Official Proceedings of the Stutsman County Commission – May 22, 2015

At 8:00 a.m., Chairman Klose called the special meeting of the Stutsman County Commission to order. Dennis Ova, David Schwartz, Dale Marks, Craig Neys, and Mark T. Klose answered the roll call.

Commissioner Schwartz, Highway Superintendent Nenow, Assistant Highway Superintendent Michel, Jerry Brickner, and Auditor Bradley comprised the County mediation team. The mediation team has reached an agreement. Ulteig Engineering and Interstate Engineering are part of the counter lawsuit. Aspen Construction would be compensated $390,000 with a stipulation that all pit releases are received and the project is closed out. Ulteig Engineering needs to submit paperwork to the North Dakota Department of Transportation (ND DOT). Stutsman County won't make any payments to Aspen Construction. The payment to Aspen Construction is broke down as follows: ND DOT will pay $299,634.00; Ulteig Engineering will pay $55,366; and Interstate Engineering will pay $35,000. Stutsman County currently has $291,000 remaining to be paid on the contract with Aspen so the increase represents about $8,000 in additional quantities used in the project. The settlement is contingent upon approval of a quorum of the Stutsman County board and approval of all submissions by ND DOT. Ulteig Engineering's consideration is agreed to be 40% of the change order for additional engineering costs on the project as approved and paid by the ND DOT up to a maximum of $55,366. Ova made a motion, seconded by Marks to approve the settlement agreement as presented. Roll call vote: Ova, Marks, Schwartz, Neys, Klose voted aye.

At 8:05 a.m., a motion to adjourn was made by Schwartz, seconded by Neys. Motion Carried.

ATTEST:

_____ _____

Casey Bradley
Auditor/COO

Mark T. Klose
Commission Chairman