

unapproved 6/1/9

# at hits sh trees

*"Basically, what you see when you drive down some of these neighborhoods is it's raining leaves."*

**Scott Liudahl**  
Fargo city forester

ease, he said. Fungicide is available to treat anthracnose, but once the leaves start falling, it's too late to spray. Owners may want to treat hard-hit trees next spring before they leaf out, Baker said.

If the tree is too large to spray all the way to the top, it probably can withstand the disease, Baker said. For younger, smaller trees already in a weakened state, "sometimes it can be one of the final straws that breaks the back," he said.

Trees weakened by ash anthracnose are more susceptible to pests, including the emerald ash borer, a beetle whose larvae feed on the inner bark of ash trees, disrupting their ability to carry water and nutrients, Liudahl said.

Last year, Fargo removed 536 diseased ash trees from public property to replace them with other species in an attempt to thin out the city's ash population to prevent widespread canopy loss from the borer.

The city plans to be even more aggressive with the program this year as it tries to reduce the percentage of ash boulevard trees to 10 to 15 percent, Liudahl said.

About 35 percent of Fargo's boulevard trees are now ash, he said.

**Mike Nowatzi is a reporter at The Forum of Fargo-Moorhead, which is owned by Forum Communications Co.**

# mission as-fired plant

gas turbine's exhaust would be used to heat water and create steam to run the second turbine.

The permits approved Tuesday include conditions negotiated by Basin Electric and the commission's staff. The PUC's hearing on the issue lasted only about a half hour because no one appeared at the meeting to oppose the project.

Basin Electric proposed the plant to meet growing demand from its member electric systems.

Commissioners said the plant could work in coordination with wind farms in the area. Project manager Gavin McCollam said the Deer Creek Station's power generation could be adjusted quickly according to the availability of wind-generated power.

In response to questions from the PUC, McCollam said the plant's use of natural gas should have little

## Tougher penalties for drunk drivers



Devices like this will be required beginning next year for repeat drunken driving offenders and some first-time offenders under a Minnesota law signed on Tuesday.

**Don Davis**  
Forum Communications Co.

## Public Notice

### ADVERTISEMENT FOR BIDS

The State Hospital, 2605 Circle Drive, Jamestown, North Dakota 58401, Attn: Steve Brubakken, will receive sealed bids for a Bearing Cooling and Valve Replacement Project until 2:00 p.m., Thursday, May 27, 2010, in the 16 West Conference Room on the State Hospital campus. All qualified proposals will be publicly opened and read aloud at this time. 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 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.

Project consists of the replacement of steam valves, boiler feed water valves and the addition of a closed loop bearing cooling system in the Heating Plant and all associated interior/exterior work required in the Bidding and Contract Documents. This is a controlled access facility requiring security measures and coordination with State's staff at all times. Completion is required no later than August 27, 2010, with a construction Start Date of June 14, 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: Bearing Cooling and Valve Replacement Project, North Dakota State Hospital, 2605 Circle Drive, Jamestown, ND 58401. Envelopes should bear on the outside Bid Date, Bidder's name, return address, phone number, Bidder's Construction License Number and the number of addenda acknowledged.

One original and one copy of the Bid, submitted on the Bid Form contained in the project manual, shall be enclosed in a "Bid Envelope" and an original and copy of a Bid Bond shall be submitted in a "Bid Bond Envelope" attached to the "Bid Envelope". The Bid Bond shall be "in a sum equal to 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 is accepted and the contract awarded to the principal, the principal within 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" and this envelope shall be attached to the "Bid Envelope". Envelopes shall be identified as to contents, project and dates. No proposal shall be read or considered which does not comply with the above provisions. Any deficient proposal submitted will be resealed and returned to the bidder immediately.

signed by a company officer empowered to 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 confirm that the bidder will comply with all provisions in the project bidding documents. The bid must disclose any instances where the firm or any individuals working on the project has a possible conflict of interest and, if so, the nature of that conflict (e.g. employed by the State of North Dakota).

The State may waive minor informalities that: (a) do not affect responsiveness; (b) are merely a matter of form or format; (c) do not change the relative standing or otherwise prejudice other offers; (d) do not change the meaning or scope of the project; (e) are insignificant, negligible, or immaterial in nature; (f) do not reflect a material change in the work; or (g) do not 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 informalities in bidding, (b) reject any bid determined to be not responsive, (c) reject the bid of a bidder determined to be not responsible or unqualified to carry out their obligations, (d) reject the bid of a debarred or suspended vendor, (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.

A Pre-Bid Conference will be held Thursday, May 20, 2010 at 10:00 a.m. for all interested parties in the Heating Plant 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' Exchanges: Fargo, Grand Forks, Bismarck, Mandan, Minot; South Dakota Builders Exchange: Aberdeen; Minnesota Builders Exchange in Minneapolis; McGraw Hill Dodge Plan Room, Minneapolis, MN and the North Dakota State Hospital Engineering Office.

Plans and specifications for the Bearing Cooling and Valve Replacement Project 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 \$50.00 per set, payable to Lightowler Johnson Associates. The deposit will be reimbursed when plans are returned in usable condition within 10 days of bid. Partial or separate plans or separate specs will not be provided.

All questions regarding the bidding or contract documents must be in writing and directed to the Project Manager - Jamie Dukleth, Lightowler Johnson Associates, 700 Main Avenue, Fargo, ND 58103, and cite the Bearing Cooling and Valve Replacement Project. The project manager must receive written questions by 2:00p.m., Monday, May 24, 2010 to allow issuance of any necessary amendments.

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North Dakota Department of Human Services  
Alex C. Schweitzer, Superintendent  
North Dakota State Hospital  
Jamestown, North Dakota  
05/05, 05/12 and 05/19, 2010

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION  
Northern States Power Company  
Aggregators of Retail Customers  
Investigation

Case No. PU-10-59  
NOTICE OF OPPORTUNITY FOR  
HEARING  
May 12, 2010

On March 1, 2010, Northern States Power Company (NSP) filed comments and a request for action prohibiting the operation of Aggregators of Retail Customers (ARCs). ARCs would aggregate retail customer load reductions and sell the resulting energy in the Midwest Independent System Operator (Midwest ISO) wholesale energy market.

NSP states that a Midwest ISO federal tariff filed to comply with Federal Energy Regulatory Commission Order 719 would authorize ARCs to begin operating as soon as June 1, 2010, unless the Public Service Commission takes action to prohibit

ARC operations. NSP contends that operation of ARCs may negatively impact customer rates, system reliability and existing demand response programs.

Those interested are invited to comment in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by June 22, 2010. If deemed appropriate, the Commission

can determine these matters without a hearing. The issues to be determined in this proceeding are: 1. Whether ARC operations constitute resale of electricity by retail customers prohibited under North

Dakota Administrative Code Section 69-09-02-15 unless the rate schedule under which the custom-

er receives service specifically provides for resale?

2. Whether the Commission should prohibit or regulate the operation of ARCs and if operation should be regulated then how and to what extent?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505; 701-328-2400 or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services,

such as readers, signers, or Braille materials, please notify the Commission.

PUBLIC SERVICE COMMISSION  
Tony Clark, Commissioner  
Kevin Cramer, Chairman  
Brian P.Kalk, Commissioner  
May 19, 2010

The North Dakota Individuals with Disabilities Education Act (IDEA) Advisory Committee will meet on Wednesday, June 9, 2010 at the Comfort Inn, 1030 East Interstate Avenue, Bismarck, ND. If you have questions, please contact Darla Van Vleet at 701-328-2277.

Agenda items include (1) Update: RFI Update; (2) Update: NDMILE; (3) Update: Early Childhood Least Restrictive Environment (Indicator 6); (4) Update: Secondary Transition (Indicator 13); (5) Update: Language Change Letter to OSEP; (6) Update: Annual Yearly Progress; (7) Update: Annual Performance Report Submission and Monitoring.

For further information, or if you have any special needs, contact Alison Dollar, Department of Public Instruction, Office of Special Education, 600 E Boulevard Ave., Dept: 201, Bismarck, ND 58505-0440, (701) 328-2277.  
May 19, 2010

## PUBLIC NOTICES

A public notice is information informing citizens of government activities that may affect the citizens' everyday lives.

Public notices have been printed in local newspapers, the trusted sources for community information, for more than 200 years.

North Dakota newspapers also post public notices that are printed in newspapers on [www.ndpublicnotices.com](http://www.ndpublicnotices.com) at no additional charge to units of government.

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