



PUBLIC WORKS – UTILITY OPERATIONS

DATE: January 29, 2020
FROM: Michelle Klose, P.E., Director of Utility Operations *MK*
ITEM: Approval of USGS Contract for Streamflow and Water Level Monitoring

REQUEST

Approval of U.S. Geological Survey Contract for Streamflow and Water Level Monitoring.

Please place this item on the February 11, 2020 City Commission meeting.

BACKGROUND INFORMATION

The City has been working with the United States Geological Survey (USGS) to develop historic streamflow information for Hay Creek within the City of Bismarck. The USGS has provided a proposal to continue the streamflow monitoring program for an additional year. The City-funded portion of the proposal includes monitoring of Hay Creek at (at Main Avenue) plus the water level monitoring station at the South Bismarck Storm Water Channel at Wachter Avenue. The City's share of this program for the coming year is \$11,860 after the USGS cost share is applied.

RECOMMENDED CITY COMMISSION ACTION

We are requesting permission from the Board to allow the City of Bismarck to enter into a one-year contract with the USGS to continue the streamflow monitoring program detailed in the agreement at a cost of \$11,860. This project would be funded by the storm water utility fund.

STAFF CONTACT INFORMATION

Michelle Klose, P.E., Director of Utility Operations
mklose@bismarcknd.gov 701-355-1700



United States Department of the Interior
U.S. GEOLOGICAL SURVEY
Dakota Water Science Center

ND Programs Office
821 E. Interstate Avenue
Bismarck, ND 58503

SD Programs Office
1608 Mountain View Road
Rapid City, SD 57702

January 17, 2020

Ms. Michelle Klose
Director of Utility Operations
City of Bismarck
P.O. Box 5503
Bismarck, North Dakota 58506

Dear Ms. Klose:

Enclosed are two signed originals of our standard joint-funding agreement (20NTJFAND0058) for the Dakota Water Science Center Water Resources Investigations project operation and maintenance of the streamflow monitoring gaging stations on Hay Creek at Main and Wachter Avenue's, during the period January 1, 2020 through December 31, 2020 in the amount of \$11,860 from your agency. U.S. Geological Survey contributions for this agreement are \$5,130 for a combined total of \$16,990. Please sign and return one fully-executed original to Sheri Meier at the Rapid City address above.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement as soon as possible. If, for any reason, the agreement cannot be signed and returned promptly, please contact Christopher Laveau at phone number (701) 775-7221 or email him at cdlaveau@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed annually via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Sheri Meier at phone number (605) 394-3210 or email at smeier@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

Peter J. Cinotto
Acting Director

Enclosure
20NTJFAND0058 (2)

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000000114
Agreement #: 20NTJFAND0058 Zd
Project #: NT00GT1 1ND
TIN #: 45-6002036

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the January 1, 2020, by the U.S. GEOLOGICAL SURVEY, Dakota Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the City of Bismarck party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation for the Water Resource Investigations project for operation and maintenance of the streamflow monitoring gaging stations on Hay Creek at Main and Wachter Avenue's, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$5,130 by the party of the first part during the period January 1, 2020 to December 31, 2020
- (b) \$11,860 by the party of the second part during the period January 1, 2020 to December 31, 2020
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0
Description of the USGS regional/national program: n/a
- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000000114
Agreement #: 20NTJFAND0058 Zd
Project #: NT00GT1 IN D
TIN #: 45-6002036

9. Billing for this agreement will be rendered annually. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Christopher Laveau
Supervisory Hydrologist
Address: 4575 32nd Ave. S. Suite 6
Grand Forks, ND 58201
Telephone: (701) 775-7221
Fax: (701) 775-1114
Email: cdlaveau@usgs.gov

Customer Technical Point of Contact

Name: Michelle Klose
Director of Utility Operations
Address: PO Box 5503
Bismarck, North Dakota 58506
Telephone: (701) 355-1700
Fax:
Email: mklose@bismarcknd.gov

USGS Billing Point of Contact

Name: Sheri Meier
Budget Analyst
Address: 1608 Mountain View Road
Rapid City, SD 57702
Telephone: (605) 394-3210
Fax: (605) 355-4523
Email: smeier@usgs.gov

Customer Billing Point of Contact

Name: Michelle Klose
Director of Utility Operations
Address: PO Box 5503
Bismarck, North Dakota 58506
Telephone: (701) 355-1700
Fax:
Email: mklose@bismarcknd.gov

U.S. Geological Survey
United States
Department of Interior

City of Bismarck

Signature

By  Date: 01/17/2020
Name: Peter J. Cinotto
Title: Acting Director

Signatures

By _____ Date: 2.11.20
Name: Steve Backen
Title: President of Board of City Commissioners

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title: