

REPORT OF ACTION

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Improvement District No. BR-23-A2

Type: Amendment #2

Location: Main Ave, University Dr to 25th St

Date of Hearing: 7/13/2026

<u>Routing</u>	<u>Date</u>
City Commission	7/20/2026
PWPEC File	X
Project File	Shane Geraghty

The Committee reviewed the accompanying correspondence from Project Manager, Shane Geraghty, regarding Amendment #2 in the amount of \$79,624.00 for additional work.

Staff is recommending approval of Amendment #2 in the amount of \$79,624.00, bringing the total contract amount to \$305,613.00 to Apex Engineering.

On a motion by Nicole Crutchfield, seconded by Susan Thompson, the Committee voted to recommend approval of Amendment #2 to Apex Engineering.

RECOMMENDED MOTION

Concur with the recommendation of PWPEC and approve Amendment #2 in the amount of \$79,624.00, bringing the total contract amount to \$305,613.00 to Apex Engineering.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Sales Tax, Prairie Dog, Utility Funds, & Special Assessments

	<u>Yes</u>	<u>No</u>
Developer meets City policy for payment of delinquent specials	<u>N/A</u>	<u>N/A</u>
Agreement for payment of specials required of developer	<u>N/A</u>	<u>N/A</u>
Letter of Credit required (per policy approved 5-28-13)	<u>N/A</u>	<u>N/A</u>

COMMITTEE

	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Unanimous</u>
				☒
Josh Boschee, Mayor	☒	☒	☐	
Nicole Crutchfield, Director of Planning	☒	☒	☐	
Gary Lorenz, Fire Chief	☒	☒	☐	Ryan Erickson
Brenda Derrig, Assistant City Administrator	☐	☐	☐	
Ben Dow, Director of Operations	☐	☐	☐	
Tom Knakmuhs, City Engineer	☒	☒	☐	
Susan Thompson, Finance Director	☒	☒	☐	

ATTEST:

C: Kristi Olson


Tom Knakmuhs, P.E.
City Engineer

Memorandum

To: Members of PWPEC
From: Shane Geraghty, PE, Civil Engineer
Date: July 8, 2026
Re: Improvement District No. BR-23-A2 – Amendment #2
Apex Engineering ESA – Utility Redesign for Main Avenue Rebid

Background:

Project No. BR-23-A is a roadway reconstruction project that will replace utilities and pavement on Main Avenue from University Drive to 25th Street South beginning in 2027. Apex Engineering has contracted with the City to provide utility engineering services in conjunction with the Main Avenue Reconstruction Project.

Following completion of the final design, the project was bid on February 6, 2026. Only one bid was received, and it exceeded the engineer's estimate by approximately 72 percent. Based on the bid results, the North Dakota Department of Transportation (NDDOT) and the City of Fargo elected not to award the project.

Following discussions between representatives from NDDOT, the City, and Apex Engineering, a two-step approach was established to prepare the project for rebidding:

- **Step 1:** Conduct a post-bid investigation and project design review to identify opportunities for cost reductions and determine the scope of redesign efforts.
- **Step 2:** Upon completion of the design review, prepare an amendment to complete the redesign, revise the contract documents, and prepare the project for rebidding.

The proposed sanitary sewer and water main design revisions have been reviewed and agreed upon by City Engineering staff. This amendment in the amount of \$79,624.00 includes the engineering services necessary to complete the revised utility design, update the plans and Special Provisions, and prepare the project for the scheduled NDDOT bid opening on September 25, 2026.

Recommended Motion:

Approve Amendment No. 2 to the Engineering Services Agreement with Apex Engineering for the redesign and rebid services in the amount of \$79,624.00 for Improvement District No. BR-23-A2.

Engineering Services Agreement
Amendment No. 2
City of Fargo Project No. BR-23-A2

Project: Main Avenue Reconstruction – 25th Street to University Drive
City of Fargo Project No. BR-23-A2
Apex Project No. 22.103.0099

Client: City of Fargo (Engineering Department)
Attn: Shane Geraghty, PE – Civil Engineer II

Background/Description of Work:

Apex Engineering Group, Inc. (Apex) was hired by the City of Fargo (City) to provide City utility engineering services for the above project on 09/19/2022, in conjunction with Apex's work on the Main Avenue Reconstruction contact with NDDOT. Amendment No. 1 to this agreement was previously executed on 12/17/2024. The following Scope of Services tasks are added or expanded with this Amendment No. 2 request:

- **Project Re-Design and Re-Bid** – Final Design contractual obligations were completed by Apex and this project was bid on 02/06/26. Only a single bid was received and it was 72% over engineer's estimate. Given this, NDDOT and City of Fargo decided to not award the project. After discussion, NDDOT, City, and Apex representatives determined a 2-step approach to the re-bid process:
 - Step 1: Conduct a Post-Bid Investigation and Project Design Review, which will determine the next steps for Step 2 that will be needed in any re-design and re-bidding of the project.
 - Step 2: At that time Step 1 is completed, better information will be available to properly scope out and complete an amendment for the re-design and re-bid tasks required.

Step 1 has now been completed, and the re-design and re-bid tasks have been identified. The sanitary sewer and watermain design changes have been discussed and agreed to by City Engineering staff. This Scope of Services for Amendment No. 2 includes the tasks and hours required to revise the design and modify the plans and Special Provisions to prepare for re-bid on the 09/04/26 NDDOT bid opening date.

The additional scope and cost for these added or expanded tasks are represented in the following attachments:

1. Attachment #1 - Apex Scope of Services for Amendment No. 2
2. Attachment #2 – Apex Fee Estimate for Amendment No. 2

Fee Amendment Request:

The total fee for work expected to be completed as part of this Amendment No. 2 = **\$79,624.00**

Contract Terms & Conditions:

Apex Engineering Group, Inc. ("Consultant") hereby proposes, and the City of Fargo ("City") hereby authorizes, the above described Amendment No. 2 and additional services described herein, including attachments, to be completed under the same Terms & Conditions of the Original Agreement signed by both parties and approved by the City of Fargo on September 19, 2022.

City:

Signature: _____

Title: _____

Date: _____

Consultant:

Signature: Matthew T. Kinsella
Matthew T. Kinsella

Title: Vice President

Date: 06/12/2026

**Attachment #1
Amendment No. 2
Scope of Services
For
Re-Design and Re-Bid for Phase III Final Design – City Utilities
Fargo Main Avenue (US 10) – 25th Street to University Drive
City of Fargo Project No. BR-23-A2
NDDOT Project: 8-010(046)938, PCN 23199
June 12, 2026**

Apex Engineering Group, Inc.
Client: City of Fargo

THIS SCOPE OF SERVICES PERTAINS TO THE FOLLOWING WORK ITEMS

Tasks necessary to complete the re-design and re-bid for City utilities, in conjunction with a separate agreement with NDDOT for the referenced project.

CLIENT/OWNER AND POINT OF CONTACT

The City of Fargo is the client and owner. Apex will direct all technical questions, information, and coordination for the City of Fargo through Mr. Shane Geraghty (or Mr. Geraghty's designated representative).

SOFTWARE REQUIREMENTS

- AutoCAD and Civil 3D

PROJECT SCHEDULE

- This Scope of Services assumes the following project schedule – 14 weeks total from 06/01/26 to 09/04/26:
 - 95% PS&E Review Submittal 06/25/26
 - 95% PS&E Plan Review Meeting 07/02/26
 - Final Plans Bid-Ready 07/10/26
 - Bid Opening 09/04/26

NOT INCLUDED IN THIS SCOPE OF WORK

The following tasks are not included in this scope of work:

- All work tasks associated with completing work referred to in the aforementioned separate agreement with NDDOT.
- Construction engineering services (would need to be added as a separate contract).

ASSUMPTIONS:

The following assumptions were made for this scope of work and fee estimate, based on previous project conversations with the City:

1. Sanitary sewer:
 - a. CIPP lining west of 18th Street
 - b. Replacing with new PVC east of 18th Street
 - c. Existing manhole rehabilitation

2. Watermain:
 - a. Existing PVC – leave in place & replace fittings
 - b. Existing CIP – pipe bursting
 - c. Existing ACP – replace
3. Services (SS and Watermain):
 - a. Replacing all watermain and sanitary services, with options to line sanitary services in locations that make sense
4. Trench backfill detail:
 - a. Use modified backfill detail to require less import Class 3, & re-use more of on-site soil

Note: Original scope below is shown in black text. Additional work for this Amendment No. 2 is shown in *blue italics text*. Tasks shown in gray text are expected to have no additional work required from Apex as part of the re-design and re-bid.

AMENDMENT NO. 2 – SCOPE OF SERVICES

TASK 1.0: PROJECT MANAGEMENT

- 1.01 **Internal Team Coordination:** Internal team meetings will be held among Apex staff to discuss project status, coordinate upcoming tasks, and to provide project updates to the City of Fargo. Internal team coordination with also occur by e-mail and phone calls. The project scope and budget will be tracked, and the City of Fargo will be notified of any potential changes. *Assumes 4 internal team meetings and other internal coordination during the re-design and re-bid.*
- 1.02 **Coordination with City of Fargo:** Apex's Project Manager will hold coordination conference calls or informal brief meetings with the City of Fargo to discuss project issues and status. Apex is anticipating separate coordination meetings will be required with City Engineering and Public Works Staff as we work through existing City utility inventories for the sewer and water lines within the corridor. General project coordination by e-mail, phone calls, and Teams meetings will also occur through the project duration. *Coordination time with City of Fargo for Apex PM and Apex Design Lead during the re-design and re-bid, separate from team meetings noted below in Task 1.06.*
- 1.03 **Coordination with ND Department of Environmental Quality (NDDEQ):** Apex will coordinate as need with the NDDEQ regarding reviews and permitting required for the new underground utilities. This task assumes one (1) round of submittal, review, and incorporating comments from NDDEQ. (No additional time in this task – already included in separate NDDOT contract.)
- 1.04 **QC/QA Reviews:** Apex will complete internal quality control reviews for key tasks and key project milestones prior to submittal to the City of Fargo. *QC/QA time included during the re-design and re-bid for the key deliverables.*
- 1.05 **Progress Reports, Invoicing, and Contract Administration:** Apex will provide in e-mailed PDF format, bi-weekly progress reports to the City of Fargo (these will be part of the overall project biweekly progress reports). The progress reports will include a recap of activities completed to date, a summary of the project budget, identify any potential problems that could affect the schedule, discuss coordination with private utility companies, and summarize the information or decisions required from the City of Fargo to keep the project on schedule. Invoices will be review by the Apex Project Manager prior to submittal to the City of Fargo for payment. *Assumes additional invoicing time during the re-design and re-bid, for 3 invoices.*

- 1.06 Design Coordination Meetings and Plan Review Meetings (4 total):** Apex will organize these meetings at key points in project development, arrange for a meeting location (either at Apex or the City of Fargo) or hold the meeting virtually on Microsoft Teams, conduct the meeting, and prepare detailed minutes for distribution. This scope includes two (2) design coordination meetings and two (2) plan review meetings (30% and 50%) during the project. The 95% PS&E plan review meeting is already included in the NDDOT contract. *Assumes four (4) design meetings with City staff during the re-design and re-bid. This includes the three (3) meetings already held on 5/6, 5/29, and 6/10. The 95% PS&E plan review meeting is already included in the NDDOT contract.*

Task 1.0 Deliverables:

- *Monthly invoices*
- *Meeting minutes*
- *Appropriate correspondence to the City of Fargo as needed*

TASK 2.0: PRELIMINARY ENGINEERING – CITY SEWER AND WATER

- NO ADDITIONAL WORK FOR THESE TASKS IN AMENDMENT NO. 2
- 2.01 Existing Utility Mapping & Data Collection:** Apex will research and review existing sewer and water as-built plans, City GIS data bases, videotape, and researching old service ties for the businesses and buildings along the corridor. This will also include taking existing private utility information from the topo drawing and including this information on the existing utility maps for the purpose of including in project drawings.
- 2.02 Review Existing City Televised Sewer Video:** Apex will review updated televised sewer video supplied by the City of Fargo. We will document and assess the condition based on the video to determine what pipe will have to be completely removed and replaced vs. what pipe could be potential candidate for relining or cured in place pipe restoration. This video will also be useful for identifying service locations for the sanitary sewer into buildings along the corridor.
- 2.03 Sewer and Water Rehab / Replacement Alternatives:** Based on existing condition assessment of the sewer and water lines, Apex will work with City officials to determine feasible rehabilitation and/or replacement alternatives for the environmental document. These options will be reviewed and recommended based on Apex's Senior Engineer's experience and potential consultation with industry experts.
- 2.04 Sewer and Water Preliminary Layouts & Phasing (30%):** Apex will prepare preliminary plans showing which sections of sewer and water will be removed and replaced, rehabilitated or relocated depending on alternatives selected for consideration in the environmental document. Preliminary plans will be no more than 30% of final. The preliminary phasing of the utility replacements or rehab work will be in conjunction with proposed roadwork.
- 2.05 Preliminary Utility Cost Estimates:** Apex will prepare an engineer's opinion of costs for alternatives related to the possible removal/replacement, rehab or relocation of City sewer and water. This information will be incorporated into the overall cost estimates as needed for the environmental document. Apex will rely on private utility companies to provide any relocation or adjustment costs to their own facilities.

