

GARRISON DIVERSION CONSERVANCY DISTRICT**RED RIVER VALLEY COMMITTEE****City Commission - Meadow Lark Room****Fargo, North Dakota****September 25, 2024**

A meeting of the Lake Agassiz Water Authority (LAWA) board of directors was held at the Fargo City Commission, Fargo, ND, on September 25, 2024. The meeting was called to order by Chair Vein at 11:30 a.m.

MEMBERS PRESENT

Committee Chairman Ken Vein
Director Jay Anderson
Director Greg Bischoff
Director Jeff LeDoux
Director Jason Siegert
Secretary Duane DeKrey

MEMBERS ABSENT

Board Chairman Alan Walter

Garrison Diversion staff members and others were also present. A copy of the registration sheet is attached to the minutes as Annex I.

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

CONSIDERATION OF MINUTES

Motion by Director Bischoff to dispense with a reading of the April 18, 2024, Red River Valley Committee minutes and approve them as distributed. Second by Director LeDoux. Upon voice vote, motion carried.

RED RIVER VALLEY WATER SUPPLY PROJECT UPDATE (RRVWSP)

Construction Update - - Kip Kovar, District Engineer, Garrison Diversion, reported the total amount of pipeline installed is approximately 13 miles. Around 3,000 to 4,000 feet is being installed per week across all contracts.

Garney Construction (Garney) will more than likely not complete the pipe installation on Contract 5B this year. Oscar Renda Contracting and Carstensen Contracting are sitting pretty good in year one on Contracts 5C and 5D.

Work Plan Update - - Mr. Kovar stated the RRVWSP Work Plan Update dated September 6, 2024, is included in the meeting packet. This is a summary of the RRVWSP construction contracts, consisting of completed and ongoing projects. A copy of the update is attached to these minutes as Annex II.

Contract 5B – Transmission Pipeline East

Task Order 5532 – Change Order No. 5

Mr. Kovar referred to Change Order No. 5, consisting of road maintenance repairs, off-site dewatering discharge, ditch cleaning and topsoil maintenance. The cost of the change order is \$720,283.91. A copy of the change order is attached to these minutes as Annex III.

Mr. Kovar said Garney is also requesting ten contract extension days per month for the next three months. He is suggesting an alternative of one day a week, which would be four days a month. The LAWA board approved this change order at their meeting earlier today with the same conditions.

Motion by Director Bischoff to approve RRVWSP Task Order 5532, Transmission Pipeline East Contract 5B, Change Order No. 5, in the amount of \$720,283.91 with up to 12 contract extension days. Second by Director Anderson. Upon roll call vote, the following directors voted aye: Anderson, Bischoff, LeDoux, Siegert and Vein. Those voting nay: none. Absent and not voting: Walter. Motion carried.

Liquidated Damages

Mr. Kovar stated Garney is almost a year past their final completion date on Contract 5B. Liquidated damages are being accrued at almost \$2,000 per day, which currently total \$553,000. They have been notified by letter with the number of days Garrison Diversion has on account and the amount being accrued daily.

The LAWA Technical Advisory Committee recommended LAWA and Garrison Diversion boards be made aware of the liquidated damages and suggested they approve liquidated damages being taken out of Garney's next pay application and that the accrued monthly liquidated damages be deducted from each monthly pay application thereafter.

Kurt Ronnekamp, Black & Veatch (BV), said they looked into the contract documents, and there are provisions within the general conditions that allow payment offsets specifically for accumulated liquidated damages. An attorney with Vogel Law Firm indicated this would be appropriate based on the language in the document.

Mr. Kovar added liquidated damages on future contracts have been increased to \$8,000 per day.

Motion by Director Anderson to recommend retaining \$500,000 for liquidated damages on Contract 5B and to continue retaining liquidated damages as allowed per contract terms moving forward in each pay application to the Executive Committee. Second by Director Bischoff. Upon roll call vote, the following directors voted aye: Anderson, Bischoff, LeDoux, Siegert and Vein. Those voting nay: none. Absent and not voting: Walter. Motion carried.

Contract 6A – Red River Valley Transmission Pipeline

Invitation to Bid

Mr. Kovar reported Contract 6A is currently being advertised for bids, which will be opened on November 7.

Mr. Kovar said one of the contractors has suggested adding language into the bid specifications stating contractors who are behind schedule on current contracts not be allowed to bid on upcoming projects.

Mr. Kovar commented the contractor pool is small right now so he does not feel it would be proper to stop anyone from bidding. He said he would bring this topic to the RRV Committee. Maybe in the next biennium, if it is a common occurrence for a contractor to be behind schedule, something like this could be done.

Following discussion by the committee members, there was consensus that banning contractors from bidding would not be a good idea or project a good image at this time.

Mr. Kovar went on to explain Contract 6A begins at and extends east of the James River. It is being set up as a base bid with two alternates with the idea being to dial in the length and size of the project based upon the \$45 million budget included in the biennium workplan. Bid results will determine whether or not to include the alternate bids.

Mr. Kovar reviewed the invitation to bid on the RRVWSP Red River Valley Transmission Pipeline, James River to McKinnon Township, located in Foster County, North Dakota, Task Order 5560, Contract 6A. Construction is for approximately 4.8 to 7.1 miles of 72-inch diameter steel pipeline, including one 96-inch diameter trenchless road crossing and one 72-inch main line butterfly valve. Strict segregation and stockpiling of topsoil and subsoil for pipe installation will be required. The work also includes an impressed current pipeline corrosion protection system, pipeline appurtenances, and all other work specified or shown on the drawings. A copy of the invitation is attached to these minutes as Annex IV.

Mr. Kovar added there will be an addendum on Contract 6A due to an adjustment to the bidding schedule. Originally, October 23 was to be the bid opening date; that was changed to November 7 to coincide with the financing process. A notice of award is anticipated for December 18 with a notice to proceed expected January 6, 2025.

Contingency Funds

Mr. Kovar reviewed the biennium contingency budget, stating the 2021-2023 biennium encompasses mostly construction of Contract 5B. Approximately \$4.8 million is being held as a program contingency in that biennium. The 2023-2025 biennium, which includes Contracts 5C, 5D and 6A, makes up a contingency of around \$10.2 million. This totals approximately \$15 million in remaining contingency.

Mr. Kovar commented the concept being considered is to reduce the contingency amount being withheld and actually install additional pipeline. He suggested reducing \$15 million to \$9 million, and there would be potentially \$6 million that would allow for an additional mile of pipe to be installed on Contract 6A.

Mr. Kovar said this idea would need to be presented to the SWC to determine if the funds can be transferred between the two biennia. He added the LAWA Board and the Red River Valley (RRV) Committee have approved this concept if it is allowed by the SWC.

Motion by Director LeDoux to recommend reducing RRVWSP contingency funds from \$15,000,000 to \$9,000,000 contingent upon State Water Commission approval with the intent to use up to \$6,000,000 for Contract 6A to the full board. Second by Director Siegert. Upon roll call vote, the following directors voted aye: Anderson, Bischoff, LeDoux, Siegert and Vein. Those voting nay: none. Absent and not voting: Walter. Motion carried.

Foster County Roads

Mr. Kovar reported on the issue with the Foster County Commission regarding open cutting county highways versus tunneling. The county commission allowed open cutting on the Bordulac highway but has now decided they would like Garrison Diversion to pay them \$100,000 to open cut the Jackson highway. A special meeting was requested with the Foster County Commission, which will take place October 2, to further discuss this issue.

Chairman Vein asked if an escrow account could be set up for the county to draw from for the cost of road repairs for a certain number of years.

Mr. Kovar said typically, when going to a county and asking to cross the road, a crossing permit or easement is issued. Foster County did not have a permit process in place at the time the Bordulac highway was done. He thought Garrison Diversion and the county were working together in good faith, and the open cut was put into the contract documents. The open cut at the Bordulac highway went very well, but the county switched course and is now not sure they want to allow any more open cuts.

Mr. Kovar stated he, along with Director Metzger and Tom Erdmann, Mayor of Carrington and LAWA Board member, are going to the commission meeting on October 2 to give a presentation on project benefits in order to negotiate with the commissioners and to promote open cutting the Jackson and Kensal highways rather than tunneling.

Director LeDoux asked if a separate, standard document should be developed for each county moving forward with the RRVWSP on permits and road repairs.

Mr. Kovar stated Mayor Mahoney suggested John Shockley, Ohnstad Twichell, work with Garrison Diversion to prepare agreements when working with the counties included in the RRVWSP regarding permits and road maintenance issues.

Brent Bogar, Advanced Engineering and Environmental Services (AE2S) and LAWA consultant, said he will follow up with Mr. Shockley on this issue.

Facility and Pipeline Design Update - - Paul Boersma, BV, reported most of the pipeline segments are at 60 percent design and are progressing to 90 percent design with the exception of two of the three Eastern North Dakota Alternate Water Supply (ENDAWS) contracts. Nearly all the pipeline will be in final design by the end of this biennium. They are also moving through the facility designs. Over the course of the summer, they have a better understanding of how the biota water treatment plant and the pump stations are going to lay out adjacent to each

other and what the footprint is going to look like. Tri-weekly discussions are being held with the Bureau of Reclamation on the design process because they are a partner in the ENDAWS portion.

Mr. Boersma added BV anticipates having a fully complete preliminary design for the pump stations, biota water treatment plant and ground storage reservoir by the end of this biennium.

2023-2025 Biennium Work Plan/Budget - - Mr. Kovar referred to the 2023-2025 Biennium Work Plan/Budget dated September 6, 2024, adding once the notice of award is issued on Contract 6A, all funds will be committed. A copy of the work plan is attached to these minutes as Annex V.

Program Schedule - - Merri Mooridian, Deputy Program Manager RRVWSP Administration, Garrison Diversion, referred to the RRVWSP Program Schedule dated September 4, 2024, which shows the timeline of the ongoing RRVWSP construction projects.

User Engagement Update - - Shawn Gaddie, AE2S, said over the next month, there will be a cutoff point for users to sign the Memorandum of Commitment (MOC) in order to proceed with the Series D Interim Finance Agreement. There will also be a reformulation of the message being presented to the users regarding the proposed assurance policy and working toward a Project Participation Agreement (PPA) deadline.

Mr. Bogar stated the MOC and the financial agreements need to be completed by November 12. Getting users to agree to both agreements in the same timeframe is going to be a challenge. The MOCs that have been signed will need to be approved by LAWA and Garrison Diversion to be included with Series D2.

Mr. Gaddie said a realistic number to expect for inclusion in the D2 Financing Agreement, including Fargo and Grand Forks, will be six to eight systems. Beyond that, work will continue with all the positives to the unknowns or users who have concerns before the PPA deadline.

Mr. Kovar asked if the MOC deadline comes and goes, and then a system signs up, will there be a penalty.

Mr. Gaddie said there is not a penalty with the MOC. Users who sign the MOC now will start paying on the project earlier. Those who sign later will have a larger true up. If users sign after the PPA deadline, there will be a late comer fee/penalty.

Mr. Bogar feels there is a basic understanding of the assurance policy concept, but it needs to be outlined, explaining the process and listing the steps involved.

Mr. Boersma asked if later becomes June of 2025 when PPAs need to be signed.

Mr. Bogar said later would extend beyond that. It might be once construction is completed and a system discovers that the branch pipeline cost is too prohibitive for them to join. Grand Forks and Fargo would then buy out that system's portion/allocation in the project.

The point is to sign the MOC and PPA ahead of time, but then Grand Forks and Fargo would provide the system an off ramp.

Ms. Mooridian said that the Bank of North Dakota (BND) is going to make sure language in the loan agreements include an iron clad clause stating Grand Forks and Fargo are responsible to pay whatever portion of the loan the small users are not able to pay.

Ms. Mooridian added if a user joins the project after the PPA deadline, there is a penalty fee, and she believes that is stated in ND Century Code.

Director Bischoff stated there are a lot of nuances yet to be determined. There may be others who would like to be a part of the insurer, and it would not only be Grand Forks and Fargo with the chance to buy out others' portions of the project.

Financial Update

Federal Funding Update

Ms. Mooridian provided an update on S.4996, Dakota Water Resources Act (DWRA) Amendments stating the bill includes \$454 million for the ENDAWS project features, which is indexed. The bill could be voted on in congress by December 20.

MR&I Project Funding

Ms. Mooridian reported tomorrow Garrison Diversion's Executive Committee will consider a recommendation from the MR&I Committee to approve \$3 million in Fiscal Year 2024 funding for ENDAWS. By approving this funding, it will close out the MR&I Program funding appropriated in the Dakota Water Resources Act of 2000.

Ms. Mooridian stated in Fiscal Year 2023, \$3 million was appropriated for ENDAWS, as well as \$3 million in Fiscal Year 2024 for a total of \$6 million. Since these funds fall under the current MR&I program, 75 percent is considered state cost share and requires a 25 percent local match. In order to use the \$6 million funds and continue moving ENDAWS forward with design, an additional \$2 million would be required in local cost share. With the MR&I dollars and local match, there could be an additional \$8 million for ENDAWS.

Ms. Mooridian reported the LAWA board, RRV Committee and the LAWA Financial Advisory Committee approved pursuing a Series E loan from the BND through the Water Infrastructure Revolving Loan Fund (WIRLF) in the amount of \$2 million to match the MR&I dollars. This would have the same funding terms as Series D.

Ms. Mooridian commented the mayors of Fargo and Grand Forks stated their cities will back the Series E loan for \$1.5 million. Legal counsel is currently working on a draft agreement, which will go to Garrison Diversion's and the BND's bond attorneys and follow the same process as Series D2.

Mr. Kovar said the engineering team will work on ideas on how to spend the funding and bring them back to the Garrison Diversion and LAWA boards. A few ideas would be engineering on another pipeline segment or engineering on the break tank or pump stations.

Ms. Mooridian added a letter will be submitted to the SWC asking for the additional \$2 million. As with all WIRLF funds, the SWC must also approve this. The request is due by October 29

and will be heard at the SWC Pre-Commission meeting on November 14 and the SWC meeting on December 13.

Motion by Director LeDoux to recommend pursuing a small Series E financial agreement in the amount of \$2,000,000 through the Water Infrastructure Revolving Loan Fund to the Executive Committee. Second by Director Anderson. Upon roll call vote, the following directors voted aye: Anderson, Bischoff, LeDoux, Siegert and Vein. Those voting nay: none. Absent and not voting: Walter. Motion carried.

Series D2 Financing Agreement

Ms. Mooridian reported the BND and the SWC approved Garrison Diversion's request for a six-month extension to the loan closing on the Series D Interim Finance Agreement. The loan was extended to February 16, 2025.

Ms. Mooridian said in order to proceed with Series D2, all system users must sign the MOC by November 12. Then everyone who has signed the MOC needs to approve the Series D2 Interim Finance Agreement by December 10. All this is required to happen in order for the Executive Committee to approve the bond resolution on December 18, and the loan can be closed on January 10 with the first request for funds submitted to BND by February 10.

Federal Cost of Water

Ms. Mooridian commented on the LAWA Financial Advisory Committee and LAWA Board's motions to move forward with purchasing project water from the Bureau of Reclamation from the McClusky Canal at the price of \$47,501 per cfs. This is something Garrison Diversion and LAWA leadership need to further discuss to determine if Garrison Diversion desires to pursue Reclamation's offer.

Director Bischoff suggested waiting on this issue until the outcome on S.4996 is known.

OTHER

With no further business to come before the committee, the meeting adjourned at 1:00 p.m.

Ken Vein, Chairman

Duane DeKrey, Secretary

REGISTRATION

RED RIVER VALLEY COMMITTEE MEETING

September 25, 2024

NAME	ADDRESS
Lisa Schaper	MBCD
Kj Kova	GDCD
Paul Boersma	BU
Bennett - Johnson	Local Gov
JEFF LeDoux	GDCD
Ken Vern	GDCD
SHAWN GADDIE	AGCS
Merrill M. Michien	GDCD
Jay Paul Anderson	GDCD
Gus Bischoff	GDCD
Brent Bogar	AES
Kumbaly Cook	GDCD
On Line	
Dave Anderson	Garrison Diversion
Kurt Ronnekamp	Black & Veatch
Jason Siegert	Garrison Diversion

RRVWSP Work Plan Update
September 6, 2024

CONSTRUCTION

Pipeline Construction

Contract 5B

The original pipe delivery of June 15, 2021, was delayed due to a surface blemish in the steel coil.

In year one (2022), 7,761 feet of pipe was installed out of the total nine miles. High groundwater slowed the pipe installation progress.

In the second year (2023), 21,120 feet of pipe was installed.

In the third year (2024), using two pipe crews, 6,944 feet has been installed to date.

To date, \$32,151,161.61 has been paid on the original contract amount of \$45,961,700.00. Change Orders No. 1, 2 and 3 have been approved, leaving the current contract price at \$44,932,678.24.

Contract 5C

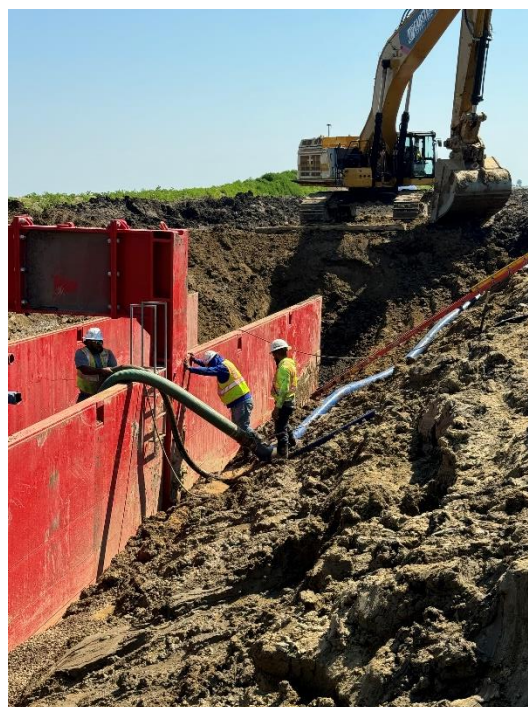
The contract price is \$76,663,355.00 for 8 miles of pipe awarded to Oscar Renda Contracting. To date, the contractor has been working submittals, topsoil stripping and installing dewatering system.

Oscar Renda was not meeting their install targets so a second pipe crew was sent out on July 10. To date, 9,060 feet has been installed.

To date, \$13,788,316.31 has been paid on the original contract amount of \$76,663,355.00.



Stripping Topsoil



Trench Box w/ Dewatering Pipes

Contract 5D

The contract price is \$61,677,275.00 for 10 miles of pipe awarded to Carstensen Contracting. To date, the contractor has installed 7,606 feet with one pipe crew.

To date, \$15,438,760.15 has been paid on the original contract amount of \$61,677,275.00.



Stored Pipe on Site



Placing Dewatering Pipe

DESIGN

The design team is also working with Reclamation and USFWS on routing the ENDAWS pipeline through wetland and other various existing easements.

Contract 6A is scheduled for advertisement for bid September 23, 2024. Final design efforts have started on Contracts 7 and 4. Additional geotechnical data is complete.

RRVWSP Awarded Contracts				
No.	Contract Name	Contractor	Bid Price	Final Contract Price
1	Missouri River Intake Wet Well & Site Development	ICS	\$4,989,405.88	\$4,721,446.47
1	Sheyenne River Outlet Discharge Structure & Site Development	Industrial Builders	\$1,516,955.00	\$1,521,884.00
2	Missouri River Intake, Screen Structure & Tunnel	Michels	\$18,896,900.00	\$19,444,156.60
5A	Transmission Pipeline East (TPE)	Garney	\$8,366,201.00	\$8,393,396.44
5B	TPE Carrington to Bordulac	Garney	\$45,961,700.00	
5D	TPE Sykeston to Carrington	Carstensen	\$61,677,275.00	
5C	TPE Bordulac to James River	Oscar Renda	\$76,663,355.00	

CHANGE ORDER

Change Order No. 5

DATE OF ISSUANCE _____ EFFECTIVE DATE October 21, 2024

Owner: Garrison Diversion Conservancy District
 Contractor: Garney Companies
 Project: Red River Valley Water Supply Project, Transmission Pipeline East
 Owner's Contract No.: 5B
 Owner's Task Order No.: 5532

The Contract is modified as follows upon execution of this Change Order:

Change Order Requests (CORs) Description:

1. COR4-Bid Items 30 & 40 Quantity Adj ¹	\$(28,300.00)		
2. Bid Item 30 Remove/Stockpile Topsoil	\$(13,200.00)		
3. Bid Item 40 Remove/Stockpile Topsoil	\$(14,700.00)	8. COR11-Offsite Dewatering Disch; Apr, May	\$445,559.87
4. Remove/Stockpile Topsoil Unit Price Adj	<u>\$27,900.00</u>	9. COR14-Offsite Dewatering Disch; June '24	<u>\$91,390.40</u>
<i>Subtotal</i>	<i>\$(28,300.00)</i>	<i>Subtotal</i>	<i>\$536,950.27</i>
5. COR5-Road Maint, Repair, Dust Ctrl; '23	\$182,301.93	COR17-Ditch Cleaning	\$1,738.35
6. COR12-Road Maint & Repair; Apr, May '24	\$(2,326.79)	<u>COR18-Topsoil Maintenance</u>	<u>\$5,713.35</u>
7. COR15-Road Maint & Repairs; June '24	<u>\$24,206.80</u>	Grand Total	\$720,283.91
<i>Subtotal</i>	<i>\$204,181.94</i>		

Note 1: Unit prices for bid items 30 and 40 are increased to account for the reduced quantity of work at a higher price. The extended amounts for Bid Items 30 and 40 after this unit price change, however, remain the same as originally bid.

Attachments: Garney COR Nos. 5, 11, 12, 14, 15, 17, and 18.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$45,961,700.00

Increase from previously approved Change Orders No. 1 to 4:

\$937,355.88

Contract Price prior to this Change Order:

\$46,899,055.88

Increase of this Change Order:

\$720,283.91

Contract Price incorporating this Change Order:

\$47,619,339.79
(3.6% Increase Over Original Contract Price)

Original Contract Times:
Substantial Completion: September 30, 2023
Ready for final payment: November 29, 2023
(days or dates)

Increase from previously approved Change Orders No. 1 to No. 4:
Substantial Completion: 85
Ready for final payment: 85
(days)

Contract Times prior to this Change Order:
Substantial Completion: December 24, 2023
Ready for final payment: February 22, 2024
(days or dates)

No change this Change Order:
Substantial Completion: 0
Ready for final payment: 0
(days)

Contract Times with all approved Change Orders:
Substantial Completion: December 24, 2023
Ready for final payment: February 22, 2024
(days or dates)

ACCEPTED:

By: _____
Owner (Authorized Signature)

Printed: _____

Title: _____

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Printed: _____

Title: _____

Date: _____

Section 00 11 16

INVITATION TO BID

Date: September 23, 2024

Sealed Bids will be received by Garrison Diversion Conservancy District (Owner) at its Headquarters, 401 Hwy 281 NE, mailing address PO Box 140, Carrington, ND 58421 until 2:00 p.m., local time, on October 23, 2024, for the Red River Valley Water Supply Project, Transmission Pipeline East, James River to McKinnon Twp, Foster County, ND, Task Order 5560, Contract 6A.

At said place and time, and promptly thereafter, all Bids that have been duly received will be publicly opened and read aloud.

The proposed Work is generally described as follows:

Construction of approximately 4.8 to 7.1 miles of 72-inch diameter steel water pipeline including one 96-inch diameter trenchless road crossing and one 72-inch main line butterfly valve. Strict segregation and stockpiling of topsoil and subsoil for pipe installation will be required. The work also includes an impressed current pipeline corrosion protection system, pipeline appurtenances, and all other work specified or shown on the Drawings.

All Bids must be in accordance with the Bidding Documents on file with Garrison Diversion Conservancy District, 401 Hwy 281 NE, mailing address PO Box 140, Carrington, ND 58421.

The contact person for administrative questions with Garrison Diversion is Ms. Stacey Gussiaas at 701-652-3194 or email at staceyg@gdcd.org. For technical bidding document interpretations and clarifications, the contact person is Mr. Kip Kovar, District Engineer, at 701-652-3194 or kipk@gdcd.org.

Prospective Bidders may examine the Bidding Documents at Owner's office or the office of Black & Veatch Corporation, 8400 Ward Parkway, mailing address PO Box 8405, Kansas City, MO 64114, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. local time.

Complete digital Bidding Documents are available for download at www.questcdn.com. You may download the digital documents for \$50 by inputting Quest Project No. 8550074 on the website's project search page. Contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free registration, downloading, and working with this digital project information.

Digital documents may also be obtained directly from the Owner at a cost of \$75.

Charges for digital Bidding Documents are not refundable.

Direct all questions regarding distribution of Bidding Documents or the Project's design to the Owner. Only responses issued via Addenda are binding.

Neither Owner nor Engineer has any responsibility for the accuracy, completeness or sufficiency of any bid documents obtained from any source other than the sources indicated in these documents. Obtaining these documents from any other source(s) may result in obtaining incomplete and inaccurate information. Obtaining these documents from any source other than directly from the sources listed herein may also result in failure to receive any addenda, corrections, or other revisions to these documents that may be issued.

The bidder shall be licensed for the full amount of the bid as required by section 43-07-12 of the North Dakota Century Code (NDCC). Bids that do not fully comply with requirements of NDCC 48-01.2-05 are considered deficient and will be resealed and returned to the bidder immediately.

The Owner reserves the right to reject any and all bids and rebid the project until a satisfactory bid is received.

Bids will be received on a unit price basis; bid security must accompany Bid.

All Bids will be made based on cash payment for such work and materials. All Bidders are invited to be present at the public opening of the Bids. The Owner reserves the right to hold the three lowest Bids for a period of 45 days after the date of the Bid opening to complete financial arrangements.

The Successful Bidder will be required to furnish a construction performance bond and a construction payment bond as security for the faithful performance and the payment of all bills and obligations arising from the performance of the Contract.

If the Contract is to be awarded, Owner will give the Successful Bidder a Notice of Award within the number of days set forth in the Bid Form for acceptance of the Bid.

Garrison Diversion Conservancy District
Duane DeKrey, General Manager

End of Section



**RED RIVER VALLEY
WATER SUPPLY PROJECT**



2023 to 2025 Biennium Work Plan

(\$240 mil Total Funding: \$180 mil State; \$60 mil Local Users)

September 5, 2024

No.	Scope of Work	Feature	Date Task Orders Auth	Note	2023-25 Bien ENDAWS Project Development Budget (mil \$)			2023-25 Biennium RRVWSP Project Development Budget (mil \$)			2023-25 Biennium RRVWSP Project Constr Budget (mil \$) ^{1,2,3}			
					Total	Federal 75%	Local 25%	Total	State 75%	Local 25%	Total	State 75%	Local 25%	
	Garrison Diversion Conservancy District Budget Scope: Account for all costs for which Garrison Diversion is responsible not included in other Task Orders listed here. Need: Budget allocation for GDCD direct costs associated with the Red River Valley Water Supply Project.	Garrison Diversion's costs for the RRVWSP, including internal mgmt, admin, legal, communication, insurance advisory, misc., etc.		GDCD				\$ 2.50	\$ 1.87	\$ 0.63				
1.	Property, Easements, and Crop Damage Payments⁴ Scope: Costs to obtain easements and acquire property for associated facilities. Crop damage payments to landowners. Need: Secure land for installing future pipeline segments staying years ahead of pipeline design/construction needs. Purchase property on which to build all remaining facilities so property will be in hand before final design begins.	Acquire easements in Sheridan and Wells County for 32-mi pipeline. Pay bonus payment to all easement holders. Acquire property for Biota WTP, Hydraulic Break Tanks, McClusky Canal Intake, and James River sites. Pay for crop damage.					\$ 0.49	\$ 0.37	\$ 0.12	\$ 2.21	\$ 1.66	\$ 0.55		
2.	Transmission Pipeline East Contract 5C Scope: Pipeline installation, including construction phase engineering services by Engineer. Need: Continue progress of transmission pipeline installation for completion of RRVWSP by the target end date.	8± mi of 72" pl, including two 96" tunnels. Pipeline extends eastward from Contract 5B NE of Bordulac to a termination point just east of the James River.	Jul-23	Prof Svcs Const, 2026 Fin								\$ 5.64	\$ 4.23	\$ 1.41
3.	Transmission Pipeline East Contract 5D Scope: Pipeline installation, including construction phase engineering services by Engineer. Need: Continue progress of transmission pipeline installation for completion of RRVWSP by the target end date.	10± miles of 72" pl, including several 96" tunnels. Pipeline section extends westward from Contract 5A south of Carrington to a termination point south of Sykeston.	Jul-23	Prof Svcs Const, 2026 Fin								\$ 5.47	\$ 4.10	\$ 1.37
4.	RRV Transmission Pipeline Contract 6A Scope: Pipeline installation, including construction phase engineering services by Engineer. Need: Continue progress of transmission pipeline installation for completion of RRVWSP by the target end date.	6± mi of 72" pl, including several 96" tunnels. Pipeline section extends eastward from Contract 5C just east of the James River to a termination point southwest of Glenfield.	Oct-23	Prof Svcs Const, 2027 Fin								\$ 61.68	\$ 46.26	\$ 15.42
5.	ENDAWS Transmission Pipeline Contract 3 Scope: Final design (30% docs to biddable plans and specs) and bidding assistance. Need: Continue progress of transmission pipeline installation for completion of RRVWSP/ENDAWS by the target end date.	11± mi of 72" pipeline, including 96" tunnels. Pipeline section extends west from the west end of Contract 4 to the Sheridan Wells County line.	Jul-23	Prof Svcs Const, 2027 Fin								\$ 5.47	\$ 4.10	\$ 1.37
6.	ENDAWS Transmission Pipeline Contract 3 Scope: Final design (30% docs to biddable plans and specs) and bidding assistance. Need: Continue progress of transmission pipeline installation for completion of RRVWSP/ENDAWS by the target end date.		Oct-24	Prof Svcs Const, 2027 Fin								\$ 45.00	\$ 33.75	\$ 11.25
			Aug-23	ENDAWS			\$ 3.06	\$ 2.30	\$ 0.76					



**RED RIVER VALLEY
WATER SUPPLY PROJECT**



2023 to 2025 Biennium Work Plan

(\$240 mil Total Funding: \$180 mil State; \$60 mil Local Users)

September 5, 2024

No.	Scope of Work	Feature	Date Task Orders Auth	Note	2023-25 Bien ENDAWS Project Development Budget (mil \$)			2023-25 Biennium RRVWSP Project Development Budget (mil \$)			2023-25 Biennium RRVWSP Project Constr Budget (mil \$) ^{1,2,3}		
					Total	Federal 75%	Local 25%	Total	State 75%	Local 25%	Total	State 75%	Local 25%
7.	Transmission Pipeline East Contracts 4A and 4B Scope: Final design (30% docs to biddable plans and specs) and bidding assistance. Need: Have the next pipeline section bid-ready when State funding becomes available (likely the 2025-27 biennium).	27± mi of 72" pl, including several 96" tunnels. Pipeline extends from the west end of Contract 5D south of Sykeston west to a termination point NE of Hurdsfield at HBTs.	Feb-24	Prof Svcs	\$	7.19	\$ 5.39	\$ 1.80	\$	7.19	\$ 5.39	\$ 1.80	
8.	RRV Transmission Pipeline Contract 7 Scope: Final design (30% docs to biddable plans and specs) and bidding assistance. Need: Have the next pipeline section bid-ready when State funding becomes available (likely the 2025-27 biennium).	14± mi of 72" pipeline, including several 96" tunnels. Pipeline extends from the east end of Contract 6B to the outfall on the Sheyenne River southeast of Cooperstown.	Aug-23	Prof Svcs	\$	2.93	\$ 2.20	\$ 0.73	\$	2.93	\$ 2.20	\$ 0.73	
9.	McClusky Canal Intake and Pumping Station Scope: Conceptual and preliminary design of an intake and pumping station at the McClusky Canal. Need: Preliminary designs are necessary so site acquisition can begin and final design can commence when land is secured.	Siting: passive intake screens, pumping station similar to MRI, and utility extension design can begin for new facility to be located near McClusky, ND.	Feb-24	Prof Svcs	\$	0.76	\$ 0.57	\$ 0.19	\$	0.76	\$ 0.57	\$ 0.19	
10.	Biota Water Treatment Plant and Main Pumping Station Scope: Conceptual and preliminary designs for a Biota WTP and Main Pumping Station, including hydraulic surge facility. Need: Complete design to a point where land acquisition can begin and project can move into final design next biennium.	165-cfs biota WTP, with chlorine and UV disinfection to meet NDPDES permit and FEIS requirements per Reclamation. Chloramines for residual disinfectant in pipeline.	Feb-24	Prof Svcs	\$	2.88	\$ 2.16	\$ 0.72	\$	2.88	\$ 2.16	\$ 0.72	
11.	Hydraulic Break Tanks Scope: Preliminary design of above-ground tanks and associated facilities at or near the continental divide. Need: Complete design to a point where land acquisition can begin and project can move into final design next biennium.	Two 5 MG above-ground storage tanks and accessories, site piping and valves, monitoring, and utility extensions necessary for a new greenfield site.	Feb-24	Prof Svcs	\$	0.38	\$ 0.28	\$ 0.10	\$	0.38	\$ 0.28	\$ 0.10	
12.	PMIS Annual Licenses & Continued Maint/Upgrades Scope: Annual software license renewal for expanded team and consulting support for training and configuration services. Need: Create greater efficiency and documentation for voluminous amount of construction related documents.	Vendor fees (e-Builder & DocuSign) for licenses of expanded team and consulting support for training of contractors/ subcontractors and workflow/report additions and modifications.	Feb-24	Vend & Prof Svcs	\$	0.49	\$ 0.37	\$ 0.12	\$	0.49	\$ 0.37	\$ 0.12	
13.	Prj Mgmt to Support Larger Spend and Expanded Team Scope: Overall program management, planning, budgeting, scheduling, and other support for Garrison Division. Need: Consulting services of a broad programmatic nature not included under project-specific design or construction TOs.	Overall planning, management, administration, scheduling, budgeting, coordination, meeting preparation/attendance, regulatory interface, reporting, etc.	Aug-23	Prof Svcs	\$	0.66	\$ 0.50	\$ 0.16	\$	0.66	\$ 0.50	\$ 0.16	



2023 to 2025 Biennium Work Plan

(\$240 mil Total Funding: \$180 mil State; \$60 mil Local Users)

September 5, 2024

No.	Scope of Work	Feature	Date Task Orders Auth	Note	2023-25 Bien ENDAWS Project Development Budget (mil \$)			2023-25 Biennium RRVWSP Project Development Budget (mil \$)			2023-25 Biennium RRVWSP Project Constr Budget (mil \$) ^{1,2,3}		
					Total	Federal 75%	Local 25%	Total	State 75%	Local 25%	Total	State 75%	Local 25%
14.	<p>Outreach, Ping, and Design to Secure User Commitments</p> <p>Scope: User briefings and necessary support, including conceptual designs, to secure project commitments.</p> <p>Need: Define pipeline extensions to identify for users how and a what cost water will be delivered to their communities.</p>	Size pipelines, pumping stations, channels, storage, etc. and other necessary infrastructure to deliver raw water to end users. Update capex to reflect current market.	Aug-23	Prof Svcs	\$	1.70	\$ 1.28	\$ 0.42	\$	1.70	\$ 1.28	\$ 0.42	
15.	<p>Operational Planning and Asset Management Phase 3</p> <p>Scope: System modeling, evaluation, planning, and report development documenting results/findings/outcomes.</p> <p>Need: Finalize Garrison Diversion, State Water Commission, and USACE roles for system operation.</p>	Refine details of diversions to/from Lake Ashtabula. Finalize stakeholder roles and responsibilities as it relates to system operation.	Feb-24	Prof Svcs	\$	0.47	\$ 0.35	\$ 0.12	\$	0.47	\$ 0.35	\$ 0.12	
16.	<p>Financial Planning Support</p> <p>Scope: Continue to refine the financial model and provide scenarios as required to support users and the program.</p> <p>Need: Accurate water bill estimates and affordability for customers are necessary to gain approval from users.</p>	Update financial models; address state loan and financing program changes; end user funding, financing, and cost-share analyses; continued funding and finance outreach.	Aug-23	Prof Svcs	\$	0.59	\$ 0.44	\$ 0.15	\$	0.59	\$ 0.44	\$ 0.15	
17.	<p>Additional End User Outreach</p> <p>Scope: Branch pipeline conceptual designs and other consulting assistance to potential end users.</p> <p>Need: Accurate water bill estimates and affordability for customers are necessary to gain approval from users.</p>	Conceptual designs and other consulting support to support end user understanding of core pipeline and applicable branch pipeline CapEx necessary to secure MOU signatures.	Oct-24	Prof Svcs	\$	0.75	\$ 0.56	\$ 0.19	\$	0.75	\$ 0.56	\$ 0.19	
18.	<p>Contingency</p> <p>Scope: A budget reserve for task order additions to professional services, construction, legal, real estate, etc. TOs.</p> <p>Need: Address and pay for changes that are sure to occur.</p>	Budget flexibility to adapt to work plan changes and to pay for construction change orders typically running from 3 to 5% of original construction costs at bid time.	N/A	GDCD	\$	0.60	\$ 0.45	\$ 0.15	\$	0.60	\$ 0.45	\$ 0.15	
TOTAL PROGRAM BUDGET					\$	10.17	\$ 7.63	\$ 2.54	\$	10.17	\$ 7.63	\$ 2.54	

Notes:

1. Construction costs include management, engineering services during construction, inspection, field quality control, and construction.
2. Projects indicated for construction funding in a given biennium will be shovel ready for construction at the start of the biennium.
3. Future capital costs are escalated to an anticipated midpoint of construction per Finance Team rates of 7, 6, 5, and 3.5 percent per annum thereafter starting in 2022 with an anticipated 2032 finish. All future RRVWSP construction projects and costs are *not* shown.
4. Land services costs are the amount likely to be paid for real estate, easements, including bonus payments, crop damage, and field obstructions. Estimates include pipeline easements required for the ENDAWS east/west pipeline (none are secured at this point) and remaining easements from the Hydraulic Break Tanks to the Sheyenne River Outfall (25% remain mostly in Wells County).
5. Items appearing in blue bold are progressing with task orders and contracts issued to the engineering team and contractors, respectively. Items appearing in blue italics have been updated to reflect adjustments made for actual amounts contracted. Items shown in black text are pending.