



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Southern Nevada District Office
4701 N. Torrey Pines Drive
Las Vegas, Nevada 89130
<http://www.blm.gov/nv/st/en/fo/lvfo.1.html>

In Reply Refer To:

Invitation for Bids and Bidding Instructions Clark County Dry Lake Solar Energy Zone Southern Nevada District Office June 2014

The Southern Nevada District Office of the Bureau of Land Management (BLM) will accept competitive bids to select preferred applicants to submit right-of-way (ROW) applications and plans of development for solar energy projects on approximately 3,083 acres of public land in Clark County, Nevada. This is an administrative process to determine preferred applicants and does not result in the issuance of a ROW authorization.

DESCRIPTION OF THE PREFERRED APPLICANT TO BE SELECTED: The BLM will use a competitive sealed and oral bid process to select preferred applicants to submit ROW applications and plans of development for solar energy projects on up to approximately 3,083 acres of public land in the Dry Lake Solar Energy Zone (SEZ). The successful high bidder(s) for any of the six parcels of public land offered must be prepared to submit a ROW application (SF-299) and a plan of development, consistent with the requirements of the regulations at 43 CFR 2804.12 and meet the requirements of 43 CFR 2803.10 within the timeframes specified. Such applications would be subject to cost recovery provisions, with the applicant responsible for actual costs of processing the proposed development and related facilities.

LOCATION OF PUBLIC LANDS: Bidders may submit bid packages for each of the six parcels within the designated Dry lake SEZ, approximately 15 miles northeast of Las Vegas, Nevada. The public lands available total approximately 3,083 acres.

- Parcel 1 contains an aggregate of 712.2 acres, more or less.
- Parcel 2 contains of an aggregate of 222.8 acres, more or less.
- Parcel 3 contains of an aggregate of 758.7 acres, more or less.
- Parcel 4 contains an aggregate of 729.0 acres, more or less.
- Parcel 5 contains an aggregate of 507.7 acres, more or less.
- Parcel 6 contains an aggregate of 152.7 acres, more or less.

Legal Descriptions for the parcels can be viewed at: <https://federalregister.gov/a/2014-12542>.

Maps of the Dry Lake SEZ can be viewed at: <http://blmsolar.anl.gov/sez/nv/dry-lake/>.

Maps of the parcels offered can be viewed at: <http://blmsolar.anl.gov/sez/nv/dry-lake/competitive-leasing/>.

PHYSICAL CONDITION OF THE LAND:

The Dry Lake SEZ is located in Clark County in southern Nevada. The land within the Dry Lake SEZ is undeveloped scrubland, characteristic of a semiarid basin. Vegetation within the SEZ is predominantly creosotebush and other low shrubs.

Lands within and near the SEZ contain multiple transmission lines and related facilities, several power plants and other industrial facilities, mining operations, Interstate 15, U.S. Highway 93, other roads, and a railroad. In addition, there is debris scattered throughout the SEZ.

KNOWN DEVELOPMENT CONSTRAINTS:

The nearest major roads accessing the Dry Lake SEZ are I-15, which runs along the southeastern border of the SEZ, and U.S. 93, which runs along the southwest border of the SEZ. Two designated transmission corridors that are heavily developed with numerous natural gas, petroleum product, and electric transmission lines (including a 500-kV transmission line) pass through the SEZ.

TERMS AND CONDITIONS COMMON TO SOLAR ENERGY ROW GRANTS: Bidders are advised that terms and conditions of BLM solar energy development ROW grants normally include, but are not limited to, requirements for rental payments, bonding, measures to prevent erosion, measures to protect certain wildlife species and habitat, mitigation of unavoidable impacts, and other design features. The Solar Energy Development Programmatic EIS Record of Decision (ROD) includes design features which are programmatic specific features that would be required for all utility-scale solar energy projects on BLM-administered public lands; and SEZ-specific design features that would be required for projects in individual SEZs. Appendix B of the ROD describes updated and revised BLM policies and procedures relating to solar energy development on public lands. A copy of the ROD can be viewed and downloaded at: <http://solareis.anl.gov/>. Additionally, the “Solar Regional Mitigation Strategy for the Dry Lake Solar Energy Zone” was released with publication of a public interest Notice for the Dry Lake SEZ on March 17, 2014. The Mitigation Strategy describes off-site mitigation actions and costs that the BLM will consider when processing the ROW application for a solar energy project in the Dry Lake SEZ. The Mitigation Strategy is available online at http://www.blm.gov/pgdata/etc/medialib/blm/wo/blm_library/tech_notes.Par.29872.File.dat/TN_444.pdf.

INSTRUCTIONS ON HOW TO BID:

An oral auction will be held at the City of North Las Vegas Council Chambers on June 30, 2014. Prior to the oral auction, sealed bids will be accepted and will be carried over to the oral auction. Sealed bids that are submitted must include the same required information, including a bidder qualification fee, for registration (as described below). If you are submitting a sealed bid prior to the oral auction, all bidding documents must be enclosed in a sealed envelope with your name and return address on the outside. Include the following notation on the front lower left hand corner: SEALED BID – DO NOT OPEN. Sealed bids must be received, not postmarked, on or before June 26, 2014 at the following location: Bureau of Land Management, Attention Gregory L. Helseth, 4701 North Torrey Pines Drive, Las Vegas, NV 89130. All bids and relevant

information must be received, not postmarked, by this deadline to be considered; given the time allowed for bidding, no extensions will be granted.

The oral auction will begin at 10 a.m. at the City of North Las Vegas Council Chambers, 2250 Las Vegas Blvd, North Las Vegas, Nevada 89030, opening with the minimum bonus bid or the highest sealed bid over the minimum bonus bid, whichever is higher. Bidder registration begins at 9 a.m. In order to bid, you must provide the bidder's name and personal or business address. Each bid shall only contain the name of one bidder (i.e. citizen, association or partnership, corporation or municipality). A statement certifying the bidder's financial and technical capability to construct, operate, and maintain a solar energy development must be submitted. A bidder qualification fee of \$10,000, in the form of a cashier's or certified check made payable to the "Bureau of Land Management", is required from each bidder at the time of registration or with the sealed bid. Only one bidder qualification fee per bidder is required, regardless of the number of parcels bid on. A bidder that submits a sealed bid can also participate in the oral auction but will need to register the day of the auction. The bidder will need to provide a photocopy of the qualification fee that was submitted with the sealed bid or other documentation that the qualification fee was submitted to be able to register for the oral auction.

A minimum bonus bid has also been determined for each parcel. The minimum bonus bid represents 10 percent of the rent value of the land for one year (\$203.06 per acre for Clark County) under the BLM's interim solar rental policy and is based on the interests acquired by a preferred applicant to file a ROW application in a SEZ. Minimum bonus bids for the six parcels are: Parcel 1 - \$14,462; Parcel 2 - \$4,524; Parcel 3 - \$15,406; Parcel 4 - \$14,803; Parcel 5 - \$10,309; and Parcel 6 - \$3,101. Bidders must use a bid statement to identify the bonus amount the bidder will pay for the right to submit a ROW application and plan of development. The bonus bid must meet or exceed the minimum bonus bid amount identified above for each parcel.

The Bid Statement must be signed and dated, and include all information and certifications as requested. Bids submitted in any other manner may be rejected. The BLM may, at its discretion, waive any minor informality or irregularity in bids received.

SELECTION PROCESS AND CRITERIA: BLM will conduct a review of the bid packages to determine qualified bidders. Incomplete packages will be returned without further review. BLM will select a preferred applicant based on the highest bidder for each parcel. If there is no bid received for a parcel, then no preferred ROW applicant will be identified and no application will be processed for solar energy development under the procedures listed in these bidding instructions. If the BLM is unable to determine the successful bidder, such as in the case of a tie, the BLM may re-offer the lands competitively to the tied bidders, or to all prospective bidders.

NOTIFICATION: All registered bidders will be notified of the results of the oral auction by letter or email within 10 calendar days of the bid closing as to the success of their bid.

DEPOSITS OF UNSUCCESSFUL BIDDERS: The \$10,000 bidder qualification fee paid at the time of registration or with the sealed bid will be held by the BLM until after receipt of the bonus bid and administrative fee from the successful high bidder. Bidder qualification fees will be

returned to the unsuccessful bidders, without interest, to the address provided on the bid statement.

DEPOSITS OF THE SUCCESSFUL HIGH BIDDERS: The successful high bidder's \$10,000 qualification fee paid at the time of registration or with the sealed bid will be applied to the bonus bid and the administrative fee of \$45,317 due from the successful bidder for each parcel. The successful high bidder will be required to deposit the bonus bid and the administrative fee within 10 days of notification of selection by BLM. Funds from the successful high bidder's administrative fee will be deposited to BLM Nevada to cover administrative costs of the competitive process; winning bonus bids will be deposited to the U.S. Treasury. None of the amounts will be returned or refunded to the successful high bidder(s) under any circumstance. These funds will not be applied as payment of any costs or fees that the applicant is responsible for paying, currently or in the future, (i.e. ROW cost recovery processing fees, rent, bonds, cost recovery monitoring fees) or any other costs or fees that may be assessed during operation of a ROW.

OBLIGATIONS OF THE SUCCESSFUL HIGH BIDDER: The successful high bidder for each parcel will be required to deposit the bonus bid specified in the bid statement as well as the administrative fee of \$45,317 for each parcel within 10 calendar days of by the BLM that they are the successful bidder. Within 180 days of notification by BLM, the successful high bidder must submit a SF-299 application and all required documentation to the BLM. The application must include a detailed plan of development showing the proposed layout of the solar development and all ancillary facilities.

All standard cost recovery fees to process and administer a BLM ROW grant will apply to the successful high bidder upon filing of a complete application. The successful high bidder will be required to enter into an agreement to reimburse BLM for the cost incurred in processing their application. If the successful high bidder's application is approved and a ROW is issued, the successful high bidder will be required to pay fair market rent for the use of the public lands, monitoring fees, and bond payments. All fees will be determined consistent with BLM's ROW regulations at 43 CFR 2800 and BLM's Solar Energy Development Policy.

The terms and conditions of any ROW grant will be determined through the environmental review process and are expected to include measures to reduce or eliminate impacts to resource values.

DEFAULT OF THE SUCCESSFUL HIGH BIDDER: If the authorized officer finds the successful high bidder has failed to fulfill any of their obligations, and after being notified, the successful high bidder fails to correct any deficiencies within a reasonable time period, the next highest bid will become the successful bidder.

POINT OF CONTACT: The point of contact for this competitive process is Gregory L. Helseth, BLM Southern Nevada Renewable Energy Project Manager, who can be contacted by telephone at (702) 515-5173 or by email at ghelseth@blm.gov.