

Oriskany Auction TERMS OF SALE November 29 - 30, 2022

INSPECTION: 8:00AM

PAYMENT: FULL PAYMENT MUST BE MADE WITHIN **30 MINUTES** OF COMPLETION OF THE AUCTION

SALES: **ALL SALES ARE FINAL.** NO refunds. NO returns. NO exchanges. NO turndowns.

NOTE: **PICKUP IS NOT AVAILABLE ON THE FIRST DAY OF THE AUCTION.**

1. The State of New York reserves the right to **add** or **withdraw** any item(s) before the sale.
2. **The OGS Representative has the right to suspend or terminate bidding privileges from customers immediately due to the following actions:** intimidating language or verbal threats, physical altercations, intentionally altering the condition of auction items for the purpose of suppressing the sale price, collusion with the intent to restrict competition, stealing or destruction of property.
3. **The OGS Representative has the right to suspend bidding privileges for one year with one violation of any of the following infractions during the auction season:** payments not made within the allotted time of 30 minutes after the close of the auction (this includes proxy bidders not reachable when contacted for payment), late removal of items (within 4 business days not including auction day) or partial pickups.
4. All goods have been available for inspection and are being sold on an “as is” and “where is” basis with no guarantee expressed or implied by the State of New York or the auction firm. Buyers are **encouraged to inspect** all items before bidding. **Known defects are listed, but the absence of any indicated deficiencies does not mean the item may not have deficiencies.**
5. Winning bidders of vehicles with an open recall must sign an attestation prior to receiving keys and transfer paperwork acknowledging that the NYS OGS disclosed the open recall information and that it is their responsibility to have the open recall satisfied.
6. Winning bidders acknowledged that OGS confirms open recall status on all vehicles two business days prior to the date of the auction the vehicle is being sold at. The winning bidder acknowledges that open recalls may have been posted after that date and the winning bidder can search for these vehicle recalls on many sites including but not limited to <https://www.carfax.com/recall/> or www.nhtsa.gov/recalls.
7. Sale will be made to the highest bidder, subject to the following terms of sale; however, if there is a disputed or tied bid among two or more bidders, the OGS Representative, at their discretion may determine the highest bidder or the bidding may be re-opened to determine the highest bidder. In any case, the OGS Representative’s decision will be absolute.
8. New York State or the OGS Representative reserves the right to reject any and all bids. On lots upon which there is a reserve, the State reserves the right to accept the last bid.
9. Each sale of goods is complete, with title of said goods and risk of loss passing to the buyer when the auctioneer says sold, or otherwise designates bidder as purchaser. Titles will be made out the way you have registered, **NO EXCEPTIONS!!**
10. **PAYMENT In Person Bidders - Full payment must be made within 30 minutes of the completion of the auction in cash, or credit card ONLY.** Municipalities, local subdivisions and school districts may also use the forms of payment outlined above or a purchase order; however, a letter of delegated authority must be presented to the OGS Representative prior to bidding and if successful, a signed purchase order, payable to the State of New York, must then be presented.
11. **PAYMENT Online Bidders – Full payment must be made within 2 hours of receipt of invoice from Perry Auctions.** Invoices will be emailed within 30 minutes of the close of the auction. A link to the payment portal will be provided on your invoice. Municipalities, local subdivisions and school districts may also use the forms of payment outlined above or a purchase order; however, a letter of delegated authority must be presented to the OGS Representative prior to bidding and if successful, a signed purchase order, payable to the State of New York, must then be presented.
12. All bidders must be 18 years of age or older and have a bidding number for their bid to be counted as valid.
13. Catalog numbers are assigned for identification only. The items will not necessarily be sold in numerical order. The lotting of items is also at the discretion of the OGS Representative and/or the auctioneer.
14. Sales Tax will be charged and collected on all purchases, unless New York State is given acceptable proof of exemption at the time of sale.
15. Loading services will be provided by OGS for this auction. Appointments for loading services **must** be made by calling **518-485-6107**. Removal must be made between **8:00AM and 4:00PM** on the following dates: **11/30, 12/1, 12/2 12/3 and 12/5.** A copy of the bill of

sale **must** be furnished at the time of removal. Failure to comply with the removal terms may affect future bidding privileges. Items not removed will be forfeited and the buyer will have no recourse. Bidders purchasing (6) or more vehicles and needing special arrangements for removal should obtain the approval of the OGS Representative at the auction.

- 16. The use of New York State seals or insignias on private vehicles is **prohibited**.
- 17. **By bidding**, you acknowledge acceptance of these terms and conditions whether present during the actual reading or not.
- 18. The State reserves the right to suspend the bidding privileges, for this or any future auctions, of any person who violates these terms and conditions or engages in conduct that the State determines is inappropriate and/or contrary to the best interest of the State.
- 19. All bids shall be arrived at independently without collusion, consultation, intimidation, communication, or agreement, for the purpose of restricting competition, with any other potential bidder.
- 20. **NOTICE:** It is expected that all buyers shall responsibly use this personal property including its disposition in conformance with applicable laws, rule and environmentally preferred practices.

SIGNATURE OF BIDDER

DATE: