

This Advertisement includes:

Date Mailed:  
November 30, 2011

(Order of Auction)

5. MC Thin OR110-TS12-05

Sale Date:  
December 22, