


PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

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

From:  Jim Deutsch, Director - AML Division

Date: August 12, 2016

Subject: Contract for AML's 2016 Bowman Foxhole Project, Case No. AM-16-26

In early July an Invitation for Bids (IFB) was issued by the AML Division for reclaiming an abandoned surface mine about seven miles north of Bowman. This project is called the 2016 Bowman Foxhole Project. The reclamation work involves the excavation of earthen materials from spoil to backfill two final pits and to eliminate steep highwalls. The two pits are separated by a county road located on the county line between Bowman and Slope Counties. The AML Division estimates that about 40,000 cubic yards of earthen material needs to be excavated to reclaim the 10-acre site.

Competitive sealed bidding procedures were used with notices issued to registered vendors through the State Procurement Office. The bid opening was held on August 2nd and 10 bids were received. The low bid was received from Martin Construction, Inc. of Dickinson in the amount of \$89,300. The other bids ranged from \$94,868 to \$266,355. The AML Division's cost estimate for this project was \$184,500.

The Notice of Intent to Award a contract to Martin Construction, Inc. was sent to all bidders on August 3rd. None of the other bidders appealed the Intent to Award and a contract was sent to Martin Construction on August 11th to execute. We expect to receive the signed contract, performance and payment bonds, a certificate of liability insurance, and the other materials that we requested before 5:00 p.m. on Tuesday, August 16th. Assuming we receive the signed contract and other properly executed documents from Martin Construction on Tuesday, the contract can then be executed by the Commission on August 17th. The reclamation work at the Bowman Foxhole site is expected to begin in late August or early September and be completed by mid-October.

Assuming we receive the necessary materials from Martin Construction on August 16th, I recommend the Commission execute the contract with Martin Construction, Inc. in the amount of \$89,300.00 for reclaiming the Bowman Foxhole AML site. Attached is a motion for the August 17th Commission meeting.

Attachment