


# PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

## Memorandum

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

From:  Jim Deutsch, Director - AML Division

Date: March 19, 2014

Subject: Contract Amendment for the 2013 Sinkhole Filling Project, Case AM-13-96

Last June the Commission entered into Contract No. AM-679-13 in the amount of \$100,000 with Pleasant & Sons Construction, Inc. of Greenville, KY, for sinkhole filling at numerous locations in western North Dakota. This project primarily involves the excavation and filling of sinkholes that have formed due to the collapse of abandoned underground coal mines. Based on the number (around 30) of dangerous sinkholes that had been reported when the bid package was issued more than a year ago, we thought \$100,000 was sufficient for the sinkhole filling work in 2013 and 2014. Therefore, the contract end date was set as December 31, 2014.

Due to the wet conditions last year, many new sinkholes formed and that greatly increased the number of sinkholes filled. Work on this project began last August and about 180 sinkholes were filled at twelve sites. In addition, some erosion repair work at the Buechler/Velva site in Ward County was carried out under this contract. Much of the erosion was also caused by the abnormally high precipitation. Last September we recommended and the Commission approved a motion to allow staff to issue change orders to increase the contract amount with Pleasant & Sons up to \$150,000. With the additional work done last fall, the total spent to date is nearly \$129,000, leaving about \$21,000 for this year. We expect nearly all of that will be needed to fill the large and dangerous sinkholes that appeared over the winter along public roads near Bowman and Dickinson.

Other less dangerous sinkholes have been reported and others will almost certainly develop this spring and summer that should be filled this year. Therefore, I'm requesting that the Commission approve an amendment to Contract No. AM-679-13 to increase the total contract amount to \$225,000 with Pleasant & Sons. This matter was also discussed with Illona and Tricia Opp with the State Procurement Office and both agree it would be better to amend the contract rather than issuing additional change orders. Neither had concerns with the monetary increase considering the extra work that was done last year and that this contract does not end until December 31, 2014. Also, it appears we have enough federal funds in our 2013 and 2014 construction grants for the increased work as well as the other projects planned for this year. Pleasant & Sons is willing to do the additional work under the original terms of this contract, which have low unit prices compared to the two previous sinkhole filling projects.

Attached is a motion for the March 26<sup>th</sup> Commission meeting to approve a contract amendment to increase the total contract amount with Pleasant & Sons Construction, Inc. to \$225,000.

Attachment

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Public Service Commission

Jim Deutsch

