



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
TDD 800-366-6888 or 711
Fax 701-328-2410
Phone 701-328-2400

April 22, 2009

Mr. Kevin Tabery, President-Treasurer
Kern & Tabery, Inc.
222 SE 1st Street, Suite 3
Wadena, MN 56482

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Tabery:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are the low responsive bidder, your bid security is being held until a contract is successfully executed.

Please complete the enclosed AML Contractor Information Form and return to the Commission as soon as possible. This information is run through a federal database to ensure you are eligible to perform work on a federally funded project. The Commission hopes to award a contract for this project on May 5, 2009.

If you have any questions, feel free to contact Mark Knell or me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Deutsch".

James R. Deutsch
Director
AML Division

Enclosures



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April 22, 2009

Mr. Monte Weeden
M K Weeden Construction, Inc.
PO box 1164
Lewistown, MT 59457

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Weeden:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are one of the three lowest responsive bidders, your bid security is being held until a contract is successfully executed.

As a bidder, you have seven (7) days from receipt of this Notice to protest the Commission's Intent to Award. Only protests for cause will be entertained. To protest, you must submit a written protest to the Procurement Officer that clearly identifies the details of the protest. The written protest must be received by the Procurement Officer within seven (7) days from your receipt of the notice.

If you have any questions, feel free to contact Mark Knell or me.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Deutsch".

James R. Deutsch
Director
AML Division

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April 22, 2009

Mr. Glenn Baranko
Baranko Bros., Inc.
PO Box 820
Dickinson, ND 58602

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Baranko:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are one of the three lowest responsive bidders, your bid security is being held until a contract is successfully executed.

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James R. Deutsch
Director
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April 22, 2009

Mr. Kurt Martin, President
Martin Construction, Inc.
P.O. Box 17
Gladstone, ND 58630

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Martin:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are not one of the three lowest responsive bidders, your bid security is being returned.

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Sincerely,

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James R. Deutsch
Director
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April 22, 2009

Mr. Harley E. Neshem, President
Gratech Company, Ltd.
8201 282nd St NW
Berthold, ND 58718

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Neshem:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are not one of the three lowest responsive bidders, your bid security is being returned.

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James R. Deutsch
Director
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April 22, 2009

Mr. Randal E. Schwartz
Edward H. Schwartz Construction, Inc.
PO Box 160
New England, ND 58647

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Schwartz:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are not one of the three lowest responsive bidders, your bid security is being returned.

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James R. Deutsch
Director
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April 22, 2009

Shawn Morlock
Gary Morlock Construction, Inc.
5180 57th St. SE
Bismarck, ND 58504

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Ms. Morlock:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are not one of the three lowest responsive bidders, your bid security is being returned.

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James R. Deutsch
Director
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April 22, 2009

Mr. Jeff Anderson
Riley Bros. Construction, Inc.
PO Box 535
Morris, MN 56267

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Anderson:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are not one of the three lowest responsive bidders, your bid security is being returned.

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April 22, 2009

Dennis Drewes
Dennis Drewes, Inc.
41617 Co Rd 122
Frazee, MN 56544

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Drewes:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are not one of the three lowest responsive bidders, your bid security is being returned.

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James R. Deutsch
Director
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April 22, 2009

Wayne Wilson
Wilson Construction, Inc.
8805 127th Ave SW
Scranton, ND 58653

RE: Notice of Intent to Award a Contract for construction services at the 2009 Hazen-West Phase 2 abandoned mine land site in Mercer County

Dear Mr. Wilson:

The North Dakota Public Service Commission, by motion April 22, 2009, authorized issuance of the enclosed Intent to Award a contract in the amount of \$586,040.00 for construction services at the Hazen-West Phase 2 abandoned mine land site in Mercer County to Kern & Tabery, Inc. of Wadena, Minnesota. Since you are not one of the three lowest responsive bidders, your bid security is being returned.

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