

**RESOLUTION TO DECLARE PROPERTY AS SURPLUS
AND AUTHORIZE SALE OF PROPERTY BY SEALED BID**

WHEREAS, the Fayetteville Public Works Commission, hereinafter referred to as Commission, manages and controls various pieces of equipment that are part of the Thermal Energy Storage System installed at and currently affixed to the Butler Warner Generation Plant (which pieces are collectively the "Equipment"). This Equipment includes of four 1200hp motor driven compressors, five 300hp chill water pumps and associated auxiliary items and materials; and

WHEREAS, Commission staff has determined there is no opportunity for PWC to reuse this Equipment for internal purposes and the value of the Equipment exceeds thirty thousand dollars (\$30,000.00) and the Equipment must be removed from the Butler Warner Generation Plant for its efficient usage;

WHEREAS, North Carolina General Statute § 160A-268 permits the Commission to sell property with an estimated value of \$30,000 or more by sealed bid upon approval by the Commission and after publication of a notice announcing the invitation to bid; and

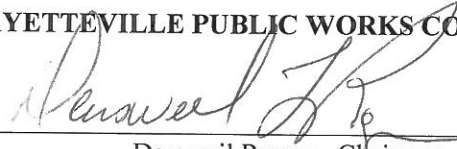
WHEREAS, pursuant to Charter Section 6A.9, any sale of fixtures, including the Equipment, by the Commission is subject to the approval by resolution of the City Council.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION THAT:


1. The Commission declares the Equipment at the Butler Warner Generation Plant as surplus and authorizes its sale by sealed bid, contingent upon approval by resolution of the City Council.
2. The Commissions finds and concludes that a sale of the Equipment is in compliance with Financing Documents referenced in Chapter 6A of the Charter.
3. The Commission will accept sealed bids for the Equipment until 2:00 p.m., October 21, 2019, Conference Room 107, 955 Old Wilmington Road, Fayetteville, North Carolina, 28301.
4. At 2:00 p.m., October 21, 2019, all bids received shall be opened in public and the amount of each bid recorded. The record of bids shall be reported to the Commission at their regular meeting on Wednesday, October 23, 2019.
5. The terms of the sale are that (a) the bidders must agree to disassemble and remove all of the Equipment from the Butler Warner Generation Plant and equipment pads must be broken below the existing slab; (b) that the Equipment is sold in its current condition, as is; and (c) the Commission gives no warranty with respect to the Equipment other than title.
6. The Commission will determine the highest responsible bidder for the Equipment and will award the bid at its regular meeting on October 23, 2019.
7. The Commission reserves the right to withdraw the Equipment from sale at any time and the right to reject all bids.

Adopted this 25TH day of SEPTEMBER, 2019, at Fayetteville, North Carolina.

FAYETTEVILLE PUBLIC WORKS COMMISSION


Darsweil Rogers, Chairman

ATTEST:


D. Ralph Huff, III, Secretary