

LEGAL NOTICE

SALE OF SURPLUS PIPELINE

Sealed bids will be received by the General Manager of the Board of Public Utilities (BPU), City of Jamestown, New York, at its 92 Steele Street office until 1:00 PM, Eastern Time, **Friday October 13, 2023** for the sale of ***an approximate 9,000 foot long, 4 inch diameter natural gas pipeline spur located in the Town of Ellery, New York, and associated rights of way in which this pipeline is buried.***

Detailed specifications and bid forms may be obtained at the office of the Board of Public Utilities located at 92 Steele Street, Jamestown, New York or online at www.jamestownbpu.com; under About, choose Legal Notices.

The BPU reserves the right to reject any or all bids, the right to waive any informalities, the right to permit exceptions deemed not to be of substance, and the right to accept any bid which the BPU deems to represent the prudent and economical expenditure of the public monies for the benefit of its customers by securing the maximum quality at the lowest possible cost.

Bids shall be placed in a sealed envelope addressed to the General Manager, Board of Public Utilities, City of Jamestown, New York, be plainly marked on the outside, "**SALE OF SURPLUS PIPELINE**" and be delivered at the Board's office located at 92 Steele Street.

David Leathers, General Manager
Board of Public Utilities
City of Jamestown
92 Steele Street
Jamestown, New York 14701

September 19, 2023

INSTRUCTION TO BIDDERS

Background

In 2018 the Board of Public Utilities purchased natural gas pipeline and pipeline property easements from EmKey Transportation, Inc. for the purpose of supplying high pressure natural gas to its Samuel Carlson Generating Station located in Jamestown, NY. As part of that purchase, the BPU acquired approximately 9,000 feet of 4-inch natural gas gathering pipeline that ceased being used in approximately 2001, when the owner thereof reconfigured portions of a gathering line for BPU purposes. The Board has resolved that this pipeline is surplus property and has permitted it to be sold to a third party. The pipeline is being sold with all easements that the BPU acquired associated with this section of pipeline.

Pipeline Description

The pipeline is approximately 9,000 feet long and is identified as Pipeline 10263. The pipeline extends from Town of Ellery Tax Parcel 317.00-2-14 to its intersection with the BPU pipeline at Town of Ellery Tax Parcel 318.00-1-13.5. The specifications of the pipeline, including wall thickness, pressure rating, depth and protection are unknown to the BPU.

A map identifying the approximate location of the pipeline is attached hereto as ATTACHMENT 1.

A list of pipeline easements is attached hereto as ATTACHMENT 2.

No Warranties

The BPU has never used this pipeline for any purpose, has no knowledge of its age, construction or condition and makes no representations or warranties that the pipeline is fit to be used for any purpose. It is believed that the pipeline has been out of service since 2001. The BPU has not been in contact with any property owners upon which the pipeline is situated and has done no review of the easement agreements.

Assumption of easement property maintenance and environmental responsibilities

The winning bidder assumes all future easement property maintenance and environmental responsibilities for this section of pipeline, including the removal of the pipeline and restoration of property if deemed needed in the future.

Bidding Procedure

Bids must be submitted on the attached form in a sealed envelope marked "Surplus Pipeline Bid," with a certified check payable to the Board of Public Utilities in the amount of not less than \$1,000 to be as an earnest money deposit to be applied to the purchase price of the winning bidder and returned to all other bidders. If submitting by mail, the envelope must be addressed to General Manager, Board of Public Utilities, P O Box 700, Jamestown, New York 14702-0700. If sent by other than US Mail, it must be delivered to Mr. David Leathers, General Manager, Board of Public Utilities, 92 Steele Street, Jamestown, New York 14701. Bids may also be delivered to the BPU by dropping them off at the customer service desk located at 92 Steele Street, Jamestown, New York 14701, during regular business hours.

Bids not received by the date and time specified above may not be considered.

Legal

Full payment will be due at closing in certified funds. The conveyance of the pipeline assets and rights of way will be transferred by non-warranty Assignment and Bill of Sale. Bidder will be responsible for all transfer taxes, and / or filing fees related to the transaction.

The BPU has the right to reject all bids.

Contact Information

Any questions regarding this sale of surplus pipeline can be directed towards,

Brad Bentley
Energy and Gas Resources Manager
Email: bbentley@jamestownbpu.com
Phone: 716-661-1620

BID FORM – SALE OF SURPLUS PIPELINE

I, _____ have read,
(name of individual or company and authorized representative)
understand and agree to the terms and conditions in the Jamestown Board of Public Utilities
sale of surplus pipeline document. I hereby submit the following bid for the surplus pipeline in
the amount of

_____, (_____) US Dollars
(in figures) (in writing)

- Enclosed is a certified check payable to the Board of Public Utilities in the amount of not less than \$1,000 to be as an earnest money deposit to be applied to the purchase price of the winning bidder and returned to all other bidders.