

RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT  
 Richland County Courthouse, Wahpeton, ND  
 April 28, 2015

The Richland-Sargent Joint Water Resource Board (RSJWRB) met April 28, 2015 at 10:00 AM at the Richland County Courthouse, Wahpeton, North Dakota.

THOSE PRESENT: Managers Jim Bosse, Roger Zetocha, Lucas Siemieniewski, Korey Martinson, Arv Burvee, Robert Rostad, Don Moffet, Gary Friskop, James Haugen, Engineering Technician Justin Johnson, Secretary-Treasurer Monica Zentgraf, Engineer Mike Bassingthwaite, and several guests.

The meeting was called to order by Chr. Haugen.

### **Drain Extension and Channel Improvements**

Bids were opened for the extension and channel improvements on RS #1. The following bids were received:

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>
Comstock Construction, Inc	\$680,977.00
H & S Contracting, Inc	\$766,059.00
JAV Construction, Inc	\$614,016.00
Johnson Excavation	\$697,554.00
M & M Contractors, LLC	\$386,980.49
Riley Bros Construction, Inc	\$396,951.00
Sellin Brothers, Inc	\$653,476.00

Upon conclusion of the bid opening, a motion was made by Mgr. Moffet and seconded by Mgr. Burvee to refer the bids to Engineer Bassingthwaite for verification and tabulation. Upon roll call vote, Mgrs. Zetocha, Martinson, Siemieniewski, Burvee, Rostad, Moffet, Friskop, Haugen, and Bosse voted in favor of said motion; Mgr. Engst was absent and not voting. The motion carried.

All guests left the meeting.

### **Minutes**

A motion was made by Mgr. Siemieniewski and seconded by Mgr. Bosse to approve the minutes of the March 23, 2015 meeting as presented. The motion carried unanimously.

### **Financial Matters**

A motion was made by Mgr. Zetocha and seconded by Mgr. Rostad to accept the March 2015 financial report as presented. The motion carried unanimously.

**RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT  
AGENCY SELECTION COMMITTEE - FINAL REPORT**

**April 28, 2015**

In accordance with the NORTH DAKOTA STATE WATER COMMISSION'S COST-SHARE POLICY, PROCEDURE, AND GENERAL REQUIREMENTS (the "SWC Policy"), and in accordance with Chapter 54-44.7 of the North Dakota Century Code, the Richland-Sargent Joint Water Resource District (the "District") previously prepared and approved an INITIAL REPORT dated March 23, 2014, and a SECOND REPORT dated March 23, 2014. In the INITIAL REPORT, the District appointed all ten of its members as the "Agency Selection Committee" for purposes of conducting the requisite engineering selection process (as specifically required under Section I(C) of the SWC Policy and under N.D. Cent. Code § 54-44.7-03(1)). The Committee developed the following "description for the proposed project" as required under Section 54-44.7-03(2)(a):

The Richland-Sargent Joint Water Resource District (the "District") is seeking general engineering services and consulting to assist, advise, and act on behalf of the District regarding all proceedings and projects of the District, including regular attendance at meetings of the District; surveys; inspection and maintenance of existing projects, including assessment projects, drains, and retention projects; development, study, survey, design, bidding, contract administration, and right of way acquisition regarding new projects, improvements to the District's existing projects, and snagging and clearing projects; administration and negotiation of land and right of way acquisition on behalf of the District; assistance regarding permit administration, including surface drainage, subsurface drainage, dam, and dike permitting; investigation and assistance regarding administration of dike, dam, drainage, and obstruction complaints; assessment district development; negotiation with road authorities, railroads, and other entities on the District's behalf; regular cooperation and interaction with the District's staff, legal counsel, and other consultants; and otherwise performing all other tasks as necessary to act on the District's behalf.

In accordance with the Committee's INITIAL REPORT and SECOND REPORT, and as required under the SWC Policy and Chapter § 54-44.7 of the North Dakota Century Code, the Committee performed the following tasks:

1. the Committee developed and approved "a formal invitation to firms for submission of information" (a Request for Qualifications) as required under Section 54-44.7-03(2)(c);
2. the Committee concluded a single publication in each of the *Richland County Daily News* and *Sargent County Teller* appropriately, adequately, and sufficiently invited Qualification Statements;
3. the Committee procured publication of its invitation/RFQ in the *Richland County Daily News* on February 25, 2015 and *Sargent County Teller* on February 27, 2015;
4. the Committee's invitation/RFQ set the deadline for submitting Qualification Statements as 5:00 p.m. on March 20, 2015;

5. the Committee accepted timely-submitted Qualification Statements from the following firms:
  - a. Interstate Engineering, Inc
  - b. Moore Engineering, Inc
6. In light of the firms qualifications and the District's familiarity with the quality of the firms work, the Committee concluded re-advertising was unnecessary and that Interstate Engineering, Inc and Moore Engineering, Inc were entitled to interviews;
7. the Committee set April 28, 2015, at the office of the Richland-Sargent Joint Water Resource District as the date and place of the firms interviews with the Committee; and
8. the Committee authorized an invitation to interview, and the District's staff subsequently mailed interview invitations to Interstate Engineering, Inc and Moore Engineering, Inc.

### **Interviews:**

The Committee conducted separate interviews with Michael Bassingthwaite, from Interstate Engineering, Inc and Lee Beauvais and Chad Engels, from Moore Engineering, Inc at the offices of the Richland-Sargent Joint Water Resource District on April 28, 2015.

### **Post-Interview Evaluations**

In accordance with the SWC Policy and Chapter § 54-44.7 of the North Dakota Century Code, the Committee evaluated and analyzed the firms interviewed on the basis of the following criteria:

1. Professional qualifications necessary for satisfactory performance of requested services, including past performance on behalf of the District and on similar projects;
2. Qualifications of personnel;
3. Ability and willingness to meet time and budget requirements;
4. Location, with higher priority given to firms headquartered in North Dakota;
5. Recent, current, and projected workloads;
6. Related experience on similar projects; and
7. Recent and current work for the District.

Under Section 54-44.7-03(5), the Committee must select the three most qualified firms and must rank those three firms in priority order. The Committee's rankings must include data substantiating its rankings. In this case, the Committee provides the following rankings and related data to support the rankings:

1. Top-ranked Firm: Interstate Engineering, Inc
  - a. Data and rationale to support ranking: The Richland-Sargent Joint Water Resource District is in the midst of a large project being engineered by Interstate Engineering, Inc. It is not appropriate to change engineering firms at this time.

2. Second-ranked Firm: Moore Engineering, Inc
  - a. Data and rationale to support ranking: The Richland-Sargent Joint Water Resource District is in the midst of a large project being engineered by Interstate Engineering, Inc. It is not appropriate to change engineering firms at this time.
3. Third-ranked Firm: None
  - a. Data and rationale to support ranking:

Based on the rankings above, the Committee recommends Interstate Engineering, Inc as the most qualified firm.

### **Report Approval and Notice of Decision**

The Committee and the District both approve this Final Report, including the final recommendation regarding Interstate Engineering, Inc as the most qualified firm. The District will provide written notice of its decision, including the priority order of the firms, to all firms that submitted Qualification Statements. In addition, the District will provide a copy of this FINAL REPORT to the North Dakota State Engineer.

The District will commence negotiations with Interstate Engineering, Inc and will ultimately enter into a written agreement with the firm if the parties can agree on a compensation that is reasonable and fair to the District. If the parties cannot negotiate a satisfactory agreement, the District will terminate negotiations and will commence negotiations with the second-ranked firm. If the District cannot negotiate a satisfactory agreement with the second-ranked firm, the District will otherwise continue its selection process as required under Section 54-44.7-03(7).

### **Adjournment**

There being no further business to come before the Board, Chr. Haugen adjourned the meeting at 11:15 AM.

Respectfully submitted,

Monica Zentgraf  
Secretary

James Haugen  
Chairman of the Board