

RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT
 Richland County Courthouse, Wahpeton, ND
 October 12, 2021

The Richland-Sargent Joint Water Resource Board (RSJWRB) met October 12, 2021 at 8:00 AM.

THOSE PRESENT Managers Arv Burvee, Mark Fahsholz, Don Moffet, Secretary-Treasurer Monica Zentgraf, and (via teleconference) Lucas Siemieniewski, Bruce Speich, Mike Wyum, and Roger Zetocha.

THOSE ABSENT: Clint Arndt, Gary Friskop, and Todd Stein

Chr. Speich called the meeting to order.

RS #1 Cleanout

It was noted that JBX, LLC was hired by the RSJWRB to clean RS #1 in Sections 34, 3, and 2, Marboe Township. (Approval was granted by the separate Boards at their respective meetings this past month.) Duane Baldwin recently contacted Mgr. Siemieniewski requesting the contractor doing the cleanout fill in three open field cuts on his property in Section 34 as they are no longer needed. It was suggested culverts be installed in the open ditches, but Mr. Baldwin wants the ditches closed. The Managers felt that if Mr. Baldwin wants the cuts closed and changes his mind in the future, it will be his responsibility to re-establish the ditches. Mgr. Siemieniewski will talk to Mr. Baldwin again and have him submit an application to the District with his request. A motion was made by Mgr. Burvee and seconded by Mgr. Siemieniewski to approve installation of 18 inch culverts in the open cuts or to close the cuts, whichever Mr. Baldwin requests in writing to the District. Upon roll call vote the motion carried unanimously.

Minutes

The April 7, 2020 minutes were presented. A motion was made by Mgr. Fahsholz, seconded by Mgr. Wyum, and upon roll call vote unanimously carried to approve the minutes as presented.

Financial Matters

Financial Reports- The following financial reports were presented:

- Construction Fund- April 2020 thru December 2020
- Sinking Fund- April 2020
- Maintenance Fund- April 2020 thru December 2020
- Overall 2020 Year End Report
- Construction Fund- January 2021
- Maintenance Fund- January 2021 thru September 2021

A motion was made by Mgr. Burvee and seconded by Mgr. Wyum to accept all financial reports as presented. Upon roll call vote the motion carried unanimously.

Request for Engineering Services (RFQ)

Secretary Zentgraf reported the Board is required to go through an agency selection process for engineering services (RFQ) every three years as part of the qualification process for North Dakota State Water Commission cost share assistance for reconstruction projects. The Board would like to proceed with the third phase of reconstruction on RS #1 and it was recommended the Managers proceed with the RFQ process at this time. Once an engineering firm is selected, the Board can then move forward with obtaining a cost estimate for engineering services for the project design phase and submitting a request for cost share assistance to the North Dakota Department of Water Resources (“DWR”). If cost share assistance is granted, preliminary engineering can be done and if it is determined the project is feasible, a cost share request can be submitted to the DWR for construction costs. Given the process which must be followed, it is anticipated reconstruction would not be done until 2023. The Managers were in agreement with this timetable and proceeded with the RFQ process.

RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT AGENCY SELECTION COMMITTEE - INITIAL REPORT October 12, 2021

In accordance with the NORTH DAKOTA STATE WATER COMMISSION’S PROJECT FUNDING 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”) appointed all ten of its water managers as the “Agency Selection Committee” for purposes of conducting the requisite engineering selection process (as specifically required under Section I(E) of the SWC Policy and under N.D. Cent. Code § 54-44.7-03(1)). The District reasoned that all ten of its members must ultimately approve a final contract with the firm selected; the District’s members are best-equipped to measure and judge the qualifications of engineering firms regarding the District’s business; and the District’s members can mobilize relatively quickly and easily as necessary for purposes of conducting interviews, meeting to evaluate engineering firms, and otherwise performing the requisite tasks required to meet the requirements of the SWC Policy and Chapter 54-44.7.

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.

The Committee developed "a formal invitation to firms for submission of information" as required under Section 54-44.7-03(2)(c); see the RFQ attached as **Exhibit A**.

As required under Section 54-44.7-03(2)(c), the Committee made the following conclusions:

1. The manner in which this invitation/RFQ must be published:
 - a. The Committee concluded a single publication in *The Daily News* and *Sargent County Teller* would appropriately, adequately, and sufficiently invite qualification statements.
2. The content of the publication:
 - a. The Committee approved the attached RFQ.
3. The frequency of the publication:
 - a. The Committee concluded a single publication in *The Daily News* and *Sargent County Teller* would appropriately, adequately, and sufficiently invite qualification statements.

EXHIBIT A

Request for Qualifications RICHLAND-SARGENT JOINT WATER RESOURCE DISTRICT REQUEST FOR QUALIFICATIONS REGARDING ENGINEERING SERVICES

The Richland-Sargent Joint Water Resource District (the "District") is a political subdivision comprised of the water resource districts from Richland County and Sargent County. The District owns, operates, maintains, develops, and constructs drainage, flood protection, and other water infrastructure projects in accordance with its statutory authorities. The District occasionally requests cost-share participation from the North Dakota State Water Commission (the "SWC") regarding various project development, design, and construction activities. In accordance with the SWC's cost-share policies, the District must conduct an engineering services selection process at least every three years

to qualify for cost-share regarding project engineering and development. This RFQ process will satisfy the SWC cost-share requirements.

Scope of Services

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.

Submission Requirements

The Qualification Statements must include:

1. Name of Respondent and general information regarding Respondent's entity structure;
2. Name, title, address, telephone number, and email address of contact person authorized to contractually obligate Respondent;
3. General introduction and brief history of Respondent's firm;
4. Description of Respondent's specialized or relevant experience or knowledge;
5. Confirmation that Respondent meets the appropriate North Dakota licensing requirements;
6. Description of noteworthy water infrastructure projects the firm has developed, designed, administered, and managed in the area, specifically including legal assessment drains and retention projects;
7. Description of any other characteristics that would be uniquely relevant in evaluating Respondent's experience;
8. Identification of key management, field, and staff members Respondent would assign to provide District's services;
9. Information regarding Respondent's management, field, and staff members designated above, including name, position, telephone number, email address, education, and experience, including information regarding relevant project experience; and
10. General description of Respondent's ability to meet Respondent's time and budget requirements.

Respondents must submit one Qualification Statement to the District by 4:00 P.M. on Monday, November 8th, 2021, by mail or email, to:

Richland-Sargent Joint Water Resource District
 c/o Monica Zentgraf
 418 - 2nd Avenue North
 Wahpeton, ND 58075
 mzentgraf@co.richland.nd.us
 701-642-7773

Selection Criteria

The District will evaluate each Respondent on the basis of the following criteria:

1. Past performance, including past performance on behalf of the District;
2. Qualifications and ability of professional 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.

The District will evaluate all Qualification Statements and will rank firms based on the above criteria. The District will conduct interviews with the top three firms. Following interviews, the District will select the top-rated firm and will enter into contract negotiations with that firm. The District will provide written notice of its decision to all Respondents.

The District reserves the right, in its discretion, to waive any deficiencies in any submissions, and to accept or reject any and all Qualification Statements submitted. The District is not responsible for the costs of proposal or interview preparation.

Adjournment

There being no further business to come before the Board, Chr. Speich adjourned the meeting at 8:15 A.M.

Respectfully submitted,

Monica Zentgraf
 Monica Zentgraf
 Secretary

Bruce Speich
 Bruce Speich
 Chairman of the Board