


PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Commissioners Clark, Kalk and Cramer
Darrell Nitschke
Illona A. Jeffcoat-Sacco

From: Jim  Deutsch, Director - AML Division

Date: June 11, 2012

Subject: Contract for AML's 2012 Sinkhole Filling Project, Case No. AM-12-84

In February the AML Division issued an Invitation for Bids (IFB) for sinkhole filling at twelve locations in western North Dakota. This project involves the excavation and filling of sinkholes that have formed due to the collapse of abandoned underground coal mines. Competitive sealed bidding procedures were used with notices issued to specified registered vendors through the State Procurement Office. The IFB for this project set a maximum bid price of \$60,000 for this project. The low bidder is determined based on the contractor who submitted the lowest unit price, on a cubic yard basis, for earthen materials used to fill the sinkholes. The public bid opening occurred on April 23rd and only two bids were received.

The low bid was from Earthworm Excavating of Carrington, ND, who bid \$16.85 per cubic yard for 2,670 cubic yards of material, plus \$15,000 for the twelve mobilizations. The other bidder bid \$30.00 per cubic yard for 1,500 cubic yards, plus \$15,000 for the twelve mobilizations. Earthworm's bid totaled \$59,989.50.

A notice of Intent to Award a contract Earthworm Excavating was issued on April 27th. The other bidder did not appeal the Intent to Award and a contract was sent to Earthworm Excavating for signing on May 7th. The signed contract has been returned and liability insurance documents and other materials were submitted by Earthworm Excavating as requested. The contract is now ready for execution by the Commission.

I recommend the Commission execute the contract with Earthworm Excavating in the amount of \$59,989.50 for sinkhole filling at numerous abandoned underground mines in western North Dakota. Attached is a motion for the June 14th Commission meeting for executing the contract.

Attachment

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