

Appendix A
9-15-12
Quarterly

REQUEST FOR SERVICES: ARCHITECT/ENGINEER

The Turtle Mountain Community College (TMCC) is soliciting Architectural/Engineering proposals for its Science Lab Addition project. The addition consists of two floors that accommodates a new science/chemistry lab is on the ground floor and offices on the second (approximately 10,000 sq. ft. for both). The exterior fascia is to correspond to the block style of the college main facility. Due to fiscal restrictions the construction of the addition will be in phases that may span three years.

The project is subject to local TERO ordinance. The general scope of the A/E services includes site master planning in consultation with TMCC, preparation of design and construction documents, cost estimates, bidding and award, and over sight of construction services.

The A/E firm must be licensed in the state of North Dakota to perform the design, supervision and project management services required for the project. Evaluation criteria factors to be considered during selection are: professional services insurability; professional qualifications necessary for satisfactory performance of required services; the fees for A/E services, technical competence of the proposed design team; recent specialization experience of the proposed design team on similar type projects; design team organization and availability of key personnel; capacity to work within the time frame specified (three year period); and volume of work previously awarded.

Qualified A/E firms interested in being considered for this project must submit a proposal by 4:00 pm September 13, 2012. Responses shall be addressed to:

Dave Ripley

Turtle Mountain Community College

P.O. Box 340

Belcourt, North Dakota 58316-0340

Proposals received after this time will be considered **non-responsive**. Only A/E firms that meet the qualifications in this announcement are invited to submit proposals. A/E firms interested in this project are invited to view the site for this project anytime during business hours of the College (8:00 am – 4:00 pm). Project may be viewed upon request during the weeks of August, 30 through September, 12, 2012. For project scope and general project information and/or site map for this request for proposals, please contact Dave Ripley or Wes Davis at TMCC; phone number (701) 477-7862. TMCC reserves the right to reject any and all proposals.

A&E selection Committee for the TMCC Science Lab Addition

Date: 09-14-12

Time: 9:30 a.m.

Present: Dave Ripley, DR. Jim Davis, and myself Wes Davis. Tracy Azure came into the meeting 9:45 a.m.

Dave informed the committee that the estimated total cost for the Science Lab addition project is \$2,850,000; for both the Science Lab - first floor and faculty offices - second floor. There are three applicants:

1. EAPC Architects and Engineering, corporate office in Grand Forks, ND;
2. Hepper Olson Architects, main office in Buxton, ND; and
3. Jiran Architects & Planners, P.C., Bismarck, ND

The following A&E sequential fees are based on a percentage of the estimated construction cost; \$2,850,000. This percentage fee is determined by the firm in their application.

7%	= \$199,500
8%	= \$228,000
9%	= \$256,500
10%	= \$285,000

The committee reviewed the applications and determined:

Hepper Olsen fee is from 8% to 10%,
EAPC fee is 9% and
Jiran 7%

After reviewing each application, the committee recommends Jiran Architects & Planners, P.C. to serve as the A&E firm for the Science Lab Addition project. The decision is based on Jiran's prior knowledge and history with the college's main building. The committee noted that if we go with Jiran, the college eliminates additional step (time & possibly money) meeting with another firm to educate them on the infrastructure of the existing building and computerized/green mechanical systems. Jiran is also willing to keep this quote at 7% for the next 3 years, until the project is phased out.

Wes Davis
Turtle Mountain Community College
Facilities Manager
701-477-7853



United States Department of Agriculture
Rural Development
Garrison, ND

Jasper Schneider
State Director

September 10, 2012

Board of Directors
Turtle Mountain Community College
Attn: Dr. James Davis, President
PO Box 340
Belcourt, ND 58316

Appendix B

9-15-12

Atty Board of Directors A
C

CC: Wes D.
Lanetta H.

B
9-11-12

LETTER OF CONDITIONS

Dear Board of Directors and Dr. Davis:

The USDA, Rural Development has received and reviewed the Community Facilities grant application submitted on behalf of the above named entity applicant. The purpose(s) of the application is to provide funds for replacement of the concrete around the entrances and foundation of the Turtle Mountain Community College.

This letter and its attachments set forth the conditions under which the Agency is willing to finance the above project. Each item in this "Letter of Conditions" must be appropriately addressed and agreed to before Agency funds may be provided to the applicant.

Based on the financial information you provided, the funds available from other sources, the priority score this application received, and the availability of funds for this project from Rural Development, the Agency is prepared to commit a total of \$158,656.00 of Tribal College Initiative grant funds for the Fiscal Year 2012.

It is our understanding that additional funds in the amount of \$106,108.00 will be provided by the applicant. All funds must be used for authorized grant purposes and are subject to review and approval. Prior to grant closing or advertising for construction bids, please provide the Agency with written evidence that these funds will be available. An agreement should be reached with all funding sources on the distribution of funds. Agency funds may not be used to pre-finance funds committed to the project from other sources. Any changes in funding sources or amounts must be reported to the Agency. Changes may negatively impact the Agency's ability to fund the project. The applicant must see that project funds are spent only for budgeted items included in the project budget that are authorized. Any remaining funds may be used for eligible grant purposes, provided the use will not result in major changes to the Essential Community Facility or the grant purpose and authorizations. All other funds will be expended before RHS grant funds. Unused grant funds will be returned to the Agency. **No greater than**

140 5th Avenue SW • Garrison, ND 58540
Phone: (701) 340-9656 • Fax: (701) 463-7494 • Web: <http://www.rurdev.usda.gov/>

Committed to the future of rural communities.

"USDA is an equal opportunity provider, employer and lender."
To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W.,
Washington, DC 20250-9410 or call (800)795-3272 (voice) or (202) 720-6382 (TDD).

95% of the project costs may come from Federal Grant sources including the Rural Development grant.

A. Budget:

The Agency has approved the following project budgeted items and amounts for this project:

<u>Source</u>	<u>Budget</u>	<u>Item</u>	<u>Budget</u>
Rural Development	\$158,656.00	Architectural Fees	\$4,500.00
Applicant	<u>\$106,108.00</u>	Construction	\$250,254.00
		TERO & EPA	<u>\$10,010.00</u>
TOTAL	\$264,764.00	TOTAL	\$264,764.00

Facilities previously constructed will not be considered in determining project costs. The cost of completing the proposed facility will include only those costs eligible for community facility grant assistance. In kind is not an authorized purpose.

Changes may negatively impact the Agency's ability to fund the project. The applicant must see that project funds are spent only for budgeted items included in the project budget. You must report any significant changes in the project, including cost or scope, to the Agency for review and approval. Should the Agency approve the changes, it will provide a written amendment to this letter for your use. Changes that are unapproved may negatively affect the Agency's funding of this project.

B. Grant Security:

The grant will be secured by the following:

Form RD 3570-3, Community Facilities Grant Agreement will be completed and signed.
Form RD 1942-8, Resolution of Members or Stockholders.

The expenses of grant closing will be paid from the applicant's funds.

C. Disbursing Funds:

Interim financing will be provided by a lender to finance the project. You must provide the Agency with a copy of the agreement between the interim lender and the applicant for review and approval. Once we have approved the agreement, we will provide your lender with a confirmation of the Agency's commitment to the project. Once construction is complete, we will close our grant and provide up to \$158,656 for FY 2012 in grant funding.

If you are approved to proceed without using interim financing, you must establish a separate account to be known and hereafter referred to as the "Construction Account". The account must be with a FDIC insured lender. This account will be used solely to pay for authorized project

Appendix C

9-15-12

City Board of Directors Mtg.

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**TURTLE MOUNTAIN COMMUNITY COLLEGE
EVALUATION OF THE PRESIDENT
FOR THE PERIOD OF _____**

The President's Evaluation Form is provided as an evaluation tool for the Board of Directors and the President to assess and discuss job performance. The focus of the performance review is to establish a mutual understanding between the President and the Board of Directors on the requirements for effective job performance.

Process for the President's Evaluation:

1. Both the President and the Board of Directors review the current job description and jointly develop any additional performance factors, based on the job description or specific duty assignments, and include these on the evaluation form.
2. The Board of Directors then completes the President's review form, rating each performance factor as (5) Superior, (4) Exceed Requirements; (3) Competent, (2) Requires Improvement, or (1) Unsatisfactory.
 - A. A Rating Factor Guide is included to help the Board of Directors in giving an accurate assessment of performance.
 - B. Written comments are required for any factor rated less than "Competent", and noteworthy performance in any particular factor(s) should receive comment.
3. The President and the Board of Directors meet to conduct the performance interview, enter the required signatures.

Rating Scale

SUPERIOR: Performance of job requirements noticeably exceeds established expectations and standards for quality, quantity and timeliness. Outcomes are well above fully competent performance; performs more than asked; explores improved methods of accomplishing tasks, and small room for improvement.

EXCEEDS REQUIREMENTS: Performance of job requirements exceed established expectations or requirements for quality, quantity, and timeliness. While performance at this level can still be improved, the President at this level exceeds the performance expected of a fully capable individual in most aspects of job performance.

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Page 2: Evaluation of President

COMPETENT: Performance of job requirements achieves acceptable standard results expect by this position. Periodic incidents or problem work performance are typical in the class of work performed.

REQUIRES IMPROVEMENT: Performance of some job requirements is unacceptable which does not achieve results expected by this position. Incidents of problem work performance are not typical in the class of work performed and improvement is required.

UNSATISFACTORY: Performance of some job requirements is consistently unacceptable. Training and reminders for improvement have not improved work performance.

1. Mission Statement: Has a good assessment and understanding 5 4 3 2 1
and integration of the mission and goals.

Comments:

2. Leadership: Provides the leadership needed to meet and 5 4 3 2 1
address the mission and goals of the institution.

Comments:

3. Budget/Funding: Develops and implements appropriate 5 4 3 2 1
procedures, policies, processes, and practices for the
development, management, and implementation of
an approved annual budget. Also seeks funding from
various sources, including state, federal and private
sources, in the expansion and retention of programs that
benefit the college and its students.

Comments:

4. Planning/Strategic Planning: Assures that a strategic plan 5 4 3 2 1
is in place and is managed so measurement is an on-going
process.

Comments:

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Page 3: Evaluation of President

5. Communication: Works to effectively communication with the Board of Directors on all matters related to the college community and the college that includes faculty, staff, students. Represents the college in a respectful and professional manner that involves regional, state, and national organizations and agencies.

5 4 3 2 1

Comment:

BOARD OF DIRECTORS COMMENTS AND IDENTIFICATION OF PERFORMANCE GOAL

(Attach additional sheets as necessary)

President, Board of Directors Signature: _____ Date: _____

PRESIDENT'S COMMENTS

(Attach additional sheets as necessary)

This rating constitutes the Board of Director's evaluation of your job performance during the rating period. Your signature below certifies **only** that you have received a review and had the opportunity to discuss your rating with the Board of Directors. Please respond to this performance review by indicating agreement or disagreement with any of the statements on this document and why you feel that way. Also provide documentation and any information you feel is important in understanding your current performance.

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Page 4: Evaluation of President:

President's Signature _____ Date: _____

Board of Director's Signature: _____ Date: _____