

**PUBLIC SERVICE COMMISSION**

**Abandoned Mine Lands Division**

Memorandum

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

From: *MF* Matt Fischer and Mike Howe *[Signature]*

Date: June 27, 2023

Subject: 2023 Exploratory Drilling AML Project, Case No. AM-22-21

On April 14, 2023, the AML Division issued a solicitation for drilling and casing of abandoned underground mines near Dickinson, ND. The AML Division estimates the project will require 25,000 feet of drilling and 3,500 feet of casing.

Competitive sealed bidding procedures were used with notices issued to registered vendors through the State Procurement Office. The bid opening was held on May 3, 2023. Bids were received from S & S Drilling, Inc. of Williston, ND for \$297,750.00 and from Earth Energy & Water Systems, Inc. of New Salem, ND for \$326,500.00. It was determined that S & S Drilling, Inc. had included a copy of the bid bond, not the original, and their bid was not accepted.

The Notice of Intent to Award a contract to Earth Energy & Water Systems, Inc. was issued to all bidders on May 10, 2023. No protests were received. On June 9, 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 at the 2023 Exploratory Drilling AML Project.