



**AGENDA
CITY COMMISSION
FEBRUARY 18, 2025
ED “BOSH” FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:00 PM
WWW.CITYOFMANDAN.COM**

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A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. Consider proclaiming the month of February as Career and Technical Education Month

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the following Board of City Commissioner minutes:
 - a. Feb. 4, 2025 State of the Cities Quorum
 - b. Feb. 4, 2025 Regular Meeting
 - c. Feb. 11, 2025 Special Meeting Minutes

F. PUBLIC HEARING

G. BIDS

H. CONSENT AGENDA

1. Consider approval of monthly bills
2. Consider the updated utility pipe backfill compaction standards in the City's construction specifications
3. Consider approval of the plans and specifications, Engineer's Report, and authorize the call for bids for the 2025 Municipal Sidewalk Improvement Project 2025-05
4. Consider a cost-share agreement with the Department of Water Resources for the 2025 Reconstruction Project - Monte Drive
5. Consider approval of a raffle permit for Heaven Helpers Soup Cafe
6. Consider approval of the following gaming site authorizations:
 - a. NoDak RMEF Inc at Mandan Eagles Club for March 22, 2025
 - b. ABATE of North Dakota at the HideAway from July 1, 2025 to June 30, 2026
7. Consider for Abatement:
 - a. 2023 & 2024 Abatement Application for Huntley; 4722 Pintail Loop
 - b. Mac Iver 2023 & 2024 Veterans Credit Abatement
8. Considering entering into an Engineering Service Agreement with Moore Engineering for the Old Red Trail Construction Admin Services
9. Consider approval of the IT intern job description
10. *Consider approval of Department of Water Resources funding application (Memorial Highway)*

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider approval of the Mandan Police Department applying for a State Homeland Security Grant through the North Dakota Department of Emergency Services to purchase an anti-vehicle barrier system
2. Consider a Renaissance Zone rehab application by 420 Holdings LLC at 418 W Main St
3. Consider a Renaissance Zone lease application for Minneapolis Private Equity LLC at 418 W Main St.

4. Consider a Renaissance Zone lease application by Allstate Radon Services LLC at 418 W Main St
5. Consider introduction of the Mandan Art Alley project
6. Consider a task order to support waste water treatment plant interim improvements
7. Consider the 2025 Reconstruction Project - Monte Drive plans, specifications, and authorization to advertise for bids
8. Consider the Sunset Drive Interchange project decision document
9. Consider resolutions necessary to create Street Improvement District 236 - Downtown Phase I
10. Legislative Update

K. RESOLUTIONS AND ORDINANCES

1. First Consideration of Ordinance 1461 related to extension of Zoning Moratorium

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - Feb. 25, 2025 at 5:30 p.m., Special Meeting, Working Session
 - March 4, 2025 at 5:30 p.m., Regular Meeting
 - ~~March 11, 2025 at 5:30 p.m., Special Meeting, Working Session~~
 - March 18, 2025 at 5:30 p.m., Regular Meeting
 - April 1, 2025 at 5:30 p.m., Regular Meeting (Board of Equalization at 7 p.m.)

N. ADJOURN



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rylen Kautzman
SUBJECT: CTE Month Proclamation

STATEMENT/PURPOSE:

To proclaim the month of February as Career and Technical Education Month

BACKGROUND/ALTERNATIVES:

Mandan High School CTE students will be in attendance asking the commission to proclaim the month of February as Career and Technical Education Month in the City of Mandan. They have prepared and submitted the proclamation and would like to present the commission with the proclamation and share some information about the program.

ATTACHMENTS:

1. CTE Month Proclamation

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve

SUGGESTED MOTION:

I move to proclaim February 2025 Career and Technical Education Month.

City Commission

Agenda Documentation

February 18, 2025

Subject: Consider proclaiming the month of February as Career and Technical Education Month

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CITY OF MANDAN

PROCLAMATION

Career and Technical Education Month

—February 2025—

WHEREAS, 1,214 high school students are enrolled in career and technical education (CTE) in Mandan gain the academic, technical, and employable skills necessary for career readiness; and

WHEREAS, students who concentrate in CTE programs participate in authentic meaningful experiences, that improve the quality of their education as indicated by a 97.84% graduation rate from high school, compared to 82.4% among all students statewide; and

WHEREAS, leaders from businesses and industries statewide report increasing challenges related to the skills gap and connecting qualified professionals with available careers in critical and growing CTE related fields, including healthcare, energy, advanced manufacturing, value-added agriculture, and information technology; and

WHEREAS, CTE prepares students for these and other fulfilling careers by offering integrated programs of study that link secondary and post-secondary education, including work based learning.

NOW, THEREFORE, as Mayor of the City of Mandan North Dakota, I do hereby proclaim February 2025, **CAREER AND TECHNICAL EDUCATION MONTH** in the City of Mandan North Dakota.



James Froelich
MAYOR

Mike Braun
CITY COMMISSIONER

Ryan Heinsohn
CITY COMMISSIONER

Dennis Rohr
CITY COMMISSIONER

Craig Sjoberg
CITY COMMISSIONER

A quorum of city commissioners was present for the Bismarck Mandan Chamber EDC's State of the Cities event at Bismarck Event Center in Bismarck, ND on Feb. 4, 2025. Commissioners present were Froelich, Heinsohn and Rohr. Also in attendance was Administrator Neubauer, Fire Chief Bitz, Police Chief Ziegler, Business Development & Communications Director Cermak, HR Director Berger and Communications Specialist Schmidt.

Mayor Froelich presented on the State of Mandan. No action was taken. The event concluded at 10:30 a.m.

James Neubauer
City Administrator

James Froelich, President
Board of City Commissioners

The Mandan City Commission met in regular session at 5:30 PM on February 4, 2025 in the Ed “Bosh” Froelich Meeting Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Dennis Rohr, Mike Braun, James Froelich, Ryan Heinsohn. Commissioner Sjoberg was absent. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme, Communications Specialist Schmidt and Attorney Sand.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Beautification Recognition Program, 212 9th Ave NW (Gugel Property).* Communications Specialist Schmidt presented the Gugel's with a certificate for their outdoor Halloween display as part of the beautification recognition program.

2. *2025 Homestead, Veterans & Primary Residence Credit Programs.* Assessor Markely shared an update on the Homestead, Veterans & Primary Residence Credit programs. Mandan residents interested in these programs can call the City Assessing office for more information. For the primary residence credit, homeowners can apply at <https://www.tax.nd.gov/prc> by March 31. A person can apply for more than one of these programs.

D. APPROVAL OF AGENDA Commissioner Braun moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

E. MINUTES

1. *Consider approval of the following Board of City Commission minutes:.*

a. *Jan. 21, 2025 Regular Meeting.* Commissioner Braun moved and Commissioner Heinsohn seconded to approve as presented. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

b. *Jan. 28, 2025 Special Meeting, Working Session*
. Commissioner Braun moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

F. PUBLIC HEARING

G. BIDS

H. CONSENT AGENDA

1. *Consider a minor plat for Ramblewood 15th Addition.*

2. *Consider a 2023 & 2024 abatement application for Dagley; 2309 Memorial Hwy SE.*

3. *Consider approval of Department of Water Resources construction funding applications (Monte Drive and Water Treatment Plant Phase III)*
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4. *Consider approval of an employee request for unpaid leave.*

5. *Consider approval of the raffle permit for Vietnam Vets/Legacy Vets Motorcycle Club Chapter 8.*

6. *Consider approval of an amended gaming site authorization for Matpac Wrestling Club, Inc at Stage Stop through June 30, 2025.* Commissioner Braun moved and Commissioner Heinsohn seconded to approve consent agenda items 1-6 as presented. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider Hydro Instruments Sole Source justification letter.* Engineer Wigness presented the item. Commissioner Rohr moved and Commissioner Heinsohn seconded to approve sole sourcing Hydro Instruments as the chlorine feed equipment manufacturer and authorize staff to pre-negotiate pricing for this equipment. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

2. *Consider a 2025 Budget Amendment for Information Technology.* CIS Manager Mischel presented the item. Commissioner Heinsohn moved and Commissioner Rohr seconded to allow the IT department to purchase equipment to replace outdated devices, upgrade and enhance security, and hire an intern for the tasks required. Amend the 2025 budget for the IT department for \$250,000. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

3. *Consider a 2025 budget amendment for interim improvements at the Waste Water Treatment Plant.* Engineer Wigness presented the item. This improvement would prevent interruptions at the Waste Water Treatment plant which have been experienced lately. Commissioner Heinsohn moved and Commissioner Braun seconded to approve a \$215,000 increase to the Waste Water Treatment Plant's 2025 Capital Outlay budget using City Utility funds to pay for the equipment and professional services necessary to complete the described interim improvements. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

4. *Consider authorizing staff to advertise for Water Treatment Plant Phase III Optimization bids.* Engineer Wigness presented the item. Commissioner Braun moved and Commissioner Heinsohn seconded to authorize the advertisement for bids for the Water Treatment Plant Phase III Optimization Project. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

5. *Consider Raw Water Intake project change orders.* Engineer Wigness presented the change orders. Commissioner Rohr moved and Commissioner Braun seconded to approve change orders G-08 and E-09, as presented. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

6. *Consider an extension of the Zoning Moratorium.* Planner Stromme presented the request. Commissioner Braun moved and Commissioner Heinsohn seconded to direct staff to add the moratorium extension to the Feb 18 City Commission agenda for first consideration. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

7. *Legislative Update.* Administrator Neubauer presented the legislative update. No action was requested or taken.

K. RESOLUTIONS AND ORDINANCES

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *Tuesday, Feb. 11 at 5:30 p.m. Special Meeting, Working Session*
- *Tuesday, Feb. 18 at 5 p.m., Regular Meeting*
- *Tuesday, Feb. 25 at 5:30 p.m., Special Meeting, Working Session*
- *Tuesday, March 4 at 5:30 p.m., Regular Meeting*
- *Tuesday, March 11, at 5:30 p.m., Special Meeting, Working Session*
- *Tuesday, March 18 at 5:30 p.m., Regular Meeting*

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N. ADJOURN There being no further business to come before the board, the meeting adjourned at 6:14 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners

The Mandan City Commission met in regular session at 5:30 PM on February 11, 2025 in the Veterans Conference Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Dennis Rohr, Mike Braun, James Froelich, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assistant Finance Director Schulz, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme, Communications Specialist Schmidt, Library Director Sandstrom, and Airport Manager Gerhardt.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF AGENDA Commissioner Rohr moved and Commissioner Braun seconded to approve as presented. Roll Call vote: Aye 4, Nay 0, Absent Commissioner Sjoberg. The motion passed.

E. NEW BUSINESS

1. *Long Term Financial Planning.*

a. *Assessing - Kimberly.* Assessor Markley shared the Assessing Department capital, personnel and equipment requests for the next 5 years.

b. *Airport - Lindsay.* Airport Manager Gerhardt provided capital improvement plans for the airport for the next 5 years.

c. *~~Legal.~~*

d. *Human Resources - Amy.* HR Director Berger presented an update from the HR Department and her capital, personnel and equipment requests for the next five years.

e. *Library - Barb.* Library Director Sandstrom presented an update from the Library and capital, personnel and equipment requests for the next 5 years.

f. *~~Municipal Court .~~*

g. *Business Development & Communications - Madison & Kari.* Business Development & Communications Director Cermak and Communications Specialist Schmidt presented capital, personnel and equipment requests and goals for the next 5 years.

h. *Information Technology - Karie.* CIS Manager Mischel shared an update from Information Technology and capital, personnel and equipment requests for the next 5 years.

i. *Building Inspections - Jordan.* Building Official Singer presented the capital, personnel and equipment requests for the next 5 years.

j. *Finance - Greg & Justin.* Finance Director Welch presented and update and capital, personnel and equipment requests for the next 5 years for the finance department.

k. *Administration - Jim.* Administrator Neubauer presented a proposed timeline for a City Hall renovation in the next five years.

F. OTHER BUSINESS

G. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

Tuesday, Feb. 18 at 5 p.m., Regular Meeting.

Tuesday, Feb. 25 at 5:30 p.m., Special Meeting, Working Session.

Tuesday, March 4 at 5:30 p.m., Regular Meeting.

Tuesday, March 14 at 5:30 p.m., Special Meeting, Working Session.

H. ADJOURN There being no further business to come before the board, the meeting adjourned at 8:13 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: January 7, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider the updated utility pipe backfill compaction standards in the City's construction specifications

STATEMENT/PURPOSE:

To consider the updated utility pipe backfill compaction standards in the City's construction specifications

BACKGROUND/ALTERNATIVES:

The Engineering department with the help of Moore Engineering has reviewed section 801,802 and 900 of the construction specifications for municipal public works improvements. The engineering department is proposing changes to these sections and result in better end product for the residents of Mandan.

ATTACHMENTS:

1. SECTION 801
2. SECTION 900
3. SECTION 802

FISCAL IMPACT:

There is no fiscal Impact associated with this agenda item.

STAFF IMPACT:

The will be some staff impact as engineering staff will need to educate contractors of the new requirements.

LEGAL REVIEW:

All documents have been made available to the City Attorney.

RECOMMENDATION:

City Commission

Agenda Documentation

February 18, 2025

Subject: Consider the updated utility pipe backfill compaction standards in the City's construction specifications

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To approve the updates made to the construction specifications for 2025.

SUGGESTED MOTION:

I move to approve the adoption of the updated sections 801,802 and 900 for use.

SECTION 800

SEWERS

SECTION 801 – SANITARY SEWER

801-1 DESCRIPTION

This item shall consist of pipe of the types, classes, sizes, and dimensions required on the plans, and furnished and installed at the places designated on the plans and profiles or by the ENGINEER in accordance with these specifications and with the lines and grades given.

The bid price per linear foot of pipe in place shall include the cost of excavation and backfill, the cost of furnishing and installing all trench bracing, bedding, trace wire with accessories, marking tape, pipe, all fittings required to complete the sewer pipe as shown on the plans, and the material for and the making of all joints. Connections to existing sewer pipe, manholes, televising, and bedding shall be included, unless separate pay item(s) is provided.

"Unstable," "Unsuitable," "Suitable," and "Unsatisfactory" soil or aggregate items shall be defined as stated in Subsection 202.1.

801-2 MATERIALS

801-2.1 GENERAL. The pipe shall be of the type selected by the CONTRACTOR and shall be in accordance with the following appropriate requirements unless otherwise specified.

801-2.2 CONCRETE SANITARY SEWER PIPE. Concrete sanitary sewer pipe, reinforced, shall conform to the requirements of ASTM C76.

801-2.3 POLYVINYL CHLORIDE SANITARY SEWER PIPE. Polyvinyl chloride sanitary sewer (PVC) pipe 15 inches or smaller shall conform to the requirements of ASTM D3034 for type PSM. PVC sewer pipe and fittings with a bury depth less than 18 feet shall have an SDR of 35. PVC sewer pipe with a bury depth equal to or greater than 18 feet shall have an SDR of 26. Pipe must be of the same type and have the same SDR for full run lengths between manholes. Pipe specifications must be stamped on the pipe.

Polyvinyl chloride sewer pipe 18 inches or larger shall conform to the requirements of ASTM F679-PS46. PVC sewer main line pipe and PVC sewer service pipe shall have the elastomeric gasket-type joint providing a watertight seal. A solvent cement-type joint will not be allowed. PVC wye branches shall be of the "factory assembled type."

801-2.4 RUBBER GASKET JOINT FOR CONCRETE SANITARY SEWER PIPE.

Rubber-type gaskets for concrete non-pressure pipe shall conform to the requirements of ASTM C443 or ASTM C361.

801-2.5 MORTAR. Mortar for connections to manholes shall be composed of one part, by volume, of portland cement and two parts of mortar sand. The portland cement shall conform to the requirements of Subsection 501-2.2. The sand shall conform to the requirements of Subsection 501-2.5. Hydrated lime may be added to the mixture of sand and cement in an amount equal to 15 percent of the weight of cement used. The hydrated lime shall meet the requirements of ASTM C6.

801-2.6 RUBBER GASKET JOINT FOR PVC SEWER PIPE. Rubber gaskets for PVC sewer pipe joints shall be of the elastomeric type providing a watertight seal and shall conform to ASTM D3212.

801-2.7 CONCRETE. Concrete for pipe cradles and saddles shall conform to the requirements of Section 501.

801-2.8 BEDDING MATERIAL. The bedding material shall consist of granular material in accordance with the requirements for gradation shown in the following table:

Square Mesh Sieve Size	Percent by Weight Passing
2"	100%
1"	90-100%
3/4"	80-100%
No. 4	30-90%
No. 30	10-60%
No. 100	0-15%

One gradation test shall be made for each source and change in material provided for each 500 tons of screened and/or blended material and for each 200 tons of non-screened or "bank run" material. Gradation testing shall be incidental to the pipe or other bid items.

The CONTRACTOR may provide a controlled density fill in lieu of the bedding material bed for underground pipe if approved by the ENGINEER prior to installation. The controlled density fill shall conform to Section 503.

If the controlled density fill is placed in the trench in a plastic state, the remaining backfill may not be completed for 48 hours. One compression test shall be made for each 60 cubic yards of control density fill or a minimum of one per day. A testing firm normally engaged in materials testing shall make the test at the expense of the CONTRACTOR. The CONTRACTOR shall remove and replace any material not meeting the requirements at CONTRACTOR's expense. All controlled density fill shall be designed

for easy removability should it become necessary to repair or remove the pipe in the future. The pipe shall be protected from floating to maintain line and grade.

Controlled density fill shall be paid as bedding material unless otherwise specified. Controlled density fill utilized on the remainder of the trench may be provided incidental if approved by the ENGINEER.

Bedding quantities, if separate pay item included, are based on trench width in Subsection 801-3.2 "Excavation and Preparation of Trench." Any additional bedding material due to a wider ditch shall be the responsibility of the CONTRACTOR.

801-2.9 SUBCUT GRAVEL. The subcut gravel shall consist of granular material in accordance with the requirements of gradation shown in the following table:

Square Mesh	Percent by Weight Passing
2"	100%
No. 4	0-10%

801-2.10 MARKING TAPE – TRACE WIRE. The CONTRACTOR will be required to furnish and install marking tape located 2 feet above the top of all sanitary sewer mains installed under the contract. The tape shall be of the non-detectable type and shall have a minimum width of 5 inches. The tape shall be green in color with the words "CAUTION SEWER LINE BELOW" imprinted on the tape in black capital letters. The marking tape shall be equal to that manufactured by Presco standard grade.

Trace wire shall be high-strength copper clad steel (CCS) wire, 450-lb min rated break strength, 30mil HDPE insulation. Color per APWA uniform standards. Splices shall be made with sealant-filled connectors designed for direct bury. Approved Manufacturers: Copperhead Ind., Kris- Tech Wire or approved equal. Attach to pipe and provide ground rods per manufactures recommendations. Provide terminal boxes as called for on plan. Contractor to coordinate testing and verification with owners' equipment.

801-2.11 SANITARY SEWER FORCE MAIN MATERIALS. All materials for construction of sanitary sewer force mains shall conform to Section 901 "Water Mains."

801-2.12 SANITARY SEWER WYE BRANCHES. Wye branches shall be of the same material as the main line sanitary sewer pipe.

801-2.13 INSULATION BOARDS. Insulation boards shall conform to Section 901

801-3 CONSTRUCTION REQUIREMENTS

801-3.1 EQUIPMENT. All equipment necessary and required for the proper construction of sanitary sewers shall be on the project in first-class working condition and approved by the ENGINEER before construction is permitted to start.

The CONTRACTOR shall handle the pipe while unloading and placing it in its final position without damage to the pipe.

The CONTRACTOR shall provide methods and means to obtain the required compaction of the pipe bed and the backfill as specified.

The CONTRACTOR shall provide a sufficient number of watertight sewer plugs to prevent infiltration of water and any other foreign material from entering the existing sewer system and the newly constructed sewer lines.

801-3.2 EXCAVATION AND PREPARATION OF TRENCH. The trench shall be dug to the alignment and depth required and only so far in advance of pipe laying as the ENGINEER may permit. The discharge from pumps shall be led to natural drainage channels, drains, or storm sewer as per erosion control and storm water pollution control standards.

The trench width may vary depending upon the depth of the trench and the nature of the excavated material, but in any case shall be of ample width to permit the pipe to be laid, joined properly and the backfill to be placed and compacted to the required density. The maximum width of trench for calculating bedding material quantities for pipe sizes 15 inches and larger shall not be more than 36 inches greater than the outside diameter of the pipe barrel. For pipe sizes under 15 inches, the maximum width shall be no more than 48 inches.

The trench shall be excavated below the required grade so that the pipe may be laid on 8 inches of bedding material. See Standard Detail 801-2.

Where the bottom of the trench uncovered at subgrade is unsuitable and, in the opinion of the ENGINEER, cannot support the pipe, further depth and/or width shall be excavated and refilled to the pipe foundation grade with subcut gravel thoroughly compacted. In this instance, subcut gravel shall be considered a pay item.

If other approved means shall be adopted to assure a firm foundation for the pipe, the CONTRACTOR will be allowed extra compensation. Extra compensation shall not be allowed for extra excavation and gravel used for seepage and ground water control.

If ordered in writing by the ENGINEER, the CONTRACTOR will be paid for any sheathing that the ENGINEER orders left in the trench in order to protect existing utilities or other items. The price to be paid for such sheathing material will be the current invoice price of said materials or such lesser price as the CONTRACTOR and the ENGINEER may agree that the material is worth at the time it is left in the trench.

All broken pavement or sidewalks shall be removed from the site of the work and deposited at a place approved by the ENGINEER. It shall be the responsibility of the CONTRACTOR to remove and replace at its own expense all sidewalk and curb and gutter necessary for the installation of the pipe and manholes as shown on the plans and as directed by the ENGINEER, unless items are noted on plans. The removal shall be complete to the nearest joint. No additional compensation will be allowed for this work and shall be included in the price bid for pipe or manhole installation. Replacement of sidewalk and curb and gutter shall be as per Section 600.

Bell holes of ample dimension shall be dug in earth trenches at each joint to permit the joints to be made properly.

All excavated material shall be piled in a manner that will not endanger the work, will avoid obstructing sidewalks and driveways, and be in accordance with a Stormwater pollution protection plan if applicable. Gutters shall be kept clean or otherwise satisfactory provisions made for street drainage.

The use of trench digging machinery will be permitted except in places where operation of same will cause damage to trees, buildings, or existing structures above or below ground, in which case hand methods shall be employed.

The CONTRACTOR is assumed to be familiar with all federal, state, and local laws, codes, ordinances, and regulations which in any manner affect those engaged or employed in the work, the material, or equipment used in or upon the site, or in any way affect the conduct of the work. No pleas of misunderstanding or ignorance on the part of the CONTRACTOR will, in any way, serve to modify the provisions of the contract. The CONTRACTOR shall provide and maintain on a 24-hour basis all necessary safeguards such as watchmen, traffic control devices, and night lights at CONTRACTOR's expense in accordance with Subsection 103-5.

Excavation for pipe laying operations shall be conducted in a manner so as to cause the least interruption to traffic. Where traffic must cross open trenches, the CONTRACTOR shall provide suitable bridges at street intersections and driveways. Hydrants under pressure, valve boxes, curb stop boxes, and other utility controls shall be left unobstructed and accessible during the construction period.

Adequate provisions shall be made for the flow of sewers, drains, and water courses encountered during construction, and the structures which may have been disturbed shall be satisfactorily restored upon completion of the work.

Prior to making any connections to the existing sanitary sewer system, the CONTRACTOR shall furnish and install watertight plugs in such a manner as to prevent infiltration and foreign material from entering the existing sewer system. The plugs shall be installed so as to not disrupt existing sewage flow and shall remain in place until the construction has been accepted by the ENGINEER.

Trees, fences, poles, and all other property shall be protected unless their removal is authorized by the ENGINEER, and any property damages shall be satisfactorily restored by the CONTRACTOR. The cost of removal shall be included in the price bid per linear foot of sewer pipe in place unless listed separately in the proposal. Tree removal and root cutting shall be in conformance with Section 201.

801-3.3 ROCK EXCAVATION. All rock found in the trench area shall be classified as solid rock and measured for payment if each individual rock, boulder, or continuous slab of ledge rock is 1 cubic foot or more in content. Solid rock shall be measured for payment on the basis of and limited to the maximum trench width allowed under Subsection 801-3.2 "Excavation and Preparation of Trench." If solid rock extends below the necessary depth of excavation, it shall be measured for payment to a horizontal plane 6 inches below the bottom of the pipe. All rocks smaller in volume than 1 cubic foot shall not be classified as solid rock, but may be used in backfilling as directed by the ENGINEER.

Whenever ledge rock is encountered, the CONTRACTOR shall strip all overlying earth and he shall then notify the ENGINEER that the rock is ready for measurement. The ENGINEER may then take levels upon the rock or he may at his discretion defer measurement until after the excavation is completed. CONTRACTOR shall not refill any trench where rock is encountered until notified by the ENGINEER that measurement has been made. Payment will not be allowed for any rock unless measurement has been made as herein provided. The rock shall be excavated to a depth of 6 inches below the bottom of the pipe, and the trench shall be refilled to the proper grade with bedding material.

All rock found in the trench having greater volume of 1 cubic foot shall not be used as backfill but shall be disposed of as directed by the ENGINEER.

801-3.4 PIPE LAYING. All watermain and sanitary sewer crossings shall conform to the following policy:

1. Horizontal and vertical separation per 10 States Standards.
 - a. Sewers shall be laid at least 10 feet horizontal distance from any existing or proposed watermain. Distance measured from outside edge to outside edge.
 - b. Sewer crossing water mains shall be laid to provide a minimum of 18 inches between the outside of the watermain and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. The crossing shall be arranged so that the sewer joints using a full length pipe section will be equidistant and as far as possible from the water main joints.
 - c. If the above separation is impossible, contractor shall construct sewer line to water main specifications or encase either the sewer or water main in a water tight carrier pipe that extends 10 feet on both sides of the crossing. Consult ENGINEER for approved method.

Proper implements, tools, and equipment satisfactory to the ENGINEER shall be provided and used by the CONTRACTOR for the safe and convenient prosecution of the work. All pipe and fittings shall be carefully lowered into the trench piece by piece by means of a derrick, ropes, or other suitable tools or equipment in such a manner as to prevent damage to the pipe. Under no circumstance shall pipe be dropped or dumped into the trench.

After the trench has been excavated to the proper grade, the first pipe at the outlet end of the sewer shall be bedded to the proper line and grade with the bell end upstream. All pipe shall be laid to line and grade. The pipe shall be held in place by backfilling along the bottom and sides of the pipe section with bedding material thoroughly tamped up to the centerline of the pipe and protected from movement.

During the pipe laying operation, the CONTRACTOR shall have a watertight plug available to install in the last pipe laid at the end of each work day, or to install during the work day, to prevent water or other foreign material from entering the newly installed pipe.

The CONTRACTOR shall exercise due care so as to prevent water and other foreign matter from entering the newly constructed sewer mains at new manhole locations.

All joints shall be installed in accordance with the pipe manufacturer's instructions.

Where polyvinyl chloride sewer pipe is installed in a vitrified clay sewer line, V.C. to PVC adaptors shall be used at each junction. Adapters shall be Shear Guard repair couplers as manufactured by Indiana Seal, or approved equivalent.

The cost of adaptors shall be considered incidental to the unit price bid for polyvinyl chloride sewer pipe.

The interior of the pipe shall be cleaned as the work progresses. The manholes and sewer pipe shall be flushed with clean water after completion and prior to acceptance by the ENGINEER.

All connections to existing utilities shall be considered incidental to other bid items.

801-3.5 BACKFILLING OF PIPE TRENCH. After the pipe has been laid to line and grade, the trench shall be backfilled under and along the sides of the pipe up to the centerline of the pipe by thoroughly compacting bedding material into place so as to form a uniform bed for the pipe. The compaction may be obtained by any approved method or equipment which will produce a uniform density meeting the requirement to obtain not less than 90 percent maximum dry density at optimum moisture made in accordance with ASTM D1557(modified proctor) with a moisture content falling within minus 2 percent to plus 3 percent of the optimum moisture. Care shall be exercised not to displace the pipe or damage the pipe during the compaction operations. If the native material in the trench is acceptable to the ENGINEER, it will not be necessary to furnish

any other material than that found within the trench to backfill up to the centerline of the pipe. If the native material is not acceptable, the CONTRACTOR will be required to furnish bedding material as per 801-2.8 and Pipe Bedding Standard Detail. It will be required to keep the bedding completed within 3 lengths of the last pipe being laid and shall all be completed at the end of each day's work.

After the pipe has been inspected and bedding material is in place, two feet of backfill shall be placed over the pipe to prevent damage to the installed pipe. The remaining trench shall be backfilled as per sec 801-3.6. On areas outside of the pavement, curb and gutter, and sidewalk, no compaction will be required on the top 4 inches.

The use of drop pile hammers, loaded or unloaded clam shells or backhoe buckets, or other similar equipment will not be permitted to obtain the required density. The CONTRACTOR shall use specialized equipment or hand tamping around appurtenances such as manholes to ensure proper density. The remaining trench shall be backfilled in accordance with the specifications for the class of backfill as set forth in Subsection 801-3.6. The areas for each class of backfill specified shall be designated on the plans.

The CONTRACTOR shall engage an independent soils testing laboratory, approved by the ENGINEER, to determine the soil moisture density relationships and perform the required compaction testing.

The compaction control tests for this section are based on one individual compaction test per 200 feet of trench per 18 inches of backfill or where directed by ENGINEER. Compaction tests shall be taken for service lines a minimum of one test per line, 2 feet below finish grade or as directed by ENGINEER. The CONTRACTOR shall be responsible for all retesting of failing tests and a proctor determination to represent each soil condition to be encountered on the project. The time, locations, depths, and frequency of compaction testing shall be at the discretion of the ENGINEER during construction. The CONTRACTOR, however, will be required to assume the cost of all retesting of failing tests regardless of the total number required during construction.

Compaction testing to determine densities may be accomplished with a nuclear density testing apparatus and/or the sand cone method. Should disputes arise concerning test results, they will be resolved by using the sand cone method.

Written reports of all test results shall be supplied to the ENGINEER and the CONTRACTOR by the testing laboratory as soon as possible. The availability of the independent testing laboratory when needed and speed of testing and reporting are to be considered the responsibility of the CONTRACTOR.

Compaction control tests as stated above shall be incidental to other bid items.

All excess excavated material and material unsuitable for backfill shall become the CONTRACTORS property. The Contractor shall be responsible for the disposal of and transporting material from the site.

The CONTRACTOR shall restore all shrubbery, fences, sod, or other surfaces disturbed to a condition equal to that before the work began, furnishing all labor and material incidental thereto. If the area cannot be restored to the original line and cross section without the aid of grade stakes, they will be furnished by the ENGINEER at the CONTRACTOR expense.

Following the certification of completion by the ENGINEER, the CONTRACTOR shall maintain the surface of unpaved trenches, adjacent curbs and gutters, sidewalks, driveways, shrubbery, fences, sod, or other surfaces disturbed for a period of 3 months thereafter. All material and labor required for maintenance of the trenches and adjacent structures shall be supplied by the CONTRACTOR and the work done in a manner satisfactory to the ENGINEER. The cost of backfilling and cleanup shall be included in the price per linear foot of sewer pipe in place.

801-3.6 BACKFILL CLASSIFICATIONS. Backfill shall meet the requirements of the backfill classification as per plans, if no backfill class is specified, backfill shall be Class A. Any costs associated with obtaining moisture requirements shall be incidental.

After the pipe has been inspected and bedding material plus the initial two feet of backfill is in place, as per Section 801-3.5, the remaining trench shall be backfilled in layers of not more than twelve inches and compacted by approved method or equipment which will produce a uniform density meeting the requirements to obtain the following at optimum moisture in accordance with ASTM D1557 (modified proctor):

(a) Class AA Backfill. Not Less Than 95 percent maximum dry density, with a moisture content no less than 4 percent below optimum no more than 5 percent above optimum moisture content. Class AA backfill shall be used in areas where the trenches fall beneath special improved areas and under special conditions, and these areas shall be indicated as Class AA backfill and shown on the plans. Under Class AA backfill all the excavated material shall be transported to another site and wasted in a workmanlike manner, and selected material meeting bedding material specifications shall be imported to the site for backfill material.

(b) Class A Backfill. Not less than 90 percent maximum dry density, with a moisture content falling within minus 2 percent to plus 3 percent of the optimum moisture. Class A backfill shall be used in areas where trenches fall beneath improved areas or areas to be improved, and these areas shall be indicated as Class A backfill and shown on the plans.

(c) Class B Backfill. Not less than 85 percent of maximum dry density, with a moisture content falling within plus or minus 3 percent of the optimum moisture. Class B backfill shall be used in areas where the trenches fall beneath improved areas or areas to be

improved, and these areas shall be indicated as Class B backfill and shown on the plans.

(d) Class C Backfill. Equal to the adjacent undisturbed soil but not to exceed 85 percent of maximum dry density, with a moisture content falling within plus or minus 3 percent of the optimum moisture. Class C backfill shall be used in areas where the trenches fall beneath Unimproved areas and these areas shall be indicated as Class C backfill and shown on the plans.

801-3.7 CONNECT TO MANHOLE. Connections to existing structures and new manholes, which are not pre-formed, for sanitary sewer shall be core drilled unless otherwise approved by the ENGINEER. Connections shall be made with flexible pipe to manhole connector (rubber boot) or with PVC manhole adaptor (per Subsection 1205-3.10). If connector is used, two bands shall be required to secure boot to pipe.

801-3.8 PROTECTING UNDERGROUND AND SURFACE STRUCTURES.

Temporary support, adequate protection, and maintenance of all underground and surface structures, culverts, storm sewer, sanitary sewer, watermain, service connections for both sewer and water, and other obstructions encountered in the progress of the work shall be furnished by the CONTRACTOR all at its own expense as approved by the ENGINEER.

(a) Deviations Occasioned by Other Utility Structures. Wherever existing utility structures or branch connections leading to main sewer or water mains or other conduits, ducts, pipes, or structures form obstructions to the grade and alignment of the sewer to be laid, they shall be permanently supported, removed, relocated, or reconstructed by the CONTRACTOR through cooperation with the Owner of the utility, structure, or obstruction involved. In those instances where their relocation or reconstruction is impracticable, a deviation from the line and grade will be ordered by the ENGINEER, and the change shall be made in the manner directed by the ENGINEER.

Wherever possible, all existing utility structures, or branch connections leading therefrom, will be located in advance of the excavation of the trench and properly marked. The CONTRACTOR shall not cut any existing utility lines unless it is determined by the ENGINEER that it is necessary in order to install the new sewer pipes. All utility lines that are cut by the CONTRACTOR with the approval of the ENGINEER shall be repaired or replaced by the CONTRACTOR as Extra Work. All utility lines that are damaged by the CONTRACTOR shall be repaired or replaced by the CONTRACTOR at the CONTRACTOR's expense.

Wherever the ENGINEER shall determine it is necessary to remove or relocate any existing utility in order to properly install the new sewer pipe, the change shall be made in a manner directed by the ENGINEER and for which extra compensation will be allowed to the CONTRACTOR.

(b) Deviation Without Engineer's Consent. No deviation shall be made from the required line and grade established by the ENGINEER without the consent of the ENGINEER.

(c) Subsurface Explorations. Whenever necessary to determine the location of existing pipes, valves, or other underground structures, the CONTRACTOR, after examination of available records and upon written order from the ENGINEER, shall make all exploration and excavations for such purpose for which the ENGINEER may allow extra compensation.

801-3.9 CIRCULAR DEFLECTION TEST. All flexible pipe of 8 inches in diameter or larger shall be tested by the CONTRACTOR to ensure that circular deflections do not exceed the maximum allowable deflection. Maximum allowable deflections shall be governed by the mandrel requirements stated herein and shall nominally be 5 percent.

The maximum average inside diameter shall be equal to the average outside diameter per applicable ASTM Standards minus 2 minimum wall thicknesses per applicable ASTM Standards. Manufacturing and other tolerances shall not be considered for determining maximum allowable deflections.

Deflection tests shall be performed a minimum of 30 days after the pipe has been fully backfilled and received passing compaction tests per Subsection 801-3.5 "Backfilling of Pipe Trench."

The mandrel shall be pulled through the pipe by hand to ensure that maximum allowable deflections have not been exceeded. Prior to use, the mandrel shall be certified by the ENGINEER. If the mandrel fails to pass through the pipe, it will be deemed to be over-deflected.

The rigid ball or mandrel used for the deflection test shall have a diameter not less than 95 percent of the base diameter or average inside diameter of the pipe depending on which is specified in the ASTM specification, including the appendix, to which the pipe is manufactured. The mandrel shall be fabricated of steel or aluminum and shall have pull rings at either end. The mandrel shall be stamped or engraved indicating the pipe material specification, nominal size, and mandrel outside diameter. The maximum average inside diameter of the pipe shall be measured and calculated by the ENGINEER in the field prior to installation.

Unless otherwise permitted by the ENGINEER, any over-deflected pipe shall be uncovered and, if not damaged, removed and reinstalled. Damaged pipe shall be removed from the work site and replaced with new pipe. Any pipe requiring replacement shall be retested at the expense of the CONTRACTOR.

All costs incurred by the CONTRACTOR attributable to mandrel and deflection testing, including any delays, replacement or reinstallation of deflected pipe, shall be considered incidental to the installation of the pipe.

801-3.10 LEAKAGE TESTS. The CONTRACTOR shall provide one of either a Hydrostatic Test or an Air Test as specified below:

Hydrostatic Test

The CONTRACTOR shall perform an exfiltration or infiltration test with a minimum positive head of 2 feet.

Allowable exfiltration or infiltration shall not exceed 100 gallons per inch of internal pipe diameter, per mile, per day.

Air Test

The CONTRACTOR shall conduct an air test, as a minimum, conforming to the test procedure as described in ASTM F1417 for plastic pipe. For other materials, test procedures shall be approved by the ENGINEER.

801-3.11 TELEWISE SEWER MAIN. All newly constructed sanitary sewer mains and services shall be televised. If not specified as a bid item, the televising shall be considered incidental to the price bid for the sanitary sewer installation. After flushing the sewer main, under Subsection 801-3.4, the CONTRACTOR shall have the sewer main televised and recorded by a firm normally engaged in such type of work. The CONTRACTOR shall provide a high-quality digital video with a report for each section of sewer main televised. The recording shall be clearly marked as to the project number and recording number. The recording shall describe locations and conditions of the sewer and shall have a visual footage counter showing the distance of the camera from the manhole. After the CONTRACTOR has submitted the recordings and report, they will be viewed by the ENGINEER for acceptance. Any sewer failing inspection shall be replaced and re-televised at the expense of the CONTRACTOR.

801-3.12 CLEANOUT. Cleanouts shall be constructed in accordance with the standard detail 801-1.

801-3.13 SANITARY SEWER FORCE MAIN. The construction requirements for sanitary sewer force mains shall comply with Section 901 "Water Mains," with the exception of the hydrostatic pressure tests, disinfection, and bacteriological testing. The hydrostatic pressure test shall be the same as Section 901 "Water Mains," except the hydrostatic pressure test shall be 125 pounds per square inch and shall be held for 2 hours. No pipe disinfection or bacteriological testing shall be required.

801-3.14 CONNECTION TO EXISTING SEWER MAIN. Whenever a wye branch is not available for a sewer service connection, the connection to the sewer main shall consist of one of the following:

(a) A "factory assembled" wye branch may be cut into an existing PVC sewer main using gasketed repair couplings to the existing PVC sewer main.

(b) A "factory assembled" wye branch may be cut into an existing VC sewer main using Shear Guard couplings, or approved equivalent, to the existing VC sewer main.

(c) PVC, VC, or RC sewer main may be connected to the existing VC sewer main service using an Inserta Tee as manufactured by Inserta Fittings Co., or approved equivalent. The Contractor will make the tap into the existing PVC, VC, or RC sewer main. Call the Mandan Public Works to schedule an inspection of the tap.

801-3.15 WYE BRANCH LOCATIONS. Wye branches shall be marked with a 2 inch by 2-inch by 4-foot stake placed perpendicular to the main line sewer at the end of the wye.

801-3.16 INSULATE SEWER. The contractor shall furnish and install the insulation required to insulate the sewer as shown on the plans. The insulation shall be at least 4 inches thick by 8 feet wide centered on the sewer main. The material between the top of the sewer bedding and the insulation shall consist of concrete sand.

801-4 MEASUREMENT AND PAYMENT

801-4.1 thru 4.15 (X)" SANITARY SEWER PIPE.

Sanitary sewer pipe shall meet the requirements of Subsections 801-2.2 or 801-2.3. Sanitary sewer pipe shall be measured by the linear foot (LF) from the centerline of manhole to centerline of manhole and shall be paid for at the unit price bid for "(Size) Inch Sanitary Sewer Pipe" complete, in place, and accepted by the ENGINEER.

801-4.50 thru 4.59 (X)" WYE BRANCH. Wye branches shall be measured on an individual unit basis (EA) and paid for at the unit price bid for "(Size)-Inch Wye Branch" complete, in place, and accepted by the ENGINEER.

801-4.60 BEDDING MATERIAL. Bedding Material gravel shall be measured by the ton and paid for at the unit price bid for "Bedding Material" complete, in place, and accepted by the ENGINEER.

801-4.61 SUBCUT GRAVEL. Subcut Gravel shall be measured by the ton and paid for at the unit price bid for "Subcut Gravel" complete, in place, and accepted by the ENGINEER.

801-4.62 ROCK EXCAVATION. All rock found in the trench area greater than 1 cubic foot shall be classified as Rock Excavation, measured by the cubic yard (CY), and disposed of by the CONTRACTOR or as directed by the ENGINEER.

The CONTRACTOR shall place all rocks greater than 1 cubic foot and less than 1 cubic yard in a pile to be measured by the ENGINEER. The total volume of the stockpile shall be reduced by 25 percent to account for void in the rock stockpile.

All rocks greater than 1 cubic yard shall be individually measured by the ENGINEER.

Payment shall be made at the unit price bid per cubic yard (CY) for "Rock Excavation."

801-4.63 CONCRETE MANHOLES. Concrete Manholes shall be measured and paid for under Subsection 1205-4.1.

801-4.64 TELEWISE SEWER MAIN. Telewise Sewer Main shall be measured by the linear foot (LF) from centerline of the manhole to centerline of the manhole or an end point and shall be paid for at the unit price bid for "Telewise Sewer Main" complete, and accepted by the ENGINEER.

801-4.65 thru 801-4.68 (X)" CLEANOUT. Cleanouts shall meet the requirements of this section and the standard detail and shall be measured and paid for per each (EA) "(Size)" Cleanout" complete, in place, and accepted by the ENGINEER.

801-4.80 INSULATE SEWER. Insulate Sewer shall be measured by the linear foot (LF) of sewer to be insulated and paid for at the unit price bid for "Insulate Sewer" complete, in place, and accepted by the ENGINEER.

801-4.81 Connect to Existing Manhole. Connections to existing manholes shall include excavation, drilling and coring, connection to structure, watertight seal, accessories, grouting, backfilling and compaction. Paid as unit price bid "each" (EA) completed and accepted by the ENGINEER.

801-4.65 TELEWISE SEWER SERVICES. Telewise Sewer Services shall be measured by the linear foot (LF) from centerline of the main to the end point and shall be paid for at the unit price bid for "Telewise Sewer Services" complete, and accepted by the ENGINEER.

SECTION 900

WATER DISTRIBUTION

SECTION 901 – WATERMAIN

901-1 DESCRIPTION

This item shall consist of watermain pipe and related items of the types, classes, sizes, and dimensions required on the plans, furnished and installed at the places designated on the plans and profiles, or by the ENGINEER in accordance with these specifications and with the lines and grades given.

The bid price per linear foot of pipe in place shall include the cost of excavation and backfill, the cost of furnishing and installing all trench bracing, bedding, concrete bases, and concrete thrust blocking, trace wire, marking tape, and the material for and the making of all joints, including all connections to existing watermain, unless a separate pay item for connection is included.

“Unstable,” “Unsuitable,” “Suitable,” and “Unsatisfactory” soil or aggregate items shall be defined as stated in Subsection 202-1.

901-2 MATERIALS

901-2.1 GENERAL. All materials that may come into contact with water intended for use in a public water system shall meet the American National Standards Institute (ANSI) / National Sanitary Foundation International (NSF) Standard 61. A product will be considered as meeting this standard if so certified by NSF, the Underwriters Laboratories, or other organization accredited by ANSI to test and certify such products. The materials shall be of the type selected by the CONTRACTOR and in accordance with the following appropriate requirements unless otherwise specified.

901-2.2 POLYVINYL CHLORIDE PIPE. Polyvinyl chloride pipe (PVC) or molecularly oriented PVC (PVCO) shall meet the requirements of AWWA C900 or C905 or C909, or the latest revision thereof, and shall be furnished in cast iron pipe equivalent outside diameters with elastomeric joints. The pressure class of PVC pipe shall be PC235 with a DR of 18. PVCO pipe shall be pressure class PC235 (AWWA C900 DR18 equivalent).

Where shown on the plans, restrained joint pipe and fittings shall be used. Restrained jointing systems require approval of the ENGINEER. Preapproved restraining systems include Certa-Lok, Yelomine, and EBAA Iron, Inc (MEGALUG). The CONTRACTOR shall note that the standard mechanical joint is not a restrained joint.

901-2.3 HIGH DENSITY POLYETHYLENE PLASTIC PIPE (HDPE). Pipe shall be manufactured in accordance with PE4710 conforming to the latest ANSI/AWWA C906 and NSF/ANSI 61. For potable water applications, PE4710 compound shall conform to ASTM D3350 minimum cell classification 445574C-CC3. The minimum wall thickness of the HDPE shall meet the requirements of DR 11 pipe, with ductile iron pipe outside diameters. HDPE pipe shall conform to the requirements of ASTM F714 for Polyethylene (PE) Plastic Pipe. All pipes shall be made of virgin material, no rework except that obtained from the manufacturer of the same formulation shall be used. The pipe shall be homogeneous throughout and be free of faults such as visible cracks, holes, foreign material, and blisters.

901-2.4 DUCTILE IRON PIPE. Ductile iron pipe shall be manufactured in accordance with the requirements of AWWA/ANSI C151/A21.51. Push-on joints and mechanical joints shall be manufactured in accordance with AWWA/ANSI C111/A21.11. Pipe thickness shall be designated in accordance with AWWA/ANSI C150/A21.50. All pipe under 16 inches shall use pressure Class 350. All 16-inch to 20-inch pipe shall use pressure class 250 or higher. All 24-inch pipe shall be pressure Class 200 or higher. All 30-inch pipe or larger shall be pressure Class 150 or higher. All pipe shall be supplied with a cement mortar lining in accordance with AWWA/ANSI C104/A21.4. All pipe shall have a bituminous exterior coating in accordance with AWWA/ANSI C110/A21.10.

All pipe material suppliers shall be ISO 9001 or 9002 registered or provide the services of an independent inspection agency. Prior to the start of manufacturing, any manufacturer not meeting the ISO registration requirements shall submit to Owner or Owner's engineer the name of an independent inspection agency for approval. The independent inspection agency shall be responsible for sample monitoring of chemical and mechanical tests, and sample visual inspection of quality assurance tests performed on in-process pipe and fittings, and a sample visual and dimensional inspection report from the independent inspection agency of all witnessed tests shall be supplied to Owner or Owner's engineer within 10 days of completion of pipe manufacturing.

Chemical samples shall be taken from each ladle of iron, and the manufacturers' chemical control limits shall be maintained for at least the following elements: carbon, sulfur, phosphorus, silicon, magnesium, chromium, manganese, tin, aluminum, cerium, copper, and lead. When chemical values fall outside the manufacturers' control limits, additional mechanical property tests shall be performed to assure minimum mechanical properties are met.

Where called out on the plans, restrained joint pipe and fittings shall be used. All restrained jointing systems require approval of the ENGINEER. Preapproved restraining systems include Griffin Pipe Product Co. Snap-Lok, US Pipe TR Flex, or American Cast Iron Pipe Co. Flex-Ring. The CONTRACTOR shall note that the standard mechanical joint is not a restrained joint and offers no practical resistance against joint separations.

901-2.5 DUCTILE IRON FITTINGS. Full sized Ductile Iron fittings shall be manufactured in accordance with AWWA/ANSI C110/A21.10. and be furnished with either Standardized Mechanical Joints or Push-On Joints in accordance with AWWA/ANSI C111/A21.11. Compact Ductile Iron Fittings shall be manufactured in accordance with AWWA/ANSI C153/A21.53. Ductile iron fittings shall have a working pressure of 350 pounds per square inch. All ductile iron fittings shall be cement mortar lined and contain an exterior bituminous seal conforming to AWWA/ANSI C104/A21.4. All ductile iron fittings shall be considered incidental to the price bid for watermain.

901-2.6 COUPLINGS. All pipe couplings 12-inch diameter and smaller shall be epoxy coated ductile iron meeting the requirements of ASTM A 536, grade 65-45-12 and AWWA C219. Couplings shall have a minimum working pressure of 250 psi and have end rings that are segmented and joined with a pinless hinge. Gaskets shall be for water and sewer as per ASTM D2000. Fasteners shall be stainless steel.

Couplings larger than 12-inch diameter shall be, Hymax High Pressure or approved equivalent. Couplings larger than 12-inch diameter shall be mechanical joint long body sleeves (min. 15" length) meeting AWWA C153.

901-2.7 GATE VALVE. The gate valve furnished shall be manufactured by American Flow Control, American AVK Company or approved equivalent, under the minimum requirements in design, material, and workmanship conforming to the latest AWWA Standard C515. The metals used shall be in accordance with AWWA and ASTM Standards. Unless otherwise designated, all gate valves shall have a non-rising stem, O-ring stem seals, 2-inch operating nuts, and open counterclockwise. The gate valve shall have a resilient synthetic rubber coating seat attached to the wedge, manufactured and designed in accordance with the latest AWWA Standard C515. Resilient-seated gate valve body and bonnet shall be coated, inside and out, with a fusion bonded epoxy in accordance with AWWA C550. The waterway shall have a full unobstructed flow without recesses in the bottom. All bonnet bolts shall be stainless steel.

All valves shall be placed on a minimum 6" thick pad of sufficient dimensions for valve size. All valves shall have a stem extension, it shall be fastened to the operating nut with a SS set screw. The operating nut shall be drilled or otherwise indented to accept the set screw and provide a secure connection that will prevent an extension from coming loose during operation.

901-2.8 VALVE BOXES. The valve boxes furnished shall be manufactured by Tyler Pipe Model 6860, Sigma Type "G" or Star Pipe Products Cast Iron Heavy Duty Model "G" or approved equivalent, with bases and dimensions of each section to be as follows:

No. 6 round base for 16-inch and smaller gate valves.

No. 160 oval base for 24-inch or larger.

No. 6 round base for all butterfly valves.
Covers marked "Water."
Top Section 25½ inches long.
Extension pieces as required.

Valve box debris plugs as manufactured by Infact Corporation or approved equivalent shall be furnished and installed into new valve boxes.

All valve boxes shall be capable of a minimum 6 inch top adjustment in either direction, up or down, to or from, the finished curb grades shown in the plans.

Valve box debris plugs and valve box extension pieces required to make the above-mentioned adjustment shall be considered incidental to the price bid for "Gate Valve and Box."

901-2.9 GATE VALVE ADAPTOR. Gate valve adaptor shall be as manufactured by Adaptor, Inc. or approved equivalent. The adaptor shall be ¼-inch steel with a UV protective coating and a ¾-inch gasket attached to the adaptor. The adaptor shall be considered incidental to the price bid for "Gate Valve and Box".

901-2.10 HYDRANTS. Hydrants shall be manufactured in accordance with the requirements of AWWA C502. The hydrants shall be equipped with break-a-way type traffic flanges and two 2½-inch hose connections with National Standard Threads and one (1) 4½ -inch pumper connection with National Standard Threads. All 6-inch and 8-inch hydrants shall be 5¼-inch Waterous Pacer Model WB-67-250 as manufactured by American Flow Control or 5¼-inch American Darling Model B-62-B as manufactured by American Flow Control, or approved equivalent. New fire hydrants shall have a minimum of 24 inches between the 2½-inch hose connection and the nominal ground line groove and have a bury depth of 8½ feet unless otherwise called for in place. All metal internal moving parts below ground will be brass, Class 304 or 316 stainless steel or have epoxy coating as such to prevent corrosion for the life of the hydrant. All washers and barrel bolts below ground level shall be stainless steel. The hydrant lower rod shall be Class 304 or 316 stainless steel or have an epoxy coating that will prevent corrosion for the life of the hydrant. When an extension is required, it shall be for the make and model of hydrant per manufacturers recommendations. The hydrants shall be surrounded by ½ cubic yards of subcut gravel so placed that it will readily take up all water from the drip valves. The hydrants shall be set on a concrete pad 6 inches thick and 18 inches square.

All fire hydrant leads will have a gate valve installed on the lead. The valve shall be restrained to the tee with a city-approved method. For those fire hydrant leads 4 feet or less, a special fitting such as a Foster Adapter will be acceptable. No valve shall be installed closer than 2 feet from the fire hydrant.

Fire hydrants shall be installed with a 48-inch Red FH800 American Series Fire Hydrant Marker manufactured by Flexstake, Inc. of Fort Myers, Florida, or an equivalent

approved by the ENGINEER. All costs to furnish and install marker shall be incidental to the hydrant.

Private fire hydrants shall be installed with a 48-inch Blue FH800 American Series Fire Hydrant Marker manufactured by Flexsake, Inc of Fort Myers, Florida or an equivalent approved by the ENGINEER. All costs to furnish and install marker shall be incidental to the hydrant. Anyone installing a private hydrant shall give notice to the Mandan Engineering Department and Mandan Public Works of the location, model, and size of watermain to the hydrant prior to installation.

If ground water is present during installation of the fire hydrant, the Contractor shall replace the existing hydrant seat to one without weep holes installed. All costs to replace the existing hydrant seat shall be incidental to the hydrant. If this situation occurs the Contractor shall give notice to the Mandan Public Works prior to installation.

901-2.11 RESET HYDRANT. Hydrants to be reset shall be either furnished by the CITY OF MANDAN or an existing hydrant salvaged during construction. Hydrants shall be set at the location shown on the plans. Care shall be taken by the CONTRACTOR not to damage existing watermain, connections, or valves while removing existing hydrants. Care shall also be taken not to damage the hydrant to be reset during transportation or storage by the CONTRACTOR.

The depth of earth cover over the connecting pipe shall be no less than 8 feet. The hydrants shall be surrounded by $\frac{1}{2}$ cubic yards of subcut gravel so placed that it will readily take up all water from the drip valves. The hydrants shall be set on a concrete pad 6 inches thick and 18 inches square.

Reset fire hydrants shall be installed with a 48-inch Red FH800 American Series Fire Hydrant Marker manufactured by Flexstake, Inc. of Fort Myers, Florida, or an equivalent approved by the ENGINEER.

Reset private fire hydrants shall be installed with a 48-inch Blue FH800 American Series Fire Hydrant Marker manufactured by Flexsake, Inc of Fort Myers, Florida or an equivalent approved by the ENGINEER. All costs to furnish and install marker shall be incidental to the hydrant.

If ground water is present during resting of the fire hydrant, the Contractor shall replace the existing hydrant seat to one without weep holes installed. All costs to reset the existing hydrant seat shall be incidental to the hydrant.

901-2.12 TAPPING SLEEVE WITH TAPPING VALVE. For pipe sizes of 6 inches to 24 inches, the tapping sleeve shall be stainless steel with a stainless steel flange and bolts and shall conform to the "Smith Blair" Type 663 or "Romac" Type SST, "Power Seal" 3480AS or approved equivalent. For pipe sizes of 24 inches or larger, the tapping sleeve shall be epoxy- lined and coated with stainless steel bolts and shall conform to the "Smith Blair" Type 622 Split Sleeve with O-Ring Seal. The tapping valve shall conform to City of Mandan Standard Specification 901-2.5 for Gate Valves. Tapping

saddles shall be installed according to manufacturer's installation instructions. The tapping saddle bolts shall be torqued using a calibrated torque wrench with a handle at least 12 inches in length. The CONTRACTOR should be prepared to show certification of torque wrench calibration at the request of the ENGINEER.

Tapping saddles with valves shall be hydrostatically pressure tested on the main prior to requesting a tap. The test shall be minimum 125 pounds per square inch for a duration of 30 minutes.

The CONTRACTOR shall be responsible to tap the watermain. The CONTRACTOR shall be responsible for all work connected with installation of the tapping sleeve and valve, including the necessary space around the watermain required for the tapping machine. The City of Mandan Public Works will inspect the tap of the watermain. The Contractor shall give the Mandan Public Works 48-hour notice of tapping of a watermain.

901-2.13 CONCRETE. Concrete for pipe cradles, anchors, and thrust blocking shall conform to the requirements of Section 501.

901-2.14 BEDDING MATERIAL. The bedding material shall be defined as stated in Subsection 801-2.

901-2.15 SUBCUT GRAVEL. The subcut gravel shall be as defined in Subsection 801-2.

901-2.16 SALVAGE MATERIAL. All existing pipe, gate valves, fittings, etc., removed during construction, when requested by the ENGINEER, shall be salvaged and delivered to the City of Mandan Water Department as directed. No extra compensation will be allowed for this work.

901-2.17 MARKING TAPE – TRACE WIRE. The CONTRACTOR will be required to furnish and install marking tape located 2 feet above the top of all watermain installed under the contract. The tape shall be of the non-detectable type and shall have a minimum width of 5 inches. The tape shall be blue in color with the words "CAUTION WATER LINE BELOW" imprinted on the tape in black capital letters. The marking tape shall be equal to that manufactured by Presco standard grade.

Trace wire shall be high-strength copper clad steel (CCS) wire, 450-lb min rated break strength, 30mil HDPE insulation. Color per APWA uniform standards. Splices shall be made with sealant-filled connectors designed for direct bury. Approved Manufacturers: Copperhead Ind., Kris- Tech Wire or approved equal. Attach to pipe and provide ground rods per manufactures recommendations. Provide terminal boxes as called for on plan. Contractor to coordinate testing and verification with owners' equipment.

901-2.18 POLYETHYLENE ENCASEMENTS. All ductile iron and cast iron pipe, valves, valve boxes, fittings, couplers, curb stop box and hydrants shall be encased with 8-mil linear low-density (LLD) polyethylene film in accordance with ANSI/AWWA C105/A21.5. All encasements shall be considered incidental. Care shall be taken so as not to damage epoxy coating or painted surfaces, damaged pipe and fittings shall be replaced at the expense of the CONTRACTOR.

901-2.19 MECHANICAL JOINT BOLT REQUIREMENTS. Bolts for mechanical joint fittings, valves, and hydrants shall be alternated with one-half stainless steel and one-half low alloy steel. All stainless steel bolts shall be Grade 304.

901-2.20 INSULATION BOARDS. The insulation shall have a thermal conductivity of not more than 0.28 BTU per hour per square foot per degree Fahrenheit per inch of thickness as tested in accordance with ASTM C177. The insulation shall not absorb moisture to an extent greater than 2.5 percent by volume as tested in accordance with ASTM D2842. The compression strength of the insulation shall be greater than 20 psi as tested in accordance with ASTM D1621. The minimum density of the insulation shall be between 0.9 and 1.3 pounds per cubic feet as tested in accordance with ASTM D1622. The insulation shall be specifically designed for protection of underground utilities, and be installed per the manufacturers recommendations.

901-3 CONSTRUCTION REQUIREMENTS

901-3.1 EQUIPMENT. All equipment necessary and required for the proper construction of watermain shall be on the project, in first-class working condition, and approved by the ENGINEER before construction is permitted to start.

The CONTRACTOR shall provide appropriate hoisting equipment to handle the pipe while unloading and placing it in its final position without damage to the pipe.

The CONTRACTOR shall provide methods and means to obtain the required compaction of the pipe bed and the backfill, as specified.

901-3.2 EXCAVATION AND PREPARATION OF TRENCH. Excavation and preparation of the trench for watermain construction shall conform to Subsection 801-3.2 with the following additions:

The CONTRACTOR shall notify the City of Mandan Fire Department of any loss of service of a fire hydrant or ability to use a fire hydrant 1 day before the occurrence. The CONTRACTOR shall also notify the City of Mandan Fire Department when each hydrant is back in service. Any existing hydrants and valve boxes to be removed and not replaced shall be cut off 2 feet below the surface, and the void shall be filled with granular material, up to 2 feet below the surface. All hydrant heads shall be salvaged and delivered to the City of Mandan Public Works Department at 411 6th Ave SW.

Existing gate valves shall only be operated by City of Mandan representatives. The CONTRACTOR will operate its newly installed valves until the project is accepted.

Existing valves may not close tight enough to get a watertight closure. The CONTRACTOR may have to do work without a total water shut off with no extra charge to the City of Mandan. In the event extra valves have to be shut down to slow the flow of water, there shall be no extra charge to the City of Mandan by the CONTRACTOR for the time, up to 2 hours, to accomplish the water shutdown.

901-3.3 ROCK EXCAVATION. The rock excavation shall be as defined in Subsection 801-3.3.

901-3.4 PIPE LAYING. All pipe laying shall conform to Subsection 801-3.4 with the following additions:

Before lowering and while suspended, shall be inspected for defects. Any defective, damaged, or unsound pipe shall be rejected. All foreign matter or dirt shall be removed from the inside of the pipe before it is lowered into its position in the trench, and it shall be kept clean by approved means during and after laying. Care shall be taken to prevent dirt from entering the joint space. At times when pipe laying is not in progress, the open ends of the pipe shall be closed by approved means, and no trench water shall be permitted to enter the pipe.

Cutting pipe for inserting valves, fittings, or closure pieces shall be done in a neat and workmanlike manner without damage to the pipe. Unless otherwise directed, pipe shall be laid with the bell ends facing the direction of laying. For lines on an appreciable slope, bells shall face upgrade, if directed by the ENGINEER. Whenever necessary to deflect the pipe from straight line, whether in the vertical or horizontal plane to avoid obstructions, to plumb stems, or other reasons, the degree of deflection shall not exceed manufacturer's recommendations and shall be approved by the ENGINEER. When any railroad is crossed, all precautionary construction measures required by the railroad officials shall be followed. No pipe shall be laid in water or when the trench condition or the weather is unsuitable for such work except by permission of the ENGINEER.

The CONTRACTOR shall place a 16-inch by 16-inch or larger concrete block, as directed by the ENGINEER, under all valves. A larger block will be required for larger valves. The block shall be considered incidental to the price bid for the valve.

When installing watermain larger than 12 inches, on either side of each fitting and valve, a minimum of 50 lineal feet and 2 uncut sections of pipe, shall be installed with restrained joints.

Restrained joint systems require approval by the ENGINEER. Preapproved restraining systems include Certa-Lok, Yellowmine, Romac 600 Series, Ford uniflange, Sigma PV-Lok and EBAA Iron, Inc. C100 (Megalug). The CONTRACTOR shall note that the standard mechanical joint is not a restrained joint and offers no practical resistance against joint separations. All nuts, bolts and threaded rod shall be stainless steel. Restraining systems shall be incidental to watermain. All restrained joint systems shall be wrapped with 8 mm poly.

All bolted fittings and service saddles shall be installed according to the manufacturer's recommendations. All bolts shall be tightened with a torque wrench according to the manufacturer's recommendations. The CONTRACTOR shall have a copy of the installation guide on site.

The CONTRACTOR shall furnish and install temporary watertight plugs in any opening left in the main line or lead off the main line, during construction, which would allow water or other debris to enter the newly constructed pipe or any existing pipe.

901-3.5 TESTS. Inspection and tests must be made by the manufacturer on all pipe and component parts before shipment. Such tests shall be made by a testing laboratory satisfactory to the ENGINEER, and such tests shall be made in accordance with the requirements of the American Society for Testing Materials. Documentary evidence that the materials have been passed such inspection and tests must be furnished to the ENGINEER before the delivery of the materials on the job. Any materials which do not prove satisfactory after being placed must be removed from the premises and replaced with satisfactory material. The cost of foundry inspection shall be paid for by the CONTRACTOR. After the pipe has been laid, all new pipe, including pipe for water services or any valve section thereof, shall be subject to a hydrostatic pressure test under the supervision of the ENGINEER.

PVC Hydrostatic Testing. The test section shall be filled with water, and the pressure shall be gradually increased. If defects are found, the CONTRACTOR shall immediately make the necessary repairs at its own expense. The final pressure test shall be 150 pounds per square inch and shall be held at least 2 hours. The CONTRACTOR shall furnish all tools, equipment, and material necessary to perform the pressure test. The CITY OF MANDAN will provide the water for filling the pipe and will inspect the pressure test.

HDPE Hydrostatic Testing. Slowly fill pipe, expelling air from high points. Temperature of test water and pipe should be less than 80 degrees Fahrenheit. Allow test water and pipe to equalize before applying pressure. Slowly pressurize to 150 psi and maintain for four hours, adding makeup water during this initial phase is not required. After the initial expansion phase is complete and within 8 hours, maintain test pressure for three hours. After test duration is complete, any water deficiency must be replaced and measured. Add and measure the amount of make-up water required to return to the test pressure and compare to maximum allowance in table below.

ALLOWANCE FOR EXPANSION UNDER TEST PRESSURE			
NOMINAL PIPE SIZE	U.S. GALLONS/100FT. OF PIPE		
	1 HOUR	2 HOURS	3 HOURS
2"	0.08	0.12	0.15
3"	0.10	0.15	0.25
4"	0.13	0.25	0.40
6"	0.30	0.60	0.90
8"	0.50	1.00	1.50
10"	0.75	1.30	2.10
12"	1.10	2.30	3.40

14"	1.40	2.80	4.20
16"	1.70	3.30	5.00
18"	2.20	4.30	6.50
20"	2.80	5.50	8.00
24"	4.50	8.90	13.30

If there is a failure, depressurize and make repairs as needed. Allow the test section to remain depressurized for a min of 8 hours before re-testing. Leaks at fusion joints must be cut out and re-fused. Repair and retest until leakage is below the maximum allowance.

901-3.6 DISINFECTION AND BACTERIOLOGICAL TESTING. After the new mains, replacement mains, and valved extensions have been tested, they shall be flushed at a minimum scour rate of 3.0 fps until all foreign material has been removed. Chlorination applications shall be made under supervision of the ENGINEER in accordance with AWWA C651-14 with the exception that 5.1.1.1 option B will not be allowed. Water shall be fed into the new line with chlorine applied in amounts to maintain a chlorine residual of 50 milligrams per liter for 24 hours or chlorine residual of 200 milligrams per liter for three (3) hours. All valves and hydrants in the section treated shall be operated during this time in order to disinfect the appurtenance. Heavily chlorinated water should not remain in prolonged contact (maximum of 48 hours) with the watermain pipe. The chlorine shall be flushed from the main through hydrants and taps until all excess chlorine has been removed. The CONTRACTOR shall be responsible for repairing all grass, new or existing, damaged by the chlorination and flushing process. No chlorination water will be permitted in the watermain trench. The CONTRACTOR shall furnish all tools, equipment, materials, and chlorine to complete the chlorination process, incidental to other bid items. Prior to discharging chlorinated water into any drainage way, the CONTRACTOR shall obtain the permission of the ENGINEER. Taps are to be provided so at least one (1) set of samples may be collected from every 1,200 feet of the new watermain, with one (1) set from the end of the line and at least one (1) set from each branch exceeding 20 feet in length. If the new watermain is less than 1,200 feet but more than 400 feet, the contractor shall collect two sets of samples, with one set from the end of the line and one set from a location as determined by the ENGINEER. If the new line is less than 400 feet, one set of samples will be acceptable.

After final flushing two consecutive sets of acceptable samples, taken at least 16 hours apart, shall be collected from the new main. Any other option will only be allowed with the approval of the ENGINEER. The CONTRACTOR or testing laboratory, in the presence of the ENGINEER, shall perform the sampling. The CONTRACTOR shall record the locations, by street and station and date, the samples were. Sampling shall be performed with due care to prevent contamination using sterile bottles provided by the testing laboratory. It is not recommended that samples be collected from hoses or fire hydrants. The testing of the samples shall be performed by a State of North Dakota certified testing laboratory selected by the CONTRACTOR. All samples shall be tested for bacteriological quality, chlorine residual, and shall show the absence of coliform organisms. All super chlorinated water from the disinfection of a potable distribution system shall not reach waters of the state until the total residual chlorine level has become non-detectable. Any sample result less than 0.05 mg/l will be considered "non-detectable."

Written records of all test results shall be supplied to the ENGINEER and the CONTRACTOR by the testing laboratory as soon as possible. If trench water has entered the new main during construction or if, in the opinion of the ENGINEER, excessive quantities of dirt or debris have entered the new main, bacteriological samples shall be taken at intervals of approximately 200 feet and shall be identified by location. Samples shall be taken of water that has stood in the new main for at least 16 hours after final flushing has been completed.

The testing laboratory shall test for coliforms and e-coli using the "Colilert" or other ENGINEER approved equivalent test. The "Colilert" test is a pass/fail test that does not quantify the amount of bacteria. Any presence of coliforms or e-coli shall qualify as a failed test.

If the initial disinfection fails to produce satisfactory bacteriological results, the new main may be reflushed and shall be resampled. If check samples also fail to produce acceptable results, the main shall be rechlorinated by the continuous-feed or slug methods of chlorination until satisfactory results are obtained.

Bacteriological samples shall be taken after repairs or short connection pieces are completed to provide a record for determining the procedure's effectiveness. If the direction of flow is unknown, the samples shall be taken on each side of the repair or connection. If positive bacteriological samples are recorded, then the situation shall be evaluated to determine corrective action, and daily sampling shall be continued until 2 consecutive negative samples are recorded.

All disinfection and bacteriological testing shall be incidental to other items.

901-3.7 HANDLING PIPE AND ACCESSORIES. Pipe, fittings, valves, hydrants, and other accessories shall, unless otherwise directed, be unloaded at the point of delivery, and hauled to and distributed at the site of the project by the CONTRACTOR. They shall at all times be handled with care to avoid damage. In loading and unloading, they shall be lifted by hoists or slid or rolled on skidways in such a manner as to avoid shock. Under no circumstances shall they be dropped. Pipe handled on skidways must not be skidded or rolled against pipe already on the ground. In distributing the material at the site of the work, each piece shall be unloaded opposite or near the place where it is to be laid in the trench. Pipe shall be handled in such a manner that a minimum of damage to the coating will result. Damaged coating shall be repaired in a manner satisfactory to the ENGINEER. Pipe shall be placed on the site of work parallel with the trench alignment and with bell ends facing the direction in which the work will proceed unless otherwise directed. The interior of all pipe fittings and other accessories shall be kept free from dirt and foreign matter at all times. Valves and hydrants, before installation, shall be drained and stored in a manner that will protect them from damage by freezing.

901-3.8 BACKFILLING OF PIPE TRENCH. Excavation and preparation of the trench for watermain construction shall conform to Subsection 801-3.5 with the following revision:

After the pipe has been laid to line and grade, the trench shall be backfilled under and along the sides of the pipe up to 2 inches over the top of the pipe by thoroughly compacting bedding material into place so as to form a uniform bed for the pipe. See Standard Detail 900-3.

901-3.9 BACKFILL CLASSIFICATIONS. The backfill classifications shall be as defined in Subsection 801-3.6.

901-3.10 PROTECTING UNDERGROUND AND SURFACE STRUCTURES. Protection shall conform to Subsection 801-3.8.

901-3.11A BLOCKING HYDRANTS AND FITTINGS. All hydrants, tees, and bends 22½ degrees and larger, and tapping saddles 3 inches and larger, shall be provided with suitable reaction blocking of concrete blocks of adequate size or poured in place concrete to prevent movement of fittings and hydrants when the pipe is under pressure. Precast concrete blocks shall be allowed for pipe sizes 12 inches and smaller. Thrust blocks for pipe sizes larger than 12 inches shall be poured in place. The blocks shall be placed in a manner acceptable to the ENGINEER and shall allow pipe and fitting joints to be accessible for repair. The concrete blocks may be poured in place if sufficient time is allowed for curing.

901-3.11B HYDRANT EXTENSIONS. Hydrant extensions, as needed per plans, shall be furnished and installed by CONTRACTOR per manufacturer's recommendations. Maximum extension length shall be three vertical feet. Contractor shall not stack multiple extensions. Extensions shall be considered incidental to the price bid for "X" Hydrant".

901-3.12 GATE VALVE ADAPTORS. All gate valve boxes shall be installed upon the valve with the use of a gate valve adaptor. The adaptor shall be considered incidental to the price bid for "Gate Valve and Box". Gate Valve Adaptor shall be equal to that manufactured by Adaptor Inc. or approved equal.

901-3.13 MARKING VALVE BOX LOCATIONS. The CONTRACTOR will be required to furnish and install a steel fence post by each valve box unless directed not to by the ENGINEER. Steel fence posts to be used for valve locations shall be a "Tee" or "U" post having a minimum length of 5½ feet. The post shall be located within 2 feet from the valve box in a direction toward the street.

The cost of the steel fence post and the installation shall be considered incidental to other bid items.

901-3.14 INSULATE WATERMAIN. The CONTRACTOR shall furnish and install the insulation required to insulate the watermain as shown on the plans. The insulation

shall be at least 4 inches thick by 8 feet wide centered on the watermain. The material between the top of the watermain bedding and the insulation shall consist of a concrete sand.

901-3.15 TEMPORARY WATER SUPPLY. If the CONTRACTOR elects to use a temporary water supply, the CONTRACTOR must provide a continuous water supply to the affected properties. The CONTRACTOR must use a polyethylene or PVC pipe. Rubberized garden hoses may not be used. The method and type of material shall be approved by the ENGINEER prior to setting up the temporary water supply. Any damage that may occur from the temporary water supply shall be the responsibility of the CONTRACTOR. All materials, labor, and equipment necessary to provide the temporary water supply shall be considered incidental to other bid items.

All temporary water mains and services shall be disinfected as per section 901-3.6 after installation or relocation and prior to putting into use. One water sample shall be taken per 1000 lineal feet of mainline and each individual service over 100 lineal feet at the end of a service connection after the temporary water is flushed. The sample shall show the absence of bacteria before connections are allowed. All mains and services shall be flushed prior to being put in service. No additional time or compensation shall be made for failure to pass bacteria test.

901-3.16 ABANDONED WATERMAIN. The CONTRACTOR shall plug all exposed ends of the watermain to be abandoned with concrete and remove all existing valve boxes and hydrant heads on the abandoned line, incidental to other bid items. CONTRACTOR shall confirm all existing valves to be abandoned are closed prior to removal of the box. Any asbestos pipe called for removal shall be done per the North Dakota Department of Environmental Quality guidelines.

901-3.17 TAPPING SLEEVE WITH TAPPING VALVE. Tapping saddles with valves shall be hydrostatically pressure tested on the main prior to requesting a tap. The test shall be a minimum of 125 pounds per square inch for a duration of 30 minutes.

The City of Mandan Public Works Department will tap the watermain at a charge to the CONTRACTOR. The CONTRACTOR shall be responsible for all other work connected with installation of the tapping sleeve and valve, including the necessary space around the watermain required for the tapping machine and assisting the Public Works Department in positioning the tapping machine.

901-4 MEASUREMENT AND PAYMENT

901-4.10 thru 4.25 (X)" WATERMAIN. (X) inch watermain shall conform to Subsections 901-2.2 and 901-2.3. The watermain pipe shall be measured by the linear foot (LF) through fittings and from centerline of pipe to centerline of pipe as shown in

Standard Detail 900-2 and shall be paid for at the unit price bid for "Watermain" complete, in place, and accepted by the ENGINEER.

901-4.50 thru 4.69 (X)" GATE VALVE AND BOX. (X)" Gate Valve and Box shall be measured on an individual unit basis (EA) and shall be paid for at the unit price bid for "(X)" Gate Valve and Box" complete, in place, and accepted by the ENGINEER.

901-4.70 6" HYDRANT. 6" Hydrant shall be measured on an individual basis (EA) and paid for at the unit price bid for "Six" Hydrant" complete, in place, and accepted by the ENGINEER.

901-4.71 8" HYDRANT. 8" Hydrant shall be measured on an individual unit basis (EA) and paid for at the unit price bid for "Eight-Hydrant" complete, in place, and accepted by the ENGINEER.

901-4.72 CAST IRON AND DUCTILE IRON FITTINGS. Cast Iron and Ductile Iron Fittings shall be considered incidental to the price bid for "(X)" Watermain."

901-4.73 AIR RELEASE VALVE AND MANHOLES. Air Release Valve and Manholes shall be measured and paid for under Subsection 1205-4.4.

901-4.74 BEDDING MATERIAL. Bedding Material shall be measured and paid for under Subsection 801-4.60.

901-4.75 SUBCUT GRAVEL. Subcut Gravel shall be measured and paid for under Subsection 801-4.61.

901-4.76 ROCK EXCAVATION. Rock Excavation shall be measured and paid for under Subsection 801-4.62.

901-4.77 RESET HYDRANT. Reset Hydrant shall be measured on an individual basis (EA) and paid for at the unit price bid for "Reset Hydrant" complete, in place, and accepted by the ENGINEER.

901-4.78 INSULATE WATERMAIN. Insulate Watermain shall be measured by the linear foot (LF) of watermain to be insulated and paid for at the unit price bid for "Insulate Watermain" complete, in place, and accepted by the ENGINEER.

901-4.79 thru 4.99 (SIZE) TAPPING SLEEVE WITH (SIZE) TAPPING VALVE AND BOX. (Size) Tapping Sleeve with (Size) Tapping Valve and Box shall be measured on an individual basis (EA) and paid for at the unit bid price for "(Size) Tapping Sleeve with (Size) Tapping Valve and Box" complete, in place, and accepted by the ENGINEER.

901-5 CONNECTION TO EXISTING WATERMAIN. Connection shall be measured as each, includes all labor ,materials and equipment necessary to make connection complete and accepted by ENGINEER.

SECTION 802 – STORM SEWER

802-1 DESCRIPTION

This item shall consist of pipe and related items of the types, classes, sizes, and dimensions required on the plans, furnished and installed at the places designated on the plans and profiles, or by the ENGINEER, in accordance with these specifications and with the lines and grades given.

The bid price per linear foot of pipe in place shall include the cost of excavation and backfill, the cost of furnishing and installing all trench bracing, all fittings required to complete the pipe drain, as shown on the plans, and the material for and the making of all joints, including all connections to existing drainage pipe. Includes bedding material connections to existing pipe and manholes or other structures unless a separate pay item(s) is provided.

"Unstable," "Unsuitable," "Suitable," and "Unsatisfactory" soil or aggregate items shall be defined as stated in Section 202-1.

802-2 MATERIALS

802-2.1 GENERAL. The pipe shall be of the type called for on the plans or in the proposal and shall be in accordance with the following appropriate requirements.

802-2.2 REINFORCED CONCRETE STORM SEWER PIPE. Reinforced concrete storm sewer pipe shall conform to the requirements of ASTM C76.

Unless otherwise specified, all pipe 12 to 18 inches shall be Class V, all pipe 21 – 36 inches shall be Class III, and all pipe 42 inches or larger shall be Class II, Wall thickness shall increased as required for anticipated loading and or the depth of bury per manufacturers recommendations.

All pipe sections shall be cast in sections 8 feet, 6 feet, or 4 feet long, except that the variable length sections may be cast in order to match at manholes and inlets.

802-2.3 POLYVINYL CHLORIDE STORM SEWER PIPE. Polyvinyl chloride storm sewer (PVC) pipe 15 inches or smaller shall conform to the requirements of ASTM D3034 for type PSM, PVC sewer pipe and shall have an SDR of 35, all of which shall be stamped on the pipe. Polyvinyl chloride sewer pipe 18 inches or larger shall conform to the requirements of ASTM F679-PS46. PVC sewer shall have the elastomeric gasket type joint providing a watertight seal.

802-2.4 CORRUGATED STEEL STORM SEWER PIPE. Corrugated steel storm sewer pipe shall have a zinc coating weight of 2 ounces per square foot and shall conform to the requirements of AASHTO M36. This material may be used if approved by the ENGINEER.

802-2.5 HIGH DENSITY POLYETHYLENE STORM SEWER PIPE High Density polyethylene storm sewer pipe shall be of the quality to that manufactured by ADS/Hancor, or approved equivalent. The pipe shall have a smooth interior and annular exterior corrugations. The 4-inch to 60-inch pipe with integral bell and spigot joints shall conform to ASTM F2306. The joint shall be water tight and gaskets shall conform to ASTM F477. Fittings shall conform to ASTM F2306. Bell and spigot connections shall utilize a spun-on or welded bell. Valley or saddle gaskets shall meet the soil-tight performance requirements of ASTM F477.

802-2.6 RIBBED POLYVINYL CHLORIDE STORM SEWER PIPE. Ribbed polyvinyl chloride storm sewer pipe shall be of a quality equal to that manufactured by Extrusion Technologies, Inc. Ultra-Rib, or approved equivalent. The pipe shall meet the requirements of ASTM F794 and shall have a smooth interior. The pipe shall have a bell end and a spigot end which shall be connected using elastomeric gaskets. The pipe stiffness shall be a minimum of 46 psi when tested at 5 percent deflection in accordance with ASTM D2412.

802-2.7 CORRUGATED POLYVINYL CHLORIDE STORM SEWER PIPE. Corrugated polyvinyl chloride storm sewer pipe shall be manufactured by Extrusion Technologies, Inc. Ultra-Corr, or approved equivalent. The pipe shall meet the requirements of ASTM F949 and shall have a smooth interior. The pipe shall have a bell end and a spigot end which shall be connected using elastomeric gaskets. The pipe stiffness shall be a minimum of 50 psi when tested at 5 percent deflection in accordance with ASTM D2412.

802-2.75 POLYPROPYLENE (PP) SEWER PIPE. Pipe and fittings to meet the requirements of ASTM F2881 and AASHTO M330. The pipe shall have a bell end and a spigot end which shall be connected using elastomeric gaskets. The pipe stiffness shall be a minimum of 50 psi when tested at 5 percent deflection in accordance with ASTM D2412.

802-2.8 PERFORATED PIPE. Perforated concrete pipe in sizes 4 inches and above shall conform to the requirements of ASTM C444, Type 1 or 2. Corrugated HDPE perforated pipe in sizes 3 inches to 6 inches shall conform to ASTM F405. Corrugated HDPE perforated pipe in sizes 8 inches to 24 inches shall conform to ASTM F667. If PVC perforated pipe is selected, it must meet the requirement of Subsection 802-2.6, or an approved equivalent. The drainage aggregate per plan detail shall be considered incidental to perforated pipe unless a separate pay item is provided.

802-2.9 (TYPE OF PIPE) ARCH PIPE. Arch pipe shall conform to the same requirements as listed for standard pipe of like material.

802-2.10 FLARED END SECTIONS. Flared end sections shall be RCP material for the flared end section and 2 adjacent pipe sections. The 2 sections and the flared end section shall be tied together using joint ties, or an approved equivalent.

802-2.11 CONCRETE MANHOLES AND INLETS. Concrete manholes and inlets shall conform to Section 1205.

802-2.12 MORTAR. Mortar for pipe joints and connections to other drainage structures shall be composed of 1 part, by volume, of portland cement and 2 parts of mortar sand. The portland cement shall conform to the requirements of Subsection 501-2.2. The sand shall conform to the requirements of Subsection 501-2.5. Hydrated lime may be added to the mixture of sand and cement in an amount equal to 15 percent of the weight of cement used. The hydrated lime shall meet the requirements of ASTM207.

802-2.13 CONCRETE. Concrete for pipe cradles shall conform to the requirements of Section 501.

802-2.14 CONCRETE PIPE JOINTS. Concrete pipe joints for non-pressure pipe shall be sealed with a butyl joint mastic. Butyl joint mastic shall be equal to EZ-STIK as manufactured by the Press-Seal Gasket Corporation, or approved equivalent. The CONTRACTOR shall use 1/2-inch butyl for 12-inch to 18-inch RCP, 3/4-inch for 21-inch to 36-inch RCP, 1-inch for 42-inch to 66-inch RCP, and 1½-inch for 72-inch to 120-inch RCP. Rubber-type gaskets for concrete low-head pressure pipe shall conform to the requirements of ASTM C443 and ASTM 361. if specified.

802-2.15 GASKET JOINT FOR PVC STORM SEWER PIPE. Gaskets for PVC storm sewer pipe joints shall be of the elastomeric type providing a watertight seal.

802-2.16 BEDDING MATERIAL. The bedding material shall be defined as stated in Subsection 801-2.

802-2.17 SUBCUT GRAVEL. The subcut gravel shall be as defined in Subsection 801.

802-2.18 MARKING TAPE. The CONTRACTOR will be required to furnish and install marking tape located 2 feet above the top of all storm sewer mains installed under the contract. In cases where there is less than 30 inches of fill material over the top of the pipe, the tape shall be placed 12 inches from the top of the pipe. The tape shall be of the non-detectable type and shall have a minimum width of 5 inches. The tape shall be green in color with the words "CAUTION SEWER LINE BELOW" imprinted on the tape in black capital letters. The marking tape shall be manufactured by Presco standard grade or approved equivalent

Cost of marking tape and installation shall be considered incidental to other items.

802-2.19 RIPRAP. Rock shall be hard, durable, angular in shape, and free from cracks, overburden, shale, and organic material. The width and the thickness of a single stone shall each be less than one-third the length of the stone. Rock shall not sustain a loss of more than 40 percent after 500 revolutions in an abrasion test conducted in accordance with ASTM C535-69. Rock shall not sustain a loss of more

than 10 percent after 12 cycles of freezing and thawing (AASHTO T103 for ledge rock, procedure A). Rock shall have a minimum specific gravity of 2.50.

CONTRACTOR shall be responsible for all costs of testing rock for compliance with these specifications. In lieu of testing proposed rock for compliance with these specifications, rock obtained from County or North Dakota Department of Transportation approved quarries may be used. All rock materials considered for use as riprap shall have prior approval by the ENGINEER before being placed.

Gradation for riprap are as follows:

Riprap	% Smaller than Given Size by Weight	Intermediate Rock Dimension (Inches)	d₅₀* (Inches)
Type VL	70-100	12	–
	50-70	9	–
	35-50	6	6**
	2-10	2	–
Type L	70-100	15	–
	50-70	12	–
	35-50	9	9**
	2-10	3	–
Type M	70-100	21	–
	50-70	18	–
	35-50	12	12
	2-10	4	–
Type H	100	30	–
	50-70	24	–
	35-50	28	18
	2-10	6	–
Type VH	100	42	–
	50-70	33	–
	35-50	24	24
	2-10	9	–

*d₅₀ = Mean particle size

**Bury types VL and L with native top soil and revegetate to protect from vandalism.

Riprap fabric shall be used under the riprap as bedding. The fabric shall be nonwoven geotextile fabric conforming to NDDOT RipRap Type RR or approved equivalent. Riprap fabric shall be installed in accordance with manufacturer's recommendations. All costs for providing and installing the riprap fabric shall be incidental to the riprap.

Hand placement of riprap may be required to ensure an acceptable gradation, uniform surface, and to fill gaps between larger rocks to cover any exposed riprap fabric.

Because of this relatively small size and weight, Type VL riprap and Type L riprap shall be buried with topsoil and revegetated. All items shall be considered incidental to the bid price for riprap.

Riprap shall be measured by the ton and paid for at the unit price bid for "Riprap - Type ()" complete, in place, and accepted by the ENGINEER.

802-2.20 RIPRAP GROUT. Riprap grout shall be installed on a 4-inch thick layer of granular material. The granular material shall be in accordance with Subsection 801-2.9 "Bedding Material." The riprap prior to the grout placement must be as clean as practical. The grout shall be delivered to the place of final deposit by means that will ensure uniformity and prevent segregation of the grout. Placing of grout shall be obtained by pumping under pressure through a 2-inch maximum diameter hose to ensure complete penetration of the grout into the rock layer. A vibrator is to be employed near the nozzle during placement to aid the flow of the grout. The excess grout must be removed immediately by washing to leave a clean rock face exposed. Grout shall fill the voids to within approximately 4 inches of the riprap surface. The recommended minimum grout specifications include entrained air, a 28-day strength of at least 2,400 pounds per square inch, and a high slump (5-7 inches) in order to penetrate either the full depth of the riprap layer or at least 2 feet where the riprap layer is thicker than 2 feet. Concrete having maximum aggregate size of 3/4 inch may be substituted for grout when using Type M riprap or larger.

802-2.21 CULVERTS. Culverts installed within CITY right-of-way shall be reinforced concrete pipe (RCP) or corrugated steel storm sewer pipe.

802-2.22 STORM SEWER FORCE MAIN. All materials for construction of storm sewer force mains shall conform to Section 901 "Water Mains"

802-3 CONSTRUCTION REQUIREMENTS

802-3.1 EQUIPMENT. All equipment necessary and required for the proper construction of storm sewers shall be on the project in proper working condition and approved by the ENGINEER before construction is permitted to start.

The CONTRACTOR shall provide appropriate hoisting equipment to handle the pipe while unloading and placing it in its final position without damage to the pipe.

The CONTRACTOR shall provide method and means to obtain the required compaction of the pipe bed and the backfill as specified.

The CONTRACTOR shall provide a sufficient number of watertight sewer plugs to prevent infiltration of water and any other foreign material from entering the existing sewer system and the newly constructed sewer lines.

802-3.2 EXCAVATION AND PREPARATION OF TRENCH. Excavation and preparation of the trench for storm sewer construction shall conform to Subsection 801-3.2 with the following additions:

HDPE sewer pipe shall have bedding material installed to 6 inches over the top of the pipe. Bedding material from the center of the pipe to 6 inches over the pipe shall be considered incidental to the pipe items.

If perforated storm drain is installed, the fine aggregate shall conform to Subsection 802-3.7.

802-3.3 ROCK EXCAVATION. The rock excavation shall conform to Subsection 801-3.3.

802-3.4 PIPE LAYING. Pipe laying shall conform to Subsection 801-3.4 with the following additions:

Connections between HDPE and RCP shall be made using an internal coupler spigot adaptor equivalent to the Mar-Mac Coupler manufactured by Advanced Drainage Systems per Detail No. 802-2. This work shall be incidental to the storm sewer pipe.

802-3.5 SIX-INCH CLEANOUT - IN-LINE. Where shown on the plans, storm sewer in-line cleanouts shall be constructed according to the corresponding Detail (802-3) in the City of Mandan Construction Specifications and conform to the following criteria. The pipe shall be polyvinyl chloride sanitary sewer (PVC) pipe. Pipe that is 15 inches or smaller shall conform to the requirements of ASTM D3034 for TYPE PSM, PVC sewer pipe and fittings and shall have an SDR of 35, all of which shall be stamped on the pipe. Polyvinyl chloride sewer pipe 18 inches or larger shall conform to the requirements of ASTM F679-PS46. PVC sewer main line pipe and PVC sewer service pipe shall have the elastomeric gasket-type joint providing a watertight seal. A solvent cement-type joint will not be allowed. PVC wye branches shall be of the "factory-assembled type." The top of the pipe shall have a PVC threaded clean out adapter with a PVC threaded plug placed under a Neenah No. R-1976 or East Jordan Iron Works No. 1578 or approved equivalent cover set in concrete as per the aforementioned detail.

802-3.6 SIX-INCH CLEANOUT - END OF RUN. Where shown on the plans, storm sewer end-of-line cleanouts shall be constructed according to the corresponding detail (802-4) in the City of Mandan Construction Specifications and conform to the following criteria. The pipe shall be polyvinyl chloride sanitary sewer (PVC) pipe. Pipe that is 15 inches or smaller shall conform to the requirements of ASTM D3034 for type PSM, PVC sewer pipe and fittings and shall have an SDR of 35, all of which shall be stamped on the pipe. Polyvinyl chloride sewer pipe 18 inches or larger shall conform to the requirements of ASTM F679-PS46. PVC sewer main line pipe and PVC sewer service pipe shall have the elastomeric gasket-type joint providing a watertight seal. A solvent cement-type joint will not be allowed. The PVC 90 degree bend shall be a sweeping bend; right angle bends will not be accepted. The top of the pipe shall have a PVC threaded clean out adapter with a PVC threaded plug placed under a Neenah No. R-

1976 or East Jordan Iron Works No. 1578 or approved equivalent cover set in concrete as per the aforementioned detail.

802-3.7 DRAINAGE AGGREGATE. The drainage aggregate shall meet either of the gradations in the following table.

NDDOT Class 43	
Sieve Size	Percent Passing
3/8"	100
No. 4	20-70
No. 8	0-17
No. 200	0-2
Shale	8.0%

NDDOT Class 2	
Sieve Size	Percent Passing
3/4"	100
3/8"	50-95
No. 10	0-15
No. 30	0-4

802-3.8 BACKFILLING OF PIPE TRENCH. Backfilling shall conform to Subsection 801-3.5 with the following additions:

When backfilling perforated pipe, the CONTRACTOR shall backfill with fine aggregate conforming to Subsection 501-2.5 to a point 2 feet below the finished surface. The remaining 2 feet shall be backfilled with existing spoil. The excess spoil shall be disposed of by the CONTRACTOR, incidental to other bid items. Care shall be taken when backfilling around the pipe to prevent damage to the trench section surrounded by the geotextile fabric.

When backfilling flexible pipe, the CONTRACTOR shall place and compact bedding material to a point 6 inches above the top of the pipe. Care shall be used not to over-deflect the roundness of the pipe. For flexible pipe, the pipe bedding shall be considered incidental from the center of the pipe to 6 inches over the top of the outside of the pipe.

The remaining trench shall be backfilled in accordance with the specifications for the class of backfill as set forth in Subsection 801-3.6. The areas for each class of backfill specified shall be designated on the plans.

802-3.9 BACKFILL CLASSIFICATIONS. The backfill classifications shall be as defined in Subsection 801-3.6.

802-3.10 PROTECTING UNDERGROUND AND SURFACE STRUCTURES.

Temporary support, adequate protection and maintenance of all underground and surface structures, drains, sewers, water mains, service connections for both sewer and water, and other obstructions encountered in the progress of the work shall be furnished by the CONTRACTOR all at its own expense as approved by the ENGINEER.

(a) Deviations Occasioned by Other Utility Structures. Wherever existing utility structures or branch connections leading to main sewer or water mains or other conduits, ducts, pipes, or structures form obstructions to the grade and alignment of the sewer to be laid, they shall be permanently supported, removed, relocated, or reconstructed by the CONTRACTOR through cooperation with the Owner of the utility, structure, or obstruction involved. In instances where their relocation or reconstruction is impracticable, a deviation from the line and grade will be ordered by the ENGINEER, and the change shall be made in the manner directed by the ENGINEER.

Wherever possible, all existing utility structures or branch connections leading therefrom will be located in advance of the excavation of the trench and properly marked. The CONTRACTOR shall not cut any existing utility lines unless it is determined by the ENGINEER that it is necessary in order to install the new sewer pipes. All utility lines that are cut by the CONTRACTOR with the approval of the ENGINEER shall be repaired or replaced by the CONTRACTOR as Extra Work.

All utility lines that are damaged by the CONTRACTOR shall be repaired or replaced by the CONTRACTOR at the CONTRACTOR's expense.

Wherever the ENGINEER shall determine it is necessary to remove or relocate any existing utility in order to properly install the new sewer pipe, the change shall be made in a manner directed by the ENGINEER and for which extra compensation will be allowed the CONTRACTOR.

(b) Deviation Without Engineer's Consent. No deviation shall be made from the required line and grade established by the ENGINEER without the consent of the ENGINEER.

(c) Subsurface Explorations. Whenever necessary to determine the location of existing pipes, valves, or other underground structures, the CONTRACTOR, after examination of available records and upon written order from the ENGINEER, shall make all explorations and excavations for such purpose for which the ENGINEER may allow extra compensation.

802-3.11 CIRCULAR DEFLECTION TEST. All fittings and plastic or HDPE pipe of 8 inches in diameter or larger shall be tested by the CONTRACTOR to ensure that circular deflections do not exceed the maximum allowable deflection. The CONTRACTOR shall test in accordance with Subsection 801-3.8 "Circular Deflection Test." Any pipe requiring replacement shall be retested at the expense of the CONTRACTOR.

Deflection tests shall be performed a minimum of 30 days after the pipe has been fully backfilled or after gravel section is in place and compacted when pipe is under roadway,

and received passing compaction tests per Subsection 801-3.5 Backfilling of Pipe Trench.

802-4 MEASUREMENT AND PAYMENT

802-4.1 thru 4.24 (X)" STORM SEWER PIPE. (X)" Storm Sewer Pipe shall be measured by the linear foot (LF) from centerline of manhole or inlet to centerline of manhole or inlet. If no inlet or manhole is installed, pipe shall be measured to end of pipe section. Flared end sections shall be paid under separate bid item. Items shall be paid for at the unit price for "(Size)" Storm Sewer Pipe" complete, in place, and accepted by the ENGINEER.

802-4.25 thru 4.35 (X)" ARCH STORM SEWER PIPE. (X)" Arch Storm Sewer Pipe shall be measured by the linear foot (LF) from centerline of manhole or inlet to centerline of manhole or inlet and paid for at the unit price bid for "(X)" Arch Storm Sewer Pipe" complete, in place, and accepted by the ENGINEER.

802-4.36 thru 4.50 (X)" CORRUGATED STEEL STORM SEWER PIPE. (X)" Corrugated Steel Storm Sewer Pipe shall be measured by the linear foot (LF) from centerline of manhole or inlet to centerline of manhole or inlet and paid for at the unit price bid for "(Size)" Corrugated Steel Storm Sewer Pipe" complete, in place, and accepted by the ENGINEER.

802-4.51 thru 4.79 (X)" FLARED END SECTION. (X) " Flared End Sections shall be measured on an individual unit basis (EA) and paid for at the unit price bid for "(X)" Flared End Section" complete, in place, and accepted by the ENGINEER.

802-4.80 thru 4.89 (X)" PERFORATED PIPE. (X)" Perforated Pipe shall be measured by the linear foot (LF) in place and accepted by the ENGINEER. Bends, tees, caps and coupling bands shall be considered incidental to the unit price bid.

802-4.90 BEDDING MATERIAL. Bedding Material shall be measured and paid for under Subsection 801-4.60.

802-4.91 SUBCUT GRAVEL. Subcut Gravel shall be measured and paid for under Subsection 801-4.61.

802-4.92 ROCK EXCAVATION. Rock Excavation shall be measured and paid for under Subsection 801-4.62.

802-4.94 thru 802-4.98 RIPRAP - TYPE (). Riprap - Type () shall be measured by the ton and paid for at the unit price bid for "Riprap - Type ()" complete, in place, and accepted by the ENGINEER.

802-4.99 RIPRAP GROUT. Riprap Grout shall be paid for by the cubic yard (CY) of riprap grout installed and accepted by the ENGINEER. Granular bedding material and installation shall be considered incidental to the price bid for grouted riprap.

802-4.100 SIX" CLEANOUT - IN LINE. Six" Cleanout - In Line shall be paid for by (EA) in place and accepted by the ENGINEER.

802-4.101 SIX" CLEANOUT - END OF RUN. Six" Cleanout - End of Run shall be paid for by each (EA) in place and accepted by the ENGINEER.

802-4.102 DRAINAGE AGGREGATE. Drainage Aggregate shall be paid by the ton for "Drainage Aggregate" in place and accepted by the ENGINEER .

802-4.103 CONNECTION TO EXISTING MANHOLE. Connection to existing manhole or structure shall include cutting or boring access, grouting connection watertight, paid as each completed and accepted by ENGINEER.

802-4.103 CONNECTION TO EXISTING PIPE. Connection to existing storm line utilizing bell and spigot or an approved connection method, paid as each completed and accepted by ENGINEER.

802-4.104 thru 4.132 (X)" TRASH RACK. (X) " Trash Racks shall be measured on an individual unit basis (EA) and paid for at the unit price bid for "(X)" Trash Rack" complete, in place, and accepted by the ENGINEER.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: January 7, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider the approval of plans and specifications, Engineer's Report, and authorize the call for bids for the 2025 Municipal Sidewalk Improvement Project 2025-05

STATEMENT/PURPOSE:

To move forward with project 2025-05 to repair sidewalks, driveway aprons, and other concrete items throughout the City.

BACKGROUND/ALTERNATIVES:

This is an annual sidewalk construction project that is for the removal and replacing of existing sidewalks or aprons in need of repair. Residents may elect to have sidewalk and/or apron work done to their existing sidewalk and/or apron that is adjacent to their property under this project, and to have that work assessed to their property. Sidewalks and/or aprons for new construction however are not eligible to participate. Work includes any concrete item within the public right-of-way that needs to be done. To promote city work being a priority for the selected contractor interim completion dates are included in the contract and are to be negotiated with the contractor.

Pending approval today, we would advertise the project on February 28 and February 7, open bids February 14 and bring back our recommendations to the City Commission for award of bid in April.

ATTACHMENTS:

1. Resolution Ad for Bids Project 2025-05
2. Resolution Approve Engineer Report Project 2025-05
3. Resolution Approve Plans & Specs Project 2024-05
4. Map of Guaranteed work
5. Ad for 2025 Sidewalk Project Bids

Subject: Consider approval of the plans and specifications, Engineer's Report, and authorize the call for bids for the 2025 Municipal Sidewalk Improvement Project 2025-05
Page 2 of 2

FISCAL IMPACT:

All work performed under this contract will be paid for through specials assessments or the Public Works budget.

STAFF IMPACT:

The Engineering staff will be performing the construction administration for this project.

LEGAL REVIEW:

All documents have been made available to the City Attorney for review.

RECOMMENDATION:

To approve the plans and specifications, the engineer's report and advertisement for bids for the 2025 Municipal Sidewalk Improvement, Project 2025-05.

SUGGESTED MOTION:

I move to approve the plans and specifications, the engineer's report and advertisement for bids for the 2025 Municipal Sidewalk Improvement, Project 2025-05.

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR MUNICIPAL SIDEWALK IMPROVEMENT PROJECT 2025-05**

BE IT RESOLVED, By the Board of City Commissioners of the City of Mandan, North Dakota, as follows:

1. The City Engineer and staff shall meet at the time and place specified in the notice authorized in paragraph 2 hereof, for the purpose of opening sealed bids for the work and material needed for the improvement project to be made in Municipal Sidewalk Improvement Project 2024-05 of the City of Mandan, as more fully described and referred to in the plans and specifications for said improvement now on file in the office of the City Engineer.

2. The City Administrator is authorized and directed to cause notice of advertisement for bids to be published once each week for two consecutive weeks in the Mandan News, the official newspaper, the first of such publications to be at least twenty-one days before the date specified for receipt of bids, which notice shall be in the following form:

3. Each and all of the terms and provisions of the foregoing notice are hereby adopted as the terms and conditions for the award of said contract.

4. The Board of City Commissioners shall meet in April to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder.

President, Board of City Commissioners

ATTEST:

City Administrator

Passed: February 18, 2025

**RESOLUTION APPROVING ENGINEER'S REPORT AND
AUTHORIZING PREPARATION OF THE DETAILED PLANS
AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE
IMPROVEMENT IN MUNICIPAL SIDEWALK IMPROVEMENTS PROJECT 2025-05**

BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, North Dakota,
as follows:

1. That the report of the City Engineer with respect to the general nature, purpose, and feasibility of the proposed improvement and the estimate of the probable cost of the work to be done in Municipal Sidewalk Improvement Project 2025-05, as required by North Dakota Century Code §40-22-10, and hereto filed in the office of the City Administrator, is hereby accepted and approved and the proposed improvement project within said District is hereby determined and declared to be feasible.

2. The probable costs of the of the improvement project are estimated to be as follows:

a. Construction costs: \$70,000

b. Other costs including necessary and reasonable change orders; engineering, fiscal agents' and attorneys' fees; cost of publication of legal notices; printing of warrant bonds; and all expenses incurred in the making of the improvement and levy of assessments therefor: \$7,000

c. Total estimated costs of the improvement: \$77,000

3. The Engineer is hereby authorized and directed to prepare detailed plans and specifications for the project to be constructed.

4. This resolution shall be in full force and effect from and after its passage.

Dated this 18th day of February, 2025

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
FOR MUNICIPAL SIDEWALK IMPROVEMENTS
PROJECT # 2025-05**

BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, North Dakota, as follows:

Pursuant to the requirement of the North Dakota Century Code §40-22-11, the Plans and Specifications for the improvement project in Project # 2025-05 of said City be and the same are hereby approved, ratified and confirmed as the plans and specifications in accordance with which said improvement project will be constructed, except as modified by this Board in accordance with law, and the City Administrator shall file the same in his office, open for public inspection.

Dated this 18th day of February, 2025.

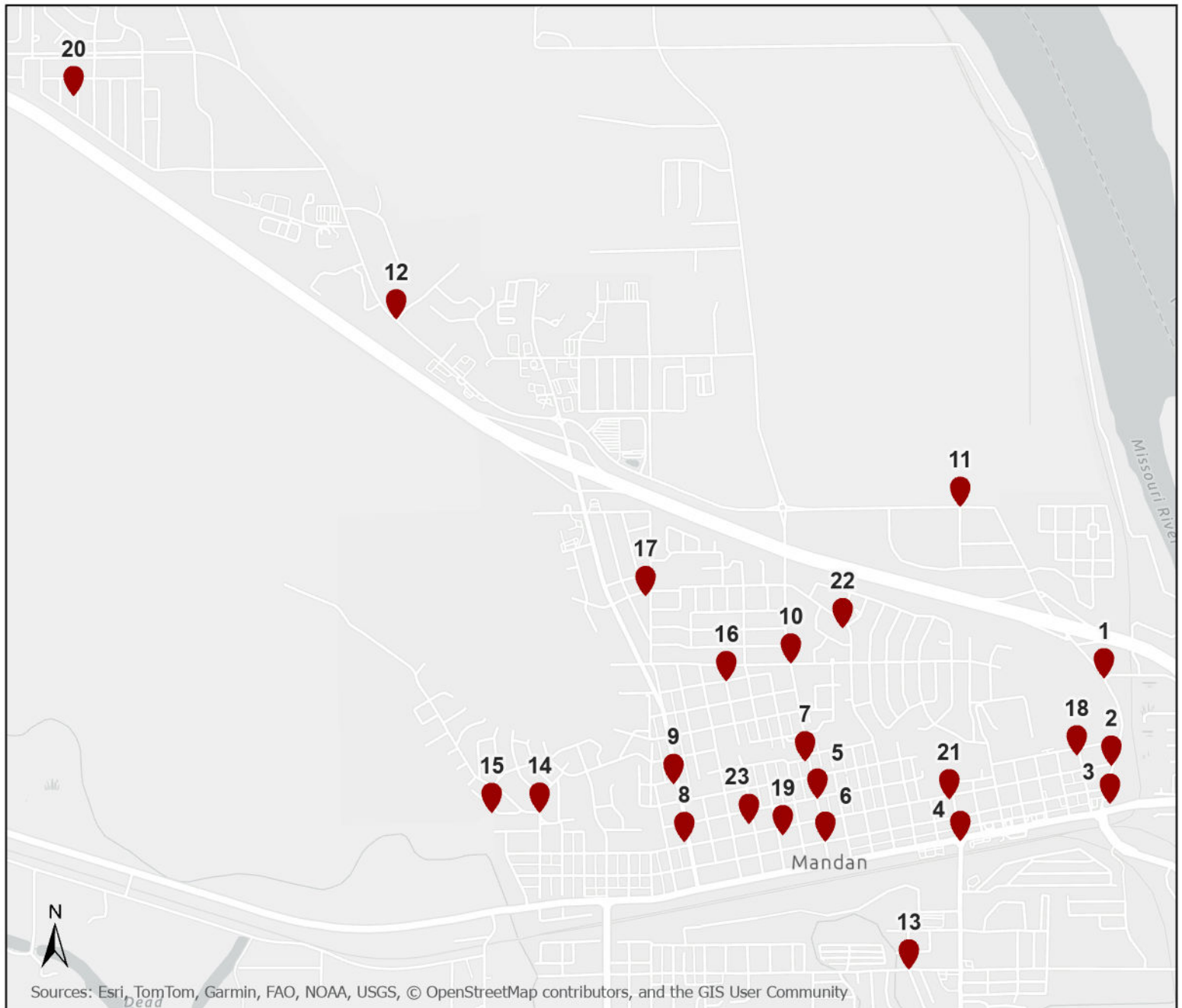
President, Board of City Commissioners

ATTEST:

City Administrator

Guaranteed Work

City Contract 2025



#	Nearest Address	Sidewalk (Sq. Ft.)	Curb (Linear Ft.)
1	Mandan Ave & Missouri Dr	0	49
2	Mandan Ave & 2nd St NE	0	22
3	Mandan Ave (Sanford Clinic)	0	10
4	Main St & 6th Ave NE	0	28
5	Collins Ave & 3rd St NW	0	6
6	Collins Ave & 1st St NW	0	43
7	509 Collins Ave	0	9
8	301 6th Ave NW	0	8
9	511 6th Ave NW	0	10
10	Collins Ave & Division St	0	14
11	Old Red Trail & 8th Ave NE	0	8
12	Old Red Trail & 31st St NW	0	17

#	Nearest Address	Sidewalk (Sq. Ft.)	Curb (Linear Ft.)
13	3rd St SE & 3rd Ave SE	150	33
14	13th Ave NW & Lohstreter Rd NW	75	0
15	1517 4th St NW	95	0
16	9th St NW & 3rd Ave NW	226	33
17	701 14th St NW	75	0
18	309 13th Ave NE	250	0
19	210 2nd Ave NW (Courthouse)	295	20
20	4109 38th Ave NW	190	0
21	211 6th Ave NE	470	0
22	1309 3rd Ave NE	500	0
23	305 3rd Ave NW	135	0

SCAN QR CODE TO VIEW ONLINE MAP



**ADVERTISEMENT FOR BIDS FOR
2025 MUNICIPAL SIDEWALK IMPROVEMENT PROJECT #2025-05
MANDAN, NORTH DAKOTA**

Notice is hereby given, that the City of Mandan, North Dakota, will receive sealed bids at the Office of the City Engineer, City Hall, until Friday, March 21st, 2025, at 11:00 a.m., local time, for the purpose of the construction and repair of sidewalks, curb and gutters, and all other work related to the 2025 Municipal Sidewalk Improvement Project 2025-05. The work consists of all labor, skill and materials required to properly construct the improvement.

Contractors and vendors desiring plans and specifications for personal use may secure digital copies from www.questcdn.com for a fee of \$25.00. These documents may be downloaded by selecting this project from the "Bid Documents" tab and by entering Quest Project Number **#9543503** on the "Search Projects" page. For assistance and the free membership registration, contact QuestCDN at (952) 233-1632 or info@questcdn.com. Paper copies of the bid documents may be obtained from the City of Mandan Engineering office, 205 2nd Avenue Northwest, Mandan, North Dakota 58554 upon non-refundable payment of \$50.00 for each set. If Plans are mailed out and additional fee of \$15.00 will be added for postage and handling.

The Contractor shall include a copy of his license or certificate or renewal thereof enclosed in the required bid bond envelope as required pursuant to §43-07-12 of the North Dakota Century Code, as amended. Unless a bidder obtains a contractor's license for the full amount of its bid within twenty days after it is determined the bidder is the lowest and best bidder, the bid must be rejected and the contract awarded to the next lowest, best, and licensed bidder.

Each bid shall be accompanied by a separate envelope containing a bidder's bond in the amount of five (5) percent of the amount of the bids as required by North Dakota Century Code (NDCC) §48-01.2-05, as amended, and executed as provided by law. The bid bond shall be conditioned that if the principal's bid is accepted and the contract awarded to the principal, the principal, within ten days after notice of award shall execute a contract in accordance with the terms of the bid and a contractor's bond as required by law and the regulations and determinations of the city's governing body.

Bids shall be made on the basis of cash payment for the work to be done. All work under this advertisement shall be started on a date to be specified in a written order from the City Engineer, or no later than ten (10) days after written notice to proceed has been received from the city.

All guaranteed work listed in the special provisions is subject to interim completion dates. If the contractor fails to complete all the work within this time, or such additional time as has been granted for excusable delays, there shall be deducted from any money due the contractor the sum of One Hundred Dollars for each calendar day the completion of the work is delayed. Such deducted amounts shall be charged as liquidated damages and not as a penalty.

The bid proposals shall be sealed and endorsed "Proposal for the 2025 Municipal Sidewalk Improvement Project #2025-05". Bids shall be delivered or mailed to: City Engineer,

205 2nd Avenue NW, Mandan, ND 58554. Bids will be opened and read aloud in the City Commission Meeting Room at 11:00 a.m., local time, on Friday, March 21, 2025. All bidders are invited to be present at the public opening of the bids. No bid may be read or considered if it does not fully comply with the requirements of NDCC §48-01.1-05 and any deficient bid submitted must be resealed and returned to the bidder immediately.

The Board of City Commissioners of the City of Mandan, North Dakota, will meet at the City Hall in April to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder. The contract will be awarded on the basis of the low bid submitted by a responsible and responsive bidder deemed most favorable to the City's interest.

The Board of City Commissioners reserves the right to hold all bids for a period of forty-five (45) days after the date fixed for the opening thereof, and to reject any or all bids and to waive irregularities whenever it is in the best interest of the City of Mandan.

Dated this 18th day of February, 2025.

City of Mandan, North Dakota

BY: Jim Neubauer

City Administrator

Publication Dates: February 28 and March 7, 2025



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: January 30, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider cost-share agreement with the Department of Water Resources for the 2025 Reconstruction Project - Monte Drive.

STATEMENT/PURPOSE:

To review and possibly approve a cost-share agreement with the Department of Water Resources (DWR) for the pre-construction engineering of the 2025 Reconstruction Project - Monte Drive.

BACKGROUND/ALTERNATIVES:

The ND Department of Water Resources awarded a 60% grant on all preconstruction water eligible items to the City of Mandan for the 2025 Street and Water Reconstruction Project. The project will replace failing water mains in the Monte Drive neighborhood. The grant will provide funding for the preliminary engineering work.

A separate application will be submitted for the construction costs after project bidding.

ATTACHMENTS:

1. Agreement
2. Memorandum

FISCAL IMPACT:

The City will receive \$232,658 in cost-share funding for water-eligible preconstruction items, lessening the financial burden of the project.

STAFF IMPACT:

Significant effort working alongside Moore Engineering during the project.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

To accept the \$232,658 preconstruction grant for water main reconstruction awarded by the DWR.

SUGGESTED MOTION:

I move to enter into the cost-share agreement with the Department of Water Resources, as presented.

**Agreement for Cost-Share Reimbursement
City of Mandan
2025 Reconstruction**

1. PARTIES. This agreement is between the State of North Dakota (State), by and through the State Water Commission (Commission), and the City of Mandan (Sponsor).

2. PROJECT DESCRIPTION AND LOCATION. Sponsor is seeking funding for costs to replace 9,220 feet of aging cast iron water main between Sunset Drive, Boundary Street NW, and 6th Ave NW (Project). Project is located in the City of Mandan, Morton County, North Dakota.

3. COMMISSION'S RESPONSIBILITY AND INTENT. Commission will provide Sponsor with cost-share, not to exceed \$232,658 as approved by Commission on December 13, 2024, to reimburse 60 percent of the actual eligible costs incurred in Project. Commission cost-share is contingent on availability of funds and conditions of this agreement. Commission's intent in providing this funding to Sponsor is to assist Sponsor financially with Project costs. Sponsor retains sole and absolute discretion in the manner and means of carrying out Project, except to the extent specified in this agreement.

4. SPONSOR'S RESPONSIBILITIES. Sponsor must:

- a. Complete Project.
- b. Provide continued maintenance for Project.
- c. Ensure all applicable permits (federal, state, and local) are obtained.
- d. Acquire all title to land and easements for Project.
- e. Comply with all North Dakota laws applicable to Project.
- f. Maintain a Project file containing relevant documents and correspondence generated during the course of Project. Commission is not responsible for maintaining a Project file.
- g. Provide a progress report to Commission at least every four years if the term of Project exceeds four years.
- h. Notify Commission of any changes to Project funding, including additional funding or funding sources. Cost-share may be modified based on the revised local share.
- i. Prior to signature, inform Commission and any other relevant party regarding Project of any errors, misinterpretations, changes, modifications, miscalculations, incorrect Project descriptions, or any other information stated herein that is inaccurate.

- j. Notify Commission of litigation related to Project. If Project becomes the subject of litigation before all funds have been disbursed, the Secretary may withhold funds until the litigation is concluded.

5. ELIGIBLE COSTS. Commission has sole discretion to determine eligible costs and availability of Commission funds. Additional information is outlined in Commission's cost-share policy. Commission will not cost-share in litigation costs unless there has been a separate authorization.

6. PAYMENT. Commission will make partial payments upon receipt and approval of Sponsor's written request. Sponsor must provide Commission verification of actual costs and a Project status report with each payment request. A Commission representative may inspect Project to determine whether the work satisfies Commission's cost share requirements before Commission makes payment(s) to Sponsor. Request for final payment must include verification of Project completion as requested by Commission.

7. INDEMNIFICATION. Sponsor must require all subcontractors, other than state employed subcontractors, before commencement of an agreement between Sponsor and the subcontractor, to defend, indemnify, and hold harmless State, from and against claims based on the vicarious liability of State or its agents, but not against claims based on State's negligence or intentional misconduct. This obligation to defend, indemnify, and hold harmless does not extend to professional liability claims arising from professional errors and omissions. The legal defense provided by subcontractor to State under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for State is necessary. Subcontractor also agrees to reimburse State for all costs, expenses, and attorneys' fees incurred if State prevails in an action against subcontractor in establishing and litigating the indemnification coverage required herein. This obligation continues after the termination of this agreement.

8. INSURANCE. Sponsor must secure and keep in force during the term of this agreement, from an insurance company, government self-insurance pool, or government self-retention fund authorized to do business in North Dakota, commercial general liability with minimum limits of liability of \$500,000 per person and \$2,000,000 per occurrence.

In addition, Sponsor must require all subcontractors, other than state employed subcontractors, before commencement of an agreement between Sponsor and the subcontractor, to secure and keep in force during the term of this agreement, from insurance companies authorized to do business in North Dakota, the following insurance coverages:

- a. Commercial general liability, including premises or operations, contractual, and products or completed operations coverages (if applicable), with minimum liability limits of \$2,000,000 per occurrence.
- b. Automobile liability, including Owned (if any), Hired, and Non-owned automobiles, with minimum liability limits of \$500,000 per person and \$2,000,000 per occurrence.

- c. Workers' compensation coverage meeting all statutory requirements. The policy must provide coverage for all states of operation that apply to the performance of this contract.
- d. If subcontractor is domiciled outside State, employer's liability or "stop gap" insurance of not less than \$2,000,000 as an endorsement on the workers' compensation or commercial general liability insurance.

The insurance coverages listed above must meet the following additional requirements:

- e. Any deductible or other similar obligation under the policies is the sole responsibility of the subcontractor. The amount of any deductible is subject to approval by State.
- f. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and must be placed with insurers rated "A-" or better by A.M. Best Company, Inc., provided any excess policy follows form for coverage. Less than an "A-" rating must be approved by the State. The policies must be in form and terms approved by the State.
- g. State will be defended, indemnified, and held harmless to the full extent of any coverage actually secured by the subcontractor in excess of the minimum requirements set forth above. The duty to defend, indemnify, and hold harmless State under this agreement is not limited by the insurance required in this agreement.
- h. State must be endorsed on the commercial general liability policy, including any excess policies, as additional insured. State must have all the benefits, rights, and coverages of an additional insured under these policies that are not limited to the minimum limits of insurance required by this agreement or by the contractual indemnity obligations of Sponsor.
- i. The insurance required in this agreement, through a policy or endorsement, must include:
 - (1) A "Waiver of Subrogation" waiving any right to recovery the insurance company may have against State;
 - (2) A provision that subcontractor's insurance coverage is primary (i.e., pay first) as respects any insurance, self-insurance, or self-retention maintained by State and that any insurance, self-insurance, or self-retention maintained by State must be in excess of the subcontractor's insurance and must not contribute with it;
 - (3) Cross liability/severability of interest for all policies and endorsements;
 - (4) The legal defense provided to State under the policy and any endorsements must be free of any conflicts of interest, even if retention of separate legal counsel for State is necessary;
 - (5) The insolvency or bankruptcy of the insured subcontractor must not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the

insured subcontractor from meeting the retention limit under the policy.

- j. Failure to provide insurance as required in this agreement is a material breach of contract entitling State to terminate this agreement immediately.

9. BREACH. Violation of any provision of this agreement by Sponsor constitutes breach of this agreement. A breach obligates Sponsor to reimburse Commission for all funds paid to Sponsor and relieves Commission of all obligations under this agreement.

10. AGREEMENT BECOMES VOID. This agreement is void if not signed and returned by Sponsor within 60 days of Commission's signature.

11. TERMINATION.

- a. Commission may terminate this agreement effective upon delivery of written notice to Sponsor, or a later date as may be stated in the notice, under any of the following conditions:
 - (1) If Commission determines an emergency exists.
 - (2) If funding from federal, state, or other sources is not obtained and continued at levels sufficient to provide the funds necessary to comply with this agreement. The parties may modify this agreement to accommodate a reduction in funds.
 - (3) If federal or state laws or rules are modified or interpreted in a way that the services are no longer allowable or appropriate for purchase under this agreement or are no longer eligible for the funding proposed for payments authorized by this agreement.
 - (4) If any license, permit, or certificate required by law, rule, or this agreement is denied, revoked, suspended, or not renewed.
 - (5) If Sponsor does not submit a timely progress report under 4.(g.), or the Commission determines after reviewing a progress report that Project has not made sufficient progress.
 - (6) If Commission determines that continuing the agreement is no longer necessary or would not produce beneficial results commensurate with the further expenditure of public funds.
- b. Any termination of this agreement is without prejudice to any obligations or liabilities of either party already accrued prior to termination.
- c. The rights and remedies of any party provided in this agreement are not exclusive.

12. APPLICABLE LAW AND VENUE. This agreement is governed by and construed under the laws of State. Any action to enforce this agreement must be adjudicated exclusively in the District Court of Burleigh County, North Dakota.

13. SEVERABILITY. If any term of this agreement is declared by a court having jurisdiction to be illegal or unenforceable, the validity of the remaining terms is unaffected, and if possible, the rights and obligations of the parties are to be construed and enforced as if the agreement did not contain that term.

14. SPOILIATION – PRESERVATION OF EVIDENCE. Sponsor agrees to promptly notify Commission of all potential claims that arise or result from this agreement. Sponsor must also take all reasonable steps to preserve all physical evidence and information that may be relevant to the circumstances surrounding a potential claim, while maintaining public safety, and grants to Commission the opportunity to review and inspect the evidence, including the scene of an accident.

15. NONDISCRIMINATION. Sponsor agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), N.D.C.C. title 34, and all applicable federal and state laws, rules, and policies relating to nondiscrimination, accessibility, and civil rights.

16. MERGER AND MODIFICATION. This agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this agreement. This agreement may not be modified, supplemented, or amended in any manner, except by written agreement signed by both parties.

17. AUTHORITY TO SIGN. Each of the undersigned persons represents and warrants that he or she is fully authorized to enter into the terms and conditions of this Agreement, and execute this Agreement on behalf of the Party or Parties he or she represents and further represents that he or she has explained this Agreement to the Party or Parties he or she represents and has obtained the agreement of each such Party to abide by the term and conditions of this Agreement.

**NORTH DAKOTA STATE WATER
COMMISSION**

By:



ANDREA TRAVNICEK, PH.D.
Secretary

Date: 12/23/2024

CITY OF MANDAN

By:

JAMES FROELICH
Mayor

Date: _____

Countersignature and Date (If required)

Print Name and Title

MEMORANDUM

TO: Governor Doug Burgum
Members of the State Water Commission
FROM: Andrea Travnicek, Ph.D., Secretary
SUBJECT: State Water Supply – City of Mandan
2025 Reconstruction
DATE: November 25, 2024



Background & Description

The City of Mandan is requesting preconstruction cost-share for their 2025 Reconstruction (Project). The Project is replacement of 9,220 feet of aging cast iron water main between Sunset Drive, Boundary Street NW, and 6th Avenue NW in the northwest area of Mandan. The Project will also include eligible pavement reconstruction costs. The Project is located in Morton County.

Supplemental Information

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 160
Present Value Cost / User (Preferred Alternative)	\$55,088
Rate / 5,000-Gallons	\$51.00
Comparable Rate / 5,000-Gallons	\$47.00
Water Source – Missouri River	

Schedule

Task	Dates
Study	Aug. 2024
Design	Feb. 2025
Bid	Mar. 2025
Construction	Jun. 2025
Completion	Nov. 2025

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$50,000	\$1,727,012	\$1,777,012		
Eligible Costs	\$387,764	\$6,381,685	\$6,769,449		
Total	\$437,764	\$8,108,697	\$8,546,461		
Cost-Share 60%	\$232,658	\$3,829,011	\$4,061,669		\$232,658

This project meets requirements of the Water Commission's cost-share policy. Therefore, I recommend approval of the request from the City of Mandan for state cost-share participation in the 2025 Reconstruction project at 60 percent of eligible costs, not to exceed \$232,658. This approval is contingent on available funding.

AT:jsp:ln:/2050MAN



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: January 30, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the raffle permit for Heaven Helpers Soup Cafe

STATEMENT/PURPOSE:

Consider approval of the raffle permit for Heaven Helpers Soup Cafe

BACKGROUND/ALTERNATIVES:

One-time 50/50 ticket raffle for Heaven Helpers Soup Cafe to be held on 4/24/2025 at the Baymont Inn. See attached raffle permit.

ATTACHMENTS:

1. Raffle Permit 2025-13

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the raffle permit for Heaven Helpers Soup Cafe.

SUGGESTED MOTION:

I move to approve the raffle permit for Heaven Helpers Soup Cafe.

**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 17926 (11-2023)

Permit Number

2025-13

Permit Type (check one)



Local Permit



Restricted Event Permit*

Games Authorized



Raffle by a Political or Legislative District Party



Bingo



Raffle



Raffle Board



Calendar Raffle



Sports Pool



Poker*



Twenty-One*



Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS**ORGANIZATION INFO**

Name of Organization or Group Heaven Helpers Soup Cafe		Dates Authorized (Read Instruction 2) April 24th, 2025	
Organization or Group Contact Person Mark Meier	E-mail heather@railwaycu	Telephone Number 701-751-7687	
Mailing Address PO Box 8	City Bismarck	State ND	ZIP Code 58501

SITE INFO

Site Name Baymont Inn		County Morton	
Site Address 2611 Old Red Trail	City Mandan	State ND	ZIP Code 58554
If the city or county is placing restrictions on the permit, please explain N/A			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) One time 50/50 ticket raffle to be held on 4/24/2025 at the Baymont Inn in a banquet room.			

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:

a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:

(1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.

(2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official Michael Breid	Title of City or County Official Sergeant	Telephone Number 701-667-3250	E-mail Address Mbreid@mandanpd.com
Signature of City or County Official 		Date 01/30/2025	Issuing Governing Body ☒ City ☐ County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.

Information required to be preprinted on a standard raffle ticket:

1. Name of Organization;
2. Ticket Number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player or option to convert a **merchandise** prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. Print the authorizing city or county and permit number
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an non-guaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

INSTRUCTIONS:

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete the form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
 - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
 - b. A local permit can be issued for one or more events per fiscal year.
 - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
 - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
 - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
 - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
 - g. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and **send a copy within 14 days** by email to agogaming@nd.gov, fax to (701) 328-3535 or by mail to:

Office of Attorney General
Gaming Division
600 E Blvd Ave, Dept. 125
Bismarck, ND 58505-0040

If you have questions on the local permit or restricted event permit process, please call: 1-800-326-9240



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 9338 (9-2023)

Applying for (check one)	
☒ Local Permit	☐ Restricted Event Permit*
Games to be conducted	
☐ Bingo	☒ Raffle
☐ Raffle Board	☐ Calendar Raffle
☐ Sports Pool	☐ Poker*
☐ Twenty-One*	☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.
LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group		Dates of Activity (Does not include dates for the sales of tickets)	
HEAVEN HELPERS SOUP CAFE		04/24/2025	
Organization or Group Contact Person	E-mail	Telephone Number	
MARK MEIER	HEATHER@RAILWAYCU.COM	701-751-7687	
Business Address	City	State	ZIP Code
PO BOX 8	BISMARCK	ND	58554
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name		County	
BAYMONT INN		MORTON	
Site Physical Address	City	State	ZIP Code
2611 OLD RED TRAIL	MANDAN	ND	58554
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)			
50/50 CASH RAFFLE ON 4/24/2025			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
50/50 RAFFLE	CASH	\$1,000.00
Total (limit \$40,000 per year)		\$

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds	
OPERATIONAL COSTS to provide meals and necessities to families.	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)	
☐ Yes ☒ No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit)	
☐ Yes ☒ No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded)	
☒ No ☐ Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.)	
☐ Yes ☒ No	

Printed Name of Organization Group's Permit Organizer	Telephone Number	E-mail Address
MARK MEIER	701-751-7687	HEATHER@RAILWAYCU.COM
Signature of Organization Group's Permit Organizer	Title	Date
<i>Mark Meier</i>	OWNER	1-24-25



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: January 30, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming site authorization for NoDak RMEF Inc at Mandan Eagles Club for March 22, 2025

STATEMENT/PURPOSE:

Consider approval of a gaming site authorization for NoDak RMEF Inc at Mandan Eagles Club for March 22

BACKGROUND/ALTERNATIVES:

The gaming site authorization was received Jan. 30, 2025

ATTACHMENTS:

1. Gaming Site auth - NoDak RMEF at Mandan Eagles

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve as presented

SUGGESTED MOTION:

I move to approve the gaming site authorization for NoDak RMEF Inc at Mandan Eagles Club for March 22, 2025.



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

NoDak RMEF Inc.

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Mandan Eagles Club

Street

1400 Collins Ave

City

Mandan

ZIP Code

58554

County

Morton

Beginning Date(s) Authorized

3/22/2025

Ending Date(s) Authorized

3/22/2025

Number of Twenty-One
tables, if zero, enter "0"

0

Specific location where games of chance will be conducted and played at the site (required)

Basement

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

3/22/2025

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

☐

Bingo

☐

Club Special

☐

Sports Pools

☐

ELECTRONIC Quick Shot Bingo

☐

Tip Board

☐

Twenty-One

☒

Raffles

☐

Seal Board

☐

Poker

☐

ELECTRONIC 50/50 Raffle

☐

Punchboard

☐

Calcuttas

☐

Pull Tab Jar

☐

Prize Board

☐

Paddlewheel with Tickets

☐

Pull Tab Dispensing Device

☐

Prize Board Dispensing Device

☐

Paddlewheel Table

☐

ELECTRONIC Pull Tab Device

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

X

PRINT Name and official position of person signing on behalf of city/county above

X

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Mandan Eagles Club		Site Name Mandan Eagles Club		Site Phone Number 701-663-3645
Site Address 1400 Collins Ave	City Mandan	State ND	Zip Code 58554	County Morton
Organization NoDak RMEF Inc.	Rental Period 3/22/2025 to 3/22/2025			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☐ No	☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		☐ No	☐ Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		☐ No	☐ Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		☐ No	☐ Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☐ Standard Dispensing Device		☐ No	☐ Yes	\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices _____		☐ No	☐ Yes	\$
Total Monthly Rent				\$
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☒				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Paula Zander</i>	Title <i>Manager Eagles</i>	Date <i>1-130/25</i>
Signature of Lessee <i>mt Ph</i>	Title <i>Regional Director</i>	Date <i>1/30/25</i>

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable Expenses - Rent Limits)

4. For a site where bingo is conducted:
 - a. If bingo is the primary game, the monthly rent must be reasonable
 - b. If bingo is not the primary game, but is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
5. For a site where bingo is not the primary game.
 - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.
 - b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, the monthly rent may not exceed four hundred dollars.
 - c. If pull tabs is conducted using one or more electronic pull tab devices, the monthly rent may not exceed one hundred seventy-five dollars per machine for the first five machines in the same venue. For each additional machine in the same venue beyond five, the monthly rent may not exceed seventy-five dollars per machine up to a maximum of one thousand two hundred fifty dollars per month for all electronic pull tab devices in a single venue.

North Dakota Administrative Code § 99-01.3-02-06 (Rental Agreement)

3. Rent must be a fixed dollar amount per month
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning, and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century Code section 53-06.1-11.
Special considerations are:
 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general before its effective date.

North Dakota Administrative Code § 99-01.3-08-01 (Restrictions and Requirments)

4. An organization may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year. The organization shall document each table's usage, which includes the date, table number, and drop box cash amount for each table and how the prorated rental amounts were determined. This documentation must be retained with the organization's twenty-one records for three years.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 11, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization for ABATE of ND at the HideAway 2025-2026

STATEMENT/PURPOSE:

Gaming Site Authorization for ABATE of North Dakota at the HideAway 2025-2026

BACKGROUND/ALTERNATIVES:

Application received 01/17/25

ATTACHMENTS:

1. ABATE Gaming site Authorization at the HideAway 2025-2026

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve as presented

SUGGESTED MOTION:

I move to approve the gaming site authorization for ABATE of North Dakota at the HideAway from July 1, 2025 to June 30, 2026.



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

ABATE of North Dakota

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

HideAway

Street 1000 Boundry RD	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 07/01/25	Ending Date(s) Authorized 06/30/26	Number of Twenty-One tables, if zero, enter "0" 0	

Specific location where games of chance will be conducted and played at the site (required)

South, East, and North wall in the Bar

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

Raffle - September 2025

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☒ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☒ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☒ ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Hidden Inc. - HideAway		Site Name HideAway		Site Phone Number 701-663-8362
Site Address 1000 Boundry RD	City Mandan	State ND	Zip Code 58554	County Morton
Organization ABATE of North Dakota	Rental Period 07/01/25 to 06/30/26			Monthly Rent Amount
1. Is Bingo going to be conducted at the site? ☒ No ☐ Yes				\$
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts. ☐ No ☐ Yes				
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 ☒ Rent per Table \$				\$
Number of Tables with wagers over \$5 ☒ Rent per Table \$				\$
3. Is Paddlewheels conducted at this site? Number of Tables ☒ Rent per Table \$				\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☒ Standard Dispensing Device				\$ 400.00
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 7				\$ 1,025.00
Total Monthly Rent				\$ 1,425.00

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☒

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title President	Date 1/17/25
Signature of Lessee 	Title Executive Director - ABATE of ND	Date 01/17/25

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable Expenses - Rent Limits)

4. For a site where bingo is conducted:
 - a. If bingo is the primary game, the monthly rent must be reasonable
 - b. If bingo is not the primary game, but is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
5. For a site where bingo is not the primary game.
 - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.
 - b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, the monthly rent may not exceed four hundred dollars.
 - c. If pull tabs is conducted using one or more electronic pull tab devices, the monthly rent may not exceed one hundred seventy-five dollars per machine for the first five machines in the same venue. For each additional machine in the same venue beyond five, the monthly rent may not exceed seventy-five dollars per machine up to a maximum of one thousand two hundred fifty dollars per month for all electronic pull tab devices in a single venue.

North Dakota Administrative Code § 99-01.3-02-06 (Rental Agreement)

3. Rent must be a fixed dollar amount per month
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning, and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century Code section 53-06.1-11.
Special considerations are:
 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general before its effective date.

North Dakota Administrative Code § 99-01.3-08-01 (Restrictions and Requirments)

4. An organization may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year. The organization shall document each table's usage, which includes the date, table number, and drop box cash amount for each table and how the prorated rental amounts were determined. This documentation must be retained with the organization's twenty-one records for three years.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 10, 2025
SUBMITTING DEPARTMENT: Assessing
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Abatements for Daniel & Jennifer Huntley; 4722 Pintail Loop, Mandan ND 58554

STATEMENT/PURPOSE:

To consider corrections to the 2023 & 2024 full & true values for property located at 4722 Pintail Loop, Mandan ND 58554

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel 65-3772470 with a legal description of Lot 5 Block 3 Marina Bay Replat.

A correction to data entry listing a shed at 112x16 to 12x16.

ATTACHMENTS:

1. 2023 - signed_Redacted
2. 2024 - signed_Redacted

FISCAL IMPACT:

2023 All taxing entities = \$209.92, City Share = \$47.76
2024 All taxing entities = \$207.39, City Share = \$47.18

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Oster

RECOMMENDATION:

I recommend a motion, to recommend approval to the Morton County Commission of

the 2023 & 2024 Abatement Applications for Daniel & Jennifer Huntley; 4722 Pintail Loop, as presented.

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2023 & 2024 Abatement Applications for Daniel & Jennifer Huntley; 4722 Pintail Loop as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

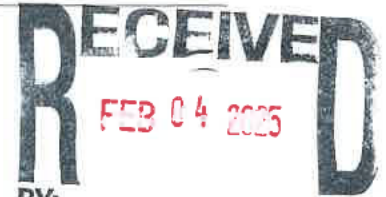
Property I.D. No. 65-3772470

Name HUNTLEY/DANIEL & JENNIFER

Address 4722 PINTAIL LOOP, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 5 BLOCK 3 MARINA BAY REPLAT



Total true and full value of the property described above for the year 2023 is:

Land \$ 93,500
Improvements \$ 335,900
Total \$ 429,400
(1)

Total true and full value of the property described above for the year 2023 should be:

Land \$ 93,500
Improvements \$ 319,300
Total \$ 412,800
(2)

The difference of \$ 16,600.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☒ 10. Other (explain) shed mislisted 112x16 should be 12x16

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that _____

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12-1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Daniel Huntley

Date JAN 13, 2025

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____

City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

Application For Abatement Or Refund Of Taxes

Name of Applicant

County Auditor's File No.

Date Application Was Filed
With The County Auditor

Date County Auditor Mailed
Application to Township
Clerk or City Auditor

must be within five business days of filing date

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

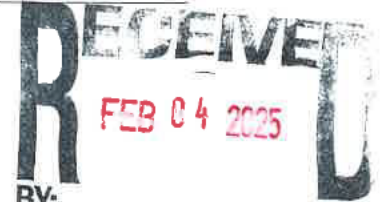
Property I.D. No. 65-3772470

Name HUNTLEY/DANIEL & JENNIFER

Address 4722 PINTAIL LOOP, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 5 BLOCK 3 MARINA BAY REPLAT



Total true and full value of the property described above for the year 2024 is:

Land \$ 121,000
Improvements \$ 328,000
Total \$ 449,000
(1)

Total true and full value of the property described above for the year 2024 should be:

Land \$ 121,000
Improvements \$ 311,600
Total \$ 432,600
(2)

The difference of \$ 16,400.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☒ 10. Other (explain): shed mislisted 112x16 should be 12x16

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that _____

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12-1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Daniel Huntley

Date JAN 13, 2025

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____,

City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

**Application For Abatement
Or Refund Of Taxes**

Name of Applicant

County Auditor's File No.

Date Application Was Filed
With The County Auditor

Date County Auditor Mailed
Application to Township
Clerk or City Auditor

(must be within five business days of filing date)



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 11, 2025
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Veterans Credit for David Mac Iver

STATEMENT/PURPOSE:

To consider 2023 & 2024 Applications for Disabled Veterans Property Tax Credit for property located at 500 11th St NW.

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel #65-4995000 with a legal description of Lot 1 Block 1 Sunset Addition Replat.

Reason for Abatement: I have reviewed the Disabled Veterans Property Tax Credit Application and documentation, which are on file in my office. This applicant qualifies for Disabled Veterans Property Tax Credit for 2023 & 2024.

ATTACHMENTS:

1. Mac Iver 2023-2024 Abatements
2. Vet Credit Flyer

FISCAL IMPACT:

No fiscal impact to the City since the Tax Credit is reimbursed by the State of ND.

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Amy Oster

RECOMMENDATION:

I recommend a motion to recommend approval to the Morton County Commission of the

2023 & 2024 Abatement Applications for David Mac Iver at 500 11th St NW as presented.

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2023 & 2024 Abatement Applications for David Mac Iver at 500 11th St NW as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

Property I.D. No. 65-4995000

Name MAC IVER/DAVID H

Telephone No. _____

Address 500 11TH ST NW, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 1 BLOCK 1 SUNSET ADDN REPLAT

Total true and full value of the property described above for the year 2023 is:

Land	\$ <u>35,000</u>
Improvements	\$ <u>259,900</u>
Total	\$ <u>294,900</u>

(1)

BY: _____

Total true and full value of the property described above for the year 2023 should be:

Land	\$ <u>35,000</u>
Improvements	\$ <u>259,900</u>
Total	\$ <u>294,900</u>

(2)

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2023 VETERANCREDIT CHANGE

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant _____

Date 2-11-25

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

Property I.D. No. 65-4995000

Name MAC IVER/DAVID H

Telephone No. _____

Address 500 11TH ST NW, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 1 BLOCK 1 SUNSET ADDN REPLAT

FEB 11 2025

Total true and full value of the property described above for the year 2024 is:

Land \$ 40,000
Improvements \$ 270,300
Total \$ 310,300
(1)

BY:

Total true and full value of the property described above for the year 2024 should be:

Land \$ 40,000
Improvements \$ 270,300
Total \$ 310,300
(2)

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2024 VETERAN CREDIT CHANGE

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant _____

Date 2-11-25



DISABLED VETERANS

PROPERTY TAX CREDIT

The Disabled Veterans Credit is a property tax credit that is available to veterans of the United States Armed Forces with service-connected disability. It may reduce the taxable value of a residence and associated taxes due.



ELIGIBILITY

1. You must be a disabled veteran of the United States Armed Forces with an armed forces service-connected disability of 50% or greater in the year for which your application is made.
2. You must have received an honorable discharge or be retired from the United States Armed Forces.
3. You must reside on and have an interest in the property, as of the assessment date.

APPLY

Applicants will need to provide their DD214 and the determination of disability by the VA to your local assessor or county director of tax equalization.

To apply, submit the Application for Disabled Veterans Property Tax Credit to your local assessor. The applications can be found at www.tax.nd.gov/veterans.



ADDITIONAL INFORMATION

The following table shows how taxable values may reduce with the credit.

Disability Percentage	Maximum Reduction
100%	\$8,100
90%	\$7,290
80%	\$6,480
70%	\$5,670
60%	\$4,860
50%	\$4,050

To qualify, veterans must meet all eligibility requirements and file an application with the local assessor or county director of tax equalization, by February 1 in the year that the property is assessed and credit is requested.

To obtain disability and honorable discharge documentation, contact your Veterans Service Office or the United States Department of Veterans Affairs at 866-634-8387.

Office of State Tax Commissioner
600 E. Boulevard Ave. Dept. 127
Bismarck, N.D. 58505-0599
701-328-7088
tax.nd.gov



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 11, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Transportation Alternative Grant Old Red Trail Shared Use Path Mill and Overlay Construction Admin Services

STATEMENT/PURPOSE:

To consider the contact with Moore Engineering to perform construction administration services related to the Old Red Trail Shared Use Path Mill & Overlay.

BACKGROUND/ALTERNATIVES:

The City applied for a transportation alternative grant on behalf of the parks district and was awarded the grant in 2023. The project is for a mill and overlay of the shared use path on Old Red Trail east of 30th Ave NW to Sunset Drive. On 12/17/2024 the commission approved an RFQ construction admin services related to this project. Five engineering firms submitted a proposals. A selection committee was then created, the selection committee consisted of four members. These members separately scored the proposals. The score were then tabulated, and Moore Engineering had the highest score. This agenda item is to enter into a contract with Moore Engineering to provide the construction admin services for the project.

ATTACHMENTS:

1. 24766_Task_Order_No.7_20250213_MooreSigned

FISCAL IMPACT:

All cost associated with this project will be special assessed back to the parks district.

STAFF IMPACT:

Staff will spend minimal time managing the consultant.

LEGAL REVIEW:

City Commission

Agenda Documentation

February 18, 2025

Subject: Considering entering into an Engineering Service Agreement with Moore Engineering for the Old Red Trail Construction Admin Services

Page 2 of 2

All documents have been made available to the City Attorney for review.

RECOMMENDATION:

To enter into the an ESA with Moore Engineering to conduct construction admin for the Old Red Trail Shared Use Path Mill & Overlay.

SUGGESTED MOTION:

I move to enter into the an ESA with Moore Engineering to conduct construction admin for the Old Red Trail Shared Use Path Mill & Overlay.

TASK ORDER

This is Task Order No. 7,
consisting of four (4) pages.

Task Order No. 7: Old Red Trail Shared Use Path Mill & Overlay CE Services

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated September 5, 2023 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- A. Effective Date of Task Order: February 18, 2025
- B. Owner: City of Mandan
- C. Engineer: Moore Engineering, Inc.
- D. Specific Project (title): Old Red Trail Shared Use Path Mill & Overlay CE Services
Federal Aid Project TAU-1-988(049) PCN 23914
- E. Specific Project (description): Old Red Trail from 30th Ave NW to Sunset Drive
Shared Use Trail Rehabilitation

GENERAL DESCRIPTION OF PROJECT: The Task Order includes construction engineering. The Project consists of 1.753 miles of HMA trail and ADA curb ramps along Old Red Trail.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:
the services (and related terms and conditions) set forth in the following sections of Exhibit A, as
attached to the Agreement referred to above, such sections being hereby incorporated by reference:
 - 1. Construction Phase Services (Exhibit A, Paragraph A1.05)
 - 2. Post-Construction Phase Services (Exhibit A, Paragraph A1.06)
 - 3. Resident Project Representative (RPR) Services (Exhibit D)
 - 4. The following summary comprises the basis of Engineer's compensation:
 - a. Construction is anticipated to last 4 weeks. It is expected to begin in the middle of
summer 2025, and must be completed by October 14, 2025. Contractor is expected to
work 6 days per week. Engineer's Exhibit D budgeted hours are for one full-time RPR
based on 72 hours per week during this 4-week timeframe.
 - b. Engineer's services are included for one prime construction contract. If it becomes
apparent that Engineer's services related to A1.05, A1.06 or Exhibit D will require more

time than anticipated, Engineer will notify Owner and prepare a subsequent Task Order Amendment.

- c. Construction surveys and staking will include:
 - 1) Establish control benchmarks (1 mobilization)
 - 2) Stake construction limits (1 mobilizations)
 - 3) Stake Erosion Control (1 mobilization)
 - 4) Stake concrete ramps and HMA paving (4 mobilizations)
 - 5) Prepare reports and quantities (for pay items)
- d. Construction contract administration
 - 1) Project Manager contract administration, assigning personnel, budgets/invoicing, QC/QA (6 weeks)
 - 2) Pre-construction meetings (1 meeting)
 - 3) NDDOT CARS input and management (6 weeks)
 - 4) Site visits (1 per week)
- e. Engineer's compensation includes a limited amount of time to assist Owner and Contractor with minor Work Change Directives and Change Orders that do not require re-design or otherwise modifying the Contract Documents. If a significant change is requested that entails modifications to the Contract Documents, Engineer will proceed with Additional Services in accordance with A2.01.B.1 of the Agreement.

3. Additional Services

No additional services are expected to be authorized under this Task Order.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following:

- A. Attend meetings and provide direction as indicated in the above parts of this Task Order.

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule: See above schedule-related assumptions in the general description of project. Construction is expected to begin in the summer of 2025. Engineer shall proceed immediately and provide schedule updates to Owner. It is anticipated that Final Acceptance will occur in the Fall of 2025.

6. Payments to Engineer

- A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1 of Exhibit A)		
a. Resident Project Representative Services	\$70,504	Hourly, Standard Rates
b. Construction Staking	\$19,971	Hourly, Standard Rates
c. Construction Contract Administration	\$33,468	Hourly, Standard Rates
d. Post-Construction Phase (A1.06)	\$8,580	Hourly, Standard Rates
e. Subconsultants – Material Testing	\$11,500	Hourly, Standard Rates
TOTAL COMPENSATION	\$144,023	

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order:

- A. Braun Intertec (Material Testing)

8. Other Modifications to Agreement and Exhibits: None

9. Attachments:

- A. Project Title Sheet
- B. Work Breakdown Structure (tasks and hours)

10. Other Documents Incorporated by Reference: None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is February 18, 2025.

OWNER: City of Mandan

ENGINEER: Moore Engineering, Inc.

