



City of Grand Forks
Staff Report
Committee of the Whole June 9, 2025
City Council – June 16, 2025

APPROVED & ACCEPTED
by City Council
06/16/2025
Maureen Storstad
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City Auditor

Agenda Item: Engineering Agreement for Project #8795 - 70th Ave N Improvements (Hwy 81 to ½ mile west of N 55th St.)

Submitted by: Engineering Department, Christian Danielson, PE (Assistant City Engineer)

Staff Recommended Action: **Approve Engineering Agreement with Bolton & Menk in the amount of \$428,509.07 for City Project #8795 - 70th Ave N Improvements (Hwy 81 to ½ mile west of N 55th St.) from the U.S. Economic Development Administration.**

Committee Recommended Action:

Motion by Fridolfs, second by Berg to move to City Council to approve staff recommendation.
Motion passed unanimously.

Council Action:

Motion by Fridolfs, second by Weigel to approve staff recommendation on consent agenda.
Motion passed unanimously.

BACKGROUND:

This project is anticipated to reconstruct the existing gravel road into a rural concrete section with streetlights and some local storm sewer improvements. The City was awarded approximately \$3.2mil in funding through the Economic Development Administration (EDA) to construct this project. This project was initially brought forward as a supporting project for the proposed Epitome Energy development. While that project has not yet begun, this road project is being moved forward so that it is in place prior to any development (whether that be Epitome or something else in the area).

The contract now being considered for approval is for Design Engineering services associated with the project. Firms were selected on the basis of qualifications submitted specifically for this project. Submitting firms were ranked according to their qualifications. Of the 3 firms that submitted for this project, Bolton & Menk was selected as the most qualified engineering firm to perform these services. A scope and fee was then negotiated with the chosen firm.

This contract utilizes a cost-plus fixed fee structure. This structure is used in NDDOT contracts and allows for the consultant to be reimbursed for all eligible costs that are incurred plus a fixed fee (profit) amount that is allowed in the contract. The fixed fee percentage on this contract is 10% which is consistent with the fee range that NDDOT allows. This contract structure was selected to better align with recent Council comments about consultant fees while still maintaining a qualification-based selection.

ANALYSIS AND FINDINGS OF FACT:

- This contract utilizes a cost-plus fixed fee structure.
- The construction cost of this project is estimated at approximately \$4,000,000. The cost share of the proposed project for construction costs will be a 80% EDA Funding/20% Local Funding.
- The total cost of this agreement is \$428,509.07
- This agreement includes all design engineering and bidding support services.
- City costs for the project are expected to be funded from the Street/Infrastructure Fund 4815 where this project has been budgeted for.

SUPPORT MATERIALS:

- Agreement Scope (3 pages)
- Project Location Map (1 page)



Real People. Real Solutions.

3168 41st Street South
Suite 2
Fargo, ND 58104

Ph: (701) 566-5339
Fax: (701) 566-5348
Bolton-Menk.com

SCOPE OF SERVICES

APPENDIX A

Grand Forks 70th Avenue North Reconstruction, City # 8795

May 30, 2025

This scope of work is for the intersection reconstruction of 70th Ave N in Grand Forks from County Road 11 (N Washington St) to one mile west.

Task 1: Project Management and Coordination– This task includes project team meetings, project oversight (general day-to-day project management, administration, and coordination), coordination with City of Grand Forks, monthly progress reports and updates to the project schedule.

Task includes coordination with EDA liaison and preparation of paperwork and checklists necessary for project completion. Includes filling out and inserting EDA documents into bid package as front end specs including but not limited to general conditions, bonding, and Davis-Bacon items. Includes preparation and submittal of Site Certificates indicating that all ROW and Easements are obtained. Includes coordination with SHPO and obtaining concurrence and verification paperwork for EDA. Includes completion of the EDA Waste, Fraud, and Abuse training.

Includes coordination with BNSF Public Projects, Engineering and local personnel on all design aspects and other coordination items significant to the railroad and its operations. It is anticipated to work directly with Rich Scott and Alexis Jones (replacement for Alex Fiorini) from BNSF on this project. We will utilize BNSF's public projects manual, updated in November 2024, for highway-rail grade crossing improvements at crossing # 062511F. This includes a C&M agreement due to widening of a public roadway, an on-site diagnostic team meeting, BNSF review of proposed improvements, and reimbursement from the City to BNSF for design and construction of the crossing changes. The steps to be taken for BNSF notification, coordination, and approval are:

- a. BNSF Public Projects Manager notification of project, location, concept plans and preliminary information
- b. Preliminary Engineering Agreement
- c. On-site diagnostic meeting
- d. Submit preliminary plans for BNSF review
- e. Submit final plans for BNSF review
- f. Execute Construction & Maintenance Agreement

Task includes labor for Bolton & Menk and AE2S.

Task 2: Project Meetings– This task includes seven project management team meetings held monthly between June 2025 and December 2025, six railroad coordination meetings, six EDA liaison coordination meetings, plan review meetings at the 50%, 90% and 100% stage, ten meetings with stakeholders & landowners, and five miscellaneous meetings as needed.

Task includes labor for Bolton & Menk.

Task 3: Topographic Ground Survey, Right-of-Way Boundary, ND OneCall & Utility Coordination, Certificate of Survey & Annexation Exhibit - This task performed by AE2S, see separate scope and fee. Budget hours for Bolton & Menk to review final deliverable.

Task includes labor for Bolton & Menk and AE2S.

Task 4: Geotechnical Sampling, Testing, and Reporting – This task has already been performed by Terracon and the City received a draft geotechnical report dated April 12th, 2024. Terracon will finalize this report and provide it to the design team. Terracon does not have concerns with high alkali soils, drainage, or slope stability. No additional scope and fee necessary for Terracon to perform this. Budget hours for Bolton & Menk to review final deliverable.

Task includes labor for Bolton & Menk.

Task 5: Environmental Clearances – This task includes completing additional environmental checks and clearances from SHPO / THPO for cultural, historic, archaeological and tribal resources. Task includes preparation of section 106 cultural resources coordination form and submittal to SHPO for review and compliance determination.

Task also includes field wetland delineations and report. Bolton & Menk is responsible for conducting an aquatic resource delineation, tree/shrub survey, and completion of an aquatic resources delineation report in accordance with the 1987 Wetland Delineation Manual, Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region, Regulatory Guidance Letter 05-05 Ordinary High Water Mark Identification, as well as the NDDOT Design Manual - Chapter II – Section IV: “Wetlands, Vegetation and Environmental Permitting”. Includes preparation of Jurisdictional Determination letter to USACE and submittal of pertinent information.

Most NEPA compliance tasks were completed with the grant application and approved with the grant award.

Task includes labor for Bolton & Menk.

Task 6: Preliminary Design and Utility Master Planning– This task includes the development of preliminary design base files and corridor modeling to establish construction limits, right-of-way needs, and utility impacts. Includes preparation of 50% preliminary plans for City review and concurrence of design development. Includes intersection lighting analysis and design at N Washington and 55th St. Includes railroad crossing improvement designs and graphics at N Washington for BNSF meetings.

Task includes utility master planning and corridor drainage report by AE2S. Task includes labor for Bolton & Menk and AE2S.

Task 7: Right of Way and Easements - This task performed by AE2S, see separate scope and fee. Budget hours for Bolton & Menk to assist with landowner involvement & coordination as well as review of final deliverable.

Task includes labor for Bolton & Menk and AE2S.

Task 8: Final Construction Plans, Specs, and Estimate – The task includes the development of 50% preliminary plans & engineers estimate as well as 90% and 100% final plans, specifications, and estimate. 50%, 90%, and 100% plans will be submitted for review at least two weeks prior to the plan review meeting dates. The final digitally stamped and signed sheets will be delivered along with the electronic design CADD files. Plan sections include 1, 2, 4, 6, 8, 10, 11, 20, 30, 40, 51, 55/60, 70, 75, 76, 77, 80, 81, 82, 90, 100, 110, 120, 140, 175, and 200.

Includes Utility Engineering and Conflict Plans (special provision).

Task includes labor for Bolton & Menk and AE2S.

Task 9: Quality Assurance / Quality Control – This task includes formal plan reviews at the 50%, 90% and 100% stages of plan development. Routine product quality checks are included in the hours for design development. All project deliverables including calculations, reports, memo's, meeting agenda's and minutes, plan sheets, and special provisions will be checked, corrected, backchecked, and verified by trained staff. This includes checks to input parameters, design standards, project criteria, grammar, and formatting.

Task includes labor for Bolton & Menk.

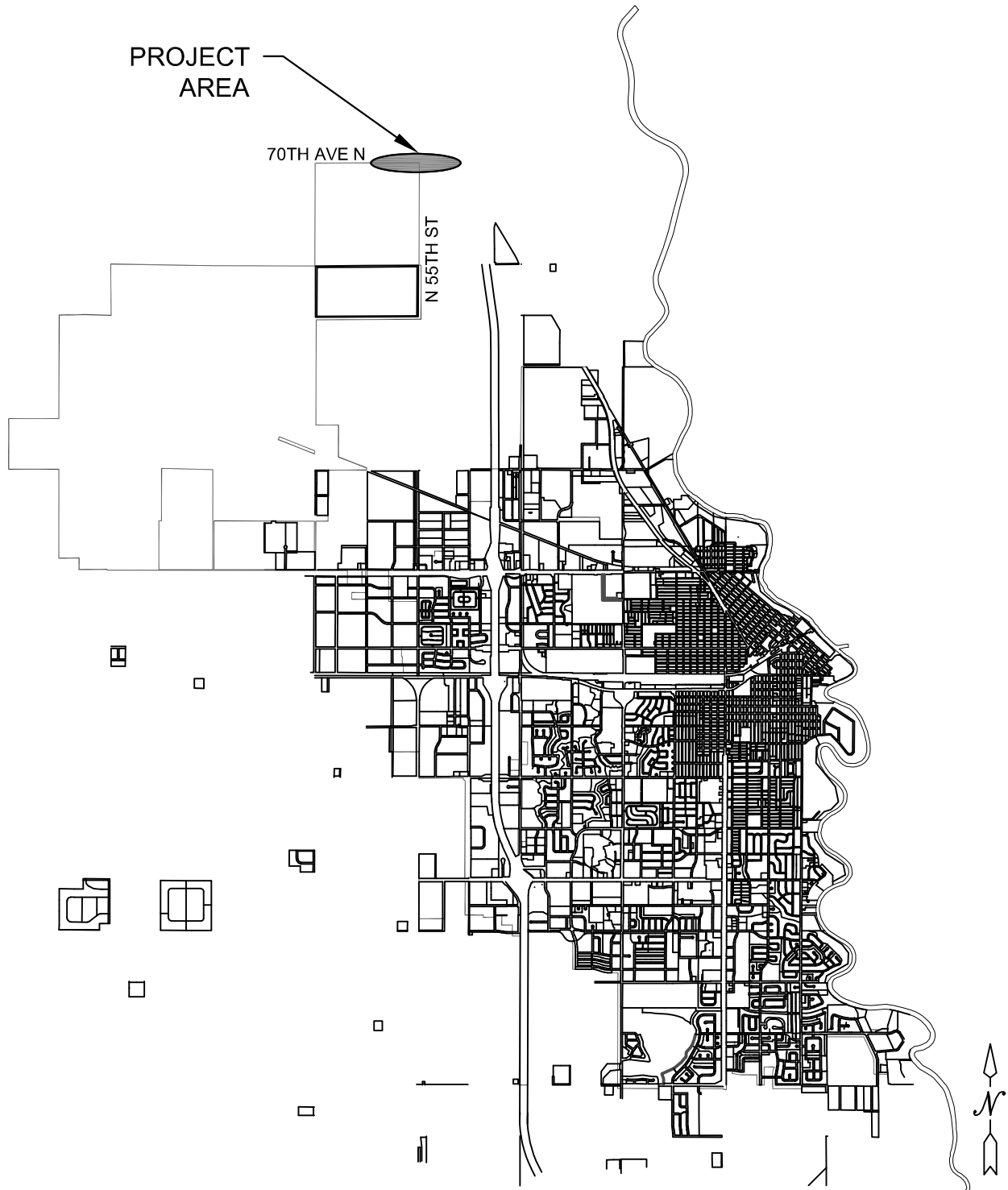
Task 10: Engineer of Record - This task includes addressing questions from City staff or contractors during the bidding of the project, creating addenda for minor changes in quantities and design details. Task also includes addressing field questions during construction, addressing plan revisions and design change orders, and reviewing shop drawings.

Task includes labor for Bolton & Menk and AE2S.

Delivery of Data, Format, and Standards: All data will become property of the City upon completion. All data will be generated in the following formats and standards were applicable:

- Microsoft Word, Excel, Teams, and Project
- AutoCAD Civil 3D 2025
- NDDOT Standard Specifications for Construction 2024
- City of Grand Fork Standard Specifications for Construction
- NDDOT Consultant Survey Manual Chapter 19
- NDDOT CADD Editing Standards Manual Chapter 21
- NDDOT Data Collection Codes and Procedures
- NDDOT Design Manual and Plan Preparation Guide Website
- NDDOT Right of Way Manual
- Plan Preparation Guide
- Adobe Acrobat Reader Pro

PROJECT LOCATION MAP GRAND FORKS, NORTH DAKOTA



CITY OF
GRAND FORKS
ENGINEERING
DEPARTMENT

ROAD IMPROVEMENTS ON 70TH AVE N
(N WASHINGTON ST - EPITMOME)

DATE
6/5/24

CITY PROJECT
8795

SCALE
NTS

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