

## REPORT OF ACTION

### UTILITY COMMITTEE

Project No. WA2502

Type: Change Order #2

Location: Water Treatment Plant

Date of Hearing: 6/10/2026

| Routing         | Date      |
|-----------------|-----------|
| City Commission | 6/22/2026 |
| Project File    |           |

Dan Portlock, Assistant Water Utility Director, presented change order #2 for the water tower demolition project (#2, #3, and #8) in the amount of \$143,000 for additional work related to the project. The additional work included underground work, testing/removal contaminated soil, contractor downtime, fence replacement, and a fuel tank removal. The additional work was necessary to address unforeseen site conditions encountered during demolition and excavation activities.

#### **MOTION:**

On a motion by Scott Olson, seconded by Thomas Knackmus, the Utility Committee voted to approve the change order No. 2 for project number WA2502 in the amount of \$143,000.

| COMMITTEE: | Present | Yes | No | Unanimous |
|------------|---------|-----|----|-----------|
|            |         |     |    | X         |

|                                                |    |
|------------------------------------------------|----|
| Denise Kolpack, City Commissioner              | X  |
| Brenda Derrig, Assistant City Administrator    |    |
| Susan Thompson, Finance Director               | X  |
| Brian Ward, Water Plant Supt.                  |    |
| Mark Miller, Wastewater Plant Supt.            | X  |
| Bruce Grubb, Temp. Asst. City Administrator    | X  |
| Vacant, City Forester                          | NA |
| James Hausauer, Water Recl. Utility Director   | X  |
| Troy Hall, Water Utility Director              | X  |
| Ben Dow, Public Works Operations Director      | X  |
| Tom Knakmuhs, City Engineer (Nathan Boerboom)  | X  |
| Dan Portlock, Assistant Water Utility Director | X  |
| Scott Olson, Solid Waste Utility Director      | X  |

ATTEST:

  
Dan Portlock, PE  
Assistant Water Utility Director

C: Tim Mahoney, Mayor  
Commissioner Strand  
Commissioner Piepkorn  
Commissioner Turnberg

MEMORANDUM  
June 5<sup>th</sup>, 2026

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**To:** Utility Committee

**From:** Dan Portlock, PE Assistant Water Utility Director *DP*

**Re:** WA2502 Change Order #2 for the Water Tower Demolitions (2, 3, 8) Project

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Please find proposed Change Order No. 2 in the amount of \$143,000, which covers additional work associated with the demolition of Water Towers 2, 3, and 8.

The majority of this change order is attributable to unforeseen contaminated materials encountered at the foundation of Tower No. 3. During excavation, a significant volume of fuel and oil contaminated soil was discovered that required environmental testing, regulatory coordination, and proper off-site disposal in accordance with applicable requirements. These conditions were not identifiable prior to excavation and resulted in unavoidable delays while the contractor awaited testing results and direction before proceeding safely and in compliance.

In addition to the environmental work at Tower No. 3, the change order also includes costs associated with additional underground work and the removal of the pump house building at Tower No. 8, as well as fence replacement at Tower No. 2.



Contaminated Soil Tower #3

### Plan of Financing

This project will be funded through infrastructure sales tax and is part of our Capital Improvements Plan (CIP)

#### **SUGGESTED MOTION:**

Approve change order #2 for the Water Tower Demolitions project (2, 3, 8) in the amount of \$143,000.

Your consideration in this matter is greatly appreciated.

Change Order No. 2

Date of Issuance: May 8, 2026

Owner: City of Fargo, ND

Contractor: BC Excavating

Engineer: Apex Engineering Group

Project: Water Tower Demolitions – Towers 2, 3, and 8

Effective Date: May 8, 2026

Owner's Contract No.: WA2502

Contractor's Project No.: N/A

Engineer's Project No.: 24.351.0109

Contract Name: Water Tower Demolitions – Towers 2, 3, and 8

The Contract is modified as follows upon execution of this Change Order:

**Description:** Increase in contract price for keeping the pump house that BC Excavating had originally planned to sell after removal at tower #8. Increase in contract price for labor, materials, permit acquisition, and equipment for the removal of the fuel tank at tower #3. Increase in contract price for the removal of asbestos from all three tower sites. Increase in contract price for removal, testing, and associated down time for the contaminated soil at tower #3. Increase of contract price for replacement of fencing at tower #2. Increase in contract price for additional underground work at tower #8.

