

PUBLIC SERVICE COMMISSION

AML Division

Memorandum

TO: Commissioners Christmann, Kalk and Fedorchak
Darrell Nitschke
Illona A. Jeffcoat-Sacco and Jack Schuh
WD

From: William E. Dodd, Assistant Director, AML Division

Date: January 12, 2017

Subject: Close out of Contract No. AM-720-15 for underground mine sinkhole filling in western North Dakota, Case No. AM-15-055

On April 8, 2015, the Commission awarded Contract No. AM-720-15 to Ross Smith, dba Earthworm Excavating, of Tolna, ND, for a two-year project to fill dangerous sinkholes caused by the collapse of underground mine workings. The ending date of the contract was December 31, 2016. Sinkhole filling and other work was conducted at sites near Beulah, Bowman, Dickinson, Glen Ullin, Haynes, New Leipzig, Noonan, Richardton, Scranton, Velva, Williston, Wilton and Zap. All work has now been satisfactorily completed and the AML Division recommends the contract be closed.

Work began April 22, 2015 and was completed December 3, 2016. During this project, approximately 345 dangerous sinkholes were filled. Emergency coal refuse fires near Haynes and Dickinson were also extinguished and erosion features were stabilized at the Richter and Buechler/Velva AML Sites.

The contract amount was \$200,000 and two change orders were issued. The first converted money from sinkhole filling to seeding with no change in the contract amount. The second added \$1246.96 for erosion control blankets for the Buechler/Velva site. The total amount paid to Earthworm Excavating under this contract was \$201,246.96. Bill Dodd supervised this project and the work was completed to his satisfaction. The contractor certified all employees, subcontractors and suppliers used for fulfilling terms of the contract have been paid. The final invoice was submitted and it has been paid.

Attached is a motion for the January 18, 2017 Commission meeting to close out Contract AM-720-15 with Earthworm Excavating.