



Ag Wetland Trade Credit Sales

Bid Process and Criteria

1. **Minimum Price and Administration Fee:** NDAM and the seller have set a minimum price per acre to cover NDAM transaction costs and administrative overhead. Minimum price is \$13,000/acre.
2. **Bid Window Duration:** The bid window shall remain open for a duration of 30 days from the date of announcement.
3. **Bid Submittal:** Submit the completed bid form to NDAM via mail at PO Box 1091, Bismarck, ND 58502, or email at ndagwetlands@gmail.com by **5 p.m. CT on Monday, July 8, 2024.**
4. **Bid Acceptance Priority:**
 - First priority is given to the highest bid price, on a per acre basis.
 - If there are remaining acres after accepting the highest bid per acre, the subsequent-highest per acre bid price will be accepted for those acres.
 - Should there be a tie for the highest bid price per acre, the higher number of acres requested will be awarded first.
5. **Right to Refuse Bids:** The seller reserves the right to refuse all bids.
6. **Evaluation Process:**
 - **Step 1: Opening Bids**
 - All bids received within the 30-day bid window will be collected and recorded without disclosure of bid amounts.
 - **Step 2: Evaluation of Highest Bid**
 - The bid with the highest price per acre will be identified.
 - If the highest bid price meets or exceeds the minimum price set by the seller, it will be accepted.
 - **Step 3: Evaluation of Subsequent Highest Bid**
 - If there are remaining acres after accepting the highest bid, the bid with the second-highest price per acre will be identified. At the discretion of NDAM, the process can be continued for third, fourth, etc. highest bid until all available acres are sold.
 - If the subsequent-highest bid price meets or exceeds the minimum price set by the seller and does not exceed the number of acres available, it will be accepted.
 - **Step 4: Notification**
 - Successful bidders will be notified of their acceptance.
 - Unsuccessful bidders will be notified after the close of the sale.
7. **Confidentiality:** All bid information will be treated as confidential to maintain fairness and prevent collusion among bidders.

8. **Contract Execution:** Upon acceptance of bids, the seller and successful bidders will enter into a purchase agreement outlining the terms of the credit sale, including payment terms, and any other relevant provisions. This may include a down payment until the post-award credit transactions can be completed.

9. **Post-Award Phase:**

- Buyer must supply NDAM a copy of the NRCS Certified Wetland Map that identifies the location and acres of wetlands being mitigated through the credit sale, along with payment for the accepted bid (price per acre × number of acres) within 15 days of bid award.
- NDAM will coordinate mitigation transaction to North Dakota NRCS. Wetland mitigation occurring outside of watershed boundaries (i.e., RSA) must be approved by NRCS. A map of the RSAs can be viewed: [Regional Service Areas : How It Works : North Dakota Agricultural Mitigation, Inc. \(ndagwetlandtrade.com\)](http://RegionalServiceAreas:HowItWorks:NorthDakotaAgriculturalMitigation,Inc.ndagwetlandtrade.com)
- NRCS is responsible for reissuing Certified Wetland Determinations to the buyer for mitigated wetland(s) as “MIW” (Mitigation Exemption) after the credit sale process is completed.

By adhering to these criteria, the credit sale process will maintain fairness, transparency and efficiency.

There are currently a maximum of **13.3 acre-credits** available for bid in the **Missouri River Basin South (RSA 3)**

Bid Form (fill out information below)

Buyer Info:

Full Name:

Address:

Phone:

Email:

Wetland Acres to be Mitigated by Buyer:

County:

Watershed (if known) and Sec, Township and Range:

USDA Farm# _____ & Tract # _____

Do you have a NRCS Certified Wetland Determination Map and valid 026 form: **Yes** or **No** (circle)

Bid Price:

Proposed Price: \$ _____ /Acre

Number of Acres (≤13.3) to Purchase for Mitigation (in 1/10th increments):

Please note if you have a minimum or maximum number of acres requested or any other considerations for the bid: