

RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
September 22, 2015

The Richland-Sargent Joint Water Resource Board (RSJWRB) met September 22, 2015 at 10:30 AM at the Richland County Courthouse, Wahpeton, North Dakota.

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

The meeting was called to order by Chr. Haugen.

Minutes

A motion was made by Mgr. Zetocha and seconded by Mgr. Burvee to approve the minutes of the September 2, 2015 meeting as presented. The motion carried unanimously.

Contract Change Order-Claim for Compensation

The claim for compensation, discussed at the September 2, 2015 meeting, was brought forward. The correct claim for compensation is \$11,000 rather than \$13,200. The \$2,200 difference was the contractor's claim for 15% overhead and 5% profit. These two items inadvertently did not get reported at the September 2, 2015 meeting. Consensus of the Managers was to pay the overhead and profit as requested. (The original motion of September 2, 2015 stands.) A motion was made by Mgr. Burvee and seconded by Mgr. Bosse authorizing Chr. Haugen to sign M&M Contractors Contract Change Order #1. The motion carried unanimously.

Financial Matters

A motion was made by Mgr. Zetocha and seconded by Mgr. Rostad to approve M&M Contractors Pay Estimate #2 in the amount of \$142,492.30. The motion carried unanimously.

Phase 1 Extension and Channel Improvement Project Construction Update

Engineer Bassingthwaite reported that rough excavation should be completed by the end of the week. At the September 2, 2015 meeting, the Board extended the completion date to October 3, 2015; however, the Engineer now anticipates the completion date will be no sooner than October 10, 2015. The contractor and subcontractor are working at this time. The Engineer told the Board they need to allow them to proceed; the Managers agreed.

Financial Matters Continued

Bills for the month of September were presented for the Board's review. A motion was made by Mgr. Bosse and seconded by Mgr. Moffet to approve Checks #16947 through #16949. The motion carried unanimously.

It was reported that \$47,500 has been received from the North Dakota State Water

Commission. This reflects the State's 45% cost share for eligible expenses from the month of August 2015.

Phase 1 Extension and Channel Improvement Project Construction Issues

Engineer Bassingthwaite reported on the following:

Wetland Mitigation

The contractor conceded to doing the wetland mitigation work on a time and materials basis. Consensus of the Board was for M&M Contractors to proceed with the wetland mitigation work on that basis.

Damaged Culvert

The 48 inch culvert in the S1/2 Section 5, Kingston Township, was damaged by the contractor. The contractor will replace the culvert.

Project Completion/Liquidated Damages

Purpose for assessing liquidated damages is to cover additional costs as a result of a delayed completion date. Two items of concern are:

Erosion Damage- If grass does not get established this fall, there may be erosion damage in the spring.

Engineering Contract- Engineering costs will exceed the \$108,560 contract. Engineer Bassingthwaite based his contract on eight weeks of construction time. (M&M Contractors estimated eight weeks to complete the project.) Additionally, full time on-site engineering oversight has been needed. The original engineering contract was based on an hourly, not to exceed, cost of \$108,560. Engineer Bassingthwaite is estimating additional engineering costs to be \$7,800. He requested an increase to the existing contract. If construction is completed earlier than anticipated, engineering costs will be less, since the contract is based on an hourly rate.

A motion was made by Mgr. Rostad and seconded by Mgr. Burvee to assess M&M Contractors liquidated damages in the amount of \$500 per day beginning October 4, 2015. The motion carried unanimously.

A motion was made by Mgr. Burvee and seconded by Mgr. Zetocha to amend the engineering contract to a not to exceed price of \$116,360. Upon roll call vote, Mgrs. Zetocha, Bosse, Burvee, Rostad, Moffet, Friskop, and Haugen voted "aye"; no Managers voted "nay". Mgrs. Engst, Martinson, and Siemieniewski were absent and not voting. The motion carried.

Suspension of Project

Brief discussion was held relative to suspending the project until spring. Conditions are good at this time; no action was taken.

Secretary's Compensation

Discussion was held relative to reimbursing the Richland County Water Resource District for the Secretary's salary from March 29, 2007 through August 31, 2015 and additional compensation to the Secretary-Treasurer for the additional RSJWRD duties. Two agreements will be prepared; one for compensation for past services and one for services from September 1, 2015 and forward.

Adjournment

There being no further business to come before the Board, Chr. Haugen adjourned the meeting at 11:30 AM.

Respectfully submitted,

Monica Zentgraf
Secretary

James Haugen
Chairman of the Board