

PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Steve Kahl, Executive Director *SK*
From: *ZAB* Zanna Brinkman, *MJF* Matthew Fischer, and *RWE* Ross Edison
Date: May 22, 2023
Subject: 2023 Garrison Phase 6 AML Project, Case No. AM-22-411

On February 16, 2023, 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 3,500 cubic yards of grout to reclaim the abandoned coal mine.

Competitive sealed bidding procedures were used with notices issued to registered vendors through the State Procurement Office. The bid opening was held on March 16, 2023. Bids were from Hanson's Excavating, Inc. of Minot, ND for \$1,167,400.00 and from Earth Energy & Water Systems, Inc. of New Salem, ND for \$1,083,000.00.

The Notice of Intent to Award a contract to Earth Energy & Water Systems, Inc. was issued to all bidders on March 21, 2023. No protests were received. On April 3, 2023, 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 2023.

We recommend the Executive Director execute the contract with Earth Energy & Water Systems, Inc. for drilling and grouting at the 2023 Garrison Phase 6 AML Project.

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