By: _____

By: Carl Jackson

Print Name: James Froelich

Print Name: Carl Jackson, PE

Title: Mayor

Title: Market Leader

Engineer License or Firm's
Certificate No. (if required): 011C
State of: ND

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Riley McAdoo-Roesler

Name: Tom Weigel, PLS, PE

Title: Assistant City Engineer

Title: Project Manager

Address: 205 2nd Ave NW
Mandan, ND 58554

Address: 4503 Coleman Street, Ste. 105
Bismark, ND 58503

E-Mail
Address: riley.mcadooroessler@cityofmandan.com

E-Mail
Address: thomas.weigel@mooreengineeringinc.com

Phone: (701) 667-3228

Phone: (701) 751-8387

	STATE	PROJECT NO.	PCN	SECTION NO.	SHEET NO.
	ND	TAU-1-988(049)	23914	1	1

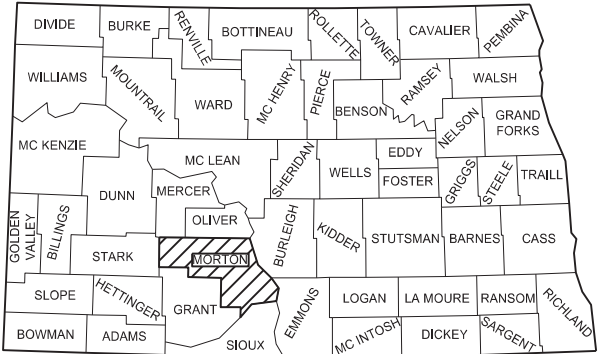
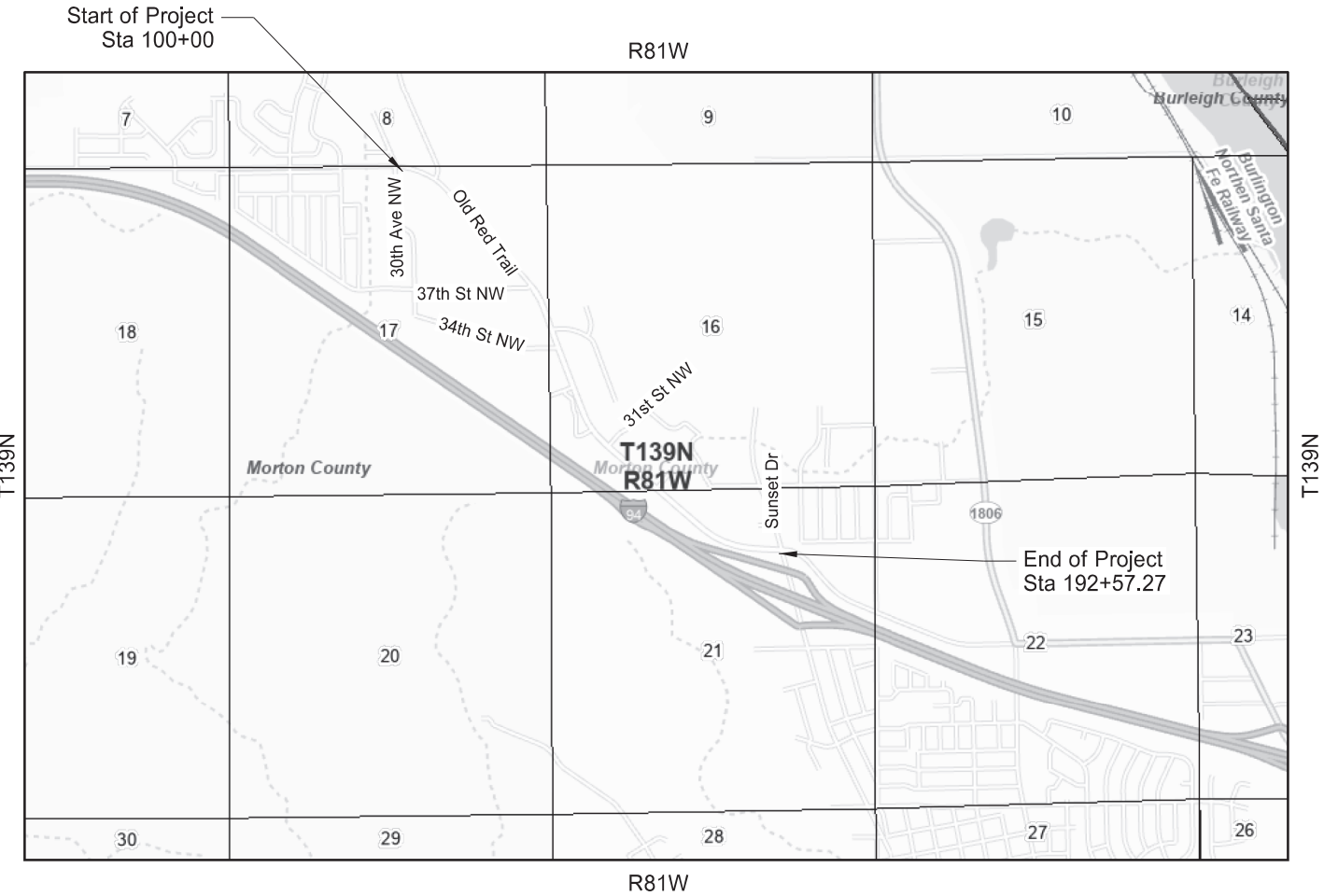
NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

TAU-1-988(049)

City of Mandan
Morton County
Old Red Trail from 30th Ave NW to Sunset Drive
Shared Use Trail Rehabilitation
Mill & Overlay

GOVERNING SPECIFICATIONS	Date Published and Adopted by the North Dakota Department of Transportation
Standard Specifications	7/1/2024
Supplemental Specifications	NONE

PROJECT NUMBER \ DESCRIPTION	NET MILES	GROSS MILES
TAU-1-988(049)	1.753	1.753



STATE COUNTY MAP

DESIGNER Stacy Johnson
DESIGNER James Butler
DESIGNER Kyle Wang

CITY OF MANDAN PLANNING AND ENGINEERING	08/09/24
--	----------

SRF Consulting Group

RYAN
SCHUEHLE
PE-10772
DATE: 8/9/2024
NORTH DAKOTA



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 14, 2025
SUBMITTING DEPARTMENT: HR
DEPARTMENT DIRECTOR: Karie Mischel
PRESENTER: Amy Berger, HR Director
SUBJECT: Consider approval of the IT intern job description

STATEMENT/PURPOSE:

To approve the IT Intern job description.

BACKGROUND/ALTERNATIVES:

The IT intern is a new position created for the IT department for 2025. The intern will play a key role in addressing technology needs and contributing to the efficient management and administration of IT systems for the City of Mandan. This will be a non-benefited position with various PRN hours throughout the year and in the summer.

A budget amendment was approved with this request to utilize funds for this role.

Condrey reviewed this job description and recommended this position be placed at a grade 8.

ATTACHMENTS:

1. IT Intern_DRAFT_2025-02-13

FISCAL IMPACT:

Budget amendment was approved for the position. Grade 8 starting wage is \$17.78/hour. This position will be temporary position with no benefits offered.

STAFF IMPACT:

This position will assisting the IT Department with a variety of tasks, including supporting computer-related projects and ensuring the smooth operation of the City's technological infrastructure.

LEGAL REVIEW:

NA

RECOMMENDATION:

To approve as presented.

SUGGESTED MOTION:

I move to approve the IT Intern job description as presented.

City of Mandan
Information Technology (IT) Intern CIS/2

Revised:	2/12/2025; Condrey 2025
Department:	Information Technology (IT)
Reports to:	CIS Manager
Grade	8
Dept. Manager Signature:	
Human Resources Signature:	
City Administrator Signature:	
Employee Signature:	

JOB SUMMARY

The IT Intern will be responsible for daily installations, troubleshooting, and providing support for the City of Mandan's technology systems. This role offers hands-on experience in assisting the IT Department with a variety of tasks, including supporting computer-related projects and ensuring the smooth operation of the City's technological infrastructure. The intern will play a key role in addressing technology needs and contributing to the efficient management and administration of IT systems for the City of Mandan.

MAJOR DUTIES

- Provides technical support to users, ensuring smooth operation of City IT systems.
- Assists with the City's end-user computing systems, maintaining optimal functionality and compliance with security standards.
- Performs the setup, installation, maintenance, troubleshooting, repair, and updating of IT hardware, including desktops, laptops, printers, and scanners.
- Aids in the organization and management of user accounts for network access, data storage, and email as directed.
- Performs clerical tasks as needed, such as printing, compiling data, inputting information, photocopying, answering phones, scanning, filing, and other administrative duties.
- Performs other related duties as assigned.

KNOWLEDGE REQUIRED BY THE POSITION

- Knowledge of the basic principles and practices of IT programs.
- Knowledge of computers and job-related software programs.
- Skill in collecting, testing and organizing data.
- Ability to learn policies, activities, and procedures of the IT programs.
- Ability to learn basic standards of maintenance of network, software, and server needs.
- Ability to follow oral and written communication.
- Ability to explain technical problems and implement solutions to those without technological training.
- Ability to establish and maintain effective working relationships with other employees and the public

SUPERVISORY CONTROLS

The CIS Manager assigns work in terms of general instruction. The supervisor spot-checks completed work for compliance with procedures and the nature and propriety of the final results.

GUIDELINES

Guidelines include the information technology policies and procedures, state and federal laws, and other city policies and procedures. These guidelines require judgment, selection, and interpretation in application.

COMPLEXITY/SCOPE OF WORK

- The work consists of varied administrative and technical duties. The variety of functions to be managed and sensitive timelines contributes to the complexity of the position.
- The purpose of this position is to assist the IT department with a variety of information technology duties. Successful performance contributes to the efficiency and effectiveness of department operations.

CONTACTS

- Contacts are typically with department directors, co-workers, and other city employees.
- Contacts are typically to provide services, to give or exchange information, to motivate people, or to resolve problems.

PHYSICAL DEMANDS/ WORK ENVIRONMENT

- The work is typically performed while sitting at a desk or table or while intermittently sitting, standing, or stooping. The employee occasionally lifts light objects.
- The work is typically performed in an office.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY

None.

MINIMUM QUALIFICATIONS

- Knowledge and level of competency commonly associated with working towards the completion of a degree in a course of study related to the position.
- Sufficient experience to understand the basic principles relevant to the major duties of the position, usually associated with the completion of an apprenticeship/internship or coursework in a related field.
- Possession of or ability to obtain a valid driver's license for the type of vehicle or equipment operated.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 18, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider approval of Department of Water Resources construction funding application.

STATEMENT/PURPOSE:

To consider and possibly approve a cost-share application to the Department of Water Resources for the Memorial Highway reconstruction project.

BACKGROUND/ALTERNATIVES:

On December 13th, the State Water Commission (SWC) met and approved an amendment to our cost-share reimbursement agreement for the Memorial Highway Project. That amendment increased the SWC's cost participation from \$348,600 to \$2,961,845. This increase represented 60% of the estimated water-eligible items on the East portion of the project. The project was bid after the December 13th meeting and the proposed application would amend the requested amounts to the actual costs of construction, and would add our anticipated eligible oversight costs. We expect to approach the SWC for more amendments in the future for the water-eligible construction and design items on the West half of the project.

The City is seeking construction funding from SWC to fund up to 60% of all eligible water-related items. The City was previously approved for the estimated costs of construction and preconstruction for this project.

ATTACHMENTS:

None

FISCAL IMPACT:

If the City were to receive 60% grant funding on all eligible water items, we would expect to receive about \$3,900,000 for this half of the project. We would expect to continue amending the cost-share agreement for the future phase.

STAFF IMPACT:

Minimal.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

To approve the application to the State Water Commission for funding, as presented.

SUGGESTED MOTION:

I move to approve the application to the State Water Commission for Memorial Highway funding, as presented.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 6, 2025
SUBMITTING DEPARTMENT: Mandan Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Patrick HAUG, Captain
SUBJECT: Approval to apply for grant.

STATEMENT/PURPOSE:

To consider allowing the Mandan Police Department to apply for a State Homeland Security Grant through the North Dakota Department of Emergency Services to purchase an Anti-Vehicle Barrier System.

BACKGROUND/ALTERNATIVES:

The State Homeland Security Grant is money provided by the U.S. Department of Homeland Security to the States, to allow local entities to Enhance Community Preparedness and Resilience, Combating Domestic Violent Extremism, or Planning, Training, and Awareness. The Mandan Police Department will be submitting our application under the Enhancing the Protection of Soft Targets/Crowded Places.

The anti-vehicle barrier system will be used to reduce the ability for a vehicle to enter into a closed section of roadway during public events, which will reduce the potential of citizens attending these events from being injured. The anti-vehicle barrier system is versatile, allowing for different configurations and can be used to block a street or sidewalks. When used on sidewalks, these barriers will still allow pedestrians to walk on the sidewalk.

ATTACHMENTS:

None

FISCAL IMPACT:

The amount of funds requested on the grant application is \$135,000.00.

STAFF IMPACT:

None

Subject: Consider approval of the Mandan Police Department applying for a State Homeland Security Grant through the North Dakota Department of Emergency Services to purchase an anti-vehicle barrier system

Page 2 of 2

LEGAL REVIEW:

None.

RECOMMENDATION:

Recommend the approval for the Mandan Police Department to apply for the State Homeland Security Grant through the North Dakota Department of Emergency Services to purchase an anti-vehicle barrier system.

SUGGESTED MOTION:

I move to approve the Mandan Police Department applying for the State Homeland Security Grant through the North Dakota Department of Emergency Services to purchase an anti-vehicle barrier system.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 7, 2025
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Consider a Renaissance Zone rehab application by 420 Holdings LLC at 418 W Main St

STATEMENT/PURPOSE:

To consider a Renaissance Zone Committee recommendation for approval of a Renaissance Zone application for 418 W Main St by 420 Holdings LLC.

BACKGROUND/ALTERNATIVES:

The Renaissance Zone Committee met Aug. 26, 2024. Agenda items included consideration of the application of an interior remodel and addition., and now has plans for significant interior improvements, as well as a potential rebuild of the rear structure.

The project consists of a complete tear down of the back building and replacing it with a new building which would include a basement. Construct an additional 500sq/ft to the 2,000sq/ft area towards the alley, making it usable square footage towards the addition a total of 5000sq/ft. The new addition would be split into two sides, east and west sides to the 418-420 parcels. On the 418 east side there will be a state-of-the-art kitchen which will service the wine bar. On the 420-west side, an additional 4 office suites, a conference room, and a break room will be added. The front of 420 will remain Berger Insurance. Included in the scope of work of this addition will be the installation of a new roof on the main building along with two new kitchens in the apartments, as well as a sprinkler system, two new furnaces, 4 new electrical services, and two new gas meters.

The cost of the project is estimated to be around \$450,000. City Assessor has estimated the new building value after improvements to be \$756,000, putting the investment in improvements well above minimum RZ program requirements of at least 50% of the buildings value of \$349,000.

The applicant utilized the Storefront Improvement Program for a major facade update in

2018. Tentative date to begin construction is set this spring of 2025, contingent upon receiving all required permits from the Building Official.

ATTACHMENTS:

1. Exterior Picture
2. RZ Project Summary
3. MAIN FLOOR - OPTION 4
4. Sworn Construction Statement 420 West Main Street

FISCAL IMPACT:

The annual property tax on the improved building is estimated at \$10,622.56 for a five-year total of \$53,112.80. The actual property tax exemption will be subject to the prevailing market values and property tax rates in the five subject years.

STAFF IMPACT:

Minimal for the application processing and finalization.

LEGAL REVIEW:

Attorney Oster will review the application.

RECOMMENDATION:

The Renaissance Zone Committee voted unanimously to recommend approval of the Renaissance Zone application for 418 W Main St by 420 Holdings LLC as a Renaissance Zone project to include the five-year 100% property tax exemption on the value of the building as improved and the 100% five-year state income tax exemption contingent upon receiving all required city permits.

SUGGESTED MOTION:

I move to approve the application for the rehabilitation of the 418 W Main St. as a Renaissance Zone project to include the five-year 100% property tax exemption on the value of the building as improved and the 100% five-year state income tax exemption contingent upon receiving all required city permits.



Renaissance Zone Project Brandon Ehlis

**418/420 W Main St.
Lots 13 & 14, Block 10**

Building History

When I purchased the building in 2007 this property was in a very poor state. I decided, at that time, to remodel the commercial and residential spaces. Upon completion of the remodel, I moved Berger Insurance into the 420 side and a hair salon into the 418 side. I added a break room and office in the back building (2000 sq/ft). I furnished apartments on the upper level which were brought up to code with a few updates. Over the years I have been maintaining the property and in 2018 I completed a major store front improvement. I have come to the realization that the time has come for some significant interior improvements as well as a potential rebuilding of the rear structure. The rear 2000sq/ft building is at the end of its life.

Project Description

The project I am considering is a complete teardown of the back building and replacing it with a new building which would include a basement. I would like to take the 2000 sq/ft area and add an additional 500sq/ft toward the alley. This would make the usable square footage of the addition a total of 5000sq/ft.

The new addition would be split into two sides, an east and west side respective of the 418-420 parcels. On the 418 east side I would put a state-of-the-art kitchen which would service the wine bar I will be added to front of the main building. On the 420 west side I would add an additional 4 office suites, a conference room, and a break room. The front of 420 would remain Berger Insurance.

Included in the scope of work of this addition will be the installation of a new roof on the main building along with two new kitchens in the apartments. I will be adding a sprinkler system, two new furnaces, 4 new electrical services, two new gas meters.

The cost of the project is estimated to be around \$450,000 but we are waiting for all the drawings and approvals to come in so we can narrow down the costs. If it all works out we could break ground by May 1, 2024.

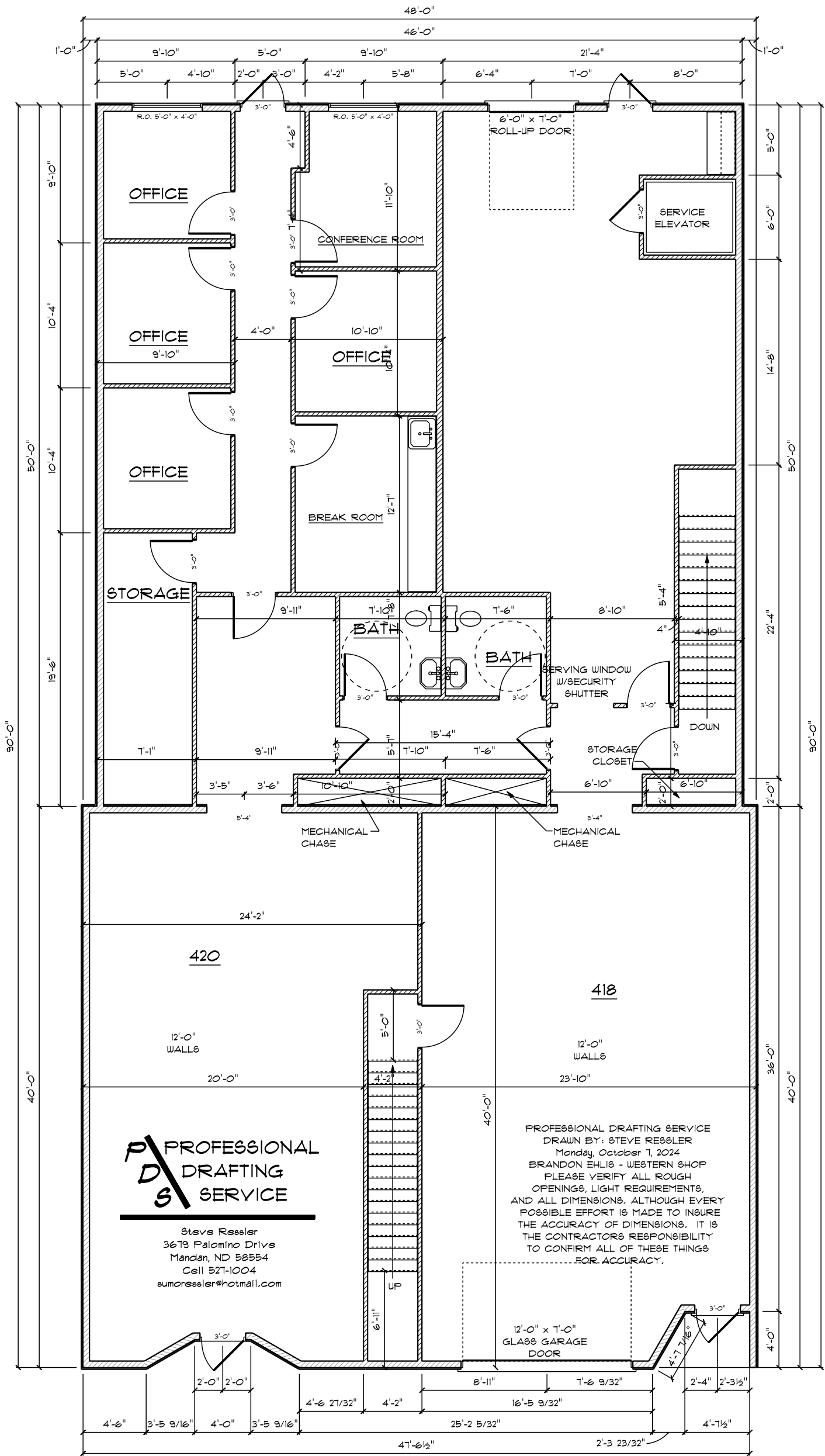
Community Benefit

For the last few years, I have been thinking about what I could do to the property to add value to the area. I have been a business owner in Mandan for the last 30 years and have seen many businesses come and go including two of my own. The store front was a good start, but I feel I need to bring something more to the west end of town to give people on the east side a reason to travel in our direction. There are many businesses struggling on the west end of town.

Building Usage

Minneapolis Private Equity Group will be running the restaurant on the 418 side with the idea of hiring 5-10 employees to run the restaurant.

All State Radon Services will be leasing a suite on the 420 side and the remainder of the space will be rented to professionals looking for office space.



1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"

Line Item	Description	Remaining Balance Budget		Estimated
Plans		\$0.00	\$0.00	\$5,000.00
Permits		\$0.00	\$0.00	\$5,000.00
Site Prep	and permits	\$0.00	\$0.00	\$500.00
Demo	General Demolition	\$0.00	\$0.00	\$2,500.00
Building Demo				\$15,000.00
Dumpsters		\$0.00	\$0.00	\$3,500.00
Survey		\$0.00	\$0.00	\$0.00
Septic		\$0.00	\$0.00	\$0.00
Foundation		\$0.00	\$0.00	\$0.00
Foundation labor				\$11,000.00
Plumbing - Rough	Bathroom , kitchen, rough	\$0.00	\$0.00	\$15,000.00
Plumbing-Finish	Bathroom , kitchen finish	\$0.00	\$0.00	\$10,000.00
Framing	Floor, wall, and roof	\$0.00	\$0.00	\$5,000.00
Framing Labor				\$5,000.00
Audio/Video				\$12,500.00
A/V Labor				\$5,000.00
Electric -Rough		\$0.00	\$0.00	\$15,000.00
Electrical-Finish	house and appliance electrical	\$0.00	\$0.00	\$7,500.00
Lighting and Fixtures				\$5,500.00
HVAC	instal 1.00 self contained a/c pkg.2 ton 12 seer	\$0.00	\$0.00	\$6,000.00
HVAC labor				\$15,000.00
Furnace		\$0.00	\$0.00	\$5,200.00
Water Heater		\$0.00	\$0.00	\$4,200.00
Air conditioner		\$0.00	\$0.00	\$8,000.00
Fireplace		\$0.00	\$0.00	
Roof Material	roofing and gutters	\$0.00	\$0.00	\$12,500.00
Roof Labor				\$10,000.00
Insulation	wall covering insulation	\$0.00	\$0.00	\$7,800.00
Drywall	walls & ceiling	\$0.00	\$0.00	\$6,800.00
Paint - Interior	incl all finishes	\$0.00	\$0.00	\$4,200.00
Paint - Exterior		\$0.00	\$0.00	\$2,800.00
Windows & labor	insulated glass, clad wood windows	\$0.00	\$0.00	\$15,000.00

Siding		\$0.00	\$0.00	\$7,500.00
Gutters		\$0.00	\$0.00	\$2,800.00
Doors - Interior	Pre-hung 8 foot door units	\$0.00	\$0.00	\$10,000.00
Doors - Exterior	doors, deadbolt door sill	\$0.00	\$0.00	\$2,200.00
Door - Garage		\$0.00	\$0.00	\$1,800.00
Door - Closet		\$0.00	\$0.00	\$1,200.00
Molding/Trim	Exterior trim, siding and awnings - vinyl	\$0.00	\$0.00	\$4,200.00
Cabinets - Kitchen	includes granite countertop	\$0.00	\$0.00	\$15,000.00
Cabinets - Bathroom		\$0.00	\$0.00	\$3,200.00
Countertops - Kitchen		\$0.00	\$0.00	\$3,200.00
Countertops - Bathroom		\$0.00	\$0.00	\$1,200.00
Finish Carpentry Labor				\$6,000.00
Millwork	Bar			\$12,000.00
Chimney		\$0.00	\$0.00	
Masonry	Provide and install concrete block as necessary, provide and apply water proof paint	\$0.00	\$0.00	\$5,200.00
Flooring - Tile		\$0.00	\$0.00	\$8,200.00
Flooring - Hardwood		\$0.00	\$0.00	\$10,000.00
Flooring - Carpet		\$0.00	\$0.00	\$5,200.00
Flooring - Laminate	includes laminate, stone, carpet, pad, and subflooring	\$0.00	\$0.00	
Flooring Labor				
Appliance - Refrigerator	Walk in Fridge and Freezer	\$0.00	\$0.00	\$15,000.00
Appliance - Stove		\$0.00	\$0.00	\$6,200.00
Appliance - Oven		\$0.00	\$0.00	\$3,200.00
Appliance - Other		\$0.00	\$0.00	\$8,200.00
Driveway		\$0.00	\$0.00	
Concrete				\$35,000.00
Concrete Labor				\$15,000.00
Decking / Patio		\$0.00	\$0.00	
Landscaping		\$0.00	\$0.00	
Fencing		\$0.00	\$0.00	
Sink - Kitchen		\$0.00	\$0.00	\$3,200.00

Sink - Bathroom		\$0.00	\$0.00	\$1,200.00
Cabinet Hardware		\$0.00	\$0.00	\$280.00
Bath Tub		\$0.00	\$0.00	
Vanity Mirror		\$0.00	\$0.00	\$320.00
Shower		\$0.00	\$0.00	
Tile		\$0.00	\$0.00	\$8,500.00
Toilet		\$0.00	\$0.00	\$1,200.00
Closet Shelving		\$0.00	\$0.00	\$1,500.00
Stucco		\$0.00	\$0.00	
Stairs	includes interior trim and base molding	\$0.00	\$0.00	\$3,200.00
Soffit/Facia		\$0.00	\$0.00	\$3,200.00
Door Bell		\$0.00	\$0.00	
Pool		\$0.00	\$0.00	
Ceiling Fan		\$0.00	\$0.00	
Final Clean		\$0.00	\$0.00	\$650.00
Staging		\$0.00	\$0.00	
Contingency		\$0.00	\$0.00	
Mold Remediation		\$0.00	\$0.00	
Other	Pizza Oven	\$0.00	\$0.00	\$15,000.00
Other		\$0.00	\$0.00	
Other	Contractors O&P	\$0.00	\$0.00	\$44,025.00

\$0.00 \$484,275.00



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 7, 2025
SUBMITTING DEPARTMENT: Business Development & Communications Director
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Consider a Renaissance Zone lease application for 418 W Main St.

STATEMENT/PURPOSE:

To consider a Renaissance Zone Committee recommendation for approval for an application for Minneapolis Private Equity LLC lease of 418 W Main St as a building being rehabilitated as a Renaissance Zone project.

BACKGROUND/ALTERNATIVES:

The Renaissance Zone Committee met Aug. 26, 2024. Agenda items included consideration of an application for a lease for a state-of-the-art kitchen that would service a wine bar. Minneapolis Private Equity Group LLC will be running a restaurant on the 418 W Main St side of the building. The restaurant is expected to create 10+ jobs and bring in more traffic to downtown Mandan.

Additionally, the commercial kitchen could be utilized by startup businesses, community groups, etc.

ATTACHMENTS:

1. Prelim 3Ds

FISCAL IMPACT:

The estimated state income tax exemption will be provided by the applicant once determined.

STAFF IMPACT:

Minimal for application processing and finalization

LEGAL REVIEW:

Attorney Oster will review the application.

RECOMMENDATION:

The Renaissance Zone Committee voted unanimously to recommend approval for the lease of 418 W Main St. by Minneapolis Private Equity Group LLC as a Renaissance Zone project to include a 100% five-year state income tax exemption.

SUGGESTED MOTION:

I move to approve the lease of 418 W Main St. by Minneapolis Private Equity Group LLC as a Renaissance Zone project to include 100% five-year state income tax exemption.

























City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 7, 2025
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Consider a Renaissance Zone lease application by Allstate Radon Services LLC at 418 W Main St.

STATEMENT/PURPOSE:

To consider a Renaissance Zone recommendation for approval of an application for Allstate Radon Services LLC lease of 418 W Main St as a building being rehabilitated as a Renaissance Zone project.

BACKGROUND/ALTERNATIVES:

The Renaissance Zone Committee met Aug. 26, 2024. Agenda items included consideration of an application for a lease of a suite on the 420 W Main St. side of the building. The remainder of the space will be available for rent to professionals for office space.

ATTACHMENTS:

None

FISCAL IMPACT:

The estimated state income tax exemption will be provided by the applicant once determined.

STAFF IMPACT:

Minimal for application processing and finalization.

LEGAL REVIEW:

Attorney Oster will review the application.

RECOMMENDATION:

The Renaissance Zone Committee voted unanimously to recommend approval for the lease of 418 W Main St. by Allstate Radon Services LLC as a Renaissance Zone project to include a 100% five-year state income tax exemption.

SUGGESTED MOTION:

I move to approve the lease of 418 W Main St. by Allstate Radon Services LLC as a Renaissance Zone project to include 100% five-year state income tax exemption.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider Introduction of Mandan Art Alley Project

STATEMENT/PURPOSE:

Consider Introduction of Mandan Art Alley Project

BACKGROUND/ALTERNATIVES:

The Mandan Art Alley project, identified in the Mandan Downtown Subarea Study, aims to create a public art installation and pedestrian-friendly alley downtown. Building on past projects like the 2023 Utility Box project, and a summer 2024 revival of alley activation discussions, staff has worked to secure partnerships which has led to a funding source for this project.

Phase 1 includes approximately six murals in the alley between 1st and 2nd Ave NW, which was chosen for its suitable ground-surface conditions and because it has buildings on both sides of it, which is ideal for installations. One mural will be community-designed and painted, fostering engagement and creating a sense of ownership in this shared community asset. The participatory mural would be available at events in the summer for community members to contribute to.

The project's goals are to further placemaking initiatives, improve public safety, and set the stage for future alley activations. Art pieces funded by this grant must relate to the local history and heritage of the area.

A \$35,000 federal grant, secured for this project on the City's behalf by the Northern Plains National Heritage Area (NPNHA), covers costs, with additional funds from the Fort Abraham Lincoln Foundation providing an additional \$5,000 to create a \$40,000 budget for phase 1 of this project. The funds will be dispersed by NPNHA to artists and vendors. Future phases may consider use of the City's Visitors Fund to expand this attraction.

The project team includes partners from the Northern Plains National Heritage Area, Morton Mandan Public Library, The Art Workshop, Mandan School District, downtown businesses, and the North Dakota Council on the Arts. The City is also a part of the project team. The project team will solicit property owner letters of support to ensure that locations for the proposed murals are approved.

The timeline includes a call for artists in March, selection in May, mural work in June, and a ribbon-cutting in October. Future phases may expand murals from 4th Ave to Collins or beyond, with ongoing local collaboration.

At this time, staff is introducing this project on behalf of the project team and will continue to keep the Commission informed. The City deeply appreciates this partnership opportunity and the funding provided. Collaborations like this are vital to the community's success, and we cannot emphasize their importance enough.

ATTACHMENTS:

1. 2024 Mandan Art Alley Grant Award Letter
2. Mandan Art Alley Timeline
3. Downtown Plan Excerpt

FISCAL IMPACT:

This project will be covered by a grant.

STAFF IMPACT:

A considerable amount of staff time has gone into supporting this project.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

Staff recommends pursuing this project in 2025.

SUGGESTED MOTION:

I move to support Staff in pursuing this project in 2025.



August 28, 2024
205 Second Ave NW
Mandan, North Dakota 58554

Dear Andrew Stromme,

BOARD OF DIRECTORS

President:
Erin Laverdure

Vice President:
Brent Brannan

Secretary/Treasurer:
Keith Ulmer

Past President:
Shadd Piehl

Board Members:
Brian Bitner
Tyler Demars
Rose Laning
Richard Tokach

Ex Officio:
Bill Peterson, PhD
Director
State Historical Society of
North Dakota

Paul Taylor
Deputy Director
North Dakota Parks &
Recreation

Liaison:
Superintendent
Knife River Indian Villages
National Historic Site

(701) 663-4758
1700 River Road
Bismarck, ND 58503

info@northernplainsheritage.org
northernplainsheritage.org

The Northern Plains Heritage Foundation (NPHF) is pleased to announce that the NPHF board dedicated \$35,000 to Phase I of the creation of the Mandan Heritage Art Alley, with the below stipulations:

- Content themes will need to be related to local history and heritage of the Northern Plains National Heritage Area (NPNHA)
- NPNHA logo inclusion on all marketing ("Edu-tising")
- The NPHF will coordinate directly with artists for labor/material payments and processing.
- City of Mandan will continue coordinating with NPHF and Fort Abraham Lincoln Foundation to refine Phase I project scope.

Thank you once again, Andrew. Projects like this have authentic and meaningful impact in the NPNHA.

If you have any questions concerning this grant award, please contact Lacey Heid, Project Manager at lacey@northernplainsheritage.org or 701-663-4758.

Sincerely,

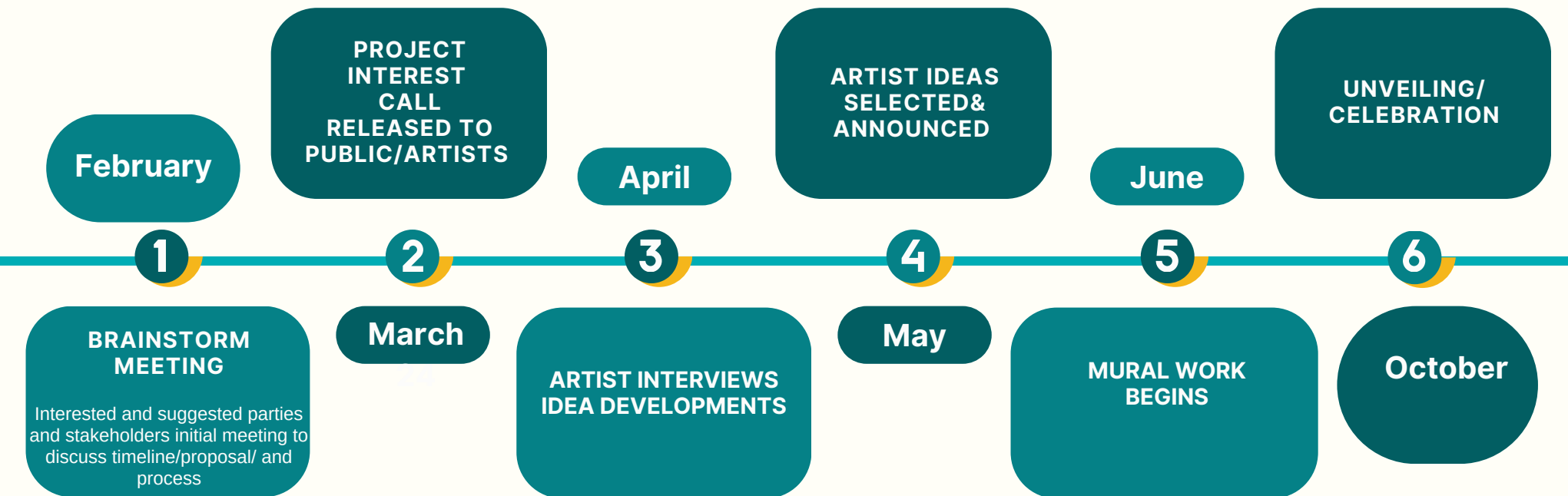
Aaron L. Barth, PhD
Executive Director

Lacey Heid
Project Manager



MANDAN ART ALLEY

A SPACE TO GATHER, ENJOY, PLACEMAKE



WWW.MANDANARTALLEY.COM



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider a task order to support waste water treatment plant interim improvements

STATEMENT/PURPOSE:

To review and possibly approve a task order to support the waste water treatment plant interim improvements.

BACKGROUND/ALTERNATIVES:

Concerns have been raised regarding the reliability of the existing clarifier instrumentation and control (I&C) system. The proposed interim I&C upgrades are necessary to ensure continued operational reliability while strategically selecting equipment that can be reused for future expansion projects.

Project Scope

The interim I&C upgrade project includes:

- Upgrading the Clarifier PLC Processor and Rack to a Compact/Control Logix PLC, which will be repurposed in the WWTF Expansion Project.
- Replacing the Main PLC Processor with an SLC 5/05 to maintain operability until the full upgrade is implemented.
- Installing Ethernet/Fiber switches and cabling to modernize the communication system, ensuring compatibility with future upgrades.
- Adding a new redundant server, which can later be repurposed as a workstation or backup system.

AE2S will provide engineering design, contractor selection, installation, programming, and commissioning services to ensure successful implementation. The task order has been structured in sequential, hourly-not-to-exceed phases. This gives the Waste Water Treatment Plant staff flexibility to evaluate the improvements as they are

implemented and potentially reduce the scope of the professional service agreement.

ATTACHMENTS:

1. WWTF - Interim I&C Upgrades Task Order 10

FISCAL IMPACT:

The agreement has been structured in a way where the City will have opportunity to reduced scope, and therefore costs, if staff feels that their needs have been met by the first phase of the improvements. The scope of the initial phase of professional services (Phase 080) is estimated to cost \$35,250. If this phase is insufficient, then staff would have support for the fully proposed upgrade, which would require an additional \$60,750 in support services.

A \$215,000 budget amendment was approved at the February 4th Commission Meeting. This budget amendment included all of the estimated equipment, installation and support costs.

STAFF IMPACT:

Significant time coordinating with consultants, contractors, and equipment suppliers.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

To approve the task order with AE2S, as presented.

SUGGESTED MOTION:

I move to approve the task order with AE2S, as presented.

Task Order No. 10

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated January 21, 2020 and as amended January 20, 2023 (“Agreement”), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: February 18, 2025
- b. Owner: City of Mandan
- c. Engineer: Advanced Engineering and Environmental Services, LLC
- d. Specific Project (title): Mandan WWTF Interim I&C Upgrades
- e. Specific Project (description): Profession services to assist he Owner with enhancing the Wastewater Treatment Facility’s control and monitoring capabilities by upgrading critical hardware and software components. The Project includes server upgrades, fiber and Ethernet communication improvements, and the replacement of outdated SLC and CompactLogix processors to improve system reliability and efficiency.

2. Services of Engineer

A. The specific services to be provided or furnished by Engineer under this Task Order are as follows:

- Phase 080 – I&C Services (Initial SCADA System Upgrades)
 - 1. Task 1 – Fiber and Ethernet Communication Upgrade
 - a. Advise Owner on network hardware requirements for procurement Equipment procured by Owner (PBO).
 - b. Configure and test two (2) new ethernet switches (PBO) to utilize the fiber and ethernet connections.
 - c. Optimize communications and create a network layout and network layout drawing.
 - d. Assist and provide instruction to fiber contractor for installation of fiber optic network. Engineer will be on site to provide verbal instruction.
 - e. Confirm upgraded ethernet network control system monitoring, alarming, trending, and process operation capabilities with Owner.

2. Task 2 – SLC Processor Replacement

- a. Replace and upgrade existing SLC 5/04 processors to Ethernet-supported SLC 5/05 processors.
- b. Convert and test existing SLC 5/04 applications to SLC 5/05, and update communication paths for Ethernet protocols.
- c. Verify spare module availability with Owner and advise recommended inventory updates.
- d. Confirm updated SLC 5/05 processor monitoring, alarming, and process operation capabilities with Owner.

3. Task 3 – Server Upgrades

- a. Advise Owner on new server hardware and software requirements for procurement (equipment PBO).
- b. Installation and testing of Wonderware application servers, historian servers, and device integration servers.
- c. Installation and testing of Win-911 Remote Alarm Notification Software.
- d. Testing and verification of system software functionality including Win-911, SQL Server and Wonderware.
- e. Confirm upgraded server control system monitoring, alarming, trending, and process operation capabilities with Owner.

Phase 081 – I&C Services (If Needed, Final SCADA System Upgrades)

1. Task 1 – CompactLogix Processor Replacement

- a. Advise Owner on CompactLogix hardware requirements for procurement (equipment PBO)
- b. Assist electrical contractor in removal and replacement of existing BWP SLC processor and modules with updated CompactLogix platform. Engineer will be on site to provide verbal instruction.
- c. Convert and test existing BWP SLC application to CompactLogix application.
- d. Verify and test all existing I/O Points with electrical contractor on CompactLogix application.
- e. Confirm updated CompactLogix processor monitoring, alarming, and process operation capabilities with Owner.

- B. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

A. Additional Services that may be authorized or necessary under this Task Order are:

- Those services (and related terms and conditions) set forth in Paragraph A2.01 of Exhibit A, as attached to the Agreement referred to above, such paragraph being hereby incorporated by reference.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following: Procure the necessary equipment, with direction from the Engineer, to successfully complete the work as stated above.

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:

Phase 080 – I&C Services (Initial SCADA System Upgrades)

1. Task 1 – Fiber and Ethernet Communication Upgrade: **April 15, 2025**
2. Task 2 – SLC Processor Replacement: **April 30, 2025**
3. Task 3 – Server Upgrades: **May 30, 2025**

Phase 081 – I&C Services (If Needed, Final SCADA System Upgrades)

1. Task 1 – CompactLogix Processor Replacement (upon authorization to proceed): **2 Months**

*all schedule times are subject to equipment arrival

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1 of Exhibit A)		
Phase 080	\$35,250	Hourly
Phase 081	\$60,750	Hourly
TOTAL COMPENSATION	\$96,000	
2. Additional Services (Part 2 of Exhibit A)	(N/A)	

Compensation items and totals based in whole or in part on Hourly Rates are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered. Engineer shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. **Consultants retained as of the Effective Date of the Task Order:** None.

8. **Other Modifications to Agreement and Exhibits:** None.

9. **Attachments:**

- 2025 Hourly Fee and Expense Schedule

10. **Other Documents Incorporated by Reference:** None.

11. **Terms and Conditions**

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is February 18, 2025.

OWNER:

ENGINEER:

By: _____

By: Jordan Geiger
Jordan Geiger (Feb 12, 2025 15:04 CST)

Print Name: _____

Print Name: Jordan Geiger

Title: _____

Title: Operations Manager

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Zac Ranisate

Name: Ryan Malsam

Title: Project Manager

Title: WWTF Superintendant

Address: 1815 Schafer St STE 301

Address: 205 2nd Ave NW

E-Mail Address: Zac.Ranisate@ae2s.com

E-Mail Address: _____

Phone: 701-221-0530

Phone: 701-667-3215

ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, LLC

2025 HOURLY FEE AND EXPENSE SCHEDULE

Labor Rates*

Administrative 1	\$70.00	I&C Assistant 1	\$108.00
Administrative 2	\$85.00	I&C Assistant 2	\$134.00
Administrative 3	\$99.00	I&C 1	\$160.00
		I&C 2	\$189.00
Communications Specialist 1	\$113.00	I&C 3	\$213.00
Communications Specialist 2	\$132.00	I&C 4	\$226.00
Communications Specialist 3	\$152.00	I&C 5	\$237.00
Communications Specialist 4	\$183.00	IT 1	\$140.00
Communications Specialist 5	\$202.00	IT 2	\$189.00
		IT 3	\$232.00
Construction Services 1	\$135.00	Land Surveyor Assistant	\$103.00
Construction Services 2	\$165.00	Land Surveyor 1	\$124.00
Construction Services 3	\$183.00	Land Surveyor 2	\$150.00
Construction Services 4	\$203.00	Land Surveyor 3	\$169.00
Construction Services 5	\$224.00	Land Surveyor 4	\$186.00
		Land Surveyor 5	\$205.00
Engineering Assistant 1	\$91.00	Operations Specialist 1	\$108.00
Engineering Assistant 2	\$107.00	Operations Specialist 2	\$135.00
Engineering Assistant 3	\$135.00	Operations Specialist 3	\$167.00
Engineer 1	\$146.00	Operations Specialist 4	\$191.00
Engineer 2	\$175.00	Operations Specialist 5	\$214.00
Engineer 3	\$205.00		
Engineer 4	\$237.00	Project Coordinator 1	\$125.00
Engineer 5	\$254.00	Project Coordinator 2	\$140.00
Engineer 6	\$269.00	Project Coordinator 3	\$156.00
		Project Coordinator 4	\$172.00
Engineering Technician 1	\$90.00	Project Coordinator 5	\$194.00
Engineering Technician 2	\$113.00		
Engineering Technician 3	\$136.00	Project Manager 1	\$221.00
Engineering Technician 4	\$152.00	Project Manager 2	\$242.00
Engineering Technician 5	\$174.00	Project Manager 3	\$259.00
		Project Manager 4	\$274.00
Financial Analyst 1	\$121.00	Project Manager 5	\$293.00
Financial Analyst 2	\$137.00	Project Manager 6	\$307.00
Financial Analyst 3	\$165.00		
Financial Analyst 4	\$180.00	Sr. Designer 1	\$192.00
Financial Analyst 5	\$201.00	Sr. Designer 2	\$213.00
		Sr. Designer 3	\$229.00
GIS Specialist 1	\$113.00		
GIS Specialist 2	\$137.00	Sr. Financial Analyst 1	\$227.00
GIS Specialist 3	\$162.00	Sr. Financial Analyst 2	\$248.00
GIS Specialist 4	\$181.00	Sr. Financial Analyst 3	\$269.00
GIS Specialist 5	\$202.00		
		Technical Expert 1	\$348.00
		Technical Expert 2	Negotiable

Reimbursable Expense Rates

Transportation	\$0.75/mile
Survey Vehicle	\$0.95/mile
Laser Printouts/Photocopies	\$0.30/copy
Plotter Printouts	\$1.00/s.f.
UAS - Photo/Video Grade	\$100.00/day
UAS – Survey	\$50.00/hour
Total Station – Robotic	\$35.00/hour
Mapping GPS	\$25.00/hour
Fast Static/RTK GPS	\$50.00/hour
All-Terrain Vehicle/Boat	\$100.00/day
Cellular Modem	\$75.00/month
Web Hosting	\$26.00/month
Legal Services Reimbursement	\$291.00/hour
Outside Services	cost * 1.15
Geotechnical Services	cost * 1.30
Out of Pocket Expenses	cost * 1.15
Rental Car	cost * 1.20
Project Specific Equipment	Negotiable

* Position titles are for labor rate grade purposes only.

These rates are subject to adjustment each year on January 1.



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider the 2025 Reconstruction Project - Monte Drive plans, specifications, and authorization to advertise for bids.

STATEMENT/PURPOSE:

To approve plans and specifications and authorize the advertisement of the project.

BACKGROUND/ALTERNATIVES:

On September 17, 2025, Moore Engineering was directed to prepare plans and specifications for Water & Sewer Improvement District 65.

The project includes 25 blocks of cast iron water main replacement. Since 2008 the project area has experienced over 27 water main breaks. This project will replace the aging water main and address pressure issues in the area.

Moore has worked closely with the City of Mandan staff to incorporate the project scope and collaborate on a weekly basis. The plans and specifications are complete and ready for advertisement and bidding. With Commission approval, the project will be advertised for 3 weeks, with bids being submitted and opened on March 20th. This schedule was set due to Department of Water Resources funding on the project. The project has received a 60% grant for watermain design and an application has been submitted for a 60% grant for all watermain construction.

ATTACHMENTS:

1. Cover Page

FISCAL IMPACT:

The project cost estimate is \$9,500,000 including engineering, contingencies, and legal. The City has received a DWR preconstruction grant for \$232,658 and an application

has been submitted to the DWR for construction funding for \$3,940,258.

STAFF IMPACT:

Significant time and effort working alongside Moore Engineering on this project.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

To approve the Plans and Specifications and authorize the advertisement of the project.

SUGGESTED MOTION:

I move to approve the Plans and Specifications and authorize the advertisement of the project.

2025 STREET AND WATER IMPROVEMENTS

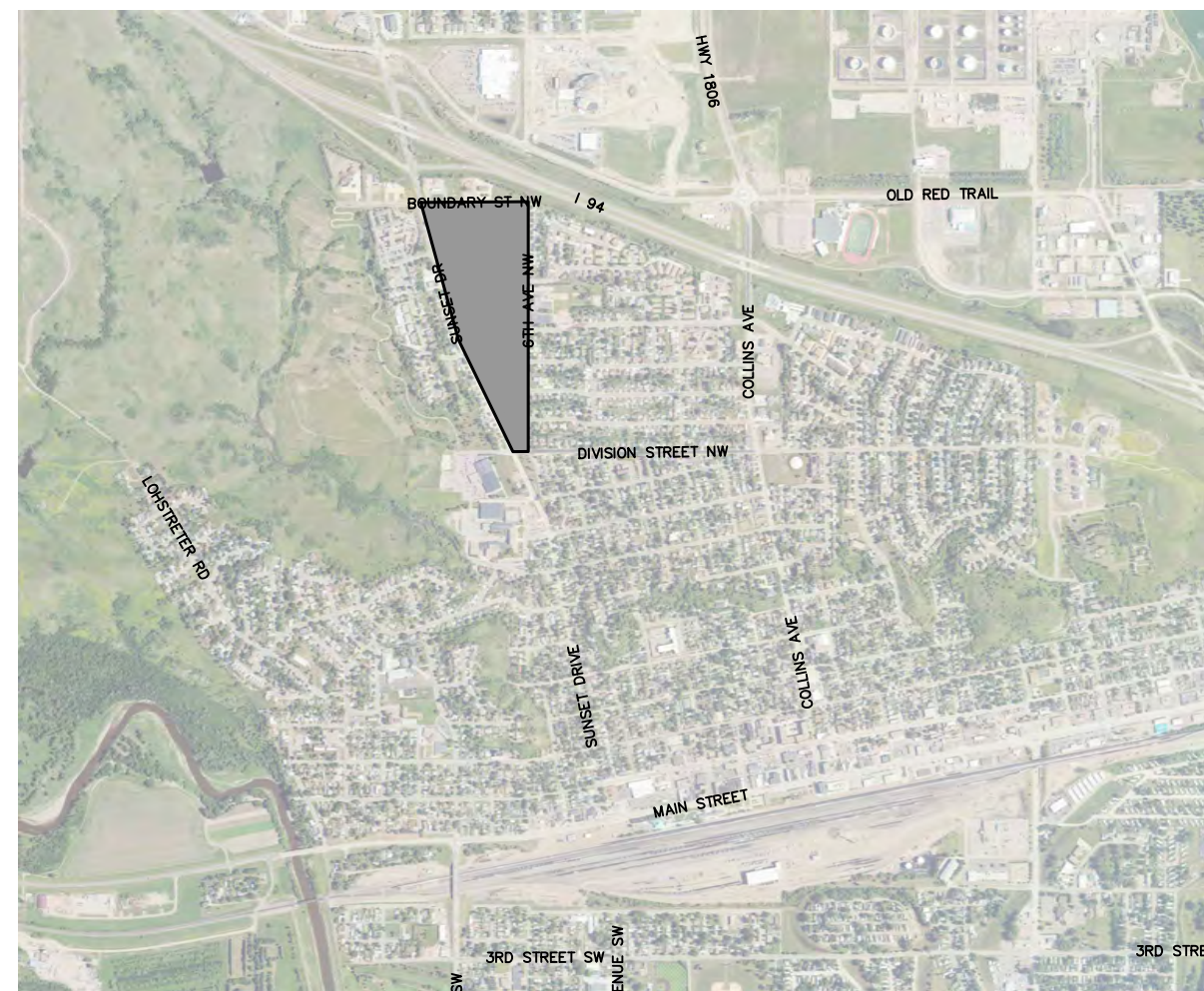


WATER & SEWER IMPROVEMENT DISTRICT 65 PROJECT 2025-03

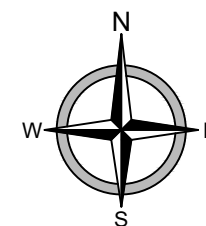
MANDAN, NORTH DAKOTA MORTON COUNTY



VICINITY MAP



PROJECT LOCATION



PROJECT No. 24080

HORIZONTAL CONTROL

NORTH DAKOTA STATE PLANE, NAD83,
SOUTH ZONE, GROUND,
INTERNATIONAL FOOT

VERTICAL CONTROL

1988 NORTH AMERICAN VERTICAL
DATUM (NAVD88)

PRELIMINARY



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider the Sunset Drive Interchange project decision document.

STATEMENT/PURPOSE:

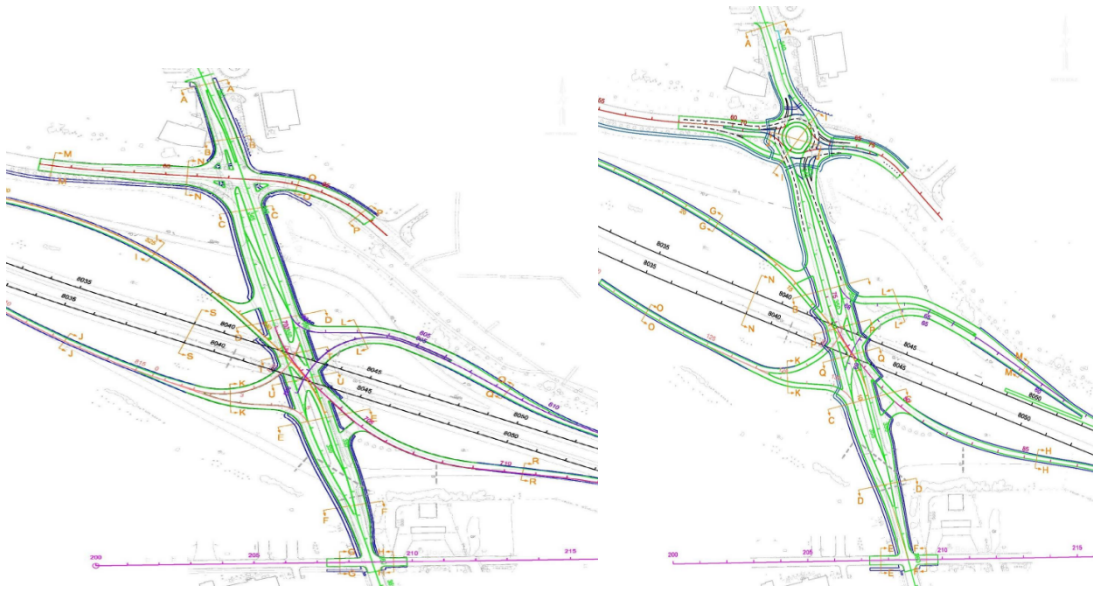
To consider the proposed improvements and select the City's preferred alternative.

BACKGROUND/ALTERNATIVES:

The Sunset Drive Interchange project is a North Dakota Department of Transportation (NDDOT) led effort to make improvements at I-94 Exit 152. The purpose of the project is to construct double median crossovers, reconstruct the I-94 and Sunset Drive Interchange, and replace bridges to address current structural deficiencies, insufficient vertical clearance, traffic movement limitations, and accommodate projected future Level of Service (LOS) needs. Pedestrian facilities along the corridor will also be upgraded.

Project objectives include improving Sunset Drive travel times, reducing the queuing between intersections along Sunset Drive, improving traffic operations along Sunset Drive and at the intersections with Old Red Trail and Boundary Street such that they do not impact the I-94 mainline operations.

The two remaining build alternatives both include the installation of a Single Point Urban Interchange (SPUI) and a signalized intersection at Boundary Street. The difference between the two is the type of improvement that would be made at the intersection of Sunset Drive and Old Red Trail. Alternative 1a includes the installation of a signalized intersection, Alternative 1b includes the installation of a two-lane roundabout.



City staff met on Monday, February 10th to discuss the two alternatives. Due to the reduced land impact, conflict points, crash severity, queue times, and long term maintenance costs; City staff is recommending a selection of Alternative 1b - Roundabout.

ATTACHMENTS:

1. Draft Decision Document

FISCAL IMPACT:

The estimated costs of Alternative 1a and 1b are \$52.9M and \$53.2M, respectively.
The City's financial responsibility for these projects is about \$1.6M for either alternative.

STAFF IMPACT:

City staff would have continued involvement in the development of the selected alternative.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

To submit Alternative 1b as the City's preferred option.

SUGGESTED MOTION:

I move to submit Alternative 1b as the City's preferred option.

RECONSTRUCTION

Project No.

FTF-IM-1-094(231)152

PCN

23594

Sunset Drive Interchange (Exit 152)



Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
BISMARCK, NORTH DAKOTA

<http://www.dot.nd.gov/>

DIRECTOR
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PROJECT DEVELOPMENT DIRECTOR
Jon Ketterling, P.E.

Principal Author: Moore Engineering, Mead & Hunt
Environmental Reviewer: Patty Winn, NDDOT ETS Division
February 2025

RECONSTRUCTION

Sunset Drive Interchange (Exit 152)

CERTIFICATION

This document
is preliminary
and not for
construction or
implementation
purposes.

PRELIMINARY

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Appendix F	Comments From the Draft Documented CATEX
Appendix G	Preliminary Cost Estimates

Supporting Documents

Scoping Report
 Decision Document (July 2023)
 Public Involvement Report (December 2024)
 Aquatic Resources Delineation Report (December 2023)
 Noise Report (December 2024)
 Traffic Operations Report (July 2023)
 Cultural Resources Report (February 2024)
 Work Zone Safety and Mobility Report (December 2024)
 Interchange Justification Report (IJR) (July 2024)

A. Project Description

Highway: Interstate 94 (I-94) and Sunset Drive Interchange (Exit 152)

District: Bismarck

Limits: Sunset Drive Interchange (Exit 152); I-94 from RP 151.571 to RP 153.000, Sunset Drive from Overlook Lane to Boundary Street

Table 1 – ADT Data

Project	ADT		Truck Percentage	Total ESALS
	Current (2022)	Forecasted (2045)		
I-94 E of Sunset Drive	20,600	36,000	9.6%	12,297,500
I-94 W of Sunset Drive	12,900	27,600	17.7%	
I-94 Ramps	760 – 6,535	2,300 – 10,300	16.6% - 26.3%	1,479,370
Sunset Drive N of Old Red Trail	5,350	10,300	11.8%	1,157,770
Sunset Drive Westbound Ramps to Old Red Trail	16,200	23,800		
Sunset Drive between Ramps	13,100	20,000		
Sunset Drive S of Eastbound Ramps	11,120	17,600		

B. Project Schedule

Project: FTF-IM-1-094(231)152

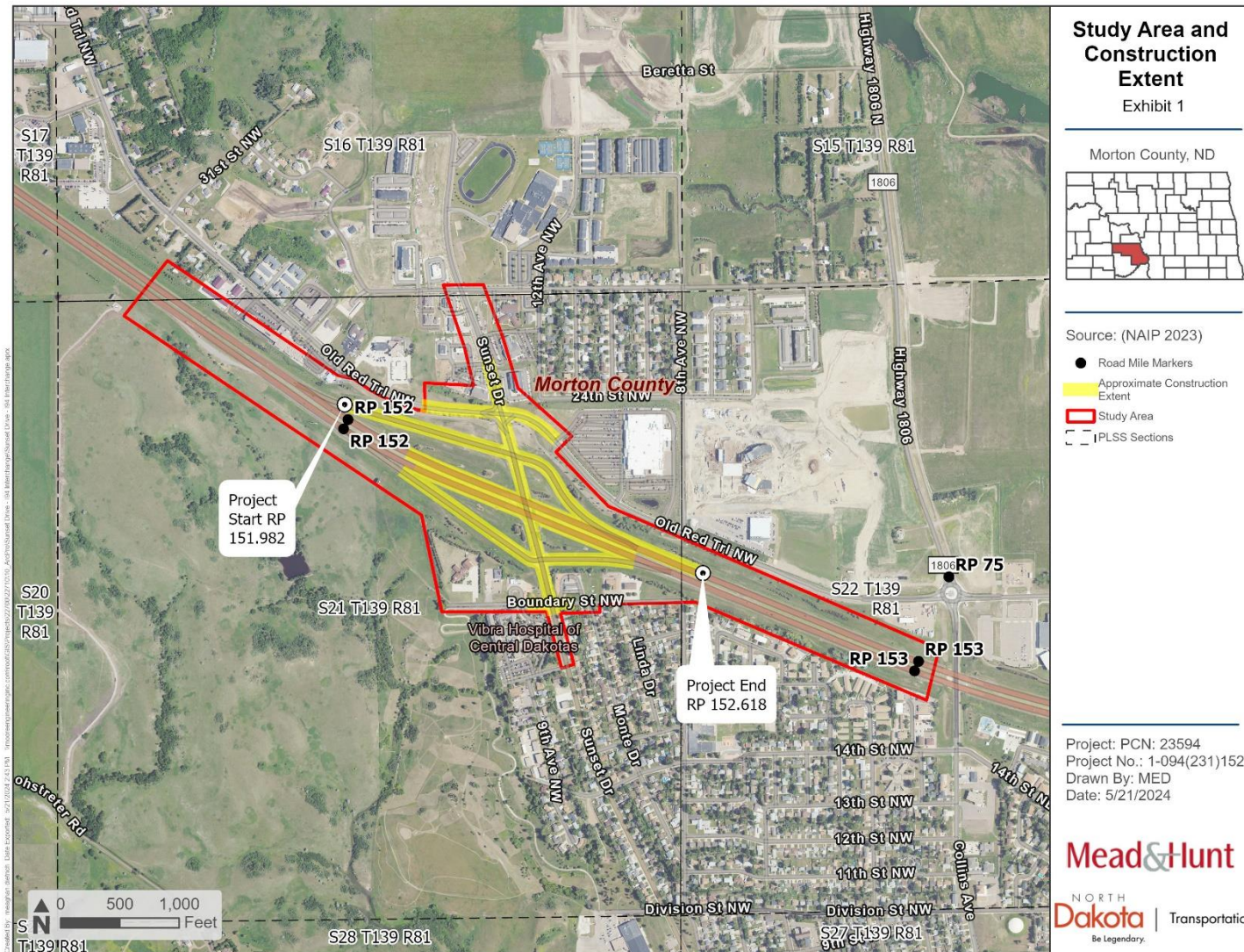
Bid Ready: April 1, 2026

C. Purpose of Project

The purpose of the project is to construct double median crossovers, reconstruct the I-94 and Sunset Drive Interchange, replace bridges No. 94-152.329 L & R, to address current structural deficiencies, insufficient vertical clearance, traffic movement limitations, and accommodate projected future Level of Service (LOS) needs. Pedestrian facilities along the corridor will be upgraded.

Project objectives include improving Sunset Drive travel times, reducing the queuing between intersections along Sunset Drive, improving traffic operations along Sunset Drive and at the intersections with Old Red Trail and Boundary Street such that they do not impact the I-94 mainline operations.

Figure 1 – Project Location Map



D. Need for Project

The I-94 Sunset Drive interchange is a major transportation node linking interstate traffic to a growing part of the City of Mandan. The Mandan High School recently relocated to a new location in the northeast quadrant of the interchange increasing traffic through the interchange. Current plans for expansion include new construction of over 300 single family residential units, 6 commercial lots, and urban street reconstruction, all within 5 miles of the I-94 at Sunset Drive interchange. Due to the growth of northwest Mandan, the existing interchange configuration will be unable to meet future traffic demand without unacceptable delays for Sunset Drive intersections, ramp queuing affecting interstate operations, accelerated pavement deterioration, and limitations to freight mobility. The existing I-94 Sunset Drive interchange has low vertical clearance beneath I-94 (14'-0"), and structural deficiencies, including cracking of abutments, damaged beams, delamination, and pavement conditions. Bicyclists and pedestrian facilities within the project area are in need of upgrades to meet existing and future demand as well as connectivity to public facilities, businesses, and residential areas on both the north and south sides of I-94.

According to the Traffic Operations Report, over the period from 2017 to 2022, there were 95 reported crashes along Sunset Drive between Boundary Street and Old Red Trail. Of those crashes, 84 were reported at the intersections within the corridor. Queue lengths during rush hour are currently creating operational issues due to the spacing between intersections and ramp terminals. With the projected growth and aging roadway and bridge infrastructure, improvements will be needed to the Sunset Drive corridor and the I-94 interchange.

a. Existing Conditions

The existing interchange configuration is a conventional diamond interchange consisting of two signal-controlled intersections at the ramp termini. I-94 is an interstate urban roadway with a posted speed of 60 miles per hour (MPH) in the interchange vicinity and a design speed of 70 MPH. This section of I-94 consists of two 38'-wide roadways (4-lane) for each direction of travel separated by a 60' grassy median measured from the inside edge of travel lane. Each roadway consists of two 12'-travel lanes, a 10' outside shoulder, and a 4' inside shoulder. The overpass for I-94 currently consists of two separate three-span bridges for both eastbound and westbound I-94. Both the I-94 westbound and eastbound bridge structures have metal beam and concrete guardrail throughout the overpass, with cable median barriers continuing on the north side of eastbound I-94 and the south side of westbound I-94.

Sunset Drive is a two-lane undivided roadway that carries 15,000 vehicles per day and is an underpass for I-94. The I-94 bridges over Sunset Drive have low clearances (14'-0") which are more than two feet below standard and will require reconstruction of the bridge infrastructure. The existing vertical clearance currently limits freight traffic traveling on Sunset Drive. Sunset Drive throughout the interchange has a variable configuration of turn lanes with two primary thru-lanes. Beneath the I-94 overpasses, Sunset Drive has two thru-lanes and an existing left turn lane at the I-94 eastbound on ramp (Figure 2, Sunset Drive Existing Typical Sections Below I-94). North of the I-94 overpass, Sunset Drive has a left turn lane at the I-94 westbound on ramp. North of the I-94 westbound on ramp, Sunset Drive has two left turn lanes onto Old Red Trail westbound and a combined thru-lane and right turn lane onto Old Red Trail eastbound.

On ramps to I-94 both consist of a 14' thru-lane, while the eastbound off ramp consists of 14' right and left turn lanes and the westbound off ramp consists of two 12' right turn lanes and a 12' left turn lane (Figure 2, I-94 Eastbound and Westbound On and Off Ramp Existing Typical Sections). Currently, the intersection spacing between the on and off ramps and adjacent intersections on Sunset Drive is less than 500 feet, which does not provide optimal spacing for traffic operations.

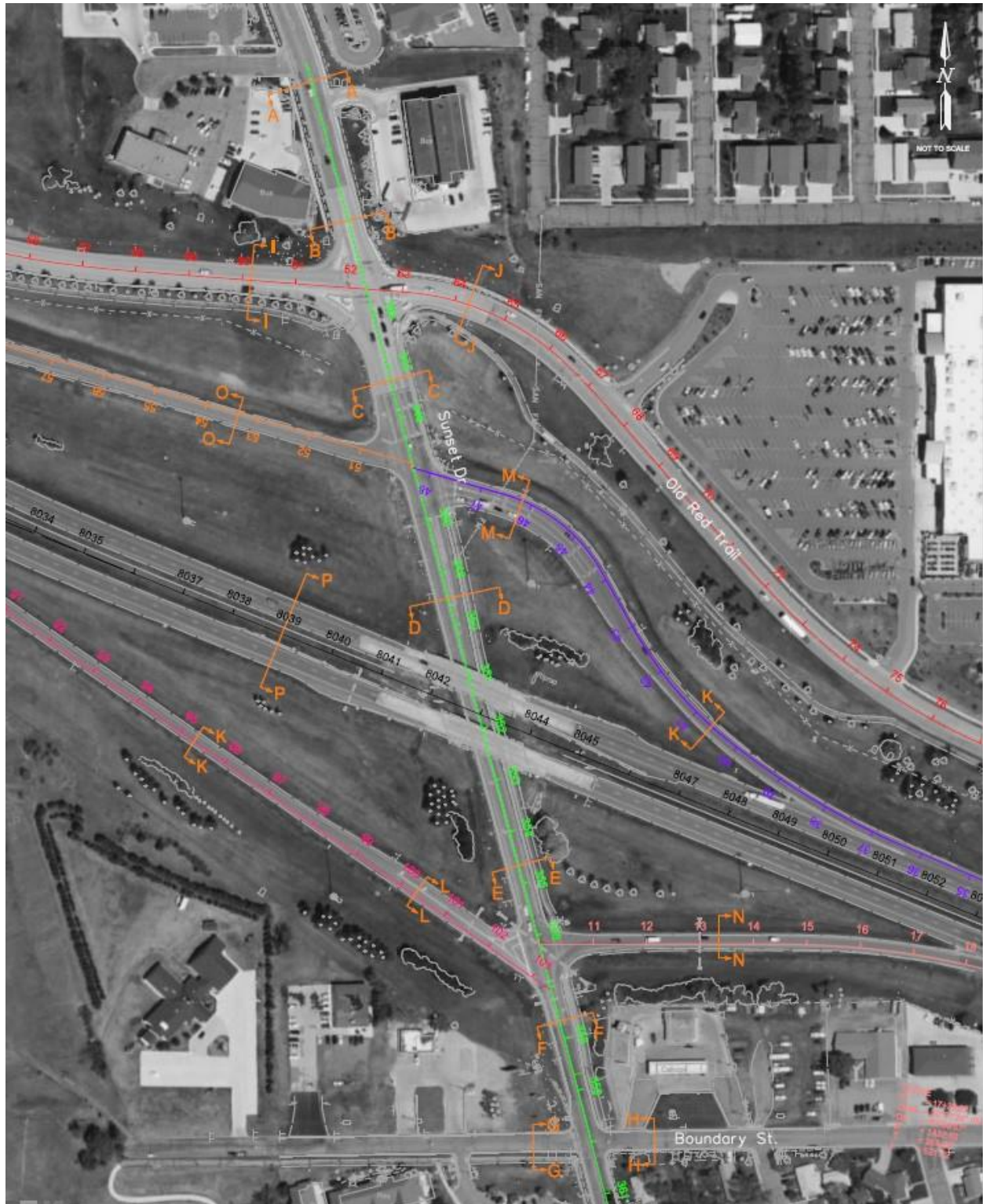
Boundary Street is a local roadway with a 32'-wide cross-section. It operates as a two-lane, two-way street, with parking on the eastbound approach to Sunset Drive. The posted speed limit is 25 mph, and the street intersects Sunset Drive south of the I-94 interchange as the minor street with a two-way stop-controlled (TWSC) intersection (Figure 2, Boundary Street Existing Typical Sections).

Old Red Trail is a minor arterial running east and west north of the I-94 and Sunset Drive interchange. The posted speed limits are 35 mph east of Sunset Drive and 25 mph west of Sunset Drive. East of Sunset Drive, Old Red Trail is striped as a 3-lane section (two through lanes with a two-way left turn lane (TWLTL)). West of Sunset Drive, Old Red Trail is striped for a 4-lane section with no median (two through lanes in each direction, no designated turn lanes) (Figure 2, Old Red Trail Existing Typical Sections).

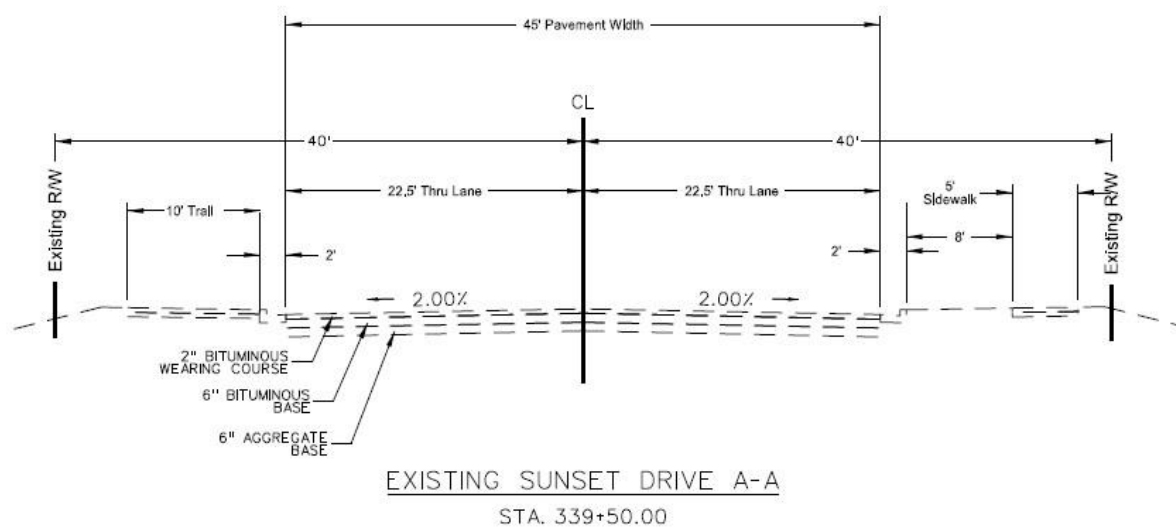
Through the Sunset Drive corridor, there is a 10'-wide shared use bike and pedestrian path (Old Red Trail Shared Use Path) along the east side of Sunset Drive, separated by a 5'-wide grassy buffer. At its southern extent through the interchange, the Old Red Trail Shared Use Path crosses to the west side at Boundary Street. At its northern extent through the interchange, the Shared Use Path continues north along Sunset Drive and east and west along the south side of Old Red Trail. There is a trailhead with an information kiosk located within the southeastern quadrant of the intersection of Sunset Drive and Old Red Trail. On the north side of this intersection, there are two pedestrian facilities, an extension of the Old Red Trail Shared Use Path on the east side of Sunset Drive and a sidewalk on the west side.

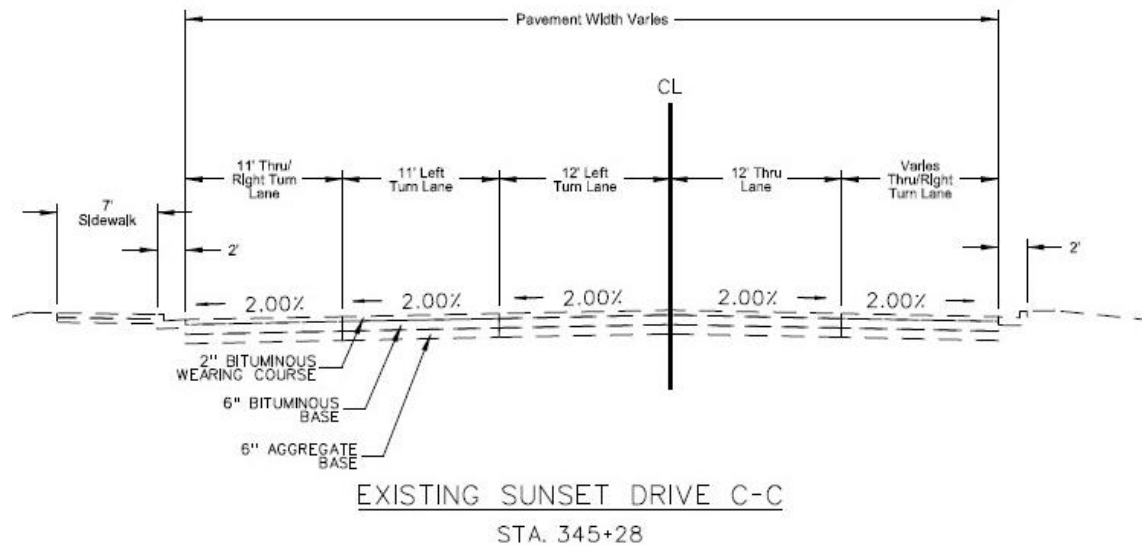
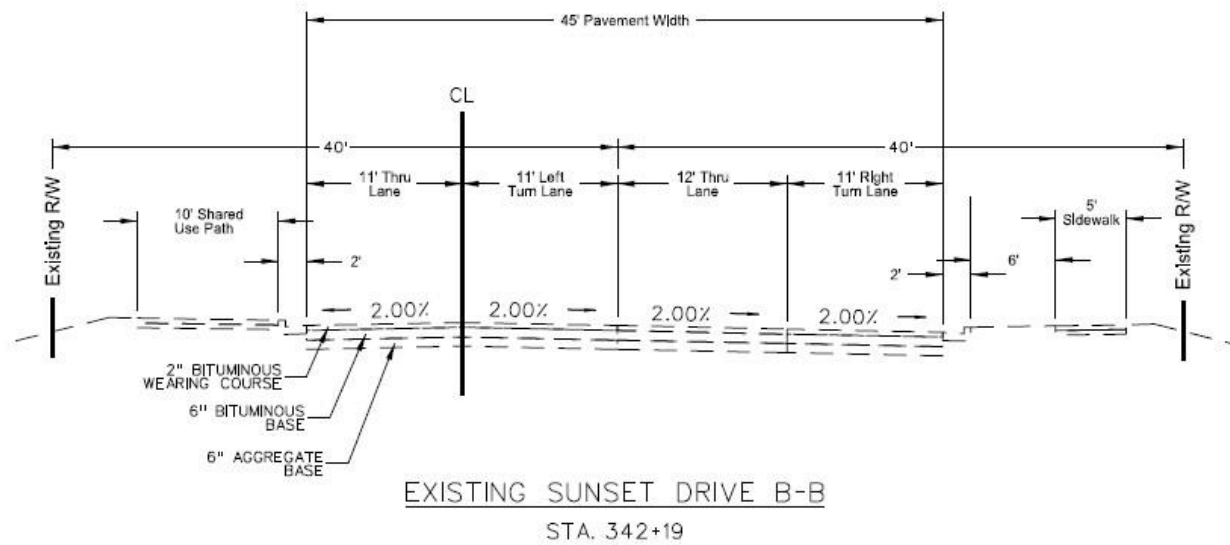
Multiple past construction projects have occurred to improve I-94 throughout the interchange, most recently including a pavement rehabilitation (concrete pavement rehabilitation and mill and overlay) in 2019. Other previous construction projects include microsurfacing in 2009, overlay in 2007, preventative maintenance in 2001, concrete pavement repair in 1999, and multiple others since 1963.

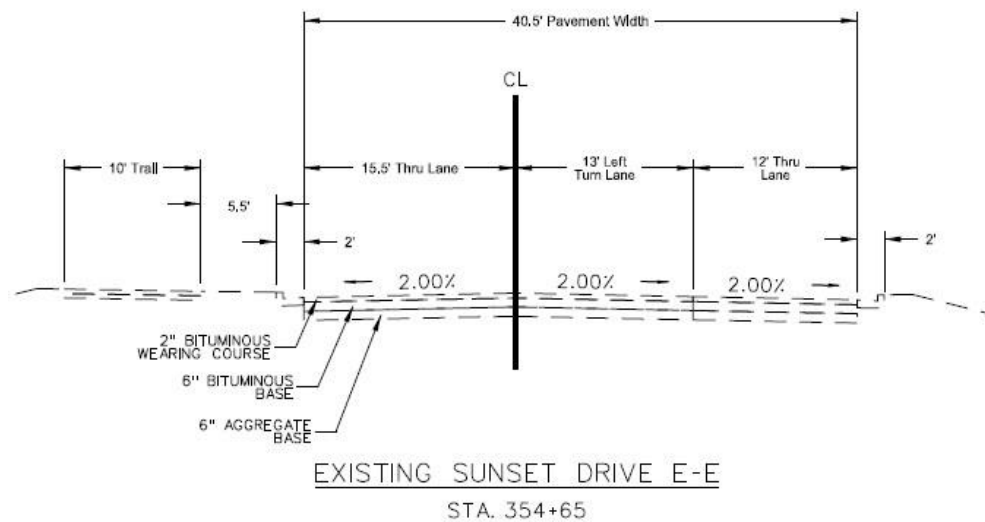
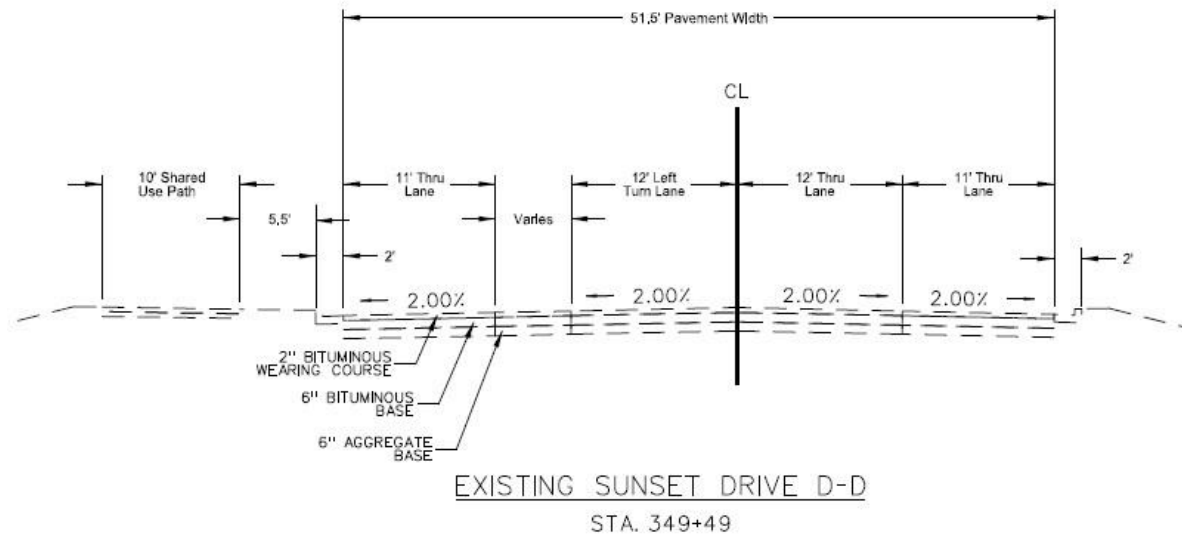
Figure 2 – Existing Typical Sections Locator Map

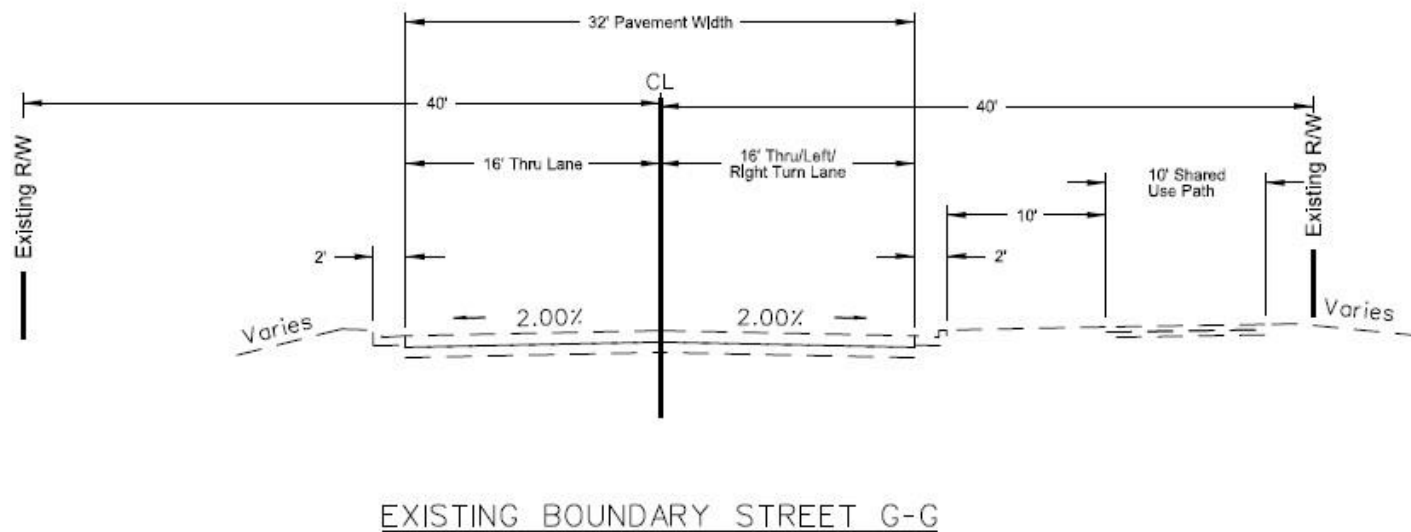
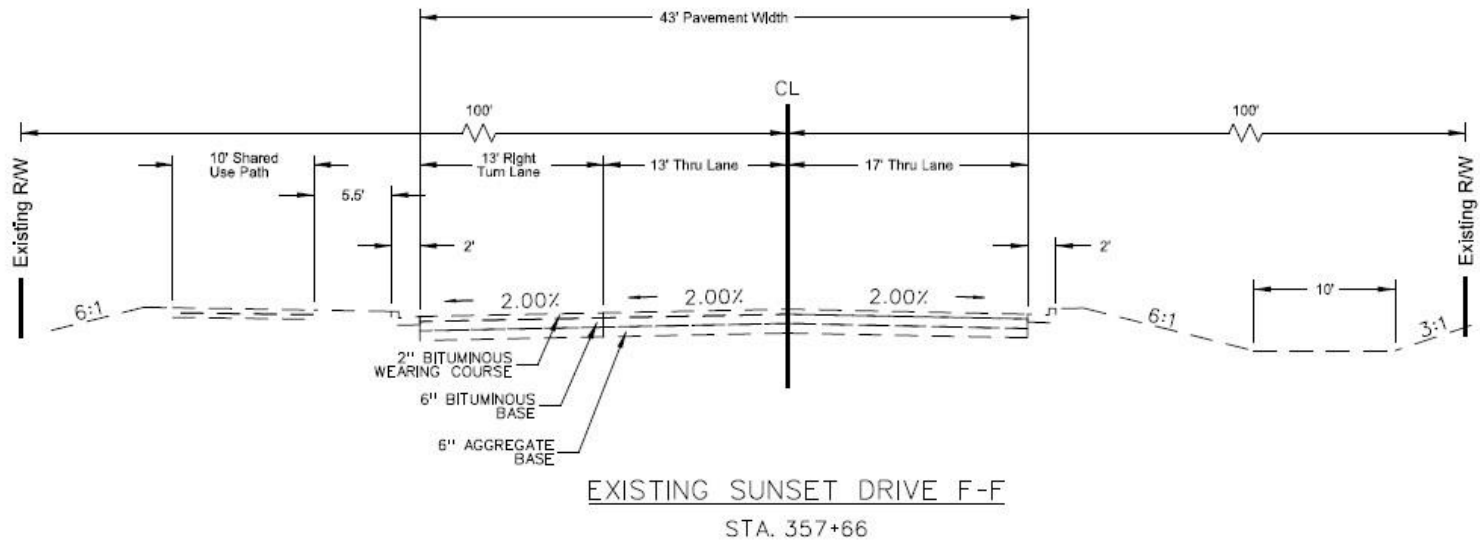


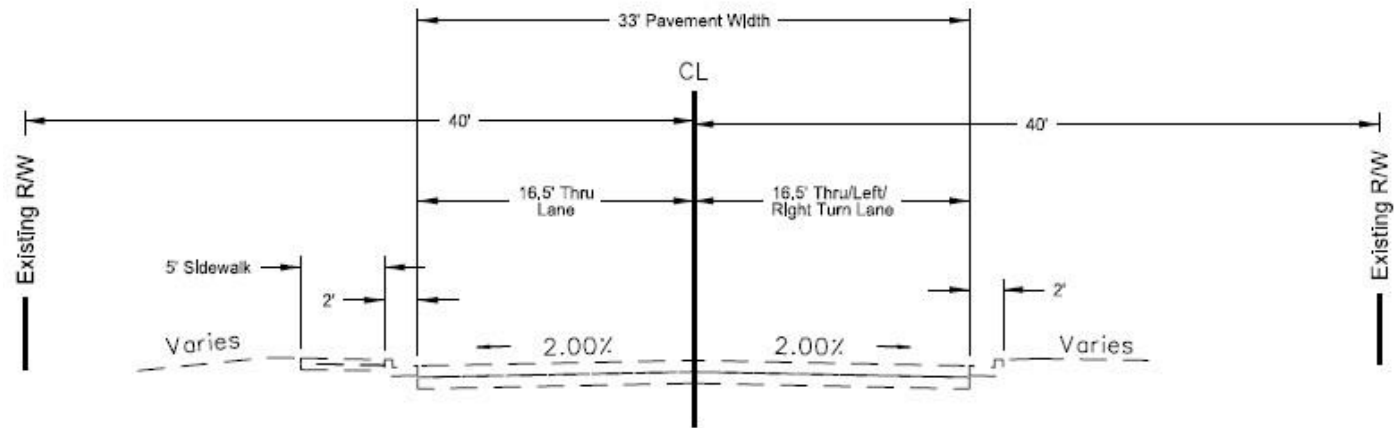
Sunset Drive Typical Section at I-94



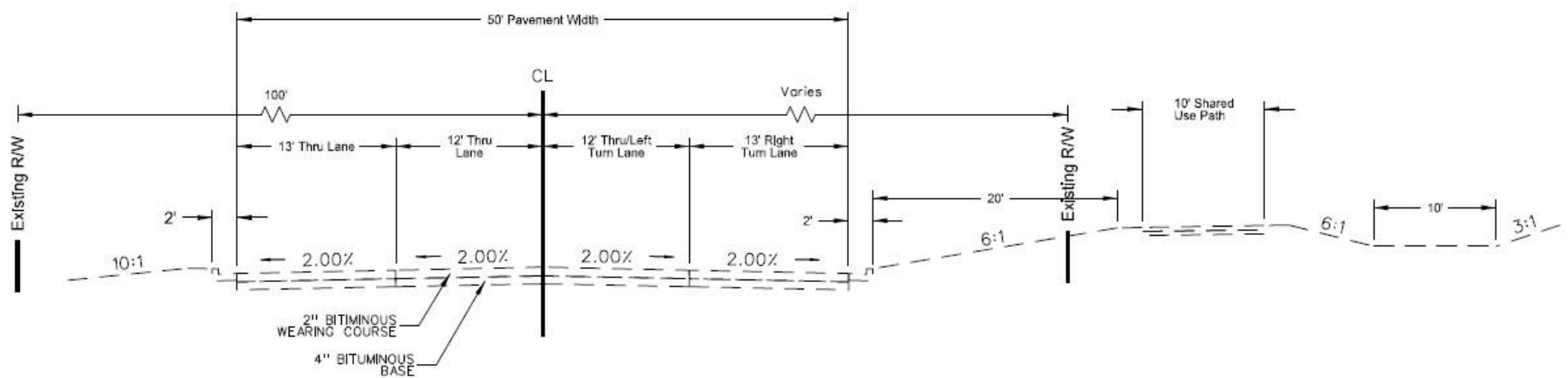






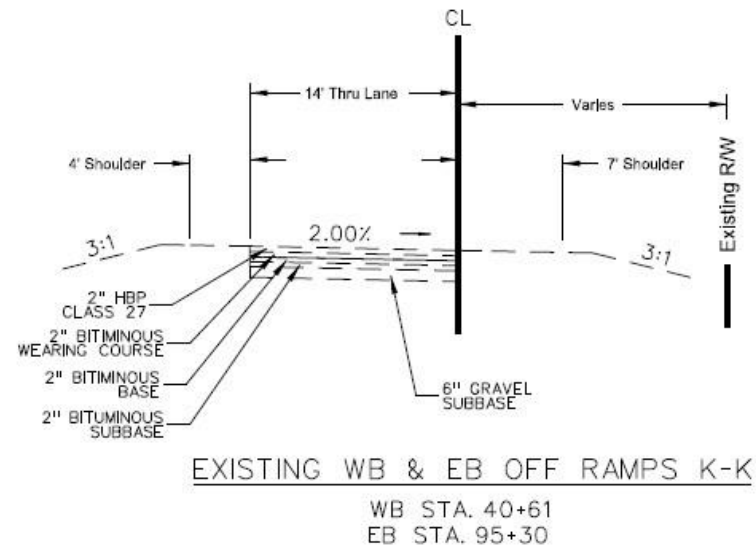
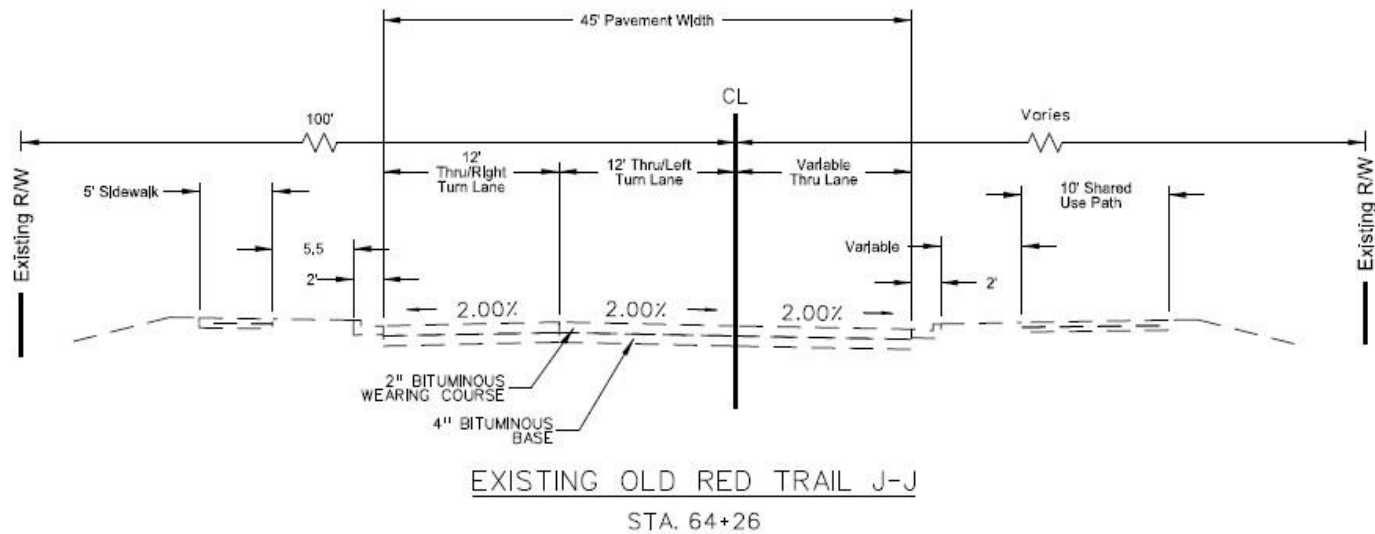


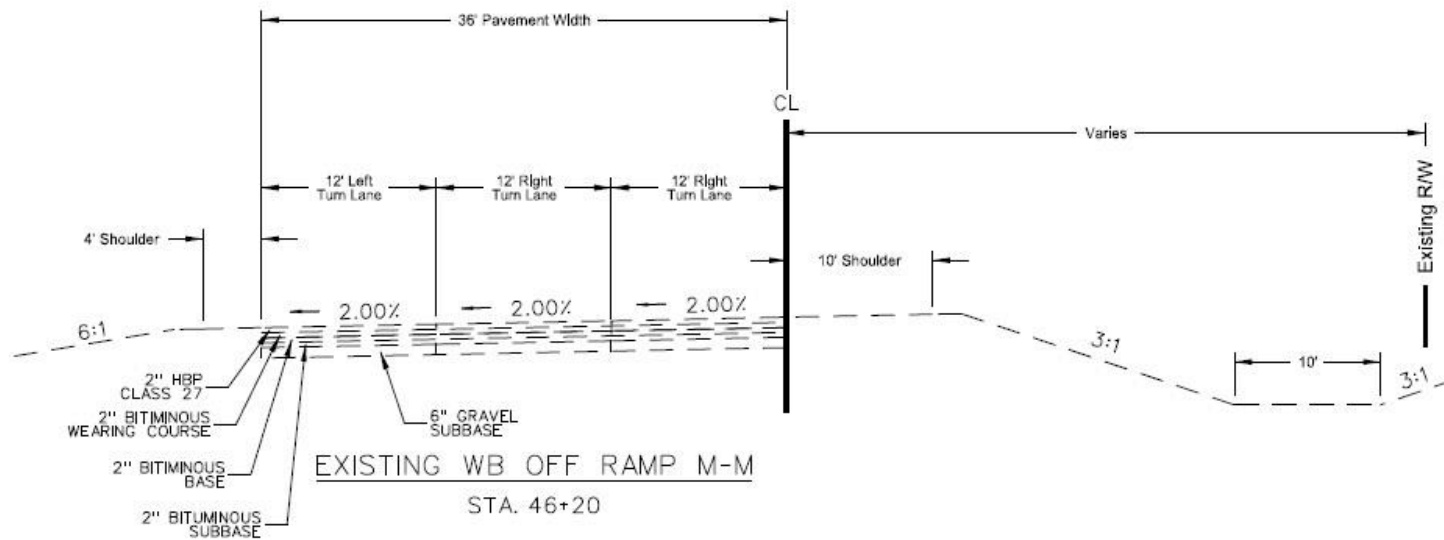
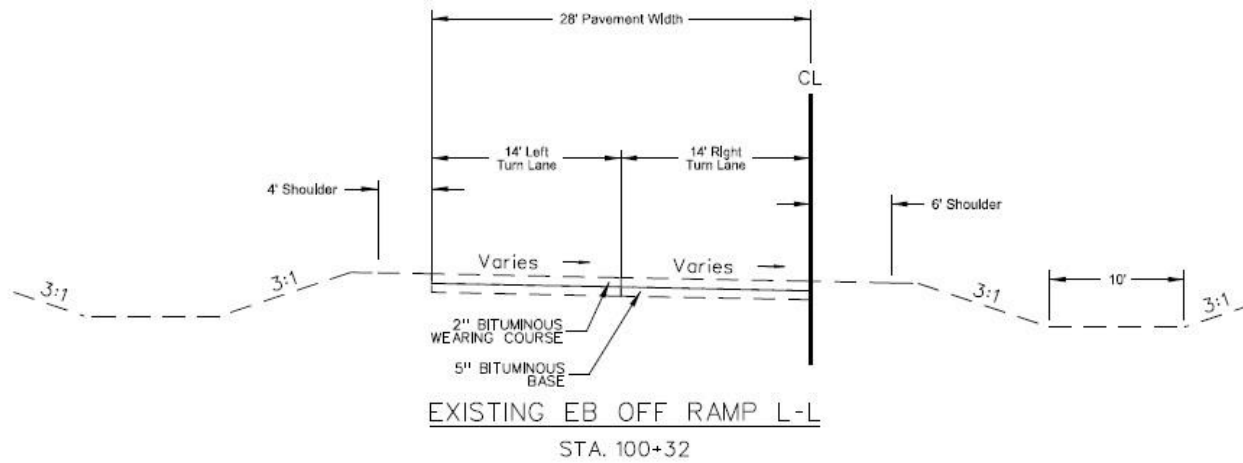
EXISTING BOUNDARY STREET H-H

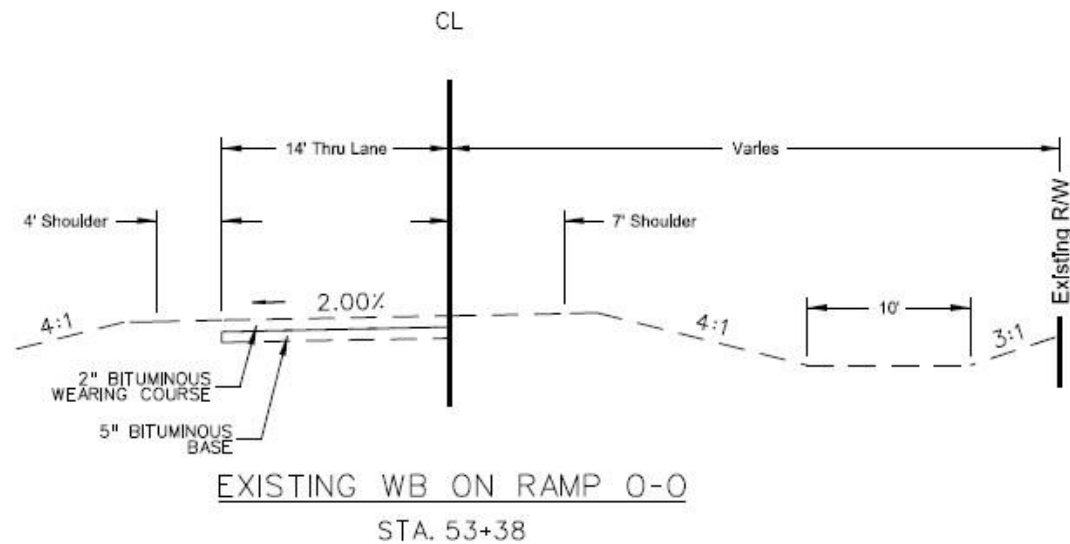
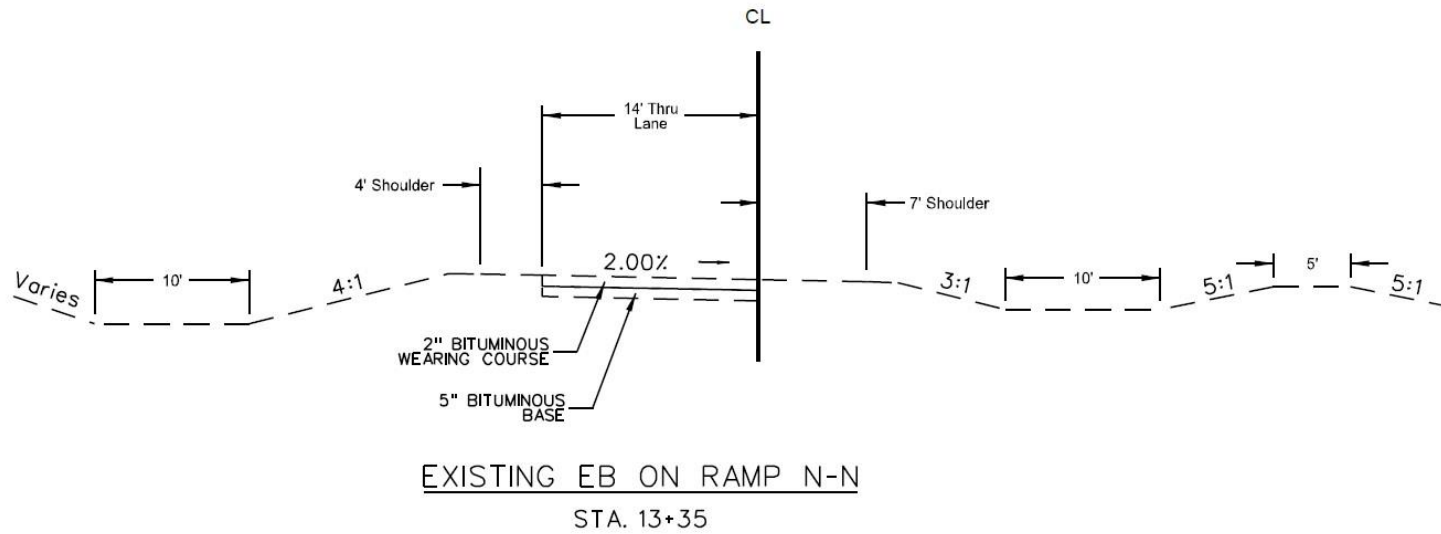


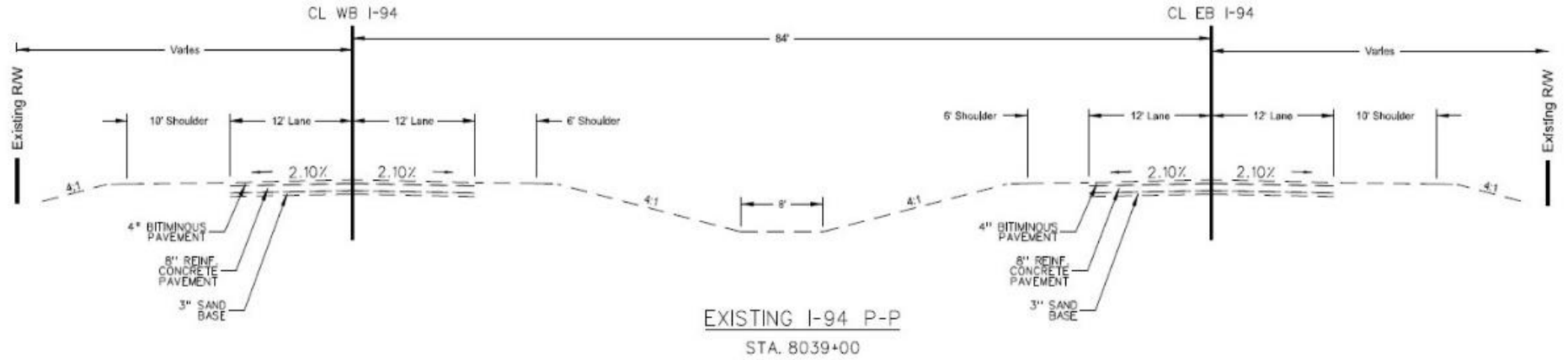
EXISTING OLD RED TRAIL I-I

STA. 60+16









b. Deficiencies:

The I-94 Sunset Drive interchange has been evaluated for traffic concerns, roadway conditions, geometrics, and structural conditions of the bridge structures. The following traffic, geometric, and structural deficiencies were observed:

- Traffic operational issues at the interchange causing delays from queuing of vehicles, primarily westbound to northbound traffic movements and southbound to eastbound traffic movements.
- Traffic growth at this interchange is degrading operations with long queues during peak hours that extend onto the interstate, most notably at the westbound off-ramp to Sunset Drive.
- The intersections of I-94 westbound ramps and Old Red Trail are separated by 325'. These short distances create operational challenges as queues developed during peak hours exceed the existing storage capacity at the intersections.
- Skewed angles of the I-94 eastbound off ramp and the I-94 westbound off ramp at Sunset Drive create less than ideal sight lines.
- The I-94 westbound off ramp at Sunset Drive has a tight curvature.
- By the year 2045, many traffic movements through the study area are expected to operate at an unacceptable LOS E or F.
- The existing vertical clearance is 14.3 ft beneath the structure carrying I-94 over Sunset Drive, which is less than the 16.5 ft standard, limiting freight movement beneath I-94.
- The skew of Sunset Drive to I-94 creates sight distance constraints at the ramp intersections to Sunset Drive.
- Drainage issues are present in the northwest quadrant of the intersection of Boundary Street NW and Sunset Drive which cause water to sit on the roadway during heavy rains and snowmelt conditions.
- Pedestrian facilities do not meet current ADA standards throughout the project area and portions of the existing pavement are in need of repair. There is a non-continuous sidewalk in northwest quadrant.
- Current shared use path location through the interchange crosses two highest volume ramps increasing interaction between pedestrians or bicyclists and vehicles.
- No left turn lanes on Old Red Trail. Shared thru/left turn lanes create a negative offset between opposing movements.
- Horizontal shift in Northbound thru lane through the Old Red Trail intersection.

E. Scope of Work

2020-2025 STIP: \$30,000,000

2022 Urban Interstate Priorities Process (UIPP) Decision Document: \$50,000,000

2024 Documented CATEX:

\$52,888,000 (Option 1a - Signal)

[Federal Funds \$46,837,501, State Funds \$4,449,000, Local Funds \$1,601,498]

\$53,194,000 (Option 1b - Roundabout)

[Federal Funds \$47,085,147, State Funds \$4,449,000, Local Funds \$1,659,852]

F. Description of Alternatives

Project alternatives were developed during the feasibility study phase of the project. Each interchange alternative was developed as a plausible solution to meet the needs of the I-94 and Sunset Drive Interchange. Evaluation criteria were created based upon the issues and concerns identified along the Sunset Drive corridor. The criteria are intended to provide for a quantitative and/or qualitative evaluation of each of the alternatives, assisting in the refinement of interchange and intersection recommendations. The July 2023 Feasibility Study and subsequent Decision Document served to evaluate alternatives and identify a Build Alternative. This document serves to evaluate the impacts of the No Build alternative and the Build Alternative with intersection options identified in the July 2023 Decision Document. The Interchange Justification Report (IJR) is being developed in accordance with FHWA's Two Policy Points requirements that must be met prior to approval of access revisions to the interstate system.

a. Alternatives Considered but Not Carried Forward

The July 2023 Feasibility Study and Decision Document eliminated three other project alternatives from further consideration due to significant disadvantages or failure to meet the project purpose and need. These included the following:

- Alternative 2: Partial Cloverleaf Interchange (Parclo) with Signals
- Alternative 3: Diverging Diamond Interchange (DDI) with Signals
- Alternative 4: Diamond Interchange with Roundabouts

Alternative 2 had the highest right-of-way impacts of all alternatives evaluated in the Feasibility Study. Alternative 3 was eliminated due to concerns for complexity of the interchange and needs for additional driver education to become familiar with the type of interchange. It also would experience an increased delay for traffic movement traveling north or south along Sunset Drive. Alternative 4 was eliminated from consideration due to a lack of spacing increase between adjacent intersections and the potential for queues along the westbound off ramp to impact mainline I-94 operations. Due to operational issues or proposed right-of-way impacts, Alternatives 2, 3, and 4 were eliminated from consideration.

b. No Build Alternative

The No Build alternative would maintain the unmodified existing diamond interchange and conditions at the intersections of Old Red Trail and Boundary Street NW. The pavement would continue to deteriorate at an accelerated rate as traffic volumes increase and the structures carrying I-94 will maintain the current substandard clearance (14'-0"). Maintaining the existing interchange configuration will result in failing levels of service before the design forecast year of 2045. The No Build alternative would not meet the project purpose and need.

c. Build Alternative

Single Point Urban Interchange (SPUI) with Signalized Intersection at Boundary Street NW and Intersection Improvements at Old Red Trail.

The Build Alternative is comprised of several primary components: reconstruction of the existing I-94 and Sunset Drive interchange to a SPUI configuration on Sunset Drive, intersection improvements at Old Red Trail & Sunset Drive and Boundary Street NW & Sunset Drive, the replacement of the I-94 mainline bridges, replacement and new construction of pedestrian facilities (e.g., shared use path and sidewalk), and pavement marking along Sunset Drive from Overlook Drive to 27th Street. The Build Alternative will also reconfigure the eastbound and westbound on and off ramps to a new layout. A concept of the SPUI interchange configuration is shown below in Figure 3.

The project will remove and replace the two existing three-span, 37'-wide overhead bridges carrying eastbound and westbound I-94 over Sunset Drive with two new two-span bridges at the same location. The estimated length of each new bridge is 335' and will be constructed with a clear roadway width of 40'. The 40' width will carry two thru lanes of I-94 and allows for 10' outside shoulder and 6' inside shoulder. The substructures will be set parallel to Sunset Drive and skewed to I-94 by approximately 37 degrees.

Borrow will be required to construct median crossovers and maintain access to I-94 on and off ramps during construction. Borrow placed to maintain traffic during construction will become the property of the contractor to be wasted offsite. Overall, the project design will include waste of existing embankments which will also become property of the contractor to be wasted offsite. Borrow obtained for use during construction will follow NDDOT Design Manual Chapter 3 guidelines once a borrow quantity is identified. Settlement will be accounted for in final design once a borrow source is identified and a Geotechnical report can be completed.

To accommodate the large skew and various turning movements to and from Sunset Drive and the I-94 ramps, the bridge will be constructed with unequal spans. For the eastbound I-94 bridge, the span over northbound Sunset Drive will be approximately 190' and the span over southbound Sunset Drive will be approximately 145'. For the westbound I-94 bridge, the span configuration will be opposite compared to the eastbound bridge with an approximately 190' span over southbound Sunset Drive and an approximately 145' span over northbound Sunset Drive. This will result in the abutments for the eastbound and westbound bridges being aligned with each other while the piers will be staggered. The anticipated structure depth is approximately 7'.

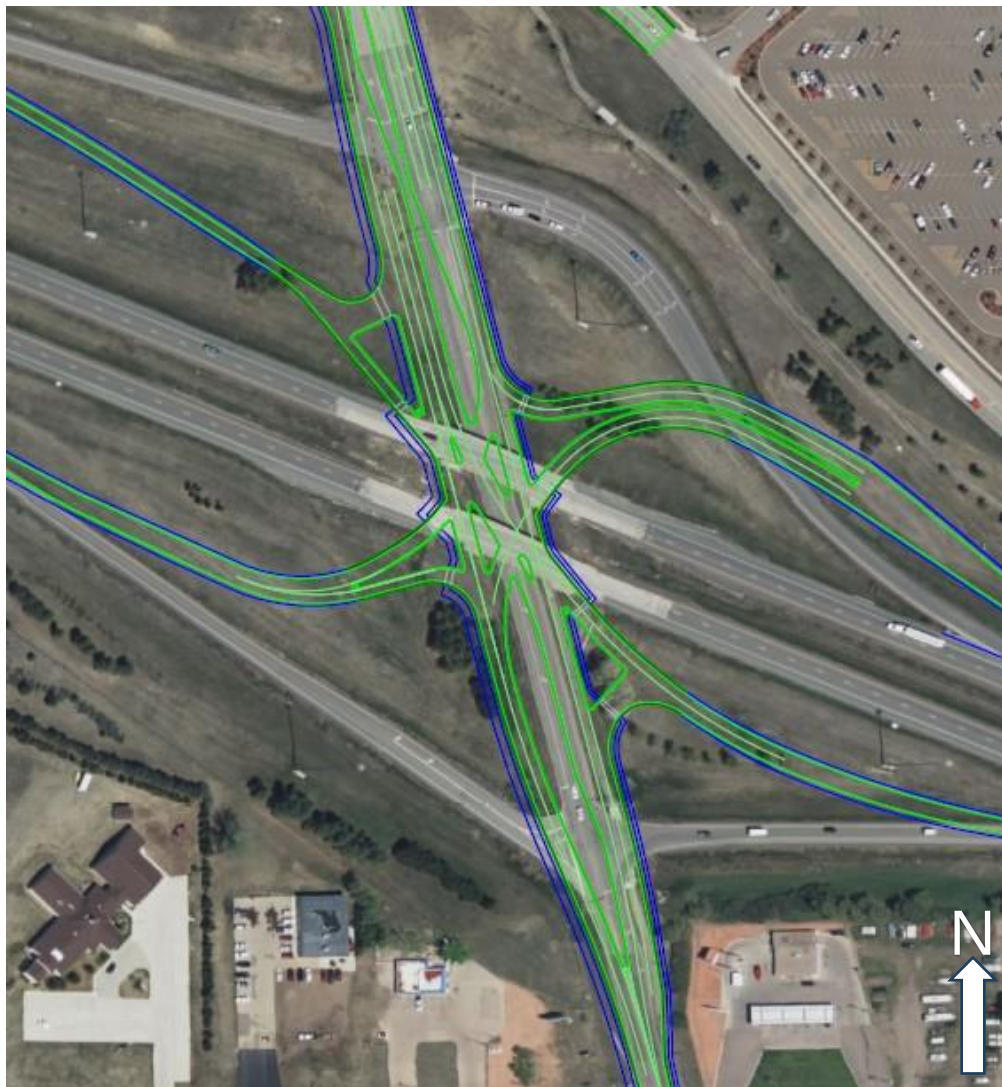
The minimum vertical clearance beneath the bridges over Sunset Drive is anticipated to be 16' 6". Construction of the new bridges will require the elevation of I-94 to be raised up 3' and the elevation of Sunset Drive to be lowered 3' from existing conditions at the interchange. Each bridge will be designed to accommodate a future third lane located adjacent to the outside shoulders. The future third lane would require both bridge's superstructures and substructures to be widened. The substructure locations and profiles of both I-94 and Sunset Drive have been set to accommodate the future widening.

A new W-beam guardrail meeting current MASH standards will be installed on the approaches to the new bridges carrying I-94 over Sunset Drive. The existing MASH high tension cable barrier will be modified to fit the new bridges at Sunset Drive.

The Build Alternative will also address drainage issues in the northwest quadrant of Boundary Street and Sunset Drive. An existing flume in the northwest quadrant currently does not function properly. Standard ditching options behind the proposed sidewalk are limited due to a gas pipeline crossing in the area. Options to address the drainage will be implemented in final design. The following options may be implemented depending on the proximity of the pipelines to the surface and the minimum cover requirements:

- Construction of a shallow swale behind the proposed Shared Use Path to collect the stormwater prior to entering the roadway and drain north to an established standard ditch.
- Installation of inlets on either side of the gas pipeline crossing. Storm sewer inlets and pipe installed south of the gas pipeline crossing will run parallel to the pipelines and drain into the ditch on the east side of Sunset Drive.
- Use of a trench drain in the curb line to carry the water north to an inlet located outside of the pipeline clearance requirements.

Figure 3 – SPUI Interchange Configuration

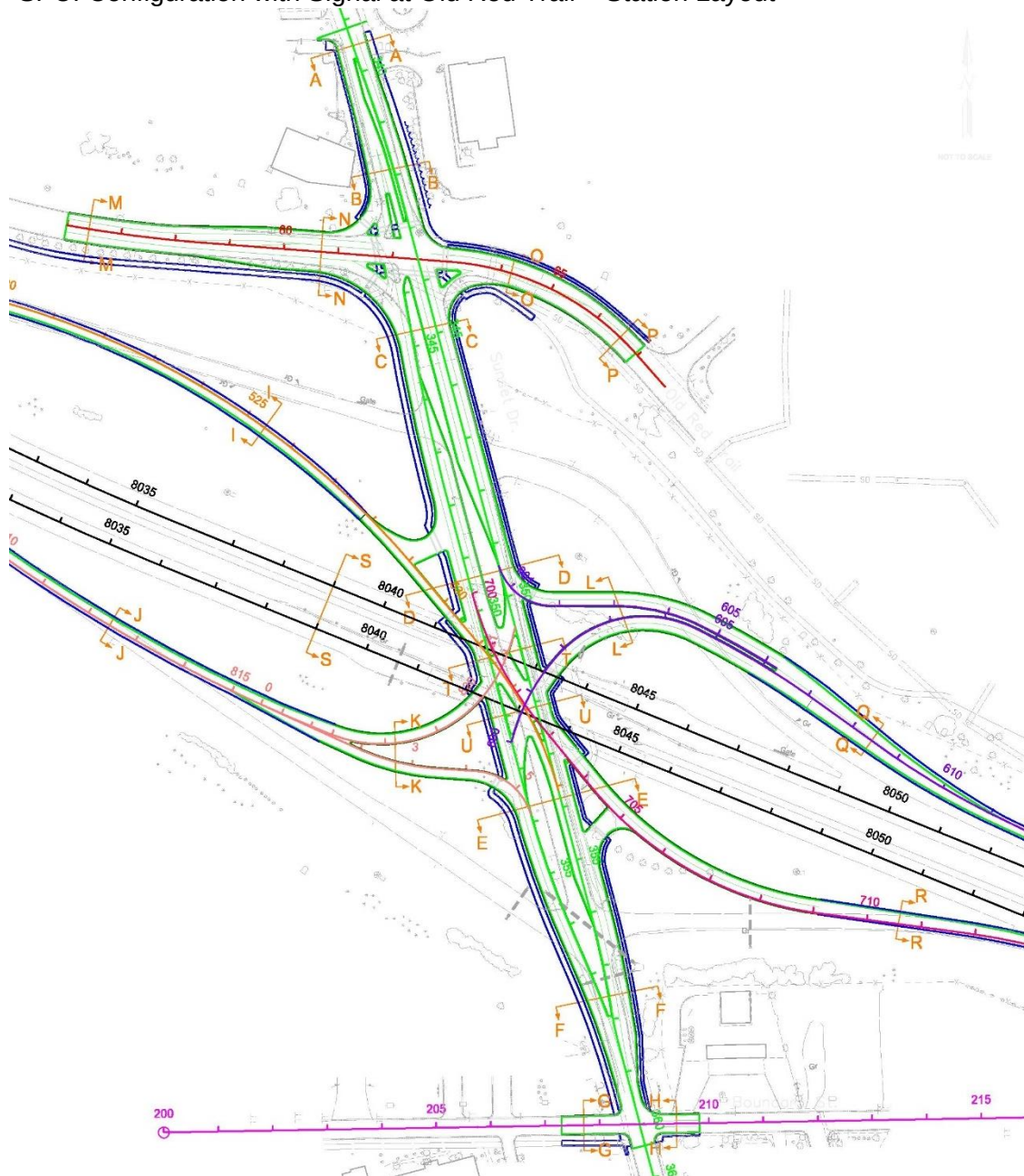


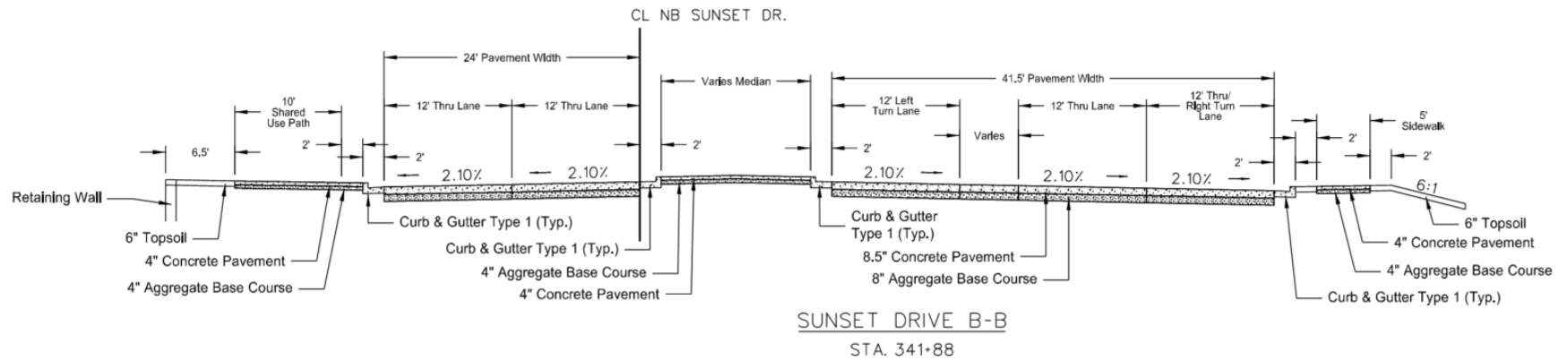
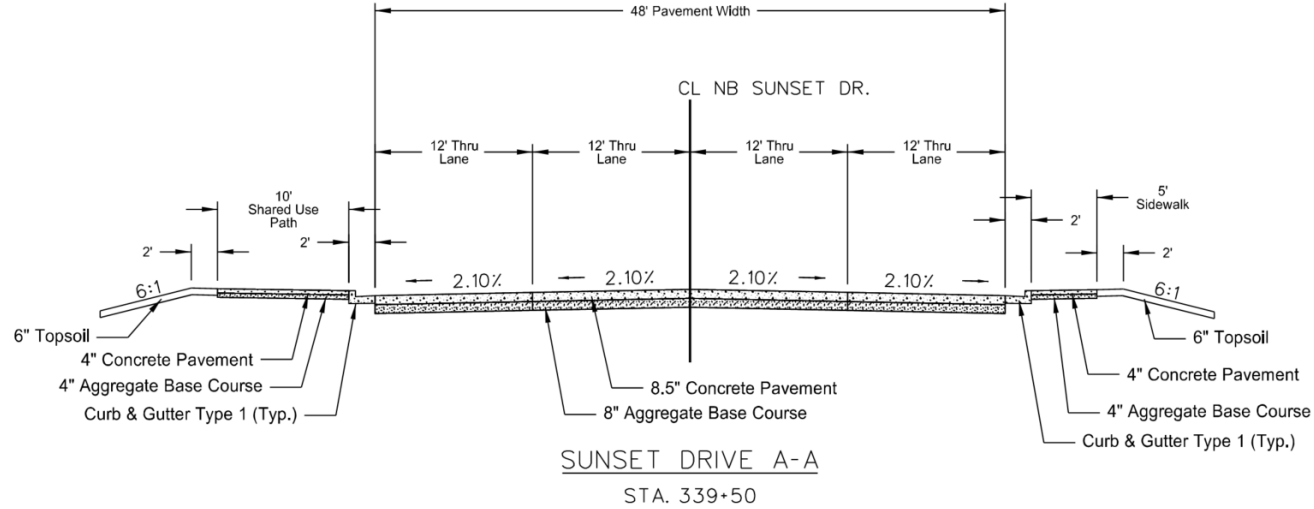
The SPUI will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline and will double the distance between ramp intersections from Old Red Trail and from Boundary Street. The Build Alternative will include a signalized intersection at Boundary Street NW. The Build Alternative has two options under consideration for the intersection at Old Red Trail and Sunset Drive. Option 1a would be a signalized intersection at Old Red Trail, and Option 1b would be a roundabout, which are further described below in Items d.i and d.ii and illustrated in Figures 5 and 6, respectively. The proposed Build Alternative increases the spacing between ramp intersections from Old Red Trail and Boundary Street NW, reduces overall interchange delay, and improves efficiency and travel times along Sunset Drive. Proposed typical sections of the SPUI configuration and both intersection options at Old Red Trail are provided in Figure 4.

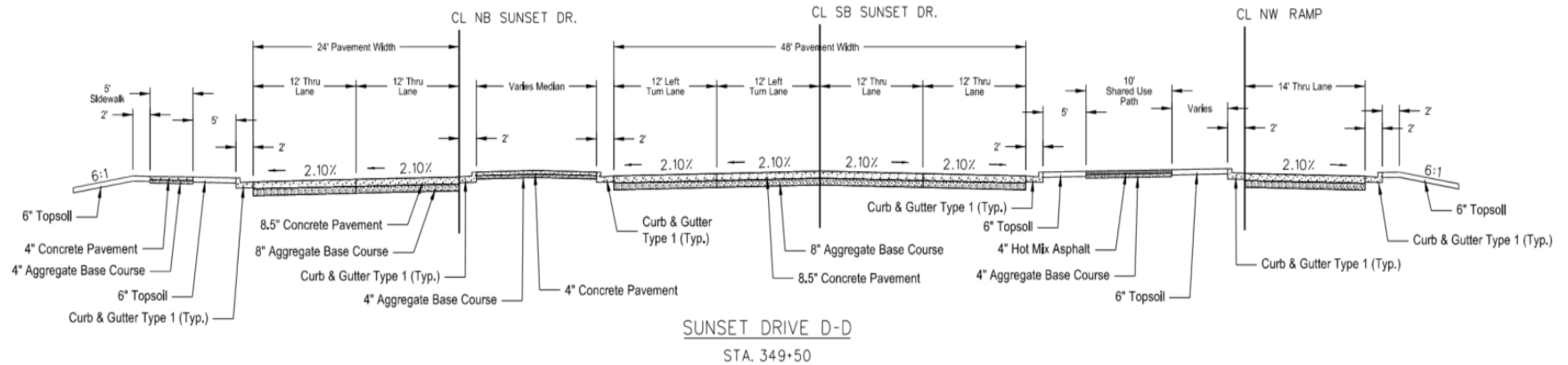
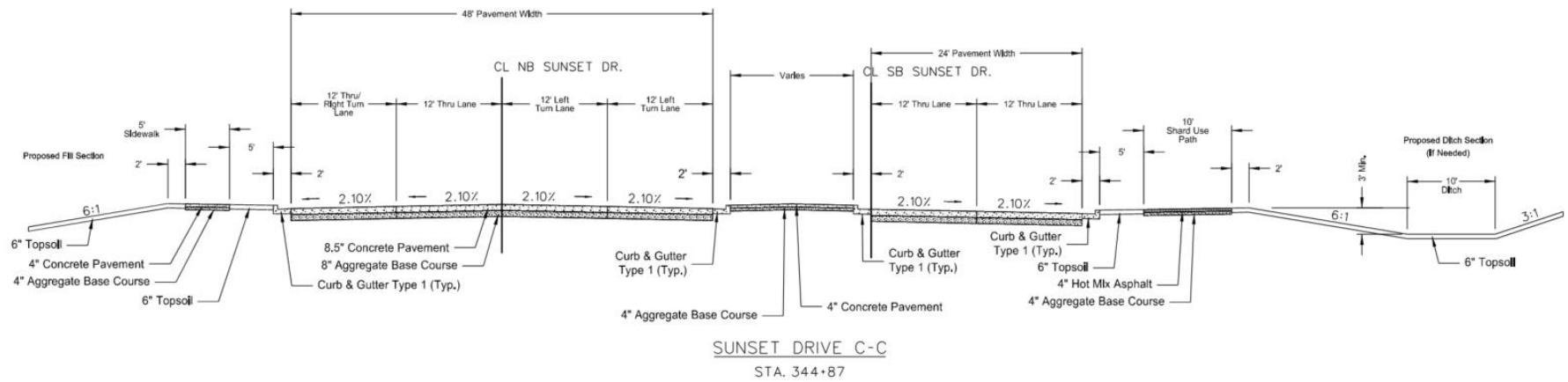
The Build Alternative will also reconstruct existing bicycle and pedestrian facilities and add new bicycle and pedestrian facilities through the interchange. Old Red Trail Shared Use Path is a designated pedestrian and bicycle facility that runs parallel to Sunset Drive within the interchange and connects to a trail network beyond the project limits. The Build Alternative will replace the existing Old Red Trail Shared Use Path on the east side of Sunset Drive with a standard 5' sidewalk for pedestrians and construct a new 10'-wide Shared Use Path on the west side of Sunset Drive, which will connect into the existing trail network. Shared Use Path and sidewalk construction will include temporary removal and replacement of the trailhead facilities and kiosk at the intersection of Old Red Trail and Sunset Drive. Pedestrian crossing improvements (e.g., widening, markings, etc.) will be made to the Sunset Drive intersections at Old Red Trail and also at Boundary Street NW.

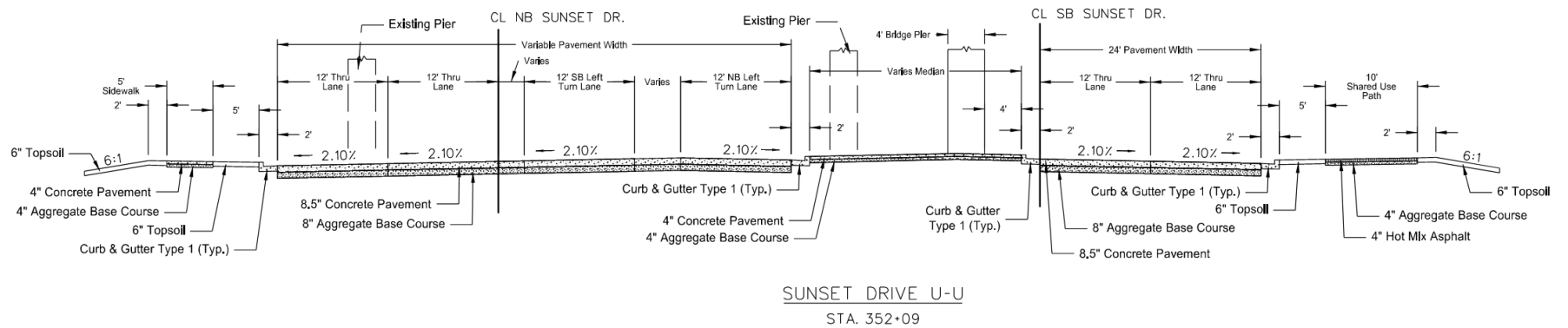
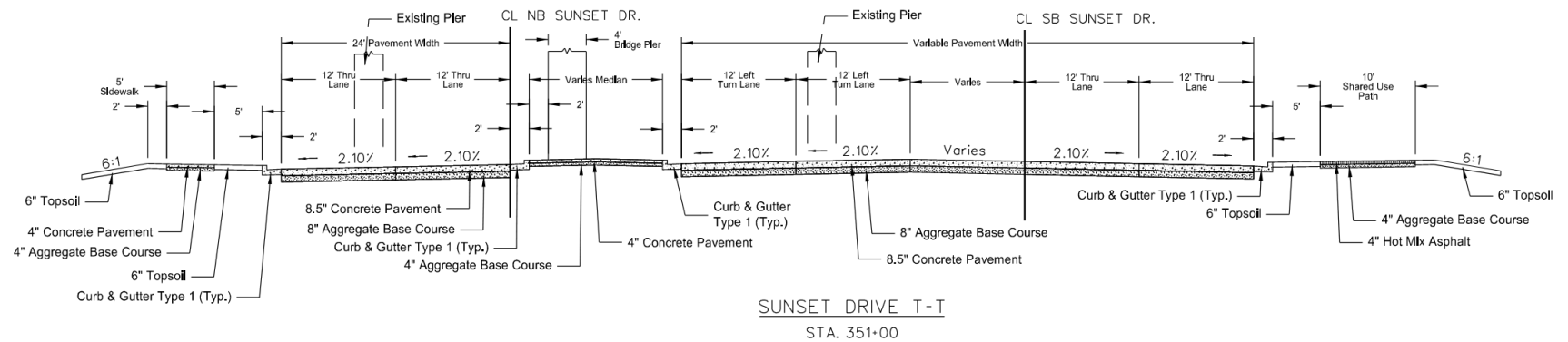
Figure 4 – Option 1a Proposed Typical Sections Locator Map

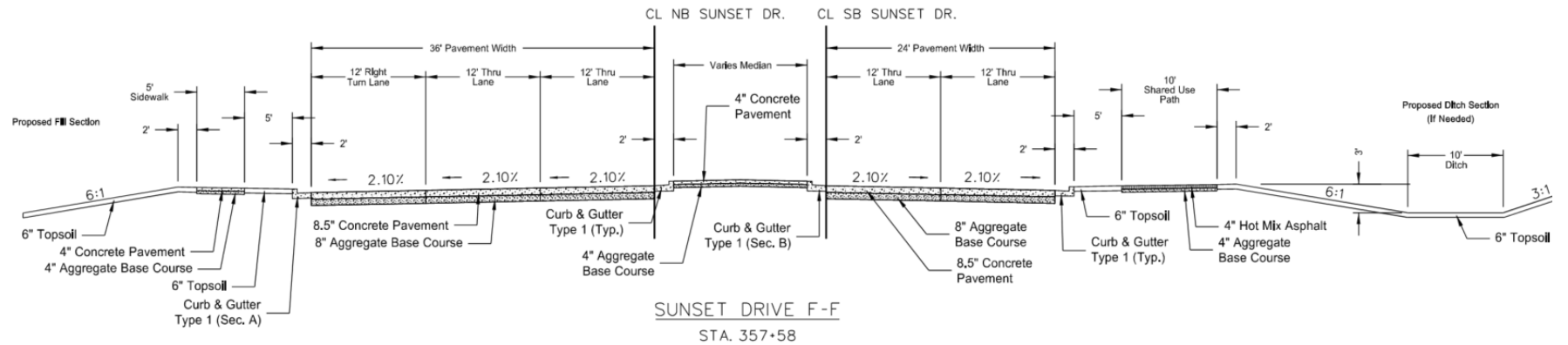
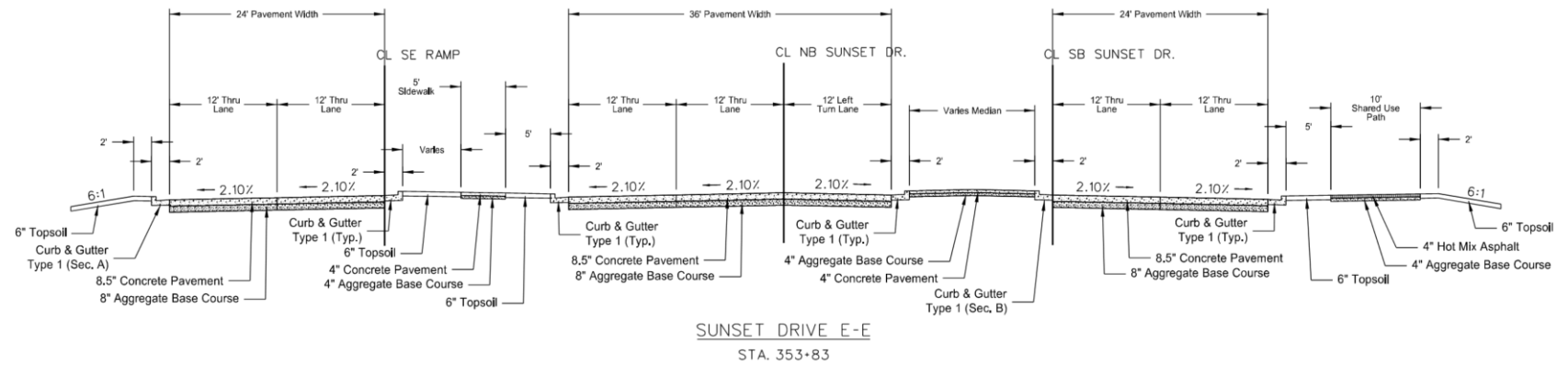
SPUI Configuration with Signal at Old Red Trail – Station Layout

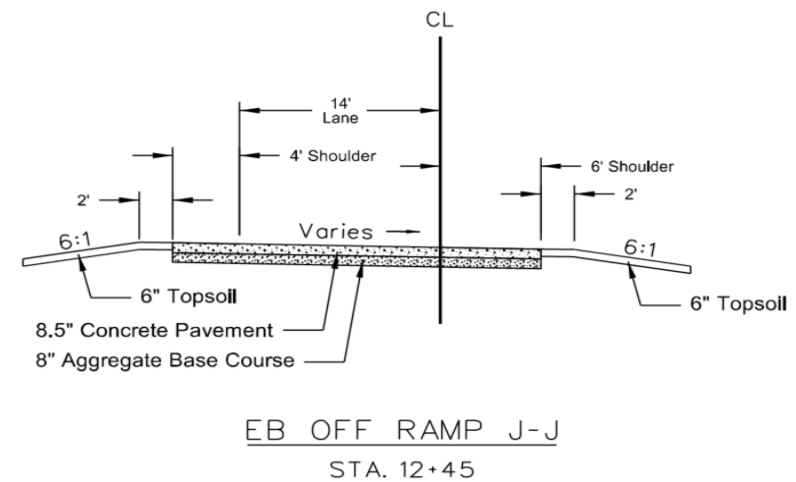
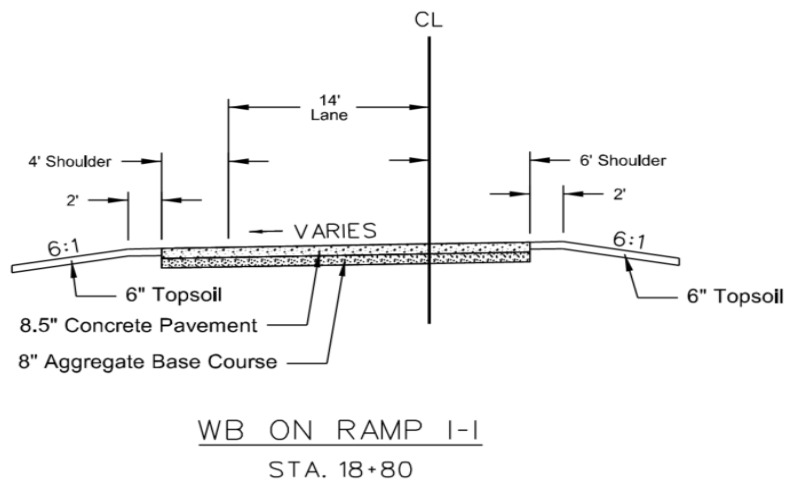
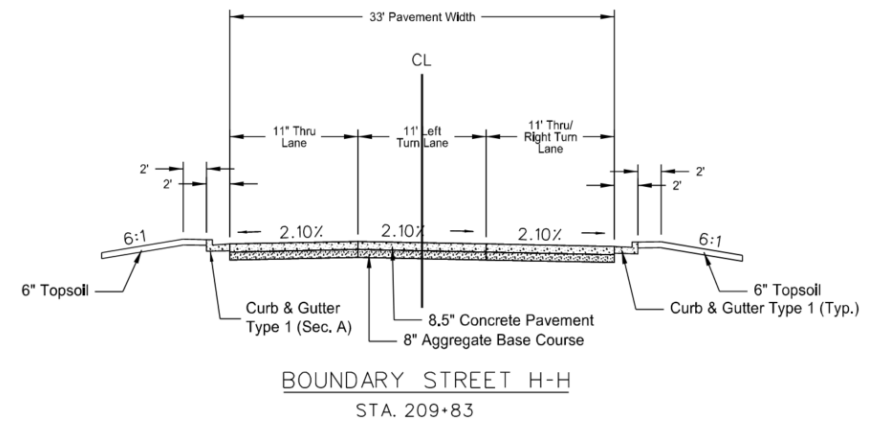
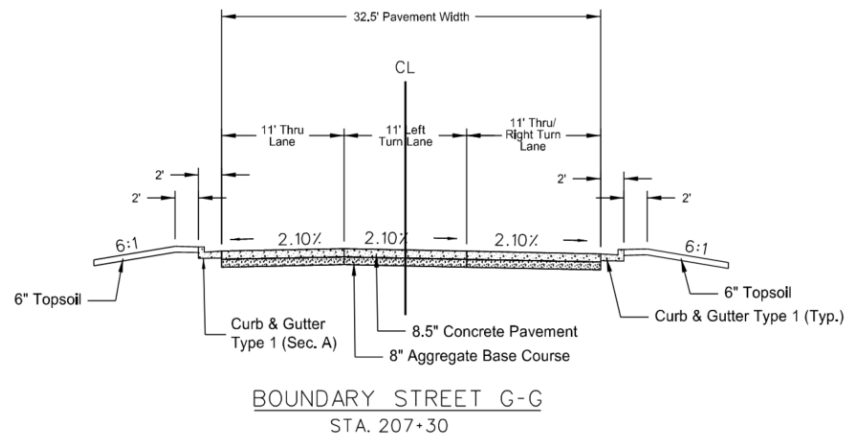


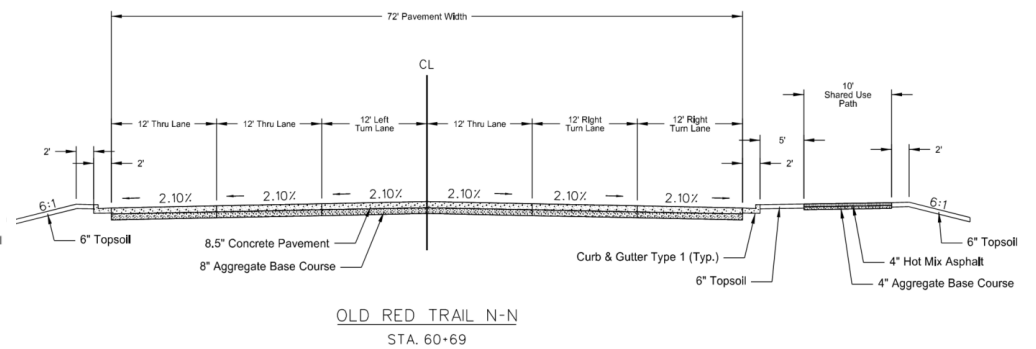
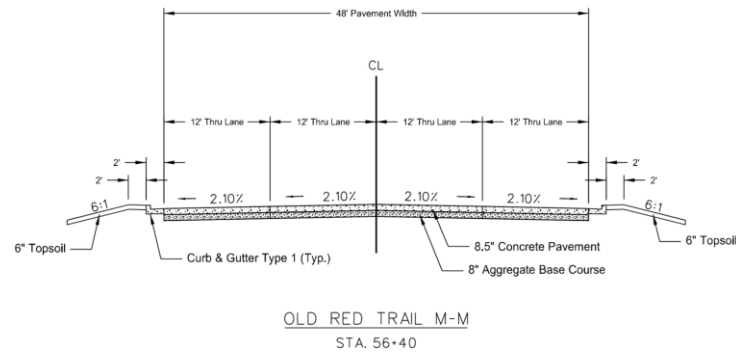
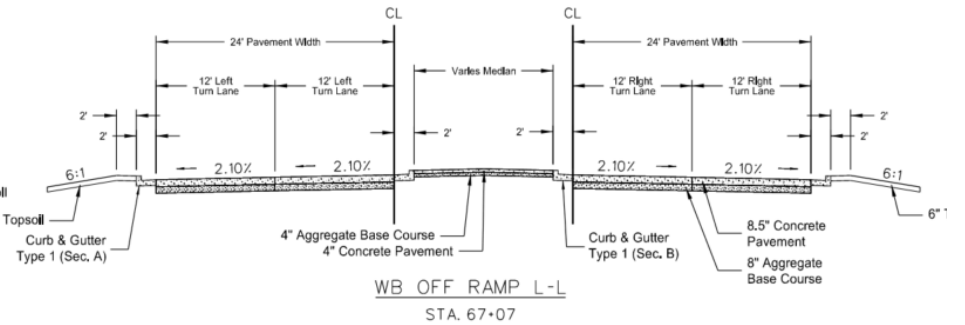
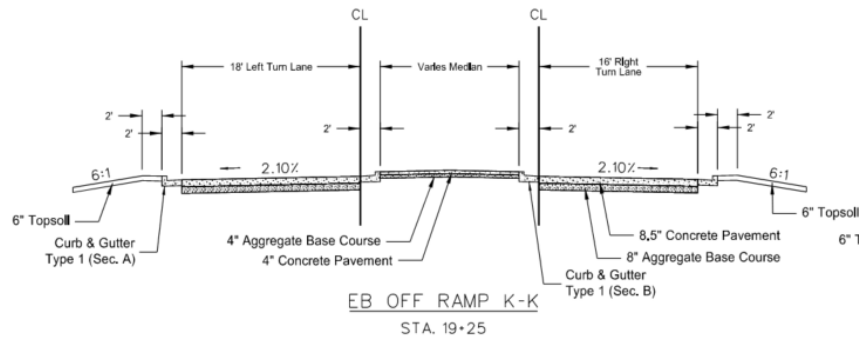


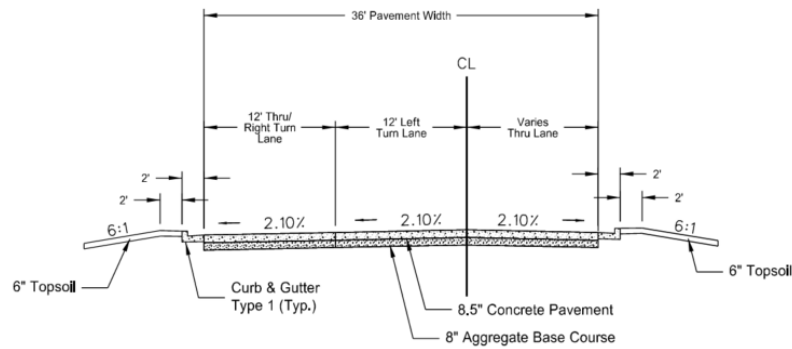




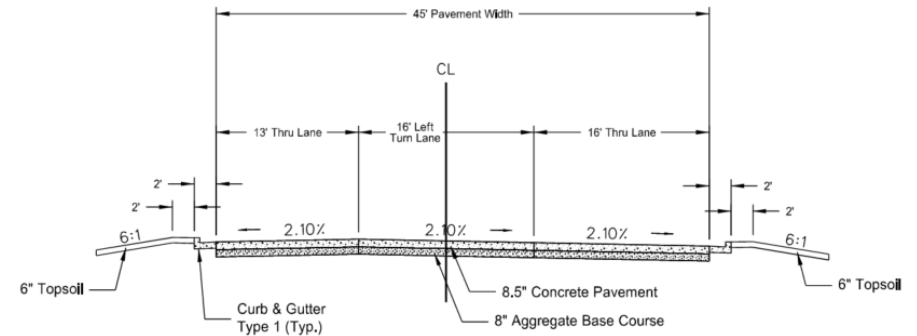




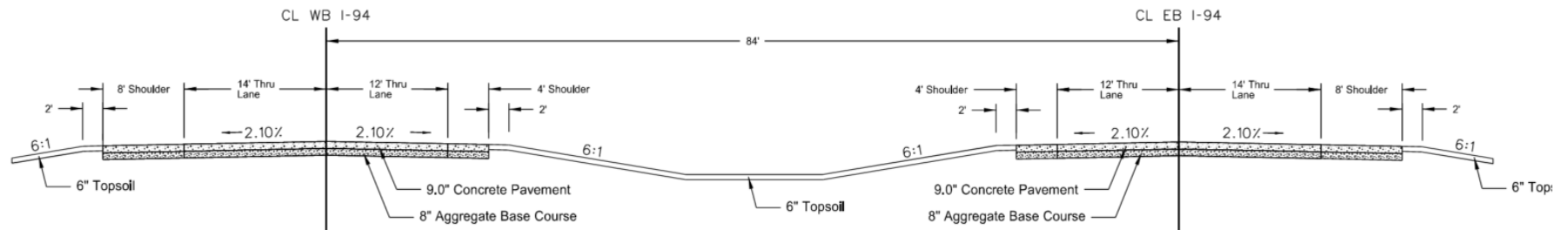




OLD RED TRAIL O-O
STA. 64+20



OLD RED TRAIL P-P
STA. 66+54



I-94 S-S
STA. 8039+00

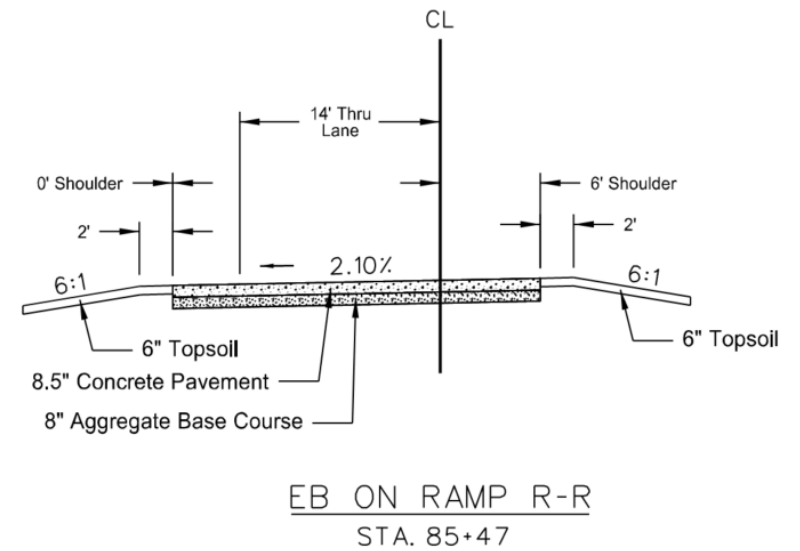
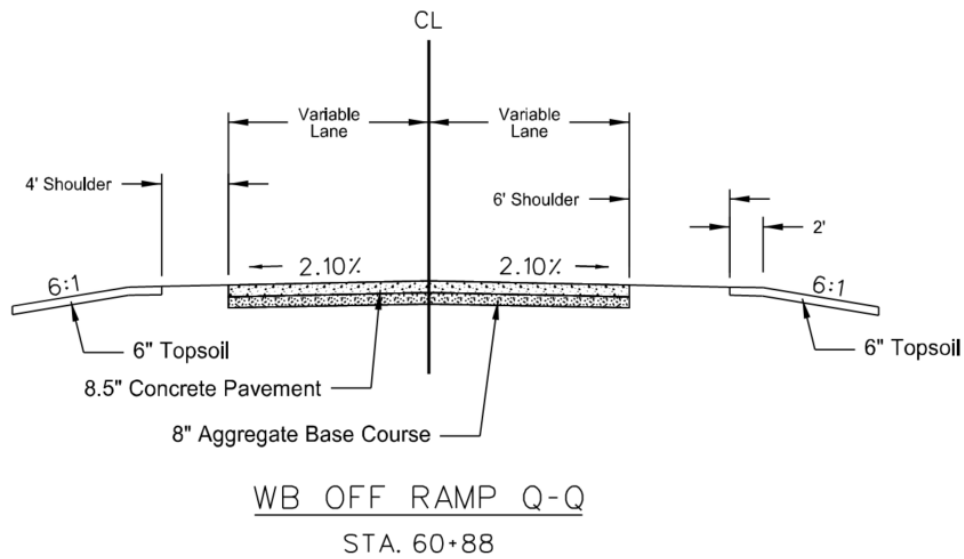
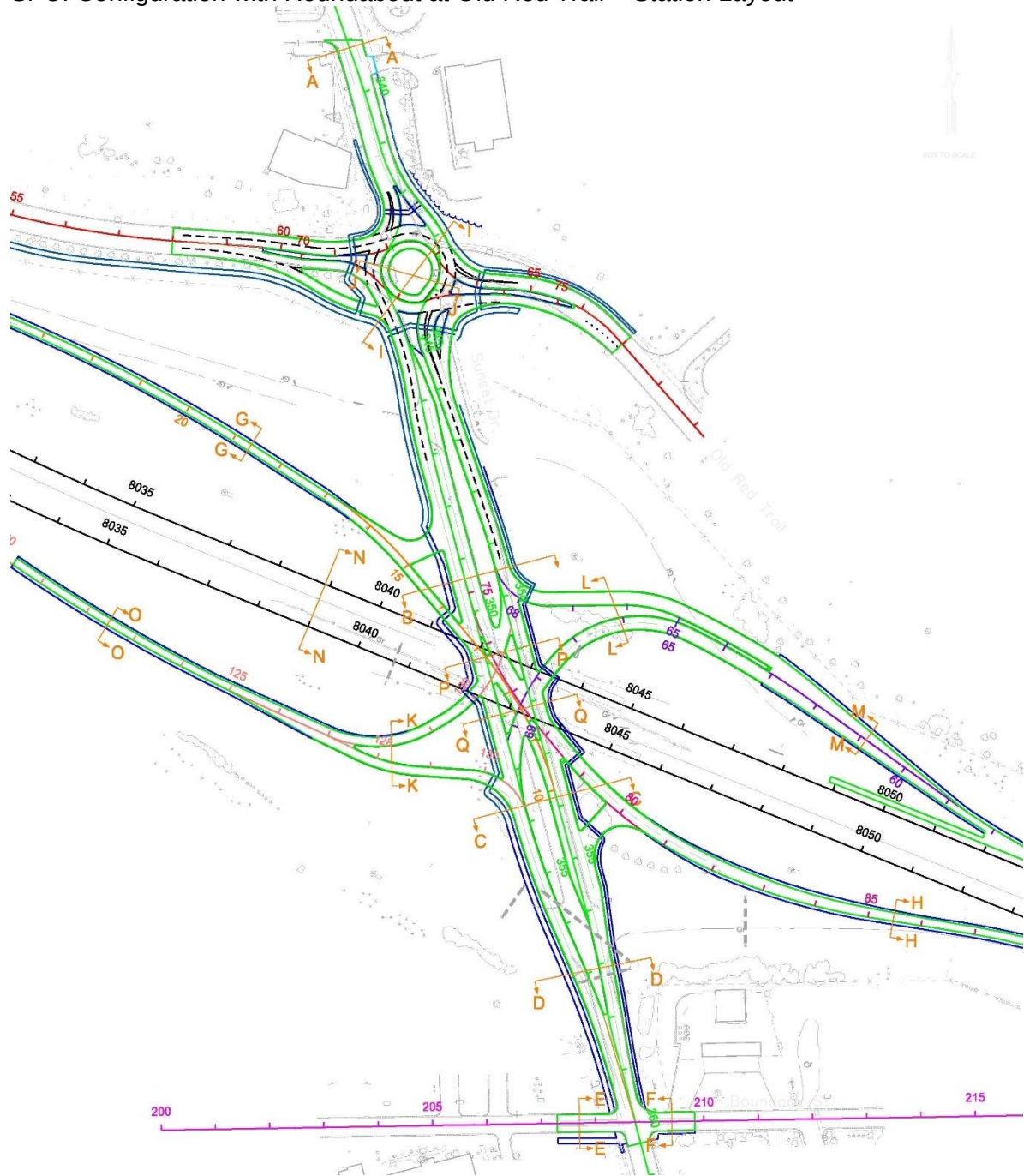
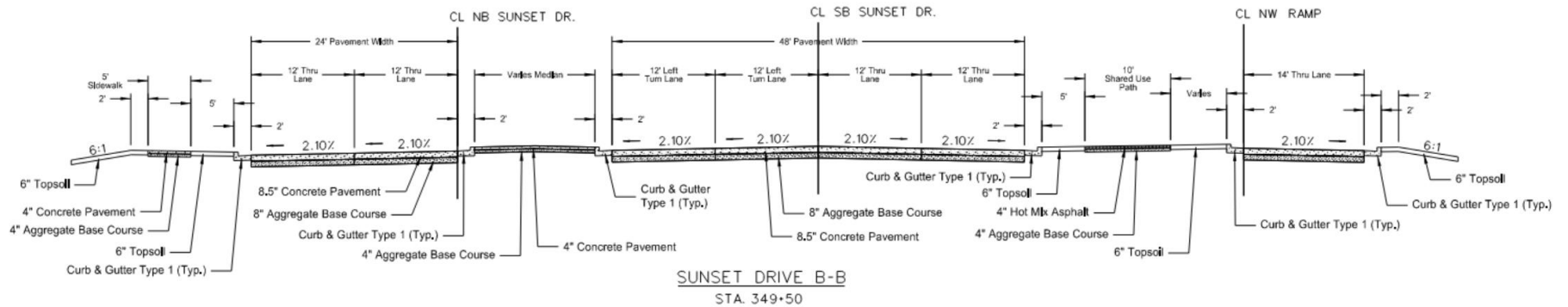
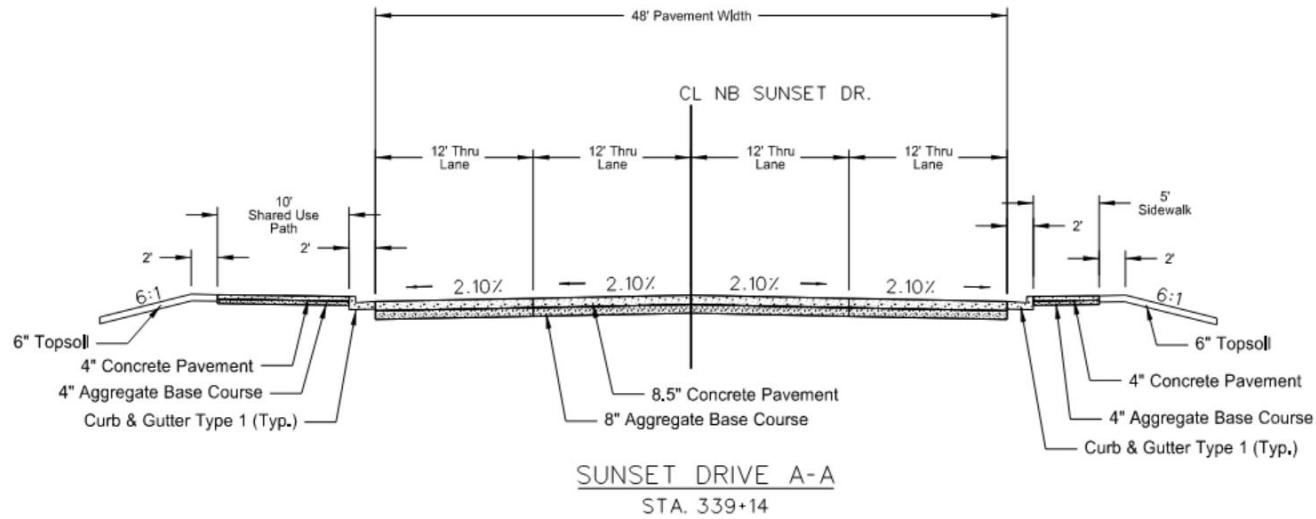
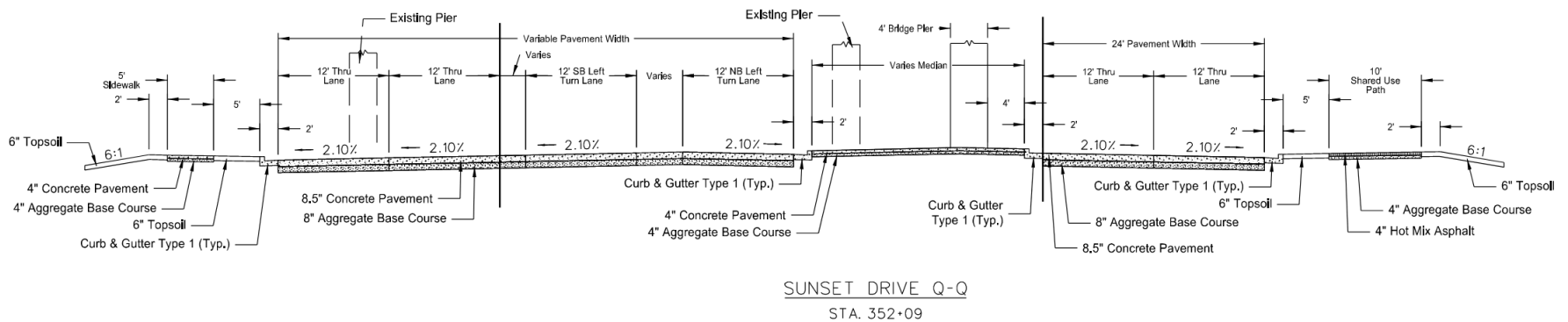
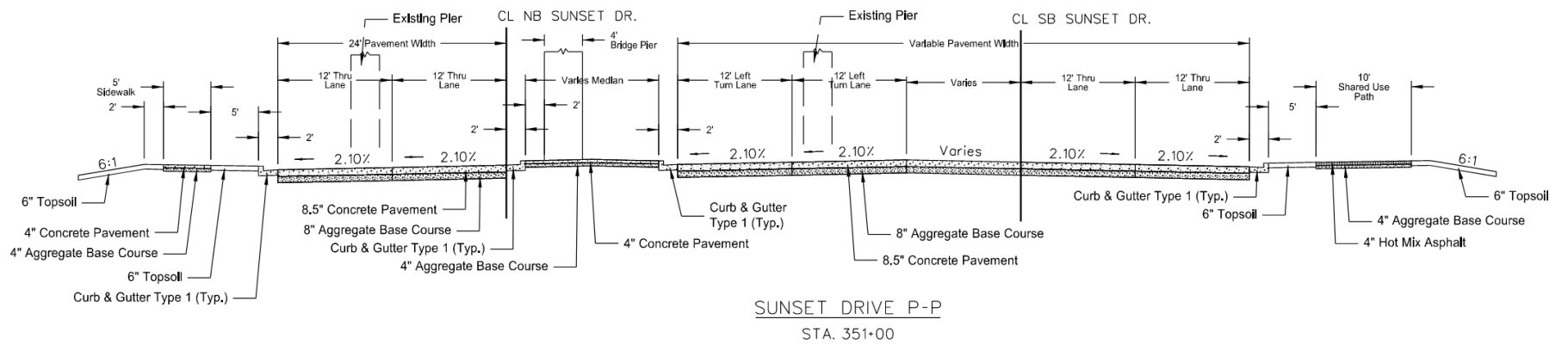


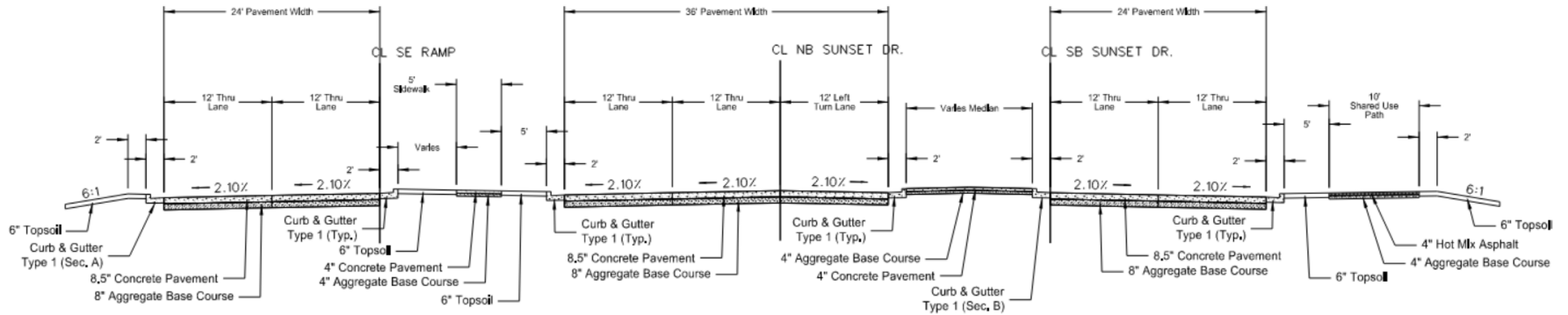
Figure 5 – Option 1b Proposed Typical Sections Locator Map

SPUI Configuration with Roundabout at Old Red Trail – Station Layout

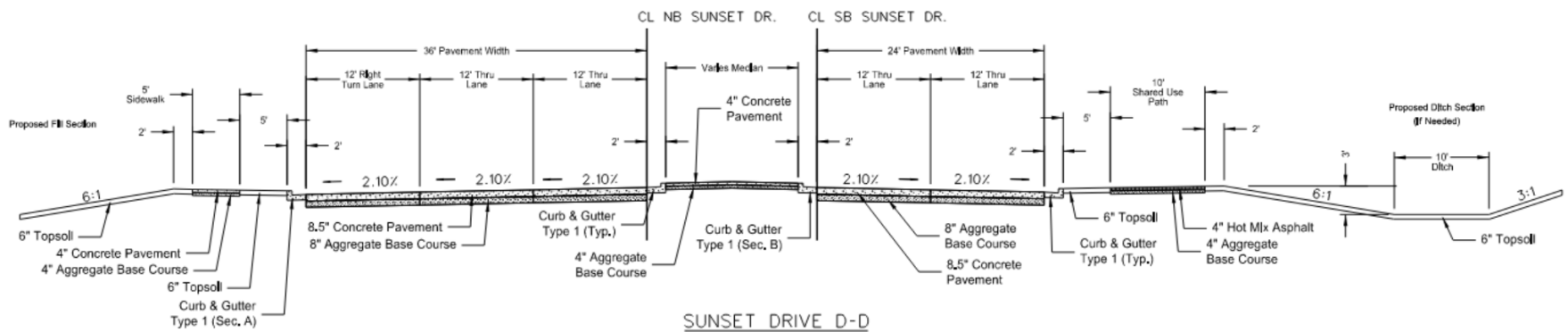




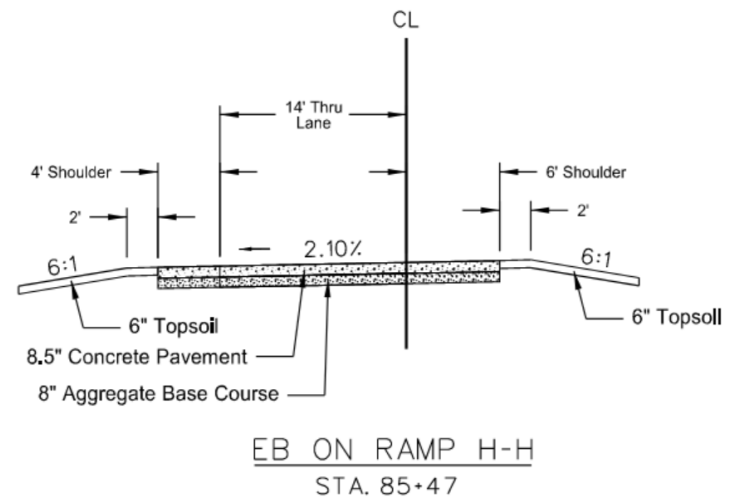
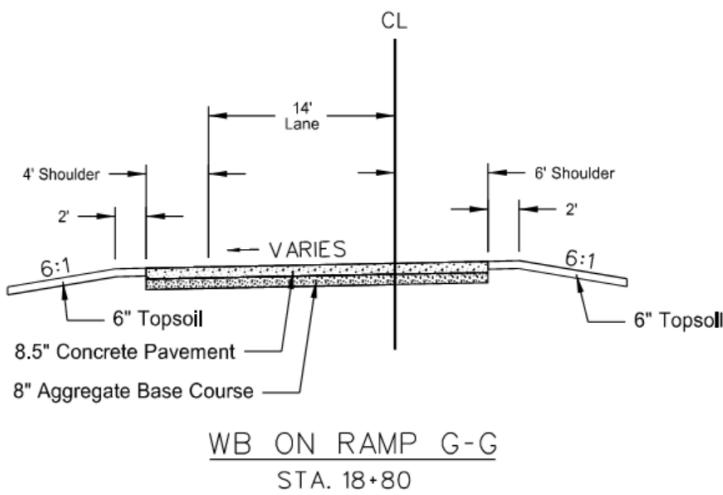
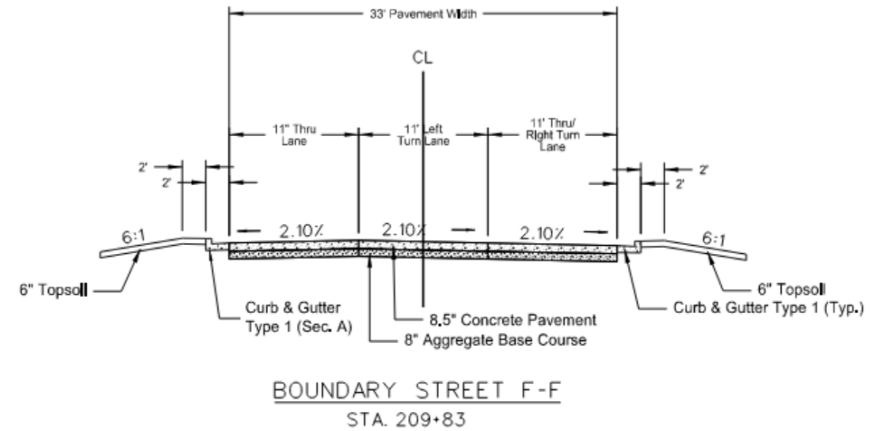
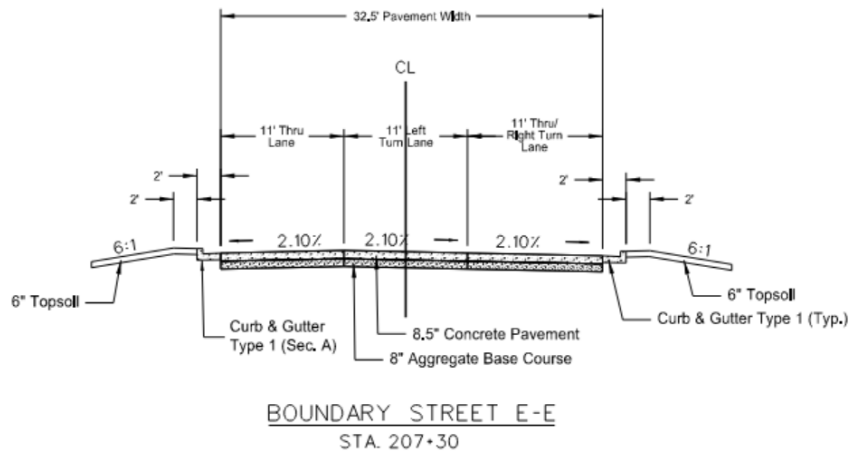


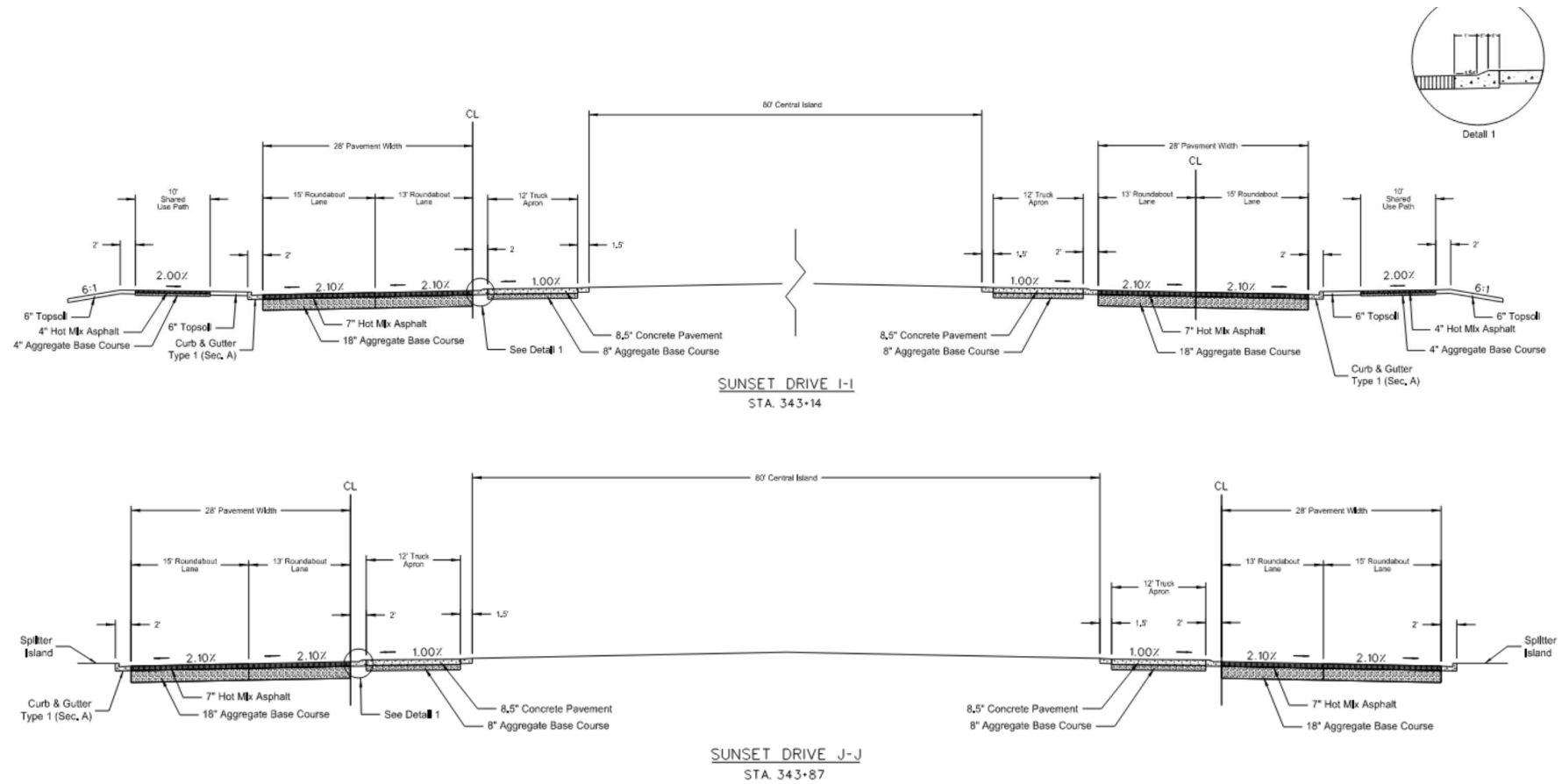


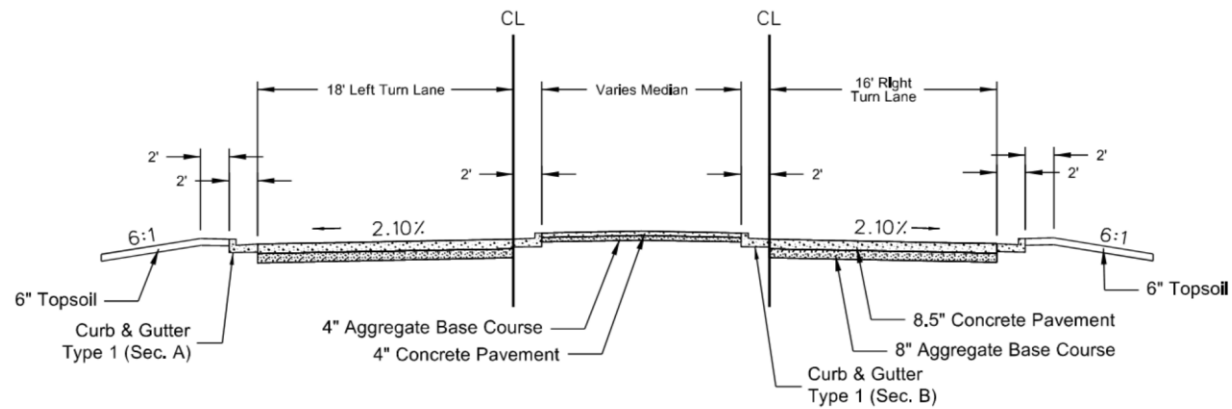
SUNSET DRIVE C-C
STA. 353+83



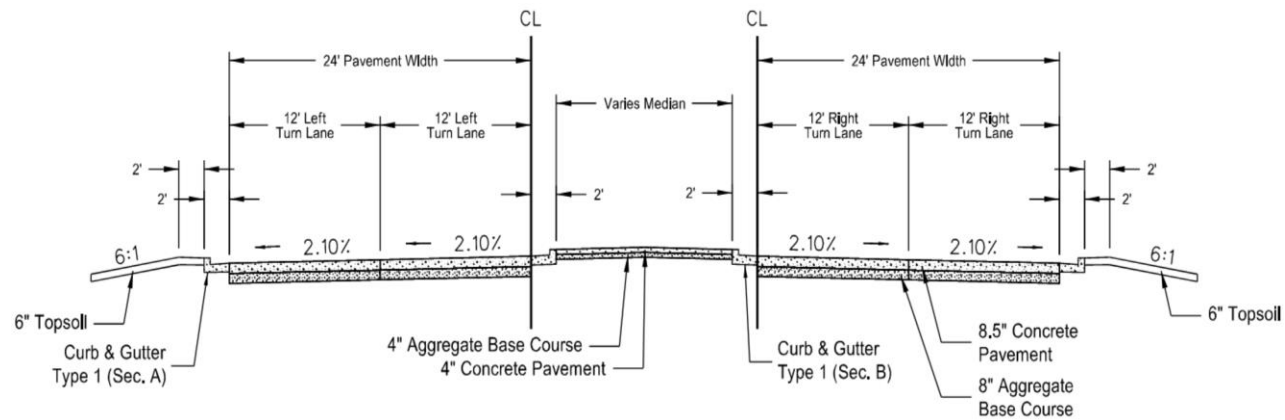
SUNSET DRIVE D-D
STA. 357+07



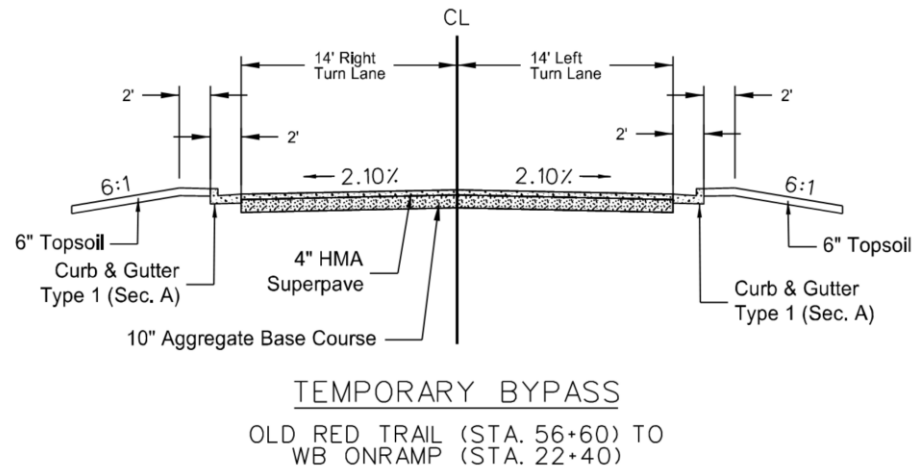
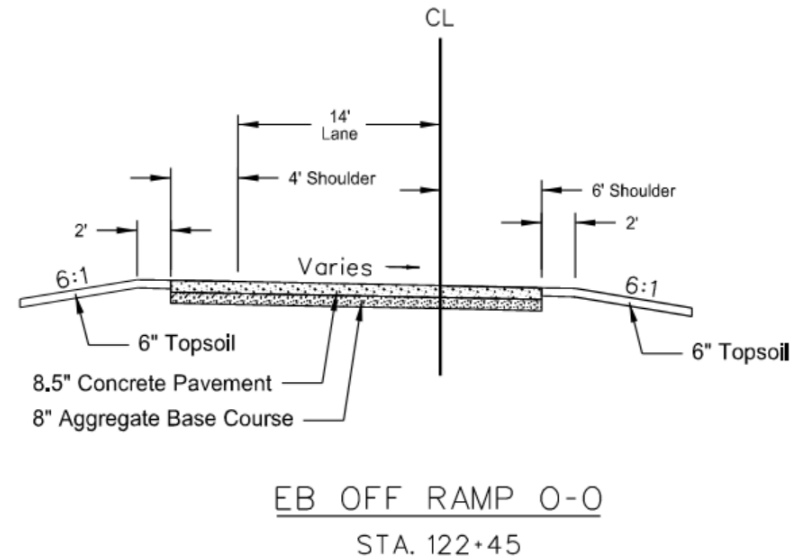
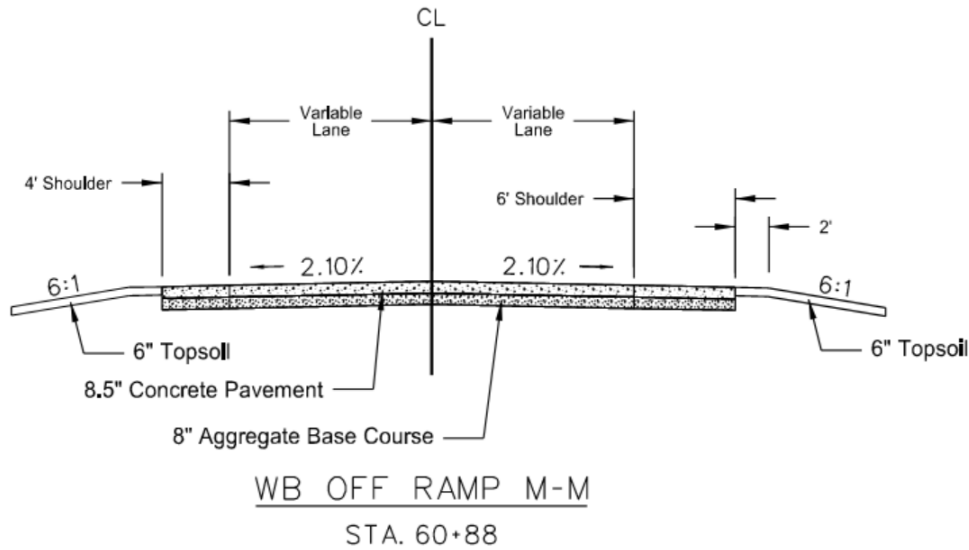


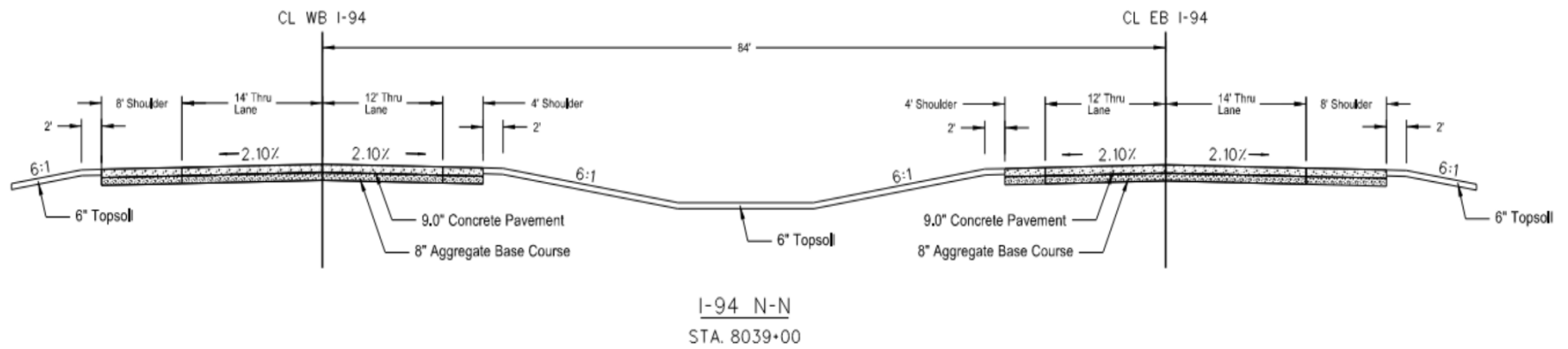


EB OFF RAMP K-K
STA. 129+26

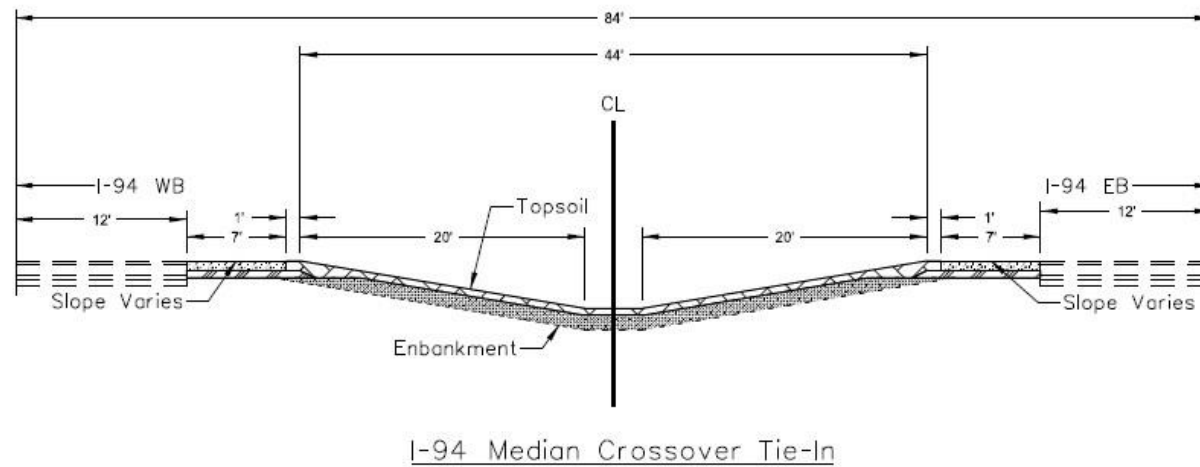
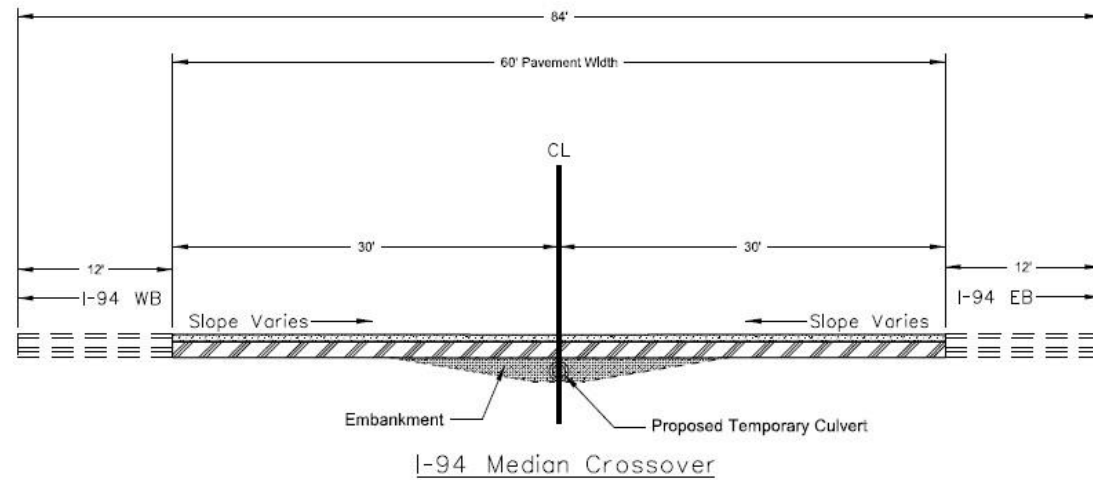


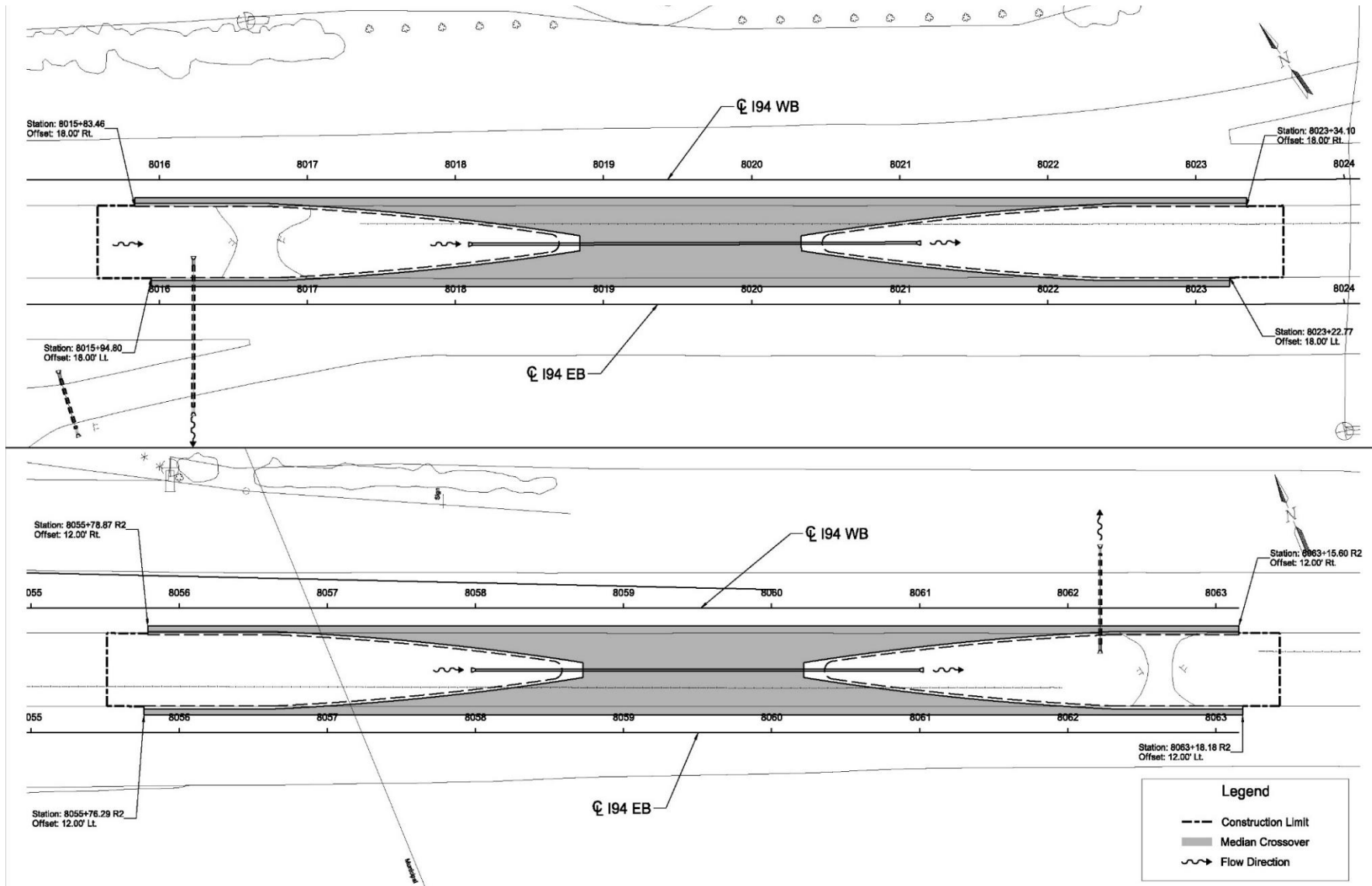
WB OFF RAMP L-L
STA. 67+07





I-94 Median Crossover Typicals





d. Intersection Options for Build Alternative

i. Option 1a – Signalized Intersection at Old Red Trail

Option 1a would continue to use a signalized intersection at Old Red Trail and Sunset Drive and add eastbound and westbound left turn lanes with protected phasing, an additional southbound and northbound through lane, and an additional eastbound to southbound right turn lane. The additional lanes would reduce the average intersection delay and reduce 95th percentile queue lengths below the length at which they would exceed the available queuing distance, specifically at the northbound approach. The second northbound through lane on Sunset Drive is necessary to provide adequate capacity through the intersection in the Year 2045 scenario and to manage queue lengths. This option will require the construction of a retaining wall in the northeast quadrant to accommodate the change in configuration. Figure 6 shows the Build Alternative with the Option 1a configuration.

Option 1a would reconstruct existing bicycle and pedestrian facilities and add new bicycle and pedestrian facilities through the intersection of Sunset Drive and Old Red Trail. A standard 5' sidewalk for pedestrians would replace the existing Old Red Trail Shared Use Path on the east side of Sunset Drive. A new 10'-wide shared use path would be constructed along the west side of Sunset Drive. Pedestrian crossings will be constructed on the south, east and west sides of the intersection at Old Red Trail and Sunset Drive. The new pedestrian and shared use path facilities would connect to the remainder of the existing Old Red Trail pedestrian facilities traveling east and west along the south side of Old Red Trail, and the greater trail network beyond the project limits. Shared use path and sidewalk construction would include temporary removal and replacement of the trailhead facilities and kiosk at the intersection of Old Red Trail and Sunset Drive. New pedestrian signals will be installed on both the 10' shared use path and standard 5' sidewalk.

END PAVEMENT MARKING UPDATE

END RECONSTRUCTION BEGIN PAVEMENT MARKING FOR THIRD LANE

SEE INTERSECTION INSET

LIMIT OF CONSTRUCTION

LIMIT OF CONSTRUCTION

LIMIT OF CONSTRUCTION

OLD RED TRAIL

BOUNDARY STREET

SUNSET DRIVE

12TH AVENUE

11TH AVENUE

10TH AVENUE

9TH AVENUE

24TH STREET

27TH STREET

40

45

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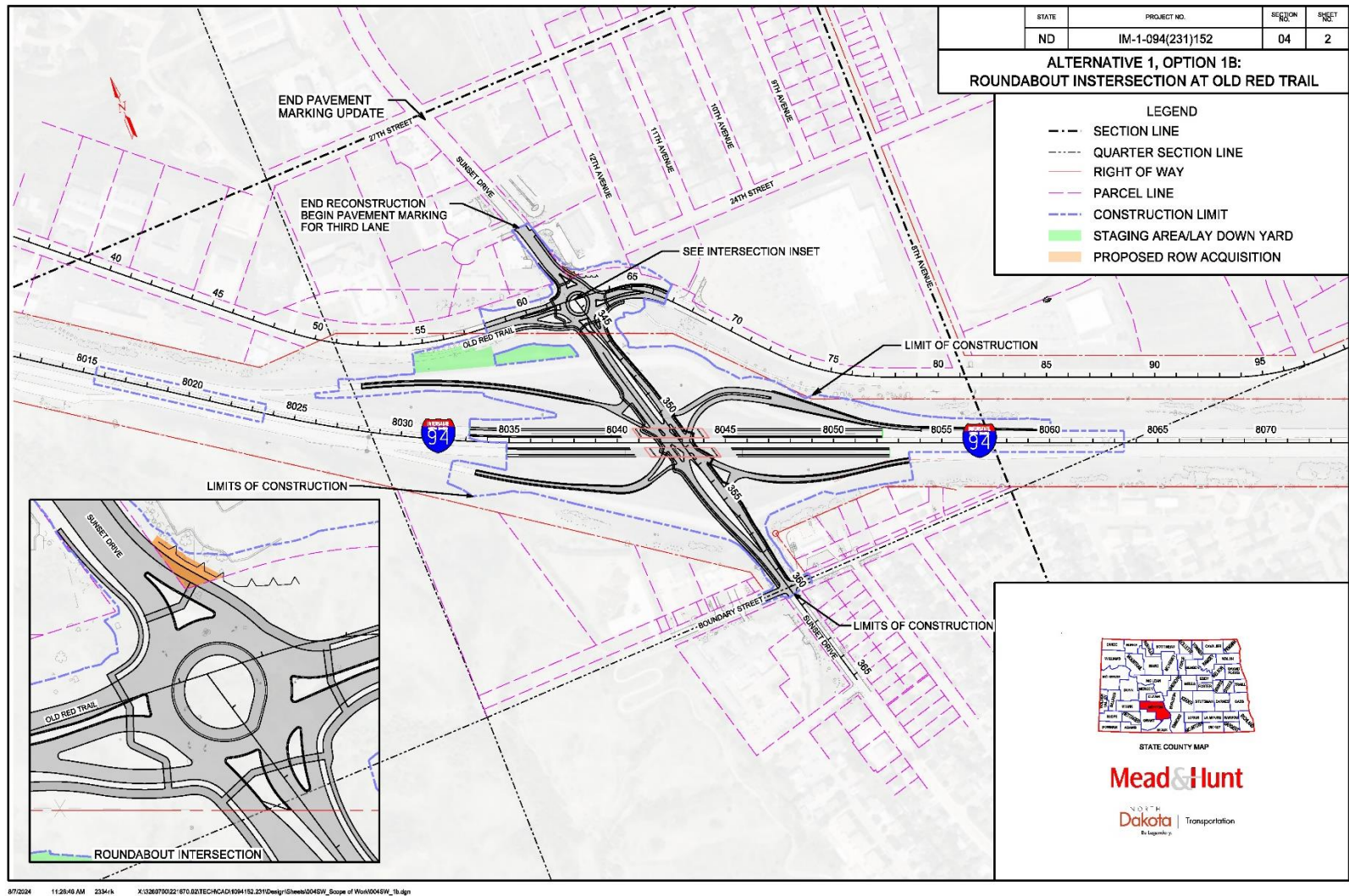
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ii. Option 1b – Two Lane Roundabout at Old Red Trail

Option 1b would remove the existing signal control and construct a two-lane roundabout with a central island, allowing for near constant vehicular flow. The proposed lane configuration would improve the operation of the intersection by reducing traffic queuing lengths and reducing the number of lane changes. Each entry point into the roundabout will have both thru-lanes and turn lanes, allowing for more efficient traffic movements through the intersection for traffic continuing along Old Red Trail, moving onto Sunset Drive, or intending to access I-94. This option will require the construction of a retaining wall in the northeast quadrant to accommodate the change in configuration. Figure 7 below shows the Build Alternative with Option 1b configuration.

Option 1b would reconstruct existing bicycle and pedestrian facilities and add new bicycle and pedestrian facilities through the intersection of Sunset Drive and Old Red Trail. A standard 5' sidewalk for pedestrians would replace the existing Old Red Trail Shared Use Path on the east side of Sunset Drive. A new 10'-wide shared use path would be constructed along the west side of Sunset Drive. Pedestrian crossings would be constructed in all four quadrants of the intersection near the outer extent of the roundabout configuration. The new pedestrian and shared use path facilities would connect to the remainder of the existing Old Red Trail pedestrian facilities traveling east and west along the south side of Old Red Trail, and the greater trail network beyond the project limits. Shared use path and sidewalk construction would include temporary removal and replacement of the trailhead facilities and kiosk at the intersection of Old Red Trail and Sunset Drive. New pedestrian signals will be installed on both the 10' shared use path and standard 5' sidewalk.

Figure 7 – Option 1b Proposed Configuration



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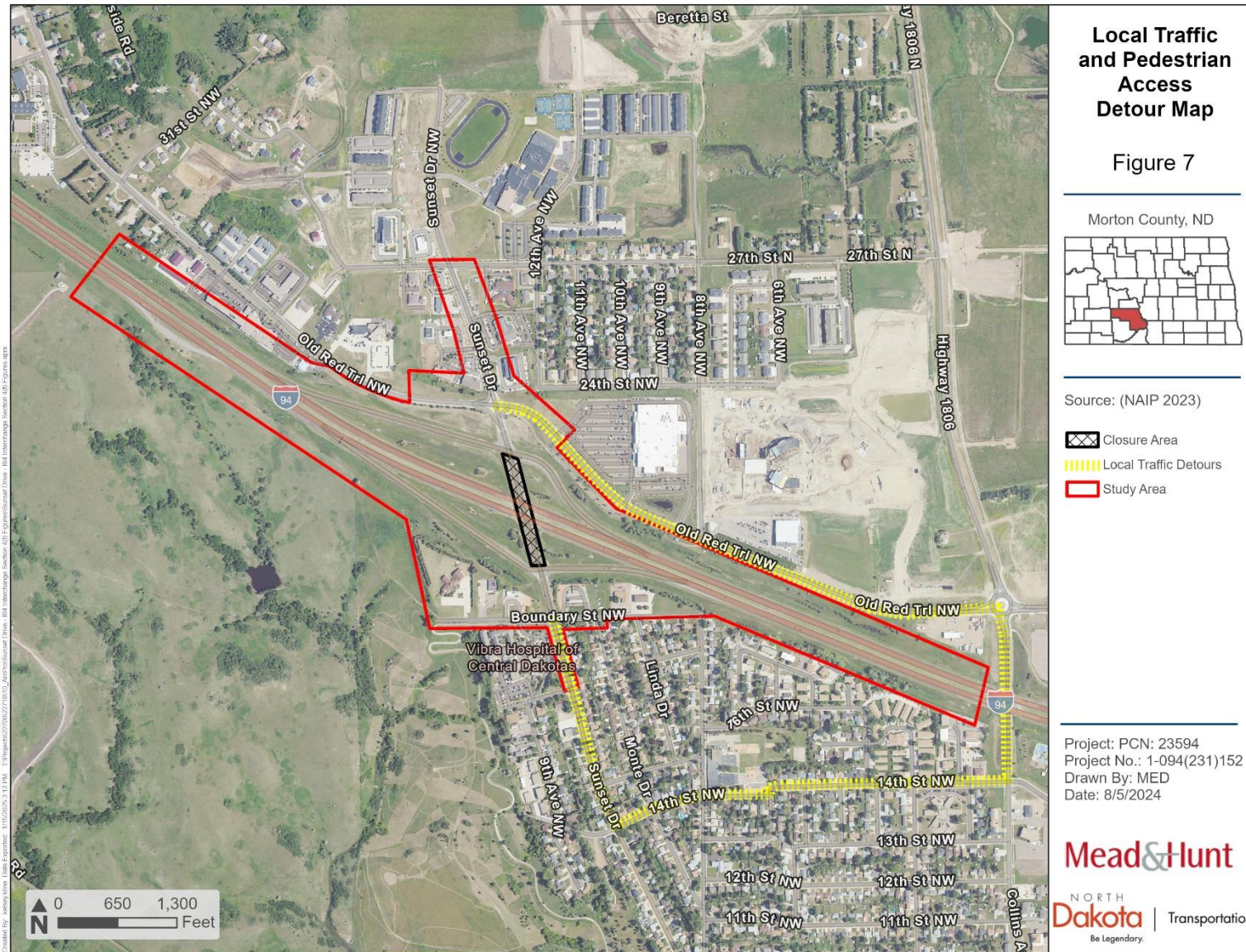
e. Work Zone Safety and Mobility Traffic Control

This project is classified as a “significant project” per the NDDOT State Transportation Improvement Program (STIP), which requires a Temporary Traffic Control plan and a public information component. Temporary Traffic Control (TTC) measures will be provided to accommodate construction activities throughout the project. Traffic control and phasing will remain similar for each Build Alternative Option, though precise layouts may vary slightly.

- Phase 0 will include construction of temporary crossover roadways on I-94 to facilitate two-way mainline through traffic on one of the existing spans while the other span is demolished, grade raised, and a new overpass is constructed. Temporary widenings and bypasses will also be constructed along Sunset Drive and Old Red Trail to accommodate traffic during subsequent stages of construction.
- Phase 1 will include replacement of the I-94 eastbound bridge over Sunset Drive requiring single-lane operations in each direction of the I-94 mainline. During Phase 1, the intersection of Old Red Trail and Sunset Drive will be constructed (Roundabout or Signal) and grading and drainage construction will begin along the southbound lanes of Sunset Drive.
- Phase 2 will include replacement of the I-94 westbound bridge over Sunset Drive requiring single-lane operations in each direction of the I-94 mainline. During this phase, the southbound roadway of Sunset Drive will be completed, and traffic shifted to begin grading operation on the northbound roadway.
- Phase 3 will include the final paving and grading of the northbound roadway of Sunset Drive, construction of the ramp tie-ins to I-94 utilizing temporary bypasses to maintain traffic, and final activation of the single point intersection beneath Interstate 94.

Access to Interstate 94 and local access through the interchange will be maintained during construction, with the exception of limited short-term temporary overnight closures along Sunset Drive which will be necessary during I-94 bridge deck removal, girder and pier removal of the old structures, and installation of girders for the new bridge structures in Phases 1 and 2. During these temporary overnight closures, a local detour route will be established via 14th Street NW, Collins Avenue, and Old Red Trail to maintain through traffic on Sunset Drive and also serve as a pedestrian detour route (Figure 8, Local Traffic Detours). Emergency responders will still be allowed access along Sunset Drive during this time. Regional traffic seeking to exit at Sunset Drive from westbound or eastbound I-94 or to seeking to access I-94 from Sunset Drive during these temporary closures will be redirected using one of four detours and the Mandan Avenue and I-94 interchange to the east (Figure 9, Regional Traffic Detours). Full closures and the temporary detour route will not be permitted during holidays listed in NDDOT’s Construction Records Manual or during City of Mandan (City) special events. Closure requests will need to be submitted to NDDOT for preapproval in advance of the planned closure or detour and posted to the public prior to the closure.

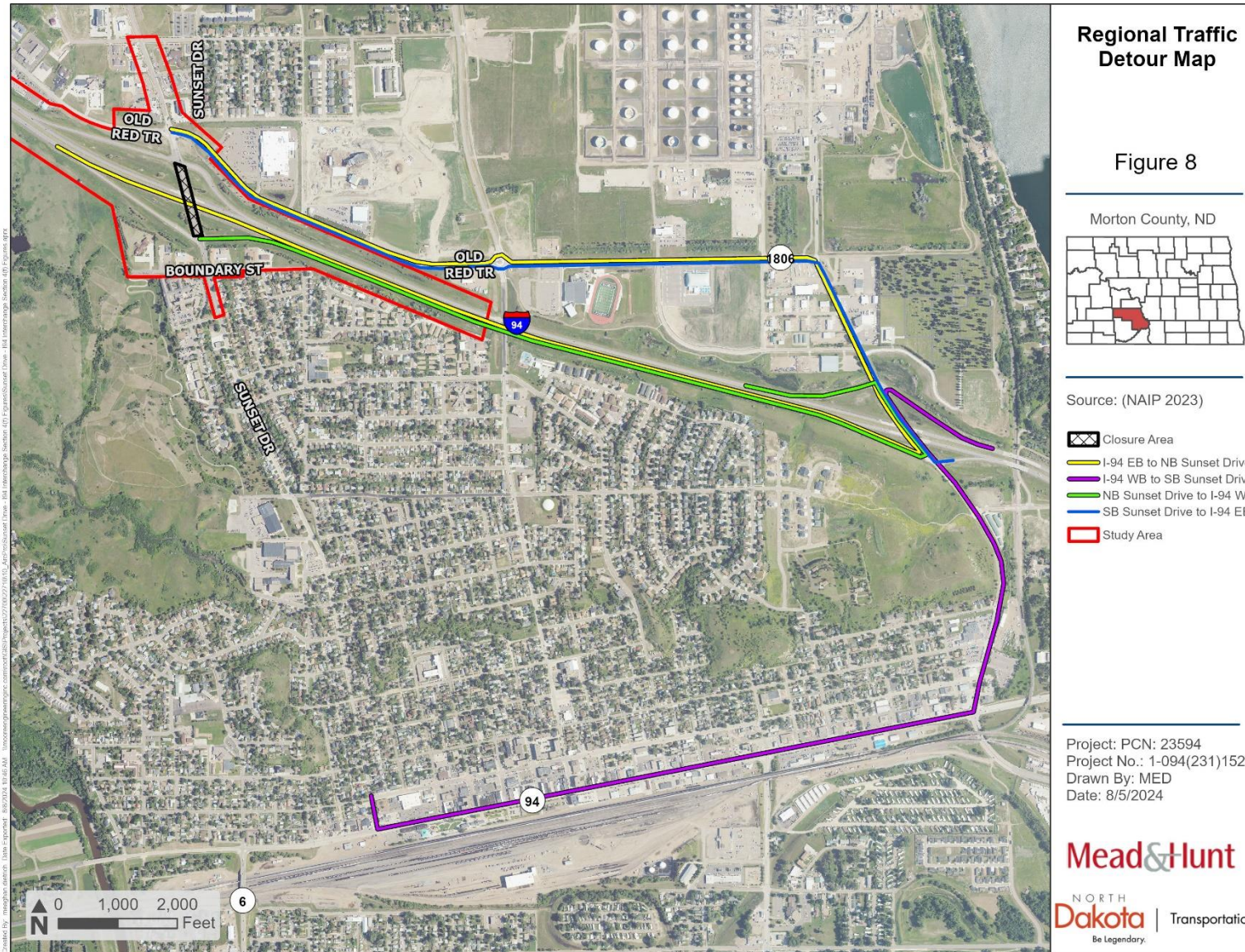
Figure 8 – Local Traffic Detours



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Figure 9 – Regional Traffic Detours



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ADA compliant pedestrian and bicycle access will be maintained throughout project construction using measures such as temporary trails and sidewalks, signage and detour routes where feasible, and flaggers and escorts for pedestrians to safely move through the work zone. The selected contractor will be required to provide flaggers and escorts during construction where necessary. Pedestrian traffic will be maintained during construction using the methods described above where applicable, as well as through the use of the existing Old Red Trail Shared Use Path while a new shared use path on the west side of Sunset Drive is completed. The Work Zone Safety and Mobility Control report will include communication strategies to inform affected road users in the area, such as residents, business owners, public entities, and other stakeholders. Public awareness strategies include NDDOT media alerts, NDDOT 511 and the project website, and coordination with schools and businesses as well as emergency services. While local access will be maintained throughout the project, construction will have an impact on traffic patterns throughout the interchange. I-94 mainline lane closures will occur in phases with traffic rerouted to either the eastbound or westbound lanes with head-to-head traffic. The I-94 mainline overpass replacement will also require single-lane operations along the Sunset Drive underpass in order to remove and replace bridge piers and footing abutting the roadway. The single lane operations will require shortening the existing southbound left turn lane at the I-94 Eastbound Ramp terminal, which currently extends through the underpass, such that it forms south of the bridge construction area for a total length of approximately 275'.

A summary of each construction phase is provided below. In each construction phase, pedestrian movements may be shifted to accommodate construction operations. A full explanation of Work Zone Safety and Mobility Traffic Control is provided in the Work Zone Safety and Mobility Plan in the supporting documentation. See Figure 8 and Figure 9 for Traffic Detours.

Phase 0 (Roundabout and Signalized Option):

Construction activities in Phase 0 will be consistent for either intersection Option (Option 1a or 1b) for Sunset Drive and Old Red Trail.

Construction:

Construction in Phase 0 will include temporary pavement actions required to carry Phase 1 traffic. These will include:

- Construction of the median Crossover west of Sunset Drive.
- Construction of the median Crossover east of Sunset Drive.
- Temporary widening and sidewalk located on the east side of Sunset Drive, south of the I-94 eastbound ramp terminal.
- Temporary widening and sidewalk located on the northside of Old Red Trail, east of Sunset Drive.
- Temporary roadway bypass connecting Old Red Trail and the existing I-94 westbound on-ramp.
- Installation of temporary signal systems at Old Red Trail and the I-94 ramp terminal intersections.

Traffic:

Traffic in this phase will continue to use existing roadways. Along I-94, temporary lane closures of the inside travel lanes are anticipated to facilitate construction of the median crossovers. On Sunset Drive and Old Red Trail, lane shifts and shoulder closures are anticipated to facilitate construction of the temporary roadway widening.

Temporary sidewalk will be constructed adjacent to the temporary roadway widening. Minor impacts to pedestrian traffic are anticipated during working hours in these areas requiring flaggers/escorts to assist pedestrian passing active construction work.

**Phase 1A
(Signalized & Roundabout Option)**

This phase will include construction work necessary to remove the existing eastbound I-94 bridge structure and begin construction of the new bridge. Additionally, this phase will commence construction of the Old Red Trail and Sunset Drive intersection and the grading and drainage construction of the proposed southbound lanes of Sunset Drive will begin. During this phase:

Construction:

- Construction will begin in the northwest, southwest, and southeast quadrants of the Sunset Drive/Old Red Trail intersection. Site preparation work to begin in the northwest quadrant for the retaining wall construction.
- Sunset Drive grading and drainage will begin along the proposed southbound lanes. Gaps will be provided to maintain the connection of existing ramps connection, west of Sunset Drive. Work near the existing westbound bridge over Sunset Drive will be limited until removal of the structure is completed in Phase 2.

Traffic:

- Along I-94, eastbound traffic will be shifted to the westbound roadway in single lane “head-to-head” configuration utilizing the median crossovers constructed in Phase 0.
- I-94 ramps from Sunset Drive to remain open to traffic.
- Sunset Drive will remain open to traffic on the existing roadway, utilizing temporary widenings constructed in Phase 0 south of the eastbound ramp terminal. Lane widths will be reduced to 11 feet.
 - Beneath the I-94 structures, one southbound lane will be closed, and lane shifts will be utilized to facilitate removal of the existing piers footing and construction of the eastbound bridge.
 - The on-ramp to I-94 westbound from Sunset Drive will be closed and detoured to Old Red Trail and the temporary bypass roadway constructed in Phase 0. Additional devices and signage will be installed to deter potential wrong way entry onto the existing ramp roadway.
 - The southbound left turn to Old Red Trail eastbound will be detoured onto westbound Old Red Trail to the temporary bypass roadway constructed in Phase 0.
- Along Old Red Trail, eastbound traffic approaching Sunset Drive will be detoured onto the temporary bypass roadway and utilize the existing westbound on-ramp roadway to access Sunset Drive and to continue eastbound on Old Red Trail.

Westbound traffic will utilize the widened westbound lanes to continue through the intersection.

- Temporary traffic signals will continue operating at both ramp intersections and Old Red Trail during this phase.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Temporary walkway on the east side of Sunset Drive, south of the I-94 eastbound ramp terminal.
 - Temporary walkway on the north side of Old Red Trail, east of Sunset Drive.
 - At Old Red Trail, pedestrian crossings will be maintained along the south and east approaches to the intersection. Temporary shifts in the crosswalk and use of mats or other ADA compliant surfaces may be necessary to maintain crossings through the work zone during construction of new roadways.
 - During demolition of the existing eastbound bridge structure and overhead construction for the new structure, flaggers for temporary stoppages and to escort pedestrians through the work site may be required. Temporary closures will be required as previously discussed for girder removal and removal of piers adjacent to travel lanes and pedestrian facilities.

Phase 1B

(Signalized & Roundabout Option)

Construction in this phase will continue to include maintenance of traffic necessary to construct the new eastbound I-94 bridge structure. During this phase, Old Red Trail traffic will shift to the proposed eastbound travel lanes and begin work on the westbound travel lanes. Grading and drainage construction of the southbound lanes of Sunset Drive will continue during this phase. During this phase:

Construction:

- Old Red Trail traffic will be shifted, and construction will work on westbound lanes of Old Red Trail and the northwest and northeast quadrants of the intersection with Sunset Drive. Construction on the retaining wall will continue during this phase.
- Sunset Drive grading and drainage to continue along the proposed southbound lanes.

Traffic:

- Along I-94, eastbound traffic will remain shifted to the westbound roadway in single lane “head-to-head” configuration.
- I-94 ramps from Sunset Drive will remain open to traffic.
- Sunset Drive will remain open to traffic in the Phase 1A configuration.
- Along Old Red Trail, eastbound traffic approaching Sunset Drive will be detoured onto the temporary bypass roadway and will utilize the existing westbound on-ramp roadway to access Sunset Drive and to continue eastbound on Old Red Trail. Westbound traffic will shift onto newly constructed eastbound roadway pavement.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Temporary walkway on the east side of Sunset Drive, south of the I-94 eastbound ramp terminal.
 - At Old Red Trail, crossings will be maintained along the east and south approaches to the intersection. Temporary shifts in the crosswalk and use of mats or other ADA compliant surfaces may be necessary to maintain crossings through the work zone.
 - During demolition of existing eastbound bridge and overhead construction for the new structure flaggers for temporary stoppages and to escort pedestrians through the work site may be required.

Phase 1C

(Signalized Option)

Construction in this phase will continue work necessary to construct the proposed eastbound I-94 bridge structure. Sunset Drive traffic will shift onto the southbound travel lanes north of the I-94 westbound ramp terminal and work will begin on the northbound roadway, north of the Old Red Trail intersection. Grading and drainage construction of the southbound lanes of Sunset Drive will continue during this phase. During this phase:

Construction:

- Construction will work on northbound lanes of Sunset Drive in the northeast quadrants at Old Red Trail. Construction on the retaining wall will be completed this phase of construction while pedestrian traffic is detoured to the southbound sidewalk between 27th Street and Old Red Trail.
- Sunset Drive grading and drainage work will continue along the proposed southbound lanes.

Traffic:

- Along I-94, eastbound traffic will remain shifted to the westbound roadway in single lane “head-to-head” configuration utilizing the median crossovers constructed in Phase 0.
- I-94 ramps from Sunset Drive will remain open to traffic.
- Sunset Drive will remain open to traffic in the Phase 1B configuration except Sunset Drive north of the I-94 westbound ramp terminal will be shifted onto the completed southbound travel lanes.
- Along Old Red Trail, eastbound traffic approaching Sunset Drive will continue to be detoured onto the temporary bypass roadway and utilize the existing westbound on-ramp roadway to access Sunset Drive and to continue eastbound on Old Red Trail. Westbound traffic will remain in the Phase 1B configuration.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Temporary walkway on the east side of Sunset Drive, south of the I-94 eastbound ramp terminal.
 - At Old Red Trail, crossing will be maintained along the west and south approaches to the intersection. Temporary shifts in the crosswalk and use of mats or other ADA compliant surfaces may be necessary to maintain crossings through the work zone.
 - The shared use path between Old Red Trail and 27th Street, east of Sunset Drive will be closed to pedestrian traffic. Pedestrians will cross Sunset Drive at 27th Street and continue south to Old Red Trail. A new crossing will be utilized on the west approach to cross Old Red Trail.

(Roundabout Option)

Construction in this phase will continue work necessary to construct the proposed eastbound I-94 bridge structure. Additionally, Sunset Drive traffic will shift onto the southbound travel lanes north of the I-94 westbound ramp terminal. Construction will complete the circulatory roadway of the roundabout and the northbound travel lanes, north of Old Red Trail. Grading and drainage construction of the southbound lanes of Sunset Drive will continue during this phase. During this phase:

Construction:

- Construction will work on northbound lanes of Sunset Drive in the northeast and southeast quadrants at Old Red Trail. Construction on the retaining wall will be completed this phase of construction while pedestrian traffic is detoured to the southbound sidewalk between 27th Street and Old Red Trail.
- Sunset Drive grading and drainage to continue along the proposed southbound lanes.
- Upon completion of the phase, the roundabout will be complete with exception to the truck apron and the central island.

Traffic:

- Along I-94, eastbound traffic will remain shifted to the westbound roadway in single lane “head-to-head” configuration utilizing the median crossovers constructed in Phase 0.
- I-94 ramps from Sunset Drive to remain open to traffic.
- Sunset Drive will remain open to traffic in the Phase 1B configuration except Sunset Drive north of the I-94 westbound ramp terminal will be shifted onto the completed southbound travel lanes through the Old Red Trail intersection.
- Along Old Red Trail, eastbound traffic approaching Sunset Drive will continue to be detoured onto the temporary bypass roadway and utilize the existing westbound on-ramp roadway to access Sunset Drive and to continue eastbound on Old Red Trail. Westbound traffic will remain shift to the eastbound approach and westbound departure lanes of the roundabout.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Temporary walkway on the east side of Sunset Drive, south of the I-94 eastbound ramp terminal.
 - At Old Red Trail, crossings will be maintained along the west and south approaches to the intersection. Temporary shifts in the crosswalk and use of mats or other ADA compliant surfaces may be necessary to maintain crossings through the work zone.
 - The shared use path between Old Red Trail and 27th Street, east of Sunset Drive will be closed to pedestrian traffic. Pedestrians will cross Sunset Drive at 27th Street and continue south to Old Red Trail. A new crossing will be utilized on the west approach to cross Old Red Trail.

Phase 1D

(Signalized Option Only)

Construction in this phase will continue work necessary to construct the proposed eastbound I-94 bridge structure. Additionally, Old Red Trail traffic will shift onto the completed westbound lanes and complete pavement and raised island construction in the southeast quadrant of the intersection. Grading and drainage construction of the southbound lanes of Sunset Drive will continue during this phase. During this phase:

Construction:

- Construction will work on northbound lanes and channelizing right turn island of Sunset Drive in the southeast quadrant at Old Red Trail.
- Sunset Drive grading and drainage to continue along the proposed southbound lanes.

Traffic:

- Along I-94, I-94 eastbound traffic will be shifted out of “head-to-head” configuration following the completion of the eastbound bridge.
- I-94 ramps from Sunset Drive will remain open to traffic.
- Sunset Drive will remain open to traffic in the Phase 1D configuration.
- Along Old Red Trail, eastbound traffic approaching Sunset Drive will continue to be detoured onto the temporary bypass roadway and utilize the existing westbound on-ramp roadway to access Sunset Drive and to continue eastbound on Old Red Trail. Westbound traffic will be shifted to the completed westbound travel lanes.
- Following the completion of the Phase 1D construction at Old Red Trail, traffic will be shifted off the temporary bypass roadway and utilize the Old Red Trail intersection.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Temporary walkway on the east side of Sunset Drive, south of the I-94 eastbound ramp terminal.
 - At Old Red Trail, crossing will be maintained along the west and south approaches to the intersection. Temporary shifts in the crosswalk and use of mats or other ADA compliant surfaces may be necessary to maintain crossings through the work zone.
 - The trail between Old Red Trail and 27th Street, east of Sunset Drive will be closed to pedestrian traffic. Pedestrians will cross Sunset Drive at 27th Street and continue south to Old Red Trail. A new crossing on the west approach will be utilized to cross Old Red Trail.

Phase 2A - Phase 3B

Construction during these phases covers construction of the interchange and will include the same phasing for both the Signalized and Roundabout option with one exception. The central island of the roundabout will be completed in Phase 2A as noted below. No other differences are anticipated.

Phase 2A

Construction in this phase will include construction work necessary to remove the existing westbound I-94 bridge structure and construct the new bridge structure. Additionally, the Sunset Drive southbound roadway will be completed during this phase. During this phase: Construction:

- Paving will begin on the southbound roadway of areas graded during Phase 1.
- Removal on the existing westbound bridge will be completed.
- Pavement gaps for the ramps will be completed.
- Complete the central island and truck apron construction. **(Roundabout Option Only)**

Traffic:

- Along I-94, westbound traffic will be shifted to the eastbound roadway in single lane “head-to-head” configuration utilizing the median crossovers constructed in Phase 0.
- I-94 ramps from Sunset Drive will remain open to traffic.
- Sunset Drive will remain open to traffic on the existing roadbed, utilizing temporary widenings constructed in Phase 0 south of the eastbound ramp terminal. Lane widths will be reduced to 11 feet.
- Beneath the I-94 structures, lane shifts and temporary lane closures will be utilized to facilitate removal and construction of the westbound bridge.
- The on-ramp to I-94 westbound from Sunset Drive will be closed and detoured to Old Red Trail and the temporary bypass roadway constructed in Phase 0 to construct the pavement gap at the ramp.
- Traffic lights will remain operating at both ramp intersections until completion of SPUI traffic control. Temporary signal installations anticipated.
- The intersection at Old Red Trail will be open to traffic with periodic lane shifts on the south approach to accommodate Sunset Drive construction during Phase 2

and Phase 3. Temporary signal installation anticipated to accommodate changes to the lane configurations on the south approach.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Temporary walkway on the east side of Sunset Drive, south of the I-94 eastbound ramp terminal.
 - Temporary walkway on the north side of Old Red Trail, east of Sunset Drive.
 - At Old Red Trail, proposed crossings constructed in Phase 1 will be maintained.
 - During demolition of existing westbound bridge structure and overhead construction for the new structure, flaggers for temporary stoppages and to escort pedestrians through the work site may be required.

Phase 2B

Construction in this phase will include construction work necessary to construct the westbound I-94 bridge structure. Additionally, the Sunset Drive median will be constructed. During this phase:

Construction:

- Grading and paving will be completed on the median area beneath I-94 and the pier construction for the proposed westbound structure.
- Construction of the proposed I-94 westbound bridge.
- Grading and installation of drainage for the ramps east of Sunset Drive will begin.

Traffic:

- Along I-94, westbound traffic will remain shifted to the eastbound roadway in single lane “head-to-head” configuration.
- I-94 ramps from Sunset Drive to remain open to traffic.
- Northbound Sunset Drive will remain open to traffic on the existing roadbed, utilizing temporary widenings constructed in Phase 0 south of the eastbound ramp terminal. Lane widths will be reduced and shift to the east side of the existing roadway.
- Southbound Sunset Drive will shift to the completed southbound roadway.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Along Sunset Drive, pedestrians will utilize the trail along the southbound roadway. The existing trail along the northbound roadway will be closed and removed.
 - At Old Red Trail, pedestrian crossings constructed in Phase 1 will be maintained.
 - During overhead construction activities and the erection of the girders for the new structure, flaggers for temporary stoppages and to escort pedestrians through the work site may be required.

Phase 2C

Construction in this phase will include construction work necessary to construct the westbound I-94 bridge. Additionally, the Sunset Drive northbound grading and drainage construction will commence. During this phase:

Construction:

- Completion of the proposed I-94 westbound bridge and pavement.
- Grading and installation of drainage for Sunset Drive northbound roadway.
- Construction of temporary bypasses for the I-94 interchange ramps to be used in Phase 3.

Traffic:

- Along I-94, westbound traffic will remain shifted to the eastbound roadway in single lane “head-to-head” configuration. Traffic will be shifted to the original configuration following the completion of the bridge and roadway pavement.
- I-94 ramps from Sunset Drive will remain open to traffic.
- Sunset Drive will remain shifted on the completed southbound roadway.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Along Sunset Drive, pedestrians will utilize the trail along the southbound roadway. The existing trail along the northbound roadway will be closed and removed.
 - At Old Red Trail, pedestrian crossings constructed in Phase 1 will be maintained.
 - During overhead construction and the erection of the girders for the new structure, flaggers for temporary stoppages and to escort pedestrians through the work site may be required.

Phase 3A

Construction in this phase will include construction work necessary to complete the Sunset Drive northbound roadway and tie-in to the existing interchange ramps. During this phase:

Construction:

- Final grading and paving of northbound roadway and ramps east of Sunset Drive.
- Construction of ramp connections to existing ramps.

Traffic:

- Along I-94, traffic will remain reduced to one lane of travel in each direction to accommodate on-ramps merging off bypass roadways.
- I-94 ramps from Sunset Drive will remain open to traffic on bypass roadways.
- The westbound off-ramp and eastbound on-ramp will be shifted on temporary widenings to complete gaps in the Sunset Drive northbound roadway.
- Sunset Drive will remain shifted on the completed southbound roadway.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Along Sunset Drive, pedestrians will utilize the new Shared Use Path along the southbound roadway. The existing Shared Use Path along the northbound roadway will remain closed.

Phase 3B

Construction in this phase will include construction work necessary to the Sunset Drive median to close pavement gaps and complete restoration. During this phase:

Construction:

- Final grading and paving of median island along Sunset Drive.
- Final paving activities associated with ramp removal and restoration associated with pedestrian facilities.
- Removal of the existing ramp pavements and grading to existing contours.

Traffic:

- Along I-94, traffic will be fully open to traffic
- I-94 ramps from Sunset Drive will remain open to traffic and reconfigured to utilize the single point intersection.
- Sunset Drive will be open to traffic. Periodic lane closures of the inside and outside travel lanes will be utilized to close pavement gaps and construct curb and trails in areas where existing ramps were removed.

Pedestrians/non-motorized users:

- Users will continue to use sidewalks/trails within the project area with the following exceptions:
 - Along Sunset Drive, periodic closures of walkways will be required to restore and complete gaps in the sidewalk/trail in areas of the ramp removal. Closures will alternate to maintain a path for pedestrians through the project at all times.

f. Maintenance Responsibility Discussion

The NDDOT Bismark District will continue maintenance responsibilities for the I-94 and Sunset Drive interchange. Old Red Trail and Boundary Street will continue to be maintained by the City of Mandan. The Old Red Trail Shared Use Path will be maintained by the Mandan Parks District and sidewalks will be maintained by the City of Mandan. A Cost Participation and Maintenance (CPM) Agreement will be prepared and signed by the City of Mandan and NDDOT regarding the design, construction, and future maintenance of this project. NDDOT will maintain the signals and lighting at the ramp terminal intersection and the interchange lighting within DOT right-of-way. Additionally, NDDOT will maintain ITS traffic management systems within the interchange (cameras, weather station, ramp gates). The City of Mandan will maintain signals at Old Red Trail and Boundary and lighting systems within the local right-of-way.

g. Summary of Engineering Issues

Build Alternative

Retaining walls will be necessary along I-94 adjacent to the NW and SE ramps leading to I-94 because of the proximity of the roadways at these locations. The proposed retaining walls are extension of the wing walls from the structures carrying I-94 over Sunset Drive. They are necessary due to the proximity of the bridge abutment to the adjacent on-ramp and the inability to provide sufficient side slopes between the roadways. The wall height will diminish further away from the structure as the distance between I-94 and the ramp increases and the length will be determined based on the separation between I-94 and the on-ramp and the ability to provide proper inslopes and adequate clear zones for both roadways.

There is an existing drainage concern with standing water in the northwest quadrant of Boundary Street. An existing flume in the northwest quadrant currently does not function properly. Ditching options are limited due to a pipeline crossing in the area. Options to address drainage issues as discussed in Section F(c) above will be implemented in final design.

Numerous utilities were identified throughout the interchange, including gas lines, electrical, and fiber optic. A summary of utility conflicts is provided in Table 2.

Table 2 – Summary of Utility Conflicts

Owner	Facilities	Location	Action Items
WBI	2-12" Gas Pipelines. The pipes are in 16" casing pipe where they cross under roadways.	Within project extent, the lines cross Sunset Drive (parallel to Boundary Street), just north of Boundary Street. They also cross under I-94 (running approximately north-south) outside of but near the east side of the project limits.	Project is designed to maintain current cover over these lines. No relocation or lowering required. Potholing is anticipated to occur during design/utility coordination process.
MDU	Gas Mains and service lines	Two lines cross Sunset Drive just north of Boundary Street. One line runs parallel to Sunset Drive along the east side continuing through the project extent. An additional line crosses Sunset Drive north of Old Red Trail within the northwest quadrant of the project limits.	Each area will be evaluated for cut/fill, and lines found to be in conflict will be lowered/raised or relocated.
DCN	Fiber Optic and associated pedestals	Single line running parallel to Sunset Drive, along the west side for the length of the project. Line also parallels the south side of Old Red Trail in the northwest quadrant of the project.	Each area will be evaluated for cut/fill, and lines/pedestals found to be in conflict will be horizontally moved and/or raised/lowered.

Lumen (Century Link)	Fiber Optic and associated pedestals	Two lines running parallel to Sunset Drive, along the west side for the length of the project. An additional line crosses Sunset Drive just north of Old Red Trail. There is also a line running parallel to the WB entrance ramp that crosses under the ramp heading towards Old Red Trail. Two lines also cross under the interstate on the east side of the project near the gore areas of the ramps.	Each area will be evaluated for cut/fill, and lines/pedestals found to be in conflict will be horizontally moved and/or raised/lowered.
Midco	Fiber Optic and associated pedestals	Four lines cross Sunset Drive just north of Boundary St., with an additional line crossing Sunset Drive further to the north. One line runs parallel to Sunset Drive along the west side for the length of the project. There are two lines that cross in the intersection of Sunset Drive and Old Red Trail that then continue parallel to Old Red Trail heading west to the project extent.	Each area will be evaluated for cut/fill, and lines/pedestals found to be in conflict will be horizontally moved and/or raised/lowered.
NDDOT	Fiber Optic and associated pedestals	Lines run from the traffic camera at the bridges north to the NDDOT right of way line, and then turns and heads parallel along NDDOT right of way to both the east and the west throughout the project extents. To the west the line crosses under the interstate, but this is outside the project limits.	Each area will be evaluated for cut/fill, and lines/pedestals found to be in conflict will be horizontally moved and/or raised/lowered.
MDU	Underground Electric and associated pedestals	All MDU electric lines shot in the field are outside of the project limits.	MDU will continue to be included in coordination to ensure they are beyond our limits.
MDU	Overhead Electric and transformer	One line crossing Sunset Drive north of Boundary Street.	Line will be evaluated for clearance once elevations are determined. Line is very close to tie-in so no adjustment anticipated, but coordination with utility will confirm.

NDDOT	Underground Electric and associated pedestals	Line running along the west side of Sunset Drive from south end of project to traffic camera at the bridge. An additional line crosses under the EB exit ramp, then turns and parallels the EB exit and entrance ramps. There is an additional crossing under the WB exit ramp near the gore area, as well as crossings under the same ramp closer to Sunset Drive. The WB entrance ramp also has a crossing that is within the project limits.	Each area will be evaluated for cut/fill, and lines/pedestals found to be in conflict will be horizontally moved and/or raised/lowered.
Mor-Gran-Sioux Electric	Underground Electric and associated pedestals	One line crosses Sunset Drive north of Old Red Trail.	Line will be evaluated for cut/fill, and relocated as needed.
City of Mandan	Watermain and Gate Valves	Line runs parallel to Old Red Trail along north side of Old Red Trail, crossing Sunset Drive. Line then turns and runs parallel to Sunset Drive on the east side of Sunset Drive.	Area is close to tie line, so no adjustment anticipated, but coordination with city will be required.
City of Mandan	Storm Sewer and associated structures	Intersection of Sunset Drive and WB exit/entrance ramps has inlets, underground sewer, and a manhole. There are also underground lines that run parallel to Sunset under the bridges on the west side, along with inlets and flared end sections. Additional drainage lines with inlets and flared end sections are located east of the bridges on I-94 near the guardrail.	With changing elevations throughout project site, all underground will most likely be removed and replaced if necessary to ensure drainage.
City of Mandan	Sanitary Sewer and associated structures	Line runs parallel to Sunset Drive along the east side from the south project limit to near the WB exit ramp. Line then turns and continues running to the west with a force main branching off to the east. Force main also crosses Old Red Trail within project limits on east side.	Line will be evaluated for proposed depths and adjusted if needed.

NDDOT	High Mast Overhead Lighting	Spread throughout project on both north and south sides of I-94. Lights all have concrete bases and pads that they sit on.	Work graded so that tie line runs adjacent or nearly adjacent to lighting. Lights may still need to be vertically altered depending on how much roadway elevation changes. One light on east side of project may need to be adjusted horizontally as well due to the proximity of new EB entrance ramp.
City of Mandan	Pedestrian and Traffic Signals	Traffic signals and pedestrian signals located at Sunset Drive and EB entrance ramp, Sunset Drive and WB exit ramp, and Sunset Drive and Old Red Trail.	Traffic signal work included with project. Pedestrian signals will be removed and replaced as necessary.

In order to maintain traffic through the interchange, the construction of the interchange will require multiple years of construction. This challenge effects Option 1A and Option 1B equally. This will require restriction on traffic, both vehicular and pedestrian throughout active construction. Due to the seasonal shut down during the winter months, attempts will be made to complete portions of work each season that result in minimizing the use of temporary pavements during winter operations. This includes:

- Traffic on I-94 to operate in existing patterns during winter months (no head-to-head operations on one bound).
- Completing intersection work to provide a road surface that can be maintained during winter maintenance operations (i.e.plowing). Designing temporary connections to existing pavements to provide plowable surface.
- Providing clear unobstructed pedestrian routes through the interchange and adjacent intersection.
- Restoring roadway to provide equal or better operation to the existing condition (ie. Provide storage lengths equal to current configuration or longer).

h. Summary of Environmental Issues

Local, state, and federal agencies were solicited for feedback on the project and to provide notice of any environmental concerns in the project area. Solicitation of Views letters and emails are provided in Appendix A.

1. Cultural Resources and Historical Properties

A Class I Literature Review was completed on February 26, 2024. One site was identified within the Area of Potential Effect (APE). A segment of the Old Red Trail is located within the APE. Because this segment is already a modern roadway, no avoidance within the APE is required. Consultation with the North Dakota State Historic Preservation Office (SHPO) was initiated on March 4, 2024. It was determined that no Class III Cultural Resources Inventory was required for this project. The proposed improvements/project has received NDSHPO concurrence for No Adverse Effect for the proposed undertaking on March 18, 2024.

2. Threatened and Endangered Species

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website indicates the potential for six species to occur within the project area, including the northern long eared bat (*Myotis septentrionalis*), piping plover (*Charadrius melodus*), red knot (*Calidris canutus*), whooping crane (*Grus americana*), Dakota skipper (*Hesperia dacotae*), and the monarch (*Danaus plexippus*). The project is within the whooping crane migration corridor. There is no designated critical habitat for the piping plover, red knot, or Dakota skipper in the project area. There is no suitable habitat present for the piping plover, red knot, whooping crane, or Dakota skipper in the project area. Based on the scope of work identified within the known parameters in the NDDOT Determination Table in Appendix B, it was determined that this project required NDDOT biologist review for a single species, the northern long eared bat. The NDDOT biologist concurred that the project will have no effect on northern long eared bat. Please refer to the NDDOT Threatened, Endangered, Candidate Species and Critical Habitat Affect Determination Table in Appendix B.

3. Wetlands and Aquatic Resources

Measures have been taken pertaining to the avoidance, minimization, and compensation of wetland impacts. An aquatic resource delineation was completed on October 9, 2023. The delineation effort identified six wetlands in the project area that in total occupy 0.565 acres. A Jurisdictional Determination request was sent to the USACE on March 14, 2024 and was completed on March 28, 2024. No wetlands were determined to be jurisdictional. The project will result in 0.012 acres of permanent impact to wetlands. The 0.012 acres of permanent impact is below the threshold for USACE or EO11990 required mitigation. The wetland impact summary table can be found in Appendix C.

4. Migratory Birds

Measures will be taken to minimize impacts on migratory birds in accordance with the Migratory Bird Treaty Act. Standard Special Provision (SSP 2 Federal Migratory Bird Treaty Act) will be added to the project plans during final design.

5. Bald and Golden Eagles

A query was sent to the North Dakota Game and Fish on January 17, 2024 to determine if any known eagle nests were present within ½ mile of the project area. A response received on January 19, 2024 indicated that no known bald or golden eagle nests are located within ½ mile of the project area.

6. Environmental Justice

Environmental justice analysis was completed for the project. During scoping, the Department of Housing and Urban Development (HUD) identified several properties of interest adjacent to the study area, with one property located inside the study area, and requested information regarding project-related proposed increases in noise. Based on this information, the Environmental Justice (EJ) Analysis was performed through Step 3 (attached). According to the EJ Analysis, substantial or adverse impacts to human health and the environment are not expected with this project. See EJ Analysis in Appendix E. Discussion of the noise study results are described in Item 9 of this section below. Several receptor sites were evaluated for existing and proposed noise conditions near HUD interest properties. In particular, modeled noise levels for receptors located nearest to HUD interest properties for the Future 2045 No Build modeled noise levels show increases of 1.6-2.4 A-weighted decibel (dBA), though none of the receptors approach or exceed residential noise limits. For the Future 2045 Build Alternative (SPUI), modeled noise levels show an increase of 0.6-2.3 dBA though none of the receptors approach or exceed residential noise limits. Therefore, the noise study indicates that the project does not meet the threshold for noise mitigation. Therefore, no disproportionately high or adverse impacts to identified minority or low-income populations would occur.

7. Section 4(f)/6(f)

Old Red Trail Shared Use Path is a designated City of Mandan pedestrian and bicycle trail within the Study Area. The Mandan Park District has a trailhead at the intersection of Sunset Drive and Old Red Trail. Temporary impacts to the Old Red Trail Shared Use Path are proposed during construction. Pedestrian traffic will be maintained during construction activities to the extent practicable, except for overnight closures during I-94 bridge removals and construction. The Build Alternative, once constructed, will provide a new 10' wide Shared Use Path west of Sunset Drive and will construct a 5' wide pedestrian sidewalk east of Sunset Drive, in the former location of the existing Shared Use Path.

In order to coordinate with the pertinent Section 4(f) agencies, the Section 4(f) Temporary Occupancy Concurrence Letter has been prepared and sent to the Official with Jurisdiction (Mandan Parks District) on August 15, 2024. The Section 4(f)

coordination letter signed by the Mandan Parks District on August 16, 2024, is included as Appendix D. The project will not directly impact any Section 6(f) properties, including Sunset Park, located southwest of Boundary Street NW. Access to the park will not be temporarily impacted during construction and there will be no acquisition of right of way at this location. The project will maintain pedestrian access in this area throughout the construction of the interchange, which is described in the Work Zone Safety and Mobility Control Report. Access impacts were previously coordinated with the North Dakota Parks and Recreation Department (NDPRD). Based off their Solicitation of Views response, the project does not appear to affect properties protected under Section 6(f) of the Land and Water Conservation Fund.

8. Tree Mitigation

A woody vegetation survey was performed during the aquatic resource delineation in October 2023 in the expected construction limits of the project area. This area was centered on the interchange and covered 37.03 acres. Sporadic trees and shrubs were present primarily along the outside of the ROW while small patches of trees and shrubs are located in median areas. A total of 148 trees and 156 shrubs were identified within the project area. Approximately 0.255 acres of trees and shrubs and 97 individual trees are anticipated to be removed for Option 1a (Signalized Intersection at Old Red Trail) and 0.255 acres of trees and shrubs and 94 individual trees are anticipated to be removed for Option 1b (Two Lane Roundabout at Old Red Trail). Impacts to trees within city limits requires replacement per local policy. In the absence of local policy, NDDOT will coordinate tree replacement with the local public agency.

9. Noise

The project meets the definition of a Type 1 Project per 23 CFR 772.5 and thus a noise study was performed for the project study area to evaluate traffic under existing conditions and the Future 2045 No Build and Build Alternative (SPUI with Signalized Intersection at Boundary Street NW) conditions. The noise study evaluation area was determined based on a 500-ft buffer of the existing I-94 and Sunset Drive project limits that included all residential structures, commercial structures, hotels, industrial structures, schools and churches within the buffer. Noise sensitive receptor locations within the 500-ft buffer were identified to represent potentially impacted land uses that were representative of the Noise Sensitive Areas (NSAs) that are outlined in the FHWA guidance. The number and locations of the receivers (measurement and modeling locations) within each NSA was selected to adequately represent all of the noise-sensitive property units (dwellings) within that NSA including residential, noise sensitive commercial, parks, places of worship, and hotels.

Ambient noise levels were measured to identify major noise sources in the project area and validate the noise model. Acoustical modeling using FHWA-TNM 2.5 was performed in the noise study. Under existing conditions, Future 2045 No Build and Build Alternative (with both Options 1a and 1b) conditions, there are no operational traffic noise impacts that exceed the noise abatement threshold. There are no additional lanes proposed on I-94 and exit ramps will be reconstructed closer to the midline of I-94, providing added separation from existing developments. The Build Alternative is projected to reduce delays along I-94 ramps and along Sunset Drive,

which will reduce the number of vehicles queued and idling within the project limits. The results of the noise analysis for the Build Alternative indicate that projected noise levels do not exceed any thresholds and no abatements (berms, noise walls or change in roadway alignments) are required.

Noise impacts associated with removal of the existing bridges and construction of new structures include the removal of bridges and installation of new girders. The new bridges will require pile driving at the new piers. However, per City of Mandan noise ordinances sound levels should be capped at 50 decibels after 11 PM, any work performed during nighttime hours may require a variance of the City noise ordinance. It is anticipated that the demolition of the existing I-94 bridge structures would need to occur during nighttime hours.

10. Waste/Hazardous Waste Management

The North Dakota Department of Environmental Quality (NDDEQ) Division of Waste Management – Underground Storage Tanks (UST) program does have records which indicate historical and current UST within one-fourth mile radius around the project area. The NDDEQ Solicitation of Views response lists the Sunset Amoco gas station, located at 808 Boundary Street, is near the project area and has historical and current USTs. Based off additional review, there are filed incident reports of spills in close proximity of the project area. Construction is not anticipated to impact USTs or hazardous waste. If USTs, contamination, or releases are discovered during construction, mitigation and actions will follow the NDDEQ Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (Chapter 33.1-24-08).

Since the existing structures will be removed and replaced, the contractor must submit SFN 17987 to the NDDEQ 10 days prior to the beginning of activity for asbestos notification of demolition and renovation of a structure. The NDDEQ Solicitation of Views response indicated that all solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the Department's Division of Waste Management at 701-328-5166.

11. FAA Notice

The nearest airports are Landeis Airstrip, which is approximately 5.4 miles northwest and Lawler Field which is approximately 7.5 miles south of the project limits. Mobile crane equipment is anticipated to construct the new I-94 bridge structures. Based on the project location and anticipated equipment use, the FAA Notice Criteria Tool indicated that notice criteria is not exceeded in this location.

Table 3 – Right of Way Summary

Alternatives	Temporary ROW Needed	Permanent ROW Needed	US Fish & Wildlife Property Interest?	US Forest Service Property Interest?
No Build	0.0 Acres	0.0 Acres	No	No
Option 1a (Signalized Intersection at Old Red Trail)	0.088 Acres	0.106 Acres	No	No
Option 1b (Two Lane Roundabout at Old Red Trail)	0.150 Acres	0.042 Acres	No	No

The Build Alternative will require the acquisition of temporary and permanent right of way. The required amount of right of way is summarized below for each Old Red Trail intersection Option and in Table 3, Right of Way Summary.

Option 1a: Signalized Intersection at Old Red Trail

Option 1a will require 0.088 acres of temporary right of way and 0.106 acres of permanent right of way acquisition.

The signalized option at Sunset Drive and Old Red Trail intersection will require the construction of a retaining wall in the NE quadrant. This construction will affect the existing utilities in the area, as they will need to be relocated. There is also an existing private business sign and parking lot that will need to be avoided.

Option 1b – Two Lane Roundabout at Old Red Trail

Option 1b will require 0.150 acres of temporary right of way and 0.042 acres of permanent right of way acquisition.

The roundabout option at Sunset Drive and Old Red Trail intersection will require the construction of a retaining wall in the NE quadrant. This construction will affect the existing utilities in the area, as they will need to be relocated. There is also an existing private business sign that will need to be avoided.

Table 4 – Summary of Estimated Costs

Alternatives	Total Cost	Federal Funding	State Funding	Local Funding
No Build	\$0	\$0	\$0	\$0
Option 1a (Signalized Intersection at Old Red Trail)	\$52,888,000.00	\$46,837,501.40	\$4,449,000.00	\$1,601,498.60
Option 1b (Two Lane Roundabout at Old Red Trail)	\$53,194,000.00	\$47,085,147.20	\$4,449,000.00	\$1,659,852.80

G. Comments from the Draft Documented CatEX

To be completed

H. Public Concerns / Need for Public Input

Two public input meetings were held for the project, one during the feasibility study and one during the Documented CatEX public comment period. The Public Involvement Report contains a complete table of comments received and responses provided, which were discussed during these public meetings. The first public meeting was held on April 20th, 2023. The meeting was conducted as an in-person open house meeting format at Mandan Middle School with a presentation and presentation materials available online for a fifteen-day period. Four alternatives were presented during this meeting, and members of the public were asked to provide their primary and secondary choices. In general, Alternative #1 (Build Alternative - SPUI) received the most support and the option for signals or roundabouts at Old Red Trail and at Boundary Street NW received equal support from the public.

A second public meeting was held in person on November 7, 2024. The meeting was conducted as an in-person open house meeting format at Mandan Middle School with a presentation and presentation materials available online for a fifteen-day period. Alternative #1 (Build Alternative – SPUI) was presented with two options at the Old Red Trail intersection which included a signalized intersection (Option #1A) and a roundabout (Option #1B). Option #1B intersection alternative received the most public support with responders noting efficiency of traffic operations and safety as two notable features of the option.

Table 5 – Comparison of Alternatives

Alternative/ Option	Advantages	Disadvantages
No Build	• Least expensive alternative • No impact to public during construction • No temporary construction impacts • No environmental impacts	• Does not address existing deficiencies • Would require ongoing maintenance, repairs, and inspections with associated increased cost of maintenance • Does not support 2045 LOS • Does not meet project purpose and need
Build Alternative (SPUI with Signalized Intersection at Boundary Street NW)	• This configuration increases the spacing between ramp intersections from Old Red Trail and Boundary Street • Provides Acceptable LOS in 2045 • Improved safety with only one signalized intersection rather than two at a conventional diamond interchange, vehicles only cross paths at one location • Increases vertical clearance over Sunset Drive	• Higher cost alternative • Requires longer bridge structures to accommodate a wider cross-section of Sunset Drive • Both intersection options at Old Red Trail have associated property impacts • Potential embankment settlement issues • Utility impacts as noted in Table 2 • Travel delays during construction • Construction noise for the duration of the project • Unique layout of Single Point Intersection is new to the area and may result in some driver confusion due to lack of familiarity
Option 1a (Signalized Intersection at Old Red Trail)	• Acceptable 2045 LOS • Driver understanding/ease of use • For pedestrians, provided signalized crossing	• Large intersection footprint that requires retaining walls • Requires 0.0638 acres of permanent ROW • For pedestrians, crossing distances are longer and exposure to right turn on red conflicts • Increased number of conflict points between drivers and pedestrians • Increased cost for maintenance and repair of signal system
Option 1b (Two Lane Roundabout Intersection at Old Red Trail)	• Fewer conflict points • Potential reduction in queue lengths • Acceptable 2045 LOS	• Large intersection footprint that requires retaining walls • Requires 0.031 acres of permanent ROW • A Double Lane roundabout would be a newer traffic control option to the

	• Provides U-turn capability for emergency services and maintenance vehicles • No additional costs associated with the signal installation and maintenance • For pedestrians, crossing distances are shorter and pedestrians only need to cross one direction of vehicle traffic at a time • Reduces conflict points between pedestrian and vehicles.	area and may result in some driver confusion due to lack of familiarity • Vehicle flow may be continuous resulting in pedestrians waiting for gaps or relying on drivers to yield to pedestrians
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Table 6 – Recommendations

	1. Do you concur with the project concepts as proposed?		2. Which alternative should proceed with the project?		
			No Build	Build Alternative: SPUI with Signalized Intersection at Boundary Street NW	
	Yes	No		Option 1a Signalized Intersection at Old Red Trail	Option 1b Two Lane Roundabout at Old Red Trail
Office of Project Development					
Office of Operations					
Bridge Division					
Construction Services Division					
Design Division					
Bismark District					
Environmental and Transportation Services Division					
Local Government Division					
Maintenance Division					
Materials and Research Division					
Programming Division					
Planning/Asset Management Division					
City of Mandan					
FHWA					

I. Executive Decisions

1. Do you concur with the project concepts as proposed?

_____ Yes

_____ No

2. Which alternative should proceed with the project?

_____ No-Build Alternative (\$0)

_____ Build Alternative– Single Point Urban Interchange (SPUI) with Signalized Intersection at Boundary Street NW

3. If the Build Alternative is chosen, which option should proceed at Old Red Trail?

_____ Option 1a – Signalized Intersection at Old Red Trail (\$52,888,000)

_____ Option 1b – Two Lane Roundabout Intersection at Old Red Trail (\$53,194,000)

Amendments/Comments for Project No. FTF-IM-1-094(231)152:

Matt Linneman, P.E., Deputy Director for Engineering

Date

II. Environmental Impact Checklist

Environmental Impact Checklist				Y/NA	N/NA
Right of Way	1.1		Will the action require permanent right of way?	X	
		If yes:			
	1.1.1		Number of parcels: Option 1a: 2 Option 1b: 1 Number of Acres: Option 1a: 0.106 Option 1b: 0.042		
	1.1.2		Will the action involve the acquisition of the following: 10 acres or more per linear mile (not an average); or more than 3 acres per bridge, intersection, or interchange?		X
	1.1.3		Will the action involve the acquisition of land for hardship or protective purposes, or early acquisition pursuant to Federal acquisition project (23 U.S.C. 108(d))?		X
	1.1.4		Will the action require permanent acquisition of Federal fee-title land or trust lands?		X
	1.1.5		Will the action require relocation of owners or tenants?		X
		If yes:			
	1.1.5.1		Number of Homes to be Relocated: 0		
	1.1.5.2		Number of Business to be Relocated: 0		
	1.2		Are there any special property interests such as U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Forest Service, Tribal Lands, Railroad, or State School Lands?		X
		If yes:			
	1.2.1		List the type(s):		
	1.3		Will the action require temporary construction easements?	X	
		If yes:			
1.3.1		Number of parcels: Option 1a: 4 Option 1b: 3 Number of Acres: Option 1a: 0.088 Option 1b: 0.150			
1.4		Will the action require any access changes?	X		
1.5		Will the action require any access changes on Interstate?	X		
Historical and Archaeological Preservation	2.1		Will the action involve disturbance off the roadway surface?	X	
	2.2		Will the action involve disturbance to a bridge or bridge rail?	X	
		If no to both questions:	<i>The proposed action is the type of actions or activities that have No Potential to Affect Historic Properties; no further Section 106 consideration is required. Skip to Resource Category #3.</i>		
		If yes to either of the two questions above:	<i>Please contact the Cultural Resources Section to complete the following information prior to submittal of the checklist and append by reference the Cultural Resources Report and related correspondence; has this been completed?</i>	X	
	2.3		Was a Class I File Search completed?	X	
	2.4		Was a Class III Survey completed?		X
	2.4.1		Were Sites identified within the Area of Potential Effect (APE)?	X	
	2.4.2		SHPO Reference #: 24-5500		
	2.4.3		Did SHPO/THPO concur in a Finding of No Historic Properties Affected?		X
	2.4.4		Did SHPO/THPO concur in a No Adverse Effect Determination?	X	
	2.4.5		Did SHPO/THPO concur in an Adverse Effect Determination?		X
	2.5		If the action results in an Adverse Effect, the Adverse Effect documentation to FHWA was provided to the Advisory Council of Historic Preservation (ACHP) on:		
	2.5.1		Did the ACHP accept the opportunity to participate?		N/A
	2.5.2		Resolution of Adverse Effect thru a Memorandum of Agreement was completed on:		
	2.5.3		Were commitments included in the coordination with SHPO/THPO?		N/A
2.6		Commitments:			
Section 4(f)	3.1		Are there any Section 4(f) properties within and/or adjacent to the action area?	X	
		If yes:	For the following property types, indicate the name of the 4(f) property or NA:		
	3.1.1		Publicly owned parks?		
	3.1.2		Publicly owned recreation lands and/or facilities? Old Red Trail Bike Trail		
	3.1.3		Wildlife or waterfowl refuges?		
	3.1.4		Historic sites (included on or eligible for listing on the National Register of Historic Places)? 32MO358 Old Red Trail		
	3.2		Will the action result in a temporary impact?	X	
		If yes:	Please complete the following questions to determine if there is a temporary occupancy of land which may constitute a use under Section 4(f):		
	3.2.1		Will the duration of the occupancy of the Section 4(f) resource be temporary, i.e. less than the time needed for construction of the action and there will be no change in ownership of the land?	X	
	3.2.2		Will the scope of work be minor, i.e., both the nature and magnitude of the changes to the Section 4(f) resource is minimal?	X	
	3.2.3		Will there be no anticipated permanent adverse physical impacts, nor will there be interference with the activities or purpose of the resource, on either a temporary or permanent basis?	X	
	3.2.4		Will the land being used be fully restored, i.e., the resource must be returned to a condition which is at least as good as that which existed prior to the proposed action?	X	
3.2.5		<i>Has the documented agreement from the appropriate Federal, State, or local officials having jurisdiction over the resource been included?</i>	X		

	3.3		Will the action result in a permanent impact?		X
	If yes:		A Section 4(f) use will occur; please select from the following documentation types that may be used:		
	3.3.1		De Minimis Impact documentation completed and attached?		N/A
	3.3.1.1		Public Involvement was completed on?		
	3.3.2		Nationwide Programmatic Section 4(f) documentation completed and attached:		N/A
	If yes:		<i>Select the type(s) of Nationwide Programmatic that was used below.</i>		
	3.3.2.1		Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges?		N/A
	3.3.2.2		Historic Sites?		N/A
	3.3.2.3		Historic Bridges?		N/A
	3.3.2.4		Net Benefit to a Section 4(f) Property?		N/A
	If yes:		Public Involvement was completed on?		
	3.3.2.5		Negative Declaration for Independent Bikeway or Walkway* documentation completed and attached?		X
			<i>*A negative declaration Section 4(f) (May 23, 1977) is only applicable for independent bikeway or walkway construction projects that require use of publicly owned parks and recreation lands and only when the officials with jurisdiction have given approval in writing that the project is acceptable and consistent with the designated use of property that all possible planning to minimize harm has been accomplished in the location and design of the bikeway or walkway facility. No 4(f) documentation is required other than the officials with jurisdiction letter. Please refer to the provisions in the negative declaration to ensure all requirements are met.</i>		
	3.3.3		Individual Section 4(f) Evaluation completed and attached?		N/A
Section 6(f)	4.1		Does the action affect any recreational property that is encumbered by Land and Water Conservation Funds? NDPRD identified Sunset Park near the project area as a LWCF 6(f) property.		X
	If yes:		Indicate the name of the 6(f) property:		
	4.1.1		Are there temporary impacts?		X
	4.1.2		Are there permanent impacts?		X
	4.1.3		<i>Consultation with official with jurisdiction required; has the correspondence, impact map, and mitigation plan been approved and attached?</i>		N/A
Permits	5.1		Will the action require any permits from regulatory agencies?	X	
	If yes:				
	5.1.1		Will the action require a Coast Guard or USACE Individual Permit?		X
	5.1.2		List the agencies and all required permits: USACE Section 404, NDPDES		
Highway Traffic Noise	6.1		Will the action include construction of a highway on new location?		X
	6.2		Substantial Horizontal Alteration— Will the action reduce the distance between the traffic noise source and the closest receptor by half, between the existing condition to the future build condition?		X
	6.3		Substantial Vertical Alteration—Will the action remove shielding, therefore exposing the line-of-sight between the receptor and the traffic noise source? This is done by either altering the vertical alignment of the highway or by altering the topography between the highway traffic noise source and the receptor. Projects that incorporate overpasses meet this definition in accordance with 23 CFR 772 .	X	
	6.4		Will the action include the addition of a through-traffic lane(s)? This includes the addition of a through-traffic lane that functions as a High-Occupancy Vehicle (HOV) lane, High-Occupancy Toll (HOT) lane, bus lane, or truck climbing lane.	X	
	6.5		Will the action include the addition of an auxiliary lane, except for when the auxiliary lane is a turn lane? If the additional lane does not increase the number of through-traffic lanes, the definition in accordance with 23 CFR 772 is not met and an analysis is not required. [Auxiliary lanes 2,500 feet or longer meet Type I.]		X
	6.6		Will the action include the addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange?	X	
	6.7		Will the action restripe existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane?	X	
	6.8		Will the action include the addition of a new or substantial alteration of a weigh station, rest stop, ride-share lot or toll plaza?		X
	If yes to any of the above questions:		<i>The action meets the definition of a Type 1 Project per 23 CFR 772.5 and a noise analysis is required for the entire project area as defined in the environmental document; has the Noise Report been completed and appended by reference?</i>	X	

Threatened / Endangered Species	7.1		Please refer to the Design Manual Reference and Forms for the Section 7 ESA (Endangered Species Act) Guidance. Complete the NDDOT Affect Determination Table. Has the Affect Determination Table been completed?	X	
	7.2		Based on the Affect Determination Table, was a NDDOT ETS Biologist review required?	X	
		If no:	Attach the NDDOT Affect Determination Table and no further action is required.		
		If yes:			
	7.2.1		NDDOT Biologist concurred with no effect (excluding the Northern Long Eared Bat [NLEB] in certain situations); has the signed Section 7 Affect Determination Package, NDDOT Affect Determination Table, and NLEB documentation (if required) been attached?	X	
	7.2.2		Programmatic Biological Assessment (PBA) warranted; has the PBA and PBA USFWS Concurrence letter been appended by reference and PBA Project Submittal page been attached?		N/A
	7.2.3		Project-specific Biological Assessment (BA) warranted; has the project specific BA been appended by reference and project-specific USFWS Concurrence Letter been attached?		N/A
	7.2.4		Will the action may affect, likely to adversely affect federally listed endangered, threatened, or candidate species or proposed or designated critical habitat pursuant to the Endangered Species Act?		X
Bald & Golden Eagles	8.1		Will the action occur within 0.5 mile of a known nest location? See Bald and Golden Eagle Protection Act Compliance Flowchart for more information. If no, no further action required.		X
		If yes:			
	8.1.1		Based on NDDOT Biologist Review and USFWS coordination (if necessary) are any avoidance or minimization measures (AMMs) or special provisions (SPs) required to avoid impacts to eagles? If no, no further action required.		X
		If yes:	AMMs or SPs are required to be added to the plan sheets. Coordinate with NDDOT Biologist.		
	8.2		Based on NDDOT Biologist Review and USFWS coordination (if AMMs or SPs cannot be applied to project), will a take permit be needed for project impacts to bald or golden eagles?		X
Wildlife Accommodation	9.1		Will the project require any of the below work activities?	X	
			•Removal/replacement of a bridge, box culvert, cattle pass, structural plate pipe/large diameter culvert (>60 inches) •Slope/erosion/scour repair underneath a bridge •Permanent installation of wildlife-specific exclusionary fencing •Permanent installation of concrete median barriers		
		If yes:	NDDOT Biologist review required. Has project information been sent to NDDOT Biologist for review and has Biologist response (email/memo) been received?	X	
	9.1.1		Based on NDDOT Biologist Review and Agency SOV responses, are any accommodations for wildlife recommended to be incorporated into the project?		X
		If yes:	Include recommended wildlife accommodations as Decision Item.		
Migratory Birds	10.1		Will the action require a structure replacement or any of the following activities on a bridge, box culvert, structural plate pipe, cattle pass, or other large diameter culvert where migratory birds are prone to nest?	X	
		If yes:	• Work done entirely on the deck that would result in perforation of the deck or create strong vibrations that could dislodge nests underneath or on the sides of the structure • Below deck work (including scour/slope repair underneath/adjacent to bridge) • Any work on a box culvert, structural plate pipe, cattle pass, large diameter culvert NOTE - Work done entirely on the bridge deck that does not require the contractor to access areas where birds are nesting (e.g. set up debris containment, etc.) and that would not result in disturbance of nesting adults or eggs or young due to vibrations from equipment or other construction activity, will not require that SSP 2 be added to the plans. If unsure whether or not project would cause disturbance to migratory birds, contact NDDOT Biologist. Standard Special Provision required. Include SSP 2 -Are Federal Migratory Bird Treaty Act or other identified avoidance/minimization measures in plan set.		
Floodplain / Floodway	11.1		Will the action occur within a 100 year floodplain?		X
		If yes:			
	11.1.1		A floodplain permit will be required. Has the floodplain determination from the ND Department of Water Resources (DWR) and FIRM maps been attached?		
	11.2		Will the action occur within a regulatory floodway?		N/A
		If yes:	A floodway authorization is required from the ND Department of Water Resources (DWR).		
	11.2.1		Will the action cause any measurable decrease in the hydraulic conveyance in the affected area?		X
		If yes:	A permit will NOT be granted and the alternative will NOT be approved.		

Clean Water Act	12.1		Please refer to the Design Manual Reference and Forms for the Wetland/OW Impact Table Template and attach a completed table for the action. Has a completed Wetland/OW Impact Table been attached?	X	
	12.2		Based on the Wetland/OW Impact Table, is wetland mitigation required?		X
	If yes:				
	12.2.1		<i>Wetland mitigation proposed onsite requires a conceptual mitigation plan (aerial photo with site boundary). If onsite wetland mitigation is proposed, has the conceptual mitigation plan been attached?</i>		N/A
	12.3		Will the action disturb a contiguous area equal to one acre or greater, or disturb multiple sites of activity, that cumulatively have an area of disturbance of one acre or greater?	X	
	If yes:		<i>A Construction Stormwater Permit is required: please ensure that the Special Provision 3(14) regarding Temporary Erosion and Sediment Best Management Practices is included in the plan set.</i>		
	12.3.1		Will the action occur in part or entirely on reservation land?		X
	If yes:		<i>The NPDES Sign will need to be used in the plan set.</i>		
Temporary Construction	12.4		Is the action within a small Municipal Separate Storm Sewer System (MS4) regulated community?	X	
	If yes:				
	12.4.1		Does the action implement Post-Construction Stormwater Management for New Development and Redevelopment?	X	
	13.1		Will the action require a roadway, bridge, or ramp closure?	X	
	13.2		Will the action include a temporary bridge or roadway (i.e. temporary bypass)?		X
	13.3		Will the action require a detour?		X
	If yes:				
13.3.1		Distance (miles):			
		Route:			
Public Involvement	13.4		Has a description of any of the below been provided in the Work Zone Traffic Control section of the PCE/DCE?	X	
			Through traffic dependent businesses. Provisions made to accommodate any local special events or festivals. MOT (Maintenance of Traffic) substantially impacts to environmentally sensitive resources. Any substantial controversy associated with the proposed MOT.		
	13.5		Coordination has been completed with local emergency services, schools, and transit?	X	
	14.1		Were any Public Meetings conducted or scheduled?	X	
	If yes:		Identify which type(s):		
	14.1.1		Public Input Meeting April 20, 2023 & November 7, 2024 - Mandan Middle School		
	14.1.2		Public Input Meeting April 20, 2023 & November 7, 2024 - Mandan Middle School		
14.1.3		Public Hearing N/A			
Early Coordination	15.1		<i>Have the Master SOV List, SOV emails (PCE level)/letters, and Responses been attached in an Appendix titled Solicitation of Views?</i>	X	
Environmental Justice (EJ)	16.1		Complete the EJ Analysis Guidance and attach within the appendix. Has the EJ Analysis Guidance been completed and attached?	X	
	16.2		Are there any readily identifiable minority or low-income populations within the project study area?		X
	If no:		<i>There are no readily identifiable minority or low-income populations affected by the project.</i>		
	If yes:				
	16.2.1		Will the action cause any disproportionately high or adverse impacts to identified minority and/or low-income populations? Substantial or adverse impacts to human health and environment are not expected with the project. Therefore, no disproportionately high or adverse impacts to identified minority or low-income populations would occur.		X
Environmental Commitments	17.1		List Environmental Commitments beyond what is included in the Standard Specifications for Road and Bridge Construction: SSP 2, SFN 17987, Tree Mitigation		

Air Quality	18.1	Project is not located within or adjacent to USEPA-defined Non-Attainment Area and complies with the State Implementation Plan.		
Economic	19.1	Will the action result in a decrease in business or economic activity along the project corridor?		X
Farmland	20.1	Will the action convert farmland (prime, unique, other than prime or unique that is of statewide importance or local importance) to nonagricultural use?		X
	If yes: 20.1.1	Does the action involve land disturbance of 10 acres or less per linear mile or 3 acres per bridge, intersection, or interchange outside of the existing right of way or within city limits?		N/A
	20.1.2	Pursuant to Section 310 of the General Manual, Subpart A, 403.4(b) (4), the project is exempt from FPPA; no further action is required.		
	If yes: 20.1.2.1	Does the action involve land disturbance of 10 acres or more per linear mile or greater than 3 acres per bridge, intersection, or interchange outside of the existing right of way?		N/A
		NRCS Consultation is required; has the Farmland Conversion Form been attached?		X
Hazardous Waste Sites	21.1	Will the action require purchase of right of way or easement that may involve or affect hazardous materials?		X
	If yes: 21.1.1	NDDEQ Consultation required; has the Environmental Site Assessment been completed and appended by reference?		N/A
	21.2	Will the action involve construction in an area that contains hazardous materials and/or hazardous waste?		X
	If yes: 21.2.1	NDDEQ Consultation required; has the Environmental Site Assessment been completed and appended by reference?		N/A
Land Use	22.1	Will the action be consistent with plans and policies on land use and growth in the area?	X	
	If yes: 22.1.1	List the planning documents consulted. • Arrive 2045 Bismarck-Mandan Metropolitan Transportation Plan (March 2020) • Bismarck-Mandan Intersection Analysis Study (December 2020) • Bismarck-Mandan Bicycle + Pedestrian Plan (December 2017) • I-94 Corridor Study (August 2014 / May 2015) • Mandan Land Use and Transportation Plan (February 2015) • Mandan-Bismarck Corridor Improvement Study (August 2016) • North Dakota DOT Traffic Operations Manual (October 2021) • North Mandan Subarea Transportation Study (August 2013) • Transit Development Plan (April 2019) • Travel Model Review and Socio-Economic Update Study (December 2018) • Sunset Drive Corridor Study (underway)		
Pedestrians / Bicyclists	23.1	Are existing pedestrian/bicycle facilities in the study area?	X	
	If yes: 23.1.1	Are the existing pedestrian/bicycle facilities included in the local plan?	X	
	If yes: 23.1.2	List the name of the plan consulted: Bismarck-Mandan Bicycle and Pedestrian Plan Will the action affect existing pedestrian/bicycle facilities?	X	
	If yes: 23.2	Temporary: Old Red Trail Shared Use Path from Boundary St. to 27th St. N for the duration of construction Permanent:		
	If yes: 23.2.1	Will the action include proposed pedestrian/bicycle facilities?	X	
	If yes: 23.2.2	Is the proposed pedestrian/bicycle facility included in the local plan?	X	
	If yes: 23.2.3	List the name of the plan consulted: Bismarck-Mandan Bicycle and Pedestrian Plan		
Social	24.1	Will the action cause a change in neighborhood or community cohesion?		X
	If yes: 24.1.1	Temporary		N/A
	24.1.2	Permanent		N/A
	24.2	Will the action cause a change in travel patterns or accessibility?	X	
	If yes: 24.2.1	Temporary	X	
	24.2.2	Permanent		X
	24.3	Will the action cause an impact (mobility/safety) to the emergency services, schools (bus routes), or transit?	X	
	If yes: 24.3.1	Temporary	X	
	24.3.2	Permanent		X
State Scenic Rivers	25.1	Will the action impact the Little Missouri River within the area designated as a State Scenic River, which starts from the ND-SD border and terminates at its juncture with Lake Sakakawea? (-NDCC, Chapter 61-29)		X
	If yes:	Coordination with State Scenic River Commission is required, attach documentation.		
Visual	26.1	Will the action fit within the existing visual environment; i.e. transportation corridor?	X	

APPENDICES

Appendix A

Solicitation of Views

Type	Code	Letter	Notes	CTitle	First	Last	Title	Department	Agency	Email	Address	City	State	Zip	Phone	Fax	Date Edited
STATE	100	5	Send the Letter 5 to the assigned cultural representative who signed the Section 106 Coordination Form. They will then solicit NDSHPO.				Cultural Resource Specialist	Cultural Resource Section	ND Department of Transportation	NDDOT to send out letter.	608 E. Boulevard Ave.	Bismarck	ND	58505-0700			09/27/23
STATE	100	5					Cultural Resource Specialist	Cultural Resource Section	ND Department of Transportation	NDDOT to send out letter.	608 E. Boulevard Ave.	Bismarck	ND	58505-0700			09/27/23
STATE	100	1		Mr.	Nathan	Davis	Executive Director		Indian Affairs Commission	nathan.davis@nd.gov	600 E. Blvd. Ave. 1st Floor, Judicial Wing, Rm 117	Bismarck	ND	58505-0300			11/09/21
STATE	100	1		MG	Alan	Dohrmann	Adjutant General		ND National Guard	alan.s.dohrmann.mil@army.mil	PO Box 5511	Bismarck	ND	58506-5511	701-333-2065		07/14/23
STATE	100	1		Mr.	Justin	Messner	Disaster Recovery Chief	Department of Homeland Security	ND Department of Emergency Services	jmessner@nd.gov	PO Box 5511	Bismarck	ND	58506	701-328-8107		05/22/19
STATE	100	1		Mr.	Bruce	Kreft	Supervisor	Conservation Section	ND Game & Fish Department	bkreft@nd.gov	100 Bismarck Expressway	Bismarck	ND	58501-5095	701-328-6224	701-328-6352	07/14/23
STATE	100	1		Mr.	Cody	Schulz	Director		ND Parks & Recreation Dept.	parkrec@nd.gov	604 E Boulevard Ave, Dept. 750	Bismarck	ND	58503-0649	701-328-5357	701-328-5357	01/11/22
STATE	100	1					Project Reviews		Department of Water Resources	dwprojectreview@nd.gov	900 E. Blvd. Ave.	Bismarck	ND	58505-0850			01/11/22
STATE	100	1		Dr.	Jodi	Delozier	Soil Conservation Program Director and Specialist	NDSU Extension	Soil Conservation Committee	jodi.delozier@ndsu.edu	NDSU Dept. 7390, PO Box 6050	Fargo	ND	58108-6050	701-231-1861		04/10/23
STATE	100	1 / 4	Letter #1 is the General Letter Letter# 4 is Specific NDDEQ coordination Do not include in Main merge	Mr.	David	Glatt	Director		ND Department of Environmental Quality	dglatt@nd.gov	4201 Normandy St.	Bismarck	ND	58503-1324	701-328-5150	701-328-5200	01/11/22
STATE	100	6	Separate SOV letter- do not include in main merge				Project Reviews		Department of Water Resources	dwprojectreview@nd.gov	900 E. Blvd. Ave.	Bismarck	ND	58505-0850	701-328-4940		03/08/22
FEDERAL	100	1		Mr.	Timothy	LaPointe	Regional Director	Great Plains Regional Office	Bureau of Indian Affairs	timothy.lapointe@bia.gov	115 4th Ave. SE, Suite 400	Aberdeen	SD	57401			10/13/16
FEDERAL	100	1		Mr.	Marc	Kress	North Dakota Maintenance Manager	Western Area Power Admin.	US Department of Energy	kress@wapa.gov	PO Box 1173	Bismarck	ND	58502-1173			03/19/19
FEDERAL	100	1	Refer to map that identifies the appropriate USFWS Wetland Management District office and mailing address located in the area specific to the project.				Manager		US Fish & Wildlife Service	Email address listed on the map for appropriate USFWS Wetland Management District office.	Refer to map that identifies the appropriate USFWS Wetland Management District office and mailing address located in the area specific to the project.	Refer to map.	ND	Refer to map.			08/07/19
FEDERAL	100	7	Separate SOV letter- do not include in main merge.		Kathy	Baer	Manager	Audubon WMD	US Fish & Wildlife Service	kathy_baer@fws.gov	3275 11th Street NW	Coleharbor	ND	58531			11/07/12
TRANSIT	100	1	Send to Transit Agency(s) in the project's county. See the Transit Agencies excel tab for mailing information.					Send hard copy to Transit Agency(s) in the project's county. See the Transit Agencies excel tab for mailing information.									05/31/16
STATE	200	1	Use when there are tree impacts or on ND Forest Service land	Mr.	Thomas	Claeys	State Forester		ND Forest Service	Thomas.Claeys@ndsu.edu	916 East Interstate Ave., Suite #4	Bismarck	ND	58503-1227	701-328-9945		05/22/19
STATE	200	1	Regrading/ROW acquisition (Major Rehab/Reconstruction)	Mr.	Edward	Murphy	State Geologist		ND Geological Survey	emurphy@nd.gov	600 E. Blvd. Ave.	Bismarck	ND	58505-0840	701-328-8000	701-328-8010	10/13/16
FEDERAL	200	1		Mr.	Amundson	Erik	Regional Administrator	Regional Office	Department of HUD	erik.amundson@hud.gov	1670 Broadway, Ste. 200	Denver	CO	80202-4813	303-672-5440		9/9/2021
FEDERAL	200	2	Separate SOV letter- do not include in main merge	Mr.	Benjamin	Soiseth	Manager	ND Regulatory Office	US Army Corps of Engineers	CENWO-OD-RND@usace.army.mil	3319 University Drive	Bismarck	ND	58504			11/12/20
FEDERAL	200	1	Regrading/ROW acquisition	Mr.	Joel	Galloway	Supervisor	Water Resources Division	US Geological Survey	jgalloway@usgs.gov	821 E. Interstate Ave.	Bismarck	ND	58501			10/13/16
ADVOCACY	200	8	Separate SOV letter- do not include in main merge. Use only on projects that have an upcoming public meeting planned for the project.	Advocacy	Group	Contact		The Designer or Technical Support Contact shall scan the signed letter, and email it to their respective Administrative Assistant. The Administrative Assistant shall forward the letter to the Advocacy Group using GovDelivery.									09/21/15
ADVOCACY	200	8	Separate SOV letter- do not include in main merge. Use only on DCE projects through or adjacent to communities, and for all EA/EIS.	Advocacy	Group	Contact		The Designer or Technical Support Contact shall scan the signed letter, and email it to their respective Administrative Assistant. The Administrative Assistant shall forward the letter to the Advocacy Group using GovDelivery.									09/21/15
CITY	300	1		Mr.	Greg	Welch	Finance Director	Finance Department	City of Mandan	gwelch@cityofmandan.com	205 2nd Ave NW	Mandan	ND	58554	701-667-3213		
CITY	300	1		Mr.	Mike	Braun	Commissionner	Board of City Commissioners	City of Mandan	mbraun@cityofmandan.com	205 2nd Ave NW	Mandan	ND	58554	701-391-3667		
CITY	300	1		Mr.	Tim	Helbling	Mayor	Board of City Commissioners	City of Mandan	tim.helbling@cityofmandan.com	205 2nd Ave NW	Mandan	ND	58554	(701) 667-7460		
CITY	300	1		Mr.	Justin	Froseth	City Engineer	Engineering Department	City of Mandan	jfroseth@cityofmandan.com	205 Second Ave NW	Mandan	ND	58554	701-667-3225		
CITY	300	1		Mr.	Jason	Ziegler	Police Chief	Mandan Police Department	City of Mandan		205 1st Avenue NW	Mandan	ND	58554	(701)667-3250		
CITY	300	1		Mr.	Steve	Nardello	Fire Chief	Mandan Fire Department	City of Mandan	snardello@nd.gov	110 Collins Avenue Mandan	Mandan	ND	58554	(701) 667-3288 Ext. 7901		
CITY	300	1		Mr.	Jim	Neubauer	City Administrator	Administration Department	City of Mandan	jneubauer@cityofmandon.com	205 2nd Ave NW	Mandan	ND	58554	(701) 667-3210		
CITY	300	1		Mrs.	Wendy	Van Duyn	Chair	Chamber of Commerce	City of Mandan	Wendy.VanDuyne@stantec.com	1640 Burnt Boat	Bismarck	ND	58503	701-223-5660		
CITY	300	1		Ms.	Madison	Cermak	Director	Business Development & Communications	City of Mandan	mcermak@cityofmandan.com	205 Second Avenue NW	Mandan	ND	58554	701-667-3485		
CITY	300	1		Mr.	Wade	Meschke	President	Park Board	City of Mandan	wmeschke@mandanparks.com	2600 46th Avenue SE	Mandan	ND	58554			
CITY	300	1		Mr.	Cole	Higlin	Director	Parks & Recreation	City of Mandan	chiglin@mandanparks.com	2600 46th Avenue SE	Mandan	ND	58554			
CITY	300	1		Mr.	Andrew	Stromme	Principal Planner	Planning/Zoning Committee	City of Mandan	andrew.stromme@cityofmandan.com	205 Second Ave NW	Mandan	ND	58554	701-667-3225		
CITY	300	1		Mr.	Mitch	Bitz	Director	Public Works	City of Mandan	mbitz@cityofmandan.com	411 6th Ave SW	Mandan	ND	58554	701-667-3240		
CITY	300	1		Mr.	Duane	Friesz	Water Treatment Superintendent	Water Works	City of Mandan	mandanwtp@midconetwork.com	1994 38th St	Mandan	ND	58554	701-667-3275		
CITY	300	1		Dr.	Mike	Bitz	Superintendent	Mandan Pulic Schools	Mandan School District	Mike.Bitz@msd1.org	901 Division St. NW	Mandan	ND	58554	(701) 751-6500		
COUNTY	400	1		Ms.	Dawn	Rhone	Auditor	Finance	Morton County	dawn.rhone@mortonnd.org	210 2nd Ave NW	Mandan	ND	58554	701-667-3300		
COUNTY	400	1		Mr.	Tim	Nilsen	Director	Park Board	Morton County	tim.nilsen@mortonnd.org	210 2nd Ave NW	Mandan	ND	58554	701-667-3363		
COUNTY	400	1		Mr.	Wade	Bachmeier	Chairman	Water Resource District	Morton County	wade@landmarknd.us	8028 Willow RD NE	Mandan	ND	58554			
COUNTY	400	1		Ms.	Natalie	Pierce	Director	Planning/Zoning Committee	Morton County	natalie.pierce@mortonnd.org	2916 37th St NW	Mandan	ND	58554	701-667-3361		
COUNTY	400	1		Mr.	Aaron	Steckler	Chairman	Soil Conservation District	Morton County		2540 Overlook Ln	Mandan	ND	58554	701.667.1163		
COUNTY	400	1		Mr.	Nathan	Boehm	Chairman	County Commissioners	Morton County	nathan.boehm@mortonnd.org	210 2nd Ave NW	Mandan	ND	58554	701-220-8174		
COUNTY	400	1		Mr.	Patrick	Martin	Emergency Manager	Emergency Mangement	Morton County	patrick.martin@mortonnd.org	210 2nd Ave NW	Mandan	ND	58554	701-667-3307		
COUNTY	400	1		Mr.	John	Saiki	Highway Engineer/Supervisor	Highway Department	Morton County	john.saiki@mortonnd.org	2916 37th Street NW	Mandan	ND	58554	701-667-3346		
COUNTY	400	1		Mr.	Kyle	Kirchmeier	Sheriff	Morton County Sheriff's Office	Morton County	kyle.kirchmeier@mortonnd.org	205 1st Ave NW	Mandan	ND	58554	(701) 667-3330		

Type	Code	Letter	Notes	CTitle	First	Last	Title	Department	Agency	Email	Address	City	State	Zip	Phone	Fax	Date Edited
STATE	500	1	Use if project is within 5 miles of airport	Mr.	Kyle	Wanner	Director		ND Aeronautics Commission	kcwanner@nd.gov	PO Box 5020	Bismarck	ND	58502-5020			10/13/16
STATE	500	1	Use on projects such as rest areas and those that would affect visitor services	Ms.	Sara	Otte Coleman	Director	Century Center	ND Tourism Division	socoleman@nd.gov	1600 E. Century Ave., Suite 2	Bismarck	ND	58503-2057			10/13/16
STATE	500	1	Use on projects that are within 0.5 mile of ND Trust owned lands.	Mrs.	Kayla	Spangelo	Natural Resources Professional	Right of Way	ND Trust Lands	kspangelo@nd.gov	1707 N 9th St	Bismarck	ND	58501	701-328-1916	701-328-3650	02/09/21
FEDERAL	500	1	Use if project is within 5 miles of an airport identified in ND Aeronautics Commission Airport Directory (and Airport named in SOV email) OR if a structure (temporary or permanent) is associated with proposed project exceeds 200 feet in height in the State of ND.														
FEDERAL	500	1	Use if project is on, or if project is within 1 mile of the NPS Lewis and Clark National Historic Trail auto tour. See excel spread sheet tab for routes.														
							Manager	Bismarck Airports District Office	Federal Aviation Administration	david.p.anderson@faa.gov	2301 University Drive, Bldg 238	Bismarck	ND	58504			08/13/18
FEDERAL	500	1		Mr.	Mark	Weekley	LECL Superintendent		Lewis & Clark NHT	mark_weekley@nps.gov	601 Riverfront Drive	Omaha	NE	68102	402-661-1806		10/13/16
REGIONAL	500	1		Mr.	Brent	Ekstrom	Executive Director	Region 7	Regional Planning Council	brent@lcdgroup.org	200 1st Avenue NW Suite 100	Mandan	ND	58554			
REGIONAL	500	1							Center City Partnership		PO Box 5503	Bismarck	ND	58506-5503			
REGIONAL	500	1		Ms.	Dawn	Kopp	Chief Executive Officer		Downtown Business Association	gettr@downtownbismarck.com	400 E. Broadway Ave.	Bismarck	ND	58501	701-223-1958		
REGIONAL	500	1		Ms.	Rachel	Lukaszewski	Executive Director		Bismarck/Mandan MPO	rdrewlow@bismarcknd.gov	221 N 5 Street, P.O. Box 5503	Bismarck	ND	58506	701-355-1852		03/16/22
REGIONAL	500	1		Ms.	Deidre	Hughes	Director		Bis-Man Transit Board	dhughes@bismantransit.com	3750 East Rosser Ave	Bismarck	ND	58501	701-258-6817		
REGIONAL	500	1					Township Board		? Township								
COMMRL	600	Prelim Only	Electric	Mr.	Jesse	Kuhn			Mor-Gran-Sou Elec. Co-Op	jkuhn@morgransou.com	2719 34th St. NW	Mandan	ND	58554	701-220-3753		
COMMRL	600	Prelim Only	Gas	Mr.	Jason	Hassebrock	Field Operations Coordinator	MDU Gas	Montana-Dakota Utilities Co.	Jason.hassebrock@mdu.com	400 N 4th St	Bismarck	ND	58501	701-224-5819		
COMMRL	600	Prelim Only	Gas	Mr.	Beau	Ackerman			WBI Energy Transmission	beau.ackerman@wbienrgy.com	2010 Montana Ave	Glendive	MT	59330	406-359-7265		
COMMRL	600	Prelim Only	Water and Sanitary	Mr.	Mitch	Bitz	Public Works Director	Public Works	City of Mandan	mbitz@cityofmandan.com	411 6th Ave SW	Mandan	ND	58554	701-667-3240		
COMMRL	600	Prelim Only	Communications	Mr.	Evan	Biegler	Regional Construction Project Manager		Mid-Continent Communications	Evan.Biegler@midco.com	529 S 7th St.	Bismarck	ND	58504	701-220-9597		
COMMRL	600	Prelim Only	Communications	Mr.	Mike	Mack			Dakota Carrier Network	mmack@dakotacarrier.com	3901 Great Plains Drive South	Fargo	ND	58104	701-364-1305		
COMMRL	600	Prelim Only	Electric	Mr.	Matt	Williams		MDU-Electric	Montana-Dakota Utilities Co.	matt.williams@mdu.com	909 Airport Rd.	Bismarck	ND	58504	701-456-7154		
COMMRL	600	Prelim Only	Communications	Mr.	Cody	Pulkrabek	Network Implementation Engineer II		Lumen	cody.pulkrabek@lumen.com	1101 16th St. NE	Mandan	ND	58554	701-415-7053		
COMMRL	600	Prelim Only	Communications						Anvig Enterprises*		4007 State St.	Bismarck	ND	58503	701-222-1050		

County	Type	Code	Letter	Notes	CTitle	First	Last	Title	Agency	Email	Address	City	State	Zip	Phone	Fax	Date Edited
Morton	Transit	100	1		Ms.	Deidre	Hughes	Director	Bis-Man Transit Board	dhughes@bismarcktransit.com	3750 East Rosser Ave	Bismarck	ND	58501	701-258-6817		02/09/2021
Morton	Transit	100	1		Ms.	Nancy	Bittner	Director	Glen Ullin City Transportation	gutimes@westriv.com	PO Box 443	Glen Ullin	ND	58631	701-348-3325		02/09/2021
Morton	Transit	100	1		Mr.	Cem	Onbasi	Accountant	Jefferson Lines	Conbasi@jeffersonlines.com	2100 East 26th St	Minneapolis	MN	58404	612-359-3408		02/09/2021
Morton	Transit	100	1		Ms.	Pam	Ternes	Director	Standing Rock Public Transportation	pam.ternes@sittingbull.edu	9299 Hwy 24	Fort Yates	ND	58538	701-854-8075		02/09/2021
Morton	Transit	100	1		Ms.	Carol	Anderson	Director	West River Transit	westriver.bisman@midconetwork.com	3750 E Rosser Ave	Bismarck	ND	58501	701-224-1876		02/09/2021



February 6, 2024

«CTitle» «First» «Last»

«Title»

«Department»

«Agency»

«Address»

«City», «State» «Zip»

«Email»

PROJECT NO. 1-094(231)152, PCN 23594
I-94 AND SUNSET DRIVE INTERCHANGE, EXIT 152
MORTON COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area (Exhibit 1).

The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative includes the construction of a Single Point Urban Interchange (SPUI) which will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Alternative 1a, Exhibit 2) or 2) two-lane roundabout (Alternative 1b, Exhibit 3).

The project is anticipated to be constructed over multiple years, with a tentative start during the 2027 construction season.

It is anticipated the interchange will be reconstructed while maintaining traffic, however alternate routes may be required at times and have not been identified yet.

Acquisition of permanent and temporary right-of-way is anticipated, though the amounts are yet to be determined.

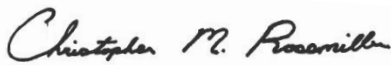
To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in

any property which your department may own or have an interest in and which would be adjacent to the proposed roadway improvement. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed roadway facility. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

It is requested that any comments or information be forwarded to our office on or before 03/08/2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact Chris Rossmiller at Christopher.Rossmiller@meadhunt.com in Bloomington, MN.



CHRIS ROSSMILLER, PE
Project Manager

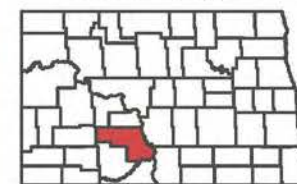
cr/md

Enclosure

Project Alternatives Exhibits
Exhibit 1 - Initial Study Area
Exhibit 2 - Alternative 1a
Exhibit 3 - Alternative 1b

Exhibit 1

Morton County, ND



Source: (USGS)

 Study Area

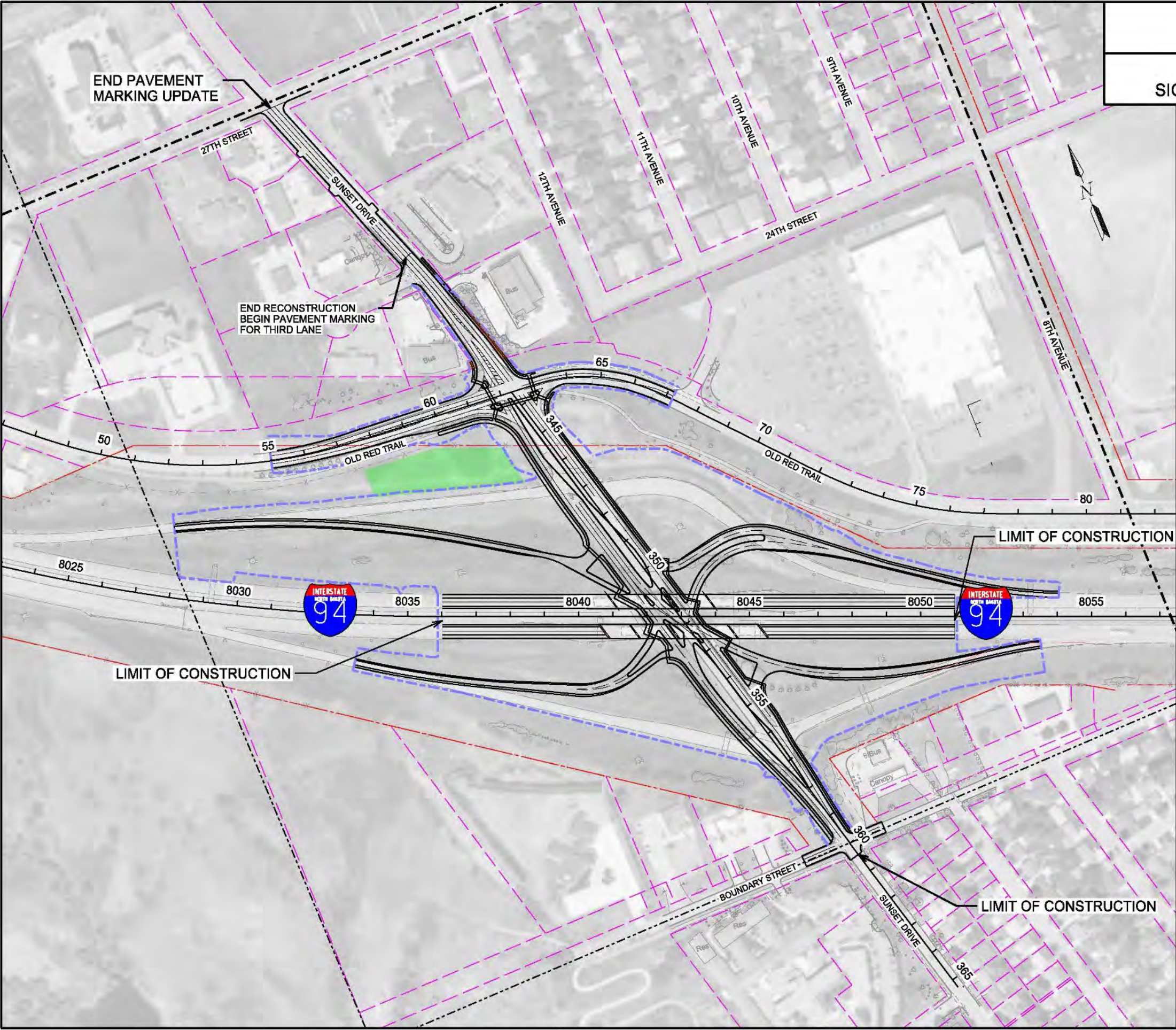
- Road Mile Markers

PLSS Sections

Project: PCN: 23594
Project No.: 1-094(231)152
Drawn By: MED
Date: 1/03/2024

NORTH
Dakota | Transportation
Be Legendary.

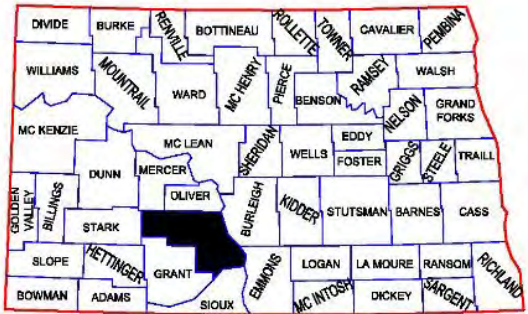




STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	IM-1-094(231)152	004	1

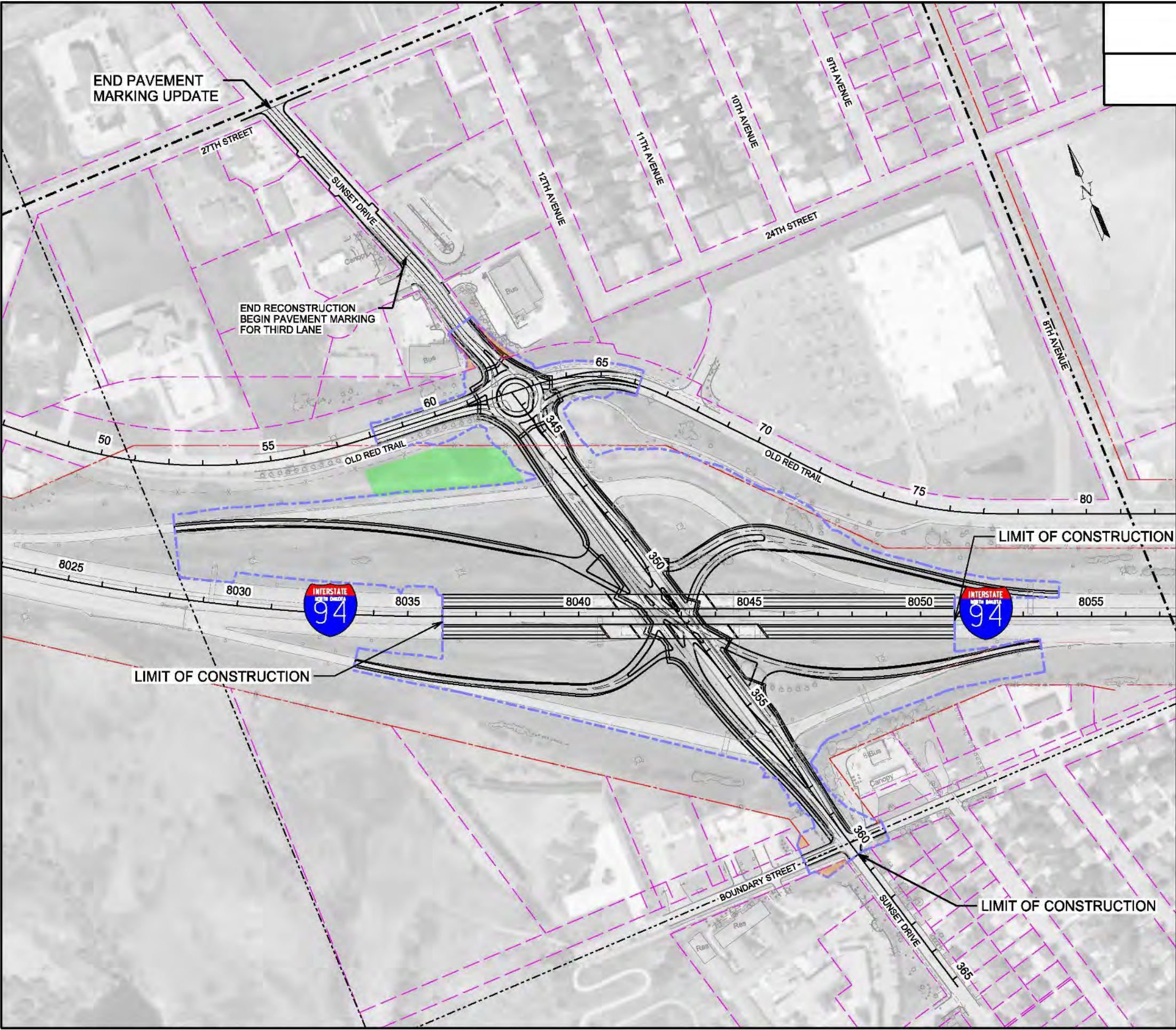
ALTERNATIVE 1, OPTION 1A:
SIGNALIZED INTERSECTION AT OLD RED TRAIL

- LEGEND
- SECTION LINE
 - QUARTER SECTION LINE
 - RIGHT OF WAY
 - PARCEL LINE
 - CONSTRUCTION LIMIT
 - STAGING AREA/LAY DOWN YARD
 - PROPOSED ROW ACQUISITION



STATE COUNTY MAP

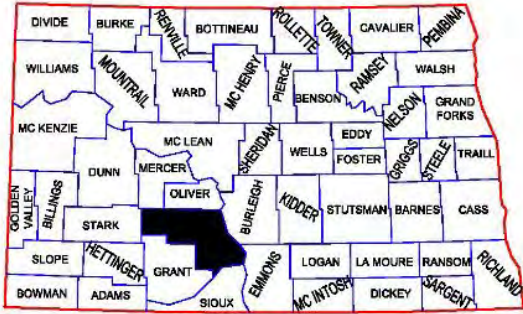




STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	IM-1-094(231)152	004	1

ALTERNATIVE 1, OPTION 1B
ROUNDBOUT AT OLD RED TRAIL

- LEGEND
- SECTION LINE
 - QUARTER SECTION LINE
 - RIGHT OF WAY
 - PARCEL LINE
 - CONSTRUCTION LIMIT
 - STAGING AREA/LAY DOWN YARD
 - PROPOSED ROW ACQUISITION



STATE COUNTY MAP





January 10, 2024

Benjamin Soiseth, State Program Manager
US Army Corps of Engineers
North Dakota Regulatory Office
3319 University Drive
Bismarck, ND 58504

AQUATIC RESOURCES JURISDICTIONAL REQUEST
1-094(231)152, PCN 23594
I-94 AND SUNSET DRIVE INTERCHANGE, EXIT 152
MORTON COUNTY

The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative (Alternative 1) includes the construction of a Single Point Urban Interchange (SPUI) which will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Option 1a, Exhibit 1) or 2) two-lane roundabout (Option 1b, Exhibit 2).

The project is planned to be built during the 2027 construction season.

Aquatic resources in the vicinity of the project include ephemeral drainages and unnamed wetlands. A map indicating the delineated wetlands within the project area is enclosed in the attached delineation report. There were no other waters delineated in the project area.

Please provide an approved jurisdictional determination (AJD) for each of the waterbodies and/or wetlands and identify them on the enclosed table.

NDDOT grants the US Army Corps of Engineers right of entry to legally access any of the project area within roadway right of way. Any areas outside of roadway right of way require notification so NDDOT can accompany you to the field or obtain permission where necessary.

If further information is desired regarding the proposed roadway improvement, please contact Russell Senske at (701)328-2188 in Bismarck, ND.

RUSSELL SENSKE
MD/RS
Enclosure:
1-094(231)152 Aquatic Resources Delineation Report PCN 23594

March 4, 2024

Mr. William Peterson, PhD
ND State Historic Preservation Officer
ND Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Attn: Lisa Steckler, Project Review Coordinator

CONSULTATION ON NDDOT PROJECTS, STATE HIGHWAY SYSTEM

We are initiating consultation on the following Project. This letter is intended to give you information on the proposed project and how we intend to proceed to meet our responsibilities under Section 106 of the National Historic Preservation Act of 1966 (as revised 1992). Further, it is intended to solicit your views pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969. We would appreciate your comment on the Project and our planned cultural resource work, and discussion of any concerns you may have regarding historic properties which may be affected by the Project.