Task 2.0 Deliverables:

- Preliminary plan drawings in AutoCAD/Civil 3D
- Electronic file submittal (MS Word and MS Excel) of the preliminary cost estimates and versions prepared for the utility portion of the environmental document
- Documented results from the sewer condition review based on the video provided by the City of Fargo
- Supplemental information pertaining to Sewer and Water line rehab / replacement alternatives

TASK 3.0: FINAL DESIGN – CITY SEWER AND WATER

- 3.01 Sanitary Sewer Bypass Design:** It is anticipated that during replacement or trenchless options for rehabilitating the existing sewer main there will be the necessity to prepare bypass pumping plans in phases or segments of the project. Apex will incorporate pumping design plans into the construction documents so the contractor can include bypass pumping costs in their bid. *Review the current Special Provision and make any updates needed to accommodate the project changes.*
- 3.02 Temporary Water Service Design:** It is anticipated that during reconstruction there will be the need for temporary water service to buildings along the corridor and that plans will need to be developed that include shut-off locations and quantified temporary piping into the construction documents so the contractor can include those costs in their bid.
- 3.03 Sanitary Sewer Final Design:** Based on the alternative selected from the preliminary engineering process, Apex will prepare final design, plan & profile sheets, and details to accommodate replacement or trenchless technologies into the project plans. This will require verification of pipe capacities, sewer contribution/service areas, existing hydraulic conditions, flows, etc. *Revise sanitary sewer design and service design per the agreed-upon changes. Revise plan callouts and quantities. Re-PDF and re-sign Sanitary Sewer Plan & Profile sheets.*
- 3.04 Watermain Final Design:** Based on the alternative selected from the preliminary engineering process, Apex will prepare final design, plan & profile sheets, and details for watermain and service connections. *Revise watermain design and service design per the agreed-upon changes. Revise plan callouts and quantities. Re-PDF and re-sign Watermain Plan & Profile sheets.*
- 3.05 Sewer and Water Phasing Plans:** Based on selected alternatives from the preliminary design phase, the sewer and water works will be laid out in conjunction with the roadway construction phasing. This will require coordination with the construction phasing design team. *Review any phasing adjustments needed to accommodate the changes in sanitary sewer and watermain installation.*
- 3.06 Specifications and Special Instructions to Bidders (SIBs):** Apex will coordinate with City Engineering staff and incorporate into the plans any specific plan notes or special instructions to bidders as per the City of Fargo's requirements as they pertain to sewer and water utilities. *Revise plan notes that pertain to sewer and water utilities, to reflect the re-design changes.*
- 3.07 30%, 50%, and PS&E Submittals:** Apex will assemble final plans and information for review to the City for 30% and 50% plan reviews, and to both NDDOT and City as per NDDOT's typical PS&E pre-final (95%) review set for comments by the agencies. Meeting time is including in Task 1.0. *Complete the above-listed tasks again for the re-design PS&E plan submittal.*
- 3.08 30%, 50%, and PS&E Plan Changes:** Based on comments received from the 30% review, 50% review, and PS&E meeting, Apex assumes there will changes that will be required and incorporated for final bid documents. *Complete the above-listed tasks again for the re-design Final plan submittal.*
- 3.09 Final Cost Estimates:** Apex will compile cost estimates for PS&E and final plans. This will include compiling quantities and preparing cost estimates. *For both PS&E and Final submittals – Re-compile quantities, adjust unit prices as needed, submit PDF of engineer's opinion of construction cost.*
- 3.10 Bid Questions and Addenda:** Apex will be prepared to answer questions related to the work Apex is responsible for during the bidding phase of the project. Additionally we have included staff time to handle or prepare any necessary addenda information if deemed necessary. *This also includes time to attend a pre-bid meeting if held. Provide answers for up to 8 questions received during the bid period. Prepare up to two (2) addenda with up to five (5) revised sheets per addendum.*
- 3.11 Lead Service Line (LSL) Inventory and Documentation:** Apex will complete an in-person survey and inventory

to determine the presence of lead service lines (LSLs) on the Customer side of the service (from curb stop to building), with property owners for the following nine (9) properties:

- 1622 Main Avenue (Indigo Signs)
- 1534/1522 Main Avenue (Northwest Auto Body)
- 1443 Main Avenue (Site on Sound)
- 1436 Main Avenue (U-Haul)
- 1418 Main Avenue (Doyle's Cab)
- 1345 Main Avenue (International Market Plaza)
- 1344 Main Avenue (Greater Refuge Tabernacle Ministries)
- 1342 Main Avenue (Roberts Street Chapel)
- 1330/1328 Main Avenue (Bonjour Fargo)

This task will include scheduling a meeting with the property owner or representative, visiting the site and discussing the survey with the property owner or representative, visually inspecting and testing the service line using a scratch test, and documenting the results of the survey and inventory in a memorandum for the City.

