



Public Service Commission

State of North Dakota

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May 7, 2012

Mr. Ross Smith
Earthworm Excavating
909 Main
Carrington, ND 58421

RE: Contract for construction services for the 2012 Sinkhole Filling Project at abandoned mine land sites in western North Dakota

Dear Mr. Smith:

On April 27, 2012 the North Dakota Public Service Commission issued a Notice of Intent to Award a contract to Earthworm Excavating of Carrington, North Dakota in the amount of \$59,989.50 for construction services associated with the 2012 Sinkhole Filling Project at abandoned mine land sites in western North Dakota. The seven day period for appeals has expired and there were no appeals. Therefore, enclosed are two (2) original Contracts for you to execute and return to us. Please return both signed contracts within ten (10) days from receipt of this letter.

In addition, the following information and documents must be submitted along with the signed contracts:

- 1) Copy of your North Dakota Contractor's License,
- 2) State and Federal taxpayer ID numbers,
- 3) Certificate of Tax Clearance from the North Dakota Tax Department,
- 4) Certificate of Insurance with endorsements showing coverage as stipulated in the Information For Bidders (IFB), and
- 5) Completed AML Contractor Information Form (see attachment).

Upon receipt of the materials list above, the Commission will execute both original Contracts and one of those will be returned to you. If you fail to execute the contract and furnish the other information by May 25th, the Commission will be entitled to consider all your rights arising out of acceptance of your bid as abandoned and as forfeiture of your bid bond.

If you have any questions, feel free to contact Bill Dodd or me.

Sincerely,

James R. Deutsch
Director, AML Division

Enclosures

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m\AML\2012\2012 Si Contract for sinkhole filling to Earthworm Construction for execution
Public Service Commission
Jim Deutsch