

## **REQUEST FOR BIDS HAYLAND LEASE - BISMARCK LANDFILL**

The Board of City Commissioners of the City of Bismarck, North Dakota, will receive sealed bids for leasing approximately 176.6 acres of City Landfill Hayland for the 2023 and 2024 season(s) in the office of the City Administrator, 221 North 5th Street, until 3:00 p.m., Wednesday, March 29, 2023. All bids received will be opened and publicly read at 4:00 p.m. March 29, 2023, in the Mayor's conference room 4<sup>th</sup> of the City/County building located at 221 N 5<sup>th</sup> Street Bismarck.

**"Landfill Hayland Bid"  
Name of the person submitting the bid.**

All bids received after the scheduled closing time will be returned unopened.

The acreage will be bid in seven (7) tracts. The successful bidder(s) of the tracts will be required to enter into a lease agreement. Hay bales may be stacked only in designated areas within their site. Hay in bales or stacks may be stored on designated sites until October 15, each year. Hay not removed by October 15 each year will become property of the City.

Payment of the bid price must be received within 10 days of bid award and made payable to the City of Bismarck Public Works. If the full payment is not received by the deadline, that Tract may be awarded to the next highest bidder. Payments for successive years are due no later than April 15. If a winning bidder declines, the next higher bidder will receive the award. Failure to honor a winning bid will result in the loss of bidding privileges for a period of Hayland Bid.

Only bids on an approved form furnished by the Public Works Department of the City of Bismarck shall be accepted. Acreage/Location maps and bid forms may be downloaded from the City's website or obtained by contacting the Public Works Service Operations Department at 701-355-1707, e-mail: [publicworksservice@bismarcknd.gov](mailto:publicworksservice@bismarcknd.gov). Arrangements may be made with Public Works Solid Waste Division between 9am and 3pm for inspection of the Tracts (701-355-1782 or 701-355-1700).

The City of Bismarck may award such lease to the highest bidder of each tract and reserves the right to reject any and all bids and to waive irregularities.

City of Bismarck

*Keith J. Hunke*  
City Administrator

Dated this 6<sup>th</sup> day of March 2023

**REQUEST FOR BIDS  
HAYLAND LEASE - BISMARCK LANDFILL**

BIDS RECEIVED BY 3:00 P.M. CT  
BIDS OPENED BY 4:00 P.M. CT  
WEDNESDAY, MARCH 29, 2023

OFFICE OF THE CITY ADMINISTRATOR  
PO BOX 5503 (221 N 5TH STREET)  
BISMARCK ND 58506-5503

The City of Bismarck Public Works Department (City) is seeking bids to cut, bale, and remove all hay at least once during each calendar year during the term of this lease. The property is to be mowed clean with no patch work being permitted, except in the case of noxious weeds. Hay in bales or stacks may be stored on site until October 15th, each year. Hay that is not removed by October 15th each year will become property of the City.

**TERM:** The term of the Lease shall be from Bid Award Date in 2023 to October 31, 2024.

**RENTAL:** The Lessee shall pay to the City a rental fee as submitted on the bid form. Payment shall be made no later than 10 days after the award of the bid in 2023 and April 15 in 2024.

**HAYLAND:**

<p><b>Tract 12:</b> 38 Acres (approximately) <u>Description:</u> Landfill Property: South of Interstate 94, North of Miriam Ave, East of the ND National Guard Armory, and west of 52nd St NE.</p> <p><b>Tract 13:</b> 19.3 Acres (approximately) <u>Description:</u> Landfill Property: South side of 52nd St NE, North of Site 1, and west of Site 4.</p> <p><b>Tract 14:</b> 25.7 Acres (approximately) <u>Description:</u> Landfill Property: West of Site 1 and South of the Scale House.</p> <p><b>Tract 16:</b> 57.6 Acres (approximately) <u>Description:</u> Landfill Property: South of Site 1, North of 17th Ave NE, East of 56th St NE, Southwest of ND Highway Patrol building.</p>	<p><b>Tract 17:</b> 16 Acres (approximately) <u>Description:</u> Landfill Property: Northeast corner of the Landfill Facility, South of Interstate 94, West of 66th St NE, North of the Compost area.</p> <p><b>Tract 18:</b> 9.6 Acres (approximately) <u>Description:</u> Landfill Property: South of Interstate 94, Northeast of the Baler Building. This area is the Final Cover of Phase I of the closed *MSW pit.</p> <p><b>Tract 19:</b> 10.4 Acres (approximately) <u>Description:</u> Landfill Property: North of 52nd St and South of the Baler Building. This area is Final Cover of the closed Inert waste.</p>
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**REPAIRS:** The Lessee agrees to maintain fences, wells, roadways, or any of the City's equipment, which may be applicable to the Lessee's haying operation or damages that are caused by Lessee's operations. The Lessee agrees to maintain, during the term and to surrender at the end of the term, the leased premises in the condition they were in at the commencement of this Lease, less ordinary wear, tear, and damage by fire or casualty.

**INSURANCE:** The Lessee agrees to indemnify and hold harmless the Lessor from any loss, liability, or expenses for injury to or death of any person or damage to or destruction of any property caused by Lessee's negligence, use of occupancy of the Hayland Area, except the loss, liability, or expense caused by the negligence of the Lessor, its agents, or employees. The City will give the Lessee prompt notice of any claim made or suit instituted which in any way affects or might affect Lessee and Lessee will have the right to compromise and defend to the extent of its own interest. The Lessee, its officers, agents, and employees shall not be liable for any loss or damage to the premises, facilities, and equipment on which the leased premises are located to the extent that such loss is compensated by insurance, provided that this provision shall not be effective if it shall invalidate any insurance policy.

**CANCELLATION:** The Lessee does hereby agree that the City may terminate the Lease or any part of the Lease in the event the land is needed for Utility Operation purposes, provided the Lessor allows adequate time to harvest and remove hay within the growing year which payment for the Lease has been made, or appropriate reimbursement is made to the Lessee.

**ASSIGNMENT:** Lessee shall not at any time assign this Lease or any part thereof without the written consent of the City.

# 2023 Bismarck Landfill Hayland



Public File: 100148800 (4889) 0010 (PCS) (BRODWP) 2023-2027 (10/21/21) 60 General Services/GIS/Map/2023 Landfill Hayland Map/2023 Landfill Hayland Map.aprx

**BID FORM**  
**2023-2024 HAYLAND LEASE – BISMARCK LANDFILL**

Bids due 3:00 PM CT, Wednesday, March 29, 2023  
 Bids opened 4:00 PM CT, Wednesday, March 29, 2023

The undersigned does hereby submit the following total dollar amount bid per tract and agrees to comply with the provisions contained in the "Request For Bids".

For all tracts, bidders submit a bid price for a single year and pay that bid price each year for two (2) years. All bales must be removed by October 15<sup>th</sup> of each year.

<u>Tract #</u>	<u># of Acres</u>	<u>\$ per Acre</u>	<u>Total</u>
Tract 12	38.0	\$ _____	\$ _____
Tract 13	19.3	\$ _____	\$ _____
Tract 14	25.7	\$ _____	\$ _____
Tract 16	57.6	\$ _____	\$ _____
Tract 17	16.0	\$ _____	\$ _____
Tract 18	9.6	\$ _____	\$ _____
Tract 19	10.4	\$ _____	\$ _____

Bidder's Name (print) \_\_\_\_\_

Bidder's Signature \_\_\_\_\_

Home Phone \_\_\_\_\_

Cell Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_  
*Street Address or Post Office Box                      City                      State                      Zip*