

**Meeting of the TIFID Board of Directors
Friday, April 16, 2021
Boardroom, Business Development Center
305 W. Mercury**

Members Present: Todd Tregidga, Todd Johnston, Rody Holman, Mick Ringsak, Andy Durkin, Shawn Fredrickson

Members Absent: Cindy LaSalle

Staff Present: Kristen Rosa, Sherrie Walsh

1.0 Todd Tregidga called the meeting to order and determined there was a quorum. Todd Tregidga welcomed Shawn Fredrickson, Council of Commissioners as the new member of the TIFID Board.

2.0 Approval of Minutes – No minutes to approve at this meeting.

3.1 Contract Award for Mungas for Sugarloaf Loop – Staff Recommends Approval - Todd Tregidga gave an overview of the Notice of Award to Mungas Company Inc. as the low bidder of the Sugar Loaf Loop – Civil & Site Improvements. Mick stated that Kristen has done a great job getting all of the work done. Kristen gave an overview of the other bids that had come in from the bid process. Also, Kristen stated that Mungas Company, Inc. had good recommendations when reference checking was done. Rody Holman asked Kristen to give an explanation of the Base Bid + \$290,000.00 (Unit Price No. 1) = TOTAL BID PRICE of \$1,854,338.82 Kristen stated that it is the miscellaneous work units and that the process is cumbersome relating to change orders that need approval by both the TIFID Board and the Council of Commissioners. The general practice now is that the miscellaneous work units are in the contract and can only be used if the engineer and BSB agrees to it. Kristen stated that then it does not have to go the Council of Commissioners and the TIFID Board. The TIFID Board had questions and discussion. Kristen stated that BSB will execute and do a pre-bid construction meeting with Northwestern Energy the end of next week and will have them out at the Sugarloaf Loop project site to work by early May. Kristen stated that BSB specified that the northern portion of the road has to be done by November 2021, so that it can serve as Murdoch's and National Guard's road to their project site. Kristen stated that if the southern part of the road is not paved because of weather, it can continue into 2022. Mick Ringsak moved, Rody Holman seconded to recommend to the Council of Commissioners to approve the contract award to Mungas Company, Inc as the low bidder of the Sugar Loaf Loop- Civil & Site Improvements. The motion passed unanimously.

3.2 Change Order to Everly Contract for Construction Oversight – Staff Recommends Approval - Todd Tregidga stated that this action item is in conjunction with the Sugarloaf Loop project work expanding the scope to finish the work and construction oversight and project management. Kristen stated that in

this contract, BSB does not have Everly & Associates doing the compaction testing. The contractor will do the compaction testing. Kristen stated if the TIFID Board approves this change order it would be \$156,000.00 dollars, which would include the design work, subdivision work, construction management and bidding. The TIFID Board had questions and discussion. Kristen feels like it is good path forward. Todd Johnston stated that he would like for the record, that because the TIFID Board has expressed concerns about this entity in the past, and Kristen has looked at and vetted all of the options and the best path forward is to stay with Everly & Associates through the completion of this project. Kristen stated that she gets detailed schedules on the construction oversight but hasn't required or received a lot of details on scheduling. Todd Johnston asked that an amendment be made in the contract that a status of work – real critical path schedule be required in the Scope of Work. The TIFID Board liked that suggestion. Rody Holman moved, seconded by Andy Durkin to recommend to the Council of Commissioners to approve the Change Order to Everly Contract for Construction Oversight with the amendment subject to a change in the Scope of Work to include critical path scheduling, as to allow the TIFID Board and Kristen be able to monitor progress and adapt as necessary on a forwarding moving basis until this project is complete. The motion passed unanimously.

3.3 Contract Award for Earth Works for Rail Expansion Project – Staff Recommends Approval - Kristen stated that there were six bidders on the RFP for the Rail Expansion project. Earth Works, Gillette Wyoming was the low bidder. Kristen stated that Kathy Fasso, General Manager, Port of Montana checked references to make sure that all of the requirements were met that had been set out in the contract. Kathy received great reference checks. Kristen stated that this contract has \$200,000.00 dollars in the miscellaneous work units. The TIFID Board had questions and discussion. Kristen stated the EDA grant is going down relative to the cost of the project but will get 27% to 28% of BSB construction costs covered by EDA. The TIFID Board had questions and discussion on the change orders and the payments. Also, the TIFID Board had questions and discussion on the \$1.5 billion federal monies and what projects Kristen would submit, and discussion on the loan fund. Kristen reviewed the financials with the TIFID Board. Rody Holman moved, seconded by Mick Ringsak to recommend to the Council of Commissioners to approve the contract award for Earth Works for the Rail Expansion Project. The motion passed unanimously.

3.4 Change Order to RailPros Contract for Construction Oversight – Staff Recommends Approval – Todd Tregidga gave an overview of this change order. Kristen reviewed Exhibit C from RailPros outlining the Task Order for additional services to be provided for the Port of Montana Rail Project for construction management. Kristen stated that BSB has Pioneer Technical Services on retainer to go out and check on and take pictures on a regular basis. Kristen stated this is a not to exceed contract. Kristen stated that it is 6% of construction costs. Mick Ringsak moved, seconded by Todd Johnston to recommend to the Council of Commissioners to approve the Change Order to the RailPros Contract for Construction Oversight of the Rail Expansion. The motion passed unanimously.

4.0 May's TIFID Board Meeting – Strategic Planning – TIFID Sunsetting on June 30, 2022 Kristen asked the TIFID Board if they can meet on Friday, May 21, 2021 from 12noon – 3:00 PM. The TIFID Board members that were present will put it on their calendars. Kristen stated she will have another meeting and invite the BLDC, Port of Montana, Budget and Finance and the Chief Executive.

5.0 TIFID Action Items From Prior Meetings

5.1 Purchase and Sale Agreement with Hoekema Trucking – Approved on Consent Agenda

5.2 Lease with Scoular – Approved on Consent Agenda

5.3 MOU with Scoular – Approved on Consent Agenda

6.0 Other Updates – Kristen reported that there is a bill at the legislature that starts to attack TEDD'S. It takes away half of the State equalization mills, which means that it reduces the kind of increment that can be collected in the future. Kristen stated that BSB has spent a lot of time trying to fight this bill. The TIFID Board had questions and discussion. Kristen stated that anyone that would like to respond and write something it is Senate Bill 388 and it will be heard in the House Taxation Committee.

Kristen reported that Dave Erickson is breaking ground on the third building in the next couple of weeks.

7.0 Public Comment – There was no public comment

8.0 There being no further business, the meeting adjourned.