

PUBLIC SERVICE COMMISSION

Abandoned Mine Lands Division

Memorandum

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

From: BS MF
Brett Job and Matt Fischer

Date: May 15, 2025

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

On March 7, 2025, the AML Division issued a solicitation for drilling and grouting of abandoned underground mines near Dickinson & Scranton, ND. The AML Division estimates the project will require 27,000 feet of drilling, 6,400 feet of casing, and 5,500 cubic yards of grout to reclaim the abandoned coal mines.

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. Bids were received from Earth Energy & Water Systems, Inc. of New Salem, ND for \$1,916,400.00, Hanson's Excavating, Inc. of Minot, ND for \$2,585,500.00, and G-Style Transport LLC of Willison, ND for \$3,782,040.00.

The Notice of Intent to Award a contract to Earth Energy & Water Systems, Inc. was issued on April 15, 2025. No protests were received. On April 25, 2025, a contract was sent to Earth Energy & Water Systems, Inc. to execute. The signed contract has been returned. We have received performance and payment bonds, a certificate of liability insurance and other pertinent contractual documents. 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 Earth Energy & Water Systems, Inc. for drilling at the 2025 Lehigh Road Phase X and Scranton Phase IV AML Project.

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