

BLM

Amarillo Field Office

Notice of Helium Auction

Notice Date: July 5, 2016

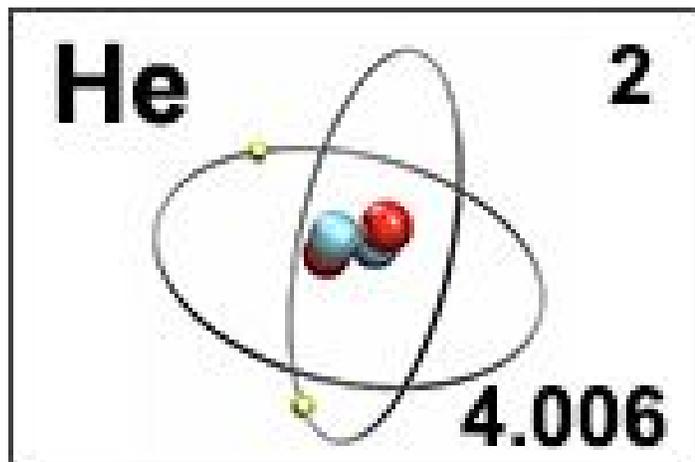
Bureau of Land Management

Amarillo Field Office

801 Fillmore Street, Suite 500

Amarillo, TX 79101

www.blm.gov/nm/helium



NOTICE AND GUIDE FOR HELIUM AUCTION

The Bureau of Land Management (BLM) Amarillo Field Office is pleased to announce that we will offer for competitive auction a portion of the remaining supply of Federally-owned crude helium in the Federal Helium Reserve stored underground at the Cliffside Field, north of Amarillo, TX. This auction is in accordance with the Helium Stewardship Act of 2013 (Public Law 113-40) passed by Congress in October 2013. A “Notice of Crude Helium Sale and Auction for Fiscal Year 2017 Delivery” was published in the *Federal Register*. The *Federal Register* Notice describes the nature and scope of the sales and auctions, and the eligibility requirements for bidding.

This notice describes:

- The amount of helium to be auctioned;
- The time and place of the auction;
- How the auction will be conducted;
- How to participate in the bidding process;
- The auction process;
- How long the auction will last; and
- The conditions of the auction.

How much helium will be sold at this auction?

The BLM anticipates auctioning 400 MMcf in a total of 24 lots for delivery in FY 2017. The lots will be divided as follows:

- (10) lots of 25 MMcf each
- (8) lots of 15 MMcf each
- (6) lots of 5 MMcf each

When and where will the auction take place?

When: The auction will begin at **1:00 p.m.** central time on **Wednesday, July 20, 2016**. BLM staff will register all bidders at the auction site from 12:00 p.m. through 1:00 p.m. This is when you can obtain your bidding number.

Where: We will hold the auction in Amarillo, Texas at the **Amarillo Field Office, 801 S. Fillmore, Suite 500, Amarillo, TX 79101**. The phone number for the Amarillo Field Office is (806) 356-1001.

Live feed: Remotely located personnel can view the auction at www.blm.gov/live during the event or may view a recording of the event later. Once the auction is complete, the BLM will post results and a link to the recorded auction on the Helium Operations website at www.blm.gov/nm/helium.

Access: The auction room is accessible to persons with disabilities. If you need an auxiliary aid or service to participate in the auction, such as sign language interpreter or material in an alternate format, contact the BLM Amarillo Field Office, Emress Porter, at (806) 356-1026 by Monday, July 18, 2016.

How will the auction be conducted?

The auction will be conducted orally. You must make your bids verbally. The winning bid is the highest verbal bid equal to or exceeding the minimum acceptable bid. The auctioneer is Mr. James Folkert (Texas Auctioneer's License #12447). Mr. Folkert and the BLM will provide instruction to participants prior to the start of the auction.

How do I participate in the bidding process?

To participate in the BLM bidding process, you must register and obtain a bidder number. If you are bidding for more than one party, you must register and obtain a separate bidder number for each company or individual you represent.

When you register to bid, you will be required to show valid government-issued photo identification (ID) to verify your identity. If you do not provide a valid photo ID, you will not be allowed to register as a bidder and participate in the auction.

You will provide a deposit of \$1,000, using any of the methods of payment specified under the Method of Payment section. This money will be used to cover administrative expenses to conduct this auction and is refundable if you are unsuccessful in acquiring crude helium in the auction. If you are successful in the auction on July 20, 2016, this amount is non-refundable.

You will also be asked to sign a statement to confirm that any bid you cast will represent a good-faith intention to purchase the block(s) of helium, and that you understand that any winning bid will constitute a legally binding commitment to accept the helium and pay monies owed. Further, you will acknowledge that you understand that it is a crime under 18 U.S.C. 1001 and Title 43 U.S.C.1212 to knowingly and willfully make any false, fictitious, or fraudulent statements or representations regarding your qualifications, bidder registration and intent to bid, acceptance of the purchase, or payment of monies owed, and that any such offense may result in a fine or imprisonment of not more than 5 years, or both.