**Attachments:**

BC Excavating Price Adjustment for Work Change Directive No. 3, No. 4, No. 5, and No. 6 with comments from Apex Engineering.  
Letter of Explanation for Change Order No. 2

| CHANGE IN CONTRACT PRICE                                                                           | CHANGE IN CONTRACT TIMES                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Original Contract Price:<br><u>\$ 1,295,335.35</u>                                                 | Original Contract Times:<br>Substantial Completion: <u>October 30, 2025</u><br>Ready for Final Payment: <u>November 30, 2025</u>                                           |
| Decrease from previously approved Change Orders No. <u>0</u> to No. <u>1</u> :<br><u>\$ 18,025</u> | [Increase] [Decrease] from previously approved Change Orders No. <u>  </u> to No. <u>  </u> :<br>Substantial Completion: <u>N/A</u><br>Ready for Final Payment: <u>N/A</u> |
| Contract Price prior to this Change Order:<br><u>\$ 1,277,310.35</u>                               | Contract Times prior to this Change Order:<br>Substantial Completion: <u>October 30, 2025</u><br>Ready for Final Payment: <u>November 30, 2025</u>                         |
| Increase of this Change Order:<br><u>\$143,000</u>                                                 | Increase of this Change Order:<br>Substantial Completion: <u>October 30, 2025</u><br>Ready for Final Payment: <u>May 22, 2026</u>                                          |
| Contract Price incorporating this Change Order:<br><u>\$1,420,310.35</u>                           | Contract Times with all approved Change Orders:<br>Substantial Completion: <u>October 30, 2025</u><br>Ready for Final Payment: <u>May 22, 2026</u>                         |

|                               |              |                                                 |                               |
|-------------------------------|--------------|-------------------------------------------------|-------------------------------|
| <b>RECOMMENDED:</b>           |              | <b>ACCEPTED:</b>                                |                               |
| By: _____                     | By: _____    | By: <u>B. Schmidt</u>                           | By: _____                     |
| Title: <u>Project Manager</u> | Title: _____ | Title: <u>Contractor (Authorized Signature)</u> | Title: <u>Project Manager</u> |
| Date: _____                   | Date: _____  | Date: <u>5/11/2026</u>                          | Date: _____                   |

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_



# BC EXCAVATING

109 OXBOW DR - OXBOW, ND 58047  
SCHMIDT219@LIVE.COM  
701-388-0745

March 18, 2026

Attn: Chloe Anderson

Apex Engineering

4733 Amber Valley Parkway S

Fargo, ND 58104

Please find our pricing for the changes to Apex Project Number 24.351.0109, City of Fargo Project Number WA2502:

1. Tower 8 Pump House Building

\$4,500

2. Tower 8 Underground work

\$3,500

3. Tower 3 - Down Time for Contaminate 9/18-10/01

\$1,122/hour x 12 hours per day x 9 days

~~\$121,236~~

\$98,605.79

-PC360 Excavator (\$281.25 per hour)

-PC210 Excavator (\$206.25 per hour)

-Skidsteer (\$138.75 per hour)

-Packer (\$131.25 per hour)

-Concrete Breaker (\$100 per hour)

-Labor (\$265 per hour 3 employees)

4. Removal & Testing of Contaminate at Tower 3

\$20,982.21

✉ SCHMIDT219@LIVE.COM

- Dig out contaminate (\$3,080)
- Loading contaminate (\$2,280)
- Hauling out contaminate (\$2,960)
- Hauling clay in (\$1,480)
- Clay (126 yards @8/yd = \$1,008)
- Packer (\$1,480)
- Testing fees (\$5,340.89 – no markup)
- 4 hours for Removal and storage of contaminated water in totes (\$353.32)
- Disposal fee for contaminated water (\$1,500)
- 4 hours @375/hour using PC360 to locate contaminate boundaries (\$1,500)

