

MEETING: Financial Advisory Committee

DATE AND TIME: 9/22/26 @ 10:00am CST

LOCATION: Zoom (Link Below)

1. Call to Order
2. Roll Call
- 3. Consideration of Minutes – July 28, 2026**
- 4. Operations, Maintenance, Administration, & Reserve Cost Review and Finalization**
5. Program Cost Update
 - a. Constrained vs Unconstrained 27-29 Biennium Work Plan Considerations
6. Task Order 9610 Review & Update
7. LAWA Lobbying Services Procurement Strategy Update
8. Agreements Status Update
9. Notice of Upcoming Meetings
 - a. LAWA TAC – September 24 @ 10am
 - b. LAWA Board – September 30 @ 10am
10. Adjourn

MEETING INFORMATION

Join Zoom Meeting

<https://us06web.zoom.us/j/85764810407?pwd=noHwk68PwVuVw805Lwqmgfg9A20Xna.1>

Meeting ID: 857 6481 0407 Passcode: 140914 One tap mobile

+16513728299,,85764810407#

The following minutes are in draft form subject to review and approval by the LAWA Financial Advisory Committee at its next meeting.

26-102

**LAKE AGASSIZ WATER AUTHORITY
FINANCIAL ADVISORY COMMITTEE**

**Advanced Engineering and Environmental Services
Grand Forks, North Dakota
July 28, 2026**

A meeting of the Lake Agassiz Water Authority (LAWA) Financial Advisory Committee (FAC) was held on July 28, 2026, at Advanced Engineering & Environmental Services (AE2S) in Grand Forks.

The meeting was called to order by Co-Chair Maureen Storstad at 10:00 a.m.

A copy of the registration sheet is attached to the minutes (Annex I).

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

MEMBERS PRESENT

Maureen Storstad, Co-Chair
Susan Thompson, Co-Chair
Tom Erdmann (by video conference)
Todd Feland
Bruce Grubb (by video conference)
Brenda Klein (by video conference)
Merri Mooridian, Secretary

MEMBERS ABSENT

Bernie Dardis
Wyatt Papenfuss
Jeremy Schuler

CONSIDERATION OF MINUTES

Motion by Todd Feland to dispense with a reading of the June 25, 2026, Financial Advisory Committee minutes and approve them as distributed. Second by Tom Erdmann. Upon voice vote, motion carried.

FINANCIAL MODELING FINALIZATION AND UPDATE

Shawn Gaddie, AE2S, stated during the last FAC meeting the committee went through a lot of detail regarding updates to the financial model and user projections. A few updates have been made at the suggestion of the committee, with ongoing work related to those changes.

Multi-Series True-up Correction – Mr. Gaddie explained the true-up was initially considered as a one-time adjustment within Series G; however, as the size of Series G and future financing series are considered, along with the potential for changes in participating nominations, there are potential issues with completing the entire true-up in a single series. At the committee's direction, the true-up is being evaluated as a multi-series adjustment. The current approach is to spread the true-up over the next two financing series, Series G and Series H.

Mr. Gaddie reviewed the multi-series true-up considerations being evaluated for Series G and Series H. All participants that have participated in prior Series financing, with the exception of Valley City, are currently in an overpayment position relative to their current target allocations. As additional Memorandum of Commitment (MOC) participants are added to the model, many of whom have not contributed to Series A through F, the model identifies the relative overpayment or underpayment of each participant based on prior financing contributions. The true-up is intended to place all participants in an equitable financial position across the project regardless of when they joined or when their contributions were made.

The current model update corrects the overpayment by equally allocating the true-up adjustment across Series G and Series H. The proposed approach is to apply one-half of each participant's Series A–F true-up allocation to Series G and the remaining one-half to Series H. The planned calculation to present the true-up requirements to participants is:

Series A-F True-Up Allocation / 2 + Series G Base Allocation = Total Proposed
Series G Principal

Series A-F True-Up Allocation / 2 + Series H Base Allocation = Total Proposed
Series H Principal

As the remaining MOC participants are incorporated into the model, their respective overpayment or underpayment positions will be calculated based on the financing they have or have not participated in through Series A–F. A true-up will then be calculated within the model and presented to participants as discussions are held with the users during the second half of 2026.

Under the current approach, the total overpayment or underpayment identified for each participant is essentially divided in half, with the adjustment incorporated into the next two financing series. Series G would represent the local share of the 2027–2029 biennium costs, while Series H is projected to correspond with the 2029–2031 biennium cost-share dollars. The model also includes a correction for the prior cash contribution made by Garrison Diversion.

Mr. Gaddie also provided a summary of prior series financing contributions and reviewed a table showing the Series A-F true-up considerations. The table compares the MOC allocation model for all potential MOC participants, showing each participant's actual allocation to date compared to the allocation that would result if costs were allocated among all MOC signers. The true-up value, or overpayment/underpayment to date, is essentially the difference between those two allocation percentages applied to the prior principal contributions in Series A-G.

The table also shows the resulting true-up values for Series G and Series H for Fargo and the other MOC participants, as well as the value associated with Garrison Diversion's prior cash contribution.

Essentially, the model takes the underlying unadjusted allocation, applies each participant's actual MOC tiered allocation percentage, and then adjusts those allocations based on the participant's calculated true-up value for both Series G and H.

Mr. Gaddie added the model is currently functioning for Series G and H, incorporating both the prior participants and all remaining MOC users being modeled into the allocation.

Todd Feland, City of Grand Forks, asked whether the true-up includes an assumption that the \$454 million in federal funding will be received and whether it also assumes all MOC signers will participate at their current nomination levels. He also noted Garrison Diversion's \$4.2 million was not a grant and is required to be repaid. He asked if all three items are included in the true-up.

Mr. Gaddie responded the federal portion is complete, assuming the baseline of \$150 million in federal funding. These values could change if additional federal funding is received, as those funds would buy down the local responsibility. The model does assume all MOC signers participate at the nomination levels to which they committed. Those nominations establish the MOC-based target allocations.

Mr. Gaddie noted the participant nominations could also change, which is one reason the true-up is being spread across multiple financing series.

Regarding Garrison Diversion's \$4.2 million contribution, at the time of Series C, the amount was calculated to represent the share attributable to the smaller users outside of Fargo and Grand Forks.

Merri Mooridian, Secretary, clarified the \$4.2 million paid by Garrison Diversion has always been considered part of the true-up, similar to the true-up treatment for Fargo and Grand Forks.

Co-Chair Storstad noted, for modeling purposes, certain assumptions must be made, and those assumptions will be clearly identified and documented.

Mr. Gaddie said associated tables will be prepared outlining the basis for the assumptions and will include footnotes identifying where each assumption is being applied in the respective tables.

Programmatic Cost and Schedule Update – Mr. Gaddie said there are several items ongoing within the cost and user projections, primarily the programmatic cost and schedule update and the Operations, Maintenance, Administration and Replacement (OMAR) assumptions and cost analysis.

The current critical path analysis was presented at the recent Technical Advisory Committee (TAC) meeting by Paul Boersma of Black & Veatch. The current critical path is being evaluated without funding constraints. If federal funding is received sooner than anticipated or the state considers bonding, the timing of available funding could change the critical path and how the remaining critical path activities are implemented. The schedule analysis is, therefore, evaluating different levels of funding constraints to consider the potential impacts of slower or faster receipt of state and federal funding.

Mr. Gaddie said the ongoing programmatic cost analysis is also updating the basis for the remaining programmatic costs through project completion. The last in-depth review of both the programmatic costs and OMAR cost assumptions was completed in 2022, prior to development of the initial draft of the Project Participation Agreement (PPA). Both the programmatic cost assumptions and OMAR costs are now being reevaluated. The updated analyses are expected to be completed and ready for review within the next month.

Mr. Gaddie noted the updated costs and schedule could be affected by the timing and level of future funding. The schedule analysis is considering various funding scenarios and the resulting impacts on project implementation.

As the critical path is now primarily associated with the facilities, the engineering team is evaluating opportunities to accelerate and improve the efficiency of facility delivery. One option being considered is a Construction Manager at Risk (CMAR) delivery approach for the facilities package. There was good support for beginning the planning process for a CMAR solicitation for the facilities package.

Mr. Boersma said one way to reduce the constraint associated with the facilities schedule is to use a CMAR delivery method, which is an allowed and established contracting option in North Dakota. CMAR would allow construction to begin while portions of the design are still being completed. This approach could potentially reduce the overall design and construction period for the Biota Water Treatment Plant (BWTP) by approximately one year and shorten the overall program schedule.

He added the facility study for power delivery has been provided by WAPA, and the engineering team will review the study in greater detail to determine opportunities to shorten the construction pathway associated with the power supply.

Spencer Halvorson, Executive Director, LAWA, noted the TAC approved pursuing the CMAR approach and will recommend full board approval at its August 6 meeting.

Co-Chair Storstad asked whether an accelerated schedule would affect the modeling numbers.

Mr. Gaddie replied the financing team is working to incorporate considerations for both faster and slower schedules, as well as different funding scenarios, into the financial model. When the cost analysis is presented to the users, it will not be a single, fixed analysis. Instead, the financing team will present a range of potential outcomes based on different scenarios, including what the cost projections could look like if circumstances are favorable or if the project operates under a more constrained schedule or funding environment.

Mr. Gaddie noted based on the higher end of the scenarios analyzed to date, most of the projections remain consistent with what was presented during the previous round of user outreach. Across the various funding and delivery options being evaluated, there are opportunities to reduce costs for users.

OMAR Cost Review – Mr. Gaddie stated at the June 25 FAC meeting, the committee was provided a refresher on the assumptions used to develop the annual OMAR costs. The FAC requested that the financing team revisit the OMAR cost assumptions and review what is included in those costs with both the FAC and TAC.

