

This Advertisement includes:

Date Mailed:
November 20, 2002

1. DECKED BISCUIT – **Scale Sale

Sealed Bids Received By:
December 6, 2002

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
District Office
3040 Biddle Road
Medford, Oregon 97504
email address: or110mb@or.blm.gov

TIMBER SALE NOTICE

SEALED BID SALE

NOTICE IS HEREBY GIVEN that the Bureau of Land Management will offer for sale timber as described herein for sealed bid only, pursuant to Instructions to Bidders, as stated on Form No. 5440-9 and subject to Notice of Requirement for Certification of Nonsegregated Facilities, Form No. 1140-4, attached. Written bids will be received by the District Manager, or his representative, at the Bureau of Land Management Office, 3040 Biddle Road, Medford, Oregon 97504, telephone (541) 618-2200. Sealed bids will be received until 4:30 p.m. on Friday, December 6, 2002.

THIS TIMBER SALE NOTICE does not constitute the decision document for purposes of protest and appeal of a forest management decision. Consistent with 43 CFR Subpart 5003 – Administrative Remedies, the notice of a timber sale, when published as a legal ad in a newspaper of general circulation shall constitute the decision document for purposes of protest and appeal. Protests may be filed with the Contracting Officer within 15 days of the publication of the aforementioned decision document in the newspaper. It is anticipated that the decision document will be published in the Medford Mail Tribune, Grants Pass Daily Courier, and Roseburg News Review newspapers on or about November 21, 2002. BLM does not warrant publication on this exact date. All parties considering protest of the timber sale decision document are encouraged to review the aforementioned newspapers to ensure accurate knowledge of the exact publication date.

A WRITTEN BID on Form 5440-9 at not less than the appraised price on a unit basis per species shall be required. Bids must be submitted in a sealed envelope. The envelope must include Deposit And Bid For Timber, Form 5440-9, an Independent

Price Determination Certificate, Form 1140-6, and the bid deposit. The outside of the envelope is to be marked **SEALED BID FOR TIMBER, DECKED BISCUIT TIMBER SALE – #03-03.**

APPRAISED PRICES are determined by analytical appraisal methods unless otherwise noted on individual timber sale notices.

THE SUCCESSFUL BIDDER, as a condition of award, will be required to complete and/or sign the following forms:

1. Form 1140-7, Equal Opportunity Affirmative Action Program Representation, for all contracts over \$10,000.00.
2. Form 1140-8, Equal Opportunity Compliance Report Certification.
3. Form 5450-17, Export Determination.

A PERFORMANCE BOND in an amount not less than 20 percent of the total purchase price will be required for all contracts of \$2,500 or more, but the amount of the bond shall not be in excess of \$500,000, except when the Purchaser opts to increase the minimum bond as provided in 43 CFR 5451.2. A minimum performance bond of not less than \$500 will be required for all installment contracts less than \$2,500.

QUALIFIED SMALL BUSINESS concerns may apply to the Small Business Administration for a loan to provide financing for access road construction required under the terms of qualifying timber sale contracts and necessary contract changes will be made. Approval of loan applications rests with the Small Business Administration and may be contingent upon availability of funds. Applicants for such loans shall notify the Bureau of Land Management of their intention to apply for such loan.

LOG EXPORT AND SUBSTITUTION. All timber sales shall be subject to the restrictions relating to the export and substitution of unprocessed timber from the United States in accordance with P.L. 94-165 and 43 CFR 5400 and 5420, as amended.

ADDITIONAL INFORMATION concerning each timber sale tract described herein is available at the Medford District Office. A copy of the timber sale contract is also available for inspection at the District Office.

THE VOLUMES LISTED herein are estimates only, based on 16-foot taper breaks, which must be taken into consideration if comparisons are made with volume predictions based on other standards. The volumes based on 32-foot taper breaks are shown for comparison purposes. No sale shall be made for less than the total purchase price, without regard to the amount bid per unit, even though quantity of timber actually cut or removed or designated for taking

is more or less than the estimated volume or quantity so listed.

****SCALE SALES.** The estimated volume listed herein, in 16-foot logs, is based on sample plots of the salvage area, comparable stand types, and aerial photos. The estimate of volume is used solely as an administrative aid for determining when payments are due, value of timber subject to any bonding provisions, timber sale appraisal, and other purposes specified in various sections of the contract. Sale volumes will be scaled, graded and determined by a certified third party scaling organization (TPSO) scaler. The scaling rules will be according to the National Forest Cubic Scaling Handbook, FSH-2409.11a.-91-1, May 1991, as amended, or supplemented by BLM before the first advertisement date of the sale and as specified in the contract. BLM scale varies significantly from the official log scaling and grading rules used by Columbia River Scaling Bureau and other Bureaus. Payment for timber sold under these contracts will be based on units times the price per measurement unit as shown on Exhibit B together with the terms and conditions listed therein, and may be more or less than the total bid purchase price. For further information see the Timber Sale Prospectus.

INSTALLMENT PAYMENTS may be authorized for sales of \$500 or more. Required installments will be determined by BLM. For sales under \$500,000, installments will not be less than 10% of the total purchase price. For sales of \$500,000 or more, installment payments shall be \$50,000.

A SALE DEPOSIT equal to an installment is required prior to approval of the contract. This deposit must be made in cash or by check payable to the Department of Interior - BLM.

AN IRREVOCABLE LETTER OF CREDIT (ILC) may be used in place of bid bonds, performance bonds, and payment bonds. ILC's must be approved by the Authorized Officer prior to use and are subject to certain limitations. Contact the District Office for further information.

THE PURCHASER is given no authority to enter upon or cross any private lands or to use any privately-owned property or improvements unless such rights are specifically covered in the contract stipulations. If the Purchaser desires to make any use of private property which is not specifically authorized by the contract, they must make the necessary prior-arrangements for such use with the landowner.

PRIOR TO STARTING any operations, the Purchaser or their designated representative will be required to meet with the Authorized Officer or their representative and the Contract Administrator for a prework conference. If a subcontractor is to be involved in the operation, the subcontractor must also be represented at the conference. If more than one subcontractor is to be involved in

the operation, it may be necessary to have more than one prework conference unless all

subcontractors can be present at one conference.

PRIOR TO THE AWARD of any timber sale, the Bureau of Land Management may require the high bidder to furnish such information as is necessary to determine the ability of the bidder to perform the obligations of the contract. The following information is required for first time high bidders bidding as:

1. Individuals

- a. A Citizenship Affidavit, Form 5450-9.**
- b. A certified Financial Statement prepared no earlier than 60 days prior to the sale date.**

2. Partnerships or Unincorporated Associations

- a. A Citizenship Affidavit, Form 5450-9, for each member of the partnership or association.**
- b. A copy of the partnership agreement, or if no formal partnership agreement, a letter showing the nature of the business conducted by the partnership, the partnership term, and the name of the partner or partners authorized to execute timber sale contracts and performance bonds on behalf of the partnership.**
- c. A certified Financial Statement prepared no earlier than 60 days prior to the sale date.**

3. Corporations

- a. A certified copy of the articles of incorporation and by-laws.**
- b. A certified copy of the resolution of the board of directors authorizing the officers to sign timber sale contracts and performance bonds on behalf of the corporation.**
- c. An original certificate from the Corporation Commissioner authorizing the corporation to transact business in the State of Oregon.**
- d. A certified Financial Statement prepared no earlier than 60 days prior to the sale date.**

Those bidders who have demonstrated poor performance, including recent contract defaults, may be required to provide additional performance assurances in the form of advanced payment and/or an increased performance bond as a condition for award of contract. These extraordinary requirements may be required on a case-by-case basis.

PREAWARD QUALIFICATIONS. The higher bidder may be required to furnish information to determine the ability to perform the obligations of the contract. If the high bidder is determined not qualified, responsible, or refuses to respond within five (5) days of a request for information pertaining to qualifications, the contract may be offered and awarded for the amount of the high bid to the highest of the bidders who is qualified, responsible, and willing to accept the contract.

OTHER. 43 CFR Chapter 11 (10-1-92 Edition), Subpart 5442 - Bidding Procedure. § 5442.3 Rejection of Bids; Waiver of Minor Deficiencies. When the Authorized Officer determines it to be in the interest of the Government to do so, he may reject any or all bids and may waive minor deficiencies in the bids or the timber sale advertisement. (38 FR 6280, March 8, 1973).

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NOTICE OF REQUIREMENT FOR CERTIFICATION
OF NONSEGREGATED FACILITIES

Bidders and offerors are cautioned as follows: by signing this bid or offer or entering into this contract or lease, as the case may be, the bidder, offeror, or contractor will be deemed to have signed and agreed to the provisions of the Certification of Non-segregated Facilities in this solicitation. The certification provides that the bidder or offeror does not maintain or provide for his employees facilities which are segregated on a basis of race, color, religion, sex, or national origin, whether such facilities are segregated by directive or on a de facto basis. The certification also provides that he will not maintain such segregated facilities. Failure of a bidder or offeror to agree to the Certification of Nonsegregated Facilities will render his bid or offer nonresponsive to the terms of solicitations involving awards of contract exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause.

In accordance with 41 CFR 60, as amended May 19, 1967, and Executive Order No. 11246 of September 24, 1965, as amended, this notification will be included in all notices of invitations for bid, lease, offers, and requests for proposal where prospective nonexempt contracts may exceed \$10,000.

SEALED BID SALE
THIS IS A SCALE SALE

GRANTS PASS AREA
JOSEPHINE MASTER UNIT

Medford Sale # 03-03
December 6, 2002 (JB)

#1. DECKED BISCUIT (5900), Josephine County, O&C BID DEPOSIT REQUIRED: \$10,000.00

All timber designated for removal in E½SW¼, W½SE¼, SE¼SE¼ Sec. 34, T. 34 S., R. 9 W.,
Willamette Meridian.

Approx. Number Merch. Trees	Est. Volume MBF 32' Log	Est. Volume MBF 16' Log	Species	Est. Volume CCF	Appr. Price per CCF*	Est. Volume Times Appraised Price
NA	192	235	Douglas-fir	375	\$ 199.30	\$ 74,737.50
	83	102	Hem-fir	163	\$ 149.55	\$ 24,376.65
	1	1	Ponderosa pine	2	\$ 69.50	\$ 139.00
	1	1	Sugar pine	2	\$ 69.50	\$ 139.00
	1	1	Incense-cedar	2	\$ 199.00	\$ 398.00
	278	340	Totals	544		\$ 99,790.15

*Stumpage values have been determined by market value estimates and analytical appraisal methods were used to compute the appraised price. Additional information concerning the appraised price is available at the Medford District Office.

CRUISE INFORMATION - The timber volumes listed were based on a gross measurement of individual log decks (estimated net volume for appraisal purposes) and a 100% cruise using form class tables for estimating board foot volume of trees in 16-foot logs. **The final sale price will be based on the total scaled volume of the sale.** The 100% cruise was only used to determine appraisal data. All of the sale volume is salvage material. With respect to merchantable trees of all conifer species: the average tree is 24 inches DBHOB; the average gross merchantable log contains 127 bd. ft.; the total gross volume is approximately 389 M bd. ft.; and 87% recovery is expected. (Average DF is 24 inches DBHOB; average gross merchantable log DF contains 130 bd. ft.)

THIS TIMBER SALE HAS BEEN CRUISED BASED UPON CUBIC FOOT MEASURE. THE MINIMUM BID FIGURES SHOWN BY SPECIES ARE DOLLARS PER HUNDRED CUBIC FEET (CCF). THE MINIMUM BID INCREMENT WILL BE \$0.05 PER CCF. SCRIBNER BOARD FOOT VOLUMES BY SPECIES ARE DISPLAYED FOR INFORMATIONAL PURPOSES AND FOR THE PURPOSE OF ADMINISTRATION OF SECTION 19 OF THE CONTRACT.

LOG EXPORT AND SUBSTITUTION RESTRICTIONS - All timber offered for sale hereunder is restricted from export from the United States in the form of unprocessed timber and is prohibited from use as a substitute for exported private timber.

REMOVAL TIME - Contract duration will be six (6) months for removal of timber.

ACCESS - Access to the sale area is available via existing BLM roads 34-8-36 and 34-9-35, and a Right-of-Way and Road Use Agreement #372 with the U.S. Forest Service dated May 20, 1980. Among other conditions, this agreement requires fee payments of \$1.163 per MBF to the Permittee for the use of USFS Road #2411.

ROAD MAINTENANCE - BLM will maintain 11.70 miles of the Hellgate Bridge, the 34-8-36 and 34-9-35 roads. The Purchaser will be required to pay a maintenance fee of \$7.74 per MBF for the use of these roads.

CONTRACT TERMINATION - A Special Provision has been added to the contract which enables the Contracting Officer to suspend the contract to facilitate protection of certain plant or animal species, and/or to modify or terminate the contract when necessary to comply with the Endangered Species Act, or comply with a court order, or protect occupied marbled murrelet sites in accordance with the Standards and Guidelines of the Medford District Record of Decision (ROD) and Resource Management Plan (RMP). This contract provision limits the liability of the Government to the actual costs incurred by the Purchaser which have not been amortized by timber removed from the contract area.

PERFORMANCE BOND - A performance bond in the amount of 20% of the total purchase price will be required.

OTHER -

1. No extension of time beyond the normal 30 days will be granted for completing bonding and contract signing requirements.

NARRATIVE DESCRIPTION OF HOW TO GET TO THE TIMBER SALE AREA - From Merlin, OR, proceed west on the Merlin-Galice County Road approximately 13 miles to the Galice Access Road (BLM road #34-8-36). Turn left onto the Galice Access Road and travel approximately 12 miles to BLM road #34-9-35. Turn left. Go approximately 300 feet and turn right onto USFS Road #2411. Proceed approximately ½ mile to the first log deck in the sale area.

SEALED BIDS - A written bid on Form 5440-9 at not less than the appraised price on a unit basis per species shall be required. Bids must be submitted in a sealed envelope. The envelope must include Deposit And Bid For Timber, Form 5440-9, an Independent Price Determination Certificate, Form 1140-6, and the bid deposit. The outside of the envelope is to be marked SEALED BID FOR TIMBER, DECKED BISCUIT TIMBER SALE – #03-03.