3.12 **New Special Provision for Watermain Pipe Bursting (NEW TASK):** *Apex will prepare a new Special Provision outlining the requirements for the pipe bursting of existing CIP watermain at the locations identified.*

3.13 **New Special Provision for Sanitary Sewer Pipe Rehabilitation (NEW TASK):** *Apex will prepare a new Special Provision outlining the requirements for the Cured in Place Pipe (CIPP) lining of existing sanitary sewer pipe and manhole rehabilitation at the locations identified.*

Task 3.0 Deliverables:

- *Final design and construction documents for integration into the overall project final plan set*
- *Electronic Files in AutoCAD and Civil 3D*
- *Final cost estimates will be submitted as an electronic file submittal in MS Excel/PDF format*

Attachment #2
Amendment No. 2
Apex Engineering Group, Inc.
Fee Estimate for Additional Work in Final Design: Re-Design and Re-Bid
City of Fargo BR-23-A2 / NDDOT NHU-CPU-8-010(046)938 PCN 23199
Main Avenue Reconstruction - 25th Street to University Drive
June 12, 2026

Gray text = No additional work required for task in Amendment No. 2

Apex Project No. 22.103.0099

Task No.	Classification	Principal Engineer	Senior Engineer II	Lead Engineer	Design Engineer II	Sr. Eng. Tech	Support Staff I	Totals
	Apex Standard Rate (2026 rates)	\$260	\$247	\$220	\$204	\$168	\$119	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	
1.0	Project Management							
1.01	Internal Team Coordination	2	4	4		2		12
1.02	Coordination with the City of Fargo		2	6				8
1.03	Coordination with ND Department of Environmental Quality (NDEQ)							0
1.04	QC/QA Reviews	2	6	8				16
1.05	Progress Reports, Invoicing, Contract Administration		4					4
1.06	Design Coordination Meetings and Plan Review Meetings (4 total)	2	4	4		2		12
	<i>Task 1 Subtotal</i>	6	20	22	0	4	0	52
2.0	Preliminary Engineering - City Sewer and Water NO ADDITIONAL WORK FOR THESE TASKS IN AMENDMENT NO. 2							
2.01	Existing Utility Mapping & Data Collection							0
2.02	Review Existing City Televised Sewer Video							0
2.03	Sewer & Water Rehab / Replacement Alternatives							0
2.04	Sewer & Water Preliminary Layouts & Phasing (30%)							0
2.05	Preliminary Utility Cost Estimates							0
	<i>Task 2 Subtotal</i>	0	0	0	0	0	0	0
3.0	Final Design - City Sewer and Water							
3.01	Sanitary Sewer Bypass Design	6		2				8
3.02	Temporary Water Service Design							0
3.03	Sanitary Sewer Final Design			12		60		72
3.04	Watermain Final Design			12		80		92
3.05	Sewer and Water Phasing Plans	2		8		12		22
3.06	Specifications and Special Instructions to Bidders (SIBs)		2	8				10
3.07	30%, 50%, and PS&E Submittals		4	8		8		20
3.08	30%, 50%, and PS&E Plan Changes	4	6	12		16		38
3.09	Final Cost Estimates		12	8				20
3.10	Bid Questions and Addenda		4	12		16		32
3.11	Lead Service Line (LSL) Inventory and Documentation							0
3.12	New Special Provision for Watermain Pipe Bursting (NEW TASK)	12						12
3.13	New Special Provision for Sanitary Sewer Pipe Rehabilitation(NEW TASK)	16						16
	<i>Task 3 Subtotal</i>	40	28	82	0	192	0	342

Total Labor Hours	46	48	104	0	196	0	394
Total Labor Costs	\$11,960	\$11,856	\$22,880	\$0	\$32,928	\$0	\$79,624

Apex Direct Expenses \$0
Amendment No. 2 - Grand Total Fee Estimate \$79,624

APEX DIRECT EXPENSES				
Vehicle Mileage	Trips	Mileage	Cost	
		Per Trip	Per Mile	Total
			\$0.725	
Vehicle Mileage Total =				
Survey Vehicle Mileage	Trips	Mileage	Cost	
		Per Trip	Per Mile	Total
Task 2.0 Survey			\$1.00	
Survey Vehicle Mileage Total =				
Other Direct Costs				
Miscellaneous Costs				
Other Direct Costs Total =				
Apex Direct Expenses Total =				