

NORTH DAKOTA PUBLIC SERVICE COMMISSION

CONTRACT AMENDMENT

**Purchase of Service Contract
Amendment #: 1**

**CONTRACT NUMBER AM-901-24
Case No. AM-24-100**

This is made to amend contract # **AM-901-24** (Contract) between the State of North Dakota, acting through its North Dakota Public Service Commission, Abandoned Mine Lands Division (STATE) and Young Gun Construction, LLC (CONTRACTOR).

The parties agree to the following terms and conditions and expressly agree that if any of the following terms and conditions conflict with any of the terms and conditions of the Contract, then, notwithstanding any term in the Contract, the following terms and conditions govern and control the rights and obligations of the parties.

Per Section 6.3 (D) – Contract Changes – Unanticipated Amendments in RFP Number 408.24.04.005, 2024-2025 Sinkhole Filling and Maintenance AML Project, the parties agree to amend the Contract as follows:

Scope of Work: Contract Section 1, Scope of Work. The scope of work shall remain the same as described in the 2024-2025 Sinkhole Filling and Maintenance AML Project Request for Proposal. The following additional work is to be included and is amended as follows: Felling of approximately 600 trees located 9 miles south of Velva ND. The trees are to be cut as close to the ground as practical and remain where they land. This is a lump sum bid that will include all equipment, labor, materials, incidentals, mobilization, and demobilization to complete the work. Tree felling must be completed by March 31, 2025.

Price Adjustment: Contract Section 2, Compensation. The Compensation is amended as follows: The contract amount will change from “not to exceed Four Hundred Ninety-Nine Thousand, Four Hundred Thirty-Five Dollars and Zero Cents (\$499,435.00)” to “not to exceed Five Hundred Seventy-Four Thousand, Four Hundred Thirty-Five Dollars and Zero Cents (\$574,435.00).” The compensation for the tree felling is not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00).

The negotiated cost proposal dated September 30, 2024, provided by CONTRACTOR is attached to and incorporated into this agreement.

The parties agree that the terms and conditions of the Contract and this Amendment govern and control the rights and obligations of the parties.

All other terms of the Contract remain in effect.

This Contract Amendment is not effective until fully executed by all parties.

CONTRACTOR NAME:
Young Gun Construction, LLC.

STATE OF NORTH DAKOTA
Acting through its North Dakota Public
Service Commission

By: _____

By: _____

Title: _____

Title: Steve Kahl, Executive Director

Date: _____

Date: _____