00	Stipend Payment for P3 RFP
SELLIN BROS INC	\$2,791,426.92	\$2,791,426.92	\$0.00	Riverwood Flood Risk Project - Construction
MINNESOTA DNR	\$2,636,755.60	\$2,617,681.40	\$19,074.20	EIS Scoping and Permit Application
CASS COUNTY GOVERNMENT	\$2,602,514.60	\$2,602,514.60	\$0.00	Gravel on County Rd 17 Bypass
CROWN APPRAISALS	\$2,393,455.00	\$1,613,230.00	\$780,225.00	Flowage Easements Valuation and Appraisal Services
OXBOW, CITY OF	\$2,383,317.16	\$2,383,317.16	\$0.00	OXBOW MOU - LAND ADVANCE
SCHMIDT AND SONS INC.	\$2,357,975.23	\$1,408,004.36	\$949,970.87	Residential Demolition in Oxbow
LANDWEHR CONSTRUCTION INC	\$2,304,622.16	\$2,304,622.16	\$0.00	In-Town and WP-43 Demolition Contracts
HDR ENGINEERING, INC.	\$2,192,783.68	\$1,428,673.31	\$764,110.37	Engineering Services
HOUGH INC	\$2,088,832.83	\$2,088,832.83	\$0.00	Construction WP-42F.2 and Oxbow River Intake & Pumping Syst
PROGRAM ADVISOR SERVICES, LLC	\$2,006,282.87	\$1,430,907.87	\$575,375.00	Program Consulting Services
ACONEX (NORTH AMERICA) INC	\$1,970,927.50	\$1,507,604.59	\$463,322.91	Electronic Data Mgmt and Record Storage System
CASS COUNTY ELECTRIC COOPERATIVE	\$1,854,449.01	\$1,153,633.31	\$700,815.70	Electrical Services
URS CORPORATION	\$1,805,670.90	\$1,805,670.90	\$0.00	Cultural Resources Investigations
ULTEIG ENGINEERS INC	\$1,744,157.63	\$1,316,432.79	\$427,724.84	Land Acquisition Services
REINER CONTRACTING INC	\$1,599,646.21	\$1,599,646.21	\$0.00	El Zagal Flood Risk Management
UNITED STATES GEOLOGICAL SURVEY	\$1,332,840.00	\$151,520.00	\$1,181,320.00	Water Level Discharge Collection & Stage Gage Installation
AECOM	\$1,283,995.14	\$714,541.46	\$569,453.68	Cultural Resources Investigations
CASS COUNTY TREASURER	\$1,264,426.56	\$1,264,426.56	\$0.00	Property Taxes
US BANK	\$1,205,546.13	\$1,205,546.13	\$0.00	Loan Advance Debt Service Payments
CASS COUNTY JOINT WATER RESOURCE DI	\$1,185,308.69	\$1,185,308.69	\$0.00	O/H/B Ring Levee, DPAC, Postage, Miscellaneous
XCEL ENERGY-FARGO	\$1,167,158.60	\$1,120,558.60	\$46,600.00	Utility Relocation
CONSOLIDATED COMMUNICATIONS	\$1,073,621.75	\$1,073,621.75	\$0.00	Utility Relocation

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Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
KPH, INC.	\$1,025,640.12	\$1,025,640.12	\$0.00	WP-43D5 Construction
MINNKOTA POWER COOPERATIVE	\$976,706.39	\$235,110.14	\$741,596.25	Utility Relocation
CLERK OF DISTRICT COURT	\$939,044.32	\$939,044.32	\$0.00	FLDBUY - COF Flood Home Buyouts
TERRACON CONSULTING ENGINEERS	\$887,718.41	\$887,718.41	\$0.00	Materials Testing
COMPASS LAND CONSULTANTS, INC	\$807,815.00	\$627,389.43	\$180,425.57	Property Appraisal Services
UNITED STATES ENVIRONMENTAL PROTECTI	\$736,686.35	\$736,686.35	\$0.00	WIFIA LOAN APPLCATION FEE
DAKOTA CARRIER NETWORK	\$727,348.58	\$727,348.58	\$0.00	Utility Relocation
ERIK R JOHNSON & ASSOCIATES	\$683,222.23	\$683,222.23	\$0.00	Legal Services
PATCHIN MESSNER VALUATION COUNSELORS	\$662,575.00	\$380,925.00	\$281,650.00	Property Appraisal Services
METROPOLITAN COUNCIL OF GOVERNMENTS	\$637,390.01	\$637,390.01	\$0.00	Digital Aerial Photography
MASTER CONSTRUCTION CO INC	\$623,953.29	\$623,953.29	\$0.00	Flood Mitigation - Royal Oaks Area - Construction
DUCKS UNLIMITED	\$587,180.00	\$587,180.00	\$0.00	Wetland Mitigation Credits
AT&T	\$586,269.60	\$586,269.60	\$0.00	Utility Relocation
LARKIN HOFFMAN ATTORNEYS	\$573,356.97	\$573,356.97	\$0.00	Legal Services
RED RIVER VALLEY COOPERATIVE ASSOC	\$546,701.98	\$336,701.98	\$210,000.00	Electricity - Home Buyouts
LINNCO, INC.	\$534,003.11	\$534,003.11	\$0.00	House Demo and Removal
MIDCONTINENT COMMUNICATIONS	\$527,490.41	\$527,490.41	\$0.00	Utility Relocation
RED RIVER BASIN COMMISSION	\$501,000.00	\$501,000.00	\$0.00	Retention Projects - Engineering Services
RED RIVER VALLEY ALLIANCE LLC	\$500,000.00	\$500,000.00	\$0.00	P3 Developer payments
HOFFMAN & MCNAMARA CO.	\$493,179.39	\$487,184.67	\$5,994.72	General Landscaping and Planting (WP-42G)
BUFFALO-RED RIVER WATERSHED DISTRICT	\$472,516.99	\$472,516.99	\$0.00	Retention Projects - Engineering Services
ROBERT TRENT JONES	\$440,431.73	\$440,431.73	\$0.00	Oxbow MOU - Golf Course Consulting Agreement
NEON LOON COMMUNICATIONS, LLC	\$436,026.00	\$163,745.00	\$272,281.00	Communications Support
MBA	\$380,636.36	\$380,636.36	\$0.00	Golf course and pump house - Oxbow Country Club
BEAVER CREEK ARCHAEOLOGY	\$369,370.25	\$369,370.25	\$0.00	Engineering Services
BNSF RAILWAY CO	\$362,925.00	\$310,448.79	\$52,476.21	Permits for In-Town Levee Projects
NDSU BUSINESS OFFICE-BOX 6050	\$356,145.00	\$356,145.00	\$0.00	Ag Risk Study Services

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Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
WATTS AND ASSOCIATES, INC.	\$350,000.00	\$266,507.81	\$83,492.19	Crop insurance product development services
MVM CONTRACTING	\$339,448.03	\$339,448.03	\$0.00	Fiber Relocation
SWANSON HEALTH PRODUCTS, INC.	\$337,059.00	\$337,059.00	\$0.00	FM1471 - Storm Lift Stations #55 and #56 - Drain 27
BANK OF NORTH DAKOTA	\$333,659.04	\$333,659.04	\$0.00	Legal review fees
AON RISK SERVICES CENTRAL INC	\$330,000.00	\$249,894.75	\$80,105.25	Risk Advisory Services P3 Pre-Award
DFI BRIDGE CORPORATION	\$316,211.21	\$316,211.21	\$0.00	Bridge Construction - Oxbow Country Club
FEDERAL STEEL SUPPLY, INC.	\$307,378.00	\$307,378.00	\$0.00	OHB - 42 inch steel pipe
DIRT DYNAMICS	\$301,332.37	\$301,332.37	\$0.00	HD18A1 - Oakcreek, Copperfield & Univerisy - Demo
C THREE MEDIA, LLC	\$294,510.00	\$170,418.56	\$124,091.44	Videography Services
GARY KILLEBREW	\$279,500.00	\$279,500.00	\$0.00	Project Manager Services - Oxbow Country Club
TURMAN & LANG	\$277,139.55	\$277,139.55	\$0.00	Legal Services
MOODYS INVESTORS SERVICE, INC.	\$274,375.00	\$274,375.00	\$0.00	WIFIA loan fees
INTEGRA REALTY RESOURCES	\$267,300.00	\$257,750.00	\$9,550.00	Property Appraisal Services
702 COMMUNICATIONS	\$266,892.07	\$266,892.07	\$0.00	Utility Relocation
SPRINT COMMUNICATIONS COMPANY L.P.	\$256,409.37	\$256,409.37	\$0.00	Fiber Optic Relocation for WP-43CD
PR FOR GOOD, INC	\$242,482.28	\$242,482.28	\$0.00	Communications Support Services
FREDRIKSON & BYRON, PA	\$241,881.28	\$241,881.28	\$0.00	Lobbying Services
NORTHERN IMPROVEMENT COMPANY	\$235,531.95	\$235,531.95	\$0.00	CR-17 asphalt paving
GRAY PANNELL & WOODWARD LLP	\$231,300.68	\$231,300.68	\$0.00	Legal Services
WILLIAM D. SCEPANIAC, INC.	\$226,235.21	\$226,235.21	\$0.00	ROADWAY RESHAPING & AGGREGATE SURFACING
FORUM COMMUNICATIONS	\$223,433.76	\$223,433.76	\$0.00	Advertising Services
PLEASANT TOWNSHIP	\$208,207.85	\$208,207.85	\$0.00	Building Permit Application
AMERICAN ENTERPRISES, INC.	\$200,281.00	\$200,281.00	\$0.00	Construction/Demolition
CITY OF OXBOW MOU	\$200,000.00	\$200,000.00	\$0.00	Oxbow Park Relocation MOU Amendment
DAWSON INSURANCE AGENCY	\$198,197.18	\$198,197.18	\$0.00	Property Insurance - Home Buyouts
EXECUTIVE MANAGEMENT SYSTEMS, INC.	\$196,763.96	\$196,763.96	\$0.00	Executive Coaching
MICHAEL H KLEIN	\$189,965.25	\$69,171.10	\$120,794.15	Communications Support

Data Through Date: Friday, January 27, 2023

Cummulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
SERKLAND LAW FIRM	\$185,470.21	\$185,470.21	\$0.00	Legal services
CLAY COUNTY AUDITOR	\$180,495.34	\$180,495.34	\$0.00	Property Taxes - MN
MAPLETON, CITY OF	\$179,605.00	\$61,416.07	\$118,188.93	Prelim Engineering Services
SPRINGSTED INCORPORATED	\$178,010.15	\$178,010.15	\$0.00	Financial Advisor
KADRMAS LEE & JACKSON, INC.	\$176,164.00	\$176,164.00	\$0.00	Engineering Services
MUNICIPAL AIRPORT AUTHORITY	\$166,981.00	\$166,981.00	\$0.00	Easement for Airport
SOIL BORINGS	\$166,232.50	\$166,232.50	\$0.00	Soil Borings
CC STEEL, LLC	\$164,031.24	\$164,031.24	\$0.00	Lift Station Improvements
GA GROUP, PC	\$156,229.32	\$112,229.32	\$44,000.00	Government Relations
PFM PUBLIC FINANCIAL MANAGEMENT	\$146,460.00	\$146,460.00	\$0.00	Financial Advisor
S&P GLOBAL RATINGS	\$145,625.00	\$145,625.00	\$0.00	Ratings Evaluation Service
DAILY NEWS	\$143,075.16	\$143,075.16	\$0.00	Advertising Services
CHAPMAN AND CUTLER	\$140,000.00	\$140,000.00	\$0.00	Legal Services
QUANTUM SPATIAL, INC.	\$139,061.35	\$139,061.35	\$0.00	Digital Aerial Photography
SENTRY SECURITY, INC.	\$121,212.85	\$121,212.85	\$0.00	Security Services
AFFINITEXT INC	\$118,630.00	\$68,168.13	\$50,461.87	Document Management Services
ENVENTIS	\$115,685.62	\$115,685.62	\$0.00	Utility Relocation
GE BOCK REAL ESTATE, LLC	\$112,590.00	\$112,590.00	\$0.00	Property Appraisal Services
OXBOW COUNTRY CLUB	\$110,391.68	\$110,391.68	\$0.00	Golf Course - Oxbow
EIDE BAILLY LLP	\$108,373.00	\$81,311.25	\$27,061.75	Audit Services
TINJUM APPRAISAL COMPANY, INC.	\$108,050.00	\$80,300.00	\$27,750.00	Property Appraisal Services
MAPLETON TOWNSHIP	\$108,030.00	\$108,030.00	\$0.00	Lost tax revenue and attorney fees
DAVID CLARDY	\$105,215.05	\$105,215.05	\$0.00	Home buyouts - easement
131 Vendors	Report Totals: \$994,540,413.02	\$891,969,536.12	\$102,570,876.90	

METRO FLOOD DIVERSION AUTHORITY

Monday, February 13, 2023

Data Through Date: Friday, January 27, 2023

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
BIOGEO	423	211	131	81%	81	\$1,073,981
BIOGEO	293	210	2	72%	81	\$302,296
HC	130	1	129	100%	0	\$771,685
CHANNEL	685	441	211	95%	33	\$100,992,791
ENV	1	0	0	0%	1	\$0
HC	218	7	211	100%	0	\$3,834,311
LAP01	132	120	0	91%	12	\$7,940,780
LAP02	97	92	0	95%	5	\$13,290,584
LAP03	81	66	0	81%	15	\$24,371,813
LEGACY	155	155	0	100%	0	\$51,554,054
SheyMit	1	1	0	100%	0	\$1,250
MOBILITY	123	0	1	1%	122	\$0
DA_MOB37_MN	51	0	0	0%	51	\$0
DA_MOB37_ND	19	0	0	0%	19	\$0
DA_MOB38TH	52	0	0	0%	52	\$0
HC	1	0	1	100%	0	\$0
NA	7	0	7	100%	0	\$0
HC	7	0	7	100%	0	\$0
SEAILAND	364	271	35	84%	58	\$53,062,102
DRAIN 27	37	33	0	89%	4	\$14,978,149
HC	36	1	35	100%	0	\$124,206
LEGACY	65	65	0	100%	0	\$10,032,009
SE_I29	10	10	0	100%	0	\$3,887,958
SE-1	43	40	0	93%	3	\$2,675,351
SE-2A	13	13	0	100%	0	\$3,369,529
SE-2B	52	35	0	67%	17	\$6,672,115
SE-3	7	6	0	86%	1	\$25,000
SE-4	28	14	0	50%	14	\$1,874,287
SE-5	16	0	0	0%	16	\$2,750
UMA	2	0	0	0%	2	\$500
WP26	9	8	0	89%	1	\$2,952,107
WP30	8	8	0	100%	0	\$0
WP35	38	38	0	100%	0	\$6,468,141
Sheyenne Mitigatio	3	0	0	0%	3	\$0
SheyMit	3	0	0	0%	3	\$0

METRO FLOOD DIVERSION AUTHORITY

Monday, February 13, 2023

Data Through Date: Friday, January 27, 2023

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
WP36	2	0	0	0%	2	\$2,750
WRDAM	2	0	0	0%	2	\$2,750
WP38	1,018	173	355	52%	490	\$45,241,696
BIOGEO	2	2	0	100%	0	\$4,500
HC	357	2	355	100%	0	\$1,283,123
LEGACY	1	1	0	100%	0	\$750
UMA	568	168	0	30%	400	\$43,953,323
UMA-C	34	0	0	0%	34	\$0
UMA-C2	14	0	0	0%	14	\$0
UMA-C3	3	0	0	0%	3	\$0
UMA-W	24	0	0	0%	24	\$0
UMA-W2	8	0	0	0%	8	\$0
UMA-W3	7	0	0	0%	7	\$0
WP40	18	6	10	89%	2	\$48,923
DRAYTON	7	5	0	71%	2	\$48,923
HC	10	0	10	100%	0	\$0
LEGACY	1	1	0	100%	0	\$0
WP42	66	50	3	80%	13	\$37,850,061
HC	4	1	3	100%	0	\$0
LEGACY	6	6	0	100%	0	\$18,014,935
WP42A1A3	8	5	0	63%	3	\$376,008
WP42A2	2	2	0	100%	0	\$0
WP42C1	4	3	0	75%	1	\$0
WP42C2	2	1	0	50%	1	\$9,948,373
WP42F1N	2	2	0	100%	0	\$27,000
WP42F1S	13	11	0	85%	2	\$5,852,463
WP42H1	4	4	0	100%	0	\$76,000
WP42H2	8	8	0	100%	0	\$2,463,170
WP42I2	13	7	0	54%	6	\$1,092,111

Data Through Date: Friday, January 27, 2023

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
WP43	265	119	146	100%	0	\$78,542,485
Non-OIN Hard Land Cost	0	0	0	0%	0	\$22,598,547
HC	146	0	146	100%	0	\$500
LEGACY	4	4	0	100%	0	\$2,422,914
WP43A	1	1	0	100%	0	\$0
WP43B	6	6	0	100%	0	\$676,953
WP43C	74	74	0	100%	0	\$45,142,769
WP43D	20	20	0	100%	0	\$6,437,831
WP43D5	5	5	0	100%	0	\$1,175,055
WP43G	9	9	0	100%	0	\$87,915
Totals	2,974	1,271	899	73%	804	\$316,814,788

FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of January 31, 2023

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Commercial Relocations - Fargo		16,099,989.70	-	16,300,462.10	(1,100.00)	32,399,351.80
Home Buyouts - Fargo		3,044,054.89	-	521,417.80	-	3,565,472.69
Home Buyouts - Moorhead		495,809.91	-	84,060.80	(8,440.00)	571,430.71
Home Buyouts - Oxbow		29,678,181.97	-	17,142,531.46	(368,167.87)	46,452,545.56
Home Buyouts - Hickson		1,031,674.37	-	120,422.18	-	1,152,096.55
Home Buyouts - Horace		7,603,598.67	-	595,320.88	-	8,198,919.55
Home Buyouts - Argusville		215,030.91	-	6,912.57	-	221,943.48
Easements - Fargo		504,716.00	-	-	-	504,716.00
Easements - Hickson		500.00	-	-	-	500.00
Easements - Oxbow		55,500.00	-	-	-	55,500.00
Easements - Diversion Inlet Control Structure		4,234,581.90	-	-	-	4,234,581.90
Easements - Piezometer		259,765.00	-	-	-	259,765.00
Easements - Minesota		1,542,370.79	-	-	-	1,542,370.79
Farmland Purchases		252,223,624.26	-	5,109,571.44	(4,073,199.21)	127,062,197.09
Land Purchases		126,651,362.49	-	2,563,701.41	(2,179,866.81)	127,062,197.09
The South Half of Government Lot 2 and all of Government Lots 3 and 5 of Section 18, in Township 137 North of Range 48 West of the Fifth Principal Meridian, Cass County, North Dakota, including all of Paul Bunyan Subdivision, part of Government Lots 2 and 3, Section 18, Township 137 North of Range 48 West AND Lot 5 Block 1, Babes's Addition, part of government lots 2 and 3 Section 18, Township 137 North, Range 48 West AND Lot 4, Block 1 Babe's Addition, part of Government lots 2 and 3, Section 18, Township 137 North, Range 48 West	2/3/2022	1,534,029.19				1,534,029.19

FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of January 31, 2023

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
The Northeast Quarter of Section Three, in Township One Hundred Thirty-seven North of Range Forty-nine West of the Fifth Principal Meridian	2/3/2022	1,711,111.25				1,711,111.25
That part of the East Half of the East Half of the Northwest Quarter of section 32, Township 138 North, Range 49 West of the Fifth Principal Meridian	3/10/2022	646,140.00				646,140.00
That part of Auditor's Lot No. 1 of the Southeast Quarter of Section 28, Township 138 North, Range 49 West of the Fifth Principal Meridian	3/10/2022	241,950.00				241,950.00
East half o the NW Quarter Section 11 in Township 137 North of Range 49 West of the Fifth Principal Meridian	3/10/2022	420,165.00				420,165.00
Part of Section 17, Township 137 North, Range 48 West of the Fifth Principal	3/31/2022	500.00				500.00
North Half of the Southeast Quarter, of Section 32, Township 138, Range 49, Cass County, North Dakota	5/12/2022	538,600.00				538,600.00
Southwest Quarter of Section 28, Township 138, Range 49 West of Fifth Principle Meridian, in the City of Fargo, Cass County North Dakota	6/16/2022	1,785,201.00				1,785,201.00
NW1/4 SW1/4 of Section 29, Township 137, Range 48, Cass County, Minnesota	6/2/2022	1,663,199.31				1,663,199.31
Government Lots 4 and 5 in Section 6, Township 137, Range 48, Clay County, Minnesota	6/2/2022	23,524.00			(85,374.41)	(61,850.41)
That part of the SE¼SW¼ of Section 22, Township 137 North of Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, described as: Commencing at the Southeast corner of the Southwest Quarter of Section 22; thence West along the South line of Section 22 a distance of 10 rods to the point of beginning; thence North parallel to the West line of Section 22, 40 rods; thence West parallel to the South line of Section 22 to the center of the Wild Rice River; thence left upstream along the center line of the Wild Rice River Cass County Joint Water Resource District Upstream Mitigation Area Purchase Agreement— Graham OIN No. 858 — Parcel No. 57-0000-10350-017 Page 2 to a point of intersection with the South line of Section 22; thence east along the South line of Section 22 to the point of beginning.	9/1/2022	521173.1				521,173.10
Lot 1, Block 1, of Sauvageau Subdivision, a portion of Section 4, Township 137 North, Range 49 West, Pleasant Township, Cass County, North Dakota.	9/1/2022	369,108.46				369,108.46
Part of NW 1/4, 4-137-49 Cass County ND	11/3/2022	2,020,662.70				
		316,989,398.37	-	39,880,699.23	(4,450,907.08)	352,419,190.52
				Property Management Expense		4,236,228.76
				Grand Total	\$	356,655,419.28

**FM Metropolitan Area Flood Risk Management Project
In-Town Levee Work
as of January 31, 2023**

Vcode #	Vendor Name	Descriptions	Contract Amount	Amount Paid
V02801	Industrial Builders	WP42.A2 - 2nd Street North Pump Station	\$ 8,696,548.46	\$ 8,696,548.46
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	\$ 884,070.41	\$ 884,070.41
V02803	Consolidated Communications	2nd Street Utility Relocation	\$ 1,178,781.73	\$ 1,178,781.73
V02804	702 Communications	2nd Street Utility Relocation	\$ 266,892.07	\$ 266,892.07
V02805	ICS	WP-42A.1/A.3 - 4th St Pump Station & Gatewell and 2nd St Floodwall S	\$ 18,365,229.13	\$ 18,365,229.13
V02806	HMG	WP42 - Services During Construction	\$ 6,513,429.90	\$ 6,513,429.90
V02807	CCJWRD	In-Town Levee Work	\$ 3,756,545.64	\$ 3,756,545.64
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	\$ 397,906.52	\$ 397,906.52
V02809	AT & T	2nd Street Utility Relocation	\$ 586,269.60	\$ 586,269.60
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	\$ 769,791.73	\$ 769,791.73
V02812	Industrial Builders	WP-42F.1S - 2nd Street North Floodwall, South of Pump Station	\$ 16,720,591.15	\$ 16,720,591.15
V02813	Landwehr Construction	Park East Apartments Demolition	\$ 1,169,651.74	\$ 1,169,651.74
V02814	Primoris Aevenia	2nd Street Utility Relocation	\$ 16,230.00	\$ 16,230.00
V02815	Centurylink Communications	2nd Street Utility Relocation	\$ 2,660,937.92	\$ 2,660,937.92
V02816	Landwehr Construction	WP-42C.1 - In-Town Levees 2nd Street/Downtown Area Demo	\$ 907,999.08	\$ 907,999.08
V02817	Reiner Contracting, Inc	WP-42H.2 - El Zagal Area Flood Risk Management	\$ 1,599,646.21	\$ 1,599,646.21
V02818	Industrial Builders	WP-42I.1 - Mickelson Levee Extension	\$ 738,880.50	\$ 738,880.50
V02819	Industrial Builders	WP42F.1N - 2nd Street North	\$ 13,362,906.82	\$ 13,362,906.82
V02820	CH2M Hill	WP42 - Construction Management Services	\$ 851,775.30	\$ 851,775.30
V02821	Hough Incorporated	WP42F.2 - 2nd Street South	\$ 1,639,524.33	\$ 1,639,524.33
V02822	City of Fargo	COF - 2016 O&M on Lifts	\$ 184,958.12	\$ 184,958.12
V02823	Hoffman & McNamara	WP-42G General Landscaping and Planting	\$ 493,179.39	\$ 487,184.67
V02824	City of Fargo	COF – In-Town Flood Protection Debt Payments	\$ 23,989,850.00	\$ 23,989,850.00
V01703	Various	In-Town Property Purchases	\$ 21,176,116.94	\$ 19,958,677.43
V02825	Industrial Builders	WP-42E - 2nd Street South and Main Avenue Flood Mitigation	\$ 8,632,103.73	\$ 8,632,103.73
V02826	City of Fargo	In-Town Levee Maintenance	\$ 8,823.82	\$ 8,823.82
V054XX	City of Fargo	In-Town Complementary Work - Reimbursements	\$ 39,289,243.78	\$ 39,289,243.78
			<u>\$ 174,857,884.02</u>	<u>\$ 173,634,449.79</u>

Legacy Bond Fund Balance Report
As of 01/31/2023

Total Authorized \$ 435,500,000.00

Current Allocation \$ 219,000,000.00

Available funds remaining \$ 142,272,461.04

Funds Requested				
	2021	2022	2023	Total
January	\$ -	\$ 2,942,906.60		\$ 2,942,906.60
February	\$ -	\$ 4,564,036.17		\$ 4,564,036.17
March	\$ -	\$ 5,302,899.35		\$ 5,302,899.35
April	\$ -	\$ 1,472,504.37		\$ 1,472,504.37
May	\$ -	\$ 1,450,140.38		\$ 1,450,140.38
June	\$ -	\$ 4,423,864.76		\$ 4,423,864.76
July	\$ -	\$ 2,663,992.40		\$ 2,663,992.40
August	\$ 5,059,974.19	\$ 13,491,974.29		\$ 18,551,948.48
September	\$ 2,970,327.95	\$ 8,406,666.33		\$ 11,376,994.28
October	\$ 6,089,707.34	\$ 4,618,116.80		\$ 10,707,824.14
November	\$ 6,415,461.09	\$ 11,768,061.46		\$ 18,183,522.55
December	\$ 6,854,966.95	\$ 17,496,559.97		\$ 24,351,526.92
Total	\$ 27,390,437.51	\$ 78,601,722.88	\$ -	\$ 105,992,160.39

Funds Received				
May 2022	\$ 27,390,437.51	\$ -		\$ 27,390,437.51
Jul 2022		\$ 12,809,842.12		\$ 12,809,842.12
Sep 2022		\$ 7,346,509.51		\$ 7,346,509.51
Dec 2022	\$ -	\$ 29,180,749.82		\$ 29,180,749.82
Jan 2023			\$ 29,264,621.43	\$ 29,264,621.43
	\$ -	\$ -		\$ -
Total	\$ 27,390,437.51	\$ 49,337,101.45	\$ 29,264,621.43	\$ 105,992,160.39

State Revolving Fund (SRF) Status Report
As of 01/31/2023

Total Authorized	\$	51,634,000.00
Funds Received to Date	\$	1,272,651.90
Available Balance Remaining	\$	50,361,348.10

Funds Requested			
Draw Request Number	Period Covered	Amount	Date Submitted
1	12-Aug through 17-Oct-2022	\$ 1,272,651.90	19-Dec-22
2	09-Dec through 16-Dec-2022	\$ 2,125,033.67	17-Jan-23
Total		\$ 3,397,685.57	

Funds Received			
Draw Request Number	Period Covered	Amount	Date Received
1	12-Aug through 17-Oct-2022	\$ 1,272,651.90	23-Dec-22
Total		\$ 1,272,651.90	

Finance Committee Bills from February 2023

Vendor	Description	
Clay County	Diversion bills – Request #25 MCCJPA	\$ 1,205,608.74
Cass County Joint Water Resource District	Diversion bills – Request #105 CCJWRD	\$ 864,587.65
City of Fargo	Reimburse complementary in-town flood projects	\$ 404,543.64
Clay County	Diversion bills – Request #26 MCCJPA	\$ 180,143.72
Ohnstad Twichell, P.C.	Legal services rendered through January 21, 2023	\$ 83,869.00
Cass County	Reimburse misc expenses from Diversion Authority office	\$ 26,832.18
Total Bills Received through February 14, 2023		<u>\$ 2,765,584.93</u>



COUNTY AUDITOR
LORI J. JOHNSON
Office Telephone (218) 299-5006

January 19, 2023
Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

RE: Metro Flood Diversion Project

Greetings:

Attached to this email, please find a spreadsheet summary of invoices/expense and all documentation for invoices paid by Clay County for the FM Flood Diversion project. All requests were approved or authorized by the Diversion Authority. Current invoice/expense reimbursement request total is as follows:

Metro Flood Diversion	\$1,205,608.74
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We respectfully request 100% reimbursement as per the Joint Powers Agreement.

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

Sincerely,

Lori J. Johnson
Clay County Auditor

Enclosures

Clay County Government Center
3510 12th Ave S
PO Box 280
Moorhead, MN 56560

FM Diversion MCCJPA invoices

Processed

	Invoice		Invoice		Date			Reimb
Vendor	Date		Amount	Invoice #	Approved	Date Paid	Check #	Request
The Title Co		flowage easement oin 5176,78,80,81	\$5,433.00		12/14/22	12/15/22	906650	1/19/2023
The Title Co		flowage easement oin 5167,68,72	\$13,690.00		12/14/22	12/15/22	906651	1/19/2023
The Title Co		closing oin 1840 brandt	\$1,065,312.45		12/14/22	12/15/22	906652	1/19/2023
Ohnstad Twichell	12/5/22	enviro monitoring	\$90.00	185860	12/18/22	12/21/22	111300	1/19/2023
Ohnstad Twichell	12/5/22	Upstream mitigation	\$25,596.14	185861	12/18/22	12/21/22	111300	1/19/2023
Ohnstad Twichell	12/5/22	Southern embankment	\$22,450.00	185862	12/18/22	12/21/22	111300	1/19/2023
Ohnstad Twichell	12/5/22	general 2022	\$3,780.00	185863	12/18/22	12/21/22	111300	1/19/2023
Ohnstad Twichell	12/5/22	relocation appeal kragerud	\$900.00	185864	12/18/22	12/21/22	111300	1/19/2023
Ohnstad Twichell	12/5/22	relocation appeal dubois & buth	\$187.50	185865	12/18/22	12/21/22	111300	1/19/2023
Ohnstad Twichell	12/5/22	relocation appeal buth	\$225.00	185866	12/18/22	12/21/22	111300	1/19/2023
Ohnstad Twichell	12/5/22	relocation appeal leech	\$112.50	185867	12/18/22	12/21/22	111300	1/19/2023
State of Minnesota	11/30/22	prep & prehearing Buth	\$49.00	516470	12/14/22	12/21/22	111315	1/19/2023
State of Minnesota	11/30/22	prep & prehearing Leech	\$49.00	519471	12/14/22	12/21/22	111315	1/19/2023
State of Minnesota	11/30/22	prep & prehearing Dubois/Buth	\$49.00	519469	12/14/22	12/21/22	111315	1/19/2023
State of Minnesota	11/30/22	prep & prehearing Kragerud	\$49.00	519468	12/14/22	12/21/22	111315	1/19/2023
Red River Valley Coop	12/2/22	svc 16568 3rd St S	\$16.19		12/14/22	12/21/22	528825	1/19/2023
Lake Region Electric Coop	12/6/22	svc 184 180th ave s	\$5.28		12/14/22	12/28/22	111379	1/19/2023
SRF Consulting Group	11/30/22	prof svc thru 11/30/22	\$20,275.21	13820.00-26	12/19/22	12/28/22	111399	1/19/2023
Red River Valley Coop	12/2/22	svc 13689 3rd st s	\$54.74		12/22/22	12/28/22	528932	1/19/2023
Clay County Union	11/7/22	JPA meeting	\$27.50	2624	1/3/23	1/11/23	529065	1/19/2023
Clay County Union	11/28/22	JPA meeting	\$22.00	2634	1/3/23	1/11/23	529065	1/19/2023
Ohnstad Twichell	12/29/22	enviro monitoring	\$277.50	186249	1/6/23	1/18/23	111694	1/19/2023
Ohnstad Twichell	12/29/22	Upstream mitigation	\$23,286.50	186250	1/6/23	1/18/23	111694	1/19/2023
Ohnstad Twichell	12/29/22	Southern embankment	\$9,886.50	186251	1/6/23	1/18/23	111694	1/19/2023
Ohnstad Twichell	12/29/22	general 2022	\$337.23	186252	1/6/23	1/18/23	111694	1/19/2023
Ohnstad Twichell	12/29/22	relocation appeal kragerud	\$937.50	186253	1/6/23	1/18/23	111694	1/19/2023
Ohnstad Twichell	12/29/22	relocation appeal dubois & buth	\$975.00	186254	1/6/23	1/18/23	111694	1/19/2023
Ohnstad Twichell	12/29/22	relocation appeal buth	\$525.00	186255	1/6/23	1/18/23	111694	1/19/2023
Ohnstad Twichell	12/29/22	relocation appeal leech	\$525.00	186256	1/6/23	1/18/23	111694	1/19/2023
ProSource Technologies	12/30/22	prof svcs thru 11/30/22	\$10,485.00	545	1/9/23	1/18/23	529159	1/19/2023

