

PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Commissioners Wefald, Cramer and Clark
Illona Jeffcoat-Sacco
Bill Binek

From: Jim Deutsch, Director - AML Division

Date: April 22, 2008

Subject: Intent to Award and the award of a contract for material testing at the Williams County Road 9 Phase 3 AML project

On February 27th, the Commission authorized procurement of material testing for the Williams County Road 9 Phase 3 AML project. Competitive sealed bidding procedures were used with ads placed in the major North Dakota daily newspapers and a national publication. The project specifications were also placed on State Procurement's website. Only one responsive bid was received for material testing in response to the solicitation and it was publicly opened on April 21st. The bid came from Material Testing Services, LLC of Minot, North Dakota in the amount of \$27,040.00. The staff estimate for this part of the project was \$27,000.00.

The Commission is allowed to award a contract when there is only one bidder if the bidder is responsible and the price submitted is fair and reasonable. The AML Division believes the bid from Material Testing Services is fair and reasonable and they have done work for the Commission in the past. Since there were no other bidders, the Intent to Award and the actual award of a contract will be issued at the same time.

The proposed contract is for material testing on the grout mixtures that will be injected into abandoned underground mine workings, and related engineering services for this project near Williston.

I recommend the Commission issue an Intent to Award and award a contract to Material Testing Services, LLC, in the amount of \$27,040.00 for material testing at the Williams County Road 9 Phase 3 AML site. Attached is a motion for the April 23rd Commission meeting to issue the Intent to Award and award the contract.

Attachment

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