


APPROVED  
DATE: 1-14-09  


## MOTION

January 14, 2009

**Public Service Commission  
2008 AML Coal Fire Suppression Grant  
Approval**

**Case No. AM-08-753**

I move the Commission award a contract in the amount of \$30,000 to Basaraba Excavating & Dirt Works LLC to extinguish coal outcrop fires at numerous locations in western North Dakota using funds from the 2008 AML Coal Fire Suppression Grant. I further move the Commission allow staff to issue change orders to increase the amount of the contract by another \$10,000, up to \$40,000.


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# PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

## Memorandum

TO: Commissioners Cramer, Clark and Kalk  
Darrell Nitschke

From: Jim  Deutsch, Director - AML Division

Date: January 7, 2009

Subject: Contract award for the coal outcrop fire suppression project at several sites in western North Dakota, Case No. AM-08-753

The AML Division solicited bids for construction services for a coal outcrop fire suppression project that entails excavation and burial of burning lignite coal and the reshaping and seeding of affected areas. This project will be funded with the special \$40,000 grant from OSM to extinguish coal outcrop fires at numerous sites in western North Dakota, mostly in McKenzie County. Competitive sealed bidding procedures were used with solicitations posted on State Procurement's website. The low responsive bid came from Basaraba Excavating & Dirt Works LLC of Wilton in the amount of \$30,000. The only other bid was submitted by Hanson's Excavating, Inc. in the amount of \$34,800.

On December 31, the Commission approved a motion to issue an intent to award a contract to Basaraba Excavating & Dirt Works. Hanson's Excavating has seven days from being informed of the intent to award to appeal that award. However, we don't except an appeal by Hanson's and the deadline for filing an appeal is January 12<sup>th</sup>.

Also, since we have been awarded \$40,000 for this work and the low bid was only \$30,000, we are requesting Commission approval to write change orders that could increase the total amount of the contract up to \$40,000. This will allow us to use the full amount of the special grant from OSM. Enough coal outcrop fires have been identified to spend the additional \$10,000 in the grant.

Assuming Hanson's will not appeal the intent to award, I recommend the Commission award a contract to Basaraba Excavating & Dirt Works LLC for construction services for coal fire suppression work at the January 14<sup>th</sup> Commission meeting. Attached is a motion for that meeting to award the contract and approve the writing of change orders that would allow the contract to be increased by \$10,000, with the total amount not to exceed \$40,000.

Attachment