NDDOT Project #:	1-094(231)152	PCN: 23594	
Legal Location:	Morton County	T139N R81W	Sections 21 & 22

Project Type: The Project includes bridge replacement for structure 0094-152.329 to correct the structural deficiencies, including cracking of abutments, damaged beams, delamination, and pavement conditions. The Project also includes reconstruction of the Sunset Drive and I-94 interchange to a different configuration, with intersection improvements on Sunset Drive at Old Red Trail and Boundary Street NW.

Purpose and Need: The purpose of the project is to reconstruct the I-94 and Sunset Interchange to address deficiencies in the existing layout, including issues with current traffic operations, future Level of Service (LOS), and low vertical clearance beneath I-94 (14'-0") which limit movements. The bridge structure 0094-152.329 L and R will be replaced as part of the project to correct the structural deficiencies, including cracking of abutments, damaged beams, delamination, and pavement conditions.

Project Description: The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative includes the construction of a Single Point Urban Interchange (SPUI) which will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Alternative 1a, Exhibit 2) or 2) two-lane roundabout (Alternative 1b, Exhibit 3).

The project is anticipated to be constructed over multiple years, with a tentative start during the 2027 construction season. It is anticipated the interchange will be reconstructed while maintaining traffic, however alternate routes may be required at times and have not been identified yet. Acquisition of permanent or temporary right-of-way (ROW) is anticipated, although the amounts are yet to be determined.

APE: The APE is the footprint of the Project with additional ROW mentioned above.

Justification: All project effects will be within the existing ROW as well as any new contiguous ROW.

Proposed Cultural Resource Work: No further work is needed.

Justification: Juniper conducted a Class I Cultural Resource Inventory and report (Morrison 2024; ROI) which NDDOT has reviewed and accepted. The Class I Literature Search revealed that the site distribution is dense and included 213 cultural resources on file at the time of the file search.

One previously recorded cultural resource, eligible site 32MO358, is located within the APE and revisited during this inventory. The site is a segment of the Old Red Trail/ND Highway 10 and crosses into the northwestern portion of the APE. As this portion of the site is a modern roadway, the construction efforts will not be negatively impacting any un-altered portions of the site.

Three churches, sites 32MO1321, 32MO1323, and 32MO1322, are located near the APE but will be avoided by the construction as currently planned. The Mandan Commercial National Register Historic District is located approximately 1 mile to the south of the APE and will not be impacted by the project.

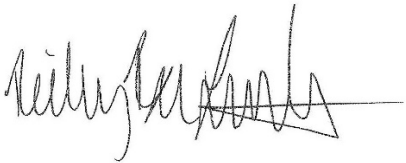
The Advisory Council on Historic Preservation adopted the Exemption Regarding Effects to the Interstate Highway System in 2005 (70 FR 11928). This exemption relieves Federal agencies from the requirement of taking into account the effects of their undertakings on the Interstate Highway System, except with regard to certain individual elements or structures that are part of the system. As such, no further Section 106 review is required for structure 0094-152.329.

Other Consulting Parties: The TCC is consulted on all NDDOT projects.

Plan for Public Involvement: SOV letters were sent to a variety of associated agencies on 2/9/2024. Various commission meetings have been held to discuss the Project.

We are requesting your concurrence with this finding of ***No Adverse Effect*** for the proposed Project as a whole. If you need further information on the proposed project, please contact me.

Sincerely,



Reilly Lembo, M.S.
Archaeologist II, NDDOT-ETS(CRS)



March 18, 2024

Reilly Lembo
ND Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

ND SHPO Ref.: 24-5500 "Class I Literature Review for I-94 and Sunset Drive Interchange Improvement in Mandan, Morton County, ND, NDDOT Project 1-094(231)152, PCN 23594" in portions of [T139N R81W Sections 21 & 22] Juniper 853

Dear Reilly,

We have reviewed ND SHPO Ref.: 24-5500 "Class I Literature Review for I-94 and Sunset Drive Interchange Improvement in Mandan, Morton County, ND, NDDOT Project 1-094(231)152, PCN 23594" in portions of [T139N R81W Sections 21 & 22] Juniper 853 as submitted to our office on March 4, 2024. It is our understanding that all three churches will be avoided by the proposed undertaking. We concur with a determination of "No Adverse Effect" for this project provided it takes place in the location and manner described in the documentation.

Thank you for the opportunity to review this project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577, e-mail lsteckler@nd.gov

Sincerely,

for William D. Peterson, PhD
State Historic Preservation Officer
(North Dakota)

24-5500



February 9, 2024

Ms. Andrea Travnicek
Director
North Dakota Department of Water Resources
900 E. Boulevard Avenue
Bismarck, ND 58505-0850
dwrprojectreview@nd.gov

PROJECT NO. 1-094(231)152, PCN 23594
I-94 AND SUNSET DRIVE INTERCHANGE, EXIT 152
MORTON COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area (Exhibit 1).

The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative includes the construction of a Single Point Urban Interchange (SPUI) which will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Alternative 1a, Exhibit 2) or 2) two-lane roundabout (Alternative 1b, Exhibit 3).

The project is anticipated to be constructed over multiple years, with a tentative start during the 2027 construction season.

It is anticipated the interchange will be reconstructed while maintaining traffic, however alternate routes may be required at times and have not been identified yet.

Acquisition of permanent and temporary right-of-way is anticipated, though the amounts are yet to be determined.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to

February 9, 2024

Page 2

Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any property which your department may own or have an interest in and which would be adjacent to the proposed roadway improvement. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed roadway facility. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

Please provide information on necessary permits required such as whether the project lies within a floodway or floodplain, lies within "Sovereign Lands", or could affect a dam, dike, or other device. It is requested that any comments or information be forwarded to our office on or before 03/09/2024.

If further information is desired regarding the proposed roadway improvement, please contact Chris Rossmiller at Christopher.Rossmiller@meadhunt.com in Bloomington, MN.



CHRIS ROSSMILLER, PE
Project Manager

cr/md

Enclosure

Project Alternatives Exhibits
Exhibit 1 – Initial Study Area
Exhibit 2 - Alternative 1a
Exhibit 3 - Alternative 1b



February 6, 2024

Kathy Baer
Manager
Audubon WMD
US Fish & Wildlife Services
3275 11th Street NW
Coleharbor, ND 58531

PROJECT NO. 1-094(231)152, PCN 23594
I-94 AND SUNSET DRIVE INTERCHANGE, EXIT 152
MORTON COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area (Exhibit 1).

The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative includes the construction of a Single Point Urban Interchange (SPUI) which will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Alternative 1a, Exhibit 2) or 2) two-lane roundabout (Alternative 1b, Exhibit 3).

The project is anticipated to be constructed over multiple years, with a tentative start during the 2027 construction season.

It is anticipated the interchange will be reconstructed while maintaining traffic, however alternate routes may be required at times and have not been identified yet.

Acquisition of permanent or temporary right-of-way is anticipated, though the amounts are yet to be determined.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in

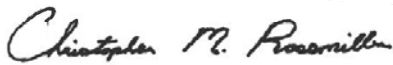
February 6, 2024

Page 2

any Service Interest property within a ½ mile of either side of the proposed roadway improvement. Any information that might help us in our studies would be appreciated.

It is requested that any comments or information be forwarded to our office on or before 03/08/2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact Chris Rossmiller at Christopher.Rossmiller@meadhunt.com in Bloomington, MN.



CHRIS ROSSMILLER, PE
Project Manager

cr/md

Enclosure

Project Alternatives Exhibits
Exhibit 1 – Initial Study Area
Exhibit 2 - Alternative 1a
Exhibit 3 - Alternative 1b



February 6, 2024

Advocacy Group Contact

PROJECT NO. 1-094(231)152, PCN 23594
I-94 AND SUNSET DRIVE INTERCHANGE, EXIT 152
MORTON COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area (Exhibit 1).

The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative includes the construction of a Single Point Urban Interchange (SPUI) which will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Alternative 1a, Exhibit 2) or 2) two-lane roundabout (Alternative 1b, Exhibit 3).

The project is anticipated to be constructed over multiple years, with a tentative start during the 2027 construction season.

It is anticipated the interchange will be reconstructed while maintaining traffic, however alternate routes may be required at times and have not been identified yet.

Acquisition of permanent and temporary right-of-way is anticipated, though the amounts are yet to be determined.

The purpose of this letter is to provide advanced notice of upcoming highway projects, so you have sufficient time to share the information with your constituents and represent their interests. To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project. We would appreciate being made aware of any social impacts we should consider for this proposed project.

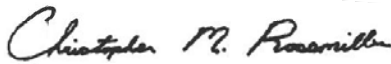
Greater advanced notice will also encourage more participation of advocates and their constituents at upcoming Public Meetings. A Public Meeting for this project is tentatively planned for Spring 2024.

A follow up notice of the exact date, time, and location of the Public Meeting will be forwarded to you approximately 2 weeks prior to the Public Meeting. Additionally, Public Meetings are also advertised in local newspapers, press releases sent to local media, and new releases posted on the NDDOT website.

Any information or comments relating to social or other matters that might help us in our studies would be appreciated.

It is requested that any comments or information be forwarded to our office on or before 03/08/2024. If no reply is received by this date, it will be assumed that you have no comment on this project at this time.

If further information is desired regarding the proposed roadway improvement, please contact Chris Rossmiller at Christopher.Rossmiller@meadhunt.com in Bloomington, MN.



CHRIS ROSSMILLER, PE
Project Manager

cr/md

Enclosure

Project Alternatives Exhibits
Exhibit 1 - Initial Study Area
Exhibit 2 - Alternative 1a
Exhibit 3 - Alternative 1b

Summary of SOV Responses

Comment Number	Date Received	Contact Name	Organization	Email
1	2/9/2024	Kathy Baer	USFWS	kathy_baer@fws.gov
2	2/9/2024	Travis Schmit	FAA	Travis.L.Schmit@faa.gov
3	2/9/2024	Evan Biegler	Midco	Evan.Biegler@Midco.com
4	2/9/2024	Cody Pulkrabek	Lumen	cody.pulkrabek@lumen.com
5	2/9/2024	Kayla Spangelo	ND Trust Lands/ ROW	kspangelo@nd.gov
6	2/16/2024	Beau Ackerman	WBI Energy	beau.ackerman@wbenergy.com
7	3/4/2024	Vanessa Davila	ND DWR	vdavila@nd.gov
8	3/4/2024	David Glatt	ND DEQ	dglatt@nd.gov
9	3/6/2024	Kathy Duttonhefner	NDPRD	kgduttonhefner@nd.gov

From: [Meaghan Dietrich](#)
To: [Meaghan Dietrich](#)
Subject: [EXTERNAL] Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County
Date: Monday, February 12, 2024 4:49:52 PM
Attachments: [MeadHuntlogo_87950253-989c-49b2-a74f-a156c21c38dd.png](#)
[Outlook-rfwwmhfg.png](#)

From: Baer, Kathy <kathy_baer@fws.gov>
Sent: Friday, February 9, 2024 1:06 PM
To: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Subject: Re: [EXTERNAL] Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

Chris,

Thank you for your inquiry on this project. USFWS has no fee title or easement propertys adjacent to this project.

KB

Kathy Baer

Supervisory Wildlife Refuge Specialist

Audubon NWR/Audubon WMD

Coleharbor, ND

(701) 442-5474 ext.114

kathy_baer@fws.gov

<https://www.fws.gov/refuge/audubon>

<https://www.fws.gov/refuge/audubon-wetland-management-district>

"And onto the prairie I must go,

To lose my mind and find my soul."

Adapted from John Muir



From: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Sent: Friday, February 9, 2024 12:32 PM
To: Baer, Kathy <kathy_baer@fws.gov>
Subject: [EXTERNAL] Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

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Ms. Baer,

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area. Attached is a letter soliciting for your views and comments on the project alternatives along with a project area maps and layouts. We like to request that any comments or information be forwarded to our office on or before March 08, 2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

Please let me know if you require further information regarding the proposed roadway improvement

Thank you,

Chris Rossmiller, PE

Project Manager | Transportation

Direct: 952-641-8832 | [Transfer Files](#)

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From: [Meaghan Dietrich](#)
To: [Meaghan Dietrich](#)
Subject: FW: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County
Date: Monday, February 12, 2024 4:52:31 PM
Attachments: [image001.png](#)
[image002.png](#)

From: Schmit, Travis L (FAA) <Travis.L.Schmit@faa.gov>
Sent: Monday, February 12, 2024 9:16 AM
To: Chris Rossmiller <christopher.rossmiller@meadhunt.com>
Cc: Anderson, David P (FAA) <David.P.Anderson@faa.gov>
Subject: RE: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

You don't often get email from travis.l.schmit@faa.gov. [Learn why this is important](#)

Good Morning Chris,

We have reviewed the solicitation of view letter for the proposed . I-94 and Sunset Dr Interchange, Exit 152 in Morton County, ND project as per the attached letter dated February 6, 2024, We have no objection provided the Federal Aviation Administration is notified of construction or alterations as required by Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace, Paragraph 77.9. Notice may be filed online at <https://oeaaa.faa.gov>. Select "Notice Criteria Tool" to see if you are required to file. The construction equipment may trigger a need for an airspace study to be performed for the project.

Thank you for the opportunity to review the proposed project.

Travis Schmit, PE
Program Manager



Federal Aviation Administration
Dakota-Minnesota Airports District Office
2301 University Dr, Bldg 23B
Bismarck, ND 58504
P: 701.323.7392
E: Travis.L.Schmit@faa.gov

Providing the Safest, Most Efficient Aerospace System in the World.

From: Anderson, David P (FAA) <David.P.Anderson@faa.gov>
Sent: Friday, February 9, 2024 10:51 AM
To: Schmit, Travis L (FAA) <Travis.L.Schmit@faa.gov>; Buechler, Casey R (FAA) <Casey.R.Buechler@faa.gov>
Subject: FW: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

Please respond as necessary...

Thanks!

Dave Anderson
Deputy Manager
Dakota-Minnesota Airports District Office
Bismarck, ND
(701) 323-7385 - Office
(701) 400-4162 - Cell

From: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Sent: Friday, February 9, 2024 10:47 AM
To: Anderson, David P (FAA) <David.P.Anderson@faa.gov>
Subject: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

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Mr. Anderson,

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area. Attached is a letter soliciting for your views and comments on the project alternatives along with a project area maps and layouts. We like to request that any comments or information be forwarded to our office on or before March 08, 2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

Please let me know if you require further information regarding the proposed roadway improvement

Thank you,

Chris Rossmiller, PE
Project Manager | Transportation
Direct: 952-641-8832 | [Transfer Files](#)
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From: [Meaghan Dietrich](#)
To: [Meaghan Dietrich](#)
Subject: FW: [EXTERNAL] - Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County
Date: Monday, February 12, 2024 4:53:06 PM
Attachments: [image001.png](#)
[Midco exit 152.PNG](#)

From: Evan Biegler <Evan.Biegler@midco.com>
Sent: Friday, February 9, 2024 1:48 PM
To: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Subject: RE: [EXTERNAL] - Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

Chris,
 Midco does have multiple fiber & coax facilities within this project area.

Map is attached.

Evan Biegler
 Regional Construction Project Manager

Office: 7012209597
Evan.Biegler@Midco.com

Midco.com

From: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Sent: Friday, February 9, 2024 11:09 AM
To: Evan Biegler <Evan.Biegler@midco.com>
Subject: [EXTERNAL] - Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

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Mr. Biegler,

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area. Attached is a letter soliciting for your views and comments on the project alternatives along with a project area maps and layouts. We like to request that any comments or information be forwarded to our office on or before March 08, 2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

Please let me know if you require further information regarding the proposed roadway improvement

Thank you,

Chris Rossmiller, PE

Project Manager | Transportation

Direct: 952-641-8832 | [Transfer Files](#)

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From: [Meaghan Dietrich](#)
To: [Meaghan Dietrich](#)
Subject: FW: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County
Date: Monday, February 12, 2024 4:55:09 PM
Attachments: [image001.png](#)

From: Pulkrabek, Cody <Cody.Pulkrabek@lumen.com>
Sent: Friday, February 9, 2024 11:47 AM
To: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Cc: Kassian, Connie <Connie.Kassian@lumen.com>
Subject: RE: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

Connie Kassian will be the contact and I have added her to this email.

Thanks,

From: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Sent: Friday, February 9, 2024 10:59 AM
To: Pulkrabek, Cody <Cody.Pulkrabek@lumen.com>
Subject: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

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Mr. Pulkrabek,

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area. Attached is a letter soliciting for your views and comments on the project alternatives along with a project area maps and layouts. We like to request that any comments or information be forwarded to our office on or before March 08, 2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

Please let me know if you require further information regarding the proposed roadway improvement

Thank you,

Chris Rossmiller, PE

Project Manager | Transportation

Direct: 952-641-8832 | Transfer Files

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From: [Meaghan Dietrich](#)
To: [Meaghan Dietrich](#)
Subject: FW: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County
Date: Monday, February 12, 2024 4:56:30 PM
Attachments: [image001.png](#)
[image002.png](#)

From: Spangelo, Kayla M. <kspangelo@nd.gov>
Sent: Friday, February 9, 2024 11:37 AM
To: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Subject: RE: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

Hello,

No land managed by DTL appears to be involved with this proposed project.

Thank you,

Kayla Spangelo

Natural Resources Professional - Rights of Ways

701.328.1916 • kspangelo@nd.gov • land.nd.gov • 1707 N 9th St • Bismarck, ND 58501



From: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Sent: Friday, February 9, 2024 10:26 AM
To: Spangelo, Kayla M. <kspangelo@nd.gov>
Subject: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

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Mrs. Spangelo,

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area. Attached is a letter soliciting for your views and comments on the project alternatives along with a project area maps and layouts. We like to request that any comments or information be forwarded to our office on or before March 08, 2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

Please let me know if you require further information regarding the proposed roadway improvement

Thank you,

Chris Rossmiller, PE

Project Manager | Transportation

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From: [Meaghan Dietrich](#)
To: [Meaghan Dietrich](#)
Subject: FW: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County
Date: Friday, February 16, 2024 9:07:50 AM
Attachments: [image001.png](#)
[WBI Pipelines Mandan.pdf](#)

From: Ackerman, Beau <beau.ackerman@wbienergy.com>
Sent: Thursday, February 15, 2024 2:53 PM
To: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Cc: Nielsen, Wade <Wade.Nielsen@WBIEnergy.com>
Subject: RE: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

Chris,

Sorry for the late reply, this email got blocked for some reason. WBI Energy has multiple high pressure natural gas transmission lines that feed Mandan/Bismarck in the proposed project area. Please see the attached exhibit. They can be adjusted but it can be costly and needs to be done at the right time of year to maintain gas distribution. They are two 12" lines that have a 16" casing when crossing sunset drive and the interstate. It looks like the potential conflict areas would be right at the edges of your project area so there probably won't be an issue unless cover is significantly reduced.

Thank you,

Beau Ackerman
WBI Energy Transmission
2010 Montana Ave | Glendive, MT 59330
Ph :406-359-7265 | Cell:406-772-2448

From: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Sent: Friday, February 9, 2024 9:43 AM
To: Ackerman, Beau <beau.ackerman@wbienergy.com>
Subject: Solicitation of View: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange, Exit 152 , Morton County

You don't often get email from christopher.rossmiller@meadhunt.com. [Learn why this is important](#)

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

Mr. Ackerman,

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement for the Sunset Drive and Interstate 94 (I-94) Exit 152 Interchange in Mandan, North Dakota. This project was previously solicited in February 2023 during the feasibility study phase to develop potential alternatives within the study area. Attached is a letter soliciting for your views and comments on the project alternatives along with a project area maps and layouts. We like to request that any comments or information be forwarded to our office on or before March 08, 2024. If no reply is received by this date, it will be assumed that you have no comment on this project.

Please let me know if you require further information regarding the proposed roadway improvement

Thank you,

Chris Rossmiller, PE

Project Manager | Transportation

Direct: 952-641-8832 | [Transfer Files](#)

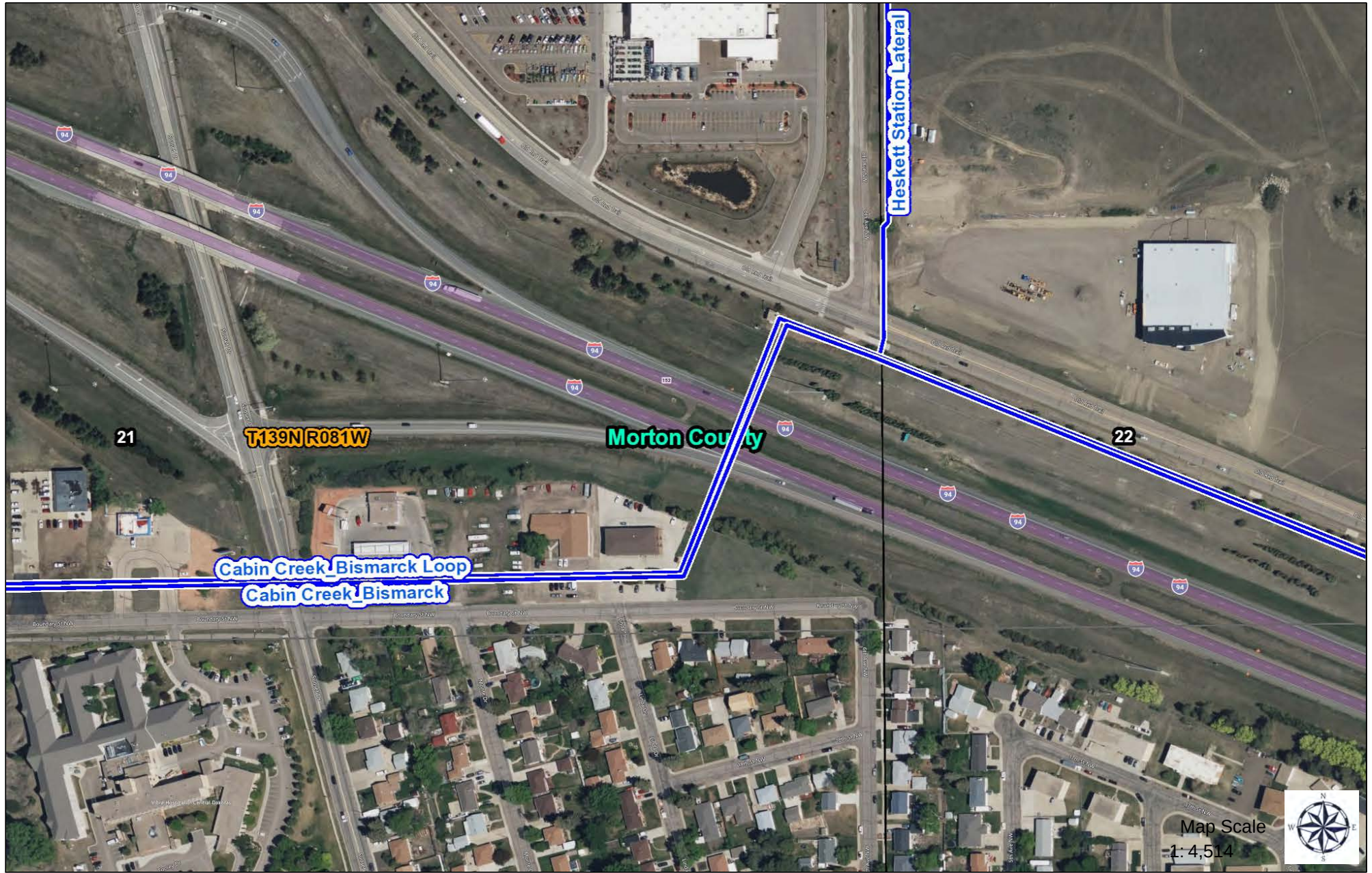
Mead&Hunt

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WBI Pipelines Mandan



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WGS_1984_Web_Mercator_Auxiliary_Sphere
© WBI Energy

This map is a user generated static output from the GIS Web Viewer mapping website and is for reference only. It is not to be relied upon for construction purposes. It is provided for planning purposes only.
FIELD LOCATES ARE REQUIRED FOR LOCATION OF UTILITY FACILITIES

Notes:

N O R T H
Dakota | Water Resources
 Be Legendary.

February 28, 2024

Chris Rossmiller, PE
 Mead & Hunt
 7900 International Drive, STE 980
 Bloomington, MN 55425
 Christopher.Rossmiller@meadhunt.com

Dear Mr. Rossmiller:

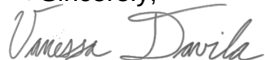
This is in response to your request for a review of the environmental impacts associated with the Project NO. 1-094(231)152, PCN 23594 – 1-94 and Sunset Drive Interchange, Exit 152 project located in Morton County, ND.

The proposed project has been reviewed by Department of Water Resources (DWR), and the following comments are provided:

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the DWR Water Appropriation Division if you have any questions at (701) 328-2754 or appropinfo@nd.gov.
- There are no FEMA National Flood Insurance Program (NFIP) floodplains identified or mapped where the proposed project is to take place. No permit relative to the NFIP are likely required based on the current effective Flood Insurance Rate Map and State minimum standards. However, flood risk has been identified through the North Dakota Risk Assessment Mapservice and Base Level Engineering (BLE) (ndram.dwr.nd.gov). In the absence of FEMA NFIP data, BLE is often considered best available data and is recommended to be considered in the design process. The State of North Dakota has no formal NFIP permitting authority as all NFIP permitting decisions are considered by impacted NFIP participating communities, the community with zoning authority for the area in question. Please work directly with the local floodplain administrators of the zoning authorities impacted.
- The DWR's Engineering and Permitting Section reviewed the project location and determined that no drainage permits, or construction permits for dikes, diversions, or restorations are likely required. North Dakota Stream Crossing Standards (ND Administrative Code art. 89-14) apply to any stream crossing installed or replaced within a highway, street, or road.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or vdavila@nd.gov.

Sincerely,



Vanessa Davila
 Water Resource Planner

VD:dm/1570

February 21, 2024

Chris Rossmiller, P.E.
Project Manager
Mead & Hunt
7900 International Dr., Ste. 980
Bloomington, MN 55425

Re: Project Code: 1-094(231)152, PCN 23594, I-94 and Sunset Drive Interchange Exit 152 in Morton County

Dear Mr. Rossmiller:

The North Dakota Department of Environmental Quality (Department) has reviewed the information concerning the above-referenced project received at the Department on February 9, 2024, with respect to possible environmental impacts.

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. Aggregate to be used for road construction should not contain any erionite. Aggregate sources should be tested for erionite following guidelines found at <https://deq.nd.gov/erionite>. For questions regarding erionite testing, please contact the Asbestos Program at 701-328-5166 or asbestos@nd.gov.
3. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
4. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the re-establishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the Department's website or by calling the Division of Water Quality at 701-328-5210. In addition, the North Dakota Department of Transportation and the city of Mandan are required to reduce pollutants in stormwater runoff from new development and redevelopment projects within their jurisdiction as part of their NDPDES Small Municipal

Separate Storm Sewer System (MS4) General Permit obligations. Check with local officials to be sure local MS4 Program considerations are addressed.

5. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.
6. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the Department's Division of Waste Management at 701-328-5166.

Division of Waste Management – UST Program

The Department's UST Program does have records which indicate historical and current underground storage tanks within a one-fourth mile radius around the project area in Mandan, ND (see attached list).

If the construction or demolition will require the removal, installation or replacement of any UST system (tanks, piping or associated components) or the reporting of any release, it will need to follow the TECHNICAL STANDARDS AND CORRECTIVE ACTION REQUIREMENTS FOR OWNERS AND OPERATORS OF UNDERGROUND STORAGE TANKS, CHAPTER 33.1-24-08 regarding notification, installation, closure and compliance. The regulations can be found at <https://www.legis.nd.gov/information/acdata/pdf/33.1-24-08.pdf>

The Department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:ll
Attach.

Facility Report

Latitude and Longitude within 0.25 mile(s) of 46.845071 and -100.907398

Tuesday, February 13, 2024

Facility ID	Facility	Address	City	Region	Facility Type	Latitude	Longitude	Status
335	Sunset Amoco	808 Boundary St	Mandan	4	Gas Station	46.843258	-100.906125	Active
Number of Records 1								

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality (Department) for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the Department's pesticide application permit with notification to the Department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds, including, but not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.



March 6, 2024

Chris Rossmiller
Mead and Hunt
7900 International Drive, Suite 980
Bloomington, MN 55425

Re: 1-094(231)152, PCN 23594 – I-94 and Sunset Drive Interchange, Morton County

Dear Chris,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-referenced proposed roadway improvement for the Sunset Drive and Interstate 94 in Mandan, North Dakota.

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants; and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties NDPRD owns, leases, or manages.
The project does not appear to affect properties protected under Section 6(f) of the LWCF.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, no plant, animal species of concern, or significant ecological communities were documented within or immediately adjacent to the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation. For additional information, please contact me at 701-328-5370, 701-220-3377 (cell), or kgduttenehfnr@nd.gov.

Thank you for the opportunity to comment on the proposed project.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Duttenehfnr".

Kathy Duttenehfnr, Chief
Natural Resources Division

604 E Boulevard Ave Dept. 750 | Bismarck, ND 58505

PHONE: 701-328-5357 | FAX: 701-328-5363 | EMAIL: parkrec@nd.gov | WEBSITE: www.parkrec.nd.gov

North Dakota Natural Heritage Inventory
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Asio otus	Long-eared Owl	SU	G5		139N081W - 29; 139N082W - 23; 139N081W - 12; 139N081W - 23; 138N081W - 04; 138N082W - 14; 139N080W - 30; 138N081W - 21; 139N081W - 11; 138N081W - 10; 138N081W - 07; 139N081W - 03; 138N081W - 14; 138N081W - 02; 138N082W - 12; 139N081W - 24; 139N081W - 35	Burleigh, Morton	1928-06-12		G
Charadrius melodus	Piping Plover	S1S2	G3	LE,LT	139N081W - 14	Burleigh	1999-06-22	Medium	S
Charadrius melodus	Piping Plover	S1S2	G3	LE,LT	139N081W - 23	Burleigh	1998-06-22	High	S
Cycleptus elongatus	Blue Sucker	S3	G3G4		139N081W - 14	Burleigh	1994-08-17		S
Melanerpes carolinus	Red-bellied Woodpecker	SU	G5		139N081W - 09; 139N080W - 19; 139N082W - 26; 139N081W - 06; 139N081W - 17; 138N082W - 11; 139N080W - 08; 138N082W - 12; 138N081W - 11; 138N081W - 24; 138N081W - 14; 138N081W - 04; 138N081W - 15; 138N081W - 22; 139N082W - 11; 138N081W - 05; 138N081W - 12	Burleigh, Morton	1939-07		G
Pascopyrum smithii - bouteloua gracilis/carex filifolia prairie	Western Wheatgrass Prairie	S3S4	GNR		139N081W - 09; 139N081W - 17; 139N081W - 04; 139N081W - 16; 139N081W - 08	Morton	2007-06-22	Medium	
Polyodon spathula	Paddlefish	SNR	G4		139N081W - 14	Burleigh	1994-06-15		S
Populus deltoides - fraxinus pennsylvanica forest	Cottonwood-green Ash Floodplain Forest	S3	GNR		139N081W - 14; 139N081W - 11; 139N081W - 13	Burleigh	2007-09-18	Medium	
Populus deltoides - fraxinus pennsylvanica forest	Cottonwood-green Ash Floodplain Forest	S3	GNR		139N081W - 25; 139N081W - 26	Morton	2007-07-26	Low	S
Populus deltoides - fraxinus pennsylvanica forest	Cottonwood-green Ash Floodplain Forest	S3	GNR		139N081W - 35; 138N081W - 02; 139N081W - 26	Morton	2007-06-29	High	
Shepherdia argenta shrubland	Buffaloberry Shrubland	S4	GNR		139N081W - 09; 139N081W - 04; 139N081W - 16; 139N081W - 08	Morton	2007-06-22	Medium	
Sialia sialis	Eastern Bluebird	SU	G5		139N081W - 27; 139N080W - 20; 138N082W - 02; 138N081W - 18; 139N082W - 25; 138N080W - 07; 139N080W - 32; 140N081W - 34; 139N082W - 24; 138N080W - 06; 138N081W - 16; 140N081W - 35; 139N082W - 14; 139N082W - 23; 138N080W - 18; 138N081W - 07; 138N080W - 05	Burleigh, Morton	1972		G
Sterna antillarum	Least Tern	S1	G4	PS:LE	139N081W - 14	Burleigh	1998	Medium	S
Sterna antillarum	Least Tern	S1	G4	PS:LE	139N081W - 23	Burleigh	1998-06-22	Medium	S
Symphoricarpos occidentalis shrubland	Buckbrush Shrubland	S4	GNR		139N081W - 08; 139N081W - 16; 139N081W - 09; 139N081W - 04	Morton	2007-06-22	Medium	

Land and Water Conservation Fund Projects

Project Name

Project Number

Mandan Sunset Park Acquisition

38-00526

Appendix B

Endangered Species Act

ESA Section 7 Affect Determination Package

1-094(231)152, PCN 23594

I-94 AND SUNSET DRIVE INTERCHANGE, EXIT 152

MORTON COUNTY

Sec 16, 21, and 22, T139N, R81W

1/18/2024

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement on the Interstate 94 (I-94) and Sunset Drive Interchange (Exit 152) in the City of Mandan, North Dakota (Study Area shown in Exhibit 1). The proposed project includes both modification of the I-94 bridges and the interchange at I-94, and therefore, the effect to northern long-eared bat requires further review. The Affect Determination Table requires a review of the project to determine either "No Effect" or if "NDDOT Biologist Review" is required.

The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues and to meet future traffic demand. The Preferred Alternative (Alternative 1) includes the construction of a Single Point Urban Interchange (SPUI) which will modify the interchange so that all ramps intersect with Sunset Drive at a single point beneath the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Alternative 1a, Exhibit 2) or 2) two-lane roundabout (Alternative 1b, Exhibit 3). It is anticipated the interchange will be reconstructed while maintaining traffic, however detour and alternate routes may be required and have not been identified yet. This information will be available once a project alternative is selected. Acquisition of permanent or temporary right-of-way (ROW) is anticipated. The amount of ROW will be determined once a design alternative is chosen.

This project is expected to be constructed during the 2027 construction season and is anticipated to take three years to complete.

The project area consists of the existing I-94 and Sunset Drive Interchange and is located in a developed urban area. The project area experiences high traffic and noise under the existing conditions. The project area does not contain any known hibernacula, nor is it located within 0.5 mile of known hibernacula. A tree survey was completed in October 2023 for a portion of the study area (Exhibit 4). Several individual trees and groups of smaller trees or shrubs were identified during the survey, including green ash, multiple species of pine, maple, elm, and others. Several of these tree individuals or groups were below 3 inches diameter at breast height (DBH) that are unsuitable for bats. Though trees are present within the project area, based on the U.S. Fish and Wildlife Service (USFWS) suitable summer habitat guidance, the individual trees and tree rows present in the project area do not provide suitable summer habitat for the northern long eared bat.

USFWS guidance describes suitable summer habitat as forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields, and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches DBH that have exfoliating bark, cracks, crevices, and/or cavities), as well as linear features such as fencerows, riparian forests, and other wooded corridors. They prefer intact mixed-type forests with small gaps (i.e., forest trails, small roads, or forest-covered creeks) in forest with sparse or medium vegetation for foraging and commuting rather than fragmented habitat or areas that have been clear cut. Individual trees may be considered suitable habitat when they exhibit characteristics of suitable roost trees and are within 1,000 feet of other forested/wooded habitat. There is currently a lack of suitable forested or wooded habitat of sufficient size and continuity within 1,000 feet of the project area.

Based on the FHWA and USFWS Programmatic Biological Assessment (BA) for Northern Long Eared Bat, projects which occur inside the species range but contain no suitable summer habitat within the action area and are greater than 0.5 mile from a hibernaculum will have no effect on the northern long eared bat. Additionally, the project is located in an urban area, where there is already frequent noise and visual disturbances.

The following items are attached: NDDOT Affect Determination Table; an aerial location map; preliminary aerial layout of the project area; two exhibits presenting the interchange SPUI design, the signalized intersection at Boundary Street NW, and each intersection option at Old Red Trail, and the IPaC Official Species List.

Based on the information provided, a “No Effect” determination is appropriate for the northern long eared bat.

Wyatt Mack Digitally signed by
Wyatt Mack
Date: 2024.01.22
10:55:34 -06'00'

Environmental and Transportation Services Representative

NDDOT Threatened, Endangered, Proposed, Candidate Species and Critical Habitat Affect Determination Table								
Project: 1-094(231)152		PCN: 23594	Location: I-94 & Sunset Drive Interchange, Exit 152, Mandan			County: Morton		
Species	Listing	Guidance	NDDOT Biologist Review Required?		Determination		Additional Documentation Included	
			Yes	No	Not Present	No Effect		
Determine if the scope of work for the proposed project will require NDDOT Biologist review based on the criteria described for the species/critical habitat below. If review is required for one or more species, a biological assessment, Section 7 Determination Package, or NLEB documentation may be needed. Contact NDDOT Biologist for any questions.			Note - If a species is not present for a county, only "not present" should be checked.					
Whooping Crane (<i>species range includes all of North Dakota</i>)	E	NDDOT Biologist Review required for the adjustment (raising, relocating) of existing above-ground utility lines; or for newly placed poles/towers that require overhead lines/guy wires; unless the adjustments or new installations are in a highly developed or urban area. Review also required for projects requiring major earthwork (i.e. new road construction or roadway widening projects over 1 mile in length) in rural areas within ½ mile of cropland/wetland associations located within the whooping crane migration corridor. Projects outside of the migration corridor do not require NDDOT Biologist review. See link below for a map of the whooping crane migration corridor. Click layers tab, then select whooping crane migration corridor layer. https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	☐	☒	☐	☒		
Gray Wolf	E	NDDOT Biologist Review required for roadway projects of 2 or more lanes on a new location (i.e., construction of a new roadway).	☐	☒		☒		
Pallid Sturgeon	E	NDDOT Biologist Review required for work in or along the shoreline of the Missouri River (including reservoirs) and Yellowstone River Systems. Review also required for in-water work for any direct tributary (within 0.5 mile) to the Missouri River (including reservoirs) and Yellowstone River Systems.	☐	☐	☒	☐		
Poweshiek Skipperling	E	NDDOT Biologist Review required for work occurring outside of the right of way in Richland and Sargent Counties within undisturbed native tall grass prairie and wet swales. If ground disturbing activities occur outside the ROW in these counties, ETS or a consultant will need to conduct a habitat assessment for this species.	☐	☐	☒	☐		
Piping Plover	T	NDDOT Biologist Review required for construction activities occurring outside the paved or graveled surface of the roadway and within ½ mile of designated piping plover critical habitat or known nesting sites from April 15 through August 31. See link for piping plover designated critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	☐	☒	☐	☒		
Western Prairie Fringed Orchid	T	NDDOT Biologist Review required for all ground disturbing activities on non-flooded, undisturbed ground, known habitat, and native prairie. The species may also be found in roadside ditches with a high probability of the species occurring in or near the Sheyenne National Grasslands. If ground-disturbing activities will be required in Ransom or Richland counties, a survey by ETS or consultant for this species must be completed prior to ground-disturbance.	☐	☐	☒	☐		

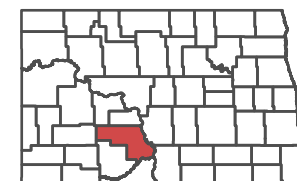
Species	Listing	Guidance	NDDOT Biologist Review Required?		Determination		Additional Documentation Included
			Yes	No	Not Present	No Effect	
Rufa Red Knot	T	NDDOT Biologist Review required for construction activities occurring outside the paved or graveled surface of the roadway and within ½ mile of designated piping plover critical habitat or known nesting sites (species is rare in North Dakota and uses similar habitats as piping plovers during their migration). See link for piping plover designated critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	☐	☒	☐	☒	
Dakota Skipper	T	NDDOT Biologist Review required for ground disturbing activities outside of the right of way in native prairie containing a high diversity of wildflowers and grasses indicative of Dakota skipper “Type A” or “Type B” habitat. Dakota skippers are not likely to be present in cropped areas, previously cropped areas, non-native hay-lands, pasture, or other grassland that is dominated by non-native species, or in areas where trees or shrubs predominate. The species may occur in some grazed lands that are dominated by native prairie vegetation. If native prairie would be impacted by the project, ETS or a consultant will need to conduct a habitat assessment for this species following the USFWS 2018 Dakota Skipper ND Survey Protocol	☐	☒	☐	☒	
Northern Long-Eared Bat	E	NDDOT Biologist Review required for work on structures* (bridges, box culverts, SPP’s and corrugated metal culverts over 8’ in diameter), the removal of trees or buildings, or ground disturbance in areas with caves, mines, and rock crevices. *Work on structures requires bridge/structure bat assessments, unless exempted by NDDOT Biologist	☒	☐	☐	☒	Section 7 Affect Determination Package
Black-footed Ferret	E	Species is not known to exist in North Dakota at this time. Until more information becomes available for this species in North Dakota, no project-specific review is required.					
Monarch Butterfly	C	Section 7 consultations are not required for candidate species. NDDOT is a partner to the ND Monarch Butterfly and Native Pollinator Strategy and continues to implement pollinator conservation efforts across the state. Project-specific consultation for this species will not be undertaken at thistime.					
Designated Critical Habitat							
Piping Plover Critical Habitat	D	NDDOT Biologist Review required for ground disturbing activities occurring outside the paved or graveled surface of the roadway and within ½ mile of designated piping plover critical habitat or known nesting sites. See link for piping plover designated critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	☐	☐	☒	☐	
Poweshiek Skipperling Critical Habitat	D	NDDOT Biologist Review required for ground disturbing activities within 0.6 mile of Poweshiek Skipperling critical habitat. See link for Poweshiek Skipperling proposed critical habitat: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	☐	☐	☒	☐	
Dakota Skipper Critical Habitat	D	NDDOT Biologist Review required for ground disturbing activities within 0.6 mile of Dakota Skipper critical habitat. See link for Dakota Skipper proposed critical habitat maps: https://gis.dot.nd.gov/external/ge_html/?viewer=ext_wildlifemap	☐	☐	☒	☐	

Listing Key: E – Endangered T – Threatened C – Candidate D – Designated

Date of last updates to table: 8/2023

Exhibit 1

Morton County, ND



Source: (USGS)

 Study Area

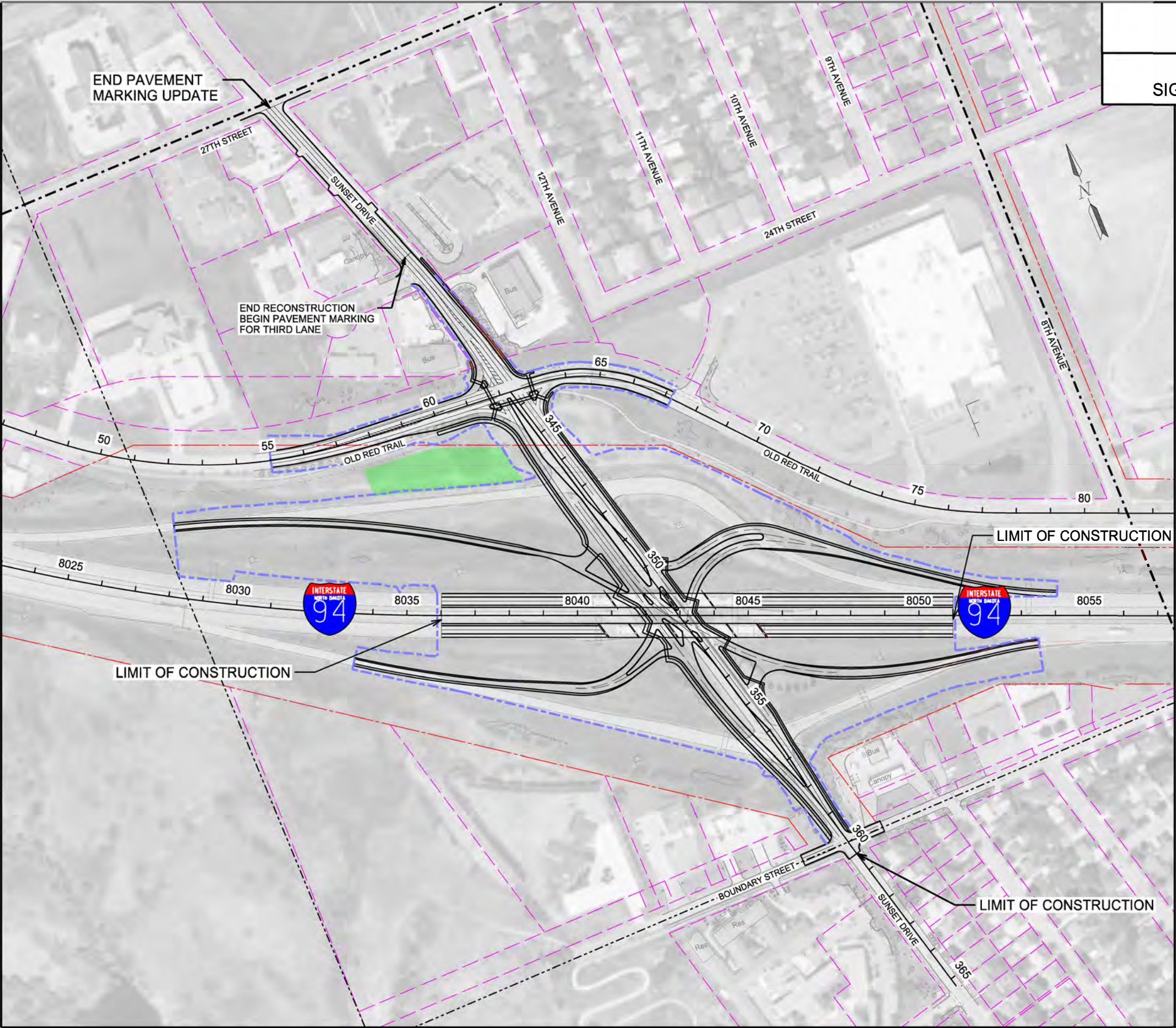
- Road Mile Markers

PLSS Sections

Project: PCN: 23594
Project No.: 1-094(231)152
Drawn By: MED
Date: 1/03/2024

NORTH
Dakota | Transportation
Be Legendary.

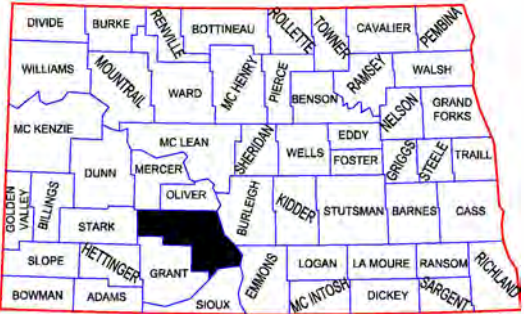




STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	IM-1-094(231)152	004	1

EXHIBIT 2 ALTERNATIVE 1, OPTION 1A:
SIGNALIZED INTERSECTION AT OLD RED TRAIL

- LEGEND
- SECTION LINE
 - QUARTER SECTION LINE
 - RIGHT OF WAY
 - - - PARCEL LINE
 - - - CONSTRUCTION LIMIT
 - STAGING AREA/LAY DOWN YARD
 - PROPOSED ROW ACQUISITION

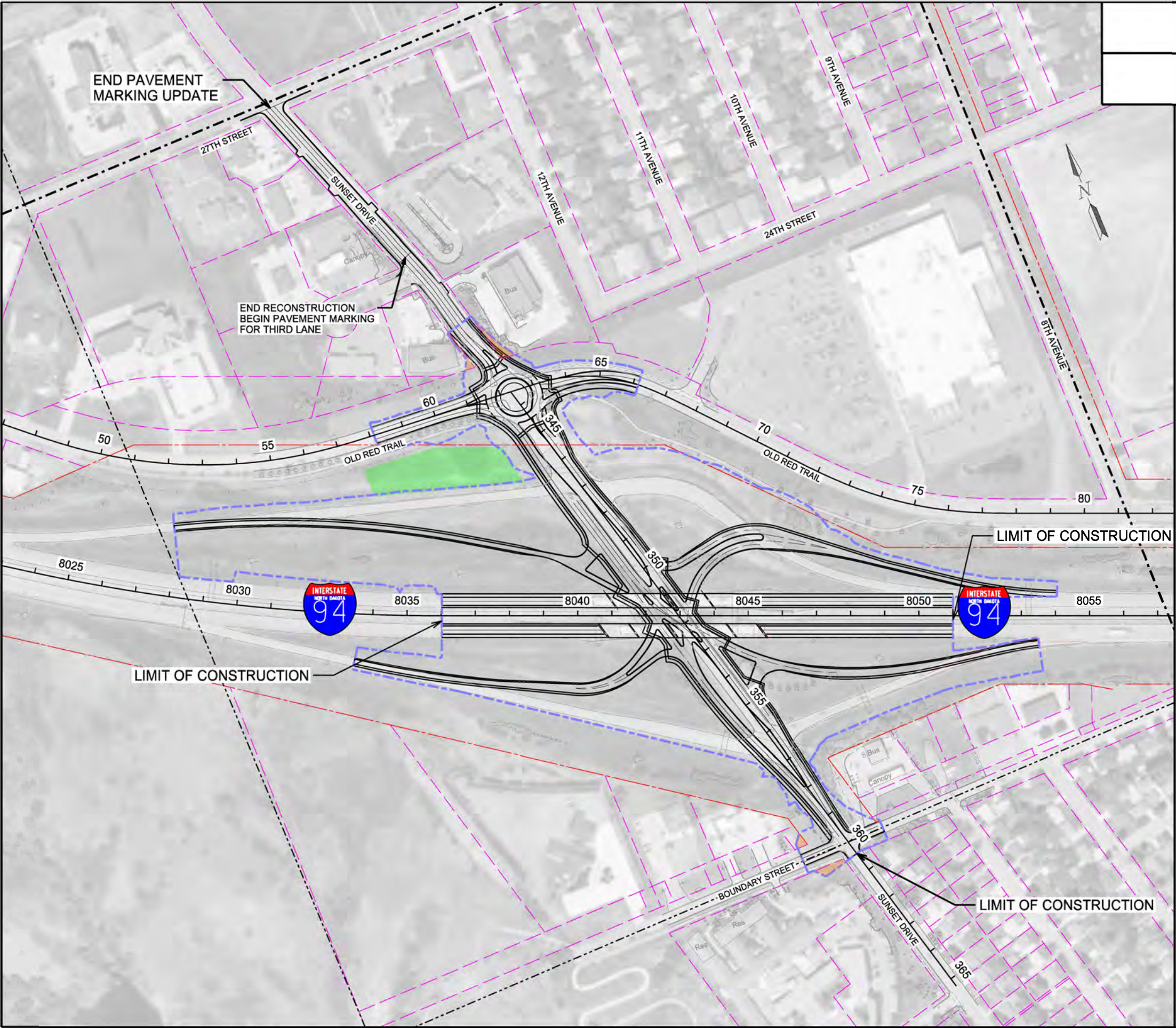


STATE COUNTY MAP

Mead & Hunt

NORTH
Dakota | Transportation

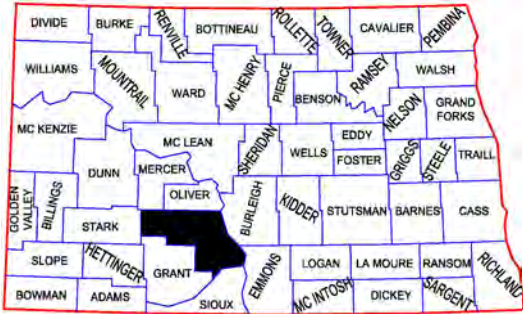
Be Legendary.



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	IM-1-094(231)152	004	1

EXHIBIT 3 ALTERNATIVE 1, OPTION 1B
ROUNDAABOUT AT OLD RED TRAIL

- LEGEND
- SECTION LINE
 - QUARTER SECTION LINE
 - RIGHT OF WAY
 - PARCEL LINE
 - CONSTRUCTION LIMIT
 - STAGING AREA/LAY DOWN YARD
 - PROPOSED ROW ACQUISITION



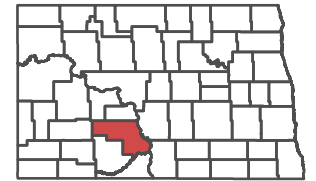
STATE COUNTY MAP



Tree Survey

Exhibit 4

Morton County, ND



Source: (USGS)

- Study Area**
- Env_Tree_Poly**
- Arborvitae
 - Basswood
 - Black hills spruce
 - Boxelder
 - Chokecherry
 - Colorado blue spruce
 - Cotoneaster
 - Flowering crabapple
 - Green Ash
 - Green ash
 - Hard maple
 - Hydrangea
 - Lilac
 - Lodgepole pine
 - Plum
 - Ponderosa pine
 - Prairie expedition elm
 - Rockie Mountain Juniper
 - Russian olive
 - Siberan elm
 - Siberian elm
 - Silver poplar
 - Weigela

Project: PCN: 23594
Project No.: 1-094(231)152
Drawn By: MED
Date: 1/12/2024

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
Phone: (701) 250-4481 Fax: (701) 355-8513



In Reply Refer To:

January 03, 2024

Project Code: 2024-0031862

Project Name: 1-094(231)152 PCN 23594_I-94 and Sunset Drive

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](#).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

North Dakota Ecological Services Field Office

3425 Miriam Avenue

Bismarck, ND 58501-7926

(701) 250-4481

PROJECT SUMMARY

Project Code: 2024-0031862

Project Name: 1-094(231)152 PCN 23594_I-94 and Sunset Drive

Project Type: Road/Hwy - Maintenance/Modification

Project Description: The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative includes the construction of a Single Point Urban Interchange (SPUI) which will condense the diamond so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection or 2) two-lane roundabout.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@46.845760049999996,-100.90915613014343,14z>



Counties: Morton County, North Dakota

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

INSECTS

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: North Dakota Department of Transportation
Name: Meaghan Dietrich
Address: 2 Carlson Parkway N
Address Line 2: Suite 110
City: Plymouth
State: MN
Zip: 55447
Email: meaghan.dietrich@mooreengineeringinc.com
Phone: 6126990410

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

Meaghan Dietrich

From: Johnson, Sandra K. <sajohnson@nd.gov>
Sent: Friday, January 19, 2024 8:31 AM
To: Chris Rossmiller
Cc: Mack, Wyatt M.; Andrews, Miguel; Meaghan Dietrich
Subject: RE: Bald and Golden Eagle Protection Act Compliance: 1-094(231)152 PCN 23594 Interstate 94 and Sunset Drive Interchange

Hi Chris,

There are no known eagle nests within 0.5 mile of the project. The closest known Bald Eagle nest is more than 2 miles from the site.

Thanks,
Sandy

Sandra Johnson
Conservation Biologist

(701) 328-6382 • sajohnson@nd.gov • gf.nd.gov



NORTH
Dakota | Game and Fish

Be Legendary.



From: Chris Rossmiller <Christopher.Rossmiller@meadhunt.com>
Sent: Tuesday, January 16, 2024 4:03 PM
To: Johnson, Sandra K. <sajohnson@nd.gov>
Cc: Mack, Wyatt M. <wyatt.mack@nd.gov>; Andrews, Miguel <msandrews@nd.gov>; Meaghan Dietrich <Meaghan.Dietrich@mooreengineeringinc.com>
Subject: Bald and Golden Eagle Protection Act Compliance: 1-094(231)152 PCN 23594 Interstate 94 and Sunset Drive Interchange

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Ms. Johnson,

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is proposing a roadway improvement on Interstate 94 at Exit 152 (Sunset Drive Interchange) in Mandan, ND. A project location map is included with this letter that identifies the project location (Exhibit 1).

The project consists of reconstruction of the Sunset Drive and I-94 interchange to address traffic operational issues at the interchange and to meet future traffic demand. The Preferred Alternative (Alternative 1) includes the construction of a Single Point Urban Interchange (SPUI) which will modify the interchange so that all ramps intersect with Sunset Drive at a single point under the I-94 centerline. The layout has two sub-options, which include a signalized intersection at Boundary Street NW and one of two different intersection options at Old Red Trail: 1) signalized intersection (Alternative 1a, Exhibit 2) or 2) two-lane roundabout (Alternative 1b, Exhibit 3). This project is expected to be constructed during the 2027 construction season.

We are requesting a search for any known eagles nests that may occur within 0.5 miles of the project in order to complete environmental due diligence. Please let us know if you require any additional information for this search. Thanks in advance for your response.

Thank you,

Chris Rossmiller, PE

Project Manager | Transportation

Direct: 952-641-8832 | Transfer Files

Mead&Hunt

LinkedIn | Facebook | Instagram

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Appendix C

Wetland Information

Wetland Impact Table														
Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands ¹	Wetland Impact					Wetland Mitigation				
					Wetland Impacts			USFWS Easement		Mitigation Proposed			USACE/11990 Bank	
					Acre(s)			Impacts	Acre(s)					
					Temp.	Perm. (Fill/Drain)	Perm. (Cut)	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)
1	Sec 21 T-139-N R-81-W	Ditch	Created	N	0.000	0.000	0.000			N	N			
2	Sec 21 T-139-N R-81-W	Ditch	Created	N	0.000	0.003	0.000			N	N			
3	Sec 21 T-139-N R-81-W	Ditch	Created	N	0.016	0.000	0.000			N	N			
4	Sec 21 T-139-N R-81-W	Ditch	Created	N	0.004	0.009	0.000			N	N			
5	Sec 22 T-139-N R-81-W	Ditch	Created	N	0.007	0.000	0.000			N	N			
6	Sec 22 T-139-N R-81-W	Ditch	Created	N	0.000	0.000	0.000			N	N			
				Totals	0.027	0.012	0.000							

¹ A wetland Jurisdictional Determination was issued by the USACE on 3/28/2024; NWO-2013-02164-BIS

Impact Summary Table			
Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	Total Acre(s)	WaterType	Total Acre(s)
Natural/JD (Fill/Drain)	0.000	Temporary Wetland JD	0.027
Natural/Non-JD (Fill/Drain)	0.000	Non-JD Wetland Temporary	0.000
Artificial/JD (Fill/Drain)	0.012		
Artificial /Non-JD (Fill/Drain))	0.000	Permanent OW	0.000
Total	0.012	Temporary OW	0.000
JD Natural (Cut)	0.000	Permanent OW-d	0.000
JD Artificial (Cut)	0.000	Temporary OW-d	0.000
Non-JD Natural (Cut)	0.000		
Non-JD Artificial (Cut)	0.000		
Total	0.000		

Mitigation Summary Table						
	Location	Ditch Shift Acre(s)	Onsite Acre(s)	11990 Bank Acre(s)	USACE/11990 Bank Acre(s)	USFWS Bank Acre(s)
USACE Only	Onsite					
EO 11990 Only	Mitigation Bank					
USACE/11990	Onsite					
USFWS						
Total		0	0	0	0	0

Appendix D

Section 4(f) Documentation

August 15, 2024

Mandan Parks District
Attn: Cole Higlin, Executive Director
2600 46th Avenue SE
Mandan, ND 58554

Subject: PROJECT NO. IM-1-094(231)152, PCN 23594 – SUNSET DRIVE
INTERCHANGE (EXIT 152) – MANDAN, ND

Dear Mr. Higlin:

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway improvement on Interstate 94 (I-94) and at the Sunset Drive Interchange (Exit 152) (the Project). This will include reconstruction of the intersections of Sunset Drive and Old Red Trail, and Sunset Drive and Boundary Street NW. The Project will address traffic existing operational issues at the interchange and accommodate future traffic demand. The Project includes bridge replacement for structures 0094-152.329 L&R to correct structural deficiencies, including cracking of abutments, damaged beams, delamination, and pavement conditions. The Project would result in the reconstruction of the I-94 and Sunset Drive Interchange into a Single Point Urban Interchange (SPUI) where all ramps would intersect with Sunset Drive at a single point under the I-94 centerline and a signalized intersection at Boundary Street NW. The Project has two sub-alternatives which are one of two different intersection options at Old Red Trail: 1) signalized intersection (Exhibit - Option 1a) or 2) two-lane roundabout (Exhibit - Option 1b).

Exhibits 1 – 3 show the existing and proposed trail network/pedestrian facilities within the project study area. Old Red Trail Shared Use Path (SUP) runs north and south on the east side of Sunset Drive, below the interchange bridges. The SUP continues north to the intersection with Old Red Trail, where it turns into an east/west route along the south side of Old Red Trail and continues north along the east side of Sunset Drive. A trailhead with an informational kiosk is located in the southeast corner of the intersection of Old Red Trail and Sunset Drive. The SUP also extends south to Boundary Street NW, where it continues west along the south side of Boundary Street NW towards Mandan Sunset Park. Project construction will temporarily impact the Old Red Trail SUP within the project work area. Trail access and pedestrian movements are anticipated to be maintained throughout project construction with the exception of periodic overnight closures for safety. The attached Exhibits 1-3 document the phasing of construction.

The Old Red Trail SUP, a public recreation facility, is protected under Section 4(f) of the Department of Transportation Act of 1966 (Section 4(f)). Section 4(f) prohibits FHWA from authorizing actions that result in a use of Section 4(f) properties, including public parks, recreation

areas, wildlife refuges or lands of historic significance, unless there are no prudent and feasible avoidance alternatives, and all possible planning to minimize harm has been completed. However, FHWA has identified various exceptions to the requirements for Section 4(f) as outlined in under 23 CFR 774.13. Specifically, 23 CFR 774.13(d) states, *temporary occupancies of land that are so minimal as to not constitute a use*. Project construction would result in temporary occupancy of the land and would be so minimal that it would not constitute a use within the meaning of Section 4(f) per the following criteria:

1. *Duration (of the occupancy) must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land.*

Pedestrian access and use will be maintained throughout the 3-year construction period, except as detailed in the description of access maintenance below in Item 3. All work will occur within existing NDDOT and City right of way, and temporary construction easements may be required in the southwest quadrant of Boundary Street and the northwest quadrant of Old Red Trail. These will be temporary easements, and therefore no changes in ownership of the 4(f) property will occur as a result of the construction of the proposed project.

2. *Scope of the work must be minor, i.e., both the nature and magnitude of the changes to the Section 4(f) resource are minimal.*

Temporary impacts will occur with the construction of the new bridge structures, reconstruction of Sunset Drive, and reconstruction of the intersections of Sunset Drive and Old Red Trail/Boundary Street NW. The temporary impacts will occur in the existing right of way and will not change the intended use of the Section 4(f) properties. Once the project is completed, the new SUP and replaced sidewalk will continue to serve pedestrians in this area and provide connectivity to the existing trail network. Below in Item 3 is a detailed description of temporary impacts to the trail network and how pedestrian access will be maintained during the different phases of construction.

3. *There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis.*

No permanent impacts to or interference with the use of the Old Red Trail SUP will be observed as a result of this project. Access to Old Red Trail SUP will be maintained during construction as described below in the pedestrian movement summary and temporary SUP construction, and further illustrated on Exhibits 1 – 3. Temporary walkways, crossovers, and temporary roadway widenings will be used to facilitate continued pedestrian use of the trail network during construction with the exception of overnight closures. Prior to winter shutdown phases, contractors would need to provide NDDOT a winter season facilities plan that is plowable and maintainable throughout the shutdown.

Phase 1 (Year 1):

The existing trail network will remain in place during construction of crossovers and temporary roadway widenings during construction. Temporary roadway widenings will occur during construction to allow the continued flow of traffic through the interchange along Sunset Drive. The temporary roadway widenings will require temporary walkways to be constructed as the SUP will be shifted further east to accommodate the widened roadway. Temporary walkways will be constructed along temporary roadway widenings at the following locations:

- Sunset Drive northbound along right turn lane to I-94 eastbound on-ramp.
- Sunset Drive northbound along lane widening between I-94 westbound off-ramp and Old Red Trail.
- Old Red Trail westbound between Sunset Drive and Walmart entrance.

After establishment of the temporary pedestrian facilities, pedestrian movements will be maintained on the existing trail network (see Exhibit 1 – Phase 1). The existing kiosk located in the southeast quadrant of Sunset Drive and Old Red Trail will be removed for the duration of construction. The kiosk will be reinstalled at the end of construction in approximately the same general location.

Crossings at intersections will be maintained in the following locations:

- South leg – Old Red Trail Bypass (New)
- South leg - Sunset Drive/Old Red Trail (Existing)
- East leg – Sunset Drive/Old Red Trail (Existing)
- Westbound I-94 Off Ramp (Existing)
- Eastbound I-94 On Ramp (Existing)
- East Leg – Sunset Drive/Boundary Street (Existing)
- South Leg – Sunset Drive/Boundary Street (Existing)

Construction during this Phase will include the new SUP along the west side of Sunset Drive, with a gap at the existing west bound (WB) bridge. This gap will be completed following the removal of the WB bridge in Phase 2, and the SUP will be connected to the remaining trail network and opened for use in Phase 2.

Temporary, short-term closures of the SUP will be required during specific construction operations for pedestrian safety. This will occur during removal of the existing I-94 eastbound bridge and placement of new girders for the new eastbound I-94 over Sunset Drive. These operations and temporary closures are anticipated to occur during evening and nighttime hours when pedestrian volumes are typically low to keep disruptions to pedestrian access to a minimum. During these operations, flagging operations may be employed to maintain options for pedestrians when appropriate.

Winter Shutdown: At completion of Phase 1, the existing trail network with all temporary widenings, walkways, new and existing crossings are anticipated to be in place for winter plowing and maintenance for continued pedestrian use when construction is paused.

Phase 2 (Year 2):

At the onset of Phase 2, the temporary pedestrian network utilized in Phase 1 will be maintained until the removal of the existing I-94 westbound bridge over Sunset Drive. Following the bridge removal, the new SUP west of Sunset Drive will be completed and pedestrians will be diverted to this new trail (Exhibit 2 – Phase 2). One closure is anticipated during Phase 2, along the existing SUP east of Sunset Drive, from the intersection with Old Red Trail to the northern extent of the construction limits. This extent will be closed and detour onto the west side of Sunset Drive (see proposed temporary closure in Exhibit 2 – Phase 2). This will be to accommodate construction of a retaining wall in the northeast quadrant of Sunset Drive and Old Red Trail to support the proposed intersection configuration. Temporary walkways constructed in Phase 1 will continue to be used in the following locations:

- Old Red Trail eastbound between Sunset Drive and Walmart Entrance.

Crossings at intersections will be maintained in the following locations:

- South leg – Old Red Trail Bypass (New)
- West leg – Sunset Drive/Old Red Trail (New)
- South leg - Sunset Drive/Old Red Trail (Existing)
- East leg – Sunset Drive/Old Red Trail (Existing)
- Existing Westbound I-94 On Ramp/Old Red Trail Bypass (New)
- Eastbound I-94 Off Ramp (New)
- West Leg – Sunset Drive/Boundary Street (Existing)
- South Leg – Sunset Drive/Boundary Street (Existing)

Construction during this Phase will include the new 5' pedestrian sidewalk along Sunset Drive northbound.

During intersection construction phases, pedestrian movements may need to be shifted within the trail network to accommodate construction operations. Contractors will be required to properly delineate and sign the crossings during this period and provide ADA compliant crossing surfaces (such as temporary pavement, mats, or other approved options).

Similar to Phase 1, temporary closures of the SUP will be required during specific construction operations for pedestrian safety. This will occur during the removal of the existing westbound I-94 bridge and placement of new girders for the new westbound I-94 structure over Sunset Drive. These operations are anticipated to occur during evening and nighttime hours when pedestrian volumes are typically low. During these operations, flagging operations may be employed to maintain options for pedestrians when appropriate.

Winter Shutdown: At completion of Phase 2, the new SUP west of Sunset Drive with areas of temporary connection along Old Red Trail and in the northwest quadrant of the intersection at Sunset Drive and Old Red Trail are anticipated to be in place for winter plowing and maintenance for continued pedestrian use while construction is paused.

Phase 3:

Work at the interchange will focus on finishing pavement gaps in the roadway and in medians along the corridor. Pedestrian movements along both sides of Sunset Drive, along Old Red Trail, and Boundary Street are anticipated to be open and new intersection crossings will remain in place with the new alignment of on and off ramps, as well as with the new intersection configurations (Exhibit 3 – Phase 3). Where construction operations are in close proximity to pedestrian movements, the use of flaggers or ADA compliant temporary bypasses may be used. Additionally, along Sunset Drive, detours may be used utilizing the opposite side of Sunset Drive to accommodate small closures.

4. *The land being used must be fully restored, i.e., the resource must be returned to a condition which is at least as good as that which existed prior to the project.*

Old Red Trail SUP property will not be permanently impacted due to reconstruction of the I-94 and Sunset Drive Interchange or the intersections at Old Red Trail and Boundary Street NW. The SUP will be replaced in kind as part of the project and the trailhead and kiosk at the southeast corner of Sunset Drive and Old Red Trail will be replaced. The 10-ft SUP will be relocated to the west side of Sunset Drive after the project is completed and a standard 5-ft sidewalk will be constructed in its place east of Sunset Drive to maintain pedestrian access. The trailhead kiosk will be reinstalled at the end of construction along the new trail within the same quadrant it currently is located within. Erosion control and restoration measures will be used to stabilize side slopes and terraces adjacent to the trails/walks. Coordination with the Mandan Parks District regarding vegetation and post construction requirements will occur during the plan development stages. New pavement is anticipated to consist of hot mix asphalt (HMA) surfaces for the SUP and concrete for the sidewalks at this time.

5. *There must be documented agreement of the appropriate Federal, State, or local officials having jurisdiction over the resource regarding the above conditions.*

As requested, with this letter, NDDOT is requesting concurrence from the Mandan Parks District regarding the outlined conditions. It is our opinion that due to the pedestrian access accommodations during construction and temporary nature of the project, there will be minimal temporary impacts and no permanent impacts. Therefore, the proposed project is excluded from the requirements of Section 4(f) authorization.

Request of Concurrence

NDDOT requests concurrence from the Mandan Parks District that the proposed project meets conditions 1 through 5, will not have an “adverse effect” on the Old Red Trail SUP, nor will there be interference with the intended activities, features or attributes of the property on a temporary or permanent basis. The above stated condition 5 is required for FHWA to exclude this project from the requirements of Section 4(f) authorization, allowing the proposed project to proceed as planned.

This project is currently scheduled for the 2027 construction season. Please provide your written concurrence by **August 30, 2024**. We would greatly appreciate your immediate attention and response on such short notice. If you require any additional information, or have any questions, feel free to call me at 701-328-4818.

A concurrence response can be sent to colawson@nd.gov or mailed to:

Cory Lawson
NDDOT Environmental and Transportation Services
608 E. Boulevard Avenue
Bismarck, ND 58505-0770

Sincerely,



for Cory Lawson
Environmental Services 1 Section Leader, Environmental Planner

cl/md

Concurrence

The Mandan Parks District has consulted with NDDOT to the impacts to the Old Red Trail Shared Use Path and hereby concurs that the proposed project, as described and shown in appended exhibits, would not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f) of the Transportation Act on either a temporary or permanent basis.



