

PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Steve Kahl, Executive Director
John Schuh, General Counsel
Jonathan Emmer, Director - Abandoned Mine Lands Division
Matthew Fischer, Assistant Director – Abandoned Mine Lands Division

From: Brett Job 

Date: August 26, 2024

Subject: 2024 Lehigh Road Phase IX GEOSERV Contract Termination

On June 6, 2024, the AML Division entered a contract with Geoserv, Inc. for the Materials Testing portion of the 2024 Lehigh Road Phase IX AML Project. The contract bid items included 150 hours of field representation, 4 structural surveys, 3 fine aggregate tests, and 50 sets of concrete strength testing.

On August 23, 2024, a disturbing conversation occurred between a driver of Dickinson Ready Mix (Ricky Fulda) and the representative from Geoserv, Inc (Mark Tschosik). Mark Tschosik began complaining about the grout mix and was irate by the end of the conversation. Mark stated that Dickinson Ready Mix has “fucked them over” repeatedly and that he “has every right to go down to the plant and shoot up the place”.

Dickinson Ready Mix then stated that they will not provide grout for this project if Mark Tschosik is the on-site material tester. Dickinson Ready Mix filed a police report with the Stark County Sheriff's Office. PSC staff interviewed all involved parties. During Mark's interview, he said he had no recollection of this event and showed no remorse. His actions are completely uncalled for and are not acceptable on the jobsite. The PSC has two other records of Mark Tschosik engaging in similar behavior.

I recommend the contract between the North Dakota Public Service Commission and Geoserv, Inc. be terminated immediately.

VAML\2024\2024 Lehigh Road Phase IX\Administrative\Memo_Terminate_Contract_8-26-24