

PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Commissioners Kalk, Christmann and Fedorchak
Darrell Nitschke
Illona Jeffcoat-Sacco and Ryan Norrell

From: Jim Deutsch, Director - AML Division

Date: May 20, 2013

Subject: Contract for the Havelock C AML project

In February the AML Division prepared an Invitation for Bids for the Havelock C reclamation project in Hettinger County. This project involves backfilling about 2,000 feet of highwalls and the grading of spoil piles at an abandoned surface coal mine between Regent and New England, ND. As part of this project, about 198,000 cubic yards of mine spoil and other earthen materials need to be moved to backfill the highwalls. About 16 acres of the mined area will be seeded. The bid opening for the Havelock C project was held on April 22nd and twelve bids were received.

The low bid was received from Martin Construction, Inc. of Gladstone, ND, in the amount of \$246,620. The other bids ranged from \$298,340 to \$683,400 and the project manager's (Mark Knell) estimate was \$270,000. A notice of intent to award a contract to Martin Construction was issued on April 24th. None of the other bidders appealed the Intent to Award and a contract was sent to Martin Construction for signing on May 8th. The signed contract has been returned and properly executed performance and payment bonds, liability insurance documents, and other materials were also submitted by Martin Construction as requested. The contract is now ready for execution by the Commission. The AML Division has sufficient funds in current OSM grants for this and other projects planned for 2013.

I recommend the Commission execute the contract with Martin Construction, Inc. in the amount of \$246,620 for the Havelock C project. Attached is a motion for the May 22nd Commission meeting to execute the contract.

Attachment

CaseLib/130092/memo