5. Fence Replacement at Tower 2

\$2360

6. Asbestos Removal on pump houses for Towers 2 and 3  
(\$1,750 per Tower)

\$3,500

7. Tower 3 Fuel Tank (Emergency Food Pantry Building)

\$9,552

- 3 Laborers (11 hours x \$265/hr = \$2,915)
- Fuel Removal (500 gallons x \$3/gallon = \$1,500)
- Excavator (8 hours x \$285/hr = \$2,280)
- Skidsteer (6 hours x \$185/hr = \$1,110)
- 2 Dumptrucks (4 hours x \$140/hr x 2 = \$1,120)
- Loads of clay (\$8/yard x 16 yards/load x 4 loads = \$512)
- Tank permit and Dry Ice (\$115)

TOTAL PRICE CHANGE ..... ~~\$165,624.21~~  
\$143,000.00

## Letter of Explanation Change Order No. 2

Water Tower Demolition – Towers No. 2, No. 3 and No. 8  
Apex No. 24.351.0109

Item No. 1 – Tower No. 8 Pump House Building: ADD 1 LS @ \$4,500.00. After Contract award, the school district decided to keep the pump house in place that was called to be removed in the original Contract. The Contractor had planned to sell the pump house after removal for \$4,500. It was decided that the City would reimburse the Contractor the \$4,500 to keep the pump house in place. *Total increase in Cost due to this Change: \$4,500.00.*

Item No. 2 – Tower No. 8 Underground Work: ADD 1 LS @ \$3,500.00. During the Tower No. 8 watermain termination, the Contractor discovered while excavating that due to the location of existing fittings and existing conditions of the watermain, they would be unable to terminate the watermain to plan. This resulted in the Contractor making a second trip out to the site and excavating the area to terminate the watermain. *Total Increase in Cost due to this Change: \$3,500.00.*

Item No. 3 – Tower No. 3 Downtime for Contaminated Materials: ADD 1 LS @ \$98,605.79. During removal of the Tower No. 3 foundation slab, the Contractor discovered contaminated soil located underneath the slab. This delayed the completion of the work at Tower #3 by 9 working days to allow for testing to determine the extent of removal and disposal methods of the contaminated materials. The Costs included in this item are hours for equipment on site and labor for the 9-day downtime period. *Total Increase in Cost due to this Change: \$98,605.79.*

Item No. 4 – Testing and Removal of Contaminated Materials: ADD 1 LS @ \$20,982.21. During removal of the Tower No. 3 foundation slab, the Contractor discovered contaminated soil underneath the slab. This contaminated soil had to be tested to determine removal extent and disposal methods for the contaminated soil. This increase in Cost includes labor and fees for removing and disposing of contaminated soil, testing fees, removal and disposal of contaminated water, and time and materials for fill of the contaminated area. *Total Increase in Cost due to this Change: \$20,982.21.*

Item No. 5 – Fence Replacement at Tower No. 2: ADD 1 LS @ \$2,360.00. After Contract award, the Harm Reduction Center located next to Tower #2 preferred that the fencing that was called to be removed remained in place. A portion of the fencing was removed during demolition of Tower #2 for equipment access and reinstalled after demolition. This increase in Cost is for labor for reinstalling that portion of the fence. *Total Increase in Cost due to this Change: \$2,360.00.*

Item No. 6 –Asbestos Removal at Towers No. 2 and No. 3: ADD 1 LS @ \$3,500.00. After Contract award, materials composed of asbestos were discovered in portions of the pump houses at Towers No. 2 and No. 3. This increase in Cost is for removal and disposal of materials containing asbestos. *Total Increase in Cost due to this Change: \$3,500.00.*

Item No. 7 –Tower No. 3 Fuel Tank Removal: ADD 1 LS @ \$9,552.00. After Contract award, it was discovered that there was a buried fuel tank located under the abandoned emergency food pantry building. It was decided that this fuel tank was to be removed by the Contractor to clear the property completely. This Item includes permit fees for tank removal, labor involved for removal of the buried fuel tank, disposal of fuel, and material brought onto the site to fill the area where the tank was located. *Total Increase in Cost due to this Change: \$9,552.00.*