\$1,205,608.74



Cass County
Joint Water
Resource
District

SENT VIA EMAIL

February 9, 2023

Dan Jacobson
Chairman
West Fargo, North Dakota

Rodger Olson
Manager
Leonard, North Dakota

Ken Lougheed
Manager
Gardner, North Dakota

Jacob Gust
Manager
Fargo, North Dakota

Keith Weston
Manager
Fargo, North Dakota

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

Greetings:

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

Enclosed please find copies of bills totaling \$864,587.65 regarding the above referenced projects. The breakdown is as follows:

Metro Flood Diversion	\$852,277.16
Oxbow-Hickson-Bakke Ring Levee	12,310.49

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

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

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis
Secretary-Treasurer

Carol Harbeke Lewis
Secretary-Treasurer

1201 Main Avenue West
West Fargo, ND 58078-1301

Enclosures

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

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES							2/8/2023
Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description	
	1/31/2023			170.52	Cass County Joint WRD	Postage for Flowage Easement Letters	
1/17/2023	12/30/2022	186298	130007	26,580.19	Ohnstad Twichell, P.C.	Legal-Diversion Right of Way Acquisition	
1/17/2023	12/30/2022	186300	160007	430.00	Ohnstad Twichell, P.C.	Legal-Diversion Authority Agreement - Drains	
1/17/2023	12/30/2022	186301	160007	1,236.50	Ohnstad Twichell, P.C.	Legal-Channel Phase I	
1/17/2023	12/30/2022	186302	160007	767.00	Ohnstad Twichell, P.C.	Legal-Channel Phase II	
1/17/2023	12/30/2022	186303	160007	2,942.00	Ohnstad Twichell, P.C.	Legal-Channel Phase III	
1/17/2023	12/30/2022	186304	170007	73,114.67	Ohnstad Twichell, P.C.	Legal-Upstream Mitigation Area	
1/17/2023	12/30/2022	186305	187007	12,445.00	Ohnstad Twichell, P.C.	Legal-Diversion - Southern Embankment	
1/17/2023	12/30/2022	186306	197007	696.00	Ohnstad Twichell, P.C.	Legal-Western Tie Back	
1/17/2023	12/30/2022	186307	207007	3,119.50	Ohnstad Twichell, P.C.	Legal-Wetland Mitigation Drain 27	
1/17/2023	12/30/2022	186309	187007	962.00	Ohnstad Twichell, P.C.	Legal-Bio/Geo Easements	
1/17/2023	12/30/2022	186310	207007	2,579.50	Ohnstad Twichell, P.C.	Legal-Gust (OIN 952) Quick Take Eminent Domain	
1/17/2023	12/30/2022	186311	207007	91.50	Ohnstad Twichell, P.C.	Legal-Cossette (OIN 722/723) QTED	
1/17/2023	12/30/2022	186312	207007	213.50	Ohnstad Twichell, P.C.	Legal-Loberg (OIN 716) quick take eminent domain	
1/17/2023	12/30/2022	186313	207007	3,968.50	Ohnstad Twichell, P.C.	Legal-Brandt RLT (OIN 9348) QTED	
1/17/2023	12/30/2022	186314	207007	4,483.50	Ohnstad Twichell, P.C.	Legal-Germanson (OIN 5004/5009-5012/9054-9056) QTED	
1/17/2023	12/30/2022	186315	207007	1,288.50	Ohnstad Twichell, P.C.	Legal-Janet Wanzek Estate (OIN 8672-8675, 9747) QTED	
1/17/2023	12/30/2022	186316	207007	945.50	Ohnstad Twichell, P.C.	Legal-Libbrecht, Glen (OIN 698/9756-9759) QTED	
1/17/2023	12/30/2022	186317	207007	5,106.52	Ohnstad Twichell, P.C.	Legal-Perhus (OIN 747/751/5014-5015/5277) QTED	
1/17/2023	12/30/2022	186318	207007	25.00	Ohnstad Twichell, P.C.	Legal-Thue Living Trust (OIN 1169, 1200) QTED	
1/17/2023	12/30/2022	186319	207007	4,671.50	Ohnstad Twichell, P.C.	Legal-Samuelsen RLT (OIN 1181/1182) QTED	
1/17/2023	12/30/2022	186320	217007	1,625.50	Ohnstad Twichell, P.C.	Legal-Coster RET (OIN 9736-9737) QTED	
1/17/2023	12/30/2022	186321	217007	200.00	Ohnstad Twichell, P.C.	Legal-Quiet Title Action for EME	
1/17/2023	12/30/2022	186322	217007	1,037.00	Ohnstad Twichell, P.C.	Legal-Richard (OIN 27 1083) QTED	
1/17/2023	12/30/2022	186323	217007	657.00	Ohnstad Twichell, P.C.	Legal-Richard Farm (OIN 1087/1093/1095/5002) QTED	
1/17/2023	12/30/2022	186324	227007	1,634.50	Ohnstad Twichell, P.C.	Legal-Roseen QTED (OIN 25)	
1/17/2023	12/30/2022	186325	227007	4,115.00	Ohnstad Twichell, P.C.	Legal-Ricker (OIN 872-875) ED	
1/17/2023	12/30/2022	186326	227007	3,003.50	Ohnstad Twichell, P.C.	Legal-Varriano (OIN 1130) ED	
1/17/2023	12/30/2022	186327	227007	2,925.50	Ohnstad Twichell, P.C.	Legal-Anderson (OIN 1896/2052) ED	
1/17/2023	12/30/2022	186328	227007	2,529.00	Ohnstad Twichell, P.C.	Legal-Brakke (OIN 1964) ED	
1/17/2023	12/30/2022	186329	227007	2,498.50	Ohnstad Twichell, P.C.	Legal-MKRM Trust (OIN 1997) ED	
1/17/2023	12/30/2022	186330	227007	5,609.50	Ohnstad Twichell, P.C.	Legal-Askegaard (OIN 2061) ED	
1/17/2023	12/30/2022	186331	227007	2,651.00	Ohnstad Twichell, P.C.	Legal-Cossette (OIN 2361) ED	
1/19/2023	1/9/2023	815077	38810.00007	12,167.15	Larkin Hoffman Attorneys	Legal-CCJT v Daniel Flaten	
1/19/2023	1/9/2023	815074	38810	237.00	Larkin Hoffman Attorneys	Legal-Johnson/Monson/Tintes/Anderson	
1/19/2023	1/9/2023	815078	38810.00009	316.00	Larkin Hoffman Attorneys	Legal-CCJT v Steve and Lisa Loberg	
1/19/2023	1/9/2023	815079	38810.00011	2,703.25	Larkin Hoffman Attorneys	Legal-CCJT v Kelley and Debra Perhus	
1/19/2023	1/9/2023	815076	38810.00004	10,783.50	Larkin Hoffman Attorneys	Legal-Richland/Cass Cos/apps for Permit to Enter Land	
1/19/2023	1/9/2023	815075	38810.00001	158.00	Larkin Hoffman Attorneys	Legal-Acquisition of Property from Sauvageaus	
1/17/2023	11/30/2022	422	3283-00	12,747.38	ProSource Technologies, LLC	TO 2, acquisition and project mgmt	
1/17/2023	12/28/2022	4864		2,400.00	Crown Appraisals Inc	Deposition and testimony prep	
1/17/2023	12/28/2022	4865		36,000.00	Crown Appraisals Inc	Task Order 6, Amendment 0	
1/19/2023	12/31/2022	13783.00-32		33,913.63	SRF Consulting Group, Inc.	Project mgmt, ROW Services and relocation services	
1/17/2023				266,400.00	Estate of Nancy Loberg	Prop purchase - legal fees	
1/17/2023				85,986.91	Estate of Nancy Loberg	Prop purchase - legal fees	
1/12/2023	12/28/2022			5,095.06	Greg & Rose Johnson	moving cost claim for OIN 1992	
1/12/2023	12/7/2022			990.00	Stow Away Self Storage	moving cost claim for OIN 1992	
1/12/2023	12/28/2022			40,000.00	Matt's Floor Covering, LLC	moving cost claim for OIN 1899	
1/12/2023	1/12/2023			37,748.25	Joe Sauvageau	crop damages	
1/12/2023	1/12/2023			3,918.75	Orlen Valan	crop damages	
1/12/2023				333.34	John Williams	EME incentive	
1/12/2023				333.33	Duane Williams	EME incentive	
1/12/2023				333.33	Joni Bonham	EME incentive	
1/12/2023				1,000.00	Stephanie Landstrom	EME incentive	
1/12/2023				1,000.00	Deanna Dirks	EME incentive	
1/12/2023				138.29	Gordon and Elizabeth Baker	rent deposit return less expenses	
	1/24/2023	32397	19706	507.50	Moore Engineering, Inc.	Engineering - FM Diversion Design Coordination	
	1/11/2023	1200491125		37,020.40	HDR Engineering Inc	TO 1 Property Acquisition Services	

**FINANCE OFFICE**

PO Box 2083

225 4th Street North

Fargo, ND 58102

Phone: 701.241.1333 | Fax: 701.476.4188

www.FargoND.gov

February 8, 2023

Metro Flood Diversion Board of Authority
PO Box 2806
Fargo, ND 58108-2806

Dear Metro Flood Diversion Board of Authority,

The City of Fargo is submitting for reimbursement invoices paid totaling \$404,543.64. These costs are for work on complementary in-town flood protection projects for the 2022 costs that were paid in January 2023.

Project Narrative, this request:

Project Number	Project Description	Amount
FLDBUY	Flood Buyouts - Property Acquisition Expense	3,480.03
FM1471	Drain 27 Lift Station #56 Flood Risk Management	46,305.10
FM15J	Belmont Flood Risk Management Project	209,699.21
FM19B	Royal Oaks Area - Flood Risk Management	115,454.26
FM19C	Woodcrest Drive Area - Flood Risk Management	21,255.04
FM22C	Lift Station 55 & 56 - Flood Mitigation	8,350.00
	Total Expense for Period	\$404,543.64

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

Sincerely,

Terri Gayhart
Director of Finance, City of Fargo

City of Fargo, North Dakota
Schedule of Complementary In-Town Flood Protection Costs
Period 13, 2022

Project Number	AP Project Description	Account Number	Description	AP Transaction Amount	Payment Number	AP Invoice Number	Payment Date	Vendor Name	Description	Bookmarked Invoice
FLDBUY	FLOOD ACQUISITION	46035305103325	UPIC/UNITE DEVEL PROJECT	3,350.00	324996	AR AJE-11	01/19/2023	ERIK R JOHNSON & ASSOCIATES	Flood Related Acquisitions	1
			460-3530-510.33-25 - Total	3,350.00						
FLDBUY	FLOOD ACQUISITION	46035305104105	IN HOUSE WATER PAYMENTS	130.03	WP13220016	WP13220016	02/04/2023	City of Fargo	In house Water Pyaments	2
			460-3530-510.41-05 - Total	130.03						
FLDBUY - Total				3,480.03						
FM1471	FLOOD MIT-Dr 27 42st-I29	46035305103305	PROJ 6228-DRAIN 27	39,966.86	324827	62905	01/12/2023	HOUSTON ENGINEERING INC	Drain 27 (I-29 to 42nd Street) - Construction	3
FM1471	FLOOD MIT-Dr 27 42st-I29	46035305103305	PROJ6228 DRAIN 27	6,338.24	325152	63284	01/26/2023	HOUSTON ENGINEERING INC	Drain 27 (I-29 to 42nd Street) - Construction	4
			460-3530-510.33-05 - Total	46,305.10						
FM1471 - Total				46,305.10						
FM15J5	FLOOD MIT-Belmnt Prk/Intk	46035305103305	WA2005 DA TO FUND ELIGIBL	34,163.99	ES13220036	ES13220036	02/03/2023	City of Fargo	DA Share WA2005	5
			460-3530-510.33-05 - Total	34,163.99						
FM15J5	FLOOD MIT-Belmnt Prk/Intk	46035305107362	FEMA LOCAL SHARE REQ #09	6,113.73	ES13220034	ES13220034	02/01/2023	City of Fargo	FEMA Local Share WA2005	6
FM15J5	FLOOD MIT-Belmnt Prk/Intk	46035305107362	WA2005 DA TO FUND ELIGIBL	154,323.18	ES13220036	ES13220036	02/03/2023	City of Fargo	DA Share WA2005	5
FM15J5	FLOOD MIT-Belmnt Prk/Intk	46035305107362	WA2005 DA TO FUND ELIGIBL	15,098.31	ES13220036	ES13220036	02/03/2023	City of Fargo	DA Share WA2005	5
			460-3530-510.73-62 - Total	175,535.22						
FM15J5 - Total				209,699.21						
FM19B1	FLOOD MIT-Royal Oaks Dr	46000002062000	Retainage and Retainage R	27,952.17	324858	FM19B1 #8 036	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
			460-0000-206.20-00 - Total	27,952.17						
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305103899	DECLARATION OF COV,CON,RE	23.25	324899	15005464715	01/12/2023	SIMPLIFILE LC	Submission Fee	8
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305103899	RECORDING FEE-WARRANTY DE	20.00	325104	730485	01/26/2023	CASS COUNTY RECORDER	Recording Fee	9
			460-3530-510.38-99 - Total	43.25						
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107320	3680 River Dr S	-1,000.00	324858	FM19B1 #8 028	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107320	Flood Mitigation	54,397.74	324858	FM19B1 #8 031	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
			460-3530-510.73-20 - Total	53,397.74						
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107359	3680 River Dr S	5,600.00	324858	FM19B1 #8 026	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
			460-3530-510.73-59 - Total	5,600.00						
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107366	3680 River Dr S	12,100.00	324858	FM19B1 #8 025	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107366	Flood Mitigation	-6,250.00	324858	FM19B1 #8 029	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107366	Miscellaneous	34,160.00	324858	FM19B1 #8 032	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
			460-3530-510.73-66 - Total	40,010.00						
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107369	3680 River Dr S	5,448.15	324858	FM19B1 #8 027	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107369	Flood Mitigation	9,602.95	324858	FM19B1 #8 030	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
			460-3530-510.73-69 - Total	15,051.10						
FM19B1	FLOOD MIT-Royal Oaks Dr	46035305107399	Adjustments	-26,600.00	324858	FM19B1 #8 039	01/12/2023	MASTER CONSTRUCTION CO INC	Royal Oaks & River Drive Flood Mitigation	7
			460-3530-510.73-99 - Total	-26,600.00						
FM19B1 - Total				115,454.26						
FM19C1	FLOOD MIT-Woodcrest Dr N	46035305103899	UTILITY RELOCATION	21,255.04	324668	C0023702022348	01/05/2023	CENTURYLINK ASSET ACCOUNTING-BART	Utility Relocation	10
			460-3530-510.38-99 - Total	21,255.04						
FM19C1 - Total				21,255.04						
FM22C1	FLOOD MIT-Lift Stain55/56	46035305103899	DRAIN 27 AID TO CONSTRUCT	8,350.00	324782	41136	01/12/2023	CASS COUNTY ELECTRIC-4100 32 AVE SW	Drain 27 - Aid to Construction - Transformer	11
			460-3530-510.38-99 - Total	8,350.00						
FM22C1 - Total				8,350.00						
Overall - Total				404,543.64						



COUNTY AUDITOR
LORI J. JOHNSON
Office Telephone (218) 299-5006

February 14, 2023
Diversion Authority
P.O. Box 2806
Fargo, ND 58108-2806

RE: Metro Flood Diversion Project

Greetings:

Attached to this email, please find a spreadsheet summary of invoices/expense and all documentation for invoices paid by Clay County for the FM Flood Diversion project. All requests were approved or authorized by the Diversion Authority. Current invoice/expense reimbursement request total is as follows:

Metro Flood Diversion	\$180,143.72
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We respectfully request 100% reimbursement as per the Joint Powers Agreement.

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

Sincerely,

Lori J. Johnson
Clay County Auditor

Enclosures

Clay County Government Center
3510 12th Ave S
PO Box 280
Moorhead, MN 56560

FM Diversion MCCJPA invoices

Processed

	Invoice		Invoice		Date			Reimb
Vendor	Date		Amount	Invoice #	Approved	Date Paid	Check #	Request
Red River Valley Coop		svc 13689 3rd st s	\$53.94		1/16/23	1/25/23	529309	2/14/2023
The Title Co		oin 1630 askegaard closing	\$153,937.37			1/26/23	906705	2/14/2023
The Title Co		oin 1320 hanson closing	\$3,528.00			2/2/23	TBD	2/14/2023
Building & Grounds Management		board up structure oin 1793	\$1,700.00	8725	2/2/23	2/8/23	111941	2/14/2023
Dromsted LLC		signing incentive oin 9321	\$1,000.00			2/8/23	111970	2/14/2023
SRF Consulting Group		prof svc thru 12/31/22	\$10,567.05	13820.00-27	1/27/23	2/8/23	112035	2/14/2023
ProSource Technologies		prof svcs thru 12/2022	\$9,305.42	738	2/2/23	2/8/23	529461	2/14/2023
Red River Valley Coop		svc 13689 3rd st s	\$51.94		2/12/23	2/15/23	529532	2/14/2023

\$180,143.72

OHNSTAD TWICHELL, P.C.

