

CONTRACTORS

KERN & TABERY INC.

218-631-1300 ■ 222 SE 1ST STREET, SUITE 3 ■ WADENA, MN 56482 ■ FAX: 218-631-3985



May 28, 2009

Mark Knell
ND Public Service Commission
Abandoned Mine Lands Division
600 East Boulevard Ave. Dept. 408
Bismarck, ND 58505-0480

RE: ND089
Hazen-West Phase 2 AML Proj.

Dear Mark:

As per our conversation on 5/27/2009, I am sending you a request for payment Submittal No. 1 on the above referenced Project for a total of \$23,820.00.

I am also including as requested an hourly equipment rental price for any extra work you want to have done on the Project:

(1)	Cat 637 Scraper	\$225.00/hour
(1)	Cat D9 Dozer	\$208.00/hour
(1)	Cat D8 Dozer	\$183.00/hour
(1)	Komatsu 300 Backhoe	\$188.00/hour

We would also appreciate it if you would send us a payment request schedule.

If you have any questions, please call me at 218-631-1300 or my cell 218-639-7902.

Sincerely,

KERN & TABERY, INC.

Kevin Tabery
President-Treasurer

Encl:
KJT:dms

CONTRACTOR PRODUCTION FIGURES

Project: Hazen-West Phase 2 AML Project ND089 Mercer County, ND

Contractor: Kern & Tabery Inc.

Submittal Number: #1

From: 5/19/2009 through 5/30/2009

<u>ITEM NO.</u>	<u>Equipment Description</u>	<u>Operating Hrs.</u>	<u>Avg. Cycle Time</u>	<u>Avg. Load Capacity</u>	<u>Job Eff. Factor</u>	<u>Est. Volumes Moved</u>
1	Mobilization				80%	\$12,800.00
2	Topsoil Salvage 300 Komatsu Backhoe D-8 Cat Dozer	7:00-7:00			80%	3333.3CY \$ 7,500.00
3	Dirt Work 300 Komatsu Backhoe D-8 Cat Dozer	7:00-7:00			80%	4,000 CY \$ 3,520.00
TOTAL DOLLARS THIS PAYMENT REQUEST						<u>\$23,820.00</u>

The Contractors signature certifies the accuracy and completeness of these estimated production figures.

KERN & TABERY INC.

Contractor



Contractor Signature Kevin Tabery, Pres.-Treas.

May 30, 2009
Date

FIGURE 3

INVOICE: 001
 Project: HAZEN-WEST PHASE 2
 Project No.: 09165
 Contractor: Kern & Tabery, Inc.
 222 SE 1st, Suite 3
 Wadena, MN 56482

Contract No.: AM-580-09
 Date of Invoice: 06/01/09
 Dates Service Rendered: 5/21/09 to 5/29/09

Spec No.	Description	Orig. Quantity	Unit	Unit Price	Bid Amount	Previous Invoices Quantity	Amount	Current Invoice Quantity	Amount	Total To Date Quantity	Amount	
(1)	Mobilization	1	L. Sum	\$16,000.00	\$16,000.00		\$0.00	0.8	\$12,800.00	0.8	\$12,800.00	
(2)	Topsoil Salvage	20500	Cu. Yds.	\$2.25	\$46,125.00		\$0.00	3333.333	\$7,500.00	3333.333	\$7,500.00	
(3)	Dirt Work	508000	Cu. Yds.	\$0.88	\$447,040.00		\$0.00	4000	\$3,520.00	4000	\$3,520.00	
(4)	Fert. Seed & Mulching	45	Acres	\$575.00	\$25,875.00		\$0.00		\$0.00	0	\$0.00	
(5)	Force Account	1	L. Sum	\$50,000.00	\$50,000.00		\$0.00		\$0.00	0	\$0.00	
(6)	Clean-up	1	L. Sum	\$1,000.00	\$1,000.00		\$0.00		\$0.00	0	\$0.00	
					Original Contract		\$0.00		\$23,820.00		\$23,820.00	
					Change Orders (+)	\$0.00	Change Order(s)	\$0.00	Change Order(s)	\$0.00	Total CO.	\$0.00
					Change Orders (-)	\$0.00						
					Grand Total	\$586,040.00						
					Contract Balance	\$562,220.00						
					Amount Paid	\$0.00	AMOUNT DUE	\$23,820.00	Total Amt.	\$23,820.00		

Project Manager: M.E.K. OR WD 6-1-09

AML Director: J.P.

Grant & Contracts: J.G.

AMOUNT DUE = \$23,820.00

9000
 40870
 PS R0443
 Project 09165

**Contractor Payment Requests
2009 Hazen-West 2
Kern & Tabery
Contract AM-580-09**

Pay 1 : For Commission Meeting of 6-3-09

Dates of Service: May 21-29, 2009

Item	Units	Unit Price	Total	Cumulative Units	Cumulative \$\$	Bid Price	%
Mobilization LS	0.80	\$16,000.00	\$12,800.00	0.80	\$12,800.00	\$16,000.00	80.00%
Topsoil Salvage CY	3333.333	\$2.25	\$7,500.00	3333.33	\$7,500.00	\$46,125.00	16.26%
Dirt Work CY	4000	\$0.88	\$3,520.00	4000.00	\$3,520.00	\$447,040.00	0.79%
Fert/Seed/Mulch Ac		\$575.00	\$0.00	0.00	\$0.00	\$25,875.00	0.00%
Force Account LS		\$50,000.00	\$0.00	0.00	\$0.00	\$50,000.00	0.00%
Clean Up LS		\$1,000.00	\$0.00	0.00	\$0.00	\$1,000.00	0.00%
Total This Invoice			<u>\$23,820.00</u>		\$23,820.00	\$586,040.00	4.06%