Mr. Gaddie noted the OMAR review will consider the potential organization structure for the project, including the facilities, pipeline, pump stations and other major components. The analysis will identify the resources and costs required under both a baseline operating condition and a ramped-up operating condition. The review will also evaluate what would be required to fund the project on an annual basis and maintain the facilities and infrastructure in good operating condition, so the system is capable of delivering water during periods of higher demand.

Mr. Gaddie reviewed the four components that comprise the project's OMAR costs:

>Operations (flow dependent)

- Power, chemicals, BOR cost of water, operations staff
- Flex operations staff only when plant runs > 20 cfs

>Administration (fixed cost)

- Supervision, engineering, accounting, permitting, land management, etc.

>Maintenance (fixed costs)

- Operate plant at base flow and maintain plant
- Maintenance equipment

>Replacement (fixed)

- Time-scaled replacement of various parts

Mr. Feland suggested the cities and communities may be able assist with plant operations by sharing personnel or other resources during periods when flows exceed 20 cfs.

Mr. Gaddie said that when operations and maintenance were evaluated approximately four years ago, the focus was on identifying the most efficient way to operate the facilities. The analysis included a flexible staffing component, which was considered the most cost-efficient approach. A plan will need to be developed for how that approach would be implemented. The costs included in the current analysis are intended to reflect the most cost-efficient method of operating the facilities; although, further discussion will be needed on how the operations and staffing model is implemented.

Mr. Boersma added there will always be staff at the plant to perform maintenance. The current assumption is a baseline staffing level of approximately six full-time equivalents (FTEs) across the pipeline, treatment plant, pumping stations, and intake. These employees would handle day-to-day maintenance and baseline operations.

He explained that the flexible staffing component would come into play when flows increase beyond 20 cfs and the water treatment plant is operating at higher capacity. At that point, additional staff would be needed and could be drawn from the various staffing resources available to the project. The assumption has been that Garrison Diversion would provide the baseline maintenance staff, with additional personnel from member communities being brought in as needed to support the flexible staffing requirements.

Mr. Kovar explained that two potential approaches have been discussed over the years for providing additional staffing. One option would be to draw personnel from Fargo, Grand Forks,

or other participating communities. Another option would be to utilize Garrison Diversion's existing O&M workforce, which includes approximately 15–20 employees in the area who could be reassigned as needed. Under that approach, certain McClusky Canal maintenance activities could be deferred, similar to how maintenance is handled during other emergency situations, to allow staff to support higher-demand project operations.

Mr. Gaddie added the OMAR analysis distinguishes between fixed maintenance costs, fixed administrative costs, and the flexible staffing component. Under baseline operating conditions, the flex staff costs are not included, as those costs are only incurred as plant operations increase and additional staffing is needed. The fixed maintenance and administrative costs remain regardless of operating levels. Under baseline conditions, a significant portion of the costs is associated with personnel and how those staffing resources are funded.

From the FAC's perspective, the primary responsibility is ensuring the project is on the right track from an administrative and management standpoint. The TAC was charged with establishing an operations advisory group to review the questions related to operations, flexible staffing, and fixed maintenance assumptions.

Mr. Gaddie noted the administrative component of the O&M staffing assumptions is equivalent to approximately two FTEs. Under the original assumptions, those administrative and management functions would be provided by Garrison Diversion through the support of Ms. Mooridian and her team, along with Kip Kovar and his team. Those assumptions formed the basis for the monthly OMAR costs included in the model. Both the TAC and FAC will review these assumptions in greater detail.

Co-Chair Storstad commented the discussion provided a good reminder of how the staffing and organizational assumptions were incorporated into the model and noted that further discussion will be needed regarding how administrative and operational resources are shared.

Mr. Boersma reported during the TAC meeting, the engineering team was directed to utilize the operations advisory group, consisting of representatives from Fargo, Grand Forks, and Garrison Diversion, to review and update the organizational charts and cost assumptions in conjunction with the ongoing capital cost update.

Co-Chair Storstad asked about the timeline for completing the review.

Mr. Boersma responded the operations advisory group would likely need two meetings to complete the work. The first meeting would focus on organizational structure and staffing levels, while the second meeting would review the associated costs. The review could be completed within the next month, with a report provided at the next FAC meeting.

Mr. Gaddie commented there are already assets associated with the project, including the discharge structure, Missouri River Intake, and various portions of the pipeline corridor, for which maintenance costs are beginning to be incurred. The intent has always been to assume that certain maintenance costs would be incurred before the project is placed into service.

In previous projections provided to users regarding OMAR costs, a five-year phase-in approach was considered. Under that approach, maintenance and administrative costs would

gradually increase, with the costs associated with full operations and reserves being incorporated as the project approaches startup, anticipated around the 2033–2034 timeframe.

Mr. Gaddie added LAWA and Garrison Diversion are currently discussing costs that are beginning to be incurred in 2026–2027 and how those costs will be addressed.

Mr. Gaddie referenced a sample of the 2024 project cost outlay projections, noting that future user cost summaries will continue to identify each participant's share of project financing separately from their allocation of OMAR costs. These projections will be updated in the new financial model for each project participant.

Co-Chair Thompson pointed out these costs were not included in the 2027 budget or preliminary contribution estimates provided with the meeting materials.

Co-Chair Storstad stated the 2027 budget is scheduled for discussion later on the agenda. Some operational costs were not incorporated into the preliminary budget, but based on her understanding, the amounts are minimal.

Mr. Gaddie said a recommendation was made at the TAC meeting requesting the operations advisory group, through TAC, to review the operations and maintenance components of the overall OMAR estimate. As for the FAC aspect, the recommendation is to request the FAC review the administrative and management portions of the overall estimate. This review will be addressed through the meeting being scheduled between LAWA and Garrison Diversion leadership.

Updated User Financial Projections – Mr. Gaddie reported the updated financial projections for the users have been completed. Many of the variables discussed previously are being incorporated into the cost projections. The updated projections will be presented alongside the original 2024 estimates to provide context regarding potential changes when meeting with the users.

User Financial Summary Handout – Mr. Gaddie presented a mockup of the updated user financial summary handout. The handout will include a nomination recap, total programmatic costs, including capital and OMAR costs, funding progress, core system cost of participation/allocation, user cost outlay projections, and estimated system bill impact. An individual handout will be prepared for each user.

Mr. Gaddie emphasized the summaries will clearly identify the information currently being provided relates to the core system only.

The committee discussed potential costs for users joining the project at a later date, noting prior discussions regarding a potential latecomer fee.

Mr. Halvorson stated a draft addressing the issue is being developed but is not yet available for public distribution. He confirmed there currently is no assurance policy or latecomer fee in place and establishing such provisions will require a policy decision.

Co-Chair Storstad stated the matter will require further discussion.

Ms. Mooridian suggested reviewing ND Century Code regarding latecomer fees.

Mr. Feland asked what topics will be discussed at the upcoming leadership meeting.

Mr. Halvorson replied items for discussion will include operations and maintenance, governance, communications, and lobbying.

USER OUTREACH

Project Progress – Mr. Halvorson reported he has attended several introductory meetings with LAWA board members and MOC signers across the state, with most meetings conducted in person. The meetings have gone well, and a second round is planned to address more detailed issues and nuances.

Overall perceptions have been positive, with users interested in hearing more; however, the cost remains a key consideration in determining whether participation is justified. Water treatment was a significant discussion point, particularly because many rural water districts and cities rely on groundwater rather than surface water. The cost of the main transmission pipeline and branch pipelines also presents a significant challenge.

Steve Burian, Burian & Associates, noted discussions with smaller communities and rural water districts have included potential industrial water demands. Some emerging industries may require water that does not need to meet potable standards, creating an opportunity for the systems to provide industrial water while the industry handles or funds any additional treatment. He cautioned treatment requirements may not necessarily involve conventional treatment plants.

Mr. Halvorson asked about the timeline for completing the updated branch pipeline analysis, noting a draft analysis was prepared around 2018.

Mr. Burian responded the components provided to Mr. Halvorson are complete, with only a memorandum addressing industrial water demands remaining to be finalized.

Mr. Halvorson suggested incorporating the industrial water demand information into the materials presented during upcoming regional meetings.

Reintroduction Video Production Storyboard Overview – Mr. Gaddie reported the FAC had previously discussed reintroducing the project to users. In addition to the summary handout, the communications team is developing a short project progress video to accompany information sent to users. The storyboard is underway, and most needed footage is already available.

Kimberly Cook, Communications Director, Garrison Diversion, said the video is planned for distribution ahead of user meetings this fall and will also be used for social media and the RRVWSP Newsletter.

LAWA Lobbying Services Procurement Strategy – Mr. Halvorson reported LAWA and Garrison Diversion previously shared lobbying services, but Garrison Diversion has decided to retain its own lobbying firm. LAWA intends to maintain a legislative presence and would like to continue working with Terry Effertz of Integrity Public Affairs, whose familiarity with LAWA has been beneficial.

Ms. Effertz has expressed interest and has capacity to continue working with LAWA. She also currently works with the City of Fargo. Fargo recently released a Request for Qualifications for Government Relations and Legislative Advocacy with a firm to be scheduled for recommendation at the August 31 City Commission meeting. If the City of Fargo continues working with Ms. Effertz, LAWA would need to discuss an administrative services agreement between the three entities.

Mr. Halvorson added the intent is to present this matter to the LAWA board on August 6. With lobbying costs anticipated to increase from the previously budgeted \$7,500, \$15,000 has been included in the preliminary 2027 budget.

Mr. Feland supported coordinating the lobbying strategy with Fargo, noting the benefit of sharing the process.

Motion by Mr. Feland recommending the LAWA Board approve sharing a lobbying strategy with the City of Fargo. Second by Co-Chair Thompson. Upon voice vote, motion carried.

Mr. Feland stated LAWA would like to continue using AE2S, primarily Brent Bogar, for user outreach, including financial and legislative support and believes these services should fall under the previously approved user outreach task order.

Mr. Halvorson agreed, noting Mr. Bogar's support with bonding, financial projections and communicating this information to decision makers is important and should be incorporated into the task order and LAWA budget.

Designate Depositors for LAWA Operational Funds – Mr. Halvorson reported technical issues with LAWA's current depository, Old National Bank (formerly Bremer Bank), have made day-to-day operations inefficient and cumbersome. For improved reliability and efficiency, staff recommends transferring LAWA's general operational funds to Gate City Bank.

Motion by Co-Chair Thompson to recommend the LAWA Board approve designating Gate City Bank as Lake Agassiz Water Authority's depository for its general operational funds. Second by Co-Chair Storstad. Upon voice vote, motion carried.

Co-Chair Storstad said this would be a two-part ask. The second item would be designating authorized agents as bank signatories related to financial documents. It is recommended the following individuals be designated as authorized agents on behalf of LAWA:

Timothy Mahoney – Board Chair

Spencer Halvorson – Executive Director

Merri Mooridian – RRVWSP Deputy Program Manager, Administration

Susan Thompson – Co-Chair, LAWA Financial Advisory Committee

Motion by Tom Erdmann to recommend the LAWA Board authorize Timothy Mahoney, Spencer Halvorson, Merri Mooridian and Susan Thompson as authorized agents on

financial documents with Gate City Bank. Second by Todd Feland. Upon voice vote, motion carried.

LAWA Proposed 2027 Budget – Co-Chair Storstad referenced the draft 2027 LAWA budget and accompanying letter (Annex II), noting they are intended to assist the users with their 2027 budget planning. A more formal 2027 budget will be presented for committee approval later in the year.

Mr. Halvorson reported the only change since the last FAC meeting is the increase in lobbying services from \$7,500 to \$15,000.

Co-Chair Storstad added the total budget remains unchanged, with funding shifted from administrative expenses to state advocacy. The proposed funding structure also transitions from membership dues to participant shares.

Mr. Burian reported Traill County submitted a letter rescinding its motion related to the MOC. A copy of the letter will be forwarded to Mr. Halvorson.

Upcoming Meetings – Co-Chair Storstad announced a LAWA board meeting is scheduled on August 6 in Fargo. A virtual Special Meeting to review and consider the recommendation for award on BWTP Contract 1 will be held on August 12.

Co-Chair Storstad adjourned the meeting at 11:50 a.m.

Maureen Storstad, Co-Chair

Merri Mooridian, Secretary

REGISTRATION

LAWA FAC MEETING
AE2S – Grand Forks, ND
July 28, 2026

NAME	ADDRESS
Kimberly Cook	GDGD
Mimi Mimi	GDGD
Maureen Storstad	City of GF
SWAN GOLF	AE2S
Spencer Halverson	LAWA
Todd I. L.	City of Grand Forks
David Dyrham	AE2S
Susan Chan	Fargo.
On Line	
Ann Morlock	LAWA
Dave Carlrud	LAWA
Duane Pool	Dept of Water Resources
Katie Schmidt	Ohnstad Twichell
Jeff LeDoux	Garrison Diversion
John Shockley	Ohnstad Twichell
Dave Anderson	Garrison Diversion
Heather Syverson	AE2S
Brent Bogar	AE2S
Bennett Johnson	Vogel Law
Brian Reilly	Walsh Rural Water District
Katie Mowat	Burian & Associates
Steve Burian	Burian & Associates
Kip Kovar	Garrison Diversion
Paul Boersma	Black & Veatch
Troy Hall	City of Fargo
Josh Boschee	Mayor, City of Fargo

Spencer Halvorson
Executive Director

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Lake Agassiz
Water Authority

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TO: LAWA Users and Memorandum of Commitment Signers

CC: Susan Thompson, FAC Co-Chair
Maureen Storstad, FAC Co-Chair

FROM: Spencer Halvorson, Executive Director

DATE: July 15, 2026

RE: 2027 LAWA Budget and Preliminary Contribution Estimates

Greetings,

As was discussed at earlier LAWA Board meetings, please consider this letter as providing notice of anticipated cost share allocations for the 2027 Lake Agassiz Water Authority (LAWA) Budget.

In 2026, LAWA hired in myself an Executive Director, the organization's first step in building a formal staff to support user needs and priorities to complement the construction progress of the Red River Valley Water Supply Project. This budget reflects the anticipated expenses and adjustments in administrative strategy for the organization in 2027.

For your organization's budgeting purposes, attached is the draft cost allocation based on each user's Memorandum of Commitment (MOC) nomination percentage. LAWA's final budget and cost share allocation is subject to the LAWA Board's final approval in November or December. A copy of the proposed 2027 Budget for LAWA is attached to this letter for your review.

Projected expenses for potential capital debt repayments unique to each MOC signer will be provided in a future deliverable and is not included.

Thank you and please email me at shalvorson@fargond.gov or call (701) 241-1531 should you have any questions.

Sincerely,

Spencer Halvorson
Executive Director

Attached: Proposed 2027 LAWA Budget
Draft 2027 Cost Allocation – 2-Tier / MoC Basis

2027 BUDGET - LAKE AGASSIZ WATER AUTHORITY					
		Actual 2024	Actual 2025	Forecast 2026	Budget 2027
INCOME					
	Membership Dues	33,300	35,700	35,000	-
	Participant Transfers		140,099	509,941	444,306
	State Cost Share		-	-	-
	Cost Share - Interim Finance	4,320	4,988	-	-
	TOTAL INCOME	37,620	180,787	544,941	444,306
EXPENSES					
	ND Water Users Association	5,000	5,000	5,000	5,000
	ND Water Coalition	1,000	1,000	1,000	1,000
	ND Rural Water Systems Assoc.	315	320	500	500
	TOTAL DUES	6,315	6,320	6,500	6,500
	Accounting	7,875	-	10,000	10,000
	Directors Expense	-	-	-	-
	Banking Fees	-	328	-	-
	Insurance	461	461	550	550
	Admin Support - Staff		-	200,000	218,500
	Admin Support -- Other	52,082	168,596	100,250	62,750
	Construction		-	-	-
	Engineering		4,988	-	-
	Property Acquisiton/Easements		-	-	-
	TOTAL ORGANIZATIONAL	60,418	174,373	310,800	291,800
	Ohnstad Twichell, P.C.	69,372	141,142	187,982	100,000
	Federal Advocacy (GCCD - BHFS)	30,750	31,006	31,006	31,006
	State Advocacy (TBD)		7,500	7,500	15,000
	TOTAL LEGAL/ADVOCACY	100,122	179,648	226,488	146,006
	TOTAL EXPENSES	166,855	360,341	543,788	444,306
	Beginning Balance	380,852	251,616	72,062	73,214
	Total Income	37,620	180,787	544,941	444,306
	Total Expenses	166,855	360,341	543,788	444,306
	Over/Under	(129,235)	(179,554)	1,152	-
	Ending Balance	251,616	72,062	73,214	73,214

User	Draft Cost Allocation Model Run (2-Tier / MOC Basis)	Share of Proposed LAWA Admin Budget 2027
		\$ 444,306.25
Fargo / West Fargo / Cass Rural	62.05%	\$ 275,692
Grand Forks	16.64%	\$ 73,933
Valley City	1.18%	\$ 5,243
Carrington / Carrington JDA	0.25%	\$ 1,111
Hillsboro	0.22%	\$ 977
Mayville	0.22%	\$ 977
Cooperstown	0.15%	\$ 666
Jamestown	2.94%	\$ 13,063
Wahpeton	2.63%	\$ 11,685
East Central Regional Water District	1.93%	\$ 8,575
Richland County	1.75%	\$ 7,775
Southeast Water Users District	1.75%	\$ 7,775
Dickey County	1.75%	\$ 7,775
Northeast Regional Water District	1.40%	\$ 6,220
LaMoure County	1.31%	\$ 5,820
Grafton	1.21%	\$ 5,376
Traill County	0.53%	\$ 2,355
Agassiz Water Users District	0.44%	\$ 1,955
Walsh Rural Water District	0.44%	\$ 1,955
Lisbon	0.74%	\$ 3,288
Sargent County	0.44%	\$ 1,955
Washburn	0.02%	\$ 89
McLean Sheridan Rural Water District	0.01%	\$ 44
Total	100.00%	\$ 444,306

Agenda Item: Task Order 9610 Review & Update

Submitted By: Spencer Halvorson, Executive Director

Staff Recommended Action: N/A

Background and Update

TO 9610 is a LAWA managed task order for 2025-27 biennium user outreach and financial modeling support services. User outreach preparation and execution support is a major action item associated with this task order. The first round of user outreach is targeted to take place during the latter half of October, with targeted meeting dates between October 19th and October 30th. Included as part of these user outreach meetings will be a presentation structured in the following way:

1. Project status update to include construction & funding updates
2. Main Pipeline participation costs projection unique to each user given their nomination
3. Distribution Agreement (LAWA to Users) Executive Summary Brief
4. Regional Branch Pipeline Concept – High level overview with more detail to be presented at future meetings

Work with the consultant team on the presentation and efforts to coordinate regional meeting dates, times, and participants are currently in progress.

In addition to the user outreach planning that is taking place, the scope of State Funding and Legislative Support Services are also being refined in preparation for the upcoming legislative session.

On August 13th, Garrison Diversion (GD) and LAWA leadership met to discuss a variety of items related to the project in an effort to align perspectives in advance of the upcoming legislative session. One item of discussion was the state funding and strategy support services AE2S has provided to LAWA through Brent Bogar over previous legislative sessions. At that time, it was LAWA's intention to contract directly with AE2S again for the upcoming legislative session.

GD leadership expressed their uncomfortableness with that arrangement, believing it would put AE2S in a conflict-of-interest position. Despite LAWA leadership assertions that such an

arrangement would not be a conflict-of-interest, a letter (attached) with a compromise proposal was provided to GD leadership on August 28th.

The proposal directs these support services under “Task Order 9610: 2025-27 Biennium User Outreach and Financial Modeling Support”, as “State Funding and Legislative Support” services are included within the scope of work (pg. 9). An expanded scope of work specifying services to be delivered, along with communication and coordination commitments were provided. Multiple attempts to gain GD’s position on the proposal have been made, however, no response has been provided as of Friday 9/18.

Attached

- Letter to Garrison Diversion Leadership (dated August 28, 2026)
- Task Order 9610 – 2025-27 Biennium User Outreach and Financial Modeling Support

Spencer Halvorson
Executive Director

shalvorson@fargond.gov
(701) 241-1531



PO Box 140
Carrington, ND 58421

www.lakeagassiz.org

Duane DeKrey
General Manager
Garrison Diversion Conservancy District
401 Hwy 281 N.
Carrington, ND 58421

August 28, 2026

Re: RRVWSP State Funding Strategy Support

Duane,

This letter serves as a follow-up to the recent Lake Agassiz Water Authority (LAWA) and Garrison Diversion Conservancy District (GDCCD) leadership meeting and includes a mutually beneficial proposal regarding RRVWSP State Funding Strategy Support and AE2S's services through Brent Bogar (Mr. Bogar) for the upcoming legislative session.

In the leadership meeting, LAWA relayed its intent to hire Mr. Bogar of AE2S under a State Funding Strategy and Support Task Order, with a scope of work similar to previous legislative sessions, with the exclusion of any LAWA executive or administrative services. GDCCD leadership communicated their uncomfortableness with that arrangement and its perception that AE2S would be put into a conflict-of-interest position with GDCCD regarding the RRVWSP.

LAWA disputes the merits of such an assertion and sees the scope of work as complimentary to project development, as has occurred through multiple legislative sessions with positive results for local users and the state of North Dakota.

Nonetheless, rather than move forward and further inflate tensions on the subject in advance of a crucial legislative session where unity and alignment will be critical, LAWA would like to see Mr. Bogar's services performed under active Black & Veatch (BV) Task Order 9610 – 2025-27 Biennium User Outreach and Financial Modeling Support (attached) and views this as the most agreeable and mutually beneficial way to proceed on behalf of the project.

Page 9 of the TO includes State Funding and Legislative Support as part of the schedule of work to be completed. As you requested, below is a more specified overview of what would be expected as a scope of work under that section – along with communication commitments from LAWA in relation to the administration of such work. Mr. Bogar of AE2S would be expected to:

- Support LAWA and GDCC leadership and registered lobbyists in developing RRVWSP state funding strategy, including key priorities, timing, and rationale.
- Assist with preparation of funding request materials, talking points, briefing notes, and project summaries for use by LAWA and GDCC leadership and registered lobbyists.
- Provide technical background on projects, cost-share assumptions, financial modeling, biennium work plans, and related funding considerations.
- Coordinate with LAWA and GDCC leadership, registered lobbyists, and consulting team to keep funding-related information current, consistent, and aligned with project progress.
- Participate in legislative, agency, or stakeholder meetings when requested as a technical resource, while not serving as the lead for scheduling meetings or lobbying communications.
- Help identify questions, issues, or information needs that may arise from legislators or state officials related to RRVWSP funding and assist LAWA and GDCC in preparing responses.
- Support coordination with other project partners as appropriate to promote a clear, accurate, and collaborative funding message for the project.
- Hold weekly coordination/update meetings with both LAWA and GDCC representatives regarding legislative calendar and strategy.
- The work performed under this section of TO 9610 should not exceed \$55,000 without prior authorization from LAWA leadership.

Additionally, it would need to be understood and acknowledged by all parties that situations at the legislative session can be fluid and fast changing, and that best efforts of good communication among all parties are expected, as well as proper “in the moment” judgement when immediate communication is requested.

While this is a LAWA directed Task Order per section I.2 of the Task Order, LAWA is committed to communicating with Mr. Bogar as any other primary or subconsultant working under a BV Task Order, where the inclusion of BV and GDCC representatives on meaningful correspondence between LAWA reps and Mr. Bogar would take place. It will be Mr. Bogar’s responsibility on behalf of himself and his firm to adhere to the scope of TO 9610 and the additional specifications listed above, to include the communication expectations.

This proposal eliminates any potential for dispute between LAWA and GDCC on whether AE2S would be in a conflict-of-interest position in relationship to these services.

It is important to note that LAWA and GDCCD agree regarding the financial requests for the RRVWSP this legislative session, which includes:

1. Bonding or long-term financing allowing unrestricted spending for the remaining \$568M in legislative intent
2. Biennium funding consistent with the request in the Water Development Plan or at an amount sufficient to complete all necessary components of program schedule (to be reviewed and communicated throughout September and October by consultant team with feedback from users).

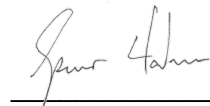
Given this alignment on the subject matter and the existence of the already active task order with the work included, LAWA sees this as a perfectly acceptable arrangement.

LAWA understands and recognizes this portion of TO 9610 is not cost share eligible. Should additional funding be determined necessary for other business listed in Task Order 9610, an amendment could be approved at that future time.

A simple internal concurrence with the above strategy from GDCCD leadership is requested, as the approval of both the LAWA and GDCCD boards is not necessary given the services are already included in Task Order 9610.

Thank you for your review of this proposal.

Sincerely,



Spencer Halvorson
Executive Director

Attached:

RRVWSP Task Order 9610 – 2025-27 Biennium User Outreach and Financial Modeling Support

CC: Tim Mahoney, Chairman – LAWA	Jay Anderson, Chairman – GDCCD
Brandon Bochenski, Vice Chairman – LAWA	Jeff LeDoux, Vice Chairman – GDCCD
Bernie Dardis, Director – LAWA	Greg Bischoff, Vice Chairman - GDCCD
Todd Feland, City Administrator – Grand Forks	Kip Kovar, RRVWSP Deputy Manager
Bruce Grubb, PT Asst City Admin. - Fargo	Merri Mooridian, RRVWSP Deputy Manager



Black & Veatch Corporation

Professional Services for the Red River Valley Water Supply Project
Under General Agreement dated January 17, 2008

RRVWSP Task Order 9610 – 2025-27 Biennium User Outreach and Financial Modeling Support

Effective Date – December 1, 2025

Content of this Task Order (TO) is as follows:

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I. PROJECT AND TASK ORDER BACKGROUND

1. The overall task order objective for the 2023-2025 Biennium was to secure signed Project Participation Agreements (PPAs) from the prospective Users. This objective was modified to secure signed Memoranda of Commitments (MOCs) from prospective Users. The 2023-2025 User Outreach Task Order resulted in the Users shown on Table 1 signing a MOC to participate in the RRVWSP.
2. The purpose of this Task Order is to provide communications and financial modeling support to committed and potential RRVWSP Users to help them complete required contract negotiations to become full project participants. LAWA will provide direction and management of this Task Order with support of the Engineer and staff of GDCCD. This will include the development of a Management Team with staff representatives of both entities and the Engineer.

Table 1 – RRVWSP Users Who Have Signed a MOC

ANTICIPATED PROJECT PARTICIPANTS	NOMINATION (CFS)	GENERAL RESPONSE
Fargo/ West Fargo/ Cass Rural Water District	83.7	Signed Series D2 MOC
Grand Forks	28.1	Signed Series D2 MOC
Carrington	0.5	Signed Series D2 MOC with Nomination Decrease
Mayville	0.5	Signed Series D2 MOC
Hillsboro	0.5	Signed Series D2 MOC
Cooperstown	0.2	Signed Series D2 MOC
Series F Signed Subtotal	113.50 cfs	
Valley City	2	Signed Series D2 MOC with Nomination Increase
Signed Series D2, Not-Series F	2.00 cfs	
Jamestown	11	Signed MOC
Wahpeton	6	Signed MOC with Nomination Increase
East Central Regional Water District (Grand Forks Traill, Traill Rural, Larimore)	4.4 (3.00, 1.10, 0.30)	Signed MOC
Southeast Water Users District	4	Signed MOC with Nomination Increase
Richland County	4	Signed MOC with Nomination Increase
Dickey County	4	Signed MOC - New
Northeast Regional Water District & Langdon	3.2	Signed MOC
LaMoure County	3	Signed MOC - New
Grafton	2	Signed MOC
Traill County	1.22	Signed MOC - New
Sargent County	1	Signed MOC - New
Lisbon	1	Signed MOC with Nomination Increase
Walsh Rural Water District	1	Signed MOC
Agassiz Water Users District	1	Signed MOC
Washburn	0.45	Signed MOC - New
McLean-Sheridan Water District	0.42	Signed MOC
Post Series D2 Signed MOC Subtotal	47.69 cfs	
Total Signed MOC's	163.19 cfs	

The current, approximate, cost allocations made to each MOC signatory as a percentage of total project costs is shown in Table 2. These cost allocations are expected to change with ongoing financial modeling updates and potential changes to the MOC participant list.

Table 2 – RRVWSP 2026 Financial Model Update (September 5, 2025)

MOC Category	User	Draft MOC Allocation Model Run (2-Tier)	Total Nomination	Domestic Nomination	Industrial Nomination	Draft 2-Tier Financial Model Allocation Notes
Series D2 + F	Fargo / West Fargo / Cass Rural	62.06%	83.70	66.30	17.40	All Tier 1 RRV Costs
Series D2 + F	Grand Forks	16.64%	28.10	13.80	14.30	RRV - Tier 1 Industrial / Tier 2 Domestic
Series D2 + F	Carrington / Carrington JDA	0.25%	0.50	0.00	0.50	CE - Tier 1 Industrial
Series D2 + F	Hillsboro	0.22%	0.50	0.00	0.50	RRV - Tier 2 Industrial
Series D2 + F	Mayville	0.22%	0.50	0.00	0.50	RRV - Tier 2 Industrial
Series D2 + F	Cooperstown	0.15%	0.20	0.00	0.20	RRV - Tier 1 Industrial
Series D2 + F	Signed Series D2 + F Subtotal		113.50	80.10	33.40	
Series D2	Valley City	1.18%	2.00	1.00	1.00	RRV - Tier 1 Industrial / Tier 2 Domestic
Series D2	Signed Series D2, Not Series F		2.00	1.00	1.00	
Post D2	Jamestown	2.94%	11.00	0.00	11.00	CE - Tier 2 Industrial
Post D2	Wahpeton	2.63%	6.00	1.50	4.50	RRV - Tier 2 Domestic and Industrial
Post D2	East Central Regional Water District	1.93%	4.40	1.00	3.40	RRV - Tier 2 Domestic and Industrial
Post D2	Richland County	1.75%	4.00	0.00	4.00	RRV - Tier 2 Industrial
Post D2	Southeast Water Users District	1.75%	4.00	1.00	3.00	RRV - Tier 2 Domestic and Industrial
Post D2	Dickey County	1.75%	4.00	0.00	4.00	RRV - Tier 2 Industrial
Post D2	Northeast Regional Water District	1.40%	3.20	0.00	3.20	RRV - Tier 2 Industrial
Post D2	LaMoure County	1.31%	3.00	0.00	3.00	RRV - Tier 2 Industrial
Post D2	Grafton	1.21%	2.00	0.90	1.10	RRV - Tier 1 Industrial / Tier 2 Domestic
Post D2	Trail County	0.53%	1.22	0.00	1.22	RRV - Tier 2 Industrial
Post D2	Agassiz Water Users District	0.44%	1.00	0.00	1.00	RRV - Tier 2 Industrial
Post D2	Walsh Rural Water District	0.44%	1.00	0.00	1.00	RRV - Tier 2 Industrial
Post D2	Lisbon	0.74%	1.00	0.00	1.00	RRV - Tier 1 Industrial
Post D2	Sargent County	0.44%	1.00	0.00	1.00	RRV - Tier 2 Industrial
Post D2	Washburn	0.02%	0.45	0.45	0.00	ISP - Tier 1 Domestic
Post D2	McLean Sheridan Rural Water District	0.01%	0.42	0.00	0.42	ISP - Tier 2 Industrial
Post D2	Subtotal	DRAFT	47.69	4.85	42.84	
	Approved MOC Total	100.00%	163.19	85.95	77.24	

There are other Users who were engaged during the previous biennium who may participate, have declined to participate, or are in the process of considering as shown in Table 3.

Table 3 – Other Potential Users

ANTICIPATED PROJECT PARTICIPANTS	NOMINATION (CFS)	GENERAL RESPONSE
Dakota Rural Water District	0.75	Considering
Devils Lake	1	Evaluating
Lakota	0.2	Evaluating
Remaining Engaged Users Subtotal	1.95 cfs	
Tri-County Rural Water District	1	Ceased Communications
Barnes Rural Water District	0.5	Previously Withdrew but Reconsidering
Tuttle	0.02	Ceased Communications
Forman	0.01	Ceased Communications
Unknown/Has Concerns Subtotal	1.53 cfs	
Stutsman Rural Water District	4	Declined
Greater Ramsey Rural Water	1	Declined
Ransom County	1	Previously a Potential Addition, but has Now Declined
Central Plains Water District	0.6	Declined
Oakes	0.6	Previously a Potential Addition, but has Now Declined
South Central Regional Water District	0.5	Declined
Park River	0.4	Declined
McVie	0.1	Declined
Declined Subtotal	8.2 cfs	
Ellendale	----	Team has Engaged
Gwinner	----	Team has Engaged
Lamoure	----	Team has Engaged
Cass County	----	Team has Engaged with the County
Grand Forks County	----	Team has Engaged with the County
Stutsman County	----	Team has Engaged with the County
Barnes County	----	Team has Engaged with the County

II. TASK ORDER OBJECTIVES

1. The primary objective of this Task Order is to plan and facilitate regular meetings with MOC signatories (Table 1) to enable them to understand and consider signing legal contracts (developed by others) needed to participate in the RRVWSP. As part of this, the Management Team will provide:
 - A. Coordination of meetings including scheduling location, meeting times, and attendees between Users and LAWA/GDCD.
 - B. Financial modeling support as requested by the MOC signatories and approved by the Management Team and to facilitate State understanding of future cost-share requirements.
2. It is expected that MOC signatories will have technical questions related to assumptions made in StateMOD, water delivery such as the feasibility of pipeline extensions and the use of the James River, and water quality that will need to be addressed. The User Outreach work and financial modeling completed under this task order will be supported by technical analysis completed under the Operations Phase 4 Task Order (TO 1620).

3. The secondary objective is to engage and inform additional Users who have not yet signed a MOC (Table 3) to participate in the project.

III. GENERAL REQUIREMENTS

1. Under this Task Order, Engineer will provide services in accordance with the Standard Form of Agreement between Owner and Engineer for Professional Services dated January 17, 2008 (Agreement).
2. General Description of Activities. The Basic Services to be performed by Engineer consist of professional services associated with supporting LAWA and the MOC signatories to sign water delivery contracts through the facilitation of meetings, regular communications, and financial modeling. Technical updates and support will be provided through other task orders, including the Operations Phase 4 Task Order (TO 1620).
3. Work outside Basic and Special Services. Engineer agrees to provide the Basic Services and Special Services identified herein. Work not specifically discussed herein as part of Basic Services or Special Services is considered Additional Services. Additional Services will only be performed with proper separate authorization such as an amendment to this Task Order or a new separate Task Order.
4. Explicit Responsibilities. Basic Services and Special Services explicitly set forth the Work Engineer will perform and do not implicitly put any additional responsibilities or duties upon Engineer. Deliverables to be provided are explicitly identified in this Task Order.
5. Explicitly Identified Quantities. Engineer in development of this Task Order estimated the level of effort required to provide the services discussed. Where specific information is listed as to the quantity of service to be provided by Engineer, those quantities listed are considered Basic Services or Special Services and are, therefore, included in this Task Order scope of service and associated fee estimate. Services exceeding the written quantities shown below in Basic Services or Special Services are considered Additional Services.

IV. BASIC SERVICES

The Basic Services of this Task Order are provided below in the following tasks:

- Task 1 – Task Order Management and Administration
- Task 2 – Coordination with GDCD/LAWA Boards and Committees
- Task 3 – Communication/Outreach with MOC Signers
- Task 4 - Meetings with MOC Signatories in Support of the Water Delivery Contract
- Task 5 – Refined Financial Modeling

1. Task 1 – Task Order Management and Administration

The overall objective of this task is to set up the project and keep the Task Order on schedule for its estimated 19-month duration (December 1, 2025 – June 30, 2027). Engineer will provide the following services to the Owner:

- A. Provide general project management and administration tasks including communications with the Owner, coordination, and supervision of the Engineer’s project team, monitoring the project schedule, monitoring the project budget, and invoicing for 19 months.
 - B. Meetings. The Consulting Team will provide:
 - i. Bi-weekly meetings with the Management Team (estimated 36)
2. **Task 2 – Coordination with GDCD/LAWA Boards and Committees.**
 - A. The Consulting Team will provide:
 - i. Regular meetings with Financial Advisory Committee (FAC) to present financial modeling results (estimated 10)
 - ii. Regular meetings with Technical Advisory Committee (TAC) to present technical updates (estimated 10)
 - iii. User outreach updates as requested for LAWA board meetings (estimated 10)
 - iv. User outreach updates to the quarterly Garrison Diversion board meetings (estimated 6)
3. **Task 3 – Communication/Outreach with MOC Signers.** The Consulting Team will provide:
 - A. Team will update and maintain the User database established in the previous task order to maintain names/contacts/record of communications with each User.
 - B. Bi-monthly Project User Communications. Develop and deliver written communications for the Project Users as deemed important by the Management Team. Examples may include board notices/summaries, updated schedules, and project engineering and construction updates. Communications will be coordinated with the Project Communications Team for consistency of messaging.
 - C. Regular Meetings for all MOC signatories (estimated 6). Anticipated schedule and purpose:
 - i. December 2025 – Summary of Overall Project Status
 - ii. February 2026 – Updated StateMOD and Financial Analysis
 - iii. May 2026 – Key provisions of the Water Delivery Contract and context of Water Supply Contract
 - iv. July 2026 – Draft Content of Water Delivery Contract
 - v. September 2026– Draft 2 of Water Delivery Contract
 - vi. November 2026– placeholder

The scope includes preparation of technical materials/presentation for each meeting and coordination of those materials with the management team.
4. **Task 4 - Meetings with MOC Signatories in Support of the Water Delivery Contract.** The previous User Outreach task order experience suggests that it typically takes 3 to 4 rounds of

meetings with each User to secure a contractual commitment. This task includes effort to conduct three meetings with the Users to support them in signing a Water Delivery Contract. It is desirable to host regional meetings with multiple Users to be efficient with time, resources and allow for shared input. Regional meetings could potentially be in the following areas:

- Wahpeton (Wahpeton, Richland County, SEWUD-- 10 to 14 cfs)
- Lisbon (Lisbon, Sargent County, SEWUD—2 to 6 cfs)
- Oakes (Dickey County, LaMoure County, SEWUD—7 to 11 cfs)
- Jamestown/Valley City (Jamestown, Valley City—13 cfs)
- Carrington (Carrington, Cooperstown, MSRWD, DRWD—2.07 cfs)
- Hillsboro (Mayville, Hillsboro, ECRWD—5.4 cfs)
- Devils Lake (Devils Lake, Lakota, NRWD—1.2 to 4.4 cfs)
- Grafton (Grafton, WRWD, ARWD, NRWD—3 to 6.2 cfs)

It is expected that presentation of the Water Delivery Contracts will require legal support, which will be provided by the LAWA attorneys. The following sequence of meetings is expected:

- A. Initial User Meeting to Present Water Delivery Contract (estimated 8)
- B. Follow Up User meeting to Discuss Water Delivery Contract and gather initial questions (estimated 8)
- C. Final User Meeting(s) to Secure Commitment for Water Delivery Contract (estimated 8)
- D. As shown on Table 3, there are several undecided users. This task includes effort to engage these potential additional users at the Management Team's direction.
- E. Up to seven service area cooperative agreements are anticipated, including:
 1. Cooperstown Area
 2. Traill County Area
 3. Devils Lake Area
 4. Southeast Area-East
 5. Southeast Area- Central
 6. Southeast Area- West
 7. Grafton Area

This scope includes the effort for two regional meetings to support the service area cooperative agreements.