Attorneys at Law

P.O Box 458
West Fargo, ND 58078-0458
701-282-3249

15-1395

JTS Invoice # 186953

Flood Diversion Board
Bond Counsel Work - PPP

Date: February 8, 2023

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

PROFESSIONAL SERVICES RENDERED			
	Hours	Rate	Totals
JTS	102.1	\$375.00	\$38,287.50
CMM	0.8	\$375.00	\$300.00
LDA	1.2	\$375.00	\$450.00
KJS	46.9	\$375.00	\$17,587.50
TJL	4.9	\$375.00	\$1,837.50
JRS	3.1	\$310.00	\$961.00
KJM	68.2	\$300.00	\$20,460.00
DCP	3.7	\$320.00	\$1,184.00
AJR	10.8	\$205.00	\$2,214.00
Total Fees:	241.7		\$83,281.50
*Credit Card Processing Fee - 3%			\$412.50
Recording Fees			\$175.00
Total Expenses:			\$587.50
Grand Total			\$83,869.00

		Rates
JTS	John T. Shockley, Partner, Supervising Attorney	\$375.00
CMM	Christopher M. McShane, Partner	\$375.00
ADC	Andrew D. Cook, Partner	\$375.00
SNW	Sarah M. Wear, Partner	\$375.00
LDA	Lukas D. Andrud, Partner	\$375.00
RGH	Robert G. Hoy, Partner	\$375.00
KJS	Katie J. Schmidt, Partner	\$375.00
MWM	Marshall W. McCullough, Partner	\$375.00
TJL	Tyler J. Leverington, Partner	\$375.00
LWC	Lukas W. Croaker, Associate	\$330.00
ABG	Bo Gruchala, Associate	\$320.00
JRS	J.R. Strom, Associate	\$310.00
KJM	Kathryn J. McNamara, Associate	\$300.00
LRC	Leah R. Carlson, Associate	\$320.00
BTB	Brent T. Boeddeker, Associate	\$330.00
DCP	David C. Piper, Associate	\$320.00
JAM	Jenna A. McPherson, Associate	\$275.00
SJH	Stephen J. Hilfer, Associate	\$225.00
MAN	Morgan A. Nyquist, Associate	\$225.00
ZDW	Zachary D. Wall, Associate	\$225.00
CAS	Carol A. Stillwell, Paralegal	\$205.00
AJR	Andrea J. Roman, Paralegal	\$205.00
CRD	Christie R. Dettling, Paralegal	\$185.00
KK	Kiara J. Klinkhammer, Paralegal	\$185.00
TWS	Tim W. Steuber, Paralegal	\$190.00
MRH	Meghan R. Hockert, Paralegal	\$185.00
ATW	Amy T. White, Paralegal	\$185.00
DLR	Dena L. Ranum, Legal Administrative Assistant	\$160.00
KMM	Karla M. Maertens, Legal Administrative Assistant	\$95.00

OHNSTAD TWICHELL, P.C.

WEST FARGO, NORTH DAKOTA 58078

COST ADVANCES BY US FOR YOUR ACCOUNT, FOR WHICH WE HAVE NOT
BEEN BILLED, WILL APPEAR ON YOUR NEXT STATEMENT.

Page 2 of 2

PROFESSIONAL SERVICES RENDERED

15-1395 JTS Invoice # 186953 Flood Diversion Board Bond Counsel Work - PPP		
FILE NUMBER	MATTER DESCRIPTION	INVOICE - TOTAL FEES
151395-1	General Topics (Includes General Governance Questions, Notices, etc.)	\$15,430.50
151395-4	Public Finance Issues	\$331.00
151395-5	Consultant Contract Review/Development	\$2,354.00
151395-9	Environmental Permitting Issues/NEPA	\$1,687.50
151395-11	Legislative Interface/Lobbying Support	\$112.50
151395-12	USACE Interface/Questions	\$862.50
151395-13	Third Party Utility MOU's	\$19,958.50
151395-23	PRAM	\$1,242.00
151395-24	P3 Implementation	\$41,303.00
TOTAL		\$83,281.50

CASS COUNTY GOVERNMENT
PO BOX 2806
211 9th STREET SOUTH
Fargo, ND 58108
(701) 241-5600

DATE: 2/08/23

TO: CITY OF FARGO
PO BOX 2083
FARGO, ND 58107

CUSTOMER NO: 198/294

TYPE: CA - FINANCE OFFICE

CHARGE	DATE	DESCRIPTION	REF-NUMBER	DUE DATE	TOTAL AMOUNT
	1/12/23	BEGINNING BALANCE			129,925.00
** VWR	1/12/23	VALLEY WATER RESCUE GRANT			21,750.00
		2023 CONTRIBUTION - VWR			
	2/07/23	PAYMENT			98,425.73-
	2/07/23	PAYMENT			9,749.27-
AUDIT	2/08/23	FM DIVERSION	Employee agreements in place		99,397.04
		PAYROLL EXPENSES			
AUDIT	2/08/23	FM DIVERSION	Submitted for approval at Feb board mtg		26,832.18
		MISC EXPENSES			
Total					\$126,229.22

** - PREVIOUSLY BILLED - INCLUDED IN BEGINNING BALANCE

Current	30 days	60 days	90 days
147979.22			

DUE DATE: 3/10/23

PAYMENT DUE: 147,979.22
TOTAL DUE: \$147,979.22

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 2/08/23 DUE DATE: 3/10/23 NAME: CITY OF FARGO
CUSTOMER NO: 198/294 TYPE: CA - FINANCE OFFICE

REMIT AND MAKE CHECK PAYABLE TO:

CASS COUNTY FINANCE

211 9TH ST S

PO BOX 2806

FARGO

ND 58108-2806

(701) 241-5606

TOTAL DUE: \$147,979.22



Diversion Authority Board Meeting

February 23, 2023

Budget Change Requests
Joel Paulsen

FY-2023 Budget Movements

Budget Change Request No.	WBS	WBS Title	Budget Re-Allocations					Explanation
			Cost Account	Vendor	Current Budget	Transfer Amount	New Budget	
008	ENGDES_MAI	Engineering and Design	SW-1160	TBD	6,060,515	30,000	6,090,515	Adding program budget into the 2023 Cash Budget for recreational grant research
009	ENGDES_MAI	Engineering and Design	SW-1160	HMG	6,090,515	2,176,935	8,267,450	Adding program budget into the 2023 Cash Budget for HMG TO 101, Amendment 6
010	ENGDES_MAI	Engineering and Design	SW-1160	HMG	8,267,450	269,100	8,536,550	Adding program budget into the 2023 Cash Budget for HMG TO 102, Amendment 4



Budget Change Request

ACONEX Document Control No. SWMLFC-MFDA-FA-RFC-00001	Originator: D. Brown
Budget Change No. 08	Date: 13-Feb-2023
Title: Recreation grant research funding	
Project: FM-Diversion Program wide	

The purpose of this form is for budget management by requesting approval to transfer program contingency budget to the current fiscal year; or make budget transfers within the fiscal year budget; or both.

Request Description:

The Diversion Authority has been requested to investigate the availability of grant monies for funding conceptual planning, design and construction of public use and recreational facilities in and around the Metro Flood Mitigation Program footprint.

Request Justification:

Allocate an additional \$30,000 from the program budget to the FY2023 cash budget for procurement of a consultant for researching funding availability for funding conceptual planning, design and construction of public use and recreational facilities in and around the Metro Flood Mitigation Program footprint. Supporting revenue is expected to come from Legacy Bounds.
This budget change will increase the FY2023 cash budget from \$226,550,708 to \$226,580,708

General Impacts:			Additional Information: The additional budget (\$30,000) will be allocated to the Engineering and Design Work Breakdown Structure (WBS). Cost account SW-1160																							
Authority Board Approval Required? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Contract Types <input type="checkbox"/> LS <input type="checkbox"/> TM <input type="checkbox"/> MOU <input type="checkbox"/> Task Order	Request Type <input type="checkbox"/> Project Initialization <input checked="" type="checkbox"/> Project Change <input type="checkbox"/> Contingency Release																								
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Authorization Level	Approval / Concurrence	NOTE: Approval will be documented via ACONEX Workflow		
5	Client – Joel Paulsen			
4	Program Manager			
3	Project Controls			
2	Contracts Manager			
1	Originator			

Budget Change Request

ACONEX Document Control No. SWIDSGN-FMAD-FA-RFC-00001	Originator: D. Brown
Budget Change No. 09	Date: 14-Feb-2022
Title: HMG TO101 – A6 WP47 Design	
Project: FM-Diversion	

The purpose of this form is for budget management by requesting approval to transfer program contingency budget to the current fiscal year; increase fiscal year budget, make budget transfers within the fiscal year budget, or a combination of the preceding options.

Request Description:

To supplement HMG Task Order No. 101 with Amendment 6 by adding additional scope for preliminary and final design work related to utility relocations under Work Package 47 "Phase 2 DA Contracted Utility Relocations".

Request Justification:

If approved, an additional \$2,176,935.00 will be added to the FY2023 cash budget to support the Diversion Authority's desire to expedite utility relocations along the southern embankment levee that are not specifically addressed under the Master Utility Relocation Agreement (MURA). **The FY2023 budget will increase from \$226,580,708 to \$228,757,643. Supporting revenue from Legacy Bonds.**

General Impacts:			Additional Information: The additional budget (\$2,176,935) will be allocated to the Engineering and Design Work Breakdown Structure (WBS). Cost account SW-1160																																
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Authorization Level	Approval / Concurrence	NOTE: Approval will be documented via ACONEX Workflow		
5	Client – Joel Paulsen			
4	Program Manager			
3	Project Controls			
2	Contracts Manager			
1	Originator			

Budget Change Request

ACONEX Document Control No. SWIDSGN-CH2-FA-RFC-00001	Originator: D. Brown
Budget Change No. 10	Date: 14-Feb-2022
Title: HMG TO102 – A4 Relocation of sub-task budgets	
Project: FM-Diversion	

The purpose of this form is for budget management by requesting approval to transfer program contingency budget to the current fiscal year, increase fiscal year budget, make budget transfers within the fiscal year budget, or a combination of the preceding options.

Request Description:

HMG Task Order No. 102 A4 initially set the FY2023 budget at \$1,850,900, however after further clarification of required level of effort (LOE) during 2023; an additional \$269,100 will be required to support affected subtasks. Further, work scheduled to be performed in 2022 was deferred to 2023 also causing the increase LOE.

Request Justification:

If approved, an additional \$269,100 will be added to the FY2023 cash budget to support the increased LOE and performing work originally scheduled during 2022.

The FY2023 budget will increase from \$228,757,643 to \$229,026,743. Supporting revenue is from Legacy Bonds.

General Impacts:			Additional Information: The additional budget (\$269,100) will be allocated to the Engineering and Design Work Breakdown Structure (WBS). Cost Account SW-1160																																
Authority Board Approval Required? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Contract Types <input type="checkbox"/> LS <input type="checkbox"/> TM <input type="checkbox"/> MOU <input checked="" type="checkbox"/> Task Order	Request Type <input type="checkbox"/> Project Initialization <input checked="" type="checkbox"/> Project Change <input type="checkbox"/> Contingency Release																																	
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Authorization Level	Approval / Concurrence	NOTE: Approval will be documented via ACONEX Workflow		
5	Client – Joel Paulsen			
4	Program Manager			
3	Project Controls			
2	Contracts Manager			
1	Originator			



Diversion Authority Board Meeting

FEBRUARY 23, 2023

Contracting Actions

Joel Paulsen, Executive Director

DA Board Approval Contract Actions

(ACTION)



Description	Company	Budget/ Estimate (\$)
MSA 2023 – Revision 1 – This revision is to update the MSA to resolve audit findings. The main content has not changed with the exception of minor updates in the wording of the MSA.	Braun Intertec	\$0.00
TO 101, Amendment 6 – This amendment includes balancing the 2022 budget by the amount of fee appropriated but not expended in FY 2022; additional scope for utility relocation design and coordination; additional scope for P3 design review and comment; additional scope and budget for water well drill contractor; additional budget for 2025-2026 facility plans for SRF Clean Water Loan application; and added budget for the OHB project to include the scopes for WP-43B.	HMG	\$2,861,391.49

604 PMC SCA - EDCR



Executive Director Contracting Recommendation

1. Recommendation for action:

The Executive Director has reviewed and recommended approval of the following Contract Action(s).

2. Summary of Contracting action:

Per the contract review and approval procedures that were adopted by the Diversion Authority on November 10, 2016 and amended December 16, 2021 the Owner's Program Management Consultant (PMC) or Engineer of Record (EOR) is directed to prepare Task Orders and Task Order amendments for existing Master Services Agreements (MSA) and submit them to the Member Entity Technical Representatives and the Executive Director. The Member Entity Technical Representatives will provide comments which will be consolidated in one form by the PMC and provided to the Director of Engineering. The Director of Engineering shall review the comments and provide recommendations to the Executive Director for review. The Executive Director shall thereafter submit this MSA along with a recommendation to the Finance Committee for review. The Finance Committee will submit its recommendation to the Diversion Authority Board for review and approval.

The PMC has prepared the following Contract Action(s):

Braun Intertec Corporation Master Services Agreement 2023 – Revision 1 Consulting Services – Material Testing Services	<div style="text-align: right;">\$0.00</div>
<ul style="list-style-type: none"> Updated following recent Quality Audit 	

3. Reason why it is required

A Quality Assurance audit was carried out on Braun Intertec and the services they provide. This revision is to update the MSA to resolve the audit findings. The main content has not changed just a few updates in the wording.

4. Background and discussion:

In accordance with Paragraph 6 of the Master Agreement for Professional Services between the Metro Flood Diversion Authority ("Owner") and Braun Intertec Corporation ("Consultant") dated January 1, 2023 ("Agreement"), Owner and Consultant agree to above services.

Governance Doc Ref:	Form Ref:	Aconex Reference:	Date:	Revision:
	604 PMC SCA - EDCR		06/17/2022	00

604 PMC SCA - EDCR

See the table below for a summary of this task order's contracting history.

Table 1 - Summary of Contracting History and Current Contract Action

Original Agreement or Amendment	Budget Change \$	Original or Revised Budget \$	Agreement Execution Date	Project Completion	Comments
Braun MSA 2023	0.00	0.00	01/01/2023	12/31/2025	Budget is given to specific Task Orders that fall under this MSA with Braun.
Braun MSA 2023 – R1	0	0	01/01/2023	12/31/2025	Cover audit findings

5. Financial considerations:

Cost account code is required for accounting purposes to match the invoicing in Source for the Diversion Authority to reconcile.

Table 2 - Summary of Annual Budget Allocation – Per Year

Original Agreement or Amendment	Cost account code	Estimated Cost (\$)	Budget Allocated (\$)	Actual Paid to date (\$)	Budget Remaining (\$)	Comments
Braun MSA 2023	N/A	0.00	0.00	0.00	0.00	Budget is given to specific Task Orders and cost account codes that fall under this MSA with Braun.
Total		0.00	0.00	0.00	0.00	

6. Attachments:

- Master Agreement for Professional Services 2023-2025 – Revision 1

The PMC prepared this contracting action and feels the information is accurate, complete, and ready for Executive Director review.

Recommendation: Kris Bakkegard, Director of Engineering recommends approval of this contract.

The Executive Director has approved in Workflow and granted permission to add his name to the document.

Approved by: Joel Paulsen, Executive Director

Date: 1/26/2023

Governance Doc Ref:	Form Ref:	Aconex Reference:	Date:	Revision:
	604 PMC SCA - EDCR		06/17/2022	00



METRO FLOOD DIVERSION PROJECT

Executive Director Contracting Recommendation

Date: 2/13/2023

RECOMMENDATION FOR ACTION:

The Executive Director have reviewed and recommended approval of the following Contract Action(s).

SUMMARY OF CONTRACTING ACTION:

Per the contract review and approval procedures that were adopted by the Diversion Authority on November 10, 2016 and amended December 16, 2021, the Owner's Program Management Consultant (PMC) or Engineer of Record (EOR) is directed to prepare task orders and task order amendments for existing Master Services Agreements (MSA) and submit them to the Executive Director and Member Entity Technical Representative (METR) for review. The METR will provide comments to the PMC who will combine comments for the Director of Engineering. The Director of Engineering (DOE) shall review and provide recommendations to the Executive Director for review and action.

