

HAMILTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

PURCHASE OF REAL PROPERTY

COMMONLY KNOWN AS “OAK MOUNTAIN SKI AREA”

The Hamilton County Industrial Development Agency (the “Agency”) is soliciting proposals for the purchase of the Agency-owned Oak Mountain Ski Area. An optional pre-proposal site inspection and meeting will be held on Friday, Feb. 10, 2012 at 10:00 a.m. Saturday, Feb. 11, 2012 at 10:00 a.m. at the ski area located at Elm Lake Road, Speculator, New York. Proposals must be submitted to Ann Melious, Executive Director, Hamilton County Industrial Development Agency, PO Box 57, Lake Pleasant, New York 12108, no later than 2 p.m., Thursday, March 22nd, 2012.

LATE SUBMISSIONS WILL NOT BE CONSIDERED. The Agency reserves the right to reject any and all proposals submitted.

Ann Melious
Executive Director
December 19, 2011

HAMILTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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SECTION 1: GENERAL NOTICE

A. The Hamilton County Industrial Development Agency requests your firm's proposal to purchase the Agency-owned, Oak Mountain Ski Area. The area may be purchased with or without the communications tower at the summit.

B. Response to this Request for Proposals shall be submitted as follows:

Deliver to: Ann Melious (who will date stamp submittals and provide a receipt)
Title: Executive Director
Address: Hamilton County Industrial Development Agency
PO Box 57
Lake Pleasant, New York 12108
Deadline: Thursday, March 22, 2012 at 2 p.m. (eastern standard time)
Late proposals will not be considered

C. The proposal shall be submitted in a sealed envelope with an original and five (5) copies and the outside should be clearly labeled:

SEALED PROPOSALS FOR THE
PURCHASE OF
OAK MOUNTAIN SKI AREA
Thursday, March 22, 2012

At 2:00 p.m. the Executive Director shall announce the names of individuals or firms who submitted proposals which were received by the due date and time. Proposals received later than the time and date specified will not be considered.

D. Invitation to Submit Proposals; No obligations by Agency to Contract.

By submitting a proposal, you represent that you have thoroughly examined and become familiar with this Request for Proposal and you are willing to and capable of performing the work to achieve the Agency's objectives. Proposals will not be evaluated on price alone and preference may be given to those proposals that include the continued operation of a ski resort and/or those proposals that will create long term non-construction job opportunities.

This Request for Proposal ("RFP") is only an invitation and does not commit the Agency in any way to enter into a sale contract. In addition, the issuance of this RFP does not obligate the Agency to pay any costs incurred by any respondent in connection with (I) the preparation of a response to this request, (II) any supplements or modifications of this RFP or (III) negotiations with the Agency or other party arising out of or relating to this RFP or the subject matter of this RFP. All proposals submitted in response to this request for proposals become the property of the Hamilton County Industrial Development Agency (the "Agency").

The Agency reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with the selected respondents, the right to extend the solicitation of proposals for an additional period, or to cancel in part or in its entirety the request for proposals, and to waive any informality if it is in the best interests of the Agency to do so.

- E. Administrative and technical questions pertaining to the Request for Proposals should be made in writing, including e-mail, and shall be directed to:

Ann Melious, Executive Director
Hamilton County Industrial Development Agency
PO Box 57
Lake Pleasant, New York 12108
ann@adirondackexperience.com

All questions shall be submitted by Thursday, March 1, 2012 by 4:00 p.m. Respondents are encouraged to get questions in as soon as possible. All questions will be responded to in writing or e-mail to all parties who have officially received packets from the Agency.

SECTION 2: BACKGROUND

Oak Mountain Ski Area is located at Elm Lake Road, Speculator, New York. The Oak Mountain Ski Area's website is <http://oakmountainski.com>. The ski area for sale comprises approximately 230 acres in the Village of Speculator and Town of Lake Pleasant. A map of a survey can be obtained from Ann Melious, whose contact information is contained herein. The sale parcel includes a 0.4 mile right of way from Elm Lake Road to the ski area. **THE SALE INCLUDES THE OPTION TO PURCHASE THE COMMUNICATION TOWER PARCEL AT THE SUMMIT OF OAK MOUNTAIN, WHICH INCLUDES A RETAINED RIGHT OF WAY THROUGH THE SKI AREA FOR MAINTENANCE AND REPAIR ACCESS, AS IS MORE PARTICULARLY DESCRIBED IN SUBSECTION F OF THIS SECTION.**

A. DESCRIPTION OF SKI RELATED FACILITIES

Oak Mountain is a family ski area with 650' vertical drop, 14 trails serviced by one fixed grip C-Tec quad chair lift and two Hall T-bars. Thirty Five percent of the terrain is beginner, 50% is intermediate, and 15% is expert. The uphill capacity of the chairlift is 1,400 persons per hour at a speed of 450 feet per minute (downhill capacity is 300 pph). The mountain also has a tubing hill with four lanes and a Multi-Ski handle tow that transports the tubes and tubers up to the top of the tubing hill. The lifts are inspected by the State of New York Division of Safety and Health every season. The ropes on all the lifts need to be inspected yearly by Dale Walters, ropeway inspector; grips on the chairlift are inspected by Gary Hofman. Other maintenance has been conducted in-house.

Winter activities in the past have included: skiing (day and evening), snowboarding, ski and snowboard lessons, tubing, terrain park, snow shoeing, cross country skiing and regional racing programs.

The ski area is also the site for summer and fall events and weekend chairlift rides.

An inventory of fixtures, equipment, furniture and supplies is available at

<http://www.hamiltoncounty.com/rfp-questions-and-responses/inventory-oak-mountain>

B. PARKING:

There are two parking lots at the mountain, the upper lot which will hold roughly 300 cars and the lower lot will hold another 150 cars and 10 buses.

C. BUILDINGS:

The ski area features a 9,500 square foot base lodge, girder-framed building completed in 2004. The base lodge features a restaurant kitchen and bar. The kitchen is 1,120 square feet, and space for food and beverage service is 7,200 square feet. The kitchen with commercial venting includes a commercial dishwasher, triple pizza oven, convection oven, fire suppression system and two commercial propane stoves. This building is all metal with radiant floor heating, heated by an outside wood boiler with a back-up propane furnace.

The 4,800 square foot equipment rental lodge is a frame building that is also used as a maintenance shop, ski patrol headquarters, retail and office space. The building was designed to be heated by two furnaces; only one furnace is functional and burns either wood or oil.

D. WATER SUPPLY FOR SNOW MAKING:

A frame pump house houses the snow-making pump and compressor. The snowmaking system covers about 50% of the mountain using 8 Ratnik and 4 Topgun snowguns. The main source of water for the system is from two ponds on the property; the mountain has the ability to use village water if water levels get low. The water pump is a Gould pump with a 150 hp electric GE motor with the capacity of 28,800 gallons per hour. The Sullair compressor is 125hp with the capacity to run 12 guns at once.

E. SEPTIC CAPACITY:

The Main lodge has a 3000 gallon waste holding tank that is hooked up to village sewer system. As of December 2011, sewer improvements were made which included the installation of two new pumps, new wiring, new cover and dual control panels. The equipment rental lodge has no septic service. The original leach field system is non-compliant and cannot be used.

F. COMMUNICATION (CELL) TOWER PARCEL AND EXISTING CONTRACTS

The cell tower parcel is an approximate 10 acre parcel located at the summit of Oak Mountain, having a ground elevation of approximately 2440 feet. Access to the parcel is available through an access easement (dirt road) linking the cell tower parcel to Elm Lake Road. On the property are above-ground propane storage tanks four (4) factory built containerized

equipment shelters. Said shelters include concrete pads, prefabricated walls and ceilings, specialty electric build-out, climate control, generator plug and miscellaneous wiring. The communication tower itself was built in 1997 and is 100 feet in height, with an antennae extending the tower to 110 feet. There are currently five (5) cell tower leases in place generating approximately \$44,514 in 2011. Additional information concerning the cell tower leases may be found attached here, labeled [Appendix B](#).

SECTION 3: REQUEST FOR PROPOSALS OVERVIEW

A. SCOPE OF PROPOSALS

The Agency is seeking proposals from parties interested in purchasing the Oak Mountain Ski Area and cell tower parcel located at Elm Lake Road, Speculator, New York.

B. SITE INSPECTION

The Agency encourages proposal participants to visit the real property during an optional, pre-proposal meeting to be held on Friday, Feb. 10, 2012 at 10:00 a.m. and Saturday, Feb. 11, 2012 at 10:00 a.m. at the ski area lodge. Other pre-bid proposal visits can be arranged through Ann Melious. The buildings and ski area will be open and available for inspection. Representatives of the Agency will be available to receive questions.

C. SCHEDULE

Target schedule for the project is as follows:

Advertise RFP's	January, 2012
Proposal visits by respondents	February 10 & 11, 2012
Proposal due date	2 pm, March 22, 2012
Closing	April - May 2012

SECTION 4: PROPOSAL FORMAT AND DOCUMENTATION REQUIREMENTS

All respondents are required to submit the information detailed below. Responses shall be organized and presented in the order listed below to assist the Agency in reviewing and rating proposals. Responses should be presented in appropriate detail to thoroughly respond to the requirements and expected services described herein.

A letter of transmittal indicating the party's interest in purchasing the real property and any other information that would assist the Agency in making the party's plans for the use of said real property a selection. This letter must be signed by a person legally authorized to bind the firm to a contract.

- A. A synopsis of the highlights of the proposal which is easily understood, and which summarizes the overall plans for use of the real property and any other information that would assist the Agency in making a selection. This letter must be signed by a person legally authorized to bind the firm to a contract.

benefits of the proposal to the Agency.

B. Non Collusion Statement (Appendix A).

SECTION 5: MINIMUM TERMS AND CONTRACT PROVISIONS

The following will be elements of any final contract of sale:

- A. The purchaser, at its sole cost and expense, shall obtain all necessary permits, certificates, licenses and inspections.
- B. The successful purchaser will be required to submit to the Agency a Security Deposit to guarantee performance under the terms of the contract of sale.
- C. In the event the purchaser desires to obtain any environmental inspections, said inspections shall be arranged for and conducted at the sole cost and expense of the purchaser.
- D. The purchaser, at its sole cost and expense, shall obtain an abstract of title or title insurance policy and, if required, a survey or updated survey of the property to be purchased.
- E. The purchaser agrees to purchase the property in “as is” condition.
- F. The Agency makes no representations as to the quality, condition or fitness of the equipment on the property.
- F. The Agency reserves the right to negotiate all aspects of a sale with the selected parties.

**APPENDIX A
OAK MOUNTAIN SKI AREA
SPECULATOR, NEW YORK**

FORM OF PROPOSAL

Date: _____

To Whom in May Concern:

1. Pursuant to and in compliance with your Request for Proposals relating thereto, the Undersigned, _____ having visited the site, familiarized himself/herself with the conditions present and carefully examined the Request for Proposal with any Addenda issued and received prior to closing time for receipt of Proposals as prepared by the Hamilton County Industrial Development Agency (the "Agency") hereby offers and agrees as follows:

To offer to purchase said property and all that exists on it. We propose to offer the following amount:

<u>DESCRIPTION</u>	<u>DOLLAR AMOUNT</u>
Purchase Price with cell tower	\$ _____
Purchase Price without cell tower	\$ _____

NON-COLLUSIVE CERTIFICATION

By submission of this proposal, the undersigned, certifies, under penalty of perjury, that to the best of its knowledge and belief:

1. The prices in this proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other proposer or with any competitor;

2. Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed and will not knowingly be disclosed prior to opening, directly or indirectly, to any other proposer or to any competitor; the prices which have been included in this proposal, and

3. No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

Respectfully submitted,

By: _____

Title: _____

Business Name: _____

Address: _____

Telephone Number/Fax Number: _____

Attest: _____

SEAL IF REQUIRED