

Minutes of the Fargo Moorhead Flood Diversion Project

Technical DRB Introductory Meeting

April 26, 2024

9:00 AM CT – April 26, 2024

Virtual meeting held via Microsoft Teams

A meeting of the Technical Dispute Resolution Board was held on June 12, 2024.

None of the members of the Technical Dispute Resolution Board were absent. Representatives of the Metro Flood Division Authority (John Shockley, Martin Nicholson and Andrea Roman) and the Red River Valley Alliance, LLC (Javier Velasco, Maria Sanchez and Shay Arvats) were present.

1. CALL TO ORDER

Mark Alpert called the meeting to order at 9:00 AM CT. Roll call was taken, and a quorum of the Technical Dispute Resolution Board was present.

2. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

Ed Pensock moved to approve the order of the agenda and Charles Boland seconded the motion. On a voice vote, the motion carried.

3. THE FOLLOWING TOPICS WERE DISCUSSED

Introduction and ground rules

The parties introduced themselves at the beginning of the meeting. Ground rules were reconfirmed that no ex parte communication would be permitted going forward. Procedural matters were discussed regarding document sharing by both parties via a dedicated website where all such documents would reside. The documents may include contracts, schedules, technical documents – drawings and specifications, and Technical Requirements, baseline schedules and updates of same. Issues that may be the source of disputes that would come before the Technical DRB (“TDRB”) will always be in writing and shared with the other party not generating the issues as well the TDRB.

Other topics discussed included the following:

- Meeting format – virtual or in person
- A kick-off meeting was held last week with the Financial DRB (“FDRB”)
- Documents submitted by the parties on a monthly basis to the TDRB addressing progress on the project