What is the auction process?

Starting at 1:00 p.m. on the day of the auction:

1. The auctioneer will offer the blocks of helium in the order they are shown in this Notice;
2. All bids are on a per-block basis;
3. The winning bid is the highest oral bid; and
4. The decision of the auctioneer is final. However, if you believe the auctioneer has made an error or not acknowledged your bid, you must immediately make your concerns known to the auctioneer. Once the auctioneer has opened the bidding for the specified block of helium, the decisions made on the previous block(s) offered are final.

How long will the auction last?

We begin the auction at 1:00 p.m., and it will continue until all of the blocks of helium in this Notice have been offered. The length of the auction depends on the number of blocks offered and the pace of the bidding. We expect that the auction will be done before 5:00 p.m.

What conditions apply to the helium auction?

Invoices for winning bids will be sent out on or before August 26, 2016, with payment due within 30 days. You cannot withdraw a bid.

If payment of the winning bids is not received by the date and time described in this Notice, the BLM will issue a bill for the monies owed. If payment then is not received by the bill due date, the United States will pursue collection by all available methods, and when appropriate issue late fees, civil penalties, interest, administrative charges, and penalties on past due amounts. "All available methods" include, but are not limited to, referral to collection agencies and credit reporting bureaus, salary or administrative offset, Federal and State payments, including goods or services, Federal and State tax refunds, and retirement payments. The debt may be sent to the Internal Revenue Service for inclusion as income to you on form 1099C, Cancellation of Debt. (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR 285).

Method of payment: You can pay by personal check, cashier's check, money order, or credit card (Visa, MasterCard, American Express or Discover Card only). Make checks payable to: "**Department of the Interior - BLM.**" We cannot accept cash. If a check you have sent to us in the past has been returned for insufficient funds, we may ask that you give us a guaranteed payment, such as a money order. **Note for customers planning to pay with Credit Card, effective June 1, 2015, the BLM will not accept credit or debit card payments to the Bureau for any amount greater than \$24,999.99. Payments of \$25,000 or more should be made by Automated Clearing House or Federal wire transfer. We suggest that no one plan to make a payment of \$25,000 or more by credit card.** If you pay by credit card, and the transaction is refused, we will try to notify you early enough so that you can make other payment arrangements. ***However, we cannot grant you any extension of time to pay the money that is due the day of the auction.***

Cellular Phone Usage: You are restricted from using cellular phones in the sale room during the oral auction. Please turn off or place your cellular phone on vibrate, and confine your cellular phone usage to the hallway or area outside the auction room when the auction is taking place or during breaks.

Bidders and observers are expected to behave in a respectful manner. Disruptive behavior will not be tolerated. Persons who disrupt the proceedings will be asked to leave. All disputes over matters related to bidding will be referred to the auctioneer, who has the final say.

Other Conditions of the Auction: At the time the auction begins, the auctioneer and the BLM will discuss any rules regarding auction procedures that we feel are necessary for the proper conduct of the auction.

**Bidder Registration Form
Helium Auction**

By completing this form, I certify that the undersigned, or the principal party whom the undersigned is acting on behalf of, is in compliance with the applicable regulations and authorities governing a bid and subsequent purchase. I certify that any bid submitted by the undersigned or on behalf of the principal party is a good faith statement of intention by the undersigned or the principal party to acquire helium from the Federal Helium Reserve. Further, I acknowledge that if a bid is declared the high bid, it will constitute a legally binding commitment to the Bureau of Land Management, and to accept the purchase.

In addition, if a bid is declared the high bid, the undersigned or the principal party will pay to the Bureau of Land Management (BLM) by September 30, 2016, or such other time as may be specified by the authorized officer, an amount at least equal to minimum monies owed for that bid, as set out in applicable regulations. The undersigned and the principal party acknowledge that these monies are due to the Bureau of Land Management as a result of winning the auction. Further, the undersigned and the principal party understand that if payment is not received by the due date, the BLM will issue a bill for monies owed, and if payment is not received, the United States will pursue collection by all appropriate methods, and as appropriate, will assess late fees, civil penalties, interest, administrative charges, and penalties on past due amounts (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR part 285).

The undersigned and the principal party acknowledge that it is a crime under 18 U.S.C. 1001 for any person to knowingly and willfully make any false, fictitious or fraudulent statements or representations as to any matter within the jurisdiction of the government. Any such offense may result in a fine or imprisonment for not more than 5 years, or both.

A separate registration is required for each company or individual you are representing. Please fill in the company/individual name and address as it would appear on any procurement contract. We will send a copy of the contract and billing notices to the name and address as shown below.

Bidder No. (leave blank)

Bidder Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____
(Including area code)

Reason for Bidding: Wholesaler
 Retailer
 Distributor
 End User

Relationship to Bidder: _____
(Self, Agent, Attorney-in-Fact, President, etc.)

Signature

Date

For BLM Use Only: Type of identification: _____