

This Advertisement includes:

(Order of Auction)

1. McGindy Thin

Date Mailed:

February 24, 2010

Sale Date:

March 25, 2010

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

District Office

3040 Biddle Road

Medford, Oregon 97504

www.blm.gov/or/districts/Medford/timbersales/index.php

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 Grants Pass Interagency Office, 2164 NE Spalding Avenue, Grants Pass, Oregon, telephone (541) 471-6500. 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, March 25, 2010, at the Grants Pass Interagency Office, 2164 NE Spalding Avenue, Grants Pass, Oregon.

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. The regulations do not authorize the acceptance of protests in any form other than a signed, written hard copy that is delivered to the physical address of the advertising BLM office. (No e-mail or fax protests will be accepted.) It is anticipated that the decision document will be published in the Medford Mail Tribune and Grants Pass Daily Courier newspapers on or about February 25th, 2010. 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 Grants Pass Interagency Office. A copy of the timber sale contract is also available for inspection at the Medford District Office as well the Grants Pass Interagency 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.

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).

ENVIRONMENTAL ASSESSMENTS were prepared for these sales and a Finding of No Significant Impact has been documented. These documents are available for inspection as background for this sale at the Grants Pass Interagency Office.

Form 1140-4
(June 1974)

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.

PROSPECTUS

GLENDALE RESOURCE AREA

Medford Sale # OR 110-TS 10-06
DOUGLAS MASTER UNIT
February 25, 2010 (LS)

#1. MCGINDY THIN, (5810 JE) Douglas County, O&C BID DEPOSIT REQUIRED: \$2,100.00

All timber designated for cutting in E1/2SE1/4 Section 22, W1/2SW1/4 Section 23, E1/2NE1/4, NE1/4SE1/4 Section 27, T.31 S., R. 4W., 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
3,953	359	847	Douglas-fir	433	42.20	\$20,351.00
232	7	19	Ponderosa Pine	10	21.10	\$211.00
4,185	366	866	Totals	443		\$20,562.00

*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 Interagency Office.

TIMBER AUCTION LOCATION – The timber auction will be held at the Grants Pass Interagency Office, located at 2164 NE Spalding Ave., Grants Pass, Oregon, at 9 a.m. on Thursday, March 25th, 2010.

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.

CRUISE INFORMATION - The Douglas-fir has been cruised using the 3-P sampling method to select sample trees. Maps showing the location and description of these sample trees are available at the Grants Pass Interagency Office.

The sample trees have been measured, utilizing the VOLT system of measurement, and the volume expanded to a total sale volume.

The volume of all other species in this sale has been derived from individual tree measurements taken during a 100% cruise using form class tables for estimating board foot volume of trees in 16-foot logs. Approximately 0 trees which are considered to be nonmerchantable are designated for cutting. Approximately 0% of the sale volume is salvage material. With respect to merchantable trees of all conifer species: the average tree is 12.5 inches DBHOB; the average gross merchantable log contains 36 bd. ft.; the total gross volume is approximately 464 M bd. ft; and 95% recovery is expected. Average DF is 12.6 inches DBHOB; average gross merchantable log DF contains 37 bd. ft.

LOG EXPORT AND SUBSTITUTION RESTRICTIONS - All timber sold to the Purchaser under the terms of the contract, except exempted species, 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.

The BLM has revised the log export restrictions special provision to reduce the log branding and painting requirements. The new requirements include branding of one end of all logs with a

scaling diameter of over 10 inches. All loads of 11 logs or more, regardless of the diameter of the logs, will have a minimum of 10 logs branded on one end. All logs will be branded on loads of 10 logs or less. One end of all branded logs will be marked with yellow paint. At the discretion of the Contracting Officer, the Purchaser may be required to brand and paint all logs. The Purchaser shall bear any increased costs for log branding and painting.

CUTTING AREA – 2 units containing 47 acres must be partial cut.

CUTTING TIME - Contract duration will be 36 months for cutting and removal of timber.

ACCESS - Access to the sale area is available via

(A) (X) a public road through the contract area;

(B) (X) an existing BLM road.

ROAD MAINTENANCE - The Purchaser will be required to maintain all of the roads which he constructs plus 3.88 miles of existing BLM road. The Purchaser will be required to pay a rockwear fee of \$401.09 for the use of these roads.

SOIL DAMAGE PREVENTION - Pursuant to Section 25 of Form 5450-3, Timber Sale Contract, the Purchaser shall not operate or cause to have operated in Units any tractor-type logging equipment between October 15th of one calendar year and May 15th of the next calendar year. The Purchaser may request a waiver if soil moisture conditions permit. The Authorized Officer may revoke the waiver at any time.

EQUIPMENT REQUIREMENTS – A 30 foot tower and 600 foot cable capacity; lateral yarding capability of 75 feet, with one end suspension of logs during inhaul. Yarding tractor will not exceed nine (9) feet in width and must be capable of bull-lining 75ft.

SLASH DISPOSAL - Slash disposal will consist of 37 acres lop-and-scatter and 10 acres of landing pile burning.

CONTRACT TERMINATION – “A revised 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:

1. Comply with the Endangered Species Act, or;
2. Comply with a court order, or;
3. Protect species which were identified for protection through survey and manage and/or protection buffer standards and guidelines established in the ROD and 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 -

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

A fiber optic cable runs along the BLM Road 31-4-27 road and must be protected during logging operations. Call prior to logging operations 1-800-332-2344.

This contract contains provisions, (L-25), for the sale and removal of additional timber necessary to facilitate safe and efficient Purchaser operations. These provisions include: The designation and sale of additional timber, such as skid, corridor and guyline trees, at contract price, as necessary to facilitate safe and efficient logging. Such trees may be felled and removed when they are painted by the Authorized Officer; Sale of additional timber volume at current fair market value where the species of trees are not representative of the forest stands being thinned;

Government reservation of trees previously marked for cutting (replacement) when the Authorized Officer determines that it is necessary in order to maintain stand densities consistent with objectives set forth in management prescriptions; The use of unilateral modifications executed by BLM for such additional (replacement) timber; Revocation of the Purchaser's right to cut additional timber if the Authorized Officer determines that trees have been cut and removed that were not previously marked and approved for cutting and removal by the Authorized Officer.

NARRATIVE DESCRIPTION OF HOW TO GET TO THE TIMBER SALE AREA – From Grants Pass travel North on I-5. Take exit 88. Turn right on Upper Cow Creek Rd. heading towards Galesville Reservoir. Take a left on BLM road 31-4-27.

ENVIRONMENTAL ASSESSMENT - A Categorical Exclusion Review(DOI-BLM-OR-M080-2009-0002-CX) was prepared for this sale, and it was determined that the proposed action is in accordance with the approved land use plan. This document is available for inspection as background for this sale at the Grants Pass Interagency Office.

THIS IS A SALE PROSPECTUS ONLY – Attachments may not include all exhibits referred to in the contract. The complete contract, including all exhibits is available for inspection at the Grants Pass Interagency Office and Medford District Office.