

This Advertisement includes:

Date Mailed:  
July 13, 2004

1. SILVER HAWK SALVAGE - \*Scale Sale

Sale Date:  
August 5, 2004

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
District Office  
3040 Biddle Road  
Medford, Oregon 97504  
[www.or.blm.gov/Medford](http://www.or.blm.gov/Medford)  
email address: [or110mb@or.blm.gov](mailto:or110mb@or.blm.gov)

### TIMBER SALE NOTICE

NOTICE IS HEREBY GIVEN that the Bureau of Land Management will offer for sale timber as described herein for oral auction, 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 and oral bids will be received by the District Manager, or his representative, at the Bureau of Land Management Office, 3040 Biddle Road, Medford, Oregon, telephone (541) 618-2200. This is not a public meeting and is an invitation to bid only. Therefore, only those persons bidding on timber sales will be allowed to attend this auction. The timber sale will commence at 9 a.m. on Thursday, August 5, 2004.

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 July 14, 2004. 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 and the required minimum bid deposit shall be required to participate in oral bidding for each tract.

**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 1140-6, a certification that the bid was arrived at by the bidder or offeror independently, and was tendered without collusion with any other bidder or offeror.
2. Form 1140-7, Equal Opportunity Affirmative Action Program Representation, for all contracts over \$10,000.00.
3. Form 1140-8, Equal Opportunity Compliance Report Certification.
4. 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 Northwest Log Rules Eastside Log Scaling Handbook, 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).

**AN ENVIRONMENTAL IMPACT STATEMENT** was prepared for this sale, and a Record of Decision has been documented. This document is available for inspection as background for this sale at the Medford District Office.

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.

**THIS IS A SCALE SALE**

GRANTS PASS AREA  
JOSEPHINE MASTER UNIT

Medford Sale # 04-14  
August 5, 2004 (JB)

#1. SILVER HAWK SALVAGE (5900), Josephine County, O&C

BID DEPOSIT REQUIRED: \$12,400.00

All timber designated for cutting in SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  Section 18, T. 34 S., R. 9 W.; SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$  Section 9, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  Section 16, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  Section 20, T. 35 S., R. 9 W., Willamette Meridian.

Approx. Number Merch. Trees	Est. Volume MBF 32' Log	Est. Volume CCF	Species	Est. Volume MBF 16' Log	Appr. Price Per MBF*	Est. Volume Times Appraised Price
2,976	1,371	2,577	Douglas-fir	1,707	\$ 61.00	\$ 104,127.00
43	4	9	Ponderosa pine	5	\$ **25.00	\$ 125.00
845	422	761	Sugar pine	528	\$ **25.00	\$ 13,200.00
110	14	35	Western white pine	23	\$ **25.00	\$ 575.00
584	87	200	White fir	114	\$ **34.00	\$ 3,876.00
196	46	97	Western hemlock	59	\$ **33.00	\$ 1,947.00
4,754	1,944	3,679	<b>Totals</b>	2,436		\$ 123,850.00

\*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.

\*\*Minimum stumpage values were used to compute the appraised price (10% of pond value).

CRUISE INFORMATION - The timber volumes were based on a Variable Plot cruise using form class tables for estimating board foot volume of trees in 16-foot logs. All of the total sale volume is salvage material. With respect to merchantable trees of all conifer species: the average tree is 26 inches DBHOB; the average gross merchantable log contains 208 bd. ft.; the total gross volume is approximately 3,737 M bd. ft; and 65% recovery is expected. (Average DF is 27 inches DBHOB; average gross merchantable log DF contains 221 bd. ft.)

Bidders will be restricted to bidding on a unit (MBF) rate of the Douglas-fir volume. All other species will be sold at appraised price per unit (MBF). The minimum bid increment will be \$0.10 per MBF.

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.

CUTTING AREA - Ten (10) units containing 193 acres must be partial cut.

CUTTING TIME - Contract duration will be 18 months for cutting and removal of timber. If the purchaser of this timber sale contract has one or more existing approved BLM green tree timber sale contract(s), 43 CFR § 5473.4 (d) authorizes the BLM to grant a contract extension(s) on the approved green tree sales(s). A request for extension(s) of the green tree timber sale contract(s) may be submitted to the State Director. The duration of the extension(s) shall not exceed the time necessary to meet the salvage objectives of this sale. The State Director may waive

reappraisal for such extension(s). 43 CFR § 5473.1 states that: "In order to be considered, written requests for extension shall be delivered to the appropriate BLM office prior to the expiration of the time for cutting and removal".

ACCESS - Access to the sale area is available via an existing BLM road and a License Agreement 813-S from the U.S. Forest Service. Among other conditions, this easement requires the Purchaser to pay a fee of \$22,652.17.

ROAD MAINTENANCE - The Purchaser will be required to maintain 11.28 miles of existing BLM road. BLM will maintain 4.8 miles of the existing roads. The Purchaser will be required to pay a maintenance and rockwear fee of \$7.19 per MBF or a total of \$17,503.07 for the use of these roads.

ROAD RENOVATION - The contract will require the Purchaser to renovate 740.7 stations of road. Additional information is available in the timber sale prospectus.

SOIL DAMAGE PREVENTION - Pursuant to Section 25 of Form 5450-3, Timber Sale Contract, the Purchaser shall not operate or cause to have operated on the contract area, any tractor-type logging equipment when soil moisture content exceeds twenty-five (25) percent by weight as determined by a Speedy Moisture Meter.

EQUIPMENT REQUIREMENTS – Helicopter capable of yarding timber with a minimum of two hundred foot tagline.

SLASH DISPOSAL - Slash disposal will consist of lopping and scattering of slash as designated by the Authorizing Officer upon post harvest determination of need. Appraised slash disposal consists of lop and scatter on fifty (50) acres over the sale area.

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.
2. Seasonal operating constraints.
3. Slash treatment (lop and scatter), concurrent with logging.
4. Acreage for harvest units determined by Global Positioning System (GPS).
5. Cleaning of equipment and vehicles is required prior to move-in onto federal lands. Other measures as necessary to control spread of Port-Orford root disease, (E-5A).
6. Flaggers needed for traffic control for Forest Service road 23 for helicopter logging.
7. Helicopter landings limited to one-half (0.5) acre or less.
8. A limited appraisal allowance was made in the appraisal for vehicle and equipment cleaning hereby required for controlling the spread of Port-Orford cedar root disease. If it is determined by the Authorized Officer that cleaning in excess of the appraised time is necessary in order to comply with E-5A and Exhibit P, a modification of the total purchase price of the contract will be made at values to be determined by the Authorized Officer.

9. There is a potential for additional Forest Service salvage sale in nearby areas.

NARRATIVE DESCRIPTION OF HOW TO GET TO THE TIMBER SALE AREA - From the Interstate-5 Merlin exit, take Merlin Road westerly approximately 12 miles to Galice Creek road (34-8-36). Turn left and proceed approximately 0.75 miles to BLM road 35-8-2 (Peavine Road). Turn right and proceed approximately 6.5 miles to BLM road (34-8-27). Turn left and proceed approximately 1.5 miles to BLM road 35-9-1.2 (Serpentine Springs Road). Turn left onto Serpentine Springs Road and proceed approximately 5.5 miles to BLM road 34-8-36/USFS 23 (Bear Camp Road). Turn right and proceed approximately 0.75 miles to the 35-9-1 road. Turn left onto the 35-9-1 road and proceed approximately 5.25 miles to the end of the road. This location is T. 35 S., R. 9 W., Section 17 of the sale area.

ENVIRONMENTAL ASSESSMENT - The Silver Hawk Salvage timber sale implements the Record of Decision for BLM administered lands within the Biscuit Fire Recovery Project as described in the Final Environmental Impact Statement. This document is available for inspection as background for this sale at the Medford District Office.