

REPORT OF ACTION

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Improvement District No. BN-25-C1

Type: Change Order #5 & Time Extension

Location: Dakota Commerce Center North Addn

Date of Hearing: 8/10/2026

<u>Routing</u>	<u>Date</u>
City Commission	8/17/2026
PWPEC File	X
Project File	Jason Satterlund

The Committee reviewed the accompanying correspondence from Senior Project Manager, Jason Satterlund, related to Change Order #5 in the amount of \$3,630.32, for additional work, as well as a time extension to the Final Completion Date, extending it to November 14, 2026.

Staff is recommending approval of Change Order #5 in the amount of \$3,630.32, which increases the total contract amount to \$8,672,084.27, and the time extension described above.

On a motion by Josh Boschee, seconded by Nicole Crutchfield, the Committee voted to recommend approval of Change Order #5 and the associated time extension to Dakota Underground.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and approve Change Order #5 in the amount of \$3,630.32, bringing the total contract amount to \$8,672,084.27, and a time extension to the Final Completion Date extending it to November 14, 2026, to Dakota Underground.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: _____ Special Assessments

Yes	No
N/A	
N/A	
N/A	

Developer meets City policy for payment of delinquent specials
Agreement for payment of specials required of developer
Letter of Credit required (per policy approved 5-28-13)

COMMITTEE

	Present	Yes	No	Unanimous
				☒
Joshua Boschee, Mayor	☒	☒	☐	
Nicole Crutchfield, Director of Planning	☒	☒	☐	
Gary Lorenz, Fire Chief	☒	☒	☐	Ryan Erickson
Brenda Derrig, Assistant City Administrator	☒	☒	☐	Michael Redlinger
Ben Dow, Director of Operations	☒	☒	☐	
Tom Knakmuhs, City Engineer	☒	☒	☐	Jeremy Gorden
Susan Thompson, Finance Director	☐	☐	☐	

ATTEST:

C: Kristi Olson


Jeremy Gorden, PE PTOE
Division Engineer

Memorandum

To: Members of PWPEC
From: Jason Satterlund, Sr. Project Manager
Date: August 5, 2026
Re: Improvement District No. BN-25-C1 - Change Order #5 & Time Extension

Background:

Improvement District No. BN-25-C1 will provide City infrastructure for the development of new commercial properties within and surrounding Dakota Commerce Center North Addition.

Dakota Underground is the Prime Contractor on this project.

A portion of the project is to replace a check valve leading to the lagoons that was installed in 1972. The existing check valve that is proposed to be replaced with a rubber flapper valve is on a force main that is designed to fill the lagoons from the bottom. Because the line enters below the lagoon cell floors, replacing the valve requires the lagoon water levels to be lowered significantly. Current pH levels are typical for this time of year, but exceed NDDOH permit discharge limits. Suspended solids also remain elevated due to an algae bloom. These conditions are preventing additional lagoon discharge without risking permit noncompliance. Until water quality conditions improve and discharges can resume, the lagoon levels cannot be reduced to the point required for the work.

Proceeding with the valve replacement under the current conditions would present an unacceptable level of operational and environmental risk. Delaying the install until lagoon levels can be safely lowered is the most prudent course of action and will help ensure the work can be completed without compromising regulatory compliance.

Engineering is proposing to move the installation of the 30" Flap Valve and associated work from the Substantial Completion Date of August 8, 2026 to a revised Final Completion Date of November 14, 2026. We believe this will give enough time to discharge from the lagoons in compliance with permits to allow for installation of the valve.

During the design and bidding phases of the project, a bid item for an asphalt connection between a new driveway and existing parking lot was not included as a separate bid item. Dakota has received a quote from Hubert Oye & Sons Asphalt Paving to complete the grading and asphalt installation in the amount of \$3,630.32 including Prime Contractor markup.

We have reviewed the submittal and agree that the cost of \$3,630.32 is appropriate for performing the work.

The additional cost will be Special Assessed to benefitting properties.

No additional days are required to complete the asphalt work.

Recommended Motion:

Approve Change Order #5 in the amount of \$3,630.32, for the additional work, and to move the installation of the rubber flapper valve to the proposed revised Final Completion Date as shown below:

Original Completion Dates	Revised Previously	Revised This Memo
Substantial – August 8, 2026 Final – September 8, 2026		Unchanged Final – November 14, 2026

JTS/klb
Attachments



**CHANGE ORDER REPORT
NEW PAVING AND UTILITY CONSTRUCTION
IMPROVEMENT DISTRICT NO. BN-25-C1
DAKOTA COMMERCE CENTER NORTH - PHASE II**

Change Order No 5 **Change Order Date** 8/5/2026
Contractor Dakota Underground Co Inc

This change is made under the terms of or is supplemental to your present contract, if and when approved, you are ordered to perform the work in accordance with the additions, changes, or alterations hereinafter described.

EXPLANATION OF CHANGE Change Order # 5

Asphalt driveway connection, Final Completion Date Change, move installation of flapper check valve and associated items from substantial completion to final completion to allow for further lagoon releases.

Section	Line No	Item Description	Unit	Orig Cont Qty	Prev C/O Qty	Prev Cont Qty	Curr C/O Qty	Tot Cont Qty	Unit Price (\$)	C/O Ext Price (\$)
Change Order 5	22	F&I Pavement 7" Thick Asph	SY	0		0	46	46	\$78.92	\$3,630.32
Change Order 5 Sub Total										\$3,630.32

Summary

Source Of Funding	Special Assessments
Net Amount Change Order # 5 (\$)	\$3,630.32
Previous Change Orders (\$)	\$82,535.14
Original Contract Amount (\$)	\$8,585,918.81
Total Contract Amount (\$)	\$8,672,084.27

I hereby accept this order both as to work to be performed and prices on which payment shall be based.

CONTRACT DATES**Current Substantial Completion Date**

8/8/2026

Additional Days Substantial Completion

0

New Substantial Completion Date

8/8/2026

Current Final Completion Date

9/8/2026

Additional Days Final Completion

67

New Final Completion Date

11/14/2026

Interim Completion Dates

APPROVED	<i>Jared Heller</i>	APPROVED DATE	
For Contractor	Dakota Underground Company	Department Head	<i>T-Kee</i>
Title	Project Manager	Mayor	
		Attest	



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• Driveways & Roads • Lot Striping • Choice Black Dirt • Crushed Concrete Base

Date: 7/28/2026

Proposal Submitted

DAKOTA UNDERGROUND

4001 15th Avenue North

Fargo, ND. 58102

Project Location:

4370 52nd Ave North

Fargo, ND. 58102

Phone: 701.306.7523 Contact: Jared

Driveway Approach

Prepare area 9'x46'x7"

Install 7" of asphalt pavement.

Price \$3,300.00

GC Markup (10%) = \$330.00

Total = \$3630.00

*Thank you,
Denis Oye
Hubert Oye & Sons Inc.*

Proposal Includes:

All material guaranteed as specified and the above work performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

\$ _____

BID VALID UNTIL: 2026

Payment to be made as follows:

On receipt of Invoice

Acceptance of Proposal:

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to complete this contract as specified. Payment will be made as outlined.

Sign and return to Hubert Oye & Sons Inc by Email.

Date of Acceptance: _____

Signature: _____

If any utilities need to be moved or lowered as a result of this project, it will be the responsibility of the property owner.