



Phone: 701.258.7899
US Bank Building | 200 North 3rd Street, Suite 201 | PO Box 2097
Bismarck, ND 58502-2097
mrogneby@vogellaw.com

December 18, 2023

VIA EMAIL ONLY

Representative Emily O'Brien
Legislative Audit and Fiscal Review Committee
eobrien@ndlegis.gov

**Re: Response of Stealth Properties LLC and D&S LLC to the Investigative Review
Completed by Agent Don Guiberson
Our File No.: 058351.22000**

Dear Chairman O'Brien:

I am counsel for Stealth Properties LLC and D&S LLC, doing business as Parkway Property Management and Frontier Contracting (Parkway). I write to provide a response to some of the errors and misstatements contained in the Investigative Review (Review) completed by Agent Don Guiberson, Montana Department of Justice. This letter does not list and respond to all the errors and misstatements in the Review. It focuses on the most significant errors related to the Lease between Stealth Properties and the North Dakota Attorney General (NDAG) and subsequent remodel of the commercial office space located at 1720 Burlington Drive, Bismarck, North Dakota (Subject Property).

From the start, Stealth and Parkway have fully cooperated with this Committee, the North Dakota State Auditor, North Dakota Attorney General and with the Montana Department of Justice as each has made inquiry into the actions of the NDAG related to the Lease and remodel of the Subject Property. On October 11, 2022, I wrote to Attorney General Drew Wrigley and indicated that I represented Stealth, that Stealth would fully cooperate with any investigation by the NDAG, and that Stealth would welcome an opportunity to meet with Attorney General Wrigley or his representatives to discuss this project. I did not receive any response to my letter.

On October 28, 2022, on behalf of Stealth and Parkway, I provided your Committee and Attorney General Wrigley a Memorandum of facts and a large number of supporting documents, including project related emails, a summary of all remodel/construction costs, and supporting invoices. Exhibit 12 of the Memorandum is a recap of the total project costs and amounts paid by the NDAG, supported by project invoices. It shows an overpayment by the NDAG of \$224,854.93. The Memorandum indicates: "The final construction costs are less than what the parties estimated. Stealth and the Attorney General need to meet and confer and finalize the project." I did not receive any response to the Memorandum.

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Representatives of Stealth met with representatives of the NDAG in December 2022 to discuss the project and CAM expenses. During this meeting the NDAG did not raise any specific concerns with the reconciliation completed by Stealth or question the accuracy of any of the project invoices. During this meeting Stealth provided to the NDAG a check for \$224,854.93, consistent with the recap attached to my Memorandum.

In February 2023 I was contacted by Agent Guiberson as part of his investigation on behalf of the NDAG. In my response email to Agent Guiberson, I pointed out that “Stealth’s oral communications with representatives of [the] North Dakota Auditor resulted in an inaccurate report, which in turn necessitated Stealth’s preparation of its own written report.” As a result of these past issues, I advised Agent Guiberson: “Stealth and its representatives . . . are willing to provide additional information to assist the North Dakota Attorney General’s investigation, but I request that your questions be made to me, and I will secure the information from Stealth and provide it to you.” Agent Guiberson did not make any request to me to secure additional information from Stealth or Parkway, except to request to interview individual representatives, which I would not allow.

On Stealth’s and Parkway’s behalf, I have repeatedly made clear that Stealth and Parkway would accept questions through counsel and provide written responses or produce additional requested documents. I made the decision to use this process for providing information because of the errors contained in the Auditor’s report, as outlined in my previous Memorandum. I wanted to make sure that information was collected from the person with the most knowledge. Written responses would also make sure that the information provided to the Committee was accurate. Instead of working with me, however, Agent Guiberson was only interested in conducting oral interviews with select representatives of Stealth and Parkway. In this regard, Agent Guiberson treated Stealth and D&S differently than the NDAG and its personnel. Agent Guiberson accepted written responses from NDAG representatives and others. This courtesy was not extended to either Stealth or Parkway.

On June 27, 2023, Assistant Attorney General Laura Balliet wrote to Stealth and acknowledged receipt of the December 2022 check, and indicated that the NDAG’s acceptance of the check “is not agreement as to the total construction costs and possible overpayment(s) incurred by Stealth as part of the Project.” No additional information was requested from Stealth or Parkway and the NDAG did not specifically question or challenge Stealth’s project recap.

Under the Lease, the NDAG is required to pay CAM expenses. These are ongoing charges related to the expense of maintaining the building and grounds. CAM charges are reconciled yearly and may be adjusted yearly depending on maintenance costs. Consistent with the Lease, I wrote to Attorney General Wrigley on June 13, 2023, with Stealth’s and the NDAG’s agreed upon CAM reconciliation through June 30, 2022. Stealth refunded \$131,673.79 to the NDAG. I asked Attorney General Wrigley to let me know if he had any questions. I did not hear back from him or his representatives.

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Representatives of Stealth most recently met with the NDAG on December 1, 2023. The parties agreed that the 2021-2022 CAM charges are fully reconciled. During that meeting, Stealth again requested the NDAG provide its position related to the remodel costs on the building. Representatives of the NDAG did not provide any specific issues with Stealth's recap but indicated that the NDAG will not agree to the final reconciliation for the building remodel costs until the completion of a State's Attorney review of the Review. Despite the allegations in the Review made by representatives of the NDAG that Stealth's recap is not accurate, the NDAG did not provide any information challenging the invoices, charges, or accounting for the remodel previously provided to the NDAG.

Agent Guiberson's refusal to communicate with me resulted in needless errors and omissions in his Review. For instance, despite Stealth accurately setting out its owners in Paragraph 18 of my October 28, 2022, Memorandum, on page 5 of his Review, Agent Guiberson misstates the owners of Stealth Properties. The Review falsely asserts that Jason Dockter, CJ Schorsch, Mike Luther, Mark Aurit, Jed Fluhrer, and Marie Brown are personal owners of Stealth. They are not.

It appears throughout the Review, Agent Guiberson accepted information as accurate when received from the NDAG but did not accept as accurate information provided by Stealth and Parkway. This was true even when Agent Guiberson's investigation confirmed the information provided by Stealth/Parkway. For instance, the Review alleges D&S, doing business as Frontier Contracting, conducted business without a required contractor's license. This is not accurate. As confirmed in the Review, D&S at all times relevant had a contractor's license. Agent Guiberson's investigation confirmed what is outlined in the Memorandum, that Frontier Contracting LLC has no employees and that it conducted no work on this project. All work was performed by D&S employees. All payments were received and reported by D&S. D&S acknowledges an error in its invoices which listed "Frontier Contracting, LLC" instead of using a dba. This error in a printed form, however, is not determinative. It is a legal error to assert otherwise. In reaching his conclusion, Agent Guiberson ignored not only the information provided by Stealth/Parkway, but he also ignored the information he received from North Dakota Workforce Safety and Insurance which confirmed that Frontier Contracting LLC does not have any employees and that D&S has an active account.

The Review also challenges the cost reconciliation provided as part of my Memorandum (Exhibit 12). It contains unsupported allegations made by representatives of the NDAG that Stealth has overcharged the NDAG as part of the final reconciliation. The Review, however, does not provide any way for Stealth or the Committee to determine the accuracy of the claims, and the NDAG will not communicate with Stealth concerning the reconciliation. It is ridiculous that although 14 months have passed since the NDAG received the final project invoices and reconciliation it still has not communicated a position concerning the final project costs to Stealth or the Committee even though the allegation of overpayment are being made by representatives of the NDAG. The NDAG has placed the Review into the public record and submitted it to the Committee but will not confirm the

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accuracy of the allegations or provide support for them. This calls into question the integrity of the entire Review.

The most significant errors in the Review concern the estimated payment made by the NDAG to Stealth at the end of the June 2021 biennium. The Review misrepresents how and why the NDAG made an estimated payment to Stealth before the project was completed.

It is undisputed that NDAG designated Troy Seibel to be its representative making decisions and managing the remodel of the Subject Property to the NDAG's specifications. Mr. Seibel communicated with Stealth and its property manager (Parkway) almost entirely via email. Mr. Seibel left his position with the NDAG before the project was completed and reconciled. Based on information provided by the NDAG, apparently, the NDAG failed to require that Mr. Seibel prepare any documentation concerning his management of this project prior to leaving his position. The NDAG also apparently failed to preserve and maintain some or all of Mr. Seibel's project files, including his project emails. It is unclear what steps, if any, the NDAG has taken to recreate Mr. Seibel's records and/or to understand the decisions made by Mr. Seibel on behalf of the NDAG. It is unclear whether the NDAG has required that all employees who were involved in this project search their emails and other records or whether the NDAG has attempted to recreate a master file from such a search.

The Review implies that Stealth/Parkway failed to provide all project emails. Stealth and Parkway, however, voluntarily provided project emails and other records to the Committee and the NDAG. It does not appear that the NDAG has made its project files and emails, including internal emails, available to the Committee. It certainly has not provided any of its project records to Stealth/Parkway. Subsequent to my Memo, Stealth and Parkway located additional emails on an old computer which is no longer used. Relevant additional emails from this computer are attached.

The NDAG's lack of due diligence concerning its project files is significant as it relates to the payment made by the NDAG at the end of the 2021 biennium. In June 2021 the project was not completed, and construction was ongoing. Stealth/Parkway did not have all of the project invoices from subcontractors and they had not completed their reconciliation of project expenses. It was still unknown how much the project would cost. Representatives of the NDAG were still requesting changes to the scope of the project. Those changes would continue until early 2022. Nonetheless, the NDAG decided it wanted to pay as much of the final total cost as possible before the end of the biennium AND the NDAG wanted to amend the Lease to increase rent to address any anticipated unpaid construction costs. The NDAG decided it wanted to pre-pay expenses before the final invoices were received and reconciled.

The evidence is undisputed that Mr. Seibel requested Stealth provide an estimate of final costs so that the NDAG could process a payment before the end of the biennium. At Mr. Seibel's request, Stealth/Parkway prepared an estimate. (See Exhibit 11 to Memorandum.) That estimate reflects total

estimated NDAG costs of \$1,742,209.70. All of the evidence in the Review is consistent that Mr. Seibel and the financial staff at the NDAG knew 1) the project was not completed, 2) all of the final bills and invoices had not been received by Stealth/Parkway, 3) Parkway had not completed its reconciliation of the cost division between Stealth and the NDAG, and, 4) that a final reconciliation could only be completed after the construction was completed and all of the bills were received and reconciled.

The evidence supports a conclusion that the NDAG did not want to seek funds for this building in the new biennium and that the NDAG wanted to pay as much as possible from the end of the biennium funds and to roll any remaining remodel costs into a new lease agreement. Accordingly, as I previously explained in the Memorandum, Stealth/Parkway prepared a spreadsheet of estimated total costs to complete the construction (Exhibit 11). Mr. Seibel and the NDAG's financial staff then indicated to Stealth/Parkway that the NDAG would immediately pay a portion of the estimated costs and roll the remainder into the lease. Mr. Seibel indicated that the NDAG would let Stealth/Parkway know how much would be paid immediately and that they should prepare an invoice for this amount.

In an email from Parkway to Mr. Seibel dated June 25, 2001, CJ Schorsch on behalf of Parkway attached a copy of the estimate spreadsheet and asked Mr. Seibel "Let me know what [you] need from me on this as far as an invoice[.] I am in all week next week if you want to have a quick meeting." Mr. Seibel responded by indicating that "We are working on paying as much of this as we can but we might not have the funds available." He asked Parkway to compute the change to rent for each \$100,000 rolled into the Lease. Parkway responded with the requested information and Mr. Seibel forwarded the email string to Becky Keller, an account manager. She then forwarded the string to Parkway with a test email. (See Exhibit 14, attached.)

CJ Schorsch specifically recalls that Mr. Seibel indicated that Mr. Seibel was unsure how much of the anticipated final costs could be paid out of the available funds before the end of the biennium. Mr. Seibel purposefully included Becky Keller in the email string as part of the NDAG's internal process to spend-down available funds. (Exhibit 14.) Thereafter, Mr. Schorsch communicated directly with Ms. Keller including by phone concerning the amount to include in the invoice being requested by the NDAG.

On July 6, 2021, Mr. Schorsch emailed with Ms. Keller concerning the Lease. (Exhibit 15, attached.)

On July 12, 2021, Ms. Keller emailed Mr. Schorsch and confirmed that the NDAG was requesting an invoice to allow it to spend available funds: "We will be requesting an invoice from you on July 23rd for the amount we will pay. We expect the check to be cut on July 26th." (Exhibit 16, attached.)

On July 22, 2021, at the request of the NDAG, Mr. Schorsch forwarded a generic invoice for \$1,342,209.70 of the estimated costs. (Exhibit 17, attached.) On July 27, 2021, Ms. Keller indicated the invoice would be paid by ACH.

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On August 10, 2021, Mr. Seibel requested that Stealth/Parkway provide documentation for why costs increased. Mr. Schorsch responded and clearly explained that all of the invoices had not been received and materials for the building had not yet arrived including doors, a generator switch and controls for the boiler. (See Exhibit 18, attached.) This email was also sent to Steve Harstad.

Also in August 2021, Mr. Schorsch corresponded with Ms. Keller concerning the Lease and monthly rent. Mr. Schorsch indicated the new rate would reflect the \$400,000 of estimated costs the NDAG requested be rolled into the Lease. (See Exhibit 19.) In July 2021 the construction was not complete and representatives of the NDAG knew the construction was not complete. Windows had not yet been installed in the breezeway to the Lottery addition, which also was not complete. The BCI shop/garage was also not done. There were significant items which needed to be finished.

Representatives of the NDAG, including Mr. Seibel and Ms. Keller knew the costs being provided were estimates. They also knew the invoice they requested be provided was based on the estimate total costs. They determined the face amount of the invoice.

It is disingenuous for representatives of the NDAG to now claim that they did not realize the information provided by Stealth was an estimate. Such a claim is not credible because the construction was not completed and not all invoices had been issued by project vendors. Representatives of the NDAG, besides Mr. Seibel and Ms. Keller, certainly were aware of the unfinished status of the project in July 2021.

In July 2021 there were also multiple open issues related to the generator back-up requirements of the various NDAG divisions and it was unknown whether the NDAG's existing generator would be sufficient, whether a new generator was required, and it was unknown whether parts of the basement or foundation of the Subject Property would have to be opened for the installation of new wiring to accommodate the generator. Fortunately, the existing generator, with modifications, was sufficient and \$80,000 to \$100,000 of anticipated expense was avoided. This expense, however, was included in the June 2021 estimate and representatives of the NDAG were aware of these issues.

It was also unknown how much additional expense was necessary to accommodate BCI's expanded garage. Installation of the garage impacted the parking lot, parking lot lights, and the wiring for the parking lot lights. The estimate included amounts based on a worse-case expense scenario which thankfully did not occur.

These open issues continued throughout the remainder of 2021 and into 2022.

Not a single person quoted in the Review disputed that Mr. Seibel requested an estimate from Stealth/Parkway in June 2021. In fact, in subsequent emails during the fall of 2021, the correspondence makes clear that the NDAG desired to audit the expenses and that Stealth/Parkway repeatedly informed the NDAG that all invoices and project expenses would be provided and reconciled with the NDAG after they were received from vendors. A review of the project invoices

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demonstrates that some of the invoices were not received by Stealth/Parkway until late 2021 or early 2022.

At the time of former Attorney General Wayne Stenehjem's tragic death and the subsequent resignation of Mr. Seibel, the project had not been reconciled. After Mr. Seibel left, the NDAG did not designate a contact person with authority to speak on behalf of the NDAG. Instead, the NDAG refused to communicate with Stealth/Parkway about reconciliation of the expenses. That unreasonable refusal continues to the present.

The Review alleges that representatives of Stealth and Parkway did not inform representatives of the North Dakota Auditor that the payment in July 2021 was an estimated payment or that a refund would be issued. Stealth and Parkway deny this allegation. Both Stealth and Parkway have been clear and consistent in their recitation of the facts underlying the payment made and the need to reconcile the payment with actual expenses. There is not a single piece of correspondence from Stealth or Parkway indicating either believed the reconciliation was completed based on the payment in July 2021. To the contrary, all relevant correspondence is consistent that a project reconciliation would have to be completed after all of the invoices were processed. Besides being obvious based on the project correspondence, representatives of Stealth/Parkway explained to the Auditor's representatives that the July 2021 payment was an estimate and that a reconciliation needed to be completed.

Both Stealth and Parkway remain willing to answer the Committee's questions and we thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Monte L. Rogneby". The signature is fluid and cursive, with the first name "Monte" being the most prominent.

Monte L. Rogneby

MLR:cjt

Monte L. Rogneby

From: ppm@bis.midco.net
Sent: Thursday, November 30, 2023 1:53 PM
To: Monte L. Rogneby
Cc: jason@fpsspayroll.com; 'Jed Fluhrer'
Subject: FW: 1720 Burlington Drive

Categories: Copied to To Be Filed Folder

From: Keller, Becky J. <bekeller@nd.gov>
Sent: Tuesday, July 6, 2021 10:54 AM
To: ppm@bis.midco.net
Subject: FW: 1720 Burlington Drive

test

From: Seibel, Troy T. <tseibel@nd.gov>
Sent: Thursday, July 1, 2021 7:01 AM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: Fwd: 1720 Burlington Drive

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From: PPM <ppm@bis.midco.net>
Sent: Tuesday, June 29, 2021 3:33:15 PM
To: Seibel, Troy T. <tseibel@nd.gov>
Subject: Re: 1720 Burlington Drive

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Troy based on 33,000 square feet of leased space this is the following breakdown.

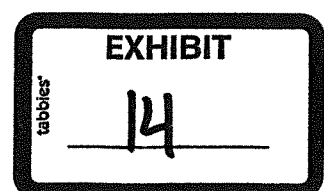
\$.61 a square foot per \$100,000, the base rate would be \$9.50 + \$.61 per \$100,000 rolled into the lease agreement. This would be a 5 year term for the build out.

Call me if you have any questions. 701-391-3999

Thanks

CJ

From: Seibel, Troy T.
Sent: Tuesday, June 29, 2021 8:18 AM
To: PPM
Subject: RE: 1720 Burlington Drive



Could you tell me what the changes to the rent would be for each \$100,000 we rolled into the lease? We are working on paying as much of this as we can but we might not have the funds available.

Troy T. Seibel
Chief Deputy Attorney General
Office of Attorney General
600 E. Boulevard Ave., Dept. 125
Bismarck, ND 58505
701-328-2210
tseibel@nd.gov

From: PPM <ppm@bis.midco.net>
Sent: Friday, June 25, 2021 1:00 PM
To: Seibel, Troy T. <tseibel@nd.gov>
Subject: 1720 Burlington Drive

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Attached is the spreadsheet for the construction overages at the address 1720 Burlington.

Let me know what we need from me on this as far as a invoice I am in all week next week if you want to have a quick meeting.

PARKWAY PROPERTY MANAGEMENT
218 S 1st Street
OFFICE ~ 701-223-6676
EMAIL ~ ppm@bis.midco.net
WEBSITE ~ www.parkwaymanagement.com

CJ SCHORSCH
DBA Parkway Property Management
PO Box 7459, Bismarck, ND 58507-7459

Monte L. Rogneby

From: ppm@bis.midco.net
Sent: Monday, December 18, 2023 11:28 AM
To: Monte L. Rogneby
Subject: FW: 1720 Burlington Drive

From: Keller, Becky J. <bekeller@nd.gov>
Sent: Tuesday, July 6, 2021 2:34 PM
To: PPM <ppm@bis.midco.net>
Subject: RE: 1720 Burlington Drive

Do you know what the average monthly cost has been?

From: PPM <ppm@bis.midco.net>
Sent: Tuesday, July 6, 2021 2:27 PM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: Re: 1720 Burlington Drive

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No it is not. Page 3. Section 7 subsection "B" states the utilities will be split equally by square footage with the health department for the property.

CJ

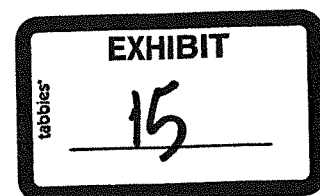
From: Keller, Becky J.
Sent: Tuesday, July 6, 2021 1:10 PM
To: PPM
Subject: RE: 1720 Burlington Drive

Is electric and water part of CAM?

From: PPM <ppm@bis.midco.net>
Sent: Tuesday, July 6, 2021 10:55 AM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: Re: 1720 Burlington Drive

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Lease agreement



PARKWAY PROPERTY MANAGEMENT
218 S 1st Street
OFFICE ~ 701-223-6676
EMAIL ~ ppm@bis.midco.net
WEBSITE ~ www.parkwaymanagement.com

CJ SCHORSCH
DBA Parkway Property Management
PO Box 7459, Bismarck, ND 58507-7459

Monte L. Rogneby

From: ppm@bis.midco.net
Sent: Monday, December 18, 2023 11:28 AM
To: Monte L. Rogneby
Subject: FW: 1720 burlington

From: Keller, Becky J. <bekeller@nd.gov>
Sent: Monday, July 12, 2021 1:46 PM
To: PPM <ppm@bis.midco.net>
Subject: RE: 1720 burlington

We will be requesting an invoice from you on July 23rd for the amount we will pay. We expect the check to be cut on July 26th.

I will be out of the office from tomorrow through the 20th so please include Tasha on any correspondence or with any questions.

Thanks,
Becky

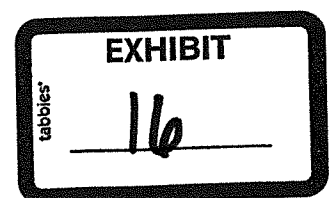
From: PPM <ppm@bis.midco.net>
Sent: Monday, July 12, 2021 1:25 PM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: 1720 burlington

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Becky do you have an update on the payment schedule for the AG project?

Thanks

CJ



D & S LLC
DBA Parkway Property Management
PO Box 7459
Bismarck, ND 58507
701-223-6676

Invoice

Date	Invoice #
7/22/2021	252

Bill To
NDAG 1720 Burlington Drive Bismarck, ND 58504

Service Date	Description	Quantity	Rate	Amount
7/22/2021	Overages per lease at build out and addition at 1720 Burlington Drive		1,342,209.70	1,342,209.70
			Total	\$1,342,209.70

EXHIBIT

tabbies

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Monte L. Rogneby

From: ppm@bis.midco.net
Sent: Monday, December 18, 2023 11:42 AM
To: Monte L. Rogneby
Subject: FW: Invoice 252 from Parkway Property Management

From: Keller, Becky J. <bekeller@nd.gov>
Sent: Tuesday, July 27, 2021 4:10 PM
To: PPM <ppm@bis.midco.net>
Subject: RE: Invoice 252 from Parkway Property Management

This will be paid ACH (EFT) tonight so you should receive the funds tomorrow.

From: PPM <ppm@bis.midco.net>
Sent: Tuesday, July 27, 2021 12:46 PM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: Re: Invoice 252 from Parkway Property Management

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Becky do you know if that payment was issued in a check or are they going to EFT the funds like other payments?

thanks

CJ

From: PPM
Sent: Thursday, July 22, 2021 3:36 PM
To: Becky J. Keller
Subject: Invoice 252 from Parkway Property Management

Thanks Becky let me know if you need anything else from us.

PARKWAY PROPERTY MANAGEMENT
218 S 1st Street
OFFICE ~ 701-223-6676
EMAIL ~ ppm@bis.midco.net
WEBSITE ~ www.parkwaymanagement.com

CJ SCHORSCH
DBA Parkway Property Management
PO Box 7459, Bismarck, ND 58507-7459

Monte L. Rogneby

From: ppm@bis.midco.net
Sent: Thursday, November 30, 2023 1:52 PM
To: Monte L. Rogneby
Cc: jason@fppayroll.com; 'Jed Fluhrer'
Subject: FW: Cost Overruns on Building

Categories: Copied to To Be Filed Folder

From: Seibel, Troy T. <tseibel@nd.gov>
Sent: Tuesday, August 10, 2021 8:38 AM
To: PPM <ppm@bis.midco.net>; Harstad, Steve J. <sjharstad@nd.gov>
Subject: RE: Cost Overruns on Building

That should work. Thanks.

Troy T. Seibel
Chief Deputy Attorney General
Office of Attorney General
600 E. Boulevard Ave., Dept. 125
Bismarck, ND 58505
701-328-2210
tseibel@nd.gov

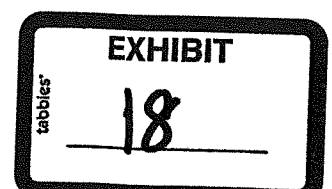
From: PPM <ppm@bis.midco.net>
Sent: Tuesday, August 10, 2021 8:12 AM
To: Seibel, Troy T. <tseibel@nd.gov>; Harstad, Steve J. <sjharstad@nd.gov>
Subject: Re: Cost Overruns on Building

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Received, all the subcontractors know that this needed to be broken out, the final bills have not all been received since there is a few items due to arrive in Bismarck later this week. (Doors in Breeze way, and lottery generator switch, controls for boiler system). Will the end of September be okay to get this documentation or do we need to do this in August?

CJ

From: Seibel, Troy T.
Sent: Tuesday, August 10, 2021 7:49 AM
To: Harstad, Steve J. ; PPM
Subject: Cost Overruns on Building



For auditing purposes, our finance division needs documentation regarding the cost overruns on the new building. Specifically, we need documentation about why the costs increased (i.e., change orders, increased material/labor costs because of COVID, etc.). It does not have to be very formal. It could be emails, or a short memo/note about why the costs were incurred so we have documentation in our files. Let me know if you have any questions. Thanks.

Troy T. Seibel
Chief Deputy Attorney General
Office of Attorney General
600 E. Boulevard Ave., Dept. 125
Bismarck, ND 58505
701-328-2210
tseibel@nd.gov

Monte L. Rogneby

From: ppm@bis.midco.net
Sent: Monday, December 18, 2023 11:29 AM
To: Monte L. Rogneby
Subject: FW: Lease questions

From: Volk, Terry M. <tevolk@nd.gov>
Sent: Friday, September 17, 2021 12:50 PM
To: PPM <ppm@bis.midco.net>
Subject: RE: Lease questions

Best time next week would be Wednesday. You can give me a call anytime.

From: PPM <ppm@bis.midco.net>
Sent: Friday, September 17, 2021 12:45 PM
To: Volk, Terry M. <tevolk@nd.gov>
Subject: Re: Lease questions

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Terry is there a time Monday that works for me to give you a call?

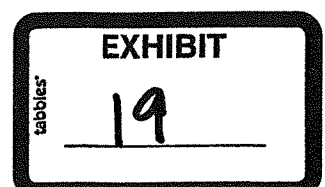
CJ

From: Keller, Becky J.
Sent: Monday, September 13, 2021 3:36 PM
To: PPM
Cc: Volk, Terry M.
Subject: RE: Lease questions

Terry Volk
328 – 3557
tevolk@ng.gov

Thanks,
BK

From: PPM <ppm@bis.midco.net>
Sent: Monday, September 13, 2021 3:33 PM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: Re: Lease questions



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I need to have a contact at the Attorney General regarding the rent payments can you provide that or should I email someone else?

thanks

CJ

From: Keller, Becky J.
Sent: Wednesday, September 1, 2021 1:00 PM
To: PPM
Subject: RE: Lease questions

Thanks!

From: PPM <ppm@bis.midco.net>
Sent: Wednesday, September 1, 2021 12:59 PM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: Re: Lease questions

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No the paper products are not included, the health department has provided the paper products in the common bathrooms by the break room.

CJ

From: Keller, Becky J.
Sent: Wednesday, September 1, 2021 12:50 PM
To: PPM
Subject: RE: Lease questions

Thanks!

I guess our office will draft the amendment – not sure when!

One last question – are toilet paper/hand towels included in the CAM?

From: PPM <ppm@bis.midco.net>
Sent: Wednesday, September 1, 2021 12:47 PM
To: Keller, Becky J. <bekeller@nd.gov>
Subject: Re: Lease questions

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We will be adding \$2.44 a sqft to the 33,000 sqft lease for a 5 year term to cover the \$400,000 overage. The lease rate of \$11.94 per sqft (\$9.50 + \$2.44) for the first 5 years of the lease, at the end of 5 year term rent will be

\$10.00 sqft starting July 2026. We have not drafted the amendment for this portion of the lease agreement how should we do this? The BCI/fire marshal area of about 20,300 sqft occupied the space on the 9th of July, the lottery and consumer protection occupied their space on the 23rd of August.

The CAM charges are the following, parking lot repair/maintenance, landscaping, lawn care, exterior/common light poles/fixtures, snow removal, common bathrooms and break room equipment/maintenance.

Yes we have all the invoices/emails Troy wants us to get them to him the end of this month once all the subcontractors have finished and are paid in full.

CJ

From: Keller, Becky J.

Sent: Tuesday, August 31, 2021 8:49 AM

To: PPM

Subject: Lease questions

Good morning CJ,

Have you determined a new lease rate? Do you know if an amendment has been drafted for the lease?

Also, can you specifically identify the costs that are covered under CAM?

Do you have any documentation (invoices, emails etc) to back up the lease cost overruns we paid?

Thanks,
Becky

Becky Keller, CPA

Director, Finance & Administration

Office of Attorney General

701.328.5521

bekeller@nd.gov