

**Metro Flood Diversion Authority
Special Board of Authority Meeting
Meeting Minutes
1:00 PM – June 18, 2021**



A special meeting of the Metro Flood Diversion Authority Board of Authority was held on June 18, 2021. The following members were present: Shelly Carlson, Mayor, City of Moorhead; Dr. Tim Mahoney, Mayor, City of Fargo; Bernie Dardis, Mayor, City of West Fargo; Chad Peterson, Cass County Commissioner; Chuck Hendrickson, Moorhead City Council; Dave Piepkorn, Fargo City Commissioner; David Ebinger, Clay County Commissioner; Arlette Preston, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Mary Scherling, Cass County Commissioner; Rick Steen, Cass County Commissioner; Rodger Olson, Cass County Joint Water Resources District and Larry Seljevold, Moorhead City Council.

Member absent: John Strand, Fargo City Commissioner.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 1:07 PM. Roll call was taken, and a quorum was present.

2. APPROVE ORDER OF AGENDA

MOTION PASSED

Mr. Steen moved to approve the order of the agenda and Dr. Mahoney seconded the motion. On a roll call vote, the motion carried.

3. PUBLIC HEARING

Mayor Carlson asked for a motion to open the meeting for public comment(s).

MOTION PASSED

Mr. Steen moved, and Mr. Olson seconded the motion to open the meeting for public comment(s). On a voice vote, the motion carried.

Having no public comment(s), Mayor Carlson asked for a motion to close the public meeting.

MOTION PASSED

Mr. Steen moved to close the public meeting and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.

4. OTHER BUSINESS

Recommendation to Select a Preferred Proposer:

Mr. Paulsen read the following recommendation to the Board of Authority members:

On January 15th, 2021, the Diversion Authority released the final Request for Proposals to design, build, finance, operate, and maintain the Diversion Channel and Associated Infrastructure work package of the Fargo-Moorhead Metropolitan Area Flood Risk Management Project. On March 24, 2021, the Diversion Authority received technical proposals from two teams qualified through the Request for Qualifications process that occurred in 2016. The technical proposals were evaluated over a two-week period by representatives of each of the member entities comprising the Diversion Authority against established criteria regarding the management of the project, the schedule, and the technical solutions.

The Diversion Authority received financial proposals on May 17, 2021, from the same teams. These financial proposals, presenting the financial arrangements to design, construct, finance, operate and maintain the Diversion Channel, were reviewed for accuracy by the Diversion Authority's Fiscal Agent, Mr. Kent Costin, who was assisted by members of Ernst and Young Infrastructure Advisors.

In accordance with the Request for Proposals, the resulting technical proposal scores and the financial information provided by each team was used to determine the Technically Adjusted Financial Proposal scores and select the Successful Proposer that will be the Authority's partner for the next 35 years.

Based on the evaluation of technical and financial proposals received and evaluated, and consistent with the evaluation and award requirements of the Request for Proposals, the Diversion Authority Finance Committee recommends awarding this public-private partnership contract to design, construct, finance, operate, and maintain the Diversion Channel and Associated Infrastructure work package to the Proposer who had the who had the lowest Technically Adjusted Proposal Score, Red River Valley Alliance, Corporación Acciona Infraestructuras S.L.

In conformance with the *Resolution Establishing Procedures and Protocols for the Request for Proposals Phase of the P3 Procurement and Approving, Issuing, and Authorizing Dissemination of the Request for Proposals to Design, Build, Finance, Operate, and Maintain the Diversion Channel and Associated Infrastructure Work Package of the Fargo-Moorhead Metropolitan Area Flood Risk Management Project*, the Cass County Joint Water Resource District concurred with this recommendation.

MOTION PASSED

Dr. Mahoney made and read the following motion and Mayor Dardis seconded the motion. On a roll call vote, the motion carried.

I move to approve awarding the P3 Agreement to design, construct, finance, operate, and maintain the Diversion Channel and Associated Infrastructure work package to **Red River Valley Alliance, Corporación Acciona Infraestructuras S.L.**, the proposer with the lowest Technically Adjusted Financial Score, subject to any changes, requirements, and or amendments to the Project Agreement deemed necessary by General Counsel and the Executive Director.

5. NEXT MEETING

The next meeting will be June 24, 2021.

6. ADJOURNMENT

Mr. Peterson moved to adjourn the meeting and Mrs. Scherling seconded the motion. The meeting adjourned at 1:18 PM.