PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Steve Kahl, Executive Director
John Schuh, General Counsel
Zanna Brinkman, Director - Abandoned Mine Lands Division ZAB

From: Joan Breiner JAB and Ross Edison RWE

Date: June 3, 2022

Subject: 2022 Garrison Phase 5 AML Project, Case No. AM-22-21

On February 28, 2022, the AML Division issued a solicitation for drilling and remote backfilling of abandoned underground mines near Garrison, ND. The AML Division estimates the project will require 5,000 feet of drilling, 1,000 feet of casing, and 2,000 cubic yards of grout.

Competitive sealed bidding procedures were used with notices issued to registered vendors through the State Procurement Office. The bid opening was held on March 24, 2022. Bids were from C.J. Mahan Construction Company, LLC of Grove City, OH for $1,417,066.65, Hanson's Excavating, Inc. of Des Lacs, ND for $837,750.00 and from Earth Energy & Water Systems, Inc. of New Salem, ND for $735,500.00.

The Notice of Intent to Award a contract to Earth Energy & Water Systems, Inc. was issued to all bidders on March 30, 2022. No protests were received. On April 20, 2022, a contract was sent to Earth Energy & Water Systems, Inc. to execute. The signed contract has been returned. We have received performance and payment bonds, a certificate of liability insurance and other materials that were requested. The contract is now ready for execution by the Commission. The AML Division has sufficient funds in the current OSM grants for this and other projects planned for 2022.

We recommend the Executive Director execute the contract with Earth Energy & Water Systems, Inc. for drilling at the 2022 Garrison Phase 5 AML Project.

AML\2022\2022 Garrison Phase 5\Contract_Invoices_Change Orders\Construction\Contract\
EEWS_Memo_Exct_cntrct_6-3-22