The PMC has prepared the following Contract Action(s):

Houston-Moore Group, LLC

*Task Order 101, Amendment 6–
Design and Construction Support*

\$2,861,391.49

- Balance 2022 budget by the amount of fee appropriated but not expended in FY2022.
- Added scope for utility relocation design and coordination.
- Additional scope for P3 Design Review and Comment.
- Additional budget for water well drill contractor.
- Added budget to 2025-2026 for Facility Plans and Clean Water SRF Loan Applications.
- Added budget to OHB Project to include scope for WP-43B

BACKGROUND AND DISCUSSION:

Houston-Moore Group, LLC (HMG) has a MSA with the Diversion Authority to provide Engineering services for the Project.

This task order covers the scope of work for HMG from September 1, 2021 to December 31, 2026.

REASON:

This amendment is to balance the 2022 budget by the amount appropriated but not expended but not appropriated in FY 2022 for all Subtasks. Additional changes included the following:

- Subtask 2.2 - extended OHB post construction documents past 2022 and included scope for WP43B. This includes pond and storm sewer design for the final piece of the OHB Levee to be incorporated into the USACE plans.
- Subtask 2.3 - no change for budgets from 2023-2026 but added WP38A and WP38B to the scope. These two work packages are for Property Mitigation/Removal of nine properties in the UMA.
- Subtask 2.4 – extended budget to include 2025 and 2026 to support the application for SRF funds for the remaining Lift Stations.

- Subtask 2.5 – Reallocated 2023-2026 budget. Includes coordination and design of the new levee around the CRW plant on CR16 and \$325,000 in 2023 for well drilling contractor (no HMG markup). This was all included in the CRW MURA but we are moving this under MFDA direction.
- Subtask 3.1 – Reallocated 2023-2024 budget to match the updated USACE construction schedule
- Subtask 3.2 – Reallocated 2023-2026 budget to match the updated USACE design schedule.
- Subtask 3.3 – Reallocated 2023-2025 budget and added scope for utility design in the USACE plans. This work was included as utility relocations in the program budget, but is now being designed and built under a USACE contract.
- Subtask 3.4 – Reallocated 2023-2026 budget and added scope for utility design in the USACE plans. This work was included as utility relocations in the program budget, but is now being designed and built under a USACE contract.
- Subtask 3.5 Reallocated 2023-2026 budget to match the updated USACE design schedule and added increase utility coordination budget to manage temporary relocations and USACE construction for SE-2b, SE-3, SE-4 and SE-5. This includes coordination with utilities to switch from their temporary location to their permanent locations once it is completed by the USACE.
- Subtask 3.7 – Reallocated 2023-2026 budget to match the updated USACE design schedule.
- Subtask 3.8 – Reallocated 2023-2026 budget to match the updated USACE design schedule and reduced scope of roadway design.
- Subtask 3.9 – New Budget in 2023-2024 for the design of utility work packages WP47A and WP47B. These were included as utility relocations in the program budget, but these work packages are being designed and bid by the MFDA to control cost and schedule.
- Subtask 4.1 – Increased 2023 budget due to large number of buildable unit reviews and additional plan set reviews. No change in annual budget for 2024-2026.
- Subtask 5.1 – Reallocated 2023-2026 budget and added budget for additional 32nd Ave S scope that was included in Amendment 5 (budget was not included at that time).

See the table below for a summary of this task order's contracting history, including this amendment.

Summary of Contracting History and Current Contract Action:

Original Agreement or Amendment	Budget Change (\$)	Original or Revised Budget (\$)	Agreement Execution Date	Project Completion	Comments
TO101-A0	0	1,010,000.00	09/01/2021	12/31/2021	Original scope and budget.
TO101-A1	15,070,210	16,080,210.00	09/01/2021	12/31/2026	Updated scope and budget.
TO101-A2	(16,558.93)	16,063,651.07	09/01/2021	12/31/2026	Updated Sub Task budgets.
TO101-A3	0.00	16,063,651.07	09/01/2021	12/31/2026	Update Sub tasks
TO101-A4	2,580,000.00	18,643,651.07	09/01/2021	12/31/2026	New scope and budget. Update subtasks
TO101-A5	0.00	18,643,651.07	09/01/2021	12/31/2026	
TO101-A6	2,861,391.49	21,505,042.56	09/01/2021	12/31/2026	See "Reason" section

FINANCIAL CONSIDERATIONS:

The Budget Cost Proposal is in the Task Order document.

The PMC has reviewed the proposal and found that the labor rates are consistent with the 2023 allowed rates and the level of effort is reasonable for this scope of work.

Budgets by Subtasks:

Ref.	No.	Title	Activity ID	Current Budget (\$)	Change	Revised Budget (\$)
Subtask	1.0	<i>Project Management, Controls and Insurance</i>	SW-1160	3,950,410.56	(174.95)	3,950,235.61
Subtask	2.1	In-Town Levees (WP-42)	SW-1160	380,000.00	(31,503.92)	348,496.08
Subtask	2.2	OHB Projects (WP-43)	SW-1160	85,000.00	185,231.48	270,231.48
Subtask	2.3	Property Structure Packages (WP-50 and WP-38)	SW-1160	1,317,643.10	(6,599.83)	1,311,043.27
Subtask	2.4	Facility Plans for Clean Water SRF Loan Application	SW-1160	160,000.00	78,705.25	238,705.25
Subtask	2.5	Cass Rural Water District Mitigation	SW-1160	1,900,000.00	325,661.08	2,225,661.08
Subtask	3.1	I-29 Grade Raise	SW-1160	949,165.00	(78,879.65)	870,285.35
Subtask	3.2	Reach SE-1B (CR 16/17)	SW-1160	380,000.00	11,063.73	391,063.73
Subtask	3.3	Reach SE-2B (45th St and CR 16)	SW-1160	760,000.00	(66,651.00)	693,349.00
Subtask	3.4	Reach SE-3 (CR 81)	SW-1160	630,000.00	253,159.37	883,159.37
Subtask	3.5	Support for local drainage, transportation and utilities	SW-1160	1,764,283.77	815,393.69	2,579,677.46
Subtask	3.6	USACE reviews	SW-1160	455,941.64	(23,489.47)	432,452.17
Subtask	3.7	Reach SE-4 (3rd St, 140th Ave, CR 2)	SW-1160	525,000.00	14,345.17	539,345.17
Subtask	3.8	Reach SE-5 (180th Ave, Hwy 75 and BNSF)	SW-1160	275,000.00	(94,854.06)	180,145.94
Subtask	3.9	MFDA Utility Relocations (WP-47)	SW-1160	0.00	645,000.00	645,000.00
Subtask	4.1	P3 Design Review and Comment	SW-1160	1,020,000.00	797,240.12	1,817,240.12
Subtask	4.2	P3 Construction Support	SW-1160	3,411,207.00	(250,000.00)	3,161,207.00
Subtask	5.1	Mobility Improvements in Cass County – 38th St S, 52nd Ave S and 32nd Ave	SW-1160	680,000.00	287,744.48	967,744.48
		Total		18,643,651.07	2,861,391.49	21,505,042.56

Summary of Budget Allocation – Per Year 2021 to 2026

Year	Original Agreement or Amendment	Cost account code	Estimated cost (\$)	Budget Allocated (\$)	Actual Paid to date (\$)	Budget Remaining (\$)	Comments
2021	TO101-A2	SW-1160	598,323.53	598,323.53	598,323.53	0.00	2021 paid.
2022	TO101-A3	SW-1160	3,206,924.03	3,206,924.03	3,206,924.03	0.00	2022 paid.
2023	TO101-A3	SW-1160	6,206,550.00	6,206,550.00	0.00	6,206,550.00	Within allocated annual budget.
2024	TO101-A3	SW-1160	4,221,734.00	4,221,734.00	0.00	4,221,734.00	Within allocated annual budget.
2025	TO101-A3	SW-1160	3,776,875.00	3,776,875.00	0.00	3,776,875.00	Within allocated annual budget.
2026	TO101-A3	SW-1160	3,494,636.00	3,494,636.00	0.00	3,494,636.00	Within allocated annual budget.
	Total	SW-1160	21,505,042.56	21,505,042.56	3,805,247.56	17,699,795.00	

The PMC prepared this task order, and feels the information is accurate, complete, and ready for Executive Director review.

ATTACHMENT(S):

1. HMG Task Order 101 Amendment 6

Prepared by: Program Management Consultant

Ian Joynes

Dated: 2/13/2023

Approved by Joel Paulsen, Diversion Authority Executive Director via Aconex.

Dated: 2/15/2023



METRO
FLOOD
DIVERSION
AUTHORITY

Diversion Authority Board Meeting

FEBRUARY 23, 2023

Executive Director Report

Joel Paulsen, Executive Director



Happenings

Speaking & Outreach Highlights

- Lake Agassiz Exchange Club: Joel provided a project update
- City of Wolverton Meeting: Joel, Kris and Jodi presented on construction progress and programs impacting the Wolverton area
- FMWF Chamber Leadership Program: Joel presented on the importance and impact this project will have on the area
- Holy Cross Township Meeting

Program Highlights

- BNSF acquisitions for channel ROW



US Army Corps
of Engineers®
St. Paul District

FARGO MOORHEAD DIVERSION PROJECT

MONTHLY UPDATE

23 Feb 2023

1 Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 93% complete and remains on schedule. Required completion date is 7 June 2023. Installation of the 3 gates continues. Bridge beams/deck being installed. Schedule for remaining primary features:

2023: Install bridge and mechanical platform deck, gates, operating machinery, seeding.

2024: Turf established.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 75% complete and remains on schedule. The required completion date is 20 October 2023. All three gates have been installed. Install of mechanical platform/vehicle service bridge and channel riprap ongoing. Remaining schedule:

2023: Control building, install gate operating machinery, complete excavation of engineered channel, close off natural channel / redirect to engineered channel, dam embankment, seeding.

2024: Turf established.

3 I-29 Raise – Construction

Includes approximately 4 miles of interstate raise between County Roads 16 and 18. Construction is 72% complete and remains on schedule. Most work has paused for winter. Paving of the mainline raise to be complete Summer 2023. Required completion date NLT 1 January 2024.

4 Southern Embankment – Reach SE-1 (Western Tieback) - Construction

Construction was completed 10 November 2022. O&M Manual being completed. Partial turnover to the Diversion Authority for Operations and Maintenance occurred on 29 December 2022.

5 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 8% complete. Foundation pile driving is ongoing. Structural concrete pours are anticipated to begin in the spring. Required completion date is 19 March 2026.

6 Drain 27 Wetland Mitigation Project - Construction

Construction was completed 2 December 2022. Native plantings 5-year service contract was advertised for bids on 1 February 2023. Contract award anticipated in mid-April 2023.

7 Drayton Dam Mitigation Project Design - Construction

Construction is 45% complete. All work has paused for the winter. Removal of the existing dam planned for Summer 2023. Anticipated completion is September 2023.

8 Southern Embankment – Reach SE-2A - Construction

Construction is 12% complete. All work has paused for the winter. Scheduled completion date is 30 Sept. 2024.

9 Southern Embankment Design – All remaining reaches are being designed.

SE-1B: Final design review Aug 2023.

SE-2B: 95% review starts late-Feb 2023.

SE-3: 65% review starts mid-Aug 2023.

SE-4: 35% review starts mid-March 2023.

SE-5: 35% review starts early March 2023.

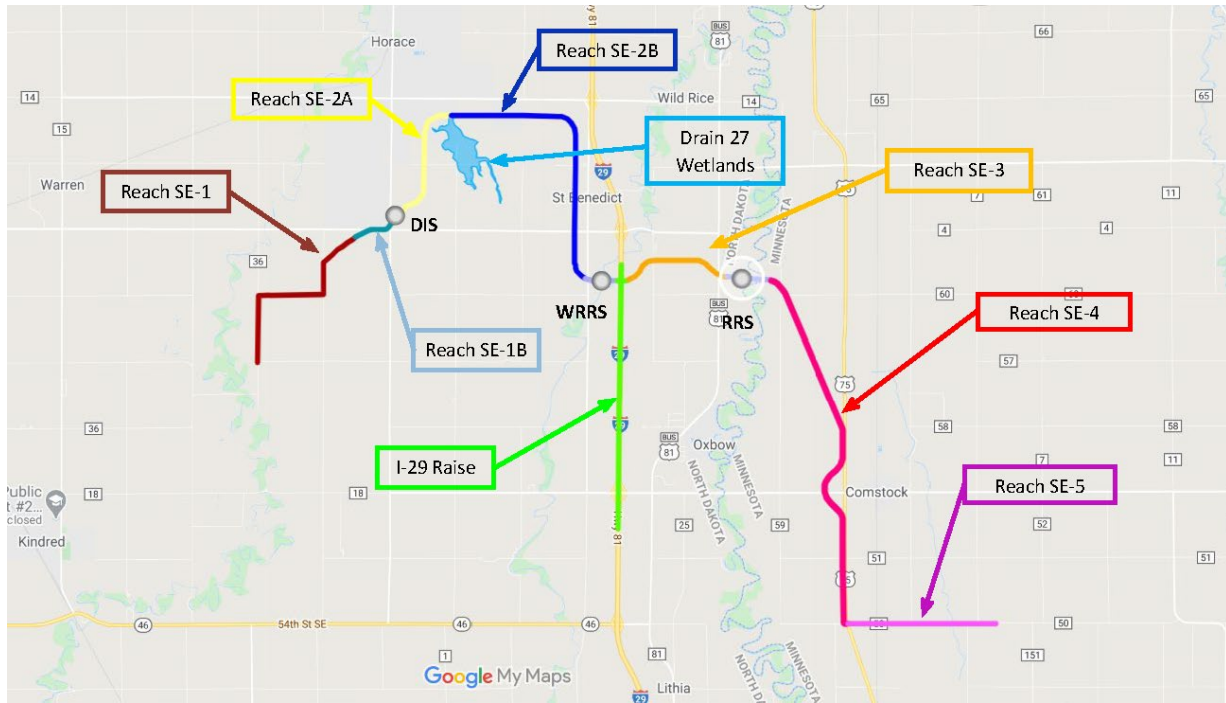
Contract award: February 2024

Contract award: April 2024

Contract award: January 2025

Contract award: April 2024

Contract award: January 2025



Fargo-Moorhead Metro FRM – Federal Work/Southern Embankment and Control Structures

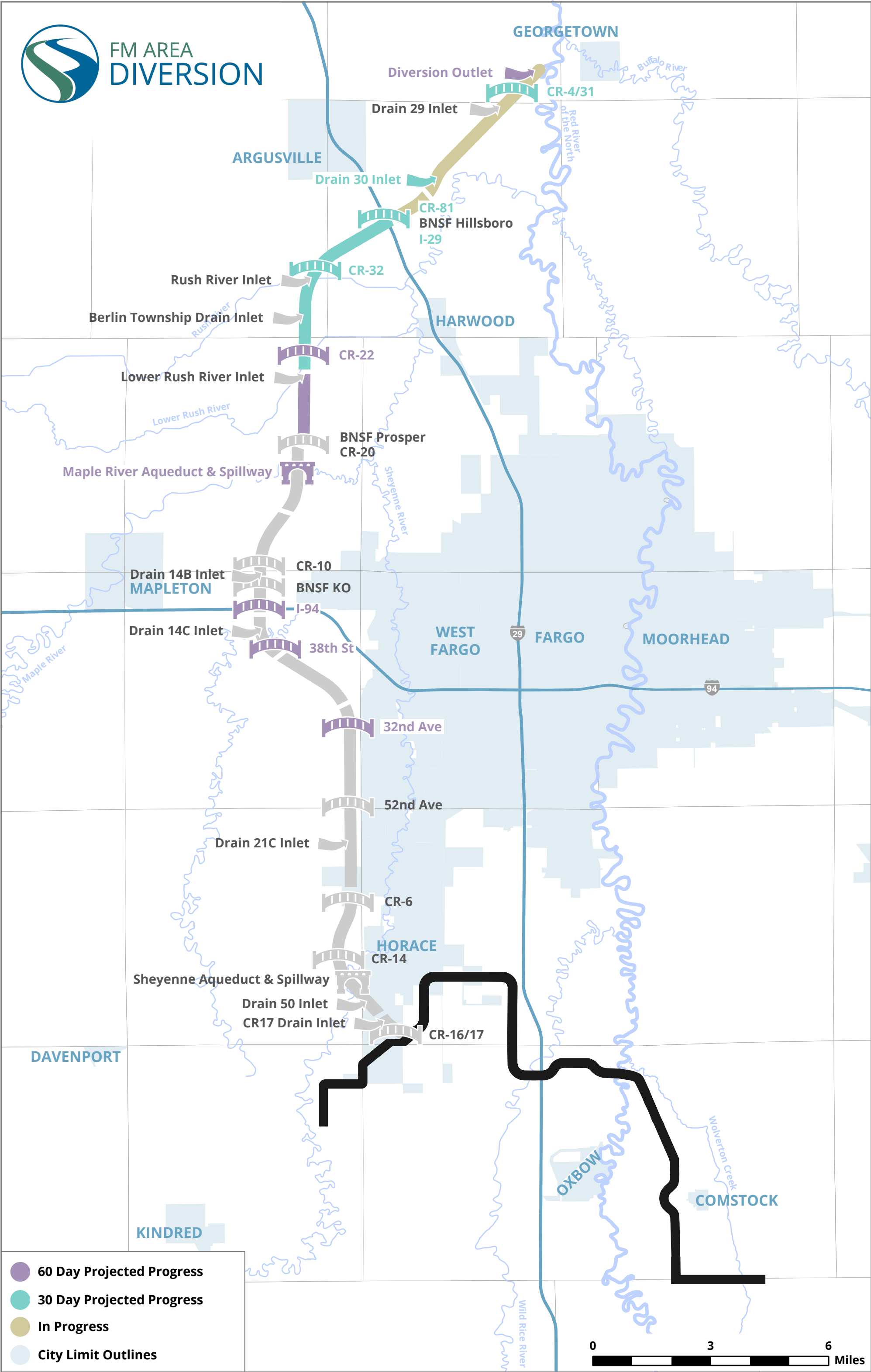
DIS = Diversion Inlet Control Structure

WRRS = Wild Rice River Control Structure

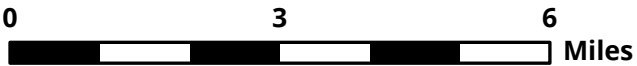
RRS = Red River Control Structure



FM AREA DIVERSION



- 60 Day Projected Progress
- 30 Day Projected Progress
- In Progress
- City Limit Outlines

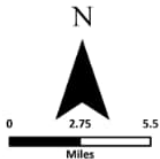
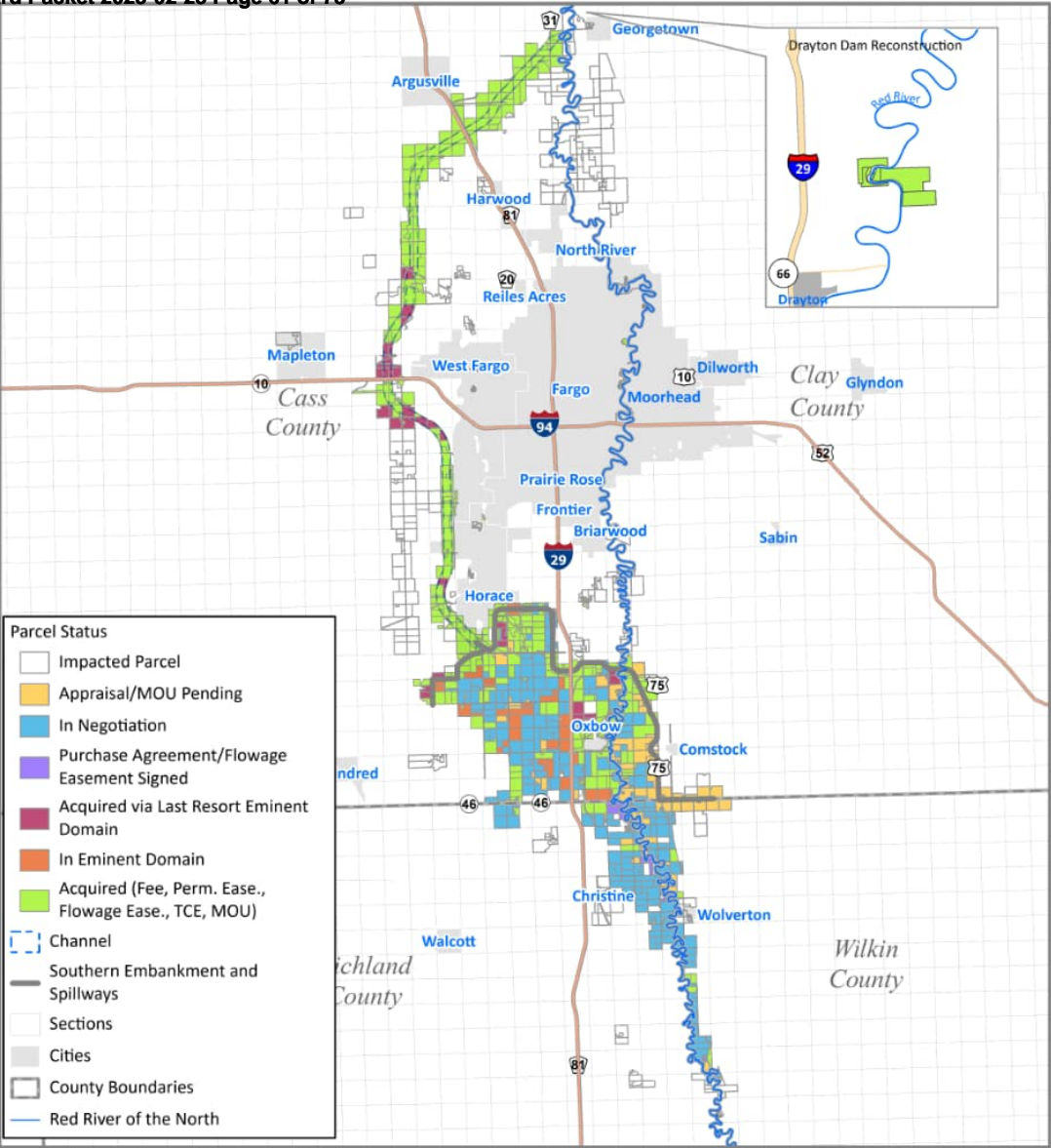




METRO
FLOOD
DIVERSION
AUTHORITY

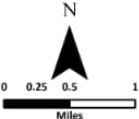
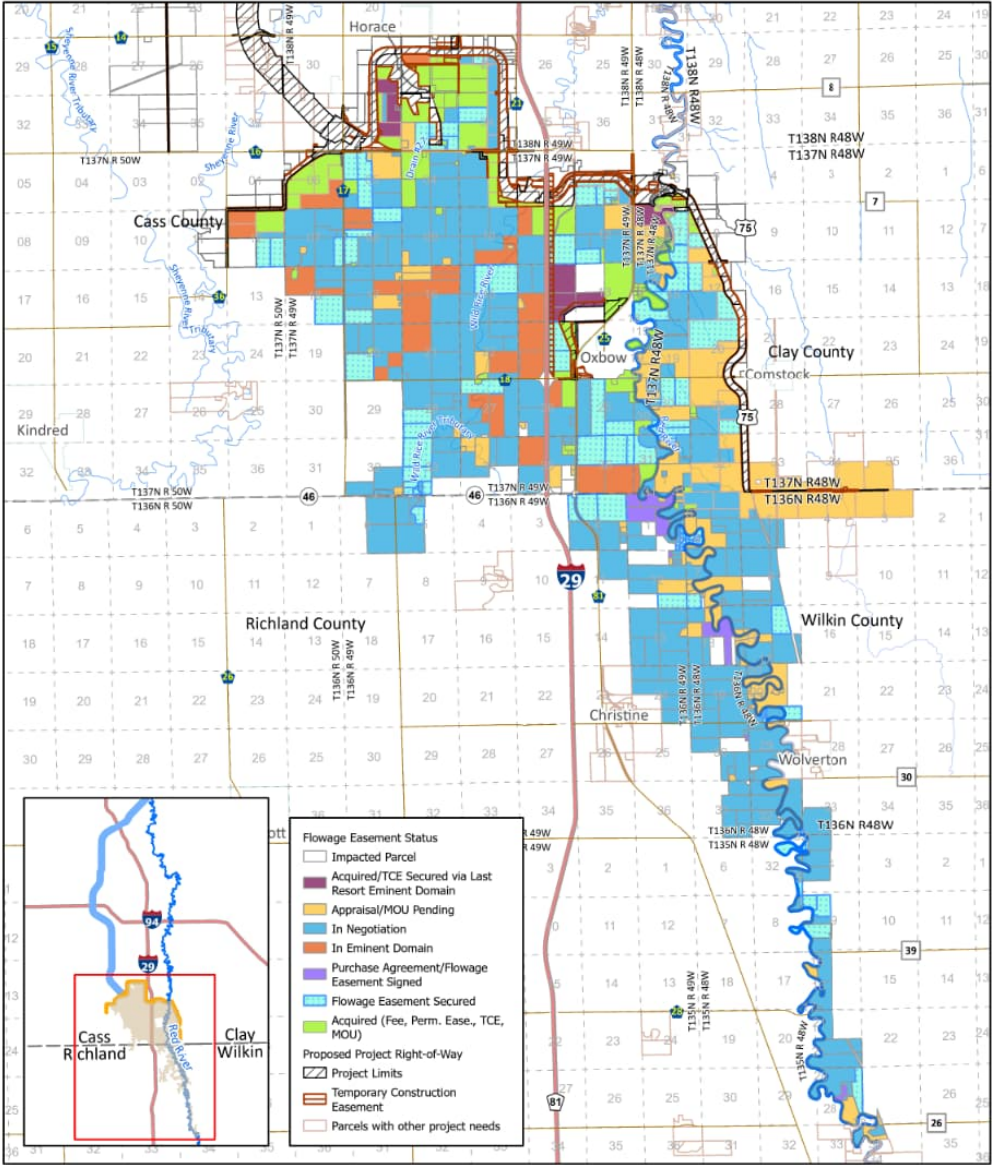
February 2023





**PROPERTY ACQUISITION
STATUS REPORT**

Date: 02/14/2023



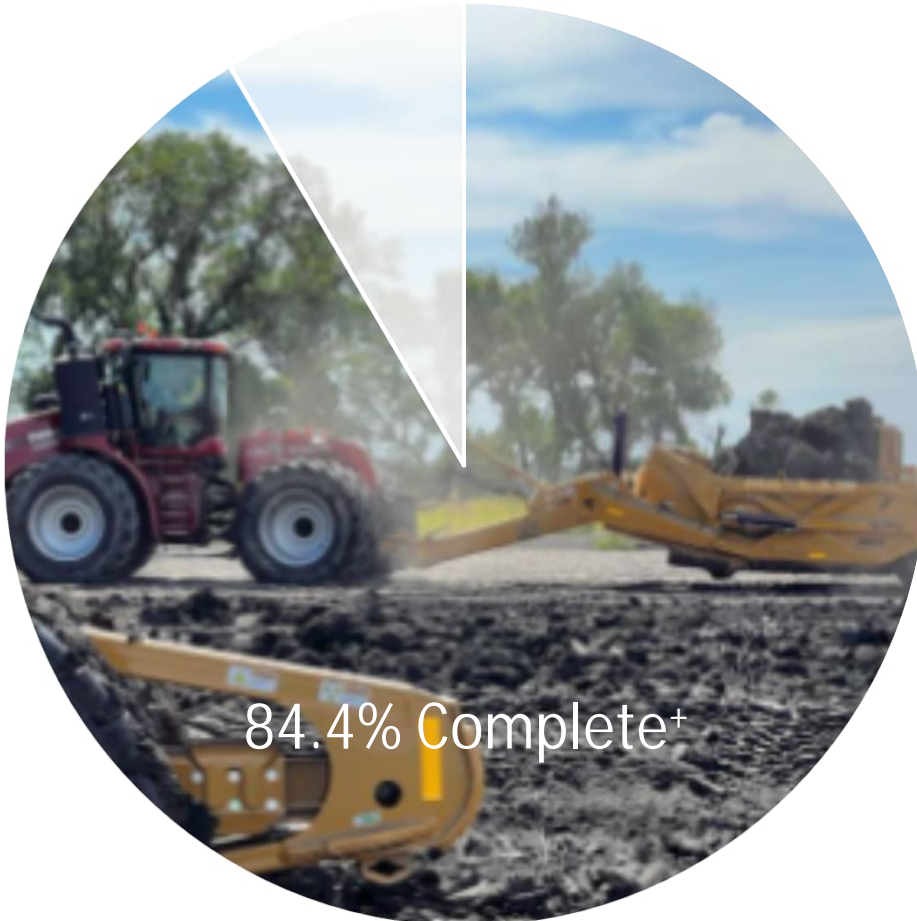
**FLOWAGE EASEMENT
ACQUISITION STATUS REPORT**

Date: 02/14/2023



Property Acquisition Progress

Construction Footprint^{*}



UMA Footprint^{**}



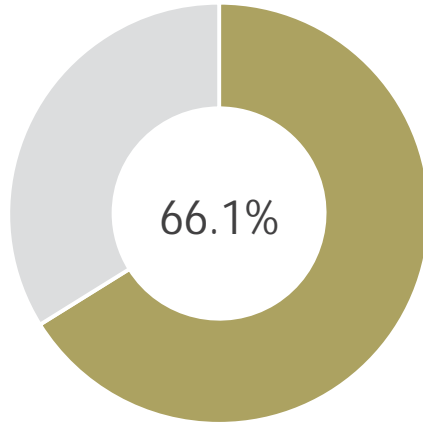
^{*} Includes SWDCAI, SEAI, In-Town, Oxbow and Drayton

⁺ Parcels needed increased slightly since January 2023 due to SE-4 design

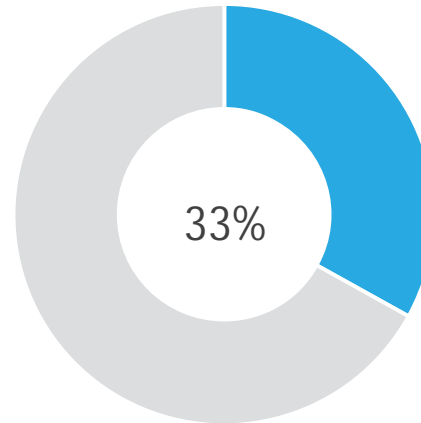
^{**} Does not include parcels affected by or within Christine or Wolverton ring levees

As of February 14, 2023

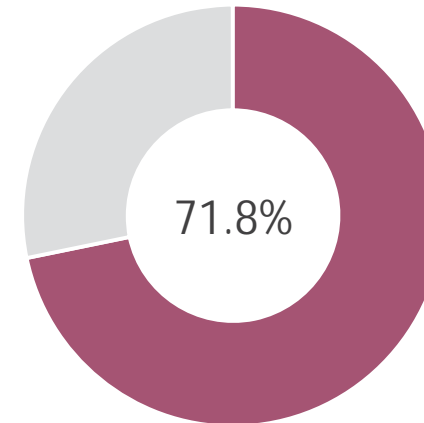
Property Acquisition Progress by Location



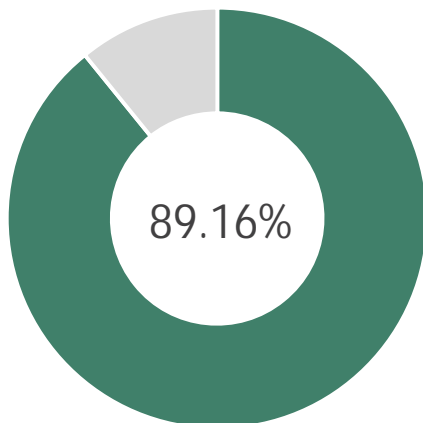
Southern Embankment & Associated Infrastructure*



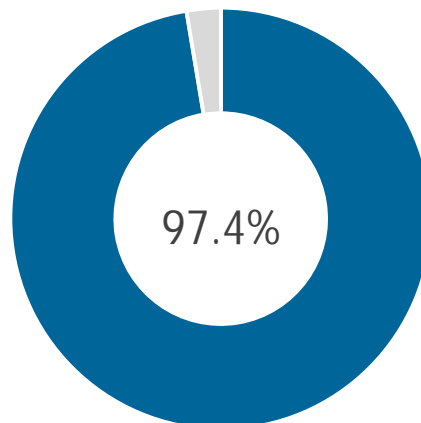
Upstream Mitigation Area*



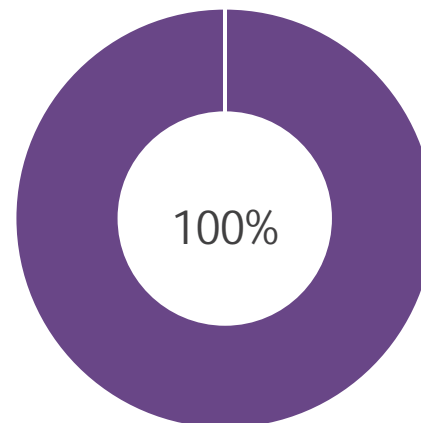
Environmental Monitoring Easements



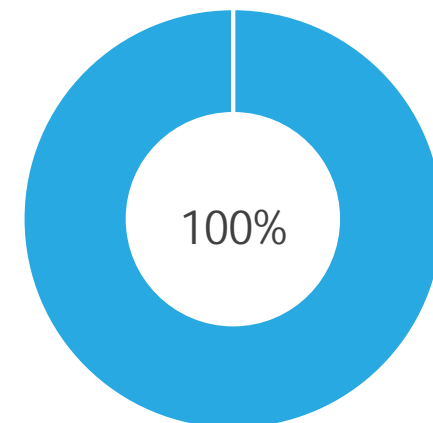
Stormwater Diversion Channel



Oxbow-Hickson-Bakke



MFDA-Constructed In-Town Levees

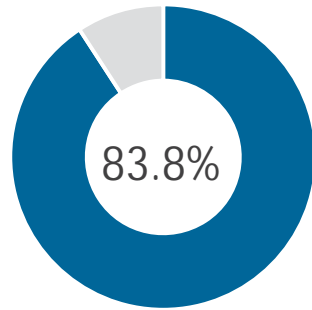


Drayton Dam Mitigation

** Parcels added based on SE-4 design updates
As of February 14, 2023*

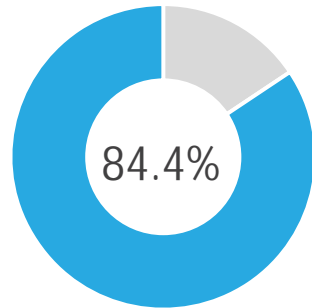
Landowner Overview

Construction Footprint^{*}



302 Owner Groups
253 settlements achieved
30 ongoing negotiations
19 in litigation

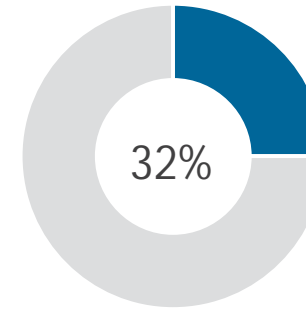
83.8% of owner groups have settled



570 Parcels
481 settlements achieved
48 ongoing negotiations
41 in litigation

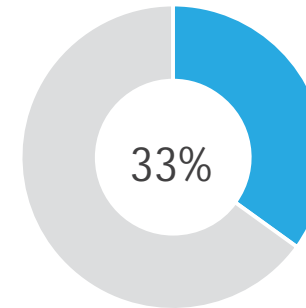
84.4% of parcels have been acquired

UMA Footprint^{**}



254 Owner Groups
82 settlements achieved
155 ongoing negotiations
17 in litigation

32% of owner groups have settled



563 Parcels
155 settlements achieved
346 ongoing negotiations
31 in litigation

33% of parcels have been acquired

^{*} Includes SWDCAI, SEAI, In-Town, Oxbow and Drayton

^{**} Does not include parcels affected by or within Christine or Wolverton ring levees

Property Acquisition Status Report

Key Activities:

- Continue negotiating settlement agreements for existing eminent domain actions.
- Batch #3 filing for eminent domain action was requested on 28 property owners.
- Batch #4 of the last offer letters went out to 9 property owners.
- Batch #5 of last written offers finalized for 13 property owners.
- SE-2B of the last written offers went out to 7 property owners.



FARGO-MOORHEAD AREA DIVERSION PROJECT

LAND ACQUISITION DIRECTIVE (LAD)**LAD-ND-00077****REV-02****DATE:** 2/15/2023**ACQUIRING ENTITY:** Cass County Joint Water Resource District (CCJWRD)**WORK PACKAGE:** SWDCAI – BNSF Right of Way for Rail Abandonment in and near Horace, ND**BACKGROUND:**

The Diversion Authority approved a budget for property acquisitions that is intended to provide a source of funding for acquisition for properties that would ultimately be needed for the project.

PROPERTY ACQUISITIONS:

The acquisition of property rights on the following properties are recommended and directed. These properties are impacted by the Project and are needed for construction and operation. This LAD authorizes the CCJWRD to acquire the property rights for the following Storm Water Diversion Channel and Associated Infrastructure properties. The acquisition of these properties is expected to be completed in 2023.

OIN	Parcel Type	Owner
1236A	LAND	BNSF Railway
1236B	LAND	BNSF Railway
NA	LAND	BNSF Railway – Tracts F and G from attached certificates of survey

Property Acquisition Budget for above listed OINs: \$1,234,500.00*

***Includes purchase price of \$1,232,000.000 and administrative fee of \$2,500.00.**

ATTACHMENTS:

- Certificates of Survey of all listed Property Parcels – Tracts A, B, F and G

Recommended by:

Jodi Smith

Metro Flood Diversion Authority

Director of Lands & Compliance

Jodi Smith

Signature

02/16/2023

Date

Directed by:

Mayor Bernie Dardis

Diversion Authority Finance Committee

Finance Committee Chairman

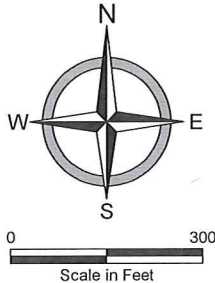
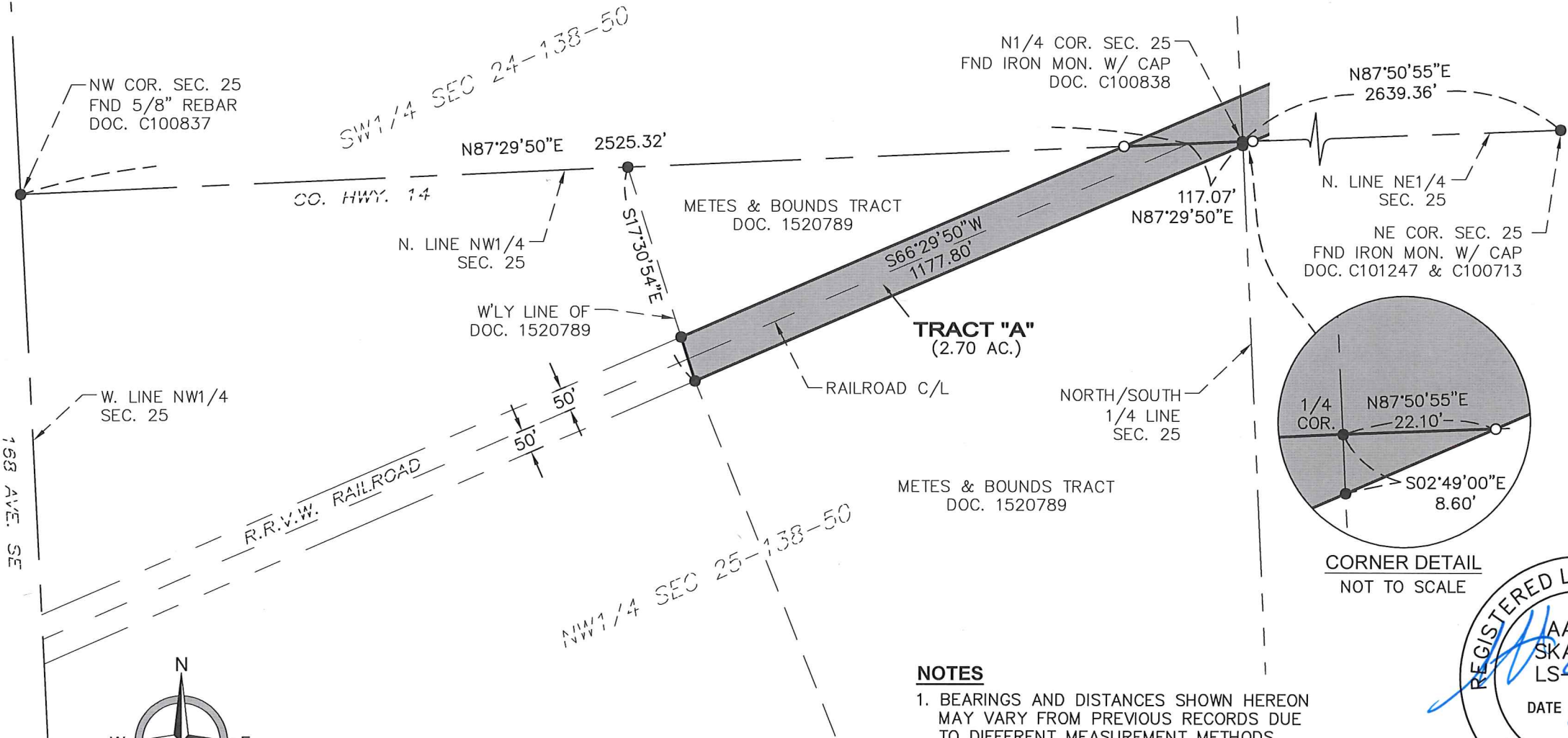
Title

Signature

Date

CERTIFICATE OF SURVEY

PART OF THE N1/2-N1/2 OF SEC. 25, T.138N., R.50W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA



BASIS OF BEARINGS:
THE NORTH LINE OF THE
NW1/4 OF SECTION 25
HAS AN ASSIGNED BEARING
OF N87°29'50"E

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH BLUE PLASTIC CAP #6153

NOTES

1. BEARINGS AND DISTANCES SHOWN HEREON MAY VARY FROM PREVIOUS RECORDS DUE TO DIFFERENT MEASUREMENT METHODS.
2. ADJACENT PARCELS ARE SHOWN FOR REFERENCE ONLY AND MAY NOT REFLECT CURRENT OR COMPLETE OWNERSHIP LINES.



SHEET 1 OF 13

Certificate of Survey

Parts of Sections 24 and 25, T.138N., R.50W.
Cass County, North Dakota

PROJECT No.	21990
DATE:	01.31.22
REVISED:	11.29.22
DRAFTER:	AJS
REVIEWER:	CDH



CERTIFICATE OF SURVEY
PART OF THE N1/2-N1/2 OF SEC. 25, T.138N., R.50W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA

DESCRIPTION - TRACT "A"

That part of the North Half of the North Half of Section 25, Township 138 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, being a strip of land 100.00 feet wide, lying 50.00 feet on each side of the following described centerline:

Commencing at the northwest corner of said Section 25; thence North 87 degrees 29 minutes 50 seconds East, on an assigned bearing along the north line of said Section 25, a distance of 2,525.32 feet to a point on the centerline of the Red River Valley and Western Railroad, the point of beginning of the centerline to be described; thence South 66 degrees 29 minutes 50 seconds West a distance of 1,177.80 feet to a point of intersection with the southerly extension of the westerly line of that certain tract described in Document #1520789, on file and of record in the Cass County Recorder's Office, and said centerline there terminates. The side lines of said strip are to be lengthened or shortened to terminate on the north line of said Section 25, and on the southerly extension of said westerly line.

The above-described tract contains 2.70 acres, and is subject to all easements, restrictions, reservations, and rights-of-way recorded and unrecorded.



SHEET 2 OF 13

Certificate of Survey

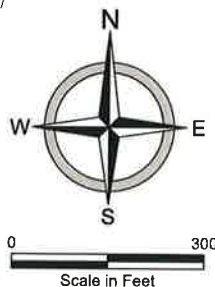
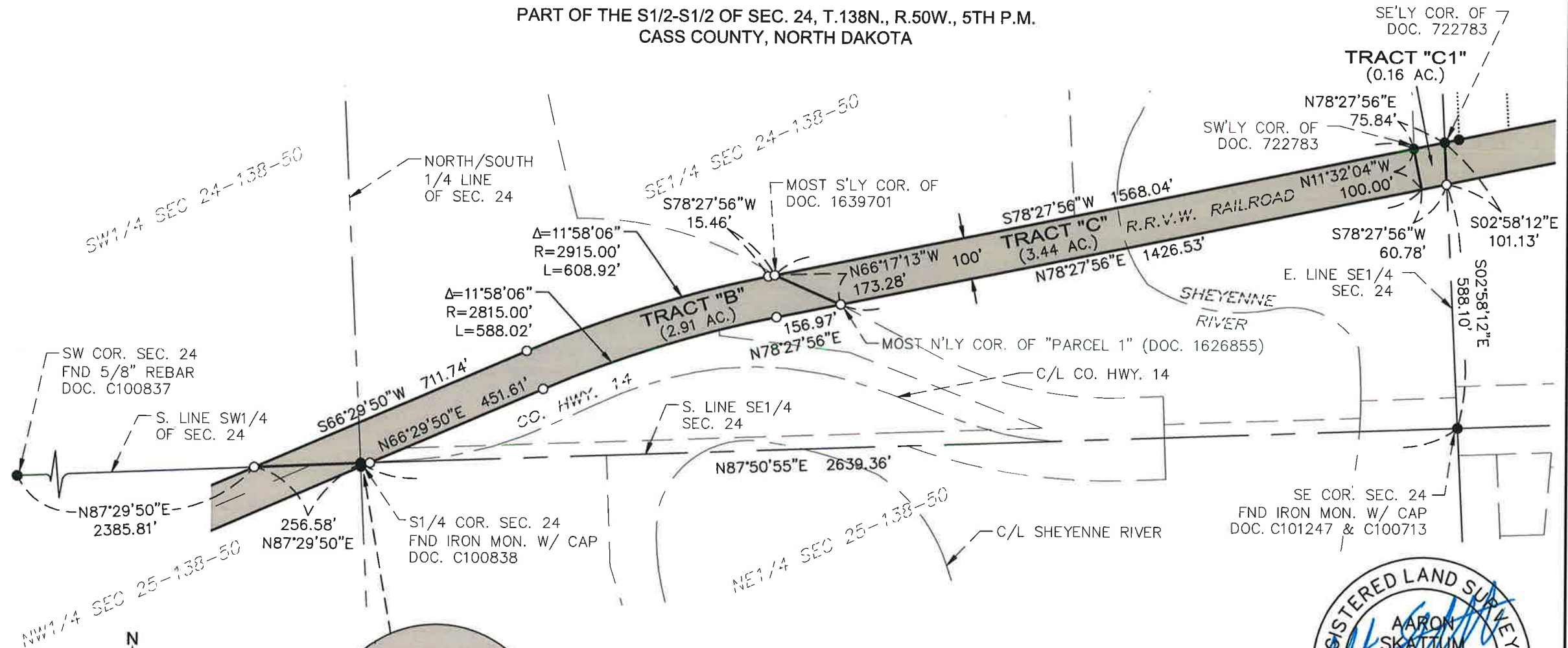
Parts of Sections 24 and 25, T.138N., R.50W.
Cass County, North Dakota

PROJECT No.	21990
DATE:	01.31.22
REVISED:	11.29.22
DRAFTER:	AJS
REVIEWER:	CDH

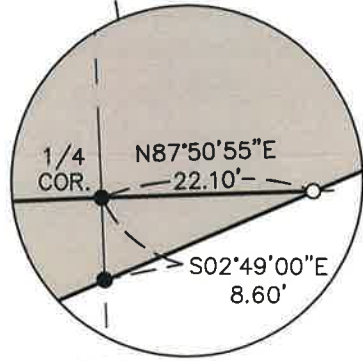


CERTIFICATE OF SURVEY

PART OF THE S1/2-S1/2 OF SEC. 24, T.138N., R.50W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA



BASIS OF BEARINGS:
THE SOUTH LINE OF THE
SW1/4 OF SECTION 24
HAS AN ASSIGNED BEARING
OF N87°29'50"E



CORNER DETAIL
NOT TO SCALE

NOTES

1. BEARINGS AND DISTANCES SHOWN HEREON
MAY VARY FROM PREVIOUS RECORDS DUE
TO DIFFERENT MEASUREMENT METHODS.
2. ADJACENT PARCELS ARE SHOWN FOR
REFERENCE ONLY AND MAY NOT REFLECT
CURRENT OR COMPLETE OWNERSHIP LINES.

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH
BLUE PLASTIC CAP #6153



SHEET 3 OF 13

Certificate of Survey

Parts of Sections 24 and 25, T.138N., R.50W.
Cass County, North Dakota

PROJECT No.	21990
DATE:	01.31.22
REVISED:	02.06.23
DRAFTER:	AJS
REVIEWER:	CDH



CERTIFICATE OF SURVEY
PART OF THE S1/2-S/12 OF SEC. 24, T.138N., R.50W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA

DESCRIPTION - TRACT "B"

That part of the South Half of the South Half of Section 24, Township 138 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 24; thence North 87 degrees 29 minutes 50 seconds East, on an assigned bearing along the south line of said Southwest Quarter, a distance of 2,385.81 feet to the northerly right-of-way line of the Red River Valley & Western Railroad, the point of beginning; thence continuing North 87 degrees 29 minutes 50 seconds East along the south line of said Southwest Quarter a distance of 256.58 feet to the southwest corner of the Southeast Quarter of said Section 24; thence North 87 degrees 50 minutes 55 seconds East along the south line of said Southeast Quarter a distance of 22.10 feet to the southerly line of said railroad right-of-way; thence North 66 degrees 29 minutes 50 seconds East along said southerly right-of-way line a distance of 451.61 feet; thence easterly 588.02 feet along said southerly right-of-way line, and along a tangential curve, concave southerly, having a radius of 2,815.00 feet and a central angle of 11 degrees 58 minutes 06 seconds; thence North 78 degrees 27 minutes 56 seconds East along said southerly right-of-way line a distance of 156.97 feet to the most northerly corner of that certain tract of land described in Document #1626855, and labeled therein as "PARCEL 1", being on file and of record in the Cass County Recorder's office; thence North 66 degrees 17 minutes 13 seconds West a distance of 173.28 feet to the most southerly corner of that certain tract of land described in Document #1639701, being on file and of record in the Cass County Recorder's office, said corner also being on the northerly right-of-way line of said Red River Valley & Western Railroad; thence South 78 degrees 27 minutes 56 seconds West along said northerly right-of-way line a distance of 15.46 feet; thence westerly 608.92 feet along said northerly right-of-way line, and along a tangential curve, concave southerly, having a radius of 2,915.00 feet and a central angle of 11 degrees 58 minutes 06 seconds; thence South 66 degrees 29 minutes 50 seconds West along said northerly right-of-way line a distance of 711.74 feet to the point of beginning.

The above-described tract contains 2.91 acres, and is subject to all easements, restrictions, reservations, and rights-of-way recorded and unrecorded.



SHEET 4 OF 13

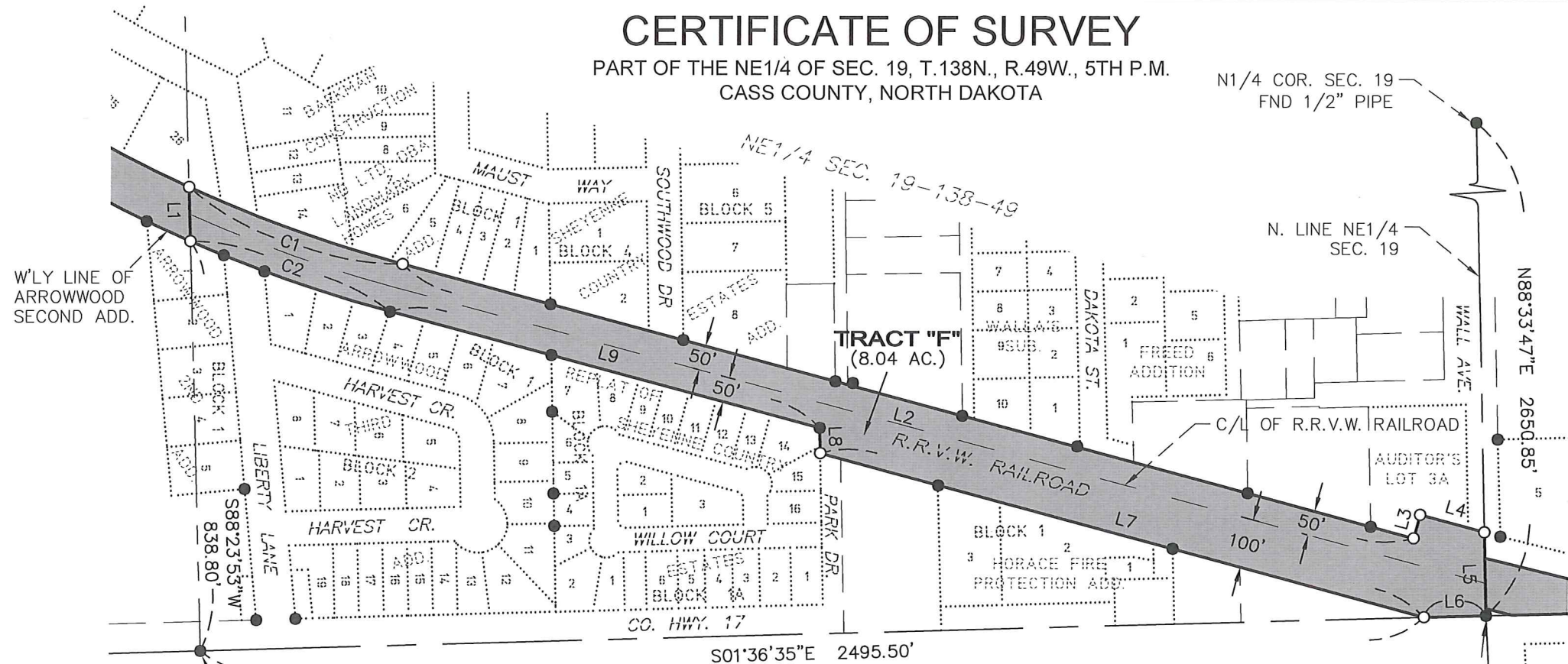
Certificate of Survey

Parts of Sections 24 and 25, T.138N., R.50W.
Cass County, North Dakota

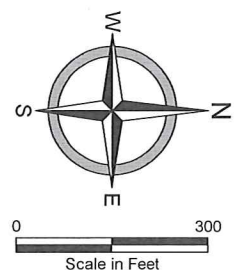
PROJECT No.	21990
DATE:	01.31.22
REVISED:	11.29.22
DRAFTER:	AJS
REVIEWER:	CDH



CERTIFICATE OF SURVEY
PART OF THE NE1/4 OF SEC. 19, T.138N., R.49W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA



E1/4 COR. SEC. 19
FND SURVEY MARKER
SPIKE W/4723 WASHER
DOC. 3419 1654



BASIS OF BEARINGS:
THE SOUTH LINE OF THE
NE1/4 OF SECTION 19 HAS
AN ASSIGNED BEARING OF
S88°23'53"W

Line Table		
Line #	Direction	Length
L1	S88°23'53"W	111.03'
L2	N15°11'18"E	2138.36'
L3	N74°48'42"W	50.00'
L4	N15°11'18"E	135.20'
L5	N88°33'47"E	170.78'
L6	S01°36'35"E	125.80'
L7	S15°11'18"W	1278.20'
L8	S88°43'34"W	52.14'
L9	S15°11'18"W	909.02'

NOTES

1. BEARINGS AND DISTANCES SHOWN HEREON MAY VARY FROM PREVIOUS RECORDS DUE TO DIFFERENT MEASUREMENT METHODS.
2. ADJACENT PARCELS ARE SHOWN FOR REFERENCE ONLY AND MAY NOT REFLECT CURRENT OR COMPLETE OWNERSHIP LINES.

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	463.50'	2809.20'	9°27'12"	N19°54'54"E	462.97'
C2	430.90'	2909.20'	8°29'11"	S19°25'53"W	430.50'

NE COR. SEC. 19
FND SURVEY MARKER
SPIKE W/4723 WASHER
DOC. 3418

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH BLUE PLASTIC CAP #6153



SHEET 10 OF 13

Certificate of Survey

Parts of Sections 24 and 25, T.138N., R.50W., and
Parts of Sections 18 and 19, T.138N., R.49W.,
Cass County, North Dakota

PROJECT No.	21990
DATE:	01.31.22
REVISED:	11.29.22
DRAFTER:	AJS
REVIEWER:	CDH



CERTIFICATE OF SURVEY
PART OF THE NE1/4 OF SEC. 19, T.138N., R.49W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA

DESCRIPTION - TRACT "F"

That part of the Northeast Quarter of Section 19, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence South 88 degrees 23 minutes 53 seconds West along the south line of said Northeast Quarter a distance of 838.80 feet to a point on the westerly line of ARROWWOOD SECOND ADDITION, according to the recorded plat thereof, said point also being on the easterly right-of-way line of the Red River Valley & Western Railroad, the point of beginning of the tract to be described; thence South 88 degrees 23 minutes 53 seconds West along the south line of said Northeast Quarter a distance of 111.03 feet to a point on the westerly line of said railroad right-of-way; thence northerly 463.50 feet along the said westerly right-of-way line, and along a non-tangential curve concave westerly having a radius of 2,809.20 feet and a central angle of 09 degrees 27 minutes 12 seconds, the chord of said curve bears North 19 degrees 54 minutes 54 seconds East with a chord length of 462.97 feet; thence North 15 degrees 11 minutes 18 seconds East tangent to the last described curve and along said westerly right-of-way line a distance of 2,138.36 feet; thence North 74 degrees 48 minutes 42 seconds West continuing along said westerly right-of-way line a distance of 50.00 feet; thence North 15 degrees 11 minutes 18 seconds East continuing along said westerly right-of-way line, and the northerly extension thereof a distance of 135.20 feet to a point on the north line of said Northeast Quarter; thence North 88 degrees 33 minutes 47 seconds East along said north line a distance of 170.78 feet to the northeast corner of said Northeast Quarter; thence South 01 degree 36 minutes 35 seconds East along the east line of said Northeast Quarter a distance of 125.80 feet to a point of intersection with said easterly right-of-way line; thence South 15 degrees 11 minutes 18 seconds West along said easterly right-of-way line a distance of 1,278.20 feet to a point on the northerly line of A REPLAT OF THE FIRST REPLAT OF BLOCK SIX AND SEVEN OF SHEYENNE COUNTRY ESTATES ADDITION, according to the recorded plat thereof; thence South 88 degrees 43 minutes 34 seconds West along the northerly line of said plat, and along said easterly right-of-way line a distance of 52.14 feet; thence South 15 degrees 11 minutes 18 seconds West along said easterly right-of-way line a distance of 909.02 feet; thence southwesterly 430.90 feet along said easterly right-of-way line, and along a tangential curve, concave northwesterly, having a radius of 2,909.20 feet and a central angle of 08 degrees 29 minutes 11 seconds to a point on the south line of said Northeast Quarter, to the point of beginning.

The above-described tract contains 8.04 acres, and is subject to all easements, restrictions, reservations, and rights-of-way recorded and unrecorded.



SHEET 11 OF 13

Certificate of Survey

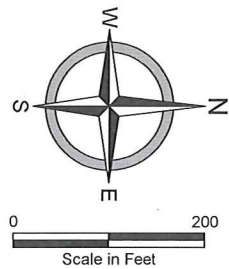
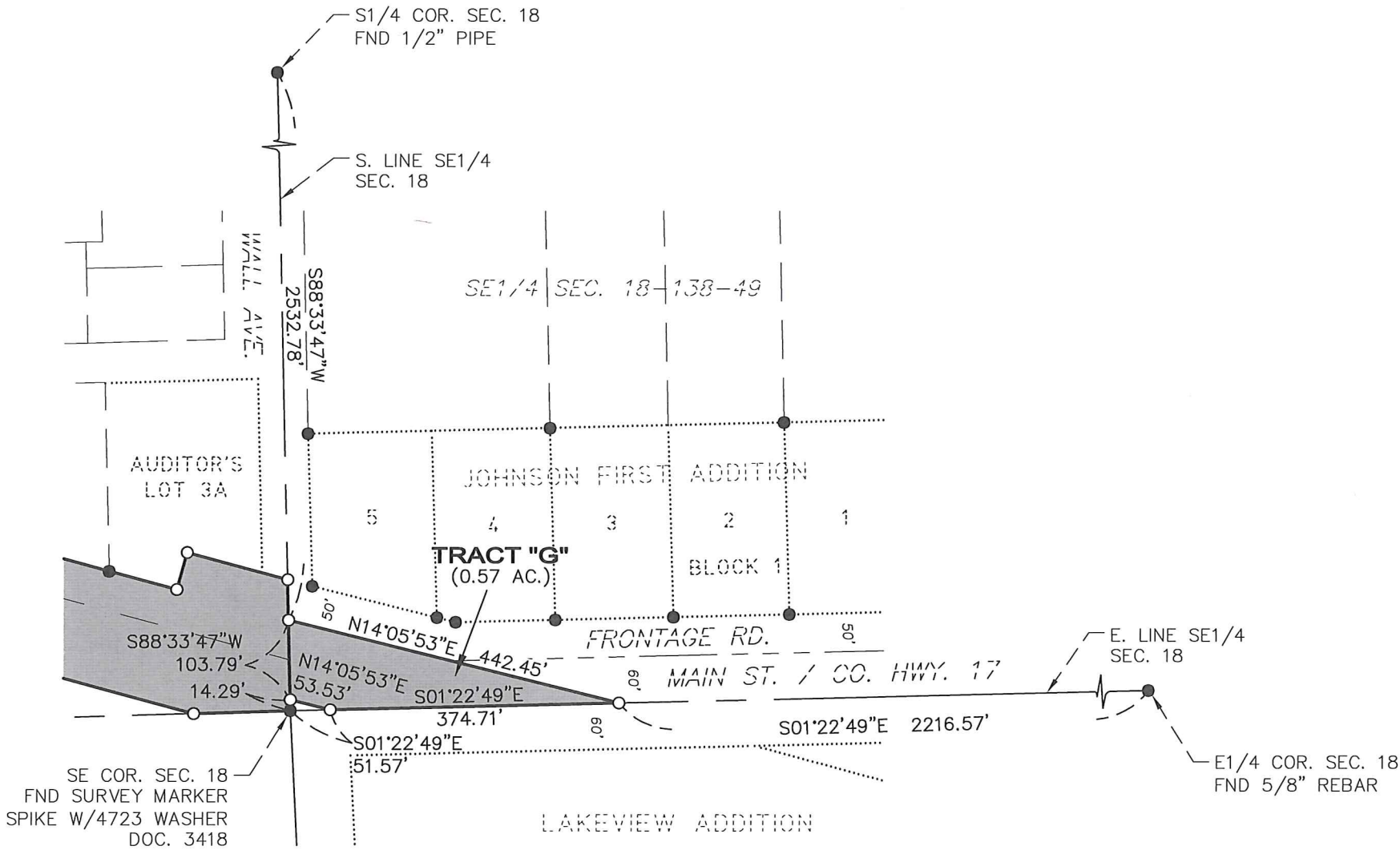
Parts of Sections 24 and 25, T.138N., R.50W., and
Parts of Sections 18 and 19, T.138N., R.49W.,
Cass County, North Dakota

PROJECT No.	21990
DATE:	01.31.22
REVISED:	11.29.22
DRAFTER:	AJS
REVIEWER:	CDH



CERTIFICATE OF SURVEY

PART OF THE SE1/4 OF SEC. 18, T.138N., R.49W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA



BASIS OF BEARINGS:
THE SOUTH LINE OF THE
SE1/4 OF SECTION 18 HAS
AN ASSIGNED BEARING OF
S88°33'47\"W

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH BLUE PLASTIC CAP #6153



SHEET 12 OF 13

NOTES

1. BEARINGS AND DISTANCES SHOWN HEREON MAY VARY FROM PREVIOUS RECORDS DUE TO DIFFERENT MEASUREMENT METHODS.
2. ADJACENT PARCELS ARE SHOWN FOR REFERENCE ONLY AND MAY NOT REFLECT CURRENT OR COMPLETE OWNERSHIP LINES.

Certificate of Survey

Parts of Sections 24 and 25, T.138N., R.50W., and
Parts of Sections 18 and 19, T.138N., R.49W.,
Cass County, North Dakota

PROJECT No.	21990
DATE:	01.31.22
REVISED:	11.29.22
DRAFTER:	AJS
REVIEWER:	CDH



CERTIFICATE OF SURVEY
PART OF THE SE1/4 OF SEC. 18, T.138N., R.49W., 5TH P.M.
CASS COUNTY, NORTH DAKOTA

DESCRIPTION - TRACT "G"

That part of the Southeast Quarter of Section 18, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence South 88 degrees 33 minutes 47 seconds West along the south line of said Southeast Quarter a distance of 14.29 feet to a point on the easterly right-of-way line of the Red River Valley & Western Railroad, the point of beginning; thence continuing South 88 degrees 33 minutes 47 seconds West along the south line of said Southeast Quarter a distance of 103.79 feet to a point on the westerly right-of-way line of said Red River Valley & Western Railroad; thence North 14 degrees 05 minutes 53 seconds East along said westerly right-of-way line a distance of 442.45 feet to a point on the east line of said Southeast Quarter; thence South 01 degree 22 minutes 49 seconds East along the east line of said Southeast Quarter a distance of 374.71 feet to a point on said easterly right-of-way line; thence South 14 degrees 05 minutes 53 seconds West along said easterly right-of-way line a distance of 53.53 feet to the point of beginning.

The above-described tract contains 0.57 acres, and is subject to all easements, restrictions, reservations, and rights-of-way recorded and unrecorded.

CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of North Dakota.


Aaron Skattum, R.L.S.
N.D. License No. LS-6153



Date: 12/1/2022

State of Minnesota)
County of Beltrami)

On this 1st day of December, 2022,
before me, a Notary Public in and for said county and state, personally
appeared Aaron Skattum, Registered Land Surveyor, known to me to
be the person described in and who executed the foregoing certificate
and acknowledged to me that he executed the same as his free act and
deed.


Notary Public, Beltrami County, Minnesota



SHEET 13 OF 13

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