



City of Grand Forks  
Staff Report  
Committee of the Whole – January 12, 2026  
City Council – January 19, 2026

---

**Agenda Item:** Special Assessment District, Engineer’s Report and Engineering Services Task Order for City Project Nos. 9079 (District No. 625) – Sanitary Sewer, 9080 (District No. 368) – Watermain, 9081 (District No. 626) – Storm Sewer, and 9082 (District No. 627) – Stormwater Pond for Birkholz 8<sup>th</sup> Addition

---

**Submitted by:** Engineering Department, Edward Liberman, PE (Assistant City Engineer)  
Al Grasser, PE (City Engineer)

---

**Staff Recommended Action:** Create Special Assessment Districts, approve Engineer’s Reports, approve Task Order Agreement with CPS, Ltd. for Design and Construction Engineering Services in the amount of \$352,500, and direct Engineering Department to prepare Plans & Specifications for City Project Nos. 9079 (District No. 625) – Sanitary Sewer, 9080 (District No. 368) – Watermain, 9081 (District No. 626) – Storm Sewer, and 9082 (District No. 627) – Stormwater Pond for Birkholz 8<sup>th</sup> Addition.

---

**Committee Recommended Action:** Motion by Berg, second by Weigel to refer to City Council with recommendation to approve the request. Motion passed unanimously.

---

**Council Action:**

---

**BACKGROUND:**

City projects 9079-9082 consist of constructing sanitary sewer, watermain, storm sewer, and a stormwater pond to serve properties in the Birkholz 8<sup>th</sup> Addition development. The primary benefiting area consists of approximately 28 acres of land bounded by 17<sup>th</sup> Ave S. on the north and S. 42nd St. on the west. These public improvements were initiated at the request of the property developer, Oxford Seventeen, LLC. The Developer is proposing this public infrastructure be

designed and constructed through special assessment, to be accepted by the City for operation and maintenance.

The Task Order being proposed for approval is for design and construction services associated with these projects. The engineering firm CPS, Ltd. was chosen from the City's pre-qualified engineers list as the most qualified firm based on their previous work and familiarity with this development. A scope of work and fee was negotiated based on a "cost plus fixed fee" task order type.

All costs for this project will be special assessed to the benefiting properties except for a City cost share associated with the construction of the stormwater pond. Per current City CIP Cost Sharing Policy, the City cost share for stormwater ponds is calculated from the acres of drainage basin that the pond serves. Based on a preliminary drainage basin of slightly more than 20 acres, the City cost share would be 10%. This equates to a cost share of approximately \$90K and will be funded from Fund 5400 (Stormwater Fund).

Consideration at previous Committee of the Whole and City Council meetings includes:

- Annexation and plat approval by City Council.

### **ANALYSIS AND FINDINGS OF FACT:**

- A timetable of administrative project milestone dates is attached with this Staff Report. Design will occur in winter 2026 with a target bid award date of May 4, 2026. Construction is planned to take place in 2026.
- Estimated total construction cost for projects is \$2.25M
- Cost of the proposed Task Order for engineering design services is \$352,500.
- In accordance with City CIP Cost Sharing Policy, total City cost share is estimated to be \$90K for a City 10% share for new construction of a stormwater pond. To be paid from Fund 5400 (Stormwater Fund).
- Total estimated assessment amount for these projects is \$2.95M
- Based on the type of public infrastructure improvements, these projects are non-protestable per State law [Ref: ND Century Code Ch. 40-22].

### **SUPPORT MATERIALS:**

- Project Location Map (1 pg)
- Developer's Letter of Request, dated Dec 15, 2025 (1 pg)
- Engineer's Reports and Assessment District Maps (8 pgs)
- Excerpt from CPS Proposed Engineer Task Order (6 pgs)
- Project Timetable (1 pg)

## TIMETABLE FOR SPECIAL ASSESSMENT PROJECTS

Project Name: Sanitary Sewer, Watermain, Storm Sewer, and Stormwater Pond for Birkholz 8<sup>th</sup> Addition

Project Number: 9079, 9080, 9081, 9082

District No.: 625, 368, 626, 627

- Water
- Sanitary Sewer
- Storm Sewer
- Paving and Street Lights

This timetable prepared by EJL  
Revised by:

Date: 01/07/2026  
Date:

Action	Date of Action			Approved
	Other	Committee	Council	
Approval of Engineers Report including estimate. Resolution creating assessment district. Direct engineering to prepare plans & specifications and advertise for construction bids.		1/12/26	1/20/26	We are here
*Special Assessment Commission to meet to determine preliminary distribution of benefits.	TBD			
*Notices sent to property owners.	Week of 2/9/26			
Approval of plans & specs.		3/23/26	4/6/26	
**Advertisement for bids prepared.	4/2/26			
*Advertisement for bids published.	4/8/26			
Discuss Project. (Optional)		4/13/26		
***Bids received, opened & tabulated.	4/23/26			
Recommend award of contract.		4/27/26	5/4/26	

\*Responsibility of Finance & Administrative Services Office

\*\*Responsibility of Engineering Department.

\*\*\*Responsibility of Finance & Administrative Service Office & Engineering Department.

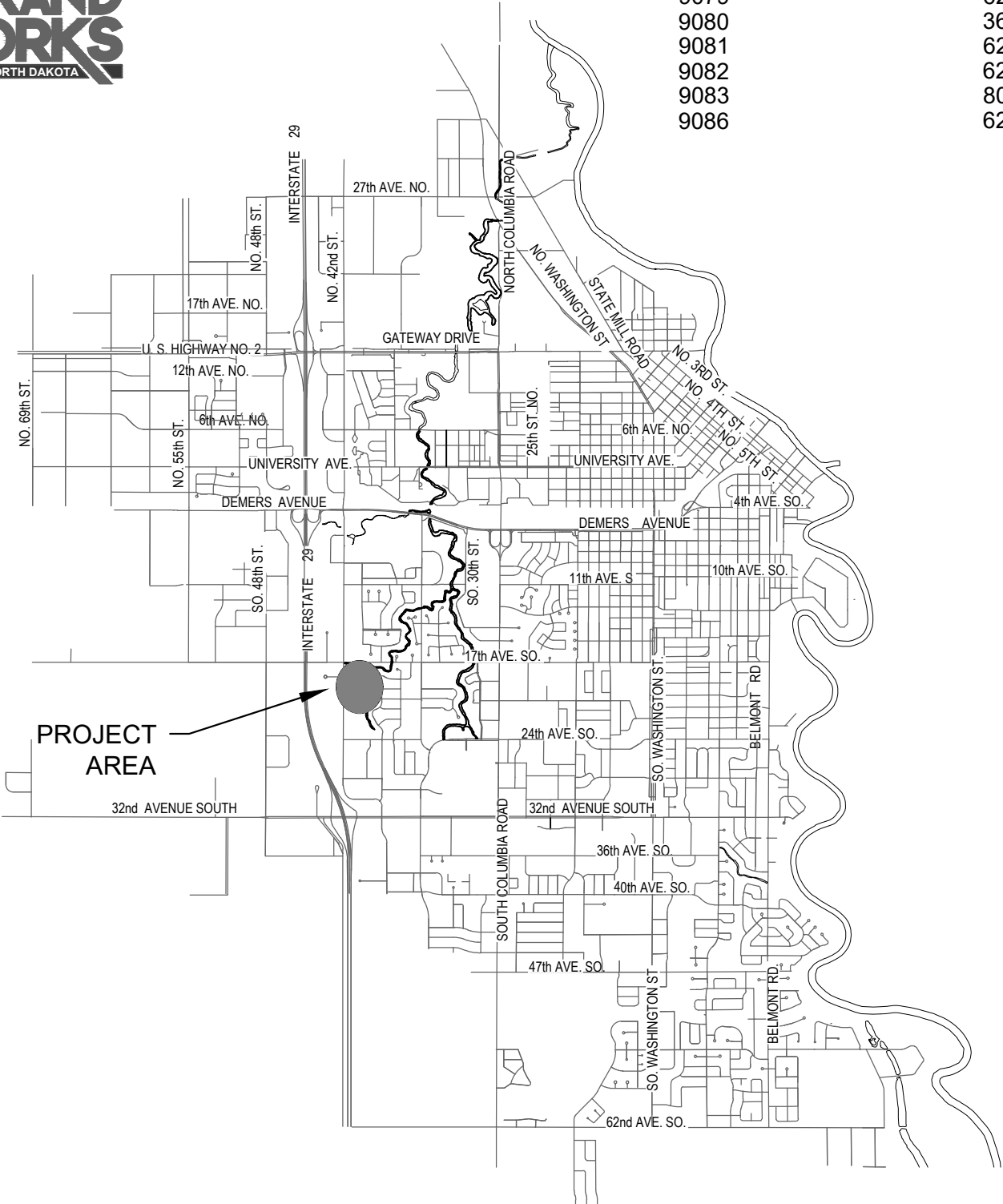
# PROJECT LOCATION MAP

## GRAND FORKS, NORTH DAKOTA

Sanitary Sewer, Watermain, Storm Sewer, Stormwater Pond,  
Paving & Streetlights, & Box Culvert for Birkholz 8th Addition



PROJECT #	DISTRICT #
9079	625
9080	368
9081	626
9082	627
9083	802
9086	628



**PROJECT AREA**

December 15th, 2025

Mr. Allen Grasser, PE; City Engineer  
City of Grand Forks  
255 North 4th Street  
PO Box 5200  
Grand Forks, ND 58206-5200

RE: Request to Special Assess Paving & Street Lighting  
Birkholz Eighth Addition

Dear Mr. Grasser,

Please accept this letter as my official request to have the sanitary sewer, watermain, storm sewer, Stormwater pond, paving and streetlights for Birkholz Eighth Addition special assessed to benefiting properties. We will provide a letter of credit for the projects. We request this project bid as soon as possible to allow the paving and previously submitted wet utilities completed by November 2026.

We understand that the City is currently drafting the Developer Agreement. Please let us know how we can start the process to get the agreement underway.

Please get in touch with me if you have any questions or would like additional information.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'Mike Opp', with a large, stylized flourish extending to the right.

Mike Opp  
Oxford Seventeen, LLC  
President

**ENGINEER'S REPORT**

The following report is submitted to the City Council of Grand Forks regarding the proposed Project No. 9079 benefiting District No. 625

1. Purpose and general nature:

Improvement of the municipal system serving the district by constructing new Sanitary Sewer to serve the properties at Birkholz, 8<sup>th</sup> Addition. This project will benefit public health by protecting drinking and surface waters and provide additional sewage capacity compared to septic systems. It is also expected the installation of sanitary sewer will increase the value of properties served by this system.

2. Location:

Described as follows: Along Armstrong Ct. and adjacent to S. 42<sup>nd</sup> St in the Birkholz Development.

3. Feasibility and cost:

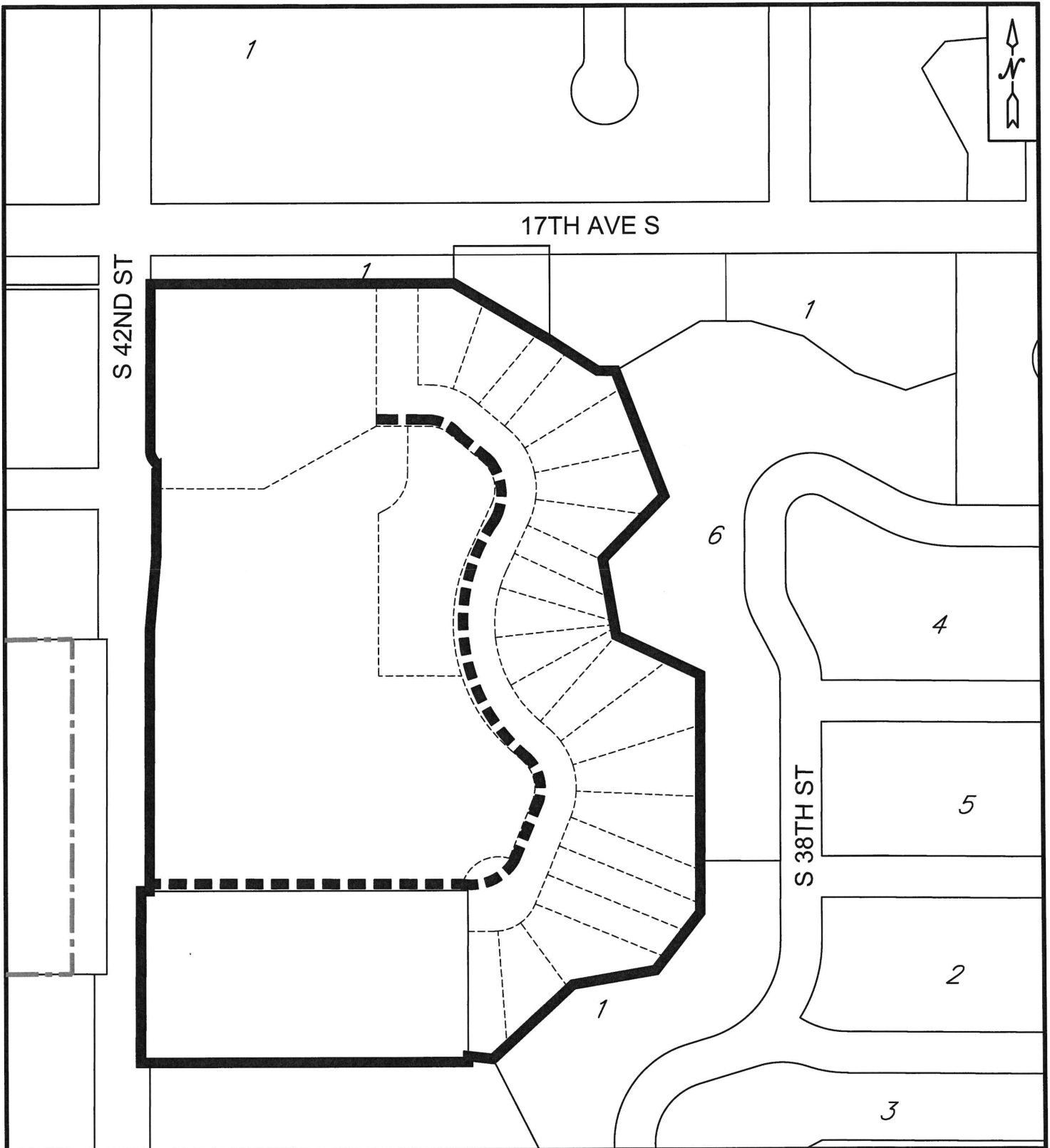
In the opinion of the undersigned, the improvement is feasible, and the probable cost thereof is estimated to be approximately \$938,340 including construction, engineering, financing, contingencies, and other incidental costs.

4. A map of the district is attached.

\_\_\_\_\_ 1/8/26  
Date

\_\_\_\_\_  
Allen R. Grasser, PE – City Engineer

Construction Cost	\$713,100
Consultant Cost	\$88,900
Land Acquisition	\$ -
Less City Share	(\$ -)
<hr/>	
Assessed Construction Cost	\$802,000
Project Related Expenses	
City Engineering (3%)	\$24,060
Advertising, Legal & Miscellaneous (2%)	\$16,040
Administration (8%)	\$64,160
Interim Financing (4%)	\$32,080
<hr/>	
Total Assessment Amount	\$938,340



## BIRKHOLZ'S 8TH ADDITION - SANITARY SEWER

### LEGEND

- |   |  |   |
|---|--|---|
| <p>PROJECT # 9079</p> <p>DISTRICT # 625</p> | <p>----- PROPOSED LOT<br/>LINES</p> <p>■ ■ ■ ■ PROJECT LIMITS</p> <p>--- CITY LIMITS</p> | <p>▬ ASSESSMENT DISTRICT<br/>BOUNDARY</p> <p>▨ FUTURE ASSESSMENT<br/>DISTRICT</p> |
|---|--|---|

**ENGINEER'S REPORT**

The following report is submitted to the City Council of Grand Forks regarding the proposed Project No. 9080 benefiting District No. 368

1. Purpose and general nature:

Improvement of the municipal system serving the district by constructing new watermain to serve the properties at Birkholz 8<sup>th</sup> Addition. This project will benefit public health by providing potable water and by providing additional flow and storage capacity for firefighting. It is expected the installation of City water service will increase the value of properties served by this system.

2. Location:

Described as follows: Along Armstrong Ct. and adjacent to S. 42<sup>nd</sup> St and 17<sup>th</sup> Ave S. in the Birkholz Development.

3. Feasibility and cost:

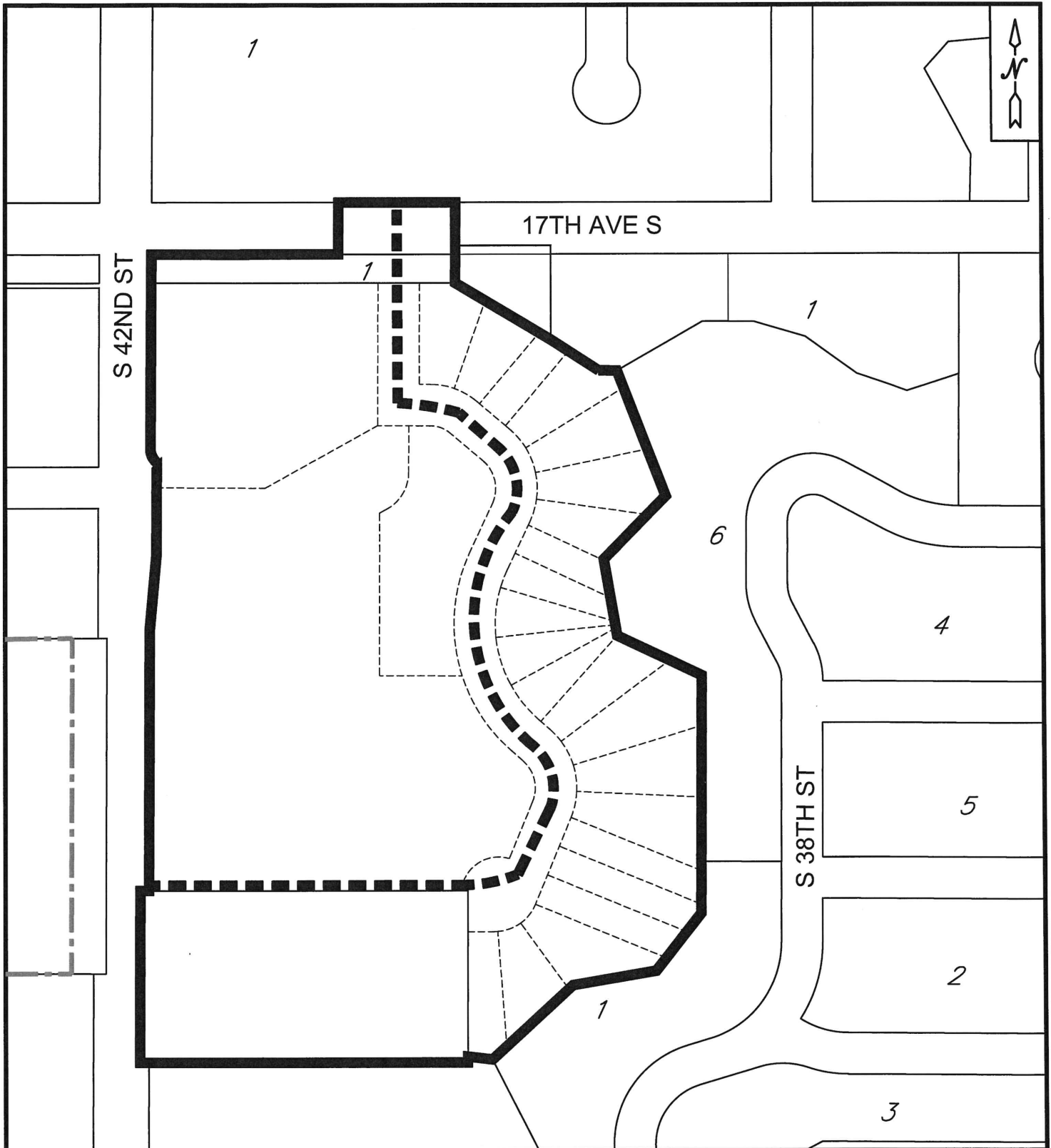
In the opinion of the undersigned, the improvement is feasible, and the probable cost thereof is estimated to be approximately \$712,296 including construction, engineering, financing, contingencies, and other incidental costs.

4. A map of the district is attached.

1/8/26  
Date

Allen R. Grasser  
Allen R. Grasser, PE – City Engineer

Construction Cost	\$538,100
Consultant Cost	\$70,700
Land Acquisition	\$ -
Less City Share	(\$ -)
<hr/> Assessed Construction Cost	<hr/> \$608,800
Project Related Expenses	
City Engineering (3%)	\$18,264
Advertising, Legal & Miscellaneous (2%)	\$12,176
Administration (8%)	\$48,704
Interim Financing (4%)	\$24,352
<hr/> Total Assessment Amount	<hr/> \$712,296



# BIRKHOLZ'S 8TH ADDITION - WATERMAIN

PROJECT # 9080

DISTRICT # 368

## LEGEND

- |       |                |       |                     |
|-------|----------------|-------|---------------------|
| ----- | PROPOSED LOT   | ————— | ASSESSMENT DISTRICT |
|       | LINE           |       | BOUNDARY            |
| ----- | PROJECT LIMITS | ▨     | FUTURE ASSESSMENT   |
| ----- | CITY LIMITS    |       | DISTRICT            |

**ENGINEER'S REPORT**

The following report is submitted to the City Council of Grand Forks regarding the proposed Project No. 9081 benefiting District No. 626.

1. Purpose and general nature:

Improvement of the municipal system serving the district by constructing new storm sewer to serve the properties at Birkholz 8<sup>th</sup> Addition. This project will benefit adjacent property owners by draining storm runoff from private property and right-of-way and directing drainage to a regional storm pond where the runoff will be treated for quantity and quality considerations IAW the City MS4 permit. It is expected the installation of storm sewer service will increase the value of properties served by this system.

2. Location:

Described as follows: Along Armstrong Ct. in the Birkholz Development.

3. Feasibility and cost:

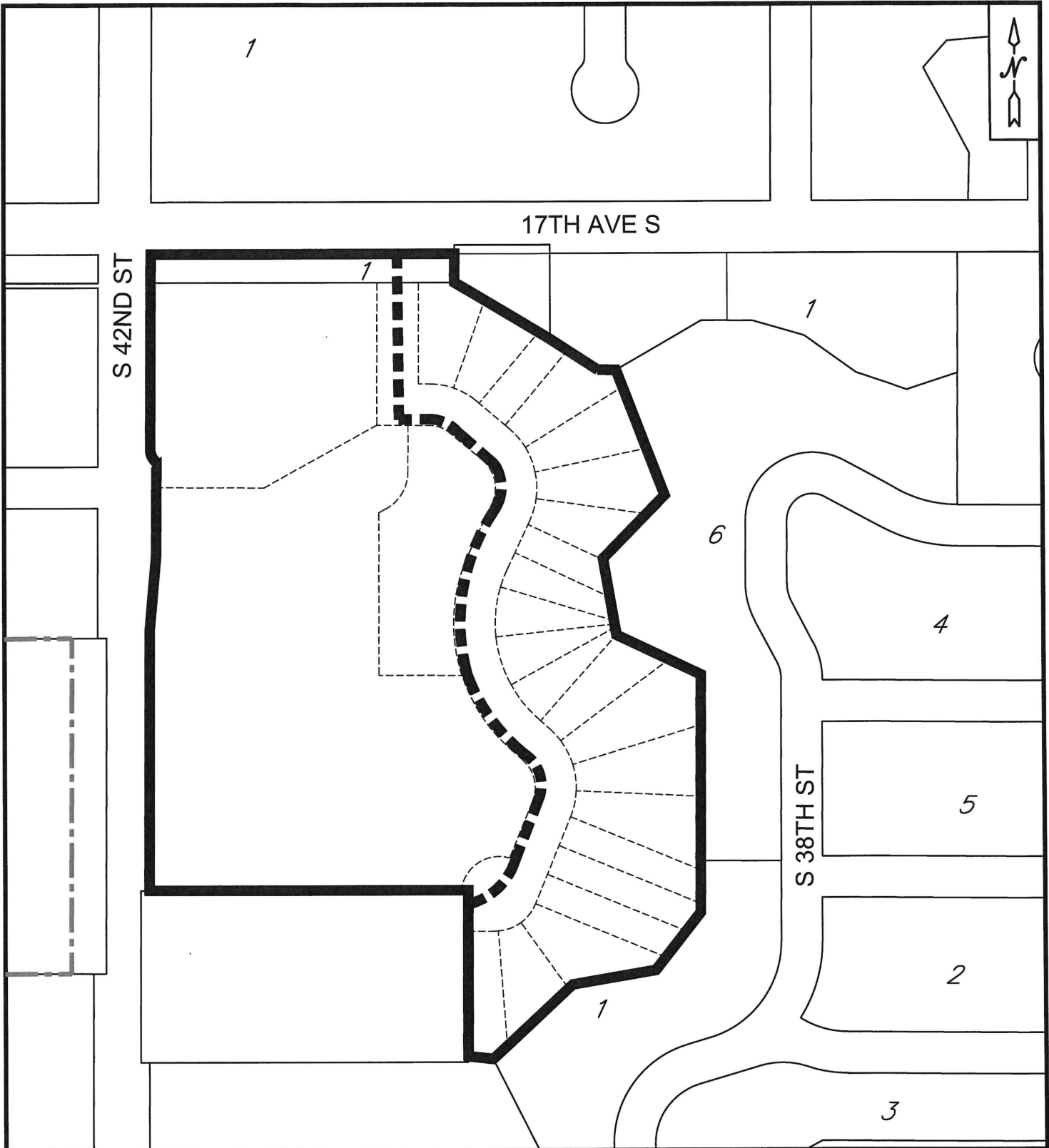
In the opinion of the undersigned, the improvement is feasible, and the probable cost thereof is estimated to be approximately \$356,499 including construction, engineering, financing, contingencies, and other incidental costs.

4. A map of the district is attached.

\_\_\_\_\_  
Date 1/8/26

\_\_\_\_\_  
Allen R. Grasser, PE – City Engineer

Construction Cost	\$261,000
Consultant Cost	\$43,700
Land Acquisition	\$ -
Less City Share*	(\$ -)
<hr/>	<hr/>
Assessed Construction Cost	\$304,700
Project Related Expenses	
City Engineering (3%)	\$9,141
Advertising, Legal & Miscellaneous (2%)	\$6,094
Administration (8%)	\$24,376
Interim Financing (4%)	\$12,188
<hr/>	<hr/>
Total Assessment Amount	\$356,499



## BIRKHOLZ'S 8TH ADDITION - STORM SEWER

### LEGEND

PROJECT # 9081  
DISTRICT # 626

- |  |   |
|--|---|
| <p>----- PROPOSED LOT LINES</p> <p>■ ■ ■ ■ PROJECT LIMITS</p> <p>--- CITY LIMITS</p> | <p>▬ ASSESSMENT DISTRICT BOUNDARY</p> <p>▨ FUTURE ASSESSMENT DISTRICT</p> |
|--|---|

**ENGINEER'S REPORT**

The following report is submitted to the City Council of Grand Forks regarding the proposed Project No. 9082 benefiting District No. 627.

1. Purpose and general nature:

Improvement of the municipal system serving the district by constructing a new stormwater pond to serve the properties at Birkholz 8<sup>th</sup> Addition. This project will benefit adjacent property owners by collecting runoff from private property and right-of-way and treating it for quantity and quality considerations IAW the City MS4 permit. It is expected the installation of a stormwater pond will increase the value of properties served by this system.

2. Location:

Described as follows: West of Armstrong Ct. in the Birkholz Development.

3. Feasibility and cost:

In the opinion of the undersigned, the improvement is feasible, and the probable cost thereof is estimated to be approximately \$938,118 including construction, engineering, financing, contingencies, and other incidental costs.

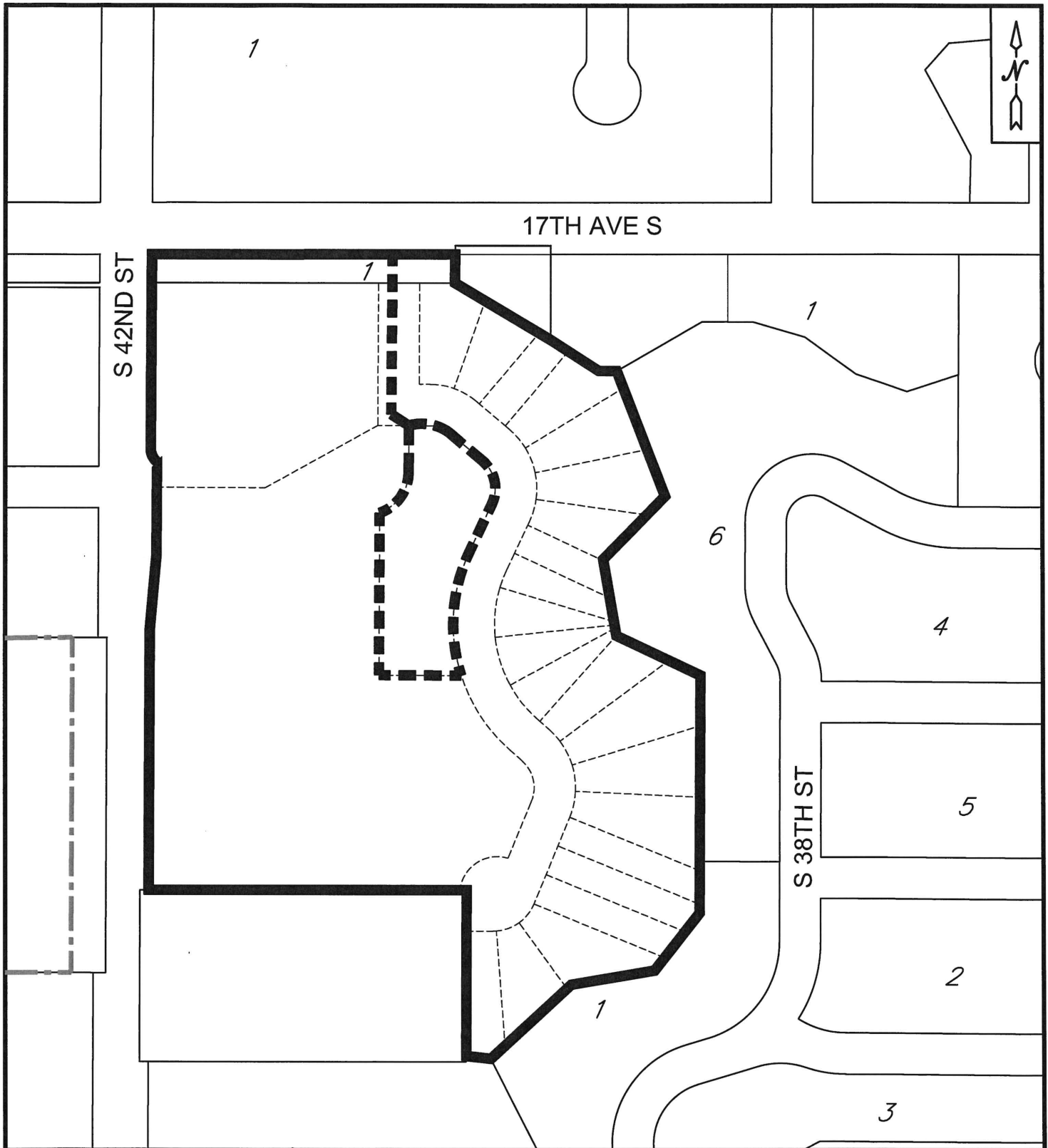
4. A map of the district is attached.

\_\_\_\_\_  
Date 1/8/26

\_\_\_\_\_  
Allen R. Grasser, PE – City Engineer

Construction Cost	\$741,600
Consultant Cost	\$149,300
Land Acquisition	\$ -
Less City Share (est. 10%)	(\$ 89,090)
<hr/>	
Assessed Construction Cost	\$801,810
Project Related Expenses	
City Engineering (3%)	\$24,054
Advertising, Legal & Miscellaneous (2%)	\$16,036
Administration (8%)	\$64,145
Interim Financing (4%)	\$32,072
<hr/>	
Total Assessment Amount	\$938,118

- In accordance with current policy, City cost share is calculated based on the drainage basin acreage, which will be determined as part of the project design. Preliminary estimate of the acreage results in a 10% City cost share.



## BIRKHOLZ'S 8TH ADDITION - STORMWATER POND

### LEGEND

- |   |  |   |
|---|--|---|
| <p>PROJECT # 9082</p> <p>DISTRICT # 627</p> | <p>----- PROPOSED LOT<br/>LINES</p> <p>■ ■ ■ ■ PROJECT LIMITS</p> <p>--- CITY LIMITS</p> | <p>▬ ASSESSMENT DISTRICT<br/>BOUNDARY</p> <p>▨ FUTURE ASSESSMENT<br/>DISTRICT</p> |
|---|--|---|

**AGREEMENT BETWEEN OWNER AND ENGINEER  
FOR PROFESSIONAL SERVICES—  
TASK ORDER EDITION**

**PART 3 OF 4: TASK ORDER FORM**

Prepared by



Copyright© 2020

National Society of Professional Engineers  
1420 King Street, Alexandria, VA 22314-2794  
(703) 684-2882  
[www.nspe.org](http://www.nspe.org)

American Council of Engineering Companies  
1015 15th Street N.W., Washington, DC 20005  
(202) 347-7474  
[www.acec.org](http://www.acec.org)

American Society of Civil Engineers  
1801 Alexander Bell Drive, Reston, VA 20191-4400  
(800) 548-2723  
[www.asce.org](http://www.asce.org)

The copyright for this EJCDC document is owned jointly by the three sponsoring organizations listed above. The National Society of Professional Engineers is the Copyright Administrator for the EJCDC documents; please direct all inquiries regarding EJCDC copyrights to NSPE.

The use of this document is governed by the terms of the License Agreement for the 2020 EJCDC® Engineering Series Documents.

NOTE: EJCDC publications may be purchased at [www.ejcdc.org](http://www.ejcdc.org), or from any of the sponsoring organizations above.

# TASK ORDER NO. 9079-9082

This is Task Order No. **9079-9082**, consisting of **4** pages.

In accordance with Paragraph 1.01, Main Agreement, of the Agreement Between Owner and Engineer for Professional Services—Task Order Edition dated April 3, 2023, Owner and Engineer agree as follows:

## 1. TASK ORDER DATA

a.	Effective Date of Task Order:	<b>January 19, 2026</b>
b.	Owner:	<b>City of Grand Forks</b>
c.	Engineer:	<b>CPS, Ltd.</b>
d.	Specific Project (title)	<b>Sanitary Sewer, Watermain, Storm Sewer, and Stormwater Pond for Birkholz Eighth Addition</b>
e.	Specific Project (description):	<b>Study and Report, Preliminary Engineering, Final Engineering, Bidding Phase, Construction Phase, and Post-Construction Phase.</b>
f.	Related Task Orders Supplemented by this Task Order: Superseded by this Task Order:	<b>None</b>

## 2. BASELINE INFORMATION

**Baseline Information.** Owner has furnished the following Specific Project information to Engineer as of the Effective Date of the Task Order. Engineer's scope of services has been developed based on this information. As the Specific Project moves forward, some of the information may change or be refined, and additional information will become known, resulting in the possible need to change, refine, or supplement the scope of services.

Type and Size of Facility:	2000 lf of sanitary sewer, 2750 lf of watermain, 800 lf of storm sewer, and 12500 cy of stormwater pond.
Description of Improvements:	Installation of sanitary sewer, watermain, storm sewer, and stormwater pond.
Expected Construction Duration:	May 2026 to July 2027
Prior Studies, Reports, Plans:	Development Plan of Birkholz 8th Addition, Prepared by CPS.
Facility Location(s):	Birkholz Eighth Addition to the City of Grand Forks, ND

Task Order.

EJCDC® E-505, Agreement between Owner and Engineer for Professional Services—Task Order Edition.  
Copyright© 2020 National Society of Professional Engineers, American Council of Engineering Companies,  
and American Society of Civil Engineers. All rights reserved.

Current Specific Project Budget:	\$2,250,000 - Estimated Construction Cost
Funding Sources:	Special Assessment and City Cost Participation
Known Design Standards:	City of Grand Forks Stormwater Management Standards and Design Manual, Ten States Standards, ND Plumbing Code, and Uniform Plumbing Code.

### 3. SERVICES OF ENGINEER (“SCOPE”)

- A. The specific Basic Services to be provided or furnished by Engineer under this Task Order are:
1. Exhibit A to Task Order, “Engineer's Services for Task Order,” as attached to this specific Task Order under Part 4 of 4.
- B. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order, with the exception of Resident Project Representative Services, if any, which are compensated separately.
- C. Resident Project Representative (RPR) Services:
1. Exhibit D to Task Order is expressly incorporated in this Task Order by reference.
    - a. On-site observations are periodic as needed and does not include full-time construction observation.
- D. Additional Services: Services not expressly set forth as Basic Services in Paragraph 3.A above, and necessary services listed as not requiring Owner's written authorization, or requiring additional effort in an immediate, expeditious, or accelerated manner as a result of unanticipated construction events or Specific Project conditions, are Additional Services, and will be compensated by the method indicated for Additional Services in this Task Order. All other Additional Services require mutual agreement and may be authorized by amending the Task Order as set forth in Paragraph 8.05.B.2 of the Main Agreement, with compensation for such other Additional Services as set forth in the amending instrument.

### 4. DELIVERABLES SCHEDULE

- A. In submitting required Documents and taking other related actions, Engineer and Owner will comply with Exhibit B to Task Order, attached to this specific Task Order.

### 5. ADDITIONS TO OWNER'S RESPONSIBILITIES

- A. Owner shall have those responsibilities set forth in Article 2 of the Main Agreement, and the following supplemental responsibilities that are specific to this Task Order:
1. Review Deliverables
  2. Pay for Advertisement for Construction Bids
  3. Prepare Construction Contract

### 6. TASK ORDER SCHEDULE

- A. See Part 4 of 4 of the Task Order.

Task Order.

**7. ENGINEER'S COMPENSATION**

- A. Compensation for Basic Services
  - 1. Direct Labor Costs Plus Overhead Plus a Fixed Fee Method of Payment.
    - a. Overhead = 144.46% X Direct Labor
      - 1) Overhead Rate = 144.46%
    - b. Fixed Fee = 15% X (Direct Labor + Direct Labor X Overhead Rate)
  - 2. Reimbursable Expenses
  - 3. Engineer’s Consultant Charges plus a 10% markup.
- B. Construction Phase Services
  - 1. Estimated Construction Period
    - a. Sanitary Sewer: 7 Weeks
    - b. Watermain: 4 Weeks
    - c. Storm Sewer: 3 Weeks
    - d. Stormwater Pond: 8 Weeks
  - 2. If construction takes longer than the above estimated construction periods, the Owner shall pay Engineer for Direct Labor + Overhead + Fixed Fee [15% X(Direct Labor + Direct Labor X Overhead Rate)] and agree to a contract amendment for the overage.
- C. Engineer may alter the distribution of compensation by the individual phases, but may not exceed the total for each individual subproject without a contract amendment.

Owner shall pay Engineer for services rendered under this Task Order as shown in Table 7A.

**Table 7A: Engineer Compensation**

Phase	Sanitary Sewer CP 9079	Watermain CP 9080	Storm Sewer CP 9081	Stormwater Pond CP 9082	Rounded Total
Study & Report Phase	\$4,100	\$3,864	\$3,580	\$61,670	\$73,200
Preliminary Design Phase	\$19,276	\$19,667	\$10,426	\$20,205	\$69,600
Final Design Phase	\$12,370	\$9,852	\$5,879	\$13,103	\$41,200
Bidding Phase	\$2,396	\$2,396	\$1,467	\$3,141	\$9,400
Construction Phase	\$37,576	\$23,641	\$15,320	\$33,968	\$110,500
Post Const. Phase	\$3,246	\$2,818	\$1,917	\$2,956	\$10,900
Fixed Fee	\$9,899	\$8,437	\$5,106	\$14,295	\$37,700
<b>Rounded Total</b>	<b>\$88,900</b>	<b>\$70,700</b>	<b>\$43,700</b>	<b>\$149,300</b>	<b>\$352,500</b>

- D. Compensation items and totals are based in whole or in part are estimates only.

**8. ENGINEER'S PRIMARY SUBCONSULTANTS FOR TASK ORDER, AS OF THE EFFECTIVE DATE OF THE TASK ORDER:**

- A. Terracon – Stormwater Pond Interior Slope Recommendations, Fill Area Recommendations, and Material Testing.

**9. EXHIBITS AND SCHEDULES:**

- A. Exhibit A to Task Order—Engineer's Services Under Task Order
  - 1. Schedule A – Estimate of Labor and Expenses
- B. Exhibit B to Task Order—Task Order Deliverables Schedule
- C. Exhibit D to Task Order- Duties, Responsibilities, And Limitations Of Authority Of Resident Project Representative Under Task Order
- D. Exhibit E to Task Order-EJCDC® C-626, Notice of Acceptability of Work (Form)

Execution of this Task Order by Owner and Engineer makes it subject to the terms and conditions of the Main Agreement and its exhibits and appendices, which Main Agreement, exhibits, and appendices are incorporated by this reference.

OWNER: CITY OF GRAND FORKS

ENGINEER: CPS, LTD.

By: \_\_\_\_\_

Print Name: Brandon Bochenski

Title: Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Title: Finance Director

By: \_\_\_\_\_

Print Name: Michael Korman

Title: President

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Title: Executive Vice President

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Edward Liberman

Title: Assistant City Engineer

Address: 255 North 4<sup>th</sup> Street  
PO Box 5200  
Grand Forks, ND 58206-5200

E-Mail

Address: Eliberman@grandforksgov.com

Phone: 701.746.2640

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Michael K. Korman

Title: President

Address: 308 2<sup>nd</sup> Avenue North, Suite 101  
Grand Forks, ND 58203

E-Mail

Address: Mike.korman@cpsengineering.net

Phone: 701.746.7459

Task Order.

EJCDC® E-505, Agreement between Owner and Engineer for Professional Services—Task Order Edition.  
Copyright© 2020 National Society of Professional Engineers, American Council of Engineering Companies,  
and American Society of Civil Engineers. All rights reserved.