



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Southern Nevada District Office

Las Vegas Field Office

4701 N. Torrey Pines Drive

Las Vegas, Nevada 89130

<http://www.blm.gov/nevada>

Invitation for Bids and Bidding Instructions Dry Lake East Designated Leasing Area Parcel Las Vegas Field Office April 2022

The Bureau of Land Management (BLM), Las Vegas Field Office, Las Vegas, Nevada, will accept competitive bids to determine a preferred right-of-way applicant for a solar energy development project on a 1,635-acre parcel of public land located in Clark County, Nevada.

INSTRUCTIONS FOR HOW TO BID & REQUIRED DOCUMENTATION:

The BLM will accept sealed bids for the offered parcel until 10:00 am PST on May 20, 2022. All bids must be received (not postmarked) by the Las Vegas Field Office at the address below by the specified date and time.

**Bureau of Land Management
Attention: Energy and Infrastructure Team
4701 N Torrey Pines Dr.
Las Vegas, NV 89130**

Sealed bids are the only bidding option for this competitive process. Other forms of bid, such as electronic bid submissions, will not be accepted.

As provided for in 43 CFR §2804.30(b), a sealed bid competitive bidding procedure will be used to determine a preferred right-of-way applicant for the parcel (Dry Lake East Designated Leasing Area).

To submit a bid, you must provide the bidder's name and personal or business address. Each bid can only contain the name of one bidder (i.e., citizen, association or partnership, corporation or municipality) and documentation that the bidder satisfies the qualification requirements of 43 CFR §2803.10. A complete bid package, including a Technical and Financial Capability Certification, Sealed Bid Statement, and payment for the minimum bid (\$37,780) plus at least 20% of the bonus bid (bonus bid consists of any dollar amount that a bidder wishes to bid in addition to the minimum bid), needs to be submitted to receive consideration. All bidding documents must be enclosed in a sealed envelope with the bidder's name and return address on

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ARIZONA, CALIFORNIA*, NEVADA*

* PARTIAL

the outside. Include the following notation on the front lower left-hand corner of the sealed envelope: **SEALED BID - DO NOT OPEN.**

Any payments submitted must be made by certified check, postal money order, bank draft, or cashier's check made payable in U.S. dollars to the order of the Bureau of Land Management.

The Sealed Bid Statement and Technical and Financial Capability Certification forms are contained in an Invitation for Bids package available at the following location:

<https://eplanning.blm.gov/eplanning-ui/project/86813/510>.

SELECTION PROCESS AND CRITERIA:

The Bid Opening Date will be May 20, 2022 at 1:00 pm PST. All sealed bids received will be opened and reviewed for preferred applicant consideration.

Bids will be reviewed to evaluate whether bids contain all required documentation and payments. The bidder with the highest total bid that satisfies all requirements will be the successful high bidder.

In the case of tied bids, the BLM may re-offer the lands competitively to the tied bidders or all prospective bidders.

If there is no bid received for a parcel, then no preferred right-of-way applicant will be identified and no application will be processed for solar energy development utilizing the procedures identified in the Notice of Competitive Offer.

BIDDER NOTIFICATION:

All bidders will be notified by email or mail within 10 calendar days after the bidding closes of whether they were the successful high bidder.

DEPOSITS OF UNSUCCESSFUL BIDDERS:

If you are not the successful high bidder, the BLM will return or refund the payment submitted with your bid.

DEPOSITS OF SUCCESSFUL HIGH BIDDERS:

The agency will retain the administrative fee portion of the minimum bid to recover administrative costs for conducting the competitive bid and related processes. The remainder of the minimum bid and bonus bid will be deposited with the U.S. Treasury. Neither amount will be returned or refunded to the successful high bidder(s) under any circumstance.

OBLIGATIONS OF THE SUCCESSFUL HIGH BIDDER:

Within 15 calendar days after notification, the successful high bidder **must** submit the balance of the bonus bid to the BLM Las Vegas Field Office at the address above.

The BLM will select you as the preferred right-of-way applicant if you: (1) satisfy the qualifications in 43 CFR §2803.10; (2) make the required payments; and (3) not have any trespass action pending against you for any activity on BLM-administered lands or have

any unpaid debts owed to the Federal Government.

Within 30 days of notification of the auction result, the successful high bidder **must** submit a right-of-way application that conforms with all application requirements found at 43 CFR §2804.12.

Within 60 days of notification of the auction result, the successful high bidder **must** submit a plan of development that conforms with the BLM's Solar Energy Development Plan of Development template.

The BLM will not select the identified successful high bidder as the preferred right-of-way applicant and will keep all money that has been submitted, if the listed requirements are not satisfied.

If the successful high bidder does not satisfy the requirements, the BLM may identify the next highest bidder as the successful high bidder (then follow requirements as noted above for successful high bidder) or re-offer the lands through another competitive process.