5. **Task 5 – Refined Financial Modeling.** To support on-going User outreach efforts and provide prospective Users with the most current Project Financial information prior to signing the final Water Delivery Contract, the existing Project financial model will be progressed over the next year. The following primary tasks are anticipated to be necessary:

- A. Financial Model Updates** – reproject future Series financing requirements based on final Series F Loan Agreement details, projected future series cost-share requirements, and prior Series A-E anticipated actuals.
- B. Cost Allocation Model Update** – update cost allocation model to reflect MOC Signatory Roster utilizing the Garrison Diversion and LAWA adopted 2-tier cost allocation model. The Consulting Team will develop the revised cost allocation model utilizing the MOC signatory roster as of the date of the signing of this Task Order as shown in Table 2 above.
- C. Alternative Cost Allocation Model Development** – develop alternative cost allocation modeling reflecting potential revised User participation scenarios that are expected to evolve throughout the performance of Task 2 and 3. It is also anticipated that users may request potential alternative service scenarios (i.e., James River Conveyance) that may require alternative cost allocation model runs. The technical analysis associated work such as assessing the feasibility of using James River for water conveyance will be done under the Operations Phase 4 Task Order.
- D. Finalize Project Operations, Maintenance, Administration, and Reserve (OMAR) Assumptions** – develop final anticipated Project OMAR revenue requirements and cost allocation approach for various project operating protocols. The Consulting Team will review with Owner the anticipated OMAR cost structure and current best estimates for OMAR revenue requirements including items such as labor (administrative, operating, and maintenance), power, chemicals, contract maintenance, and reserve requirements. The analysis will include evaluation of costs under different Project water supply scenarios and recommend allocation of cost to Users based on different project use scenarios.
- E. Water Delivery Contract Financial Exhibits Development** – develop final exhibits for incorporation to the Water Delivery Contract including appropriate detail documenting the Project financial structure and on-going user cost responsibilities. This will include developing the Water Delivery Contract financial exhibit final drafts that are expected to include the following:
 - 1. **Prior Project Expenses Summary** – exhibit is expected to include a breakdown of all prior Series Project financing agreements and past User participation within each respective financing.
 - 2. **Capital Cost Responsibility and Cost Delivery** – exhibit is expected to include summary documentation of the methodology of the adopted 2-tier cost allocation model and the results of the cost delivery to all anticipated Water Delivery Contract signatories.
 - 3. **Debt Repayment Obligation Schedules for Existing Debt and Future True-up** – exhibit is expected to include Amortization tables for the Project and individual Users based on the refined financial modeling and the results of final cost allocation analysis for anticipated Water Delivery Contract signatories.

4. OMAR Cost Responsibility and Cost Delivery – exhibit is expected to include summary documentation of the methodology of the OMAR cost allocation model and the results of the cost Delivery to anticipated Water Delivery Contract signatories.

Consistent with *Task 2 – Communication/Outreach with MOC Signers*, the following schedule is anticipated for the completion of the outlined Refined Financial Modeling Tasks:

- Financial Model and Cost Allocation Model Update – April 2026
- Alternative Cost Allocation Model Development – June 2026
- Final OMAR Assumptions and Allocations – June 2026
- Draft Water Delivery Contract Financial Exhibits – July 2026
- Final Water Delivery Contract Financial Exhibits – September 2026
- State Funding and Legislative Support – November 2026 – April 2027

V. SPECIAL SERVICES

There are no Special Services anticipated within this Task Order.

VI. DELIVERABLES

The following deliverables will be furnished under this Task Order. Documents or deliverables not included in the list below will be provided as Additional Services as authorized by the Owner. Unless noted otherwise, deliverables will be in the form of electronic pdf files.

1. Task 1 – Task Order Management and Administration
2. Task 2 - Coordination with GDCD/LAWA Boards and Committees.
 - Handouts/presentations as requested
3. Task 3 – Communication/Outreach with MOC Signers
 - Bi-monthly communication materials.
4. Task 4 – Regional Meetings with MOC Signatories in Support of the Water Delivery Contract.
 - Handouts of financial and as requested by LAWА and Users
5. Task 5 – Refined Financial Modeling
 - Updated Financial analysis and exhibits as requested by LAWА.

VII. ADDITIONAL SERVICES

1. The professional services listed below are not included in the scope of this Task Order nor does the fee shown in Article IX include any labor and direct expenses for items identified as Additional Services. Should Owner want to include services listed under Additional Services in

Engineer's scope of work, an amendment to this Task Order or execution of a separate Task Order with the new work will be necessary. The following items are specifically excluded from Basic and Special Services:

- A. Attending additional general meetings beyond what is identified in this Task Order.
- B. Attending additional individual User meetings to support approval of the Water Delivery Contract.
- C. Work performed, which is beyond the 19-month Task Order schedule.
- D. Technical support required for answering User questions.
- E. This task order does not include services for broader promotional outreach regarding the project as those tasks are covered under the Garrison Diversion Communications Task Order.

VIII. SPECIAL RESPONSIBILITIES OF OWNER

- 1. Interim Deliverable Review Requirements. The Owner commits to review periods for interim deliverables of no more than 30 calendar days after receipt of deliverables from Engineer.
- 2. Review comments will be provided by the Owner either electronically in the native Word file in Track Changes Mode or they will be summarized in an MS Excel worksheet or MS Word document.

IX. FEE

The total fee for Basic Services and Special Services provided under this Task Order is estimated to be One Million One Hundred Eighty-Two Thousand Eight Hundred Eighty-One Dollars (\$1,182,881). Worksheets showing the fee estimate and level of effort by task are included in Attachment A.

X. PERFORMANCE SCHEDULE

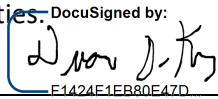
Basic and Special Services of this Task Order will be completed by June 30, 2027.

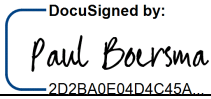
XI. DOCUMENTS INCORPORATED BY REFERENCE AND ATTACHMENTS

- 1. Standard Form of Agreement between Garrison Diversion and Engineer for Professional Services dated January 17, 2008, is incorporated by reference.
- 2. Attachment A – Fee Estimate Worksheets

XII. ACCEPTANCE

If this satisfactorily sets forth your understanding of this Task Order, please electronically sign this document. An electronic copy of the fully executed document will be provided upon execution by all parties.

By: 
E1424E1EB80E47D
Duane DeKrey, General Manager
Garrison Diversion Conservancy District
Dated: 4/22/2026

By: 
2D2BA0F04D4C45A...
Paul Boersma, Vice President
Black & Veatch Corporation
Dated: 4/21/2026

ATTACHMENT A

Fee Estimate Worksheets



Garrison Diversion Conservancy District
Red River Valley Water Supply Project
RRVWSP TO 9610 - 2025-27 Biennium User Outreach and Financial Modeling Support
BV Project No. TBD
Black & Veatch and Consultants

