

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
October 16, 2018

The Richland County Water Resource Board (RCWRB) met October 16, 2018 at 8:00 AM at the Richland County Courthouse, Wahpeton, North Dakota.

THOSE PRESENT: Managers Arv Burvee, James Haugen, Don Moffet, Robert Rostad, Engineering Technician Justin Johnson, and Secretary-Treasurer Monica Zentgraf.

THOSE ABSENT: Gary Friskop

Minutes

The October 9, 2018 minutes were presented. A motion was made by Mgr. Rostad and seconded by Mgr. Moffet to approve the October 9, 2018 minutes as corrected. The motion carried unanimously.

Mail

- 1.) North Dakota Water Users Association- Agenda for the convention scheduled for December 4th to 7th, 2018.

Mike Bassingthwaite, of Interstate Engineering, joined the meeting.

Proj #1 Reconstruction

Discussion was held relative to the proposed reconstruction project and lowering the culvert through County Road #81 in the NECR Section 29, Abercrombie East. Jesse Sedler, County Engineer, is willing to allow the road to be cut, provided the existing concrete culvert is replaced with a new 48 inch steel culvert. The District will also need to patch the road if a dip appears.

Kelly Miller will be meeting with the Board later in the day to discuss this project. (RCWRD #17-017)

Abandoned Homestead Drain

The Secretary reported that she visited with Mr. Bassingthwaite about scheduling a meeting with the Board to discuss the potential for the Abandoned Homestead Drain to be reestablished as a legal drain in the future. Mr. Bassingthwaite recommending tabling the matter until the RCPP Antelope Creek watershed study and culvert study are completed next year. Any decision on the abandoned drain would be premature at this time.

Request for Engineering Services (RFQ)

RICHLAND COUNTY WATER RESOURCE DISTRICT AGENCY SELECTION COMMITTEE - SECOND REPORT October 16, 2018

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 County Water Resource District (the "District") previously conducted an engineering selection process for purposes of procuring an engineering firm. As noted in the District's INITIAL REPORT dated September 18, 2018, the District selected Interstate Engineering, Inc., following the conclusion of the first engineering process, and notified the North Dakota State Engineer and Interstate Engineering of its selection. However, the District later concluded a single firm was not likely equipped to handle all of the District's projects and other tasks. Further, the District concluded engaging more than one firm would be more economically advantageous for the District and for the residents of Richland County. With that in mind, the District elected to proceed with the engineering

selection process again with the objective of selecting more than one qualified firm to act as consultant engineers for the District.

For the second selection process, the District once again appointed all five of its water managers 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” for firms’ consideration, as required under Section 54-44.7-03(2)(a):

The Richland County 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 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 *The Daily News* would appropriately, adequately, and sufficiently invite qualification statements.
3. The Committee procured publication of its invitation/RFQ in *The Daily News* on September 23, 2018.
4. The Committee’s invitation/RFQ indicated the deadline for submitting Qualification Statements to the Richland County Water Resource District was 5:00 p.m. on October 15, 2018 (at least twenty-one days following publication of the invitation/RFQ).

Qualification Statements Submitted:

The following timely submitted Qualification Statements to the District:

Houston Engineering, Inc
Interstate Engineering, Inc
Moore Engineering, Inc

In accordance with the SWC Policy and Section 54-44.7-03(4), the Committee must conduct interviews with at least three firms the Committee deems most

qualified based on the information contained in the firms' Qualification Statements. If less than three firms submit Qualification Statements, the Committee may either re-advertise or conduct interviews with firms that submitted Qualification Statements. In this case, three firms submitted Qualification Statements, the firms are qualified applicants, and the Committee concluded all three of the firms that submitted Qualification Statements are entitled to interviews. The Committee will extend invitations to the firms to notify them of the date, time, and place of the interviews.

Interviews:

The Committee will conduct interviews at the Richland County Courthouse on Tuesday, October 23, 2018. The Committee will conduct its evaluation 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.

Following the interviews, the Committee will prepare a written report in which the Committee will rank the firms interviewed in priority order. The District will select the top-rated firms and will ultimately approve the "final" report; the District will provide written notice of its decision, including the priority order of the firms, to all firms that submitted Qualification Statements; and the District will provide a copy of the final report to the North Dakota State Engineer. The District will then enter into negotiations with at least the two top-rated firms, and possibly the three top-rated firms; the District will ultimately enter into contracts with more than one firm. The District will then notify the State Engineer of the firms with which the District has entered into contracts.

Photocopy Machine Maintenance Agreement

The photocopy machine maintenance agreement with Reardon Office Equipment is up for renewal. The one year contract price is \$536.75. A motion was made by Mgr. Haugen and seconded by Mgr. Moffet to approve the photocopy machine maintenance agreement with Reardon Office Equipment. The motion carried unanimously.

Red River Joint Water Resource District Meeting

Mgrs. Rostad and Burvee reported on the Red River Joint Water Resource District meeting they attended last week. Two draft legislative bills were distributed to the Managers. One bill is for state cost share assistance for snagging and clearing on the rivers; the second bill is for elimination of the economic analysis requirement on cost share projects.

Within the next month a meeting will be held with local House Members for the purpose of seeking their support for the two bills and to ask them to co-sponsor the bills.

Proj #1 Reconstruction

Kelly Miller met with the Board for the purpose of discussing reconstruction of a portion of Proj #1 and his assistance with funding the proposed work. Mr. Miller agreed with the Board's proposal and for the Board to proceed with preparing to bid the project.

Upon conclusion of the meeting with Mr. Miller, a motion was made by Mgr. Rostad and seconded by Mgr. Haugen authorizing Interstate Engineering to proceed with preparation of plans, specs, and permit applications for reconstructing Proj #1 in the N1/2 Sections 28 and 29, Abercrombie East. The motion carried unanimously. A cost share request will also be submitted to the North Dakota State Water Commission. (RCWRD #17-017)

North Dakota Stream Crossing Standards

Mr. Bassingthwaite discussed North Dakota stream crossing standards for culvert replacements around the county.

Mr. Bassingthwaite left the meeting.

Technician's Report

•Contractor Update- Mr. Johnson provided an update on contractor assignments.

Adjournment

There being no further business to come before the Board, Vice Chr. Burvee adjourned the meeting at 10:15 A.M.

Respectfully submitted,
Monica Zentgraf
Monica Zentgraf
Secretary

Arv Burvee
Arv Burvee
Vice Chairman of the Board