


PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Steve Kahl, Executive Director 
John Schuh, General Counsel 
Jonathan Emmer, Director - Abandoned Mine Lands Division 
MNF

From: Matt Fischer and Mike Howe 

Date: June 4, 2024

Subject: 2024 Dakota Collieries AML Project, Case No. AM-23-323

On March 6, 2024, the AML Division issued a solicitation for reclaiming an abandoned coal mine near Zap, ND. The AML Division estimates the project will require moving 120,000 cubic yards of material 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 April 9, 2024. Bids were received from Young Gun Construction, LLC. of Ludlow, SD for \$1,015,149.30, North Wind Site Services, LLC of Idaho Falls, ID for \$1,095,933.98, Edward H. Schwartz Construction, Inc. of New England, ND for \$2,286,931.45, and Jones Contractors, Inc. of Watford City, ND for \$991,587.49. The bid from Jones Contractors, Inc. was rejected because it did not contain the bid bond and other necessary documents.

The Notice of Intent to Award a contract to Young Gun Construction, LLC. was issued to all bidders on April 10, 2024. No protests were received. On April 18, 2024, a contract was sent to Young Gun Construction, LLC. 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 2024.

We recommend the Executive Director execute the contract with Young Gun Construction, LLC. for the reclamation of an abandoned coal mine at the 2024 Dakota Collieries AML Project site near Zap ND.

AML\2024\2024 Dakota Collieries\Administrative\Memo_Exec_ctrct_6-4-24