Task	Lead Firm	Position	P	PMS	PJC2	PA2	ADMS	ADM1	Labor Detail	Labor Detail	Expense Detail	Sub Consult ant	Sub Consult	Expense Detail	Sub Consult ant	Sub Consult	Expense Detail		TOTAL	TOTAL	TOTAL	TOTAL
		Task Description	Principal	Project Manager Senior	Project Controls Ana 2	Project Accountant 2	Administrator Senior	Administrator 1	BV Level of Effort (hrs)	BV Labor Cost	Hobacca	AE2S Hours	AE2S Sub Costs	AE2S Sub Markup	BA Hours	BA Sub Costs	BA Sub Markup	Total Direct Expense	BV Level of Effort (hrs)	BV Labor Cost	Direct Expense	Fee
IV. BASIC SERVICES																						
1		Task Order Management and Administration	40	46	46	40	40	40	252	\$52,630	\$2,414	154	\$43,742	\$2,187	213	\$51,825	\$2,591	\$102,759	252	\$52,630	\$102,759	\$155,389
A	BV	General Project Management (19 months)		46	46	40	40	40	212	\$39,550	\$2,048	96	\$26,646	\$1,332	133	\$31,825	\$1,591	\$63,442	212	\$39,550	\$63,442	\$102,992
B	BV	Host Monthly User Engagement Conference Calls/Meetings (40)	40						40	\$13,080	\$366	58	\$17,096	\$855	80	\$20,000	\$1,000	\$39,317	40	\$13,080	\$39,317	\$52,397
2		Coordination w/ GDCD/LAWA Boards and Committees	68	0	0	0	0	0	68	\$22,236	\$623	288	\$88,538	\$4,428	303	\$85,284	\$4,263	\$183,136	68	\$22,236	\$183,136	\$205,372
A	BA/AE2S	Financial Advisory Committee (FAC) (estimated 10 meetings)	18						18	\$5,886	\$165	118	\$30,540	\$1,527	60	\$18,969	\$948	\$52,149	18	\$5,886	\$52,149	\$58,035
B	BA/AE2S	Technical Advisory Committee (TAC) (estimated 10 meetings)	18						18	\$5,886	\$165	70	\$18,798	\$940	140	\$32,569	\$1,628	\$54,100	18	\$5,886	\$54,100	\$59,986
D	BA/AE2S	User Outreach for LAWA Board(estimated 10 meetings)	20						20	\$6,540	\$183	50	\$18,350	\$918	55	\$17,494	\$875	\$37,820	20	\$6,540	\$37,820	\$44,360
E	BA/AE2S	User Outreach Updates to Quarterly GDCD Board (estimated 6 meetings)	12						12	\$3,924	\$110	50	\$20,850	\$1,043	48	\$15,248	\$762	\$38,013	12	\$3,924	\$38,013	\$41,937
3		Communication/Outreach with MOC Signers	30	0	0	0	0	0	30	\$9,810	\$275	58	\$18,386	\$919	614	\$117,424	\$5,871	\$142,875	30	\$9,810	\$142,875	\$152,685
A	BA	Update and Maintain User Database for Record of Communications	4						4	\$1,308	\$37	4	\$1,268	\$63	90	\$19,203	\$960	\$21,531	4	\$1,308	\$21,531	\$22,839
B	BA	Bi-monthly Project User Communications (10)	20						20	\$6,540	\$183	18	\$5,706	\$285	260	\$44,900	\$2,245	\$53,319	20	\$6,540	\$53,319	\$59,859
C	BA	Followup User Meetings for MOC signatories (6 est.)	6						6	\$1,962	\$55	36	\$11,412	\$571	264	\$53,321	\$2,666	\$68,025	6	\$1,962	\$68,025	\$69,987
4		Meetings with Individual MOC Signatories in Support of the Water Distribution Contract	52	0	0	0	0	0	52	\$17,004	\$476	372	\$103,253	\$5,163	1,187	\$239,165	\$11,959	\$360,016	52	\$17,004	\$360,016	\$377,020
A	BA	Initial User Meeting to Present Water Distribution Contract (estimated 8)	12						12	\$3,924	\$110	85	\$22,630	\$1,132	256	\$51,530	\$2,577	\$77,979	12	\$3,924	\$77,979	\$81,903
B	BA	Follow-up Meeting for Water Distribution Contract (8)	12						12	\$3,924	\$110	101	\$28,431	\$1,422	256	\$51,530	\$2,577	\$84,070	12	\$3,924	\$84,070	\$87,994
C	BA	Final User Meetings (estimated 8)	12						12	\$3,924	\$110	76	\$20,506	\$1,025	256	\$51,520	\$2,576	\$75,737	12	\$3,924	\$75,737	\$79,661
D	BA	Engage Non-MOC Potential Users	8						8	\$2,616	\$73	94	\$27,262	\$1,363	272	\$54,240	\$2,712	\$85,650	8	\$2,616	\$85,650	\$88,266
E	BA	Support Users with Developing Cooperative Agreements	8						8	\$2,616	\$73	16	\$4,424	\$221	147	\$30,345	\$1,517	\$36,580	8	\$2,616	\$36,580	\$39,196
5		Refined Financial Modeling	40	24	0	0	0	0	64	\$20,928	\$588	808	\$213,648	\$10,683	180	\$44,350	\$2,218	\$271,487	64	\$20,928	\$271,487	\$292,415
A	AE2S	Financial Model Updates	4						4	\$1,308	\$37	320	\$81,000	\$4,050	20	\$5,900	\$295	\$91,282	4	\$1,308	\$91,282	\$92,590
B	AE2S	Cost Allocation Model Update	4						4	\$1,308	\$37	56	\$14,536	\$727	20	\$5,900	\$295	\$21,495	4	\$1,308	\$21,495	\$22,803
C	AE2S	Alternative Cost Allocation Model Development	4						4	\$1,308	\$37	92	\$23,032	\$1,152	20	\$5,900	\$295	\$30,416	4	\$1,308	\$30,416	\$31,724
D	AE2S	Finalize Project Ops, Maint., Admin., and Reserve (OMAR Assumptions)	24	24					48	\$15,696	\$440	160	\$43,240	\$2,162	100	\$20,750	\$1,038	\$67,630	48	\$15,696	\$67,630	\$83,326
E	AE2S	Water Distro Contract Financial Exhibits Development	4						4	\$1,308	\$37	180	\$46,840	\$2,342	20	\$5,900	\$295	\$55,414	4	\$1,308	\$55,414	\$56,722
Totals For Basic Services			230	70	46	40	40	40	466	122,608	\$4,376	1,680	\$467,567	\$23,380	2,497	\$538,048	\$26,902	\$1,060,273	466	\$122,608	\$1,060,273	\$1,182,881
PROJECT TOTALS			230	70	46	40	40	40	466	\$122,608	\$4,376	1,680	\$467,567	\$23,380	2,497	\$538,048	\$26,902	\$1,060,273	466	\$122,608	\$1,060,273	\$1,182,881



Garrison
DIVERSION

Garrison Diversion Conservancy District
Red River Valley Water Supply Project
RRVWSP TO 9610 - 2025-27 Biennium User Outreach and Financial Modeling Support
BV Project No. TBD
Burian & Associates

Task	Lead Firm	Position						Labor Detail	Labor Detail	Expense Detail		TOTAL	TOTAL	TOTAL	TOTAL
		Task Description	Burian	Stauss	Mowat	Kelly	Hall/Vasconcelos/Teason	Burian Level of Effort (hrs)	Labor Cost	Travel	Total Expense	Burian Level of Effort (hrs)	Burian Labor Cost	Direct Expense	Fee
IV. BASIC SERVICES															
1		Task Order Management and Administration	97	78	0	38	0	213	\$51,825	\$0	\$0	213	\$51,825	\$0	\$51,825
A	BV	General Project Management (19 months)	57	38		38		133	\$31,825		\$0	133	\$31,825	\$0	\$31,825
B	BV	Host Monthly User Engagement Conference Calls/Meetings (40)	40	40				80	\$20,000		\$0	80	\$20,000	\$0	\$20,000
2		Coordination w/ GDCD/LAWA Boards and Committees	223	0	80	0	0	303	\$79,385	\$5,899	\$5,899	303	\$79,385	\$5,899	\$85,284
A	BA/AE2S	Financial Advisory Committee (FAC) (estimated 10 meetings)	60					60	\$17,700	\$1,269	\$1,269	60	\$17,700	\$1,269	\$18,969
B	BA/AE2S	Technical Advisory Committee (TAC) (estimated 10 meetings)	60		80			140	\$31,300	\$1,269	\$1,269	140	\$31,300	\$1,269	\$32,569
D	BA/AE2S	User Outreach for LAWA Board(estimated 10 meetings)	55					55	\$16,225	\$1,269	\$1,269	55	\$16,225	\$1,269	\$17,494
E	BA/AE2S	User Outreach Updates to Quarterly GDCD Board (estimated 6 meetings)	48					48	\$14,160	\$1,088	\$1,088	48	\$14,160	\$1,088	\$15,248
3		Communication/Outreach with MOC Signers	90	180	88	0	256	614	\$116,663	\$761	\$761	614	\$116,663	\$761	\$117,424
A	BA	Update and Maintain User Database for Record of Communications	10	80				90	\$19,203		\$0	90	\$19,203	\$0	\$19,203
B	BA	Bi-monthly Project User Communications (10)	20	40	40		160	260	\$44,900		\$0	260	\$44,900	\$0	\$44,900
C	BA	Followup User Meetings for MOC signatories (6 est.)	60	60	48		96	264	\$52,560	\$761	\$761	264	\$52,560	\$761	\$53,321
4		Meetings with Individual MOC Signatories in Support of the Water Distribution Contract	319	156	172	0	512	1,187	\$232,125	\$7,040	\$7,040	1,187	\$232,125	\$7,040	\$239,165
A	BA	Initial User Meeting to Present Water Distribution Contract (estimated 8)	64	32	32		128	256	\$50,080	\$1,450	\$1,450	256	\$50,080	\$1,450	\$51,530
B	BA	Follow-up Meeting for Water Distribution Contract (8)	64	32	32		128	256	\$50,080	\$1,450	\$1,450	256	\$50,080	\$1,450	\$51,530
C	BA	Final User Meetings (estimated 8)	64	32	32		128	256	\$50,080	\$1,440	\$1,440	256	\$50,080	\$1,440	\$51,520
D	BA	Engage Non-MOC Potential Users	64	32	48		128	272	\$52,800	\$1,440	\$1,440	272	\$52,800	\$1,440	\$54,240
E	BA	Support Users with Developing Cooperative Agreements	63	28	28			147	\$29,085	\$1,260	\$1,260	147	\$29,085	\$1,260	\$30,345
5		Refined Financial Modeling	110	0	70	0	0	180	\$44,350	\$0	\$0	180	\$44,350	\$0	\$44,350
A	AE2S	Financial Model Updates	20					20	\$5,900		\$0	20	\$5,900	\$0	\$5,900
B	AE2S	Cost Allocation Model Update	20					20	\$5,900		\$0	20	\$5,900	\$0	\$5,900
C	AE2S	Alternative Cost Allocation Model Development	20					20	\$5,900		\$0	20	\$5,900	\$0	\$5,900
D	AE2S	Finalize Project Ops, Maint., Admin., and Reserve (OMAR Assumptions)	30		70			100	\$20,750		\$0	100	\$20,750	\$0	\$20,750
E	AE2S	Water Distro Contract Financial Exhibits Development	20					20	\$5,900		\$0	20	\$5,900	\$0	\$5,900
Total for Basic Services			839	414	410	38	768	2,497	\$524,348	\$13,700	\$13,700	2,497	\$524,348	\$13,700	\$538,048
PROJECT TOTALS			839	414	410	38	768	2,497	\$524,348	\$13,700	\$13,700	2,497	\$524,348	\$13,700	\$538,048



Garrison Diversion Conservancy District
Red River Valley Water Supply Project
RRVWSP TO 9610 - 2025-27 Biennium User Outreach and Financial Modeling Support
BV Project No. TBD
AE2S

Task	Lead Firm	Position	ENG8	ENG7	ENG4	ENG3	PM3	Labor Detail	Labor Detail	Expense Detail		TOTAL	TOTAL	TOTAL	TOTAL
		Task Description	Gaddie	Dunham	Strombeck	Administrative	Kist	AE2S Level of Effort (hrs)	Labor Cost	Travel	Total Expense	AE2S Level of Effort (hrs)	AE2S Labor Cost	Direct Expense	Fee
IV. BASIC SERVICES															
1		Task Order Management and Administration	94	30	24	6	0	154	\$43,742	\$0	\$0	154	\$43,742	\$0	\$43,742
A	BV	General Project Management (19 months)	54	18	18	6		96	\$26,646		\$0	96	\$26,646	\$0	\$26,646
B	BV	Host Monthly User Engagement Conference Calls/Meetings (40)	40	12	6			58	\$17,096		\$0	58	\$17,096	\$0	\$17,096
2		Coordination w/ GDCD/LAWA Boards and Committees	180	36	18	48	6	288	\$76,038	\$12,500	\$12,500	288	\$76,038	\$12,500	\$88,538
A	BA/AE2S	Financial Advisory Committee (FAC) (estimated 10 meetings)	40	36	18	24		118	\$28,040	\$2,500	\$2,500	118	\$28,040	\$2,500	\$30,540
B	BA/AE2S	Technical Advisory Committee (TAC) (estimated 10 meetings)	40			24	6	70	\$16,298	\$2,500	\$2,500	70	\$16,298	\$2,500	\$18,798
D	BA/AE2S	User Outreach for LAWA Board(estimated 10 meetings)	50					50	\$15,850	\$2,500	\$2,500	50	\$15,850	\$2,500	\$18,350
E	BA/AE2S	User Outreach Updates to Quarterly GDCD Board (estimated 6 meetings)	50					50	\$15,850	\$5,000	\$5,000	50	\$15,850	\$5,000	\$20,850
3		Communication/Outreach with MOC Signers	58	0	0	0	0	58	\$18,386	\$0	\$0	58	\$18,386	\$0	\$18,386
A	BA	Update and Maintain User Database for Record of Communications	4					4	\$1,268		\$0	4	\$1,268	\$0	\$1,268
B	BA	Bi-monthly Project User Communications (10)	18					18	\$5,706		\$0	18	\$5,706	\$0	\$5,706
C	BA	Followup User Meetings for MOC signatories (6 est.)	36					36	\$11,412		\$0	36	\$11,412	\$0	\$11,412
4		Meetings with Individual MOC Signatories in Support of the Water Distribution Contract	253	85	0	34	0	372	\$103,253	\$0	\$0	372	\$103,253	\$0	\$103,253
A	BA	Initial User Meeting to Present Water Distribution Contract (estimated 8)	50	25		10		85	\$22,630		\$0	85	\$22,630	\$0	\$22,630
B	BA	Follow-up Meeting for Water Distribution Contract (8)	75	16		10		101	\$28,431		\$0	101	\$28,431	\$0	\$28,431
C	BA	Final User Meetings (estimated 8)	50	16		10		76	\$20,506		\$0	76	\$20,506	\$0	\$20,506
D	BA	Engage Non-MOC Potential Users	70	20		4		94	\$27,262		\$0	94	\$27,262	\$0	\$27,262
E	BA	Support Users with Developing Cooperative Agreements	8	8				16	\$4,424		\$0	16	\$4,424	\$0	\$4,424
5		Refined Financial Modeling	136	424	248	0	0	808	\$208,648	\$5,000	\$5,000	808	\$208,648	\$5,000	\$213,648
A	AE2S	Financial Model Updates	40	200	80			320	\$81,000		\$0	320	\$81,000	\$0	\$81,000
B	AE2S	Cost Allocation Model Update	8	24	24			56	\$14,536		\$0	56	\$14,536	\$0	\$14,536
C	AE2S	Alternative Cost Allocation Model Development	8	60	24			92	\$23,032		\$0	92	\$23,032	\$0	\$23,032
D	AE2S	Finalize Project Ops, Maint., Admin., and Reserve (OMAR Assumptions)	40	40	80			160	\$43,240		\$0	160	\$43,240	\$0	\$43,240
E	AE2S	Water Distro Contract Financial Exhibits Development	40	100	40			180	\$46,840		\$0	180	\$46,840	\$0	\$46,840
0	0	0	0	0	0			0	\$0	\$5,000	\$5,000	0	\$0	\$5,000	\$5,000
8		Continued Outreach for New MOC's	0	0	0	0	0	0	\$0	\$0	\$0	0	\$0	\$0	\$0
A	ALL	Outreach to potential MOC Signers						0	\$0		\$0	0	\$0	\$0	\$0
B	ALL	Support User Co-op Agreement Development (7 Anticipated)						0	\$0		\$0	0	\$0	\$0	\$0
Total for Basic Services			721	575	290	88	6	1,680	\$450,067	\$17,500	\$17,500	1,680	\$450,067	\$17,500	\$467,567
PROJECT TOTALS			721	575	290	88	6	1,680	\$450,067	\$17,500	\$17,500	1,680	\$450,067	\$17,500	\$467,567

Agenda Item: LAWA Lobbying Services Procurement Strategy Update

Submitted By: Spencer Halvorson, Executive Director

Staff Recommended Action: N/A

Background and Update

Per a previous staff report (attached), it has been the adopted strategy for LAWA to, if possible, partner with the City of Fargo (Fargo) in the anticipation they would budget for lobbying the service for the 2027 legislative session and select Terry Effertz of Integrity Public Affairs to represent them. Ms. Effertz has worked with both Fargo and LAWA in previous legislative sessions. Fargo will make their policy decision on the inclusion of lobbying services as part of their approval of the Fargo 2027 budget at their September 28 City Commission meeting.

Once that decision is made, LAWA will be able to act accordingly to strategically procure lobbying services in advance of the 2027 legislative session.

Attached

- Approved staff report regarding LAWA Lobbying Services Procurement Strategy

Agenda Item: Lobbying Services Procurement Strategy

Submitted By: Spencer Halvorson, Executive Director

Staff Recommended Action: Provide feedback on the proposed strategy

FAC Recommended Action: Action taken concurring with proposed strategy (vote - unanimous)

LAWA Board Action: **APPROVED**

LAWA and the Garrison Diversion Conservancy District (GDCCD) have traditionally partnered strategically and financially for state legislature lobbying services. GDCCD has procured their own separate firm for state legislature lobbying (GA Group) in preparation for the upcoming session and are no longer working with Terry Effertz of Integrity Public Affairs, the lobbying firm LAWA and GDCCD previously partnered with via a cost share arrangement.

In speaking with senior administrators with the cities of Grand Forks and Fargo, along with multiple members of the LAWA Board of Directors, all were aligned with the two following conclusions:

1. It is necessary for LAWA to have an official lobbyist for the upcoming state legislative session to advocate for its interests.
2. LAWA would like to continue working with Terry Effertz of Integrity Public Affairs, providing a level of consistency and familiarity for LAWA in Bismarck this upcoming legislative session

Ms. Effertz has been contacted and has communicated an interest and capacity to continue working with LAWA. Ms. Effertz also currently represents the City of Fargo. Fargo has recently released a Request for Qualifications for Government Relations and Legislative Advocacy with a firm to be scheduled for recommendation to their City Commission on August 31.

Proposed Strategy

It is proposed that LAWA continue working with Ms. Effertz of Integrity Public Affairs due to previous satisfactory performance and the desire to bring a level of consistency and familiarity heading into the upcoming legislative session.

Should the City of Fargo also choose to continue working with Integrity Public Affairs (Terry Effertz), LAWA would then approach both Ms. Effertz and the City of Fargo regarding the possibility of a mutually beneficial administrative services agreement between LAWA, the City of Fargo, and Ms. Effertz of Integrity Public Affairs.

Should Fargo decide to award the service contract to a different firm, LAWA would then approach Ms. Effertz with the goal of reaching an agreement for state legislative advocacy services.

Agenda Item: Agreements Status Update

Submitted By: Spencer Halvorson, Executive Director

Staff Recommended Action: N/A

Background and Update

There are three agreements in progress which are critical to the development of the RRWSP and coincide with the Split Delivery concept of project delivery. They are as follows and a status update on each agreement is provided below:

Water Supply Agreement

- Agreement between LAWA & Project Owner for delivery of water from McClusky Canal to Sheyenne River Outfall
 - o This agreement is currently being redrafted to align with and compliment an Option #3 governance framework with the State of North Dakota/State Water Commission as the appropriate counterparty to LAWA.

Water Distribution Agreement

- Agreement between LAWA and Users for distribution of water to users
 - o This agreement was originally drafted by the City of Fargo. The City of Grand Forks provided their first draft comments. Fargo has updated and returned a revised document responding to Grand Forks' comments. Fargo and Grand Forks are collaboratively refining the agreement and will then provide to LAWA for review.
 - o An executive summary is being finalized with the goal of having an agreed upon version of the summary by all three entities in advance of user outreach efforts to take place in late October.

Thompson-Acker (TA) Agreement

- Agreement between LAWA, Lake Ashtabula TA rights holders, ND State Water Commission, and ND Department of Water Resources regarding water accounting between TA water, natural flows, and project water.
 - o TA rights holders and LAWA are working collaboratively with the ND Department of Water Resources and awaiting final direction from State regarding water accounting principles within Lake Ashtabula.

- The agreement will be revised and finalized accordingly once final state feedback is provided.

A fourth agreement between the cities of Fargo and Grand Forks pertaining to return and bypass flows on the Red River is also necessary. Both parties intend to negotiate such an agreement over the fall months of this year.