

public notices

Monday, March 22, 2010 A5

must remain open and valid for at least forty five (45) days from the deadline specified for opening of bids. In the event a bid is not made within forty five days, the State will send a request to all bidders to be susceptible for award of bids to hold their price for a longer specified period.

Bidders may not qualify their bid to restrict the rights of the State. If a bidder does so, the State may determine the bid to be non-responsive, and the bid may be rejected.

The State may waive minor formalities that: (a) do not affect responsiveness; (b) are merely a matter of form or format; (c) do not change the relative standing of the bids; (d) do not prejudice other offers; (e) are immaterial or negligible; (f) do not reflect a change in the work; or (g) constitute a substantial change in the work.

The State reserves the right to reject any or all bids or parts thereof and to waive any formalities in bidding, (b) reject any bid determined to be not responsive, (c) reject the bid of a bidder determined to be not responsive or unqualified to carry out the obligations, (d) reject the bid of a bidder determined to be not responsive or unqualified to carry out the obligations, (e) disqualify any bid upon evidence of collusion, and (f) refrain from making an award if it determines it to be in its best interest. The intent of the State to award the contract to the lowest and best qualified responsible Bidder(s). Bids will be evaluated with regard to the Base Bid Sum and Alternates. Bids will be selected on the basis of the lowest and best qualified responsible Bidder(s).

Interested firms must attend a mandatory Pre-Bid Conference on **March 16, 2010 at 9:00 a.m.** in the Engineering Conference Room, 16 West Building on the State Hospital campus. Interested firms will be provided with an overview of the proposed project and the Bidding Documents. An inspection of the proposed watermain replacement site may be held at this time. Provide interested firms the opportunity to obtain first-hand knowledge of services to be performed to review existing conditions and observations, and submit a bid. **No other bids will be reviewed.**

Bidding Documents prepared by Lightowler Johnson Associates may be examined by interested bidders at the following locations until bid opening: Lightowler Johnson Associates, 700 Main Avenue, Fargo, ND; North Dakota Builders' Exchange; Fargo, Grand Forks, Bismarck, Mandan, Minot; South Dakota Builders Exchange; Aberdeen; Minnesota Builders Exchange; Minneapolis; McGraw Hill Dodge; Minneapolis, MN and North Dakota State Hospital, 2605 Circle Drive, Jamestown, ND.

Plans and specifications for the Heating Plant may be obtained from Lightowler Johnson Associates, 700 Main Avenue, Fargo, ND 58103; phone (701) 293-1353; Fax (701) 293-1350. Deposit for the plans is \$100 per set, payable to Lightowler Johnson Associates. The deposit will be reimbursed when the plans are returned in usable condition within 10 days of bid opening. Separate plans or separate specifications will not be provided.

The Bidder is responsible for reading and becoming thoroughly familiar with the project's Contract and Bidding Documents. Failure of a Bidder to understand the bidding documents does not relieve any Bidder from any responsibility in respect to their bid.

ND Department of Human Services
Alex C. Schweitzer, Superintendent
North Dakota State Hospital
Jamestown, North Dakota
March 8, 15, 22, 2010

ADVERTISEMENT FOR BIDS

The North Dakota State Hospital, 2605 Circle Drive, Jamestown, North Dakota 58401, Attn: Steve Brubakken, will receive sealed bids for the MCC Enclosure Project at the Heating Plant on the State Hospital campus until 2:00 p.m., Thursday, April 15, 2010, in the Engineering Conference Room - 16 West Building on the State Hospital campus. All qualified proposals will be publicly opened and read aloud at this time. A bid tab will be provided. Bids will be received as a Single Prime Bid for all portions of work required under this project.

Any bid may be withdrawn prior to the above scheduled time for opening of the bids or the authorized postponement thereof. Any bid received after the time and date specified will not be considered. Bidder shall assume full responsibility for timely delivery of their proposal to the State.

This Project consists of the construction of an interior enclosure of existing electrical MCC equipment at the Heating Plant and all associated interior/exterior work required in the Bidding and Contract Documents. As this is a controlled access facility, security measures and coordination with State's staff shall be required at all times. Completion is required to be no later than September 30, 2010.

Sealed envelopes, (2 required) one for Bid and one for Bid Bond, attached to each other shall be plainly marked on the outside as: MCC Enclosure Project - Heating Plant, North Dakota State Hospital, 2605 Circle Drive, Jamestown, ND 58401. The envelopes should bear on the outside the Bid Date, the Bidder's name, return address, and phone number, Bidders Construction License Number and the number of addenda being acknowledged.

One original and one copy of the bid shall be submitted in a "Bid Envelope" using the Bid Form contained in the project manual. Bidders shall submit the Bid form, with the Bid Price, Alternates Number of Addenda acknowledged that meets the number on the envelope and Supplements supplied with the Bidding Documents. All blank spaces for Bid Prices and Supplemental Information asked for must be filled in, in ink or typewritten. If an item does not apply, the bidder shall fill in with the statement, does not apply.

One original and one copy of the bid bond and other documents shall be submitted in the "Bid Bond Envelope" attached to the "Bid Envelope". The envelope shall contain the Bidder's Security Bond in a sum equal to five percent (5%) of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in the State of North Dakota, conditioned that if the principals bid be accepted and the contract awarded to the principal, the principal within ten (10) days after notice of award, shall execute and effect a contract in accordance with the terms of the bid and shall provide a Performance Bond in an amount equal to the contract award as required by law and the regulations and determinations of the State. Bid bonds shall be made payable to the North Dakota State Hospital and shall be placed in a separate envelope. Cash, cashier's check or certified checks will not be accepted.

All bidders must be licensed in the State of North Dakota for the full amount of their bids, as provided by Section 43-07-05 of the North Dakota Century Code. A copy of the bidder's contractor's license issued by the Secretary of State and a copy of the contractor's North Dakota WSI Insurance certificate of renewal thereof shall be enclosed with the "Bid Bond Envelope".

No proposal shall be read or considered which does not comply with the above requirements.

bind the company. A bidder's failure to include these items in their bid may cause the bid to be determined to be non-responsive and the bid may be rejected.

Bids must remain open and valid for at least forty five (45) days from the deadline specified for submission of bids. In the event award is not made within forty five (45) days, the State will send a written request to all bidders deemed susceptible for award asking bidders to hold their price firm for a longer specified period of time.

Bidders may not qualify their bid to restrict the rights of the State. If a bidder does so, the State may determine the bid to be non-responsive, and the bid may be rejected.

The State may waive minor formalities that: (a) do not affect responsiveness; (b) are merely a matter of form or format; (c) do not change the relative standing of the bids; (d) do not prejudice other offers; (e) are immaterial or negligible; (f) do not reflect a change in the work; or (g) constitute a substantial reservation against a requirement or provision.

The State reserves the right to: (a) reject any or all bids or parts thereof and to waive any formalities in bidding, (b) reject any bid determined to be not responsive, (c) reject the bid of a bidder determined to be not responsive or unqualified to carry out the obligations, (d) reject the bid of a bidder determined to be not responsive or unqualified to carry out the obligations, (e) disqualify any bid upon evidence of collusion, and (f) refrain from making an award if it determines it to be in its best interest.

It is the intent of the State to award this project to the lowest and best-qualified responsible Bidder(s). Bids will be evaluated with regard to Base Bid Sum and Alternates. Alternates will be selected at random based on State's requirements for each alternate. Acceptance of one alternate does not mean acceptance or non-acceptance of another.

All interested firms must attend a mandatory Pre-Bid Conference on Thursday, April 8th, 2010 at 10:00 a.m. in the Engineering Conference Room, 16 West Building on the State Hospital campus. Interested firms will be provided with an overview of the proposed project and time frames. An inspection of the Heating Plant may be held at this time to provide interested firms the opportunity to obtain first-hand knowledge of services to be performed, to review existing conditions, and to obtain independent measurements and observations, prior to submitting a bid. No other site visits to review the project will be provided.

Project Bidding Documents prepared by Lightowler Johnson Associates may be examined by interested bidders at the following locations until bid opening: Lightowler Johnson Associates, Fargo, ND; North Dakota Builders' Exchange; Fargo, Grand Forks, Bismarck, Mandan, Minot; South Dakota Builders Exchange; Aberdeen; Minnesota Builders Exchange in Minneapolis; McGraw Hill Dodge, Minneapolis, MN and the North Dakota State Hospital Engineering Office.

Plans and specifications for the MCC Enclosure Project at the Heating Plant may be obtained by the bidder for their personal use from Lightowler Johnson Associates, 700 Main Avenue, Fargo, ND 58103, phone (701) 293-1350; Fax (701) 293-1353. Deposit for the plans is \$100.00 per set, payable to Lightowler Johnson Associates. The deposit will be reimbursed when plans are returned in usable condition within 10 days of bid opening. Partial or separate plans or separate specs will not be provided.

Each Bidder is responsible for reading and becoming thoroughly familiar with the project's Contract and Bidding Documents. Failure of any Bidder to understand the bidding or contract documents does not relieve any Bidder from any responsibility in respect to their bid.

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North Dakota State Hospital, Dept.
of Human Services, Jamestown,
North Dakota.
North Dakota Department of
Human Services
Alex C. Schweitzer, Superintendent
North Dakota State Hospital
Jamestown, North Dakota
March 22, 29, April 5, 2010

JAMESTOWN CITY COUNCIL SPECIAL MEETING, MARCH 15, 2010 UNOFFICIAL MINUTES

The special meeting of the City Council was called to order by Vice-President of the Council Parisien at 9:00 AM.

Roll Call showed the following members present: Council Members Parisien, Kourajian, and Schulz, City Engineer Schwartzkopf and City Administrator Fuchs. Absent: Mayor Liechty, Council Member Nygaard and City Attorney Dalsted.

City Engineer Schwartzkopf provided an update to the City Council on information from the Corps of Engineers who have indicated that the City should begin preparations for a possible discharge from the Jamestown Reservoir and Pipestem Dam projects of up to a combined 3200 CFS later this spring. With this preliminary information he felt that the City Council should approve a Resolution to amend the Emergency Declaration of February 16, 2010, in order to request the necessary assistance from Stutsman County, the State of North Dakota and the Corps of Engineers.

Council Member Kourajian moved a Resolution to amend the Resolution Declaring an Emergency of February 16, 2010, and prepare for higher than normal water releases from both the Jamestown Reservoir and the Pipestem Dams of up to 3200 CFS due to the anticipated higher amounts of run-off expected from this season's heavy snow and probable spring run-off. Seconded by Council Member Schulz. Roll Call No. 1 showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Parisien moved a Resolution to allow proceeding with Advanced Measures offered by the U.S. Army Corps of Engineers, including Emergency Dike Construction. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Kourajian moved a Resolution to suspend City Council action on existing claims filed from private property owners as a result of the 2009 Emergency Dike Construction and Removal due to the necessity to construct Emergency Dikes for 2010. Seconded by Council Member Parisien. Roll Call No. 3 showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Schulz moved a Resolution to approve and authorize payment for the cost of dike and sandbag removal, cleanup and reseeded of sites in which temporary emergency levees are constructed by the Corps of Engineers or the City of Jamestown and to allow private property owners to submit claims, for consideration of reimbursement by the City Council on a case by case basis, on non-structural damages that result from levee construction and removal. Seconded by Council Member Kourajian. Roll Call No. 4 showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Parisien moved a Resolution to allow the Engineering and Public Works Departments to proceed with necessary purchases and rental agreements for Flood Control Measures. Seconded by Council Member Kourajian. Roll Call No. 5 showed: 3 ayes, 0 nays, 2 absent. Carried.

Council Member Schulz moved a Resolution to reaffirm City Council intent to commit up to \$2 million per year for the next 12 years for City Infrastructure Improvements, with the majority of these funds designated to go toward necessary Sanitary Sewer System Studies, Design and Improvements. Seconded by Council Member Kourajian. Roll Call No. 6 showed: 3 ayes, 0 nays, 2 absent. Carried.

Carried.
Council Member Kourajian moved to adjourn. Seconded by Council Member Schulz. Unanimous aye vote. Carried.
APPROVED:
KELANI PARISEIN, Vice-President of the Council
ATTEST:
JEFF FUCHS, City Administrator
March 22, 2010

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.

Discontinue Prudence Big Stone II Application

Case No. PU-09-731
Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.

Deferred Accounting - Big Stone II Application

Case No. PU-09-733
Offer Tail Power Company
Deferred Accounting - Big Stone II Application

Case No. PU-09-739
Offer Tail Power Company
Discontinue Prudence Big Stone II Application

Case No. PU-10-30
NOTICE OF HEARINGS
March 10, 2010

On August 27, 2008, the Commission adopted an order approving the requests of Offer Tail Power Company (Offer Tail) (Case No. PU-06-481) and Montana-Dakota Utilities Co.'s (Montana-Dakota) (Case No. PU-06-482) for an advance determination of prudence for their ownership in the proposed Big Stone II Generating Station.

On December 2, 2009, Montana-Dakota filed an application for a determination that Montana-Dakota's continued participation in the Big Stone II Generating Station is no longer prudent, Case No. PU-09-731.

On December 4, 2009, Montana-Dakota filed an application for authority for deferred accounting for costs related to Montana-Dakota's efforts in securing new electric generation, primarily the Big Stone II Generating Station, until disposition of its next general electric rate increase, Case No. PU-09-733.

On December 14, 2009, Offer Tail filed an application for authority to use deferred accounting until its next rate case for costs incurred during its participation in the Big Stone II project, Case No. PU-09-739.

On January 19, 2010, Offer Tail filed an application for determination that continuation of the Big Stone II Project is no longer prudent, Case No. PU-10-30.

Public hearings on the two Offer Tail cases, Case No. PU-10-30 and Case No. PU-09-739, will be consolidated and will be held beginning May 5, 2010 at 8:30 a.m. CDT in the Commission Hearing Room, State Capitol, 12th Floor, Bismarck, North Dakota, 58505.

The issue to be considered in Case No. PU-10-30 is whether Offer Tail's continued participation in the Big Stone II Generating Station is no longer prudent.

The issue to be considered in Case No. PU-09-739 is whether authorization for deferred accounting of costs incurred during participation in the Big Stone II project is in the public interest.

Public hearings on the two MDU cases, Case No. PU-09-739 and Case No. PU-09-733 will be consolidated and will be held beginning May 5, 2010 at the conclusion of the hearings on the Offer Tail cases or at 1:30 p.m. CDT, whichever is later, in the Commission Hearing Room, State Capitol, 12th Floor, Bismarck, North Dakota, 58505.

The issue to be considered in Case No. PU-09-731 is whether Montana-Dakota's continued participation in the Big Stone II Generating Station is no longer prudent.

The issue to be considered in Case No. PU-09-733 is whether authorization for deferred accounting of costs related to efforts in securing new electric generation, including participation in the Big Stone II project, is in the public interest. You can listen to a broadcast of