Mandan Parks District

8/16/24

Date

Enclosure(s): Exhibit – Option 1a
 Exhibit – Option 1b
 Exhibit 1 – Old Red Trail Phase 1
 Exhibit 2 – Old Red Trail Phase 2
 Exhibit 3 – Old Red Trail Phase 3

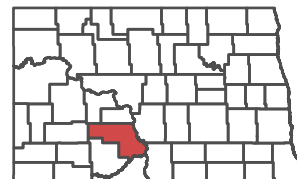
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Old Red Trail SUP Temporary Occupancy Phasing

Exhibit 1 - Phase 1

Morton County, ND



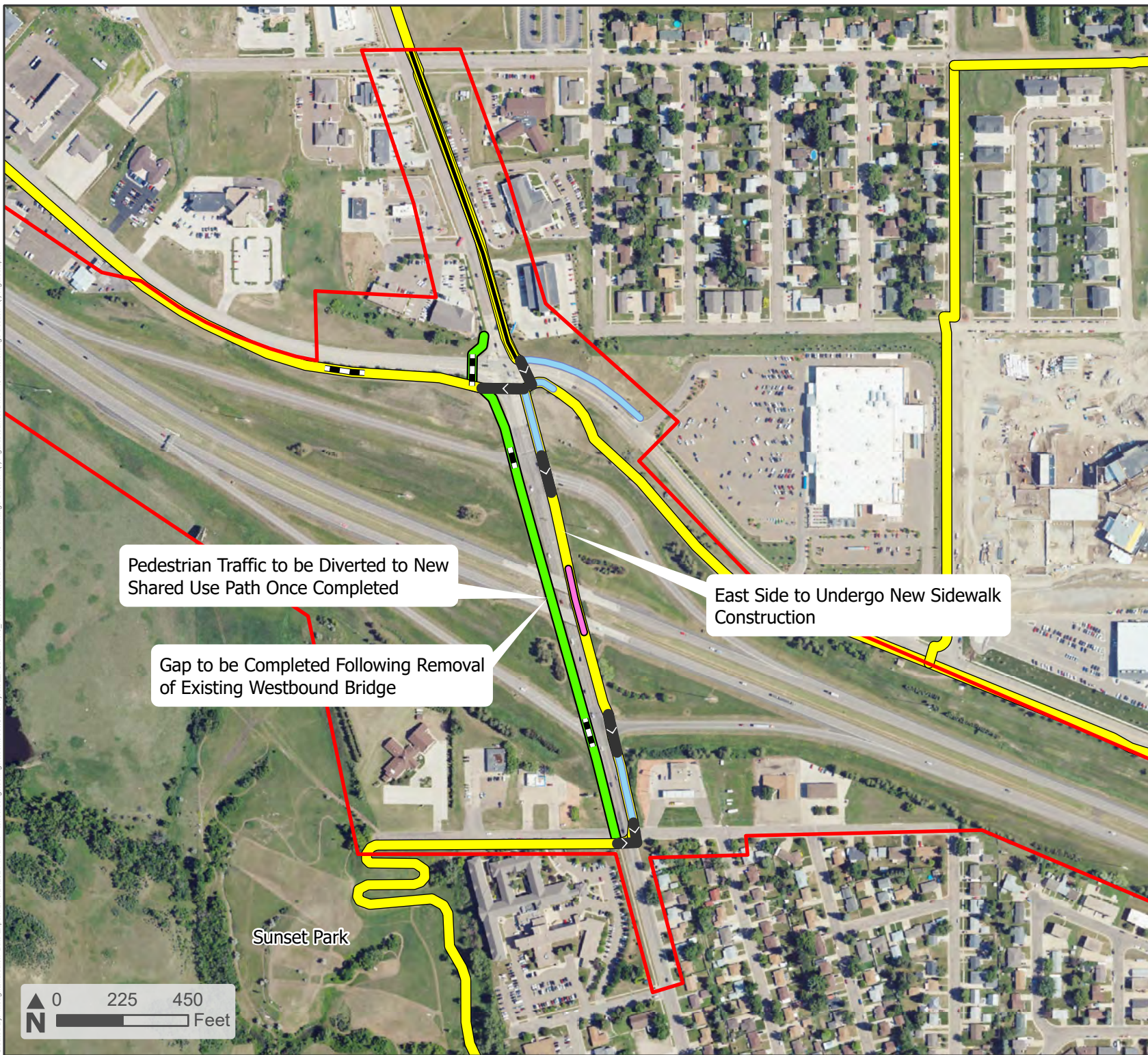
Source: (NAIP 2023)

- Study Area
- Trailhead Kiosk (Rebuilt after Construction)
- Existing Trail Network
- Temporary Walkways/Widenings
- New Shared Use Path (Approximate)
- Intersection Crossings to be Maintained
 - Existing
 - New
- Temporary Overnight Closures
- Temporary Trail Gap

Project: PCN: 23594
Project No.: 1-094(231)152
Drawn By: MED
Date: 6/27/2024



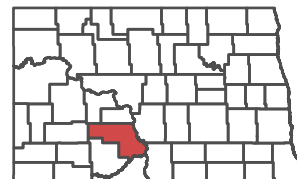
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Old Red Trail SUP Temporary Occupancy Phasing

Exhibit 2 - Phase 2

Morton County, ND



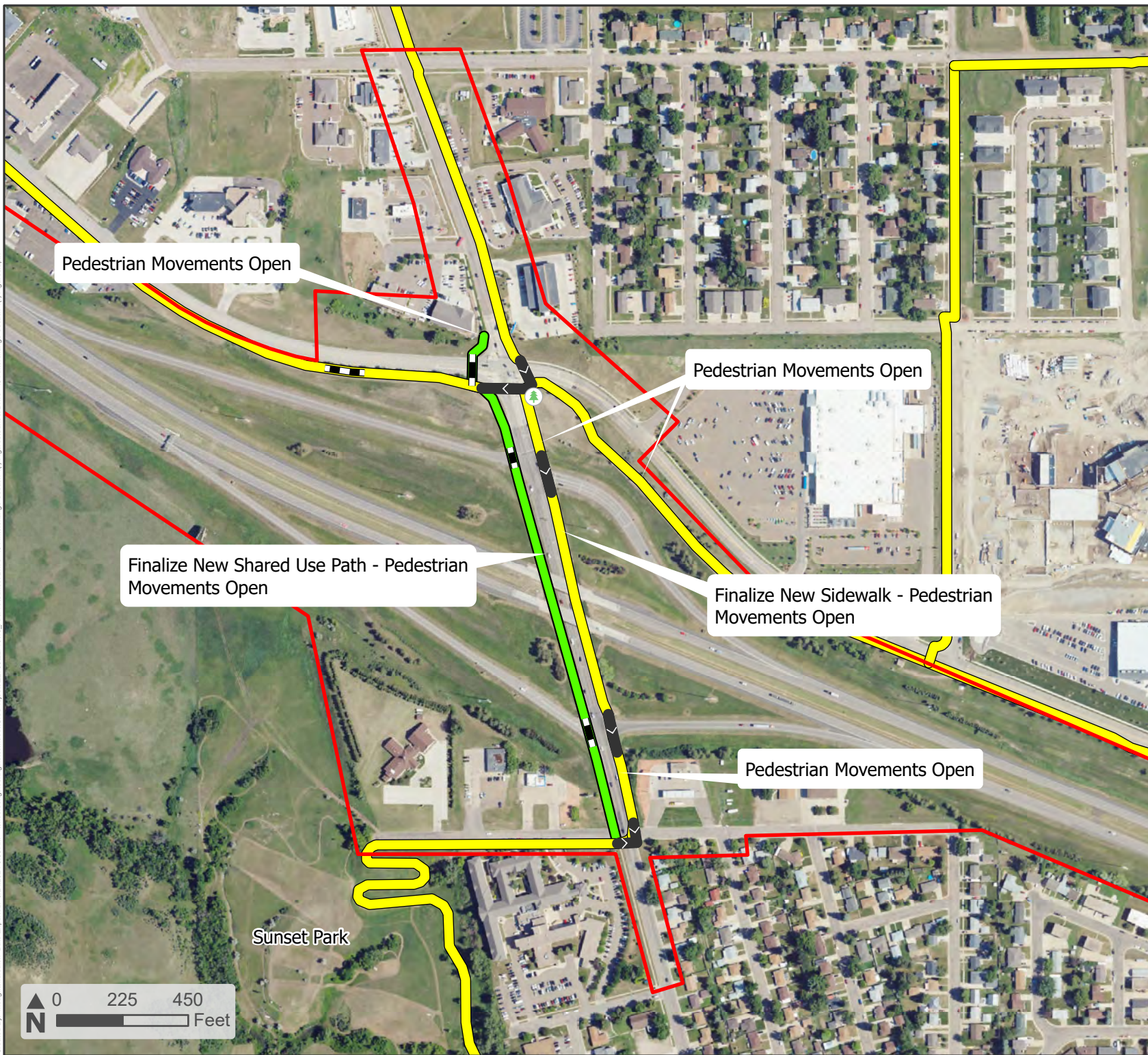
Source: (NAIP 2023)

- Temporary Overnight Closures
- Study Area
- Intersection Crossings to be Maintained
- Existing
- New
- Temporary Walkways/ Widening
- Temporary Closures
- Existing Trail Network
- New Shared Use Path (Approximate)

Project: PCN: 23594
Project No.: 1-094(231)152
Drawn By: MED
Date: 6/27/2024



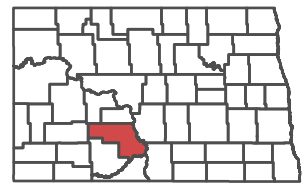
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Old Red Trail SUP Temporary Occupancy Phasing

Exhibit 3 - Phase 3

Morton County, ND

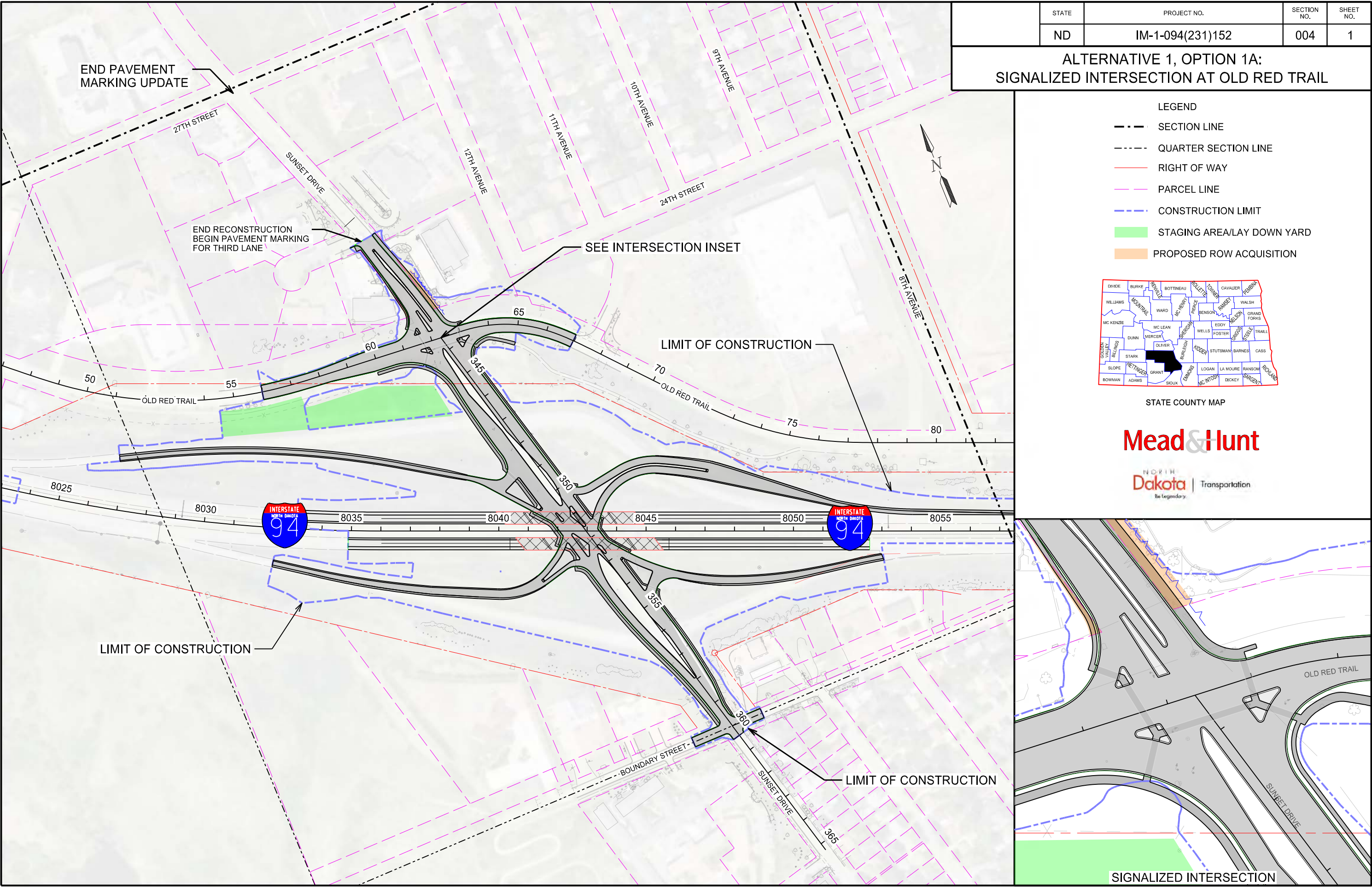


Source: (NAIP 2023)

- Study Area
- Trailhead Kiosk (Rebuilt after Construction)
- Intersection Crossings to be Maintained
 - Existing
 - New
- Existing Trail Network
- New Shared Use Path (Approximate)

Project: PCN: 23594
Project No.: 1-094(231)152
Drawn By: MED
Date: 5/24/2024

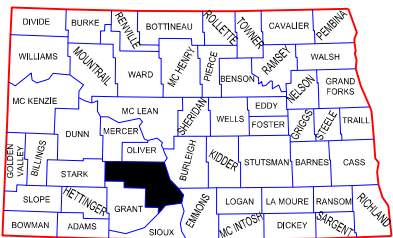




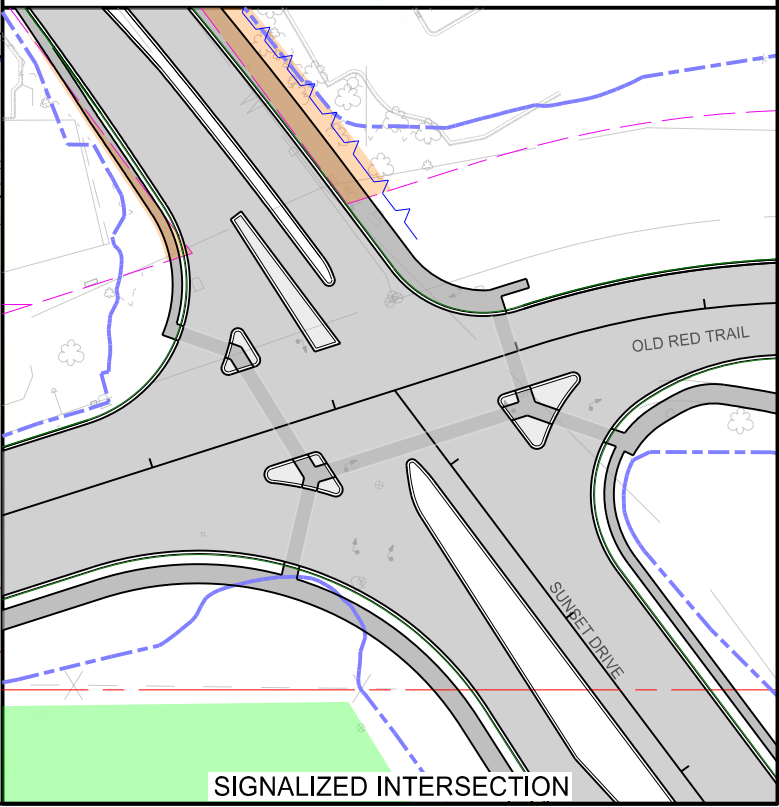
STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	IM-1-094(231)152	004	1

ALTERNATIVE 1, OPTION 1A:
SIGNALIZED INTERSECTION AT OLD RED TRAIL

- LEGEND
- SECTION LINE
 - QUARTER SECTION LINE
 - RIGHT OF WAY
 - PARCEL LINE
 - CONSTRUCTION LIMIT
 - STAGING AREA/LAY DOWN YARD
 - PROPOSED ROW ACQUISITION



STATE COUNTY MAP



SIGNALIZED INTERSECTION

Appendix E
Environmental Justice (EJ) Analysis Documentation

Environmental Justice (EJ) Analysis Guidance

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, dated February 11, 1994, directed “each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States... The proposed project has federal funding and federal permit requirements and is considered a federal project for purposes of compliance with the Executive Order.”

FHWA Order 6640.23A FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations establishes policies and procedures for the Federal Highway Administration (FHWA) to use in complying with Executive Order 12898. FHWA issued Order 6640.23A on June 14, 2012.

Step 1 – Identify Environmental Justice Study Area

The EJ study area is the geographic area where the proposed project has potential for human health or environmental effects. The study area for the EJ analysis was determined by applying a 0.25-mile buffer to the project limits, including any required detours. Maps of the EJ study area are included at the end of this analysis as part of Step 2.

Step 2 – Readily Identifiable Minority or Low-Income Populations within Study Area

EJ populations include minority and low-income populations.

“Minority” is defined in the US Department of Transportation (DOT) Order 5610.2(a) on Environmental Justice as including “Black or African American, Hispanic, Asian American, American Indian/Alaskan Native and Native Hawaiian or Pacific Islander.” “Minority population” means any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

“Low-income population” is defined in DOT Order 5610.2(a) as meaning “any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.”

The US Environmental Protection Agency’s (EPA) Environmental Justice Screening and Mapping tool (EJScreen) was used to investigate the presence of readily identifiable low-income or minority populations. EJScreen defines percent low-income as the percent of a block group’s population in households where the household income is less than, or equal to, twice the federal “poverty level.”

The EJ study area was investigated for the presence of readily identifiable:

- minority and/or low-income populations
- community facilities that serve minority and/or low-income populations, and
- businesses that are owned by, employ, and/or serve minority and/or low-income populations.

The investigation included review of demographic data, field review, consultation with knowledgeable local representatives, and public outreach activities, as described below:

Step 2a. – EJScreen Demographic Data

Table 1 - EJScreen Data

Demographic	Project Study Area (including 0.25-mile buffer)	City of Mandan
Minority Population	12%	14%
Low-Income Population	16%	26%

Compare the percentages of minority and low-income persons in the EJ study area to the percentages of minority and low-income persons at the city or county (city for urban projects and county for rural projects). If the percentages of the study area are meaningfully greater than those of the city or county, it is a strong indicator of the presence of an EJ population and a closer look at the community context is warranted. A study area where the percentage of either above demographic is 10 percentage points higher than the county or city average; or are greater than 50 percent within the study area would be a strong indicator of populations for purposes of the EJ analysis.

Step 2b. – Field/Office Review, Consultation, or Other Data

According to the US Department of Housing and Urban Development's Affordable Housing locator tool, [HUD Resource Locator](#) the following HUD resources are within the study area:

Mercer County Public Housing Authority and Morton County Public Housing Authority (1500 3rd Ave NW Mandan, ND). During scoping, HUD representatives indicated one Morton County Housing Authority Section 8 interest unit within the study area and several other interest units adjacent to the study area (see attached Exhibit 1).

Community facilities that provide services to minority and/or low-income populations within the study area may include: Housing Industry Training Disability Services (2640 Sunset Drive NW), Morton County Farm Service Agency (2540 Overlook LN).

Readily-identifiable businesses owned by, and/or serving minority and/or low-income populations within the study area may include: There are no readily-identifiable businesses owned by, and/or serving minority and/or low income populations in the study area.

The Bismarck-Mandan MPO was consulted early in the feasibility stage and during Solicitation of Views mailed in February 2023 and February 2024. Consultation with local representatives knowledgeable about community demographics, HUD representatives identified the following facilities or relevant issues that may be impacted by the project: Morton County Housing Authority Section 8 interest units. These units are outside of, but adjacent to, the project limits.

Based on the comments received from HUD in the Solicitation of Views process, further evaluation of the project impacts on Section 8/low-income housing units is provided in Step 3 below.

Step 2c. – Summary of Identification

Based on the data collection from Steps 2a and Step 2b. above:

- ☐ **There is not a readily identifiable EJ population in the EJ study area.**
Therefore, there are no readily identifiable minority or low-income populations affected by the project. *(No further study needed)*

- ☒ **There is a readily identifiable EJ population in the EJ study area. *(Go to Step 3)***

Step 3 – Project Impacts, Avoidance, Minimization, and Benefits

The project meets the definition of a Type 1 Project per 23 CFR 772.5 and thus a noise study was performed for the project study area to evaluate traffic under existing conditions and the Future 2045 No Build and Build Alternative (SPUI with Signalized Intersection at Boundary Street NW) conditions. Seven receptors were placed near the units of interest identified by HUD during Solicitation of Views. Based on the results of the Noise Study, these locations will experience a 0.8-2.2 decibel increase, though these receptors are still below the threshold of 66 decibels for residential areas. The results of the noise analysis for the Build Alternative indicate that projected noise levels do not exceed any thresholds and no abatements (berms, noise walls or change in roadway alignments) are required.

The project will also temporarily impact pedestrian walkways through the project workspace. Old Red Trail Shared Use Path (Shared Use Path) is located east of Sunset Drive through the interchange and connects to trails north and south of the interchange. The 10-ft Shared Use Path will be relocated to the west side of Sunset Drive after the project is completed and a standard 5-ft pedestrian sidewalk will be constructed in its place east of Sunset Drive to maintain pedestrian access.

The project was assessed for applicable potential human health and environmental impacts for all populations, including any related minimization, avoidance, and benefits:

- Property impacts, business relocations, and residential relocations were avoided and minimized to the extent practicable. This included utilizing retaining walls where economically feasible, to minimize the project footprint.
- All ROW acquisitions would be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
- No residential or business relocations are required for the project.
- Communication with all affected landowners has occurred during project development and is ongoing to keep them apprised of project development and best understand how to minimize disruption.
- Temporary construction impacts such as construction noise would be short term and would be minimized and mitigated by ensuring equipment is in proper working order with functional mufflers, limit construction to daytime hours, and fugitive dust control measure (water) would be implemented as necessary.
- Contaminated and hazardous waste encounters are not expected with the project.
- Access will be maintained through the project area during the majority of construction activities. Traffic will not be detoured around the interchange, though existing traffic flow will be modified through the interchange and intersections with Sunset Drive and Boundary Street NW. Short-term temporary overnight closures of Sunset Drive will be required at select stages of construction.
- A signed traffic detour will be provided for overnight closures of Sunset Drive during I-94 bridge deck removal, girder and pier removal of the old structures, and installation of girders for the new bridge structures. The detour is temporary in nature and is expected to take place overnight. During these temporary overnight closures, a local detour route will be established via 14th Street NW, Collins Avenue, and Old Red Trail to maintain through traffic on Sunset Drive and also serve as a pedestrian detour route. Emergency responders will still be allowed access along Sunset Drive during this time. Access points along the project would be modified as needed, including temporary Shared Use

Path and sidewalk closures, lane shifts or closures, two-way traffic on one side of a divided facility, and bypass modifications. Access to all parcels would be maintained.

- There are no permanent impacts to any public parks or recreational facilities.
- A temporary occupancy is required for the Old Red Trail Shared Use Path, but access to pedestrian facilities through the interchange would be maintained during the majority of construction activities. Temporary closures of the Shared Use Path and sidewalks will be required during specific construction operations for pedestrian safety. This will occur during the removal of the existing I-94 bridge structure and construction of new girders for the new I-94 structure over Sunset Drive, as previously described. These operations are anticipated to occur during evening and nighttime hours when pedestrian volumes are typically low. During these operations, flagging operations may be employed by the contractor to maintain options for pedestrians when appropriate
- Due to the nature and scope of the project, no high or adverse economic impacts are anticipated and no permanent disruptions or impacts to community/neighborhood cohesion are expected.
- There are no permanent impacts to existing transit routes, facilities, or locations. Temporary delays to all traffic will occur at certain times of project construction, as the interchange will remain open.
- Sunset Drive will have limited overnight closures between the hours of 8 PM to 6 AM for safety purposes. During these temporary overnight closures, a detour route will be established via During these temporary overnight closures, a local detour route will be established via 14th Street NW, Collins Avenue, and Old Red Trail. Emergency responders will be provided access along Sunset Drive during this time.
- No impacts to existing parking are anticipated.
- Pedestrian facilities within the project area will be enhanced by reconstructing deteriorated pedestrian facilities and enhance pedestrian mobility by shifting the Old Red Trail Shared Use Path west of Sunset Drive, which provides improved safety for pedestrians and particularly cyclists. The ramp traffic volumes west of Sunset Drive are lower than counts east of Sunset Drive, which reduces the frequency of trail users crossing in front of vehicles. The current Shared Use Path will be improved from its existing condition when it is rebuilt, and the project will construct a 5-ft pedestrian sidewalk on the east side of Sunset Drive to maintain foot traffic access continuity.
- Overall, the project will improve the deteriorated conditions identified for the project and enhance safety within the study area.
- The project will provide pedestrian access on both east and west sides of Sunset Drive, where previously access was only on the east side.

☒ **The identified project impacts are sufficiently addressed through avoidance, minimization, mitigation, and/or benefits such that no substantial adverse impacts to any populations remain. Substantial or adverse impacts to human health and environment are not expected with the project. Therefore, no disproportionately high or adverse impacts to identified minority or low-income populations would occur. (No further study needed - document, attach, and summarize the EJ analysis and findings within environmental document)**

Appendix F
Comments and Responses From the Draft Documented CATEX

PENDING

Appendix G

Preliminary Cost Estimates

Cost Estimate

Project Number:	IM-1-094(231)152	Bid Opening:	2/6/2026
PCN:	23594	Estimate Scope:	ENV
Length	1.69	Tied Project(s):	
City:	Mandan		
County:	Morton	Prepared By:	1362cmr
Work Description:	Reconstruction with RAB		

Location: **I-94, Mandan Sunset Drive Interchange**

Spec	Code	Item Description	Unit	Quantity	Unit Cost	Total Cost
202	0105	REMOVAL OF STRUCTURE	L SUM	1	\$500,000.00	\$500,000.00
202	0132	REMOVAL OF BITUMINOUS SURFACING	SY	42260	\$15.00	\$633,900.00
203	0101	COMMON EXCAVATION-TYPE A	CY	54100	\$10.00	\$541,000.00
203	0138	COMMON EXCAVATION-SUBCUT	CY	49500	\$25.00	\$1,237,500.00
210	0099	CLASS 1 EXCAVATION	L SUM	1	\$300,000.00	\$300,000.00
230	0165	SUBGRADE PREPARATION-TYPE A-12IN	STA	95	\$1,800.00	\$171,000.00
258	0100	CONCRETE SLOPE PROTECTION	SY	845	\$900.00	\$760,500.00
302	0121	AGGREGATE BASE COURSE CL 5	CY	22300	\$92.00	\$2,051,600.00
401	0050	TACK COAT	GAL	860	\$2.50	\$2,150.00
430	0043	SUPERPAVE FAA 43	TON	2895	\$120.00	\$347,400.00
430	5803	PG 58S-28 ASPHALT CEMENT	TON	185	\$800.00	\$148,000.00
550	0117	9IN NON-REINF CONCRETE PAVEMENT CL AE	SY	38850	\$100.00	\$3,885,000.00
550	3005	CONCRETE MEDIAN PAVEMENT	SY	7840	\$150.00	\$1,176,000.00
602	0130	CLASS AAE-3 CONCRETE	CY	1454	\$1,900.00	\$2,762,600.00
602	1130	CLASS AE-3 CONCRETE	CY	574	\$1,600.00	\$918,400.00
602	1133	CONCRETE BRIDGE APPROACH SLAB	SY	786	\$1,000.00	\$786,000.00
612	0115	REINFORCING STEEL-GRADE 60	LBS	56000	\$2.75	\$154,000.00
612	0116	REINFORCING STEEL-GRADE 60-EPOXY COATED	LBS	320000	\$2.25	\$720,000.00
616	0360	STRUCTURAL STEEL	LBS	1653200	\$2.25	\$3,719,700.00
622	0020	STEEL PILING HP 10 X 42	LF	11800	\$75.00	\$885,000.00
702	0100	MOBILIZATION	L SUM	1	\$3,318,185.00	\$3,318,185.00
748	0100	CURB & GUTTER	LF	13770	\$50.00	\$688,500.00
754	1315	OVERHEAD SIGN STR 30FT CANTILEVER	EA	7	\$150,000.00	\$1,050,000.00
772	0001	TRAFFIC SIGNALS SYSTEM	EA	2	\$300,000.00	\$600,000.00
930	9552	RETAINING WALL	L SUM	1	\$600,000.00	\$600,000.00
990	2061	DRAINAGE	L SUM	1	\$544,700.00	\$544,700.00
990	2062	EROSION CONTROL	L SUM	1	\$326,800.00	\$326,800.00
990	2063	TRAFFIC CONTROL	L SUM	1	\$3,812,400.00	\$3,812,400.00
990	2064	LIGHTING	L SUM	1	\$1,079,300.00	\$1,079,300.00
990	2065	SIGNING/MARKINGS	L SUM	1	\$326,800.00	\$326,800.00
990	2066	ROADWAY INCIDENTALS	L SUM	1	\$3,267,800.00	\$3,267,800.00
990	2067	STRUCTURE INCIDENTALS	L SUM	1	\$4,500,000.00	\$4,500,000.00
990	2068	CONSTRUCTION DELIVERY 10%	L SUM	1	\$3,976,465.00	\$3,976,465.00
990	2069	UTILITY RELOCATION 5%	L SUM	1	\$1,900,233.00	\$1,900,233.00

Spec	Code	Item Description	Unit	Quantity	Unit Cost	Total Cost
990	2070	COMMUNITY SENSITIVE DESIGN 1.5%	L SUM	1	\$596,470.00	\$596,470.00
990	2071	ROW ACQUISITION	ACRE	0.2	\$350,000.00	\$70,000.00

Subtotal \$48,357,403.00

Estimate Summary and Totals

Engineering Percent: 10.00%

Subtotal:

\$48,357,403.00 + 10.00% Engineering = \$53,193,143.30

Cost Estimate

Project Number:	IM-1-094(231)152	Bid Opening:	2/6/2026
PCN:	23594	Estimate Scope:	ENV
Length	1.69	Tied Project(s):	
City:	Mandan		
County:	Morton	Prepared By:	1362cmr
Work Description:	Reconstruction with Signals		

Location: **I-94, Mandan Sunset Drive Interchange**

Spec	Code	Item Description	Unit	Quantity	Unit Cost	Total Cost
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202	0132	REMOVAL OF BITUMINOUS SURFACING	SY	45860	\$15.00	\$687,900.00
203	0101	COMMON EXCAVATION-TYPE A	CY	61900	\$10.00	\$619,000.00
203	0138	COMMON EXCAVATION-SUBCUT	CY	50000	\$25.00	\$1,250,000.00
210	0099	CLASS 1 EXCAVATION	L SUM	1	\$300,000.00	\$300,000.00
230	0165	SUBGRADE PREPARATION-TYPE A-12IN	STA	95	\$1,800.00	\$171,000.00
258	0100	CONCRETE SLOPE PROTECTION	SY	845	\$900.00	\$760,500.00
302	0121	AGGREGATE BASE COURSE CL 5	CY	26840	\$92.00	\$2,469,280.00
401	0050	TACK COAT	GAL	1106	\$2.50	\$2,765.00
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430	5803	PG 58S-28 ASPHALT CEMENT	TON	183	\$800.00	\$146,400.00
550	0117	9IN NON-REINF CONCRETE PAVEMENT CL AE	SY	38850	\$100.00	\$3,885,000.00
550	3005	CONCRETE MEDIAN PAVEMENT	SY	6530	\$150.00	\$979,500.00
602	0130	CLASS AAE-3 CONCRETE	CY	1454	\$1,900.00	\$2,762,600.00
602	1130	CLASS AE-3 CONCRETE	CY	574	\$1,600.00	\$918,400.00
602	1133	CONCRETE BRIDGE APPROACH SLAB	SY	786	\$1,000.00	\$786,000.00
612	0115	REINFORCING STEEL-GRADE 60	LBS	56000	\$2.75	\$154,000.00
612	0116	REINFORCING STEEL-GRADE 60-EPOXY COATED	LBS	320000	\$2.25	\$720,000.00
616	0360	STRUCTURAL STEEL	LBS	1653200	\$2.25	\$3,719,700.00
622	0020	STEEL PILING HP 10 X 42	LF	11800	\$75.00	\$885,000.00
702	0100	MOBILIZATION	L SUM	1	\$3,182,423.00	\$3,182,423.00
748	0100	CURB & GUTTER	LF	13400	\$50.00	\$670,000.00
754	1325	OVERHEAD SIGN STR 40FT CANTILEVER	EA	3	\$150,000.00	\$450,000.00
772	0001	TRAFFIC SIGNALS SYSTEM	EA	3	\$300,000.00	\$900,000.00
930	9552	RETAINING WALL	L SUM	1	\$600,000.00	\$600,000.00
990	2061	DRAINAGE	L SUM	1	\$571,994.00	\$571,994.00
990	2062	EROSION CONTROL	L SUM	1	\$343,196.00	\$343,196.00
990	2063	TRAFFIC CONTROL	L SUM	1	\$3,431,966.00	\$3,431,966.00
990	2064	LIGHTING	L SUM	1	\$1,143,989.00	\$1,143,989.00
990	2065	SIGNING/MARKINGS	L SUM	1	\$380,196.00	\$380,196.00
990	2066	ROADWAY INCIDENTALS	L SUM	1	\$3,431,966.00	\$3,431,966.00
990	2067	STRUCTURE INCIDENTALS	L SUM	1	\$4,500,000.00	\$4,500,000.00
990	2068	CONSTRUCTION DELIVERY 10%	L SUM	1	\$3,843,861.00	\$3,843,861.00
990	2069	UTILITY RELOCATION 5%	L SUM	1	\$1,921,931.00	\$1,921,931.00

Spec	Code	Item Description	Unit	Quantity	Unit Cost	Total Cost
990	2070	COMMUNITY SENSITIVE DESIGN 1.5%	L SUM	1	\$576,579.00	\$576,579.00
990	2071	ROW ACQUISITION	ACRE	0.2	\$350,000.00	\$70,000.00
					Subtotal	\$48,079,186.00

Estimate Summary and Totals

Engineering Percent: 10.00%

Subtotal:
\$48,079,186.00 + 10.00% Engineering = \$52,887,104.60



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Resolutions for Street Improvement District No. 236 (City Project No. 2019-08)

STATEMENT/PURPOSE:

To review and potentially approve the resolutions necessary to move forward with the 2026 Street Improvement Project, SID 236, City Project No. 2019-08. Additionally, to consider approval of the commitment of Municipal Infrastructure Funds and City Utility Funds to buy down reconstructed portions of the project.

BACKGROUND/ALTERNATIVES:

In July of 2023, the City of Mandan was awarded \$2.356M of federal funds through the North Dakota Department of Transportation's (NDDOT) Urban Grant Program (UGP) for the reconstruction of 1st Street NW from 6th Avenue NW to 4th Avenue NW, as well as 4th Avenue NW from Main Street to 2nd Street NW, and 5th Avenue NW from 1st Street NW to 2nd Street NW.

KLJ and the City amended an existing agreement to continue preliminary engineering services in March 2024. Coordination efforts over the last year have included recommendations for municipal utility replacements, traffic operation analysis, roadway design, and funding allocations.

Based on the communal significance of downtown, local contributions from the Municipal Infrastructure Fund and City Utility Fund are proposed to reduce the special assessment impact to nearby properties. The estimated assessment costs for a typical lot (7,000 Sq Ft) adjacent to the roadway improvements are approximately \$8,800. For the same lot that's within the storm watershed, but not adjacent to the roadway, improvement costs are approximately \$700. With reasonable assessments where benefits exceed cost, we would recommend creating an improvement district to subsidize a portion of the total project cost.

If approved, the 30-day protest period would start February 21, 2025. We would accept letters of protest in our office until 4:30 pm, March 24, 2025. We would bring the determination of protests to the city commission meeting on April 1, 2025. As per our typical process, we will send letters to the participating properties shortly after the district resolutions are published in the Mandan News.

ATTACHMENTS:

1. Mandan Downtown SID236 Legal Description
2. Mandan Downtown SID236 Resolution Approve Engineer Report
3. Mandan Downtown SID236 Resolution Declaring Necessity
4. Mandan Downtown SID236 boundary
5. Mandan Downtown SID236 Proposed Conditions
6. Mandan Downtown SID236 PrelimEngineering
7. Mandan Downtown SID236 Resolution Creating SID 236
8. Mandan Downtown SID236 Feasibility Report
9. Mandan Downtown SID236 Estimate

FISCAL IMPACT:

Based on the estimate of cost included with your documentation, the construction cost of the project would be \$5,712,844.00, engineering and administration will add \$1,122,576.20, bringing the total to \$6,835,460.20. These items would be funded by multiple sources based on item eligibility and cost match percentages outlined in the Engineer's report. Summary of total cost with contingencies, engineering, and administration included:

Funding Source	% of Total Project Cost Funded	Cost Allocation
	34.47%	\$2,356,000.00
NDDOT UGP Award		
ND DWR Award	10.53%	\$719,816.00
Municipal Infrastructure Fund	35.93%	\$2,456,081.66
SID - Storm	3.10%	\$211,989.50
SID - Roadway	4.72%	\$322,686.24
Utility Fund	11.25%	\$768,886.80

A cost-share application will be submitted to the Department of Water Resources through their Municipal Water Supply program to cover watermain related costs. This funding has not been secured, but their fiscal inventory list includes this project. The potential grant covers 60% of watermain-related cost with a state maximum cap of \$720,000.

STAFF IMPACT:

Moderate time and effort would be required by several departments to coordinate design with KLJ.

LEGAL REVIEW:

All documents have been made available to City Attorney for review.

RECOMMENDATION:

It is recommend to approve the resolutions necessary to move forward with Street Improvement District 236. Additionally, to approve the commitment of Municipal Infrastructure Funds and City Utility Funds to the project.

SUGGESTED MOTION:

I move to approve the resolutions to create improvement district, approve the Engineer's report, approve feasibility report, and approve declaring necessity for Street Improvement District No. 236.

LEGAL DESCRIPTION

**Street Improvement District No. 236, Project No. 2019-08
NDDOT UGP-1-988(052), PCN 24136**

Portions of First Northern Pacific Addition, Portions of Mandan Proper, Replat of Block 19 of Mandan Proper, Replat of Block 40 of Mandan Proper, and Portions of Original Town of Mandan

CITY OF MANDAN, NORTH DAKOTA

LOTS 7-12, BLOCK 78; FIRST NORTHERN PACIFIC ADDITION

LOTS 1-9, BLOCK 79; FIRST NORTHERN PACIFIC ADDITION

LOTS 5-6, BLOCK 84; FIRST NORTHERN PACIFIC ADDITION

LOTS 7-8, BLOCK 85; FIRST NORTHERN PACIFIC ADDITION

LOTS 11-15, BLOCK 10; MANDAN PROPER

BLOCKS 11-12; MANDAN PROPER

BLOCKS 17-18; MANDAN PROPER

LOTS 7-12, BLOCK 19; MANDAN PROPER

LOTS 7-12, BLOCK 39; MANDAN PROPER

BLOCKS 40-41; MANDAN PROPER

BLOCKS 46-47; MANDAN PROPER

LOTS 7-12, BLOCK 48; MANDAN PROPER

BLOCKS 55-56; MANDAN PROPER

LOTS 1-6, BLOCK 57; MANDAN PROPER

LOTS 1-2, BLOCK 19; MANDAN PROPER REPLAT LOT 9 BLOCK 19

LOTS 1-2, BLOCK 40; MANDAN PROPER REPLAT PT BLK 40

LOTS 16-17, BLOCK 10; ORIGINAL TOWN OF MANDAN RP LTS 16-18 B10

**RESOLUTION APPROVING ENGINEER'S REPORT FOR
STREET IMPROVEMENT DISTRICT NO. 236**
Project No. 2019-08

BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, North Dakota, as follows:

1. That the report of the City Engineer with respect to the general nature, purpose, and feasibility of the proposed improvement and the estimate of the probable cost of the work to be done in Street Improvement District No. 236 (Project No. 2019-08), as required by section 40-22-10 of the North Dakota Century Code, and hereto filed in the office of the City Administrator, is hereby accepted and approved and the proposed improvement project within said District is hereby determined and declared to be feasible.

2. The probable costs of the of the improvement project are estimated to be as follows:

- | | | |
|----|--|----------------|
| a. | Construction costs: | \$5,712,884.00 |
| b. | Other costs including necessary and reasonable change orders; engineering, fiscal agents' and attorneys' fees; cost of publication of legal notices; printing of warrant bonds; and all expenses incurred in the making of the improvement and levy of assessments therefor: | \$1,122,576.20 |
| c. | Total estimated costs of the improvement: | \$6,835,460.20 |

3. This resolution shall be in full force and effect from and after its passage.

Dated this 18th day of February, 2025.

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION DECLARING THE NECESSITY OF
AN IMPROVEMENT PROJECT IN AND FOR
STREET IMPROVEMENT DISTRICT NO. 236 OF THE CITY OF MANDAN
TO BE PAID BY THE LEVY OF SPECIAL ASSESSMENTS
ON PROPERTY BENEFITTED THEREBY**
Project No. 2019-08

BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, North Dakota, as follows:

1. It is hereby found, determined and declared that it is necessary for the City of Mandan to construct a street improvement project of the type specified in North Dakota Century Code §40-22-01(2), in and for Street Improvement District No. 236 (Project No. 2019-08) of said City. Said improvement project shall include, but not be limited to the improvements of streets, as well as all other work and materials which are necessary or reasonably incidental to the completion of the project; all in accordance with and as described in the resolution creating said district adopted February 18th, 2025; which is on file in the offices of the City Engineer and open for public inspection by anyone interested therein. The project may be more commonly known as First Street Improvements. The improvement to said streets within this improvement district shall include, but not be limited to, 1st Street NW from 4th Avenue NW to 6th Avenue NW and adjacent side streets 4th Avenue NW from Main Street to 2nd Street NW; and 5th Avenue NW from 1st Street NW to 2nd Street NW, and includes roadway reconstruction and concrete pavement with curb and gutter, sidewalks, lighting, streetscaping and landscaping, underground utilities including storm sewer, water main, sanitary sewer and associated services, and related work.
2. The cost of said improvement project shall be paid for by special assessments to be levied against the respective lots, tracts and parcels of land within said improvement district benefitted by the improvement in amounts proportionate to and not exceeding such benefits and the Board of City Commissioners reserves the right to provide for the payment of a portion of the costs of such improvement from such other funds as may be properly available for such purpose.
3. The City Administrator is authorized and directed to cause this resolution, together with a map of the City showing the improvement district, which is attached hereto, to be published once each week for two (2) consecutive weeks in the official newspaper of the City.
4. The owners of property within said improvement district and liable to be specially assessed for said improvement shall be afforded the opportunity to file written protest with the City Administrator at any time within thirty (30) days after the first publication of this resolution. The City requires written protests only and must clearly contain the property that protests along with the name and signature of the owner of record. Written protests must be submitted to the City Administrator no later than 4:30 pm, local time, March 24th, 2025. The Board of City Commissioners shall, at its next meeting after the expiration of said period, to wit April 1st, 2025 at 5:30 p.m., meet at the City Hall, 205 2nd Avenue N.W., Mandan, ND, to hear and determine the sufficiency of any of the protests so filed and to take such other and further action with reference to said improvement district as may then be deemed necessary and expedient.
5. This resolution shall be in full force and effect from and after its passage.
Dated this 18th day of February, 2025.

President, Board of City Commissioners

ATTEST:

City Administrator

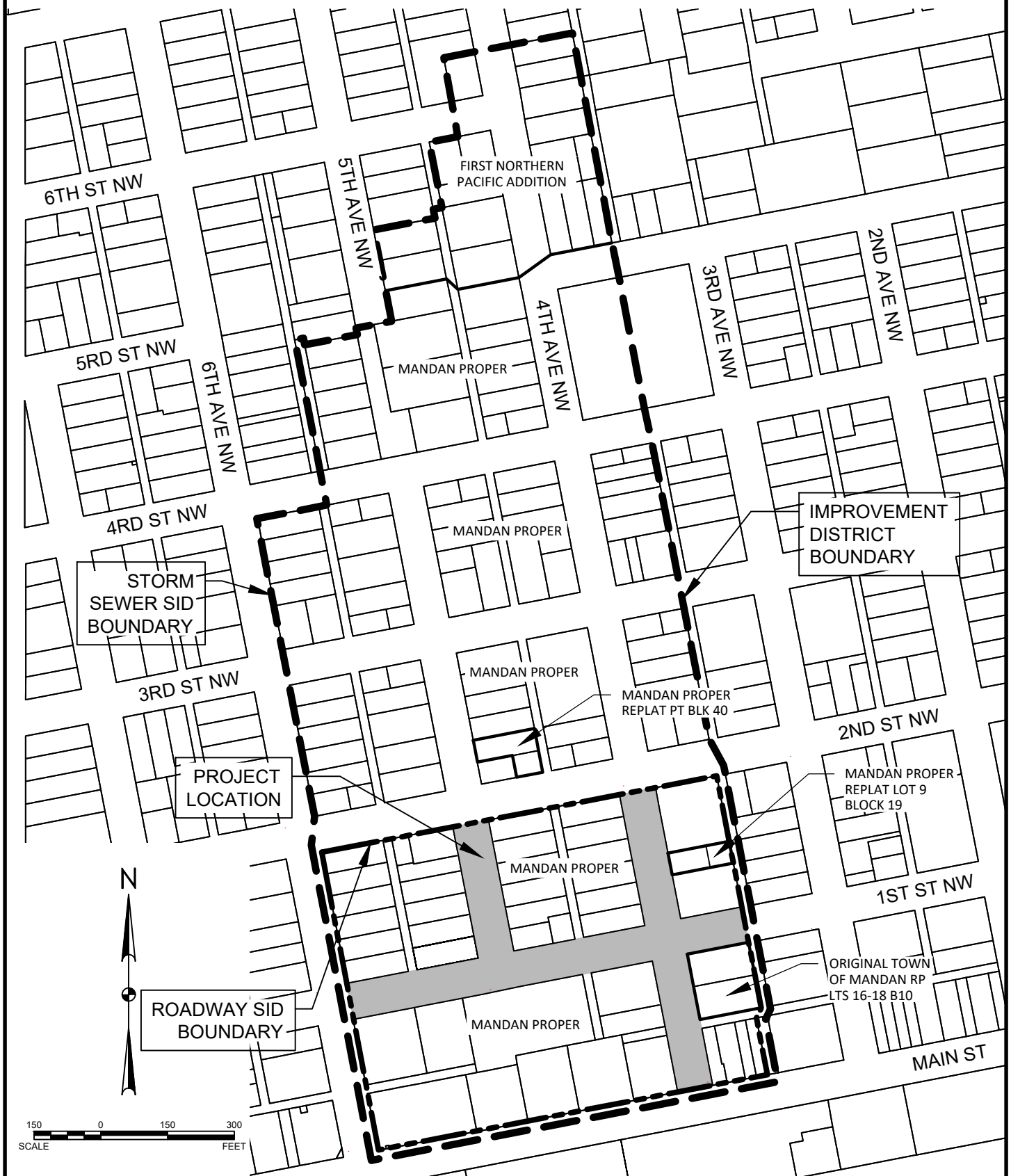
Publication Dates: February 21st and February 28th, 2025

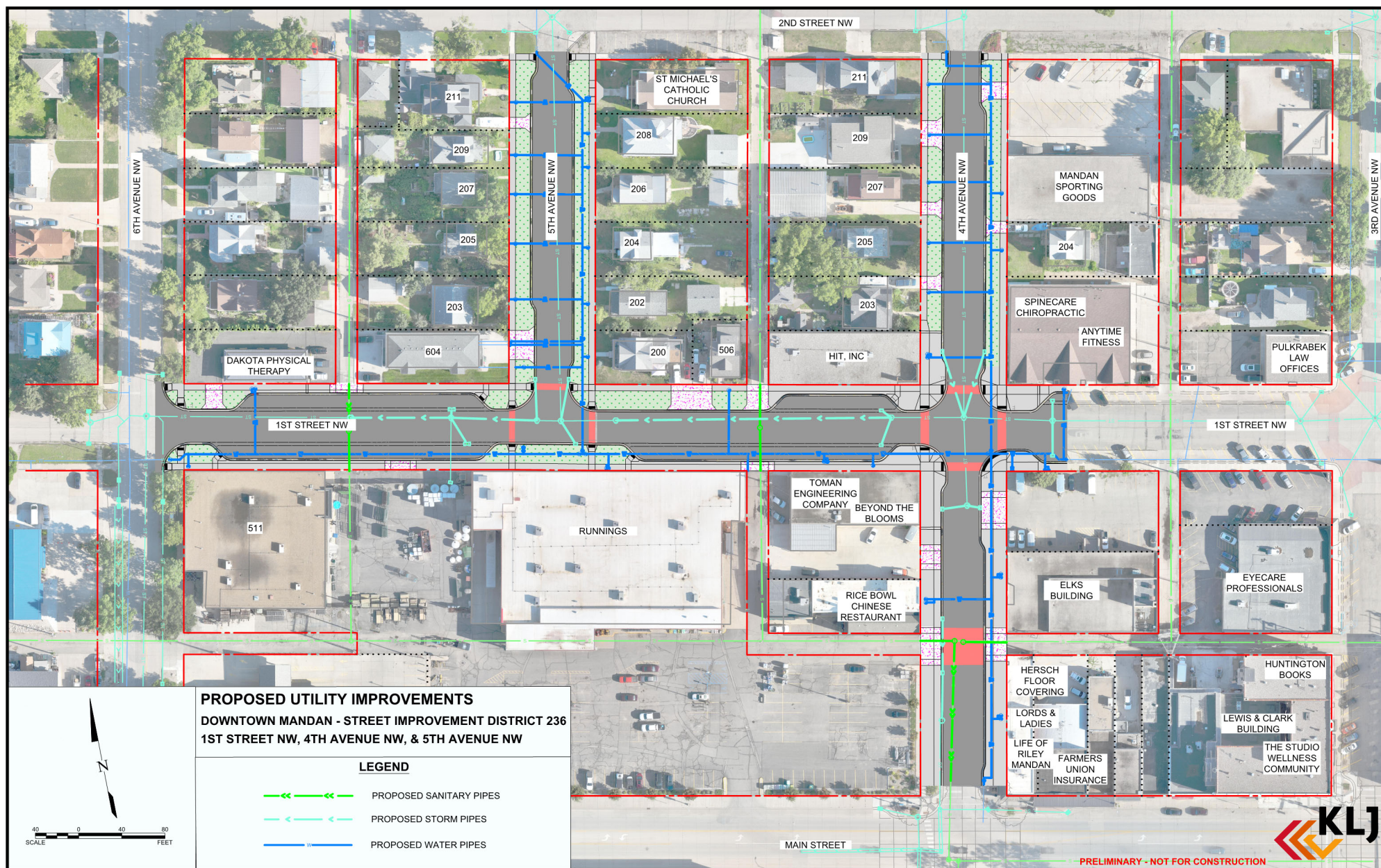
Map of District must also be published

IMPROVEMENT DISTRICT MAP

STREET IMPROVEMENT DISTRICT 236

CITY OF MANDAN





Jan 23, 2025 - 6:31pm - \\klj-solutions\dfs\Data\Projects\City\ND\Mandan\1904-02191-MandanDowntownSID217\CAD\Design\Exhibits\20250108-MandanDowntownSID236-PpsdUtilitiesExhibit.dwg (22x34L)

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Preliminary Engineering Report
Street Improvement District No. 236, Project No. 2019-08
NDDOT UGP-1-988(052), PCN 24136

Portions of First Northern Pacific Addition, Portions of Mandan Proper, Replat of Block 19 of Mandan Proper, Replat of Block 40 of Mandan Proper, and Portions of Original Town of Mandan

CITY OF MANDAN, NORTH DAKOTA

Description

The project consists of the procurement and installation of materials for the construction of storm sewer, water network, sanitary sewer, street curb and gutter, concrete paving, concrete sidewalk, street signage and striping, street lighting, streetscaping and landscaping for 1st Street NW from 4th Avenue NW to 6th Avenue NW; 4th Avenue NW from Main Street to 2nd Street NW; and 5th Avenue NW from 1st Street NW to 2nd Street NW. The construction and storm drainage areas are adjacent to portions of First Northern Pacific Addition, portions of Mandan Proper, Replat of Block 19 of Mandan Proper, Replat of Block 40 of Mandan Proper, and portions of Original Town of Mandan, City of Mandan, North Dakota. All improvements identified above will be completed by the City of Mandan via Federal Urban Grant, North Dakota Department of Water Resources Grant, Municipal Infrastructure (Prairie Dog) Funds, City Utility Funds, and a Special Improvement District. These funding sources will be described in further detail below. Work shall be performed in accordance with the approved plans and specifications, per the North Dakota Department of Transportation and in accordance with City of Mandan, ND, Municipal Code.

Purpose

The City of Mandan and the Bismarck-Mandan Metropolitan Planning Organization (BMMPO) have identified this district as needing improvements. This district is in a historical part of Mandan, and it's important to upgrade functionality while promoting business development and attracting community interest. The main goal of this project is to replace damaged pavement, fix areas that don't meet ADA compliance, and improve safety along the corridor. The project will also include necessary upgrades to storm sewer, watermain systems, and sanitary sewer.

Funding

This project is utilizing multiple funding sources based on item eligibility and cost match percentages. Funding sources, limitations, and cost-share stipulations are outlined below:

- North Dakota Department of Transportation - Urban Grant Program (NDDOT UGP Award)
 - The grant will fund 80.93% of street-related cost, capped at a total cost of \$2,356,000.
 - Funding can be utilized on most project items except utilities.

- North Dakota Department of Water Resources (ND DWR Cost-Share)
 - The potential award will fund a maximum of 60% of costs associated with municipal water supply category.
 - The municipal water supply category includes the removal and replacement costs of the waterline. This includes the cost of removing the roadway within a 6' offset from the centerline of the watermain.
 - Department of Water Resources fiscal inventory list includes this project with an anticipated maximum funding of \$720,000.
- Municipal Infrastructure Funds (Operation Prairie Dog)
 - This funding is allocated to cities in non-oil-producing counties and can be utilized for all parts of this project.
 - The City of Mandan has allocated \$2,456,081.66 to this project.
- Utility Fund
 - The local Utility Fund will be utilized to cover city's cost-share portion of watermain and sanitary improvements not covered by the North Dakota Department of Water Resources Grant.
 - The City of Mandan has allocated \$768,886.80 for this project.
- Special Assessments
 - Street Improvement District will cover the remaining cost associated with roadway and storm sewer items beyond the previous funding limits.
 - Benefit determination and calculated distributions follow the City's special assessment policy adopted in January 2016.

Project Funding Breakdown		
Funding Source	% of Total Project Cost Funded	Cost Allocation
NDDOT UGP Award	34.47%	\$2,356,000.00
ND DWR Award	10.53%	\$719,816.00
Municipal Infrastructure Fund	35.93%	\$2,456,081.66
SID - Storm	3.10%	\$211,989.50
SID - Roadway	4.72%	\$322,686.24
City-Wide Property Tax	0.00%	\$0.00
Sales Tax Fund	0.00%	\$0.00
Utility Fund	11.25%	\$768,886.80
	100.00%	\$6,835,460.20

Grading & Drainage

Grading will be conducted through the NDDOT UGP contract and is not included in the Special Improvement District. Earth moving activity is anticipated to include trenching and compacting soil above the sanitary sewer and storm sewer improvements. Further grading will include subgrade preparation and slightly adjusting the roadway profile to maintain positive drainage. In general,

proposed grade changes will be contained within the public right-of-way and tie-out grading is limited along adjacent properties.

Street drainage shall generally be conveyed through the subdivisions to the proposed and existing storm sewer. Properties north of this project contribute to the watershed and are included within the storm sewer improvement district.

Streets

Replacing street surfaces is essential for maintaining urban infrastructure, especially when poor roadway and sidewalk conditions make travel unsafe and uncomfortable. Cracked pavement, potholes, and uneven sidewalks create hazards for drivers and pedestrians alike. Utility replacements often require open-trench excavation, further disrupting already deteriorating streets. Reconstruction provides an opportunity to not only repair damage but also install modern, pedestrian-friendly features like wider sidewalks, improved crosswalks, and traffic-calming measures. By addressing these issues together, cities can enhance safety, accessibility, and overall urban livability while ensuring a more durable and efficient transportation network.

The pavement section of streets will be comprised of 8" doweled non-reinforced PCC pavement with 10" of compacted aggregate base. Subgrade preparation will scarify the subgrade to a minimum depth of 12" and recompact to a moisture content near optimum. Prior to the placement of aggregate base, a geogrid meeting the requirements of Tensar HX5.5 or an approved equivalent will be placed over the finished subgrade. Concrete driveway approaches will be constructed in accordance with the City of Mandan Standard Detail for commercial and residential driveways.

Concrete sidewalks include a clear pedestrian access route that is at least 6' wide. Grades, slopes, and offsets will provide accessibility to all users and meet ADA (Americans with Disabilities Act) compliance requirements. Proposed intersections incorporate bump-outs that calm traffic, reduce pedestrian crossing distance, and increase visibility between various modes of travel.

The boulevard section of streets will consist of beautification elements such as landscaping and streetscape improvements. These accommodations include, but are not limited to, decorative lighting, trees, benches, bike racks, trash receptacles, planters, and room for business displays or seating.

Streets will serve as the primary conveyance mechanism for storm water with inlets/catch basins and conduit used as required to convey flows into the existing stormwater network. Storm sewer will be sized for conveyance in accordance with the approved Stormwater Management Plan (SWMP).

Water

The existing 6" and 4" cast iron and PVC watermain along 4th Avenue NW and 5th Avenue NW within the project limits will be replaced with 8" PVC (C900). They have reached their expected life span, and they are now undersized. The 12" watermain in 1st Avenue NW has cast iron and PVC pipes that will be replaced with new 12" PVC (C900) pipes. It is assumed the watermain along 1st Street NW has adequate capacity and does not need to be upsized. All existing fire hydrants within the project limits should be

replaced in the approximate existing locations. It is assumed that the existing hydrants provide sufficient coverage and that no additional hydrants will be required. The existing watermain will remain in service during construction, and they will be abandoned in place upon activation of the new system.

The design should also include removal and replacement of all service lines and curb stops within the project limits. Residential service lines will be 1.5". All commercial property services should be provided with a 6" fire suppression service terminated with a gate valve 5' from the property line. For buildings that currently have a fire suppression service, the existing line should be removed, replaced, and reconnected on the exterior of the building. Domestic services to commercial buildings will be tapped off the new fire suppression service unless an alternate location is requested. For buildings currently without fire suppression systems, the new service should be capped and be available if property owners wish to install a sprinkler system in the future.

All watermain should be designed in accordance with City of Mandan Construction Contract Specifications and conform to the requirements of the NDDEQ.

Sanitary Sewer

Seven televising videos from 2020 were provided by the City of Mandan. Based on the review of those videos, the existing sanitary sewer trunklines within the project limits are 12" VCP. KLJ recommends that all sanitary sewer pipes in the project area be replaced as a part of the Mandan Downtown SID236 project. The pipes in the project limits are too damaged for pipe-lining repair. These pipes will be replaced with PVC of equivalent size (SDR 35 for 18" or smaller pipes, ASTM F679-PS46 for 18" or larger pipes). Several of the sanitary sewer pipes outside the current project limits should also be repaired in the future, as described in KLJ's memo to the City of Mandan dated 2/14/2025. Any sanitary sewer replacement in the future outside of the project limits should not affect the newly constructed roadway.

All sanitary sewers should be designed in accordance with City of Mandan Construction Contract Specifications and conform to the requirements of the NDDEQ.

Storm Sewer

The existing storm sewer trunklines within the project corridor consists primarily of reinforced concrete pipe. However, approximately 255 LF of storm sewer trunkline is clay tile pipe. All existing clay or brick storm sewer pipes should be replaced. Due to the remaining life span and good condition of the existing RCP storm trunk lines, it is assumed that replacement is not warranted at this time. The storm sewer system capacity is limited by the existing downstream trunk lines located outside the project limits and storm sewer trunk lines within the project limits will not be upsized.

Proposed storm sewer improvements should include modifications to the inlets and lateral pipes to accommodate changes in the road design and intersection bulb outs. Existing round catch basin grates within valley gutters should be replaced with rectangular valley gutter grates to improve efficiency, and all new combination curb inlets should be standard City of Mandan Type-36 Inch inlets. Existing 12"

lateral pipes to the new valley gutter grates should be replaced with 15" pipes. All other existing 12" inlet laterals should be replaced with 15" pipes in compliance with current City of Mandan standards.

Private Utilities

Meetings have been held with the private utility companies that have infrastructure in the project limits. At this point, no anticipated utility relocation costs are expected to be a part of this project's construction costs. However, as the final design is completed, utility relocation may become known. We have included a \$100,000 allowance in the preliminary opinion of construction costs to account for utility relocation.

Lighting and Signage

Street lighting includes pole mounted LED light fixtures, electrical supply, feed points, and all connections. Signage includes post and pole mounted place cards for street names, stop signs, parking signs, and other appropriate permanent traffic control signage.

Right-of-Way Acquisition

No property acquisition is anticipated to be required to complete the project.

Schedule

Construction is anticipated to commence in the spring of 2026 with utility improvements and proposed surfacing completed by the winter of 2026. A possible continuation into 2027 may be necessary to finish any of the remaining streetscape and landscaping elements. Final assessment notices for the Street Improvement District are expected to be delivered in the late fall of 2027.

**RESOLUTION CREATING
STREET IMPROVEMENT DISTRICT NO. 236**
Project No. 2019-08

BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, North Dakota, as follows:

1. There is hereby created Street Improvement District No. 236 (the “District”) (Project No. 2019-08) of the City of Mandan for the purpose of making an improvement project of the type specified in Section 40-22-01(2), N.D.C.C., to improve those parts of the municipal street system listed below. The improvement to said streets within this improvement district shall include, but not be limited to, 1st Street NW from 4th Avenue NW to 6th Avenue NW and adjacent side streets 4th Avenue NW from Main Street to 2nd Street NW; and 5th Avenue NW from 1st Street NW to 2nd Street NW, and includes roadway reconstruction and concrete pavement with curb and gutter, sidewalks, lighting, streetscaping and landscaping, underground utilities including storm sewer, water main, sanitary sewer and associated services, and related work.

2. Consultation with respect thereto having been had with the City Engineer, as to the property to be benefitted by said improvement project and the most practical size, form and location of said District, said District shall include all the Lots, tracts and parcels of land lying within the City of Mandan and its additions within the following boundary lines: namely:

Those Additions, and portions of Additions to the City of Mandan, Morton County, North Dakota, described as follows:

First Northern Pacific Addition, Lots 7-12 in Block 78, Lots 1-9 in Block 79, Lots 5-6 in Block 84, Lots 7-8 in Block 85, Mandan Proper, Lots 11-15, Block 10, Blocks 11-12, Blocks 17-18, Lots 7-12 in Block 19, Lots 7-12 in Block 39, Blocks 40-41, Blocks 46-47, Lots 7-12 in Block 48, Blocks 55-56, Lots 1-6 in Block 57, Mandan Proper Replat Lot 9 Block 19, Lots 1-2 in Block 19, Mandan Proper Replat Pt Block 40, Lots 1-2 in Block 40, Original Town of Mandan RP LTS 16-18 B10, Lots 16-17 in Block 10.

3. Pursuant to section 40-22-10 of the North Dakota Century Code, the City Engineer is hereby authorized and directed to prepare a report as to the general nature, purpose and feasibility of the proposed improvement and an estimate of the probable cost of the improvement.

4. This resolution shall be in full force and effect from and after its passage.

President, Board of City Commissioners

ATTEST:

City Administrator

Date of Passage: February 18, 2024

FEASIBILITY AND EVALUATION OF IMPROVEMENTS FOR STREET IMPROVEMENT DISTRICT NO. 236

Project No. 2019-08

1.) General Nature of Project

The District boundary was determined by the overall watershed contributing to the storm sewer network within the street reconstruction area. The project includes storm sewer, water network, sanitary sewer, street curb and gutter, concrete paving, concrete sidewalk, street signage and striping, street lighting, streetscaping and landscaping.

2.) Location of Proposed Construction

The project will take place along 1st Street NW from 4th Avenue NW to 6th Avenue NW; 4th Avenue NW from Main Street to 2nd Street NW; and 5th Avenue NW from 1st Street NW to 2nd Street NW. Contributing storm drainage areas are adjacent to portions of First Northern Pacific Addition, portions of Mandan Proper, Replat of Block 19 of Mandan Proper, Replat of Block 40 of Mandan Proper, and portions of Original Town of Mandan, City of Mandan, North Dakota.

3.) Environmental Impact

It is anticipated that there will be some dirt, noise and pollutants during the construction period because of the use of the necessary equipment. There will also be some surplus or waste construction materials that will need to be disposed of by the contractor at his or her expense. The contractors will be responsible for leaving the area in an attractive and neat condition. Sensitivity to contaminants from construction will be addressed with the contractor of the job as part of the storm water management permitting procedures.

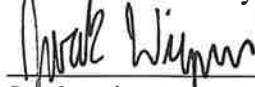
4.) Feasibility of Project

Reconstruction of these streets will address roadway deficiencies, reduce conflict points, and improve multi-modal transportation. Key components include the replacing critical city utilities, updated concrete roadways, improved intersections, enhanced pedestrian environment, and increase aesthetics. In the opinion of the undersigned this project is feasible and needed throughout the indicated area as an improvement to bring road conditions up to good condition.

5.) Estimates of Costs

Attached is a map showing the area and district boundary. The construction costs are estimated at \$5,712,884.00. Other costs of making the improvement including necessary and reasonable change orders; engineering, fiscal agents' and attorneys' fees; publication of legal notices printing of warrants; and all expenses incurred in the making of the improvement and levy of assessments therefore are estimated at \$1,122,576.20. The total cost for the improvement is estimated at \$6,835,460.20.

Dated this 18th day of February, 2025.



Jarek Wigness PE
City Engineer

ENGINEERS PRELIMINARY OPINION OF PROBABLE COST
MANDAN DOWNTOWN STREET IMPROVEMENTS - PHASE 1
1ST STREET NW (6TH AVENUE TO 4TH AVENUE), 4TH AVENUE NW (MAIN STREET TO 2ND STREET), & 5TH AVENUE NW (1ST STREET TO 2ND STREET)
NDDOT PROJECT NUMBER: UGP-1-988(052), PCN 24136
CITY OF MANDAN PROJECT NUMBER: 2019-08, SID 236
KLJ PROJECT NUMBER 1904-02191-1
February 12, 2025
CONCRETE PAVEMENT, CURB AND GUTTER, STORM SEWER, WATERMAIN, SANITARY SEWER, SIDEWALK, PAVEMENT MARKING, LIGHTING, LANDSCAPING

SPEC	CODE	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	COST
103	0100	CONTRACT BOND	L SUM	1	\$35,000.00	\$35,000.00
201	0390	REMOVAL OF TREES 30IN	EA	5	\$3,200.00	\$16,000.00
201	0395	STUMP REMOVAL	EA	5	\$400.00	\$2,000.00
202	0114	REMOVAL OF CONCRETE PAVEMENT	SY	8257	\$28.00	\$231,196.00
202	0130	REMOVAL OF CURB & GUTTER	LF	2716	\$12.00	\$32,592.00
202	0132	REMOVAL OF BITUMINOUS SURFACING	SY	4825	\$10.00	\$48,250.00
202	0174	REMOVAL OF PIPE ALL TYPES AND SIZES	LF	1597	\$40.00	\$63,880.00
202	0210	REMOVAL OF MANHOLES	EA	3	\$1,200.00	\$3,600.00
202	0230	REMOVAL OF INLETS	EA	11	\$1,000.00	\$11,000.00
202	0235	REMOVAL OF CATCH BASIN	EA	8	\$1,100.00	\$8,800.00
203	0101	COMMON EXCAVATION-TYPE A	CY	325	\$15.00	\$4,875.00
203	0119	TOPSOIL-IMPORTED	CY	500	\$35.00	\$17,500.00
216	0100	WATER	M GAL	120	\$45.00	\$5,400.00
230	0165	SUBGRADE PREPARATION-TYPE A-12IN	STA	18	\$3,000.00	\$54,000.00
255	0000	EROSION CONTROL	L SUM	1	\$17,500.00	\$17,500.00
302	0121	AGGREGATE BASE COURSE CL 5	CY	3665	\$65.00	\$238,225.00
550	0111	8IN NON-REINF CONCRETE PVMT CL AE-COLORED & TEXT	SY	180	\$175.00	\$31,500.00
550	0300	8IN NON-REINF CONCRETE PVMT CL AE-DOWELED	SY	7878	\$120.00	\$945,360.00
702	0100	MOBILIZATION	L SUM	1	\$450,000.00	\$450,000.00
704	0000	TRAFFIC CONTROL	L SUM	1	\$50,000.00	\$50,000.00
709	0100	GEOSYNTHETIC MATERIAL TYPE G	SY	9248	\$3.00	\$27,744.00
714	0210	PIPE CONC REINF 15IN CL III-STORM DRAIN	LF	392	\$115.00	\$45,080.00
714	0315	PIPE CONC REINF 18IN CL III-STORM DRAIN	LF	94	\$125.00	\$11,750.00
714	0825	PIPE CONC REINF 30IN CL III-STORM DRAIN	LF	255	\$170.00	\$43,350.00
722	0110	MANHOLE 60IN	EA	1	\$15,250.00	\$15,250.00
722	0300	MANHOLE SANITARY	EA	3	\$11,500.00	\$34,500.00
722	2490	MANHOLE STORM CONNECTION	EA	16	\$2,800.00	\$44,800.00
722	3510	INLET-TYPE 2	EA	11	\$7,500.00	\$82,500.00
722	3520	INLET-TYPE 2 DOUBLE	EA	4	\$7,500.00	\$30,000.00
722	6200	ADJUST MANHOLE	EA	7	\$3,100.00	\$21,700.00
722	6240	ADJUST UTILITY APPURTENANCE	EA	6	\$1,000.00	\$6,000.00
724	0210	FITTINGS-DUCTILE IRON	LBS	1850	\$25.00	\$46,250.00
724	0270	REMOVE GATE VALVE & BOX	EA	46	\$1,000.00	\$46,000.00
724	0300	GATE VALVE & BOX 6IN	EA	14	\$6,500.00	\$91,000.00
724	0310	GATE VALVE & BOX 8IN	EA	5	\$7,500.00	\$37,500.00
724	0314	GATE VALVE & BOX 12IN	EA	5	\$9,000.00	\$45,000.00
724	0412	8IN HYDRANT	EA	2	\$15,500.00	\$31,000.00
724	0430	REMOVE HYDRANT	EA	2	\$2,000.00	\$4,000.00
724	0616	WATER SERVICE LINE 1 1/2IN	LF	1032	\$85.00	\$87,720.00
724	0636	WATER SERVICE LINE 6IN	LF	342	\$100.00	\$34,200.00
724	0830	WATERMAIN 8IN PVC	LF	1250	\$120.00	\$150,000.00
724	0850	WATERMAIN 12IN PVC	LF	827	\$200.00	\$165,400.00
724	0907	CURB STOP & BOX 1 1/2IN	EA	32	\$1,800.00	\$57,600.00
724	0975	WATER LINE CONNECTION 6IN	EA	14	\$4,000.00	\$56,000.00
724	1110	8IN SANITARY SEWER PIPE	LF	121	\$90.00	\$10,890.00
724	1117	12IN SANITARY SEWER PIPE	LF	80	\$140.00	\$11,200.00
724	1121	18IN SANITARY SEWER PIPE	LF	32	\$435.00	\$13,920.00
724	1125	24IN SANITARY SEWER PIPE	LF	130	\$500.00	\$65,000.00
724	1190	RECONNECT TO EXISTING SANITARY SEWER SERVICE	EA	7	\$500.00	\$3,500.00
724	6031	ABANDON WATER MAIN/SERVICE LINE	LF	1961	\$22.00	\$43,142.00
748	0140	CURB & GUTTER-TYPE I	LF	3569	\$50.00	\$178,450.00
748	1020	VALLEY GUTTER 36IN	SY	299	\$140.00	\$41,860.00
750	0030	PIGMENTED IMPRINTED CONCRETE	SY	554	\$180.00	\$99,720.00
750	0100	SIDEWALK CONCRETE	SY	2649	\$80.00	\$211,920.00
750	0107	SIDEWALK - DECORATIVE	SY	294	\$120.00	\$35,280.00

ENGINEERS PRELIMINARY OPINION OF PROBABLE COST
MANDAN DOWNTOWN STREET IMPROVEMENTS - PHASE 1
1ST STREET NW (6TH AVENUE TO 4TH AVENUE), 4TH AVENUE NW (MAIN STREET TO 2ND STREET), & 5TH AVENUE NW (1ST STREET TO 2ND STREET)
NDDOT PROJECT NUMBER: UGP-1-988(052), PCN 24136
CITY OF MANDAN PROJECT NUMBER: 2019-08, SID 236
KLJ PROJECT NUMBER 1904-02191-1
February 12, 2025
CONCRETE PAVEMENT, CURB AND GUTTER, STORM SEWER, WATERMAIN, SANITARY SEWER, SIDEWALK, PAVEMENT MARKING, LIGHTING, LANDSCAPING

750	0150	SIDEWALK TRENCH DRAIN	EA	4	\$4,500.00	\$18,000.00
750	0301	STEPS CONCRETE	EA	2	\$5,000.00	\$10,000.00
750	1016	DRIVEWAY CONCRETE 6IN REINFORCED	SY	846	\$150.00	\$126,900.00
750	2115	DETECTABLE WARNING PANELS	SF	360	\$60.00	\$21,600.00
754	9095	SIGNING	L SUM	1	\$10,000.00	\$10,000.00
762	0000	PERMANENT PVMT MARKING	L SUM	1	\$25,000.00	\$25,000.00
770	9402	LIGHTING SYSTEM (AESTHETIC)	L SUM	1	\$200,000.00	\$200,000.00
970	0001	LANDSCAPING APPURTENANCES	L SUM	1	\$70,000.00	\$70,000.00

Subtotal - Stormwater	\$294,430.00
Contingency (20%) - Stormwater	\$58,886.00
Design & Construction Engineering (20%)	\$70,663.00
Total Construction Cost - Stormwater	\$423,979.00

Subtotal - Participating	\$3,349,152.00
Contingency (20%) - Participating	\$669,830.00
Design & Construction Engineering (20%)	\$803,796.40
Total Construction Cost - Road	\$4,822,778.40

Subtotal - Participating	\$3,643,582.00
Contingency (20%) - Participating	\$728,716.00
Design & Construction Engineering (20%)	\$874,460.00
Total Construction Cost (Storm + Road)	\$5,246,757.00

Subtotal - Watermain	\$894,812.00
Contingency (20%) - Watermain	\$178,962.00
Design & Construction Engineering (20%)	\$214,754.80
Total Construction Cost - Watermain	\$1,288,528.80

Subtotal - Sanitary	\$139,010.00
Contingency (20%) - Sanitary	\$27,802.00
Design & Construction Engineering (20%)	\$33,362.00
Total Construction Cost - Sanitary	\$200,174.00

ROW Acquisition	\$0.00
Utility Relocation	\$100,000.00

Total Project Cost	\$6,835,460.20
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City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Legislative Update

STATEMENT/PURPOSE:

To update the City Commission related to legislative items.

BACKGROUND/ALTERNATIVES:

Information will be provided prior to the Commission Meeting.

ATTACHMENTS:

None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: February 18, 2025
PREPARATION DATE: February 12, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: First Consideration of Ordinance related to Zoning Moratorium

STATEMENT/PURPOSE:

First Consideration of Ordinance related to Zoning Moratorium

BACKGROUND/ALTERNATIVES:

On January 16, 2024, the City Commission adopted Ordinance No. 1442, implementing a temporary moratorium on the acceptance and processing of applications for self-storage facilities within Mandan and its extra-territorial zoning jurisdiction. The moratorium was enacted to allow for a comprehensive review of the City's zoning and land development regulations including those related to self-storage facilities.

Since then, staff has continued to advance the zoning ordinance study, which identified concerns with the City's current approach to permitting such development. Due to an approved schedule change, the project is now anticipated to be completed by the end of May, with adoption of new zoning provisions to follow.

To ensure adequate time for final public engagement, stakeholder input, and regulatory updates, staff is requesting the City Commission approve the first consideration of an ordinance extending the temporary moratorium until June 31, 2025. A draft is attached.

ATTACHMENTS:

1. Ordinance 1461 - Zoning Moratorium Extension

FISCAL IMPACT:

N/a

STAFF IMPACT:

A considerable amount of staff time has gone into the zoning ordinance study.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

Staff recommends approval of the first consideration of Ordinance 1461.

SUGGESTED MOTION:

I move to approve the first consideration of Ordinance 1461.

ORDINANCE NO. 1461

AN ORDINANCE ADOPTING AND ESTABLISHING AN EXTENSION OF THE TEMPORARY MORATORIUM PROHIBITING THE CITY OF MANDAN FROM RECEIVING AND PROCESSING APPLICATIONS FOR SELF-STORAGE FACILITIES WITHIN THE CITY LIMITS OF MANDAN AND ITS EXTRA-TERRITORIAL ZONING JURISDICTION.

WHEREAS, the City of Mandan has undertaken a comprehensive examination and evaluation of its zoning and land development ordinances, encompassing regulations concerning self-storage facilities, with the intention of utilizing the findings to recommend and propose amendments to the Planning and Zoning and City Commissions for consideration;

WHEREAS, an initial audit report for this ongoing study has revealed that the existing regulations pertaining to self-storage development do not align with adopted plans and best planning best practices. The City of Mandan foresees the enactment of new code provisions, rendering this moratorium unnecessary, upon adoption of the new code, or within four months from the date of this resolution's adoption;

WHEREAS, the moratorium established under Ordinance No. 1442 remains necessary as the City continues to evaluate and refine regulatory recommendations to align with best planning practices and community needs.

BE IT HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF MANDAN, NORTH DAKOTA, THAT:

No applications for self-storage facilities within the City of Mandan and its extra-territorial zoning jurisdiction will be processed until June 31, 2025.

This ordinance shall be in full force and effect on its passage and approval as provided by law.

James Froelich
President, Board of City Commissioners

Jim Neubauer
City Administrator

INTRODUCTION: February 4, 2025
FIRST CONSIDERATION: February 18, 2025
SECOND CONSIDERATION: March 4, 2025