

MEETING OF THE BOARD OF CITY COMMISSIONERS

JUNE 14, 2016

The Board of City Commissioners met in regular session on June 14, 2016 at the hour of 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. There were present: Commissioners Grossman, Guy, Marquardt and President Seminary. Commissioner Askvig participated by telephone.

A Chaplain of the Bismarck Police Department presented the invocation.

1. The Board of City Commissioners considered approval of the minutes of the meeting on May 24, 2016.

Commissioner Grossman made a motion to approve the minutes. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

2. CONSENT AGENDA

A. The Board of City Commissioners considered and approved voucher numbers 1064821 to 1065269.

B. The Board of City Commissioners reviewed the personnel actions.

C. The Board of City Commissioners considered the request for approval to renew the following site authorizations from July 1, 2016 to June 30, 2017:

- Bismarck Cancer Center
- Bismarck Hockey Boosters
- Bismarck-Mandan Convention & Visitors Bureau
- Cystic Fibrosis Association of North Dakota
- Gilbert N Nelson Post 1326 VFW Dept of North Dakota
- ND State FFA Alumni
- North Dakota Association for the Disabled Inc.
- Prairie Public Broadcasting Inc.
- St. Alexius Medical Center (dba CHI St. Alexius Health)

D. The Board of City Commissioners considered the following requests from the Bismarck Airport:

- Amendment 2 to the July 31, 2015 agreement with Twin City Tire Co. Inc. (dba Avis Rent-A-Car).

The amendment corrects errors in the agreement, so that the agreement accurately reflects the bid proposal submitted.

- Approval of Airport Sponsor Assurances and Airport Sponsor Certifications.

Periodically, Airport staff sends the Board Airport Sponsor Certifications for approval prior to issuance of Federal Aviation Administration (FAA) grants. The certifications are updated by FAA from time to time and need to be re-signed so that grant offers can be reviewed and accepted as appropriate by the city without processing delays. The Board last approved Terms and Conditions and Airport Sponsor Certifications on June 9, 2015.

The FAA will require this set of Sponsor Certifications be signed as an integral part of the next Airport Improvement Program grant documents issued. City Attorney Charlie Whitman has reviewed the new certification documents. Staff asks that the Airport Sponsor Certifications (Enclosure 2 in this item in the agenda packet) be approved.

- Approval of a Federal Aviation Administration (FAA) land lease extension.

The city entered into a lease with the FAA for a parcel effective October 1, 2012. The lease was for five years and two separate five year extension periods. The first five year term will end September 30, 2017. FAA has asked for the first five year extension (October 1, 2017 to September 30, 2022). Airport staff recommends approval of the extension request and the Supplemental Agreement SLA-1 (Enclosure 3 in this item in the agenda packet).

E. The Board of City Commissioners considered the following requests from the Community Development Department:

- Reappointment of Doug Lee to the Bismarck Planning and Zoning Commission.
- Introduction of and call for public hearing on Ordinance 6215, relating to the zoning change for Lots 1-4, Block 1, Gary Nelson Addition. Bismarck Planning and Zoning Commission recommends approval.

ORDINANCE NO. 6215

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the R5-Residential zoning district and included in the R10-Residential zoning district:

Lots 1-4, Block 1, Gary Nelson Addition.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

- Introduction of and call for public hearing on Ordinance 6216, relating to the zoning change for various lots and tracts in south Bismarck and the city's extraterritorial area (Phase 6 of 6), initiated by the city of Bismarck. Bismarck Planning and Zoning Commission recommend approval.

ORDINANCE NO. 6216

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the R5-Residential zoning district and included in the P-Public zoning district:

Auditor's Lot G of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, T138N-R80W/Lincoln Township.

The following described properties shall be excluded from the RR-Residential zoning district and included in the P-Public zoning district:

Lot 5, Block 3, Ridgeview Acres 2nd Subdivision

Lot A of Lot 22, Block 2, Falconer Estates

Lot A of Lot 23, Block 2, Falconer Estates

All unplatted portions of the SW $\frac{1}{4}$ of Section 34, T138N-R80W/Lincoln Township, known as a portion of Sibley Island.

The following described property shall be excluded from the MA-Industrial zoning district and included in the P-Public zoning district:

Auditor's Lot A of Lot 1, Block 2, Northern Plains Commerce Centre Addition.

The following described property shall be excluded from the A-Agricultural zoning district and included in the P-Public zoning district:

Auditor's Lot H of the SE ¼ of the SW ¼ and the SW ¼ of the SE ¼ of Section 16, T138N-R80W/Lincoln Township.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

F. The Board of City Commissioners considered the following requests from the Engineering Department:

- Acceptance of award of the 2017 Sertoma Park West Shared Use Path contingent upon concurrence by the Bismarck Parks and Recreation District Board at their June 19, 2016 meeting.

The city has been notified of the award of Transportation Alternatives Program (TAP) funding for the 2017 Sertoma Park West Shared Use Path project to a maximum of \$138,750 from the North Dakota Department of Transportation (NDDOT). The Board may recall endorsing the TAP application submitted by Bismarck Parks and Recreation District at their November 24, 2016 meeting. The NDDOT has asked the city of Bismarck to notify it by June 22, 2016 if it intends to proceed with the development of this project. Mr. Randy Bina, Executive Director of the Bismarck Parks and Recreation District, has notified City Engineer Gabe Schell that the Bismarck Parks and Recreation District Board will consider the financing of the local match and continued planning of this project at their June 16, 2016 Board meeting.

Should this Board agree to this award, the TAP funding would be channeled through the city of Bismarck and a standard NDDOT Cost Participation and Maintenance Agreement (CPM) would be developed for the Board's review and approval at a later date prior to the bidding of the project. In addition, a Companion Agreement would be developed between the city of Bismarck and the Bismarck Parks and Recreation District which in essence would obligate the Bismarck Parks and Recreation District to fulfill the responsibilities of the city under the terms of the NDDOT CPM, including the provision of the funding required for the local match and for all costs beyond the stated funding cap.

Action requested of the Board at this time would be acceptance of the award contingent upon concurrence by the Bismarck Park and Recreation District Board at the June 16, 2016 meeting for continuing with the project development and providing the required local funding. If affirmed by the Board, City Engineer Gabe Schell will notify the NDDOT Representative, Pam Wenger, of the Board's action prior to the June 22, 2016 deadline.

- Approval of Dakota Carrier Network Encroachment and Waiver Agreement for 117 West Front Avenue.

Dakota Carrier Network has requested permission to install and maintain privately owned fiber optic cable within the public right-of-way at this location, as shown on the map and per the agreement in the agenda packet for this item. Staff recommends approval.

- Approval of Dakota Carrier Network Encroachment and Waiver Agreement for 310 North Ninth Street.

Dakota Carrier Network has requested permission to install and maintain privately owned fiber optic cable within the public right-of-way at this location, as shown on the map and per the agreement in the agenda packet for this item. Staff recommends approval.

- Approval of the second year of a three-year contract with Terracon for geotechnical services.

In 2015, Terracon was selected by a selection committee to provide geotechnical services for various roadway projects to assist with subgrade and pavement design. The original contract was for a period of three years. The initial contract indicated that each year a scope of work and fee schedule would be brought to the Board for approval.

For initial services in 2016, city staff has negotiated a scope of work and fee of \$38,380.63 with the option to negotiate for additional services. These services are to be funded through sales tax and special assessments not to exceed \$50,000. Final reports for the initial work will be delivered by September 1, 2016. The scope of services was included in the agenda packet material for this item.

As this is the second year of a three year contract, a scope of work and fee schedule will again be determined and brought to the Board for approval for geotechnical services in 2017.

- Approval of 100 West Main Limited Partnership Encroachment Easement and Waiver for 100 West Main Avenue.

100 West Main Limited Partnership has requested permission to install, maintain repair, and replace one fixed entrance sunshade device and six balconies within the public

right-of-way adjacent to and along 100 West Main Avenue. The document (copy in the agenda packet) has been prepared to permit the installation, maintenance, repair and replacement of said fixed entrance sunshade device and balconies within the right-of-way of 100 West Main Avenue. Staff recommends approval.

- Approval of Storm Sewer Easement with Burleigh County for the local storm sewer system in Midwest Business Park.
- Approval of Watermain Easement with Skyline Properties, LLC to extend the water main through Meadowlark Commercial 7th Addition.
- Approval of request by city staff to close Street Improvement District 15-503.

Street Improvement District Number Five Hundred Three consists of one unit of petitioned street improvements (new asphalt pavement, curb and gutter, ADA ramps, and related work). The work was to be funded through special assessments and developer prepayments. The developer has failed to meet his commitments as per the city's Developer Policy. Bids were returned unopened. City staff asks that this district be closed.

G. The Board of City Commissioners considered the request from the Finance Department for approval of the service contract with Vanguard Appraisals, Inc.

The city currently has a contract with Vanguard Appraisals, Inc. for its computer assisted mass appraisal (CAMA) system for the Assessing Division. Vanguard has an archive module that allows assessments to be digitally stored and accessed. The Assessing Division would like to have an archive done for the annual assessment roll. The annual cost is \$3,600 with a six year contract with funding coming from the Assessing Division's current budget. A copy of the contract was included in the agenda packet.

H. The Board of City Commissioners considered the request from the Human Resources Department to fill the Grade 21 Senior Planner position, vacated by Jason Tomanek, in the Community Development Department with a Grade 19 Planner.

The Community Development Department would like to maintain the ability to promote a Planner to Senior Planner at such time that a planner becomes eligible and meets the expectations and qualifications of the position. The Human Resources Department recommends approval.

I. The Board of City Commissioners considered the request from the Police Department for permission to conduct the annual deer and turkey archery hunting program on city properties.

The Police Department is requesting authorization to conduct the Annual Deer and Turkey Archery Hunting Program on select city properties. This hunting season will begin September 2, 2016 and will coincide with the archery season set forth by the ND

Game & Fish Department (NDG&F). The deer hunting program is an annual program which has been in existence since 1987. The turkey hunting program was initially approved by the Board in 2008 and has been successfully conducted each year, with the exception of 2011 when it was cancelled due to the flood. Both programs have aided in controlling the problems associated with wild deer and turkeys entering areas of Bismarck, especially the residential areas in the southwest portion of the City.

All hunters must possess a valid North Dakota archery license to participate in the programs. The Animal Control section of the Police Department issues trespass permits to hunters who wish to participate in the Archery Hunting Program. There will be 25 permits issued for the season on a first-come-first-served basis.

Animal Control staff provides instruction, maps of specific authorized city property and monitors those selected to participate in the program.

J. The Board of City Commissioners considered the following requests from the Public Works Service Operations Department:

- Approval to accept contract from Architectural Concepts Inc for the city of Bismarck Library re-roofing, exterior insulation and finish system and window replacement project.

An RFQ was released and a review committee selected Architectural Concepts Inc. to provide evaluation of the existing roof and walls to determine the extent of moisture intrusion from the roof structure and walls of the building. The project will include replacement of the roofing materials and insulation and repair of structural members as determined by the report. The project also consists of replacement of clerestory windows and flashing assemblies between the upper and lower roof structures. The repair and correction of exterior walls will be determined by this report propose a similar or alternate material for the new wall finish. The exterior wall repair will be selected, detailed and bid as part of this project.

The contract amount for this project is 8.5% of the cost of the work plus \$28,800 for structural engineering evaluation.

- Request from Burleigh County Water Resource District to provide a source for clay borrow to assist with their construction of permanent flood protection for the Missouri River Correctional Center and nearby residents from future Missouri River flood events.

This request is from the Missouri River Correctional Center for the city of Bismarck to donate 53,400 cubic yards of clay to assist with their construction of the Missouri River flood protection for properties in south Bismarck

Michael Gunsch PE, Houston Engineering, Inc, working for the Burleigh County Water Resource District, contacted Jeff Heintz, Public Works Service Operations Director, in February, asking if the city would have suitable material for a clay embankment to help protect the detention center and residents south of Bismarck. Mr. Heintz indicated that the city may not be in a position to provide this material, but with our current expansion effort getting ready to start for the east end of cell #3 and the inert waste cell excavation underway, we could be in a position to allow them to have access to the material they need. Mr. Gunsch has provided a formal request that lists the project and provides maps that illustrate the impact to the area with regards to flood impacts.

The clay would be excavated by the BCWD contractor at no cost to the city, using material that needs to be dug out of the next solid waste disposal cell and inert waste disposal cell. By allowing this material to be excavated and hauled at their cost, it saves our landfill customers and residents the expense occurred digging the future waste cell expansion. During the 2011 flood fight, we were able to have our west side of cell #3 excavated at no cost to the utility. Typical bid prices of excavation are \$3/cubic yard which would save the Solid Waste Utility approximately \$160,200 in construction cost. Future pit construction will yield additional clay material that will not be needed in the operation or closure of the cells, yielding additional surplus.

- Approval to accept contract from J2 Studio for the city of Bismarck Police Station storage building design, contract documents, bidding, contract and construction administration.

An RFQ was released in February of 2016 and a review committee selected J2 Studio to provide architectural and design and construction consulting needs for this project.

City staff has been working with J2 Studio to create a contract for this portion of the project which was included in the agenda packet. This contract is for the Design, Contract Documents, Bidding and Contract Administration for the Police Department Storage Building for the Impound Site and its site modifications. This building will allow separation of general storage from Evidence storage to simplify access for maintenance staff and to provide greater flexibility in storing large items of evidence such as vehicles when they need to be stored inside. The services include structural engineering for the foundation and framing, electrical engineering for lighting and power and civil engineering for site development and storm water permit application. Adjustments to surfaced areas and fenced areas will be addressed as well.

This is a continuation of the space needs study recently completed in 2015 for storage for the Police Department. The contract amount for this project is not to exceed \$27,880.

- Permission to provide 96 gallon garbage containers to be used during the Out of the Darkness Suicide walk at the Capitol grounds on Friday, September 16, 2016.

This request is to provide 96 gallon garbage containers to be used during the Out of Darkness Suicide walk at the Capitol grounds on Friday, September 16, 2016. The volunteers of the event would place the containers and collect them after the event for our pickup at one central location.

K. The Board of City Commissioners considered the request from the Public Works Utility Operations Department for approval of an Engineering Services Agreement for design and construction support for storm water system repair and correction projects.

Recently city staff issued a request for proposals for engineering services to provide design and construction support for projects to make repairs and corrections to the city's storm water system. City staff received four proposals that were evaluated by a selection committee. Advanced Engineering and Environmental Services (AE2S) was the selection committee's recommendation to perform this work.

A proposed engineering agreement was included in the agenda packet. The agreement has a term of one year with an option to renew the agreement for an additional year. The work under this agreement will be performed at the request of the city and will be billed on an hourly basis. The agreement has a maximum contract amount of \$104,300 during the first year for the work to assist in identifying and prioritizing projects, design and completion of plans and specifications for selected projects. The contract will be amended to provide funding for construction support services after the scope of the construction projects has been defined.

City staff requests that the Commission authorize them to enter into this agreement with AE2S to complete this work. This work will be funded from the Storm Water Utility.

L. The Board of City Commissioners considered the following change orders from the Public Works Utility Operations Department relating to the Bismarck Wastewater Treatment Plant Trickling Filters Project:

- Contract change order G-3 for \$15,933.00 with PKG Contracting Inc for design related changes relating to general construction.
- Contract change order G-4 with PKG Contracting Inc for design related changes relating to general construction.
- Contract change order G-5 for \$43,342.00 with PKG Contracting Inc for design related changes relating to general construction.
- Contract change order FM-01 with GEA Heat Exchangers - EXEXIO for design related changes for media equipment procurement.

M. The Board of City Commissioners considered the following requests for resolutions relating to Park Improvement District 16-001 (construction of neighborhood park amenities including playground equipment, a shelter and trails):

- Receiving Bids and Ordering Preparation of Engineer's Statement
- Awarding Contract
- Approving Contract and Contractor's Bond.

The President of the Board of City Commissioners announced the hour had arrived for the opening of bids for the construction of Park Improvement District Number One (001). The Assistant City Administrator presented an affidavit showing publication in the official newspaper of advertisement for bids, the affidavit was examined, found satisfactory and was directed to be placed on file in the office of the City Administration.

The City Engineer then reported that five sealed bids for the construction of said improvement had been filed in his office prior to the time of this meeting, pursuant to said advertisement, which bids were publicly read and considered, and upon motion duly made, seconded and carried, said bids were directed to be entered upon the minutes of this meeting. The names of each of the bidders and the estimated cost under terms of each bid based on prices proposed by the bidder and quantities estimated by the City Engineer are as follows:

BIDDER	BID TOTAL	ALTERNATE 1	ALTERNATE 2	ALTERNATE 3
Capital City Construction	\$397,713.00	\$42,882.00	\$3,623.15	\$13,123.80
Weisz & Sons, Inc.	\$401,740.55	\$36,992.50	\$10,938.00	\$12,330.00
Veit Specialty Contracting	\$492,354.20	\$38,217.50	\$10,623.00	\$18,912.00
JR Civil, LLC	\$522,097.81	\$63,210.73	\$12,301.80	\$21,386.16
Wright Brothers	\$651,409.75	\$40,875.32	\$19,157.00	\$23,829.00
Engineer's Estimates*	\$394,676.00	\$60,005.00	\$9,702.00	\$19,801.87
Alternate 1: Landscape package, which includes shrubs, trees and irrigation. Alternate 2: Concrete trail, which would provide and install a 10 foot wide concrete trail within the park in lieu of asphalt. Alternate 3: Concrete parking lot (concrete parking lot in lieu of asphalt).				

It is the recommendation of David M. Mayer, Landscape Architect/Project Manager from Kadmas, Lee and Jackson (KLJ), to move forward with the base bid plus all three alternates. While this package will cost more than selecting only the base bid and alternate 1, it will save the Park District money over the life of the park. Concrete has a much longer life expectancy than asphalt, the initial upfront cost versus future asphalt repairs and overlays is minimal.

Commissioner Grossman introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING BIDS
AND ORDERING PREPARATION OF ENGINEER'S STATEMENT
PARK IMPROVEMENT DISTRICT NUMBER ONE (001)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. The Assistant City Administrator is hereby directed to enter upon the minutes of this meeting all bids received for the work and material required for the work to be done in Park Improvement District Number One (001).

2. The engineer is hereby directed to make a careful and detailed statement of the estimated costs of said bids and upon receipt of the same the Board of City Commissioners shall take such other and further action with reference to said bids as shall be deemed necessary and expedient.

Commissioner Guy seconded that motion. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

Commissioner Grossman introduced the following resolution and moved its adoption:

RESOLUTION AWARDING CONTRACT FOR THE CONSTRUCTION OF
PARK IMPROVEMENT DISTRICT NUMBER ONE (001)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. Notice of advertisement for bids for the construction of Park Improvement District Number One (001) having been duly published, and all bids received pursuant to said notice having been considered, it is hereby found and determined that the lowest responsible bidder whose bid complies with law and the terms of said advertisement is Capital City Construction, of Bismarck, North Dakota, and the estimated bidder's proposal for the construction of the work is \$457,341.95.

2. Upon the furnishing by the successful bidder of a contractor's bond in the sum not less than the amount of the contract as above estimated, with a surety company authorized to do business in the State of North Dakota, conditioned as required by the provisions of Section 40-22-31 of the North Dakota Century Code, which bond shall be furnished within ten days from the date hereof, a contract for the performance of said work pursuant to the plans and specifications on file in the office of City Administration shall be made and executed by the President and countersigned by the Assistant City Administrator.

3. The Special Assessment Analyst is hereby authorized and directed to retain the bidder's bond furnished by the successful bidder pending the approval of the contractor's bond and the execution of the construction contract, and to return the bonds of the other bidders forthwith.

Commissioner Guy seconded that motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Grossman introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
PARK IMPROVEMENT DISTRICT NUMBER ONE (001)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Capital City Construction for the construction of Park Improvement District Number One (001) are hereby approved.

Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

N. The Board of City Commissioners considered the following requests for resolutions relating to Park Improvement District 16-002 (construction of neighborhood park amenities including playground equipment, a picnic shelter, and parking lot):

- Declaring Petition for Improvements has been Received.
- Creating District and Ordering Preparation of the Preliminary Report.
- Approving Preliminary Report and Directing Preparation of Plans and Specifications.
- Approving Plans and Specifications.
- Authorization to Advertise and Receive Bids.

A Park Development Agreement (included in the agenda packet) was entered into between the Developer and the Park District on April 16, 2015. Park Improvement District No. 16-002, Unit 1 (see map in agenda packet), consists of the construction of neighborhood park amenities including playground equipment, a picnic shelter, and trails. The Developer, owning 100% of the benefiting area in Heritage Park and Heritage Ridge, petitioned for these park improvements.

The estimated total special assessment for a median lot in Heritage Park and Heritage Ridge is estimated to be between \$1,500 and \$1,875, which results in an estimated annual principal installment between \$100 and \$125 for a 15-year term. The proposed Park Improvement District 16-002 includes benefiting property that is not currently annexed. The costs associated with benefited property outside city limits will be assessed to the Park District to be held in abeyance to be assessed to the actual benefited parcels when they are annexed.

Commissioner Grossman introduced the following resolution and moved for its adoption:

RESOLUTION DECLARING PETITION FOR PARK IMPROVEMENT DISTRICT
NUMBER TWO (002) HAS BEEN RECEIVED

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that it is hereby found and determined that a written petition signed by owners of a majority of the area of property included within Park Improvement District Number Two (002) has been received and that, therefore, it is not necessary to publish a Resolution Declaring Work Necessary for improvements in Park Improvement District Number Two (002).

Commissioner Guy seconded the motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

Commissioner Grossman introduced the following resolution and moved its adoption:

RESOLUTION CREATING
PARK IMPROVEMENT DISTRICT NUMBER TWO (002)
AND ORDERING THE PREPARATION OF A PRELIMINARY REPORT

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. Pursuant to the provisions of Chapter 40-22 of the North Dakota Century Code, Park Improvement District Number Two (002) is created for the purpose of making an improvement project, consisting of the construction of neighborhood park amenities including playground equipment, a shelter, trails and related work, and to defray all or a portion of the costs thereof by the levy and collection of special assessments in said District.
2. It is the judgment of this Board of City Commissioners, after consultation with the engineer planning the improvement for the City that construction of the improvement project will specially benefit all of the properties within the district, the size and form of which is defined by reference to the plats of the City of Bismarck on file in the office of the County Recorder of Burleigh County, North Dakota, and the district shall include all lots, tracts and parcels of land lying within the following described boundary:

UNIT NO. 1

All of Heritage Park Addition
All of Heritage Ridge Addition

3. The engineer is directed to prepare a report as to the general nature, purpose and feasibility of the proposed improvement and an estimate of probable cost of the work.
4. The City Commission declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds, and the Finance Director is hereby authorized to execute an official declaration of intent on behalf of the City of Bismarck.

Commissioner Guy seconded the motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

Commissioner Grossman introduced the following resolution and moved its adoption:

RESOLUTION APPROVING PRELIMINARY REPORT AND DIRECTING THE
PREPARATION OF PLANS AND SPECIFICATIONS FOR
PARK IMPROVEMENT DISTRICT NUMBER TWO (002)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that this Board has received and considered the report of the engineer as to the general nature, purpose and feasibility of the proposed improvement in and for Park Improvement District Number Two (002), and an estimate of the probable cost of the work, and approved the report and directs it to be filed in the City Administration office and the City Engineer's office, and directs the engineer to prepare detailed plans and specifications for the construction of the improvement and to submit the same to this Board of City Commissioners.

Commissioner Guy seconded the motion on the foregoing resolution. Upon roll call the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

Commissioner Grossman introduced the following resolution and moved its adoption:

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR
PARK IMPROVEMENT DISTRICT NUMBER TWO (002)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that the plans and specifications for the work proposed to be done in and for Park Improvement District Number Two (002), as prepared by the engineer and presented to the Board of City Commissioners on this date, are hereby approved and ordered to be placed on file in the office of the City Administration and in the office of

the City Engineer, where they shall remain on file and subject to inspection by anyone interested therein.

Commissioner Guy seconded the motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

Commissioner Grossman introduced the following resolution and moved its adoption:

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS FOR
PARK IMPROVEMENT DISTRICT NUMBER TWO (002)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that proposals for the work of making the improvement in Park Improvement District Number Two (002), according to plans and specifications heretofore approved by this Board, shall be received on August 3, 2016, at the hour of 1:30 o'clock p.m. Advertisement for such proposals shall be published as required by Section 40-22-19, North Dakota Century Code.

Commissioner Guy seconded the motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

Addendum Items:

O. The Board of City Commissioners considered the request from Engineering Department for approval of change order with Edling Electric for Street Improvement District 15-493 to extend the project timeline to June 30, 2016.

P. The Board of City Commissioners considered the request from the Human Resources Department for the appointment of Master Police Officer to complete Condrey classification.

Based on the classification of a Master Police Officer by Condrey and Associates approved earlier by the Board of City Commissioners, the Human Resources Department would like to designate 19 Police Officers as Master Police Officers grade 18, effective June 19, 2016. There is no budgetary impact for this designation as all are currently within the salary range of the position. The criteria and list of designated officers was included with the information for this item in the agenda packet.

President Seminary said Item #2Q has been pulled - Request from Public Works Service Operations Department for approval of the amendment to the scope of work for the Bismarck Solid Waste Service Task Order #1 - Site Soil Balance.

Commissioner Grossman made a motion to approve the consent agenda. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

REGULAR AGENDA

President Seminary asked Michelle Klose to come up and give an update on the lime release and any storm water issues that were dealt with today. Michelle Klose, Public Works Utility Director, appeared before the Board. Ms. Klose said there was a tank overflow at the water treatment plant. On Saturday morning, there was a release of lime slurry, about 50,000 gallons, over a four hour period. When they were notified, they were able to stop the release and notified the State Health Department. The city and the ND Department of Health have jointly determined that there was no impact to public health or water supply but wanted the public to be aware so that's why they put out the press release.

Commissioner Guy asked how the department is aware when something like that happens. Ms. Klose said in this instance, the lime slurry has a gritty texture to it and it was a milky color so it was noticeable in the river near the plant. Some observant citizens called in to make them aware. It wasn't harmful but it was noticeable.

Ms. Klose said due to the very short but intense rainfall earlier today, the south drainage ditch rose about seven feet this morning. It has slowly been subsiding. Staff was observing the inlets as well as the drainage ditch today. There was a tree removed from the drainage ditch and they received several calls on that. This is a great reminder to watch the inlets in your neighborhood to make sure they don't become blocked with debris (leaves, seeds, grass clippings, etc.), which is especially important during rain events like we had today. On the south side, they do have some problem areas identified and the Board authorized a study to look at those drainage issues on the south side and that study is nearly complete. Today's short, high intensity flood event was roughly estimated as a 25-year event which is pretty significant in this area.

The Board received the update but took no action.

3. The Board of City Commissioners considered the request for Roy Rickert, Bis-Man Transit Director, to appear and present proposed changes to the Bis-Man Transit's Fixed Route and Paratransit bus services, including a new component for an extended hours service.

Steve Saunders, Metropolitan Planning Organization Executive Director, appeared before the Board to introduce Mr. Rickert. Mr. Rickert said they have lost \$500,000 in state and federal funding therefore they need to do something to reduce their expenses. He said for a community of this size, the number of rides should be 40,000 to 60,000 however they are around 160,000. He said there are people that are using the paratransit service that are capable of riding the fixed-route buses.

Some of the proposed changes for the fixed-route system include:

- 12 circuitous interlined routes to be replaced with six direct routes;
- fixed route service will operate Monday through Friday, 6:30 a.m. to 7:00 p.m. and Saturday, 8:00 a.m. to 7:00 p.m.;
- “My Ride” pilot program for student fares will begin, allowing for six month semester passes good from July 1 to December 31 and January 1 to June 30 – passes will be pre-sold.
- Passengers 65 years of age or older and passengers that are ADA qualified or receiving Medicare, will be able to ride the Fixed-Route service for free, with an appropriate Transit-issued ID.

Some of the proposed changes for the paratransit system include:

- Will become a curb-to-curb service with an origin-to-destination option upon request
- Service hours will be close to fixed route system, beginning at 5:30 a.m. and completing at 7:00 p.m., Monday through Friday, and 7:00 a.m. to 7:00 p.m. on Saturdays.
- Eligibility will be based on ADA standards (based on customer’s physical and/or mental inability), and age alone, will no longer be a qualifier for the paratransit system.

There will also be extended hours service to address the needs of those individuals working 2nd and 3rd shifts as well as Sunday services to help individuals get clients to and from services, such as religious worship. Both of these services would follow the same holidays same holidays as the fixed-route system, and not provide service New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day.

There was discussion between the Board and Mr. Rickert. Commissioners had concerns removing the age qualifier for paratransit services as it relates to the ballot language that created the service to begin with. Some of the commissioners expressed concern that they thought more information was needed and for it to be done before this came before this Board as a public hearing.

Commissioner Grossman made a motion to call for a public hearing on the proposed change at the meeting July 12, 2016. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Marquardt and President Seminary. Nays: Askvig, the motion carried.

4. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on Ordinances 6211 to 6214 relating to water and sewer trunk line fees, rural road charges, and storm water charges to be assessed to benefiting property that was outside the city limits at the time of construction.

There were no oral or written comments received.

Commissioner Grossman made a motion to adopt Ordinance 6211, 6212, 6213 and 6214. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

5. The Board of City Commissioners considered the request from the Fire Department to receive and consider disposition of bids for training building footings and foundations.

Joel Boespflug, Fire Chief, appeared before the Board to present the following bids received:

BIDDER	BID AMOUNT*
Capital City Construction	\$96,300
Weisz & Sons Constructors, Inc.	\$99,400

Chief Boespflug recommended awarding the bid to Capital City Construction for \$96,300.

Commissioner Grossman made a motion to award the bid to Capital City Construction for \$96,300. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

6. The Board of City Commissioners considered the following requests relating to Sewer Improvement District 16-569:

- Resolution Receiving Bids
- Resolution Awarding Contract

The President of the Board of City Commissioners announced the hour had arrived for the opening of bids for the construction of Sewer Improvement District Number Five Hundred Sixty-Nine (569). The Assistant City Administrator presented an affidavit showing publication in the official newspaper of advertisement for bids, the affidavit was examined, found satisfactory and was directed to be placed on file in the office of the City Administration.

The City Engineer then reported that four sealed bids for the construction of said improvement had been filed in his office prior to the time of this meeting, pursuant to said advertisement, which bids were publicly read and considered, and upon motion duly made, seconded and carried, said bids were directed to be entered upon the minutes of this meeting. The names of each of the bidders and the estimated cost under terms of each bid based on prices proposed by the bidder and quantities estimated by the City Engineer are as follows:

BIDDER	BID AMOUNT*
D. L. Barkie Construction	\$537,864.00
Markwed Excavation	\$689,343.00
Cofell's Plumbing & Excavating	\$521,282.00
Weisz & Sons Inc.	\$569,928.75
* Engineer's Estimate = \$674,690.00	

Commissioner Grossman introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING BIDS
AND ORDERING PREPARATION OF ENGINEER'S STATEMENT
SEWER IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED SIXTY-NINE (569)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. The Assistant City Administrator is hereby directed to enter upon the minutes of this meeting all bids received for the work and material required for the work to be done in Sewer Improvement District Number Five Hundred Sixty-Nine (569).
2. The engineer is hereby directed to make a careful and detailed statement of the estimated costs of said bids and upon receipt of the same the Board of City Commissioners shall take such other and further action with reference to said bids as shall be deemed necessary and expedient.

Commissioner Guy seconded that motion. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

Commissioner Grossman introduced the following resolution and moved its adoption:

**RESOLUTION AWARDDING CONTRACT FOR THE CONSTRUCTION OF
SEWER IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED SIXTY-NINE (569)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. Notice of advertisement for bids for the construction of Sewer Improvement District Number Five Hundred Sixty-Nine (569) having been duly published, and all bids received pursuant to said notice having been considered, it is hereby found and determined that the lowest responsible bidder whose bid complies with law and the terms of said advertisement is Cofell's Plumbing & Excavating, of Bismarck, North Dakota, and the estimated bidder's proposal for the construction of the work is \$521,282.00.

2. Upon the furnishing by the successful bidder of a contractor's bond in the sum not less than the amount of the contract as above estimated, with a surety company authorized to do business in the State of North Dakota, conditioned as required by the provisions of Section 40-22-31 of the North Dakota Century Code, which bond shall be furnished within ten days from the date hereof, a contract for the performance of said work pursuant to the plans and specifications on file in the office of City Administration shall be made and executed by the President and countersigned by the Assistant City Administrator.

3. The Special Assessment Analyst is hereby authorized and directed to retain the bidder's bond furnished by the successful bidder pending the approval of the contractor's bond and the execution of the construction contract, and to return the bonds of the other bidders forthwith.

Commissioner Guy seconded that motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

7. The Board of City Commissioners considered the following requests relating to Street Improvement District 15-494:

- Resolution Receiving Bids
- Resolution Awarding Contract

The President of the Board of City Commissioners announced the hour had arrived for the opening of bids for the construction of Street Improvement District Number Four Hundred Ninety-Four (494). The Assistant City Administrator presented an affidavit showing publication in the official newspaper of advertisement for bids, the affidavit was examined, found satisfactory and was directed to be placed on file in the office of the City Administration.

The City Engineer then reported that six sealed bids for the construction of said improvement had been filed in his office prior to the time of this meeting, pursuant to said advertisement, which bids were publicly read and considered, and upon motion duly made, seconded and carried, said bids were directed to be entered upon the minutes of this meeting. The names of each of the bidders and the estimated cost under terms of each bid based on prices proposed by the bidder and quantities estimated by the City Engineer are as follows:

BIDDER	BID AMOUNT*
EHC	\$1,193,950.90
Knife River Corporation	\$994,376.65
J. M. Marschuetz	\$1,528,359.15
Concrete Services	\$890,287.08** \$1,106,707.08
Northern Improvement	\$1,149,970.20
Strata Corporation	\$1,378,280.20
* Engineer's Estimate = \$1,421,032.40	
** Corrected upon verification of bids	

Commissioner Guy introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING BIDS
AND ORDERING PREPARATION OF ENGINEER'S STATEMENT
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-FOUR
(494)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. The Assistant City Administrator is hereby directed to enter upon the minutes of this meeting all bids received for the work and material required for the work to be done in Street Improvement District Number Four Hundred Ninety-Four (494).
2. The engineer is hereby directed to make a careful and detailed statement of the estimated costs of said bids and upon receipt of the same the Board of City Commissioners shall take such other and further action with reference to said bids as shall be deemed necessary and expedient.

Commissioner Grossman seconded that motion. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

Commissioner Guy introduced the following resolution and moved its adoption:

**RESOLUTION AWARDING CONTRACT FOR THE CONSTRUCTION OF
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-FOUR
(494)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. Notice of advertisement for bids for the construction of Street Improvement District Number Four Hundred Ninety-Four (494) having been duly published, and all bids received pursuant to said notice having been considered, it is hereby found and determined that the lowest responsible bidder whose bid complies with law and the terms of said advertisement is Concrete Services, of Bismarck, North Dakota, and the estimated bidder's proposal for the construction of the work is \$890,287.08.

2. Upon the furnishing by the successful bidder of a contractor's bond in the sum not less than the amount of the contract as above estimated, with a surety company authorized to do business in the State of North Dakota, conditioned as required by the provisions of Section 40-22-31 of the North Dakota Century Code, which bond shall be furnished within ten days from the date hereof, a contract for the performance of said work pursuant to the plans and specifications on file in the office of City Administration shall be made and executed by the President and countersigned by the Assistant City Administrator.

3. The Special Assessment Analyst is hereby authorized and directed to retain the bidder's bond furnished by the successful bidder pending the approval of the contractor's bond and the execution of the construction contract, and to return the bonds of the other bidders forthwith.

Commissioner Grossman seconded that motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

8. Consider the following requests relating to Street Improvement District 15-499:

- Resolution Receiving Bids
- Resolution Awarding Contract

President Seminary said this item has been pulled therefore the Board took no action.

9. The Board of City Commissioners considered the following requests relating to Water Improvement District 16-329:

- Resolution Receiving Bids
- Resolution Awarding Contract

The President of the Board of City Commissioners announced the hour had arrived for the opening of bids for the construction of Water Improvement District Number Three Hundred Twenty-Nine (329). The Assistant City Administrator presented an affidavit showing publication in the official newspaper of advertisement for bids, the affidavit was examined, found satisfactory and was directed to be placed on file in the office of the City Administration.

The City Engineer then reported that six sealed bids for the construction of said improvement had been filed in his office prior to the time of this meeting, pursuant to said advertisement, which bids were publicly read and considered, and upon motion duly made, seconded and carried, said bids were directed to be entered upon the minutes of this meeting. The names of each of the bidders and the estimated cost under terms of each bid based on prices proposed by the bidder and quantities estimated by the City Engineer are as follows:

BIDDER	BID AMOUNT*
Weisz & Sons, Inc.	\$528,363.00
George E. Haggart	\$581,662.00
Basaraba Excavating	\$689,898.00
Cofell's Plumbing & Heating	\$464,983.00
Wesslen Construction, Inc.	\$848,085.06** \$835,727.06
Markwed Excavating	\$586,210.50
* Engineer's Estimate = \$1,049,290.00	
** Corrected upon verification of bids	

Commissioner Grossman introduced the following resolution and moved its adoption:

**RESOLUTION RECEIVING BIDS
AND ORDERING PREPARATION OF ENGINEER'S STATEMENT
WATER IMPROVEMENT DISTRICT NUMBER THREE HUNDRED TWENTY-NINE
(329)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. The Assistant City Administrator is hereby directed to enter upon the minutes of this meeting all bids received for the work and material required for the work to be done in Water Improvement District Number Three Hundred Twenty-Nine (329).
2. The engineer is hereby directed to make a careful and detailed statement of the estimated costs of said bids and upon receipt of the same the Board of City Commissioners shall take such other and further action with reference to said bids as shall be deemed necessary and expedient.

Commissioner Guy seconded that motion. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

Commissioner Grossman introduced the following resolution and moved its adoption:

RESOLUTION AWARDING CONTRACT FOR THE CONSTRUCTION OF
WATER IMPROVEMENT DISTRICT NUMBER THREE HUNDRED TWENTY-NINE
(329)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, as follows:

1. Notice of advertisement for bids for the construction of Water Improvement District Number Three Hundred Twenty-Nine (329) having been duly published, and all bids received pursuant to said notice having been considered, it is hereby found and determined that the lowest responsible bidder whose bid complies with law and the terms of said advertisement is Cofell's Plumbing & Excavating, of Bismarck, North Dakota, and the estimated bidder's proposal for the construction of the work is \$464,983.00.

2. Upon the furnishing by the successful bidder of a contractor's bond in the sum not less than the amount of the contract as above estimated, with a surety company authorized to do business in the State of North Dakota, conditioned as required by the provisions of Section 40-22-31 of the North Dakota Century Code, which bond shall be furnished within ten days from the date hereof, a contract for the performance of said work pursuant to the plans and specifications on file in the office of City Administration shall be made and executed by the President and countersigned by the Assistant City Administrator.

3. The Special Assessment Analyst is hereby authorized and directed to retain the bidder's bond furnished by the successful bidder pending the approval of the contractor's bond and the execution of the construction contract, and to return the bonds of the other bidders forthwith.

Commissioner Guy seconded that motion on the foregoing resolution. Upon roll call, the Commissioners voted as follows. Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried and said resolution was declared duly passed and adopted.

10. The Board of City Commissioners considered the request to receive and consider disposition of bids for Water Utility Project 15-114.

Michelle Klose, Public Works Utility Operations Director, presented the bids received:

BIDDER	BID AMOUNT*
D. L. Barke Construction	\$58,600.00
George E. Haggart	\$86,750.00
Markwed Excavating	\$116,500.00
* Engineer's Estimate = \$69,000.00	

After reviewing and checking, staff recommends awarding the bid to D. L. Barke Construction for \$58,600.00.

Commissioner Askvig made a motion to awarding the bid to D. L. Barke Construction for \$58,600.00. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

11. The Board of City Commissioners considered the request from the Public Works Service Operations Department to receive and consider disposition of bids for Furnishing Paving Materials - Salt, Sand and Aggregates (F-G).

Jeff Heintz, Service Operations Director, presented the bids received for paving materials bid (Part F1(a) - Deicing Sand; Part F1(b) - Rock Salt; Part G – Aggregate):

BIDDER	BID AMOUNT
Guthmiller & Sons	Part F1(a) <u>\$83,550.00</u> Part F1(b) <u>No Bid</u> Part G <u>No Bid</u>
Knife River Corporation	Part F1(a) <u>\$49,770.00</u> Part F1(b) <u>No Bid</u> Part G <u>\$30,568.00</u>
Northern Improvement	Part F1(a) <u>\$51,930.00</u> Part F1(b) <u>No Bid</u> Part G <u>\$34,887.00</u>
NSC Minerals	Part F1(a) <u>No Bid</u> Part F1(b) <u>\$203,925.00</u> Part G <u>No Bid</u>
JMAC	Part F1(a) <u>\$79,500.00</u> Part F1(b) <u>No Bid</u> Part G <u>No Bid</u>

Mr. Heintz and his staff reviewed the bids and determined Knife River Corporation was the low bidder for the Deicing Sand, Stabilized Gravel Base, Cover Aggregate and Blotter Sand. NSC Minerals was the low (and only) bidder for the Salt.

Funding for this work will be from the Roads and Streets budget.

Commissioner Grossman made a motion to award to the low bidders. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

12. The Board of City Commissioners considered the following requests from the Bismarck Airport:

- Receive and consider disposition of bids and approval of project budget for Maverick Avenue Reconstruction/Terminal Boulevard Rehabilitation.

Tim Thorsen, Assistant Airport Director, appeared before the Board. Airport staff conducts rehabilitation of paved surfaced as part of the Airport's ongoing maintenance program. As part of that program, the Board approved an agreement with Kadrmas, Lee & Jackson (KLJ) on January 12, 2016 for design, bidding, and construction inspection of this rehabilitation. Maverick Avenue will be reconstructed and street lights will be added. Terminal Boulevard will be crack sealed, patched where necessary then micro sealed and striped. KLJ completed the design and the project was bid. Bids were opened on June 6, 2016. The bids were received as follows:

BIDDER	TOTAL BID SCHEDULE 1 DIVISION 1	TOTAL BID SCHEDULE 1 DIVISION 2	TOTAL BID SCHEDULE 2 DIVISION 1	TOTAL BID SCHEDULES 1 AND 2 COMBINED
Edling Electric	No Bid	No Bid	\$68,771.35	
Northern Improvement Company	\$699,770.50	\$129,709.00	No Bid	
Engineer's Estimate	\$640,373.00	\$78,211.00	\$61,774.50	\$780,358.50

The Maverick Avenue Reconstruction/Terminal Boulevard Rehabilitation will be funded initially by airport funds and later reimbursed for engineering and construction costs in PFC #7. Airport staff recommends award to Northern Improvement for general work in Schedule 1 totaling \$829,479.50, award to Edling Electric for the electrical work in Schedule 2 for \$68,771.35, and approval of project budget included in Enclosure 1 in the item located in the agenda packet.

Commissioner Askvig made a motion to approve the request. Commissioner Grossman seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Nays: None, the motion carried.

- Receive Request for Proposals (RFP) recommendation for airport radio system.

Tim Thorsen, Assistant Airport Director, appeared before the Board. Airport staff conducted a request for proposals to replace the existing airport radio system which is over 20 years old and is becoming hard to maintain. System function is critical to airport operations. The proposals were received on May 31, 2016. One proposal was received from Electronic Communications Inc. Electronics Communications Inc. proposed new equipment that includes one Motorola repeater, 36 mobile radios, 11 portable radios with installation and setup for \$41,630.00. The system will use existing frequencies. The system is digital and will allow for future radio enhancements. Setup and installation of the repeater will be funded by the Airport Department's approved

spending plan. Airport staff recommends approval of Electronic Communications Inc. proposal of \$41,630.00.

Commissioner Grossman made a motion to approve the request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Naves: None, the motion carried.

- Lease agreement with the State Historical Society of North Dakota for a storage building.

Tim Thorsen, Assistant Airport Director, appeared before the Board. This lease agreement is for a storage building along Airway Avenue, just west of the Northern Plains Commerce Centre (NPCC). The building is in the top center of the picture provided as Enclosure 3 in this item in the agenda packet. The contract is for one year with a one year extension with mutual agreement of both parties. The contract is written so the city must agree to the extension and must agree to any new improvements, structures, or alternations to the leased property. The ground lease is the same lease the Board considered and approved last year and represents \$837.46 of income to the Airport Enterprise Fund.

Commissioner Grossman made a motion to approve the request. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Grossman, Guy, Askvig, Marquardt and President Seminary. Naves: None, the motion carried.

13. The Board of City Commissioners considered other business.

Commissioner Marquardt made a motion to rescind the offer for University of Mary to purchase the Public Health Building. The motion died for the lack of a second.

Having completed the items on the agenda, President Seminary asked if there was any further business for this meeting. There being none, the meeting was declared adjourned at 6:26 p.m.