Only interests in issued right-of-way grants are assignable under the existing regulations at 43 CFR §2807.21. The interest acquired by the successful high bidder or preferred right-of-way applicant from this auction may not be assigned or sold to another party prior to the issuance of a right-of-way grant. The successful high bidder, however, may continue to pursue their application if the successful high bidder becomes a wholly owned subsidiary of a new third party.

DEFAULT OF THE SUCCESSFUL BIDDER:

The BLM will not select the identified successful high bidder as the preferred right-of-way applicant and will keep all money that has been submitted, if all of the listed requirements are not satisfied. In that event, the BLM may identify the next highest bidder as the successful high bidder (then follow requirements as noted above for the successful high bidder) or re-offer the lands through another competitive process.

LOCATION & GENERAL SETTING OF OFFERRED PARCEL OF PUBLIC LANDS:

The competitively offered parcel is also described as the Dry Lake East Designated Leasing Area, located approximately 22 miles northeast of Las Vegas, Nevada. The parcel totals approximately 1,635 acres. The parcel lies east of the Dry Lake Solar Energy Zone (fully leased and nearly built out), separated by Interstate 15. South of the offered parcel is the Apex Industrial Park and landfill (private lands). A map of the parcel can be found on the project website: <https://eplanning.blm.gov/eplanning-ui/project/86813/510>.

The parcel occupies the relatively narrow, generally flat north south-oriented Dry Lake Valley floor. The valley is located east of the Arrow Canyon Range and east and south of the Dry Lake Range. The parcel lies within the Mojave Basin and Range Level III ecoregion which consists of valleys lying between scattered mountain ranges of the Mojave Desert at elevations ranging from

1,800 to 4,500 feet. The parcel is located in close proximity to Dry Lake Solar Energy Zone (completely authorized and nearly built out), transmission infrastructure, and has access to large markets. Land within the parcel is undeveloped scrubland, characteristic of a semiarid basin. Vegetation within the parcel is predominantly creosote bush (*Larrea tridentata*) and other low shrubs.

Three transmission corridors that are heavily developed with natural gas, petroleum product, and electric transmission lines (including a 500-kilovolt [kV] transmission line) are located west of the parcel in the Dry Lake Solar Energy Zone. The existing 500-kV transmission line, or any of the other existing transmission lines, could potentially provide access from the parcel to the transmission grid. Additionally, the parcel is near several Section 368 Energy Corridors and locally designated transportation and utility corridors.

KNOWN DEVELOPMENT CONSTRAINTS AND ACCESS:

The nearest population center to the parcel is the city of North Las Vegas, Nevada, located approximately 10 miles southwest. Nellis Air Force Base is located approximately 10 miles southwest of the parcel. The nearest major roads providing access to the parcel are I-15 and U.S. Highway 93, which begins at the I-15 exit approximately 1 mile southwest of the parcel. The parcel can be accessed via a frontage road that parallels the east side of I-15 at the U.S. Highway 93 exit. The Union Pacific Railroad runs north to south along the eastern border of the parcel.

PROCESSING OF THE PREFERRED APPLICANT'S APPLICATION:

The preferred right-of-way applicant will be required to reimburse the United States for the cost of processing an application consistent with the requirements of the regulations at 43 CFR §2804.14. The cost recovery fees are based on the amount of time the BLM estimates it will take to process the right-of-way application and issue a decision. The BLM will begin processing the right-of-way application once the cost recovery fees are received as required by the regulations.

Processing of the right-of-way application will be done in accordance with relevant law, regulation, and policy.

Additional fees are likely to be required as part of approval of a right-of-way grant, **including mitigation-related fees.**

The right-of-way application will be subject to requirements identified in the Record of Decision for the Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States (Solar PEIS), which amended the Las Vegas Resource Management Plan.

The Solar PEIS requires preparation of a Regional Mitigation Strategy for projects that occur in Designated Leasing Areas. Processing of the right-of-way application will include preparation of a Regional Mitigation Strategy during the National Environmental Policy Act compliance process.

The right-of-way application is within a Designated Leasing Area, designated in the Las Vegas Resource Management Plan as a preferred location for solar energy development. The right-of-way application area **is not** located on Variance lands as designated in the Solar PEIS, and therefore **is not** subject to the Variance process.

Initial desert tortoise surveys (protocol) were completed for the competitive application parcel at the time of designation of the location as a Designated Leasing Area. Additional desert tortoise surveys are likely to be required.

An Environmental Assessment was prepared for National Environmental Policy Act compliance for the designation of Dry Lake East Designated Leasing Area. The Environmental Assessment contains information about resources known to be present in the project area. It will also provide a foundation for the future National Environmental Policy Act compliance for consideration of the preferred applicant's application.

POINT OF CONTACT:

The point of contact for this competitive bidding process is Beth Ransel, Energy & Infrastructure Team, who can be contacted at (702) 280-5938 or BLM_NV_SND_EnergyProjects@blm.gov.