

**NORTH DAKOTA DEPARTMENT OF TRUST LANDS PUBLIC NOTICE
CONSTRUCTION AGGREGATE (GRAVEL) LEASE SALE**

Public Notice Date: July 27, 2026

Public Notice Number: DTL-2026-001

Purpose of Public Notice

The State of North Dakota, acting by and through the Board of University and School Lands and its agent, the Commissioner of University and School Lands (Commissioner), hereby gives notice that sealed bids will be received for the purchase of 204,546 cubic yards of stockpiled construction aggregate material and for a five-year gravel lease on the following described tract in Williams County, North Dakota.

Sealed bids must be received at the Office of the Commissioner, 1707 N. 9th Street, Bismarck, ND 58501, no later than 5:00 p.m. CT on October 20, 2026.

Sealed bids will be opened and reviewed on October 22, 2026, at 1:00 p.m. CT at the Williams County Courthouse, Commissioner's Room, 205 E Broadway, Williston, ND 58802.

The Legal Description of tract of land for Gravel Lease being offered is:

Williams County

Township 159N, Range 100W

Section 16: NW4

Stockpiled Material

Stockpiled Volume: Approximately 204,546 cu. Yd (see below for more information)

Minimum Bid: \$1.00/cu. Yd.

Additional Mining

Estimated Reserve: 250,000-550,000 cu Yd

Minimum Royalty Rate Bid: \$2.25/cu Yd

Information regarding the stockpile class, reserves, and history can be found on the Departments website: land.nd.gov.

The space contains approximately a 43-acre area with topsoil stripped and stockpiled. The successful lessee would assume reclamation responsibility of all disturbed areas.

The lease contains the rights to four (4) stockpiles totaling approximately 204,546 cubic yards of aggregate and future mining within the NW4. The Department does not warrant or guarantee the class, condition, or quantity of the aggregate stockpiles. The Department makes no guarantee of the eligibility of aggregate for federal/state projects.

Bid Submission Requirements:

Interested parties must submit sealed bids for both:

- Stockpiled Material Bid (price per cubic yard), and
- Future Royalty Bid (price per cubic yard for future mining of non-stockpiled material)

The envelope must be clearly marked "**Sealed Bid**" along with the legal description of the tract. The bid submission must clearly identify both 1) bid amounts and 2) clearly indicate the bid amount for stockpiled materials and the bid amount for future mining royalties.

Bid Evaluation Method:

The bids will be evaluated using a normalized dual-score system as follows:

Step 1: Calculate Raw Values

- Stockpile Value = (Stockpile Bid \$/CY × 204,546 CY)
- Royalty Value = (Future Royalty Bid \$/CY × 250,000 CY)

Step 2: Normalize Scores

Each bidder's stockpile and royalty values will be normalized against the highest submitted value in each category.

Step 3: Apply Weighting

Final Score will be calculated as:

Final Score = (0.40 × Normalized Stockpile Score) + (0.60 × Normalized Royalty Score)

Award Process:

The Auctioneer(s) will read specific requirements prior to the sealed bid opening. Other than the description of the lands to be auctioned, the information contained in this advertisement may be revised prior to the auction upon further review by the North Dakota Department of Trust Lands. Any such revisions will be announced at the auction and will be binding upon the bidders. The lease will be awarded to the responsible bidder submitting the **highest Final Score** as determined by the evaluation method above. In the event of a tie, the winning bid will be awarded to the bidder with the higher royalty rate, if both bidders have the same royalty rate additional competitive bidding will be conducted to increase the royalty rate starting at the royalty rates on the sealed bid. The Board reserves the right to accept or reject any or all bids and reserves the right to accept what it believes to be the most acceptable bid that is in the best interests of the trust, which may not be the highest bid. The lease(s) will be on forms provided by the ND Department of Trust Lands.

Written comments from the public for the proposed lease will also be reviewed and taken into consideration before granting the lease if they are received no later than 5:00 p.m. CT on August 10, 2026.

The winning bidder must submit a nonrefundable 10% down payment for the stockpiled materials at the conclusion of the bid opening and must sign a settlement sheet at that time.

Additional Terms:

- The winning bid establishes the royalty rate for a five-year term, subject to annual increases
- The winning bidder will need written permission from the lessor before conducting additional mining.
- The winning bidder shall, in consultation with the department, develop a mining and reclamation plan, which must be approved by the commissioner prior to the commencement of mining.
- The winning bidder shall provide an advance annual royalty in an amount determined by the Commissioner, but in no event less than one thousand dollars (\$1,000.00).
- The winning bidder(s) agree to obtain and retain a reclamation surety bond in the form acceptable to the Commissioner. The reclamation surety bond will be \$250,000.00 for the tract. If the Commissioner consents, the winning bidder may, in-lieu of a surety bond, file another form of security.

- The winning bidder will be responsible for reclamation of the current pit area once the stockpiles are removed.
- The winning bidder shall take all necessary precautions to prevent trespass or injury to the public, including but not limited to fencing the mine site.
- The winning bidder(s) shall be subject to the Construction Aggregate Rules of the Board (N.D.A.C. ch. 85-04-02) which will be incorporated into and made a part of the lease.

Inspection and Contact Information:

For onsite inspections or sampling, prospective bidders must obtain prior written permission from the Department. Send any requests for sampling to dtlsurface@nd.gov with the name and address of the company. Interested bidders should visit the Department's website, land.nd.gov or contact the Department for more information.

Additional information or copies of the rules are available by contacting the ND Department of Trust Lands at dtlrequest@nd.gov. For auxiliary aids and services, please contact the Department at (701)328-2800 or dtlrequest@nd.gov by October 15, 2026. Additional information is available by calling the ND Department of Trust Lands at (701) 328-2800.

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07/27/2026

/s/Joseph Heringer
Commissioner