

**STATE OF NORTH DAKOTA
STATE WATER COMMISSION
1200 MEMORIAL HWY, BISMARCK, ND 58504-5262**

Request For Information (RFI)

Solicitation Number: 770.5000-25-02

Date of Issue: June 16, 2025

RFI Title: North Dakota Regional Water Systems Governance and Finance Report

Purpose of RFI: To obtain initial information from vendors/respondents for consequent use in potentially selecting a contractor or contractors to assist in meeting study requirements as directed by North Dakota's 69th Legislative Assembly, as provided in Section 21 of House Bill 1020 – to study the long-term governance and finance models of the Northwest Area Water Supply (NAWS), Southwest Pipeline Project (SWPP), and Red River Valley Water Supply Project (RRVWSP). The study must include an evaluation of the operational and organizational aspects of these three regional systems.

Please Note: Also as provided in Section 21 of House Bill 1020 – the State Water Commission is not subject to procurement requirements under North Dakota Century Code Chapter 54-44 for the purpose of contracting for this study and may contract for the study only with an entity or entities that do not receive direct or indirect financial benefits from any regional, municipal, or rural water system within the State of North Dakota.

SECTION I INTRODUCTION & INSTRUCTIONS

1.01 Purpose of the RFI

The State of North Dakota, acting through the State Water Commission (SWC) and Department of Water Resources (DWR), (together referred to as State), is soliciting information from potential bidders for a comparative study of the governance, finance, operational, and organizational aspects of NAWS, SWPP, and RRVWSP.

The information, data, comments, or reactions obtained may be used for a future solicitation. This RFI does not constitute an invitation for Bid, Request for Proposal, or informal Request for Bid or Proposal and shall not be construed as a commitment by State.

1.02 Contact and Response Information

The procurement officer is the point of contact for this RFI. Please submit responses to the procurement officer by the deadline specified in the RFI Schedule. Please reference the RFI Solicitation Number and Title. Respondents may submit their response to the procurement officer at:

Address: North Dakota State Water Commission
 Attention: Sarah Felchle
 State Water Commission Cost-Share Program Policy Evaluation
 1200 Memorial Highway
 Bismarck, ND 58504-5262
Email: skfelchle@nd.gov

1.03 Assistance to Individuals with a Disability

Contact the procurement officer as soon as possible if an individual with a disability needs assistance with the RFI, including any events in the RFI Schedule, so reasonable accommodations may be made.

1.04 RFI Schedule

| EVENT | DATE |
|---|---------------|
| RFI Issued | June 16, 2025 |
| Deadline for Submission of Questions and Requests for Clarification by 5:00 PM, Central Time (CT) | June 26, 2025 |
| Amendment with Responses to Questions and Requests for Clarification Issued Approximately (if required) | July 1, 2025 |

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|---|---------------|
| Deadline for Submission of Responses by 5:00 PM, CT | July 21, 2025 |
|---|---------------|

1.05 Approximate Project Schedule

| EVENT | DATE |
|--|-------------------|
| Execute Agreement with Vendor(s) | August 29, 2025 |
| First Draft Available for State Review | February 27, 2026 |
| Final Draft Available for Review | March 27, 2026 |
| Final Report Complete | May 29, 2026 |

1.06 Questions and Requests for Clarification

Please submit any questions or requests for clarifications about this RFI in writing to the procurement officer by the deadline for submission of questions and requests for clarification identified in the RFI Schedule. Preferred method of question or clarification request submissions is email.

Two types of questions generally arise. One type of question may be answered by directing the questioner to a specific section of the RFI, and the procurement officer may informally answer these questions over the telephone or via email. The second type of question may be more complex and may consequently require a formal written amendment to the RFI. The procurement officer will decide whether to informally answer a question or submit a formal written amendment to the RFI.

1.07 Notice Provided – State Procurement Website

This RFI and any related amendments and notices will be posted on the North Dakota OMB website using SPO Online at: <https://apps.nd.gov/csd/spo/services/bidder/main.htm>.

Notices related to this RFI will be sent to the Bidders List for the needed commodity or service and other known potential vendors.

Additionally, vendors may request to receive notices related to this RFI by contacting the procurement officer in writing with the following information: RFI title, business name, contact person, mailing address, telephone number, and email address.

As directed by North Dakota's 69th Legislative Assembly in Section 21 of House Bill 1020 – the SWC is not subject to procurement requirements under N.D.C.C. ch. 54-44 for the purpose of contracting for this study and may contract for the study only with an entity or entities that do not receive direct or indirect financial benefits from the Cost-Share Program.

1.08 Respondents Responsible for All Preparation Costs

A respondent is responsible for all costs associated with the preparation, submittal, and presentation of the respondent's response to this RFI.

1.09 Bidders List Registration

If a competitive solicitation is issued, notice will be sent to approved bidders on the Bidders List and other known potential bidders. Individuals or business entities desiring to be notified of bidding opportunities may apply to be placed on the Bidders List ([N.D.C.C. § 54-44.4-09](#)). Placement on the Bidders List does not guarantee a vendor will receive notice of every solicitation ([N.D.A.C. § 4-12-05-01](#)). Visit the OMB website for instructions and the online Bidders List Application: [Bidders List Registration Website](#).

For assistance with Bidders List Registration, contact the State Procurement Help Desk at 701-328-1728 or infospo@nd.gov.

