



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
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600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

August 17, 2009

Mr. Kevin Tabery
Kern and Tabery Inc.
222 SE 1st Street Ste 3
Wadena, MN 56482

Dear Mr. Tabery:

The Public Service Commission would like to inform you of the following Hazen-West (2) AML Project information:

1. Next invoice can include \$59,966.00 for repair of washouts and Game & Fish Department bass pond work (please see attached change order)
2. Next invoice can also include \$2,520.00 for completion of west central area topsoil salvage (5,600 yds total – 4,480 yds previously paid = 1,120 yds left @ \$2.25/yds)
3. Future Commission meeting dates are Aug. 26th and Sept. 9th & 29th

If you have any questions, please contact me.

Sincerely,


Mark Knell
Project Manager
AML Division, NDPSC



CHANGE ORDER
 NORTH DAKOTA PUBLIC SERVICE COMMISSION
 ABANDONED MINE LANDS
 SFN 19942 (5-93)

CHANGE ORDER
 NUMBER

2

Project <i>Hazea - West Phase 2</i>
Contractor <i>Kern and Tabery Inc.</i>
Original Contract Amount <i>\$ 586,040.00</i>
Date <i>8/11/09</i>

NO.	ITEM OF WORK	UNIT	ORIG. QUAN.	QUAN. + OR -	UNIT PRICE	INCREASE AMOUNT	DECREASE AMOUNTS
1.	<i>Cat 637 Scaper</i>	<i>Hrs.</i>	—	<i>+ 3</i>	<i>\$225.00</i>	<i>\$675.00</i>	
2.	<i>Cat D8 Dozer</i>	<i>Hrs.</i>	—	<i>+ 5</i>	<i>\$183.00</i>	<i>\$ 915.00</i>	
3.	<i>Komatsu 300 Exc.</i>	<i>Hrs.</i>	—	<i>+ 2</i>	<i>\$188.00</i>	<i>\$ 376.00</i>	
4.	<i>Dirt Work & Rock Riprap along bass pond</i>	<i>L.S.</i>	—	<i>1</i>	<i>\$58,000</i>	<i>\$58,000.00</i>	
5.	<i>Force Account - Not Utilized</i>	<i>L.S.</i>	—	<i>1</i>	<i>\$50,000</i>		<i>\$50,000.00</i>

TOTALS: *\$599,660.00* *\$50,000.00*

Explanation and/or sketch of change:

- Repair washouts west of bass pond (Game & Fish Pond)*
- Establish slope and bench with rock riprap slope along Game & Fish Dept. bass pond*

Net Increase or Decrease to Date <i>+ \$12,467.00</i>
Projected Contract Final Cost to Date <i>\$598,507.00</i>

AML Project Manager <i>Mark E. Knell</i>
Date <i>8/11/09</i>
Contractor <i>[Signature]</i>
Date <i>8/12/09</i>

NOTE: No increase or decrease of work is authorized unless this change order is signed by both parties prior to start or elimination of such work.