

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 Richter AML reclamation project

In February the AML Division prepared an Invitation for Bids for the Richter reclamation project in Morton County. This project involves backfilling about 2,000 feet of highwalls and the grading of spoil piles at an abandoned surface coal mine northeast of Glen Ullin, ND. As part of this project, about 130,000 cubic yards of mine spoil and other earthen materials need to be moved to backfill the highwalls. About 40 acres of the mined area will be seeded. The bid opening for the Richter project was held on April 22nd and eleven bids were received.

The low bid was received from Baranko Brothers, Inc. of Dickinson, ND, in the amount of \$264,910. The other bids ranged from \$337,700 to \$578,680 and the project manager's (Mark Knell) estimate was \$330,000. A notice of intent to award a contract to Baranko Brothers 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 Baranko Brothers 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 Baranko Brothers, Inc. in the amount of \$264,910 for the Richter project. Attached is a motion for the May 22nd Commission meeting to execute the contract.

Attachment

CaseLib/130093/memo