
RE: Response: AML Bid Opening Comment

From Joe Kessel <joe@barankocompanies.com>

Date Wed 4/9/2025 3:29 PM

To Emmer, Jonathan W. <jemmer@nd.gov>

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Jonathan,

I apologize for the misunderstanding. Learn something new every day.

Thanks you,



Joe Kessel

General Manager of Heavy Highway/Civil, Baranko Companies

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From: Emmer, Jonathan W. <jemmer@nd.gov>

Sent: Wednesday, April 9, 2025 2:21 PM

To: Joe Kessel <joe@barankocompanies.com>

Subject: Response: AML Bid Opening Comment

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Good Afternoon,

I'm following up on your comment made after yesterday's bid opening, in which you stated that bid bonds must be reviewed and verified prior to reading any bids at a bid opening. We spoke with our procurement liaison and NDAC ch. 4-12-07 does not require the bid bonds to be verified prior to reading a bid. I believe you may have been referencing the requirements of NDCC ch. 48-01.2 (Public Improvement Bids and Contracts); however, Public Service Commission projects governed under Title 38 are exempt from this chapter.

Jonathan Emmer

Director Reclamation & AML Divisions

North Dakota Public Service Commission

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