

PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

TO: Steve Kahl, Executive Director
Brian Johnson, Counsel
Jonathan Emmer, Director - Abandoned Mine Lands Division

From: ^{JE}
Brett Job & ^{MF} Matt Fischer

Date: May 8, 2025

Subject: 2025 Lehigh Road Phase X and Scranton Phase IV Materials Testing AML Project, Case No. AM-24-369

On March 7, 2025, the AML Division solicited a material testing IFB for a drilling and grouting project of abandoned underground mines near Dickinson & Scranton, ND. The AML Division estimates the material testing will require 350 hours of field representation, 3 structural surveys, 6 fine aggregate tests, and 110 sets of concrete strength testing.

Competitive sealed bidding procedures were used with notices issued to registered vendors through the State Procurement Office. The bid opening was held on April 8, 2025. Only one bid was received from Terracon Consultants, Inc. of Bismarck, ND for \$66,043.50.

The Notice of Intent to Award a contract to Terracon Consultants, Inc. was issued on April 10, 2025. No protests were received. On April 30, 2025, a revised contract was sent to Terracon Consultants, Inc. to execute. The signed contract has been returned. We have not received performance and payment bonds, as their legal department required a signed contract to be in place before furnishing bonds. The revised contract required bonds to be obtained within 14 days of contract signing. A certificate of liability insurance and other pertinent contractual documents were included and have been reviewed. 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 2025.

We recommend the Executive Director execute the contract with Terracon Consultants, Inc. for the 2025 Lehigh Road Phase X and Scranton Phase IV Materials Testing AML Project.

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