1.10 Disclosure of Information and Compliance with North Dakota Open Public Records Laws

State is subject to North Dakota open public records laws. All documents and information submitted by respondents are subject to North Dakota open public records laws and become the property of State and may be returned to respondents only at State's option. Documents and other records are exempt or confidential and not subject to disclosure only if specifically stated in law.

A respondent may make a written request to hold confidential any trade secrets and other proprietary, financial, or commercial data contained in its response. See [N.D.C.C. ch. 44-04-18.4](#) and other North Dakota laws. Respondent must clearly identify the material considered confidential and explain why the material is confidential. See the North Dakota Office of the Attorney General website for additional information at <https://www.legis.nd.gov/cencode/t44c04.pdf> and <https://attorneygeneral.nd.gov/open-records-meetings>.

If State receives a request for disclosure of records under open public records laws, the procurement officer, in consultation with the Office of the Attorney General, shall determine whether the record is or is not subject to disclosure under North Dakota open public records laws, and the record shall be processed accordingly.

SECTION II

GOAL & BACKGROUND INFORMATION

2.01 Goal and Background Information

The State is requesting information on qualifications and proposed methods of study from potential vendors that may potentially assist with a comprehensive study regarding the long-term governance and finance models of NAWS, SWPP, and RRVWSP. The study must include an evaluation of the operational and organizational aspects of these three regional systems.

The information provided through this RFI process may be used by State to select and negotiate a contract with a vendor or vendors for the study.

The following background information is provided to detail State needs and minimum requirements in relation to this RFI.

2.01.01 Regional Water Systems

Several regional water systems exist in North Dakota. A regional water system is defined as “a system that provides water to at least four public water systems and may also include rural water users” (N.D.A.C. § 89-12-01-01). Historically, most regional water systems have been sponsored by local project sponsors, and they have received funding from the State based on prevailing water supply cost-share policy.

NAWS, SWPP, and the RRVWSP have been developed at different times under differing circumstances. For example, the SWPP has been operating for decades by Southwest Water Authority, a political subdivision of the state of North Dakota. SWPP is currently focused on maintaining and improving existing infrastructure and expansion to unserved areas, while NAWS and RRVWSP are both currently under construction. NAWS is currently operated using an interim water supply by State. These circumstances have resulted in differences in project authority, infrastructure ownership, and responsibility. In addition, NAWS, SWPP, and RRVWSP have each received varying percentages of state funding and they each have unique governance frameworks.

2.01.02 NAWS, SWPP, and RRVWSP Additional Background

NAWS and SWPP are both owned by the SWC, while the RRVWSP is owned by the Garrison Diversion Conservancy District (GDCCD). GDCCD consists of 28 member counties in North Dakota.

To provide additional local oversight to NAWS, SWPP, and RRVWSP, the North Dakota Legislature has established the NAWS Authority ([N.D.C.C. ch. 61-24.6](#)), Southwest Water Authority ([N.D.C.C. ch. 61-24.5](#)), and Lake Agassiz Water Authority ([N.D.C.C. ch. 61-39](#)).

2.02 Information Request

State is requesting information on qualifications and proposed methods of study from potential vendors that can effectively and realistically provide a comparative analysis of the governance, finance, operational, and organizational aspects of NAWS, SWPP, and RRVWSP. This study shall provide guidance, recommendations, and alternatives for governance, operations, and finance frameworks for NAWS, SWPP, and RRVWSP that are the most cost-effective and economically efficient for State over the long-term.

At a minimum, information provided should include:

1. Ability of the vendor(s) to understand and articulate operational, organizational, governance, and finance models of large-scale regional water systems.
2. Qualification statements of the vendor(s) ability to complete the study.
3. Proposed methodology for analysis of current operational, governance, and funding models associated with NAWS, SWPP, and RRVWSP.
4. Proposed metrics to identify the most efficient use of limited state financial resources.
5. Confirmation of willingness to provide study updates and final study results to the SWC and interim Legislative committees.
6. Validation and certification that the vendor (or vendors) do not receive direct or indirect financial benefits from any regional, municipal, or rural water system within the State of North Dakota.

SECTION III

RESPONSE FORMAT & CONTENT

3.01 Response Preparation Instructions

Respondents are requested to provide a response in the following format:

A. Introduction

To include:

1. Business name, address, contact name, contact phone number, and contact email.
2. General overview of business background and technical expertise of team members who would support development of final products.

B. Technical Response

To include respondent's ability to:

1. Understand and articulate operational, organizational, governance, and finance models associated with large-scale regional water systems.
2. Complete an analysis of current operational, governance, and funding models associated with NAWS, SWPP, and RRVWSP, and make recommendations related to future operation, governance, and funding of those systems that support the most cost-effective and economically efficient options for State.
3. Develop alternatives and recommendations that are supported by metrics that seek to identify the most efficient use of limited state financial resources.
4. Confirm a willingness to provide study updates and final study results to the SWC and interim Legislative committees.
5. Validate and certify that the respondent (or respondents) do not receive direct or indirect financial benefits from any regional, municipal, or rural water system within the State of North Dakota.

Respondents are encouraged to provide other pertinent research recommendations that could add to or otherwise improve anticipated final study end results.

C. Cost Estimate

Respondents are asked to provide estimated costs. Any cost estimates are for SWC/DWR initial budget forecasting purposes only. Respondents will not be held to any price estimates provided as part of the RFI should State subsequently decide to issue a competitive solicitation.