

**LAKE AGASSIZ WATER AUTHORITY
SPECIAL BOARD MEETING**

**Video Conference
November 19, 2020**

A meeting of the Lake Agassiz Water Authority (LAWA) board of directors was held by video conference on November 19, 2020. The meeting was called to order by Acting Chair Vein at 9:30 a.m.

MEMBERS PARTICIPATING

Chair Timothy Mahoney
Acting Chair Ken Vein
Director LaVonne Althoff
Director Rick Bigwood
Director Bill Bohnsack
Director Dave Carlsrud
Director Tom Erdmann
Director Keith Nilson
Director Jim Schmaltz
Director Travis Schmidt
Alternate Jerry Blomeke for Director Mark Johnson
Associate Member Steven Dale
Secretary Duane DeKrey

MEMBERS ABSENT

Associate Member Dick Johnson
Associate Member Carol Siegert

A registration sheet is attached to these minutes as Annex I.

The meeting was recorded to assist with compilation of the minutes.

RRVWSP

Ken Vein, Acting Chair, stated the purpose of this meeting is to determine whether to award the contract and issue a notice to proceed on the Red River Valley Water Supply Project's (RRVWSP) Missouri River Intake (MRI) Pumping Station, Wet Well and Site Development.

Missouri River Intake Pumping Station Wet Well & Site Development

Bid Summary and Detailed Bid Tabs

Kip Kovar, Deputy Program Manager, RRVWSP Engineering, reported bids were open on November 12 for the RRVWSP's MRI Pumping Station, Wet Well and Site Development.

Three bids were submitted for this project. Mr. Kovar reviewed the bid summary and the detailed bid tab with the board. The lowest responsible bidder was ICS, Inc. from Grand Forks at \$4,989,405.88. Copies of the bid summary, along with the detailed bid sheet, are attached to these minutes as Annex II.

Mr. Kovar explained this was for the base bid for the MRI. There was also an alternate to place a temporary cover over the wetwell. ICS was also the low bidder on the alternate.

Engineer's Recommendation

Mr. Kovar informed the board that Black & Veatch did review the bids paying special attention to experience and qualifications and are, therefore, recommending ICS, Inc. be awarded the contract. The engineer also felt the cover was not needed and recommends not going with the alternate. A copy of the engineer's recommendation is attached to these minutes as Annex III.

Paul Boersma, Black & Veatch, provided a PowerPoint presentation explaining the reasoning for the difference in the engineer's estimate and the contractors' bids.

Mr. Boersma stated the inside of the wet well will be built in a future construction effort, Contract No. 2. A series of secant piles that provide temporary excavation support are the essence of the cost difference. The contractor believes these need to provide fully permanent structural support and could be there months or years depending on funding. The cost difference is due to what was assumed in the design and what the contractor provided. There will be a short-term cost in the differences but a longer-term savings. Overall, the contractor assumptions led to a higher price than the engineer's estimate.

Mr. Kovar added it was the LAWA Technical Advisory Committee's (TAC) choice not to make a recommendation regarding the contract award since it was felt this is more of a financial perspective and a board decision.

Bruce Grubb, City of Fargo, said he visited with Al Grasser, Chair, LAWA TAC after reviewing the bids. They recognized there may be an opportunity to save money in another phase and fully support awarding the bid and issuing the notice to proceed on the MRI.

Acting Chair Vein said he also visited with Mr. Grasser, and they also concur from the City of Grand Forks' perspective, with awarding the contract to ICS and issuing the notice to proceed.

Questions on the bids were addressed by Mr. Kovar and Mr. Boersma.

Approval to Award

Motion by Director Mahoney to recommend approval of the Red River Valley Water Supply Project's (RRVWSP) Missouri River Intake (MRI) Pumping Station, Wet Well and Site Development contract to ICS, Inc. from Grand Forks at \$4,989,405.88 to the Garrison Diversion board of directors. Second by Director Bohnsack. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Mahoney, Nilson, Schmaltz, Schmidt and Vein. Alternates voting aye: Jerry Blomeke. Those voting nay: none. Motion carried.

Notice to Proceed

Mr. Kovar suggested a motion be made allowing Secretary DeKrey to follow up with a notice to proceed regarding the contract MRI Pumping Station, Wet Well and Site Development.

Motion by Alternate Blomeke to recommend authorization for Secretary DeKrey to move forward with the notice to proceed on the RRVWSP's MRI Pumping Station, Wet Well and Site Development contract to the Garrison Diversion board. Second by Director Nilson. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Mahoney, Nilson, Schmaltz, Schmidt and Vein. Alternates voting aye: Blomeke. Those voting nay: none. Motion carried.

USER MEETINGS

Merri Mooridian, Deputy Program Manager, RRVWSP, Administration, reported that another round of user meetings is being planned. The first set of meetings took place with a team consisting of herself, Duane DeKrey, Steve Burian and Shawn Gaddie. The intent at that time was to have the users sign up for the initial phase of the RRVWSP. It is now time to resume these meetings.

Ms. Mooridian asked if the board would like to have the same team conduct the second round of meetings. Would they like to have a LAWA representative included? Direction from the LAWA board is being requested.

Acting Chair Vein asked if the intent is to meet with all 35 users again. In the past, it has taken multiple meetings. In these discussions, will the users also be committing to the project in a financial way?

Ms. Mooridian said that needs to be determined. The team plans to contact all 35 users and decide if they would like to meet virtually or in person. The initial contact could perhaps be done virtually where all of the systems or a region of systems can participate, then and hold individual in-person meetings. She believes a commitment to the project for the future will be sought because there is a request currently made to the State Water Commission's Water Development Plan for next biennium in the amount of \$50 million. At this point, this would require 25 percent cost share. Therefore, a financial commitment moving forward will be needed and those details must be worked out.

Director Mahoney asked the board members to attend the meetings that are held in their areas, as this would be very helpful to the team.

Acting Chair Vein said obtaining the users' commitment is a LAWA responsibility. They need to know who is in in order to provide that information to Garrison Diversion as part of the process moving forward and part of our own financial planning.

Ms. Mooridian replied yes, the cooperation agreement states LAWA will be responsible for entering into water supply or user agreements with its member entities, but LAWA can request Garrison Diversion to assist. A LAWA board member attending their area meeting would be LAWA representation.

Ms. Mooridian added there is a task order for user agreements that LAWA approved over a year ago. There is time for Advanced Engineering and Steve Burian to assist with these meetings.

Acting Chair Vein asked what is the projected cost with the changes that occurred since the task order was approved.

Mr. Mooridian said there is \$300,002 remaining in the existing task order.

Acting Chair Vein stated he likes the idea of having the first meeting virtually with all of the users and invite the board members. Then move forward with the individual meetings.

Director Mahoney said unless there is any objection, the meetings will proceed as proposed today.

Acting Chair Vein commented the board will follow the recommendation as laid out.

Motion by Director Schmaltz to adjourn the board meeting. Second by Director Schmidt. Upon voice vote, motion carried.

Board adjourned at 10:15 a.m.

Kenneth Vein, Acting Chair

Duane DeKrey, Secretary

REGISTRATIONLAWA Board Meeting
Video Conference
November 19, 2020

NAME	ADDRESS
Jeremy Schuler	Northeast Regional Water District
Steve Metzger	Garrison Diversion
Marc Pritchard	Moorhead Public Servie
Dave Piepkorn	City of Fargo
Brian Reilly	Walsh Rural Water District
Todd Feland	City of Grand Forks
Paul Boersma	Black & Veatch
Joe Zauner	American Pipe
Geneva Kaiser	Garrison Diversion & Stutsman Rural Water
Roger Fenstad	Garrison Diversion
Dave Anderson	Garrison Diversion
Ken Royse	Garrison Diversion
Jay Anderson	Garrison Diversion
Tami Norgard	Vogel Law
John Shockley	Ohnstad Twichell
Keith Mykelseth	East Grand Forks Water & Light Dept
Alan Walter	Garrison Diversion
Greg Bischoff	Garrison Diversion
Bruce Grubb	City of Fargo
Brian Johnson	East Grand Forks Water & Light Dept
Al Grasser	City of Grand Forks
Tim Freije	State Water Commission
Lance Gaebe	ND Water Users/Coalition
Merri Mooridian	Garrison Diversion
Kip Kovar	Garrison Diversion
Cindy Hewitt	Garrison Diversion
Kimberly Cook	Garrison Diversion
Lisa Schafer	Garrison Diversion

**Red River Valley Water Supply Project
Missouri River Intake Pumping Station Wet Well & Site Development
Garrison Diversion Conservancy District
Carrington, ND
Bid Opening 2:00 PM CST, Thursday, November 12, 2020**

Contractor	Acknowledge Addendum 1	Bid Bond	Contractor's License	Non-Collusion Affidavit	Contractor Qualifications	Bid Form	Contract No. 1 - General Construction	Alternate 1 - Temporary Shaft Cover
1 ICS							\$4,989,405.88	\$139,664.00
2 Super Excavators							\$6,629,650.00	\$325,000.00
3 Nicholson Construction							\$5,293,000.00	\$120,000.00
4 Engineers Estimate							\$3,664,777.50	\$54,000.00
5								


Name

Garrison Diversion Conservancy District
PO Box 140
Carrington, ND 58421
Tel: 701-652-3194

Red River Valley Water Supply Project
 Missouri River Intake Pumping Station Wet Well Site Development
 Garrison Diversion Conservancy District
 Carrington, ND
 Detailed Bid Tab

No. Description	Est. Qty.	Unit	ICS		Super Excavators		Nicholson Construction		Engineers Estimate		Unit Price		Extended Price	
			Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
Contract No. 1 - General Construction														
A		Bonding and Insurance	1	LS	28,000.00	\$28,000.00								
B		Mobilization	1	LS	386,668.80	386,668.80	400,000.00	400,000.00	500,000.00	500,000.00	113,000.00	113,000.00	84,000.00	\$84,000.00
C Site Improvements														
1		Erosion Control	1	LS	55,104.00	55,104.00	50,000.00	50,000.00	100,000.00	100,000.00	55,000.00	55,000.00		
2		Traffic Control & Access Road Maintenance	1	LS	23,133.60	23,133.60	70,000.00	70,000.00	60,000.00	60,000.00	23,000.00	23,000.00		
3		Clearing and Grubbing	1	LS	78,400.00	78,400.00	45,000.00	45,000.00	100,000.00	100,000.00	44,000.00	44,000.00		
D Earthwork														
1	4,950	Grading (Cut)		CY	5.88	29,106.00	25.00	123,750.00	12.00	59,400.00	11.11	54,994.50		
2	1,800	Grading (Fill)		CY	5.88	10,584.00	10.00	18,000.00	12.00	21,600.00	11.11	19,998.00		
3	6,900	Topsoil Work		CY	5.60	38,640.00	30.00	207,000.00	25.00	172,500.00	6.96	48,024.00		
E Site Restoration														
1	2,300	Type A3 Aggregate Base – 7.5" Thickness		SY	19.04	\$43,792.00	18.00	\$41,400.00	15.00	\$34,500.00	10.43	\$23,989.00		
2	12,000	Type A2 Aggregate Surface – 13" Thickness		SY	22.40	268,800.00	30.00	360,000.00	30.00	360,000.00	17.00	204,000.00		
3	2,300	Articulating Concrete Surface		SY	151.20	347,760.00	170.00	391,000.00	210.00	483,000.00	75.65	173,995.00		
4	14,300	Geosynthetic Reinforcement Grid (Geogrid Type G)		SY	2.30	32,890.00	4.00	57,200.00	3.50	50,050.00	2.94	42,042.00		
5	41,500	Seeding and Restoration		SY	0.17	7,055.00	3.00	124,500.00	0.50	20,750.00	1.33	55,195.00		
F Furnish and Install Pipe Appurtenances														
1	2	54" RCP FES		EA	5,600.00	11,200.00	7,000.00	14,000.00	6,000.00	12,000.00	4,500.00	9,000.00		
G Furnish and Install Signage														
1	2	R2-1 SPEED LIMIT (25 MPH); 24"X30"		EA	308.00	616.00	250.00	500.00	500.00	1,000.00	315.00	630.00		
2	2	OM3Ri, 12"X36"		EA	184.80	369.60	250.00	500.00	500.00	1,000.00	205.00	410.00		
3	1	W1-1aL TURN i, 36"X36"		EA	364.00	364.00	500.00	500.00	500.00	500.00	400.00	400.00		
4	1	W1-1aR TURN i, 36"X36"		EA	364.00	\$364.00	500.00	\$500.00	500.00	\$500.00	400.00	\$400.00		
5	1	W14-1 DEAD END i, 30"X30"		EA	347.20	347.20	400.00	400.00	500.00	500.00	350.00	350.00		
6	1	W2-4 TEE ROAD i, 30"X30"		EA	347.20	347.20	400.00	400.00	500.00	500.00	350.00	350.00		
H	1	Concrete Wet Well		LS	3,625,864.48	3,625,864.48	4,525,000.00	4,525,000.00	3,225,200.00	3,225,200.00	2,712,000.00	2,712,000.00		
Contract No. 1 - General Construction Total						\$4,989,405.88		\$6,629,650.00		\$5,293,000.00		\$3,664,777.50		

No. Description	Qty.	Unit	Unit Price	Extended Price
Alternate No. 1 - Temporary Shaft Cover				
I	1	Temporary Shaft Cover	120,000.00	\$120,000.00
Alternate No. 1 - Temporary Shaft Cover Total				
			54,000.00	\$54,000.00
				\$54,000.00

*Different from As Read bid because of math error.



BLACK & VEATCH CORPORATION
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November 16, 2020

Garrison Diversion Conservancy District
Red River Valley Water Supply Project
Missouri River Intake Pumping Station
Wet Well & Site Development
Task Order 2520, Contract 1

B&V Project 188972
B&V File 0200.60

Mr. Duane DeKrey
General Manager
PO Box 140
Carrington, ND 58421

Dear Mr. DeKrey:

This letter is in regard to the results of the bid opening held at the Garrison Diversion Conservancy District's Carrington Office on November 12, 2020. A total of three bids were received for Contract 1. The results of the bid opening were as follows:

Contractor	Base Bid	Additive Alternate No. 1
ICS, Inc.	\$4,989,405.88	\$139,664.00
Super Excavators, Inc.	\$6,629,650.00	\$325,000.00
Nicolson Construction Company	\$5,293,000.00	\$120,000.00
Engineer's Estimate	\$3,664,777.50	\$ 54,000.00

The base bid spread between the apparent low bidder and second low bidder of only 6 percent indicates that contractors had a good understanding of the project. The Engineer's opinion of probable cost was \$3,664,777.50 for the base bid and \$54,000.00 for Additive Alternative No. 1. The apparent low bid was submitted by ICS of Grand Forks, ND.

To demonstrate a Bidder's qualifications to perform the Work contemplated within the project plans and specifications, Section 00 21 13 Instructions to Bidders Article 3 - Qualifications of Bidders states, "A. Bidder should have successfully completed a minimum of five (5) projects of similar size and complexity as this project." This section also states, "B. The Owner reserves the right to reject any bid, if the experience qualifications submitted, or investigation of, such Bidders fails to satisfy the Owner that such Bidder is properly qualified to carry out the obligations of the agreement to complete the work contemplated within." The Engineer's review of the questionnaire and submitted data regarding ICS has been completed without exception.



Review of ICS's background reveals they have demonstrated, by past performance on similar size projects, to have the financial resources and experienced staff to manage and construct the Red River Valley Water Supply Project, Missouri River Intake Pumping Station, Wet Well & Site Development Project. ICS has successfully performed and completed work on AE2S designed projects in the past and has consistently displayed an effort to provide quality construction in a timely manner. ICS is also subcontracting with Michels, Inc. for the secant pile portion of the project, which is one of the more challenging aspects of the work. BV has experience with Michels, Inc.; they are well qualified to complete this type of work.

Based upon our review of the bids received, Black & Veatch recommends that Garrison Diversion Conservancy District award the project to the low bidder, ICS, Inc., for the Base Bid amount of \$4,989,405.88. We also recommend that Additive Alternative No. 1 not be accepted and that the wet well liner be installed under future Contract 2.

Upon receipt of your Notice of Award, we will prepare and submit conforming copies of the contract documents to ICS for execution. If you have any questions, please contact us.

Very truly yours,

BLACK & VEATCH CORPORATION

ADVANCED ENGINEERING AND
ENVIRONMENTAL SERVICES, INC.

Handwritten signature of Kurt A. Ronnekamp, Sr Project Manager.

Kurt A. Ronnekamp, Sr Project Manager

Handwritten signature of Cory Chorne, Program Manager.

Cory Chorne/Program Manager

AE2S

Enclosure(s):

cc: Mr. Kip Kovar, GDCC
Ms. Merri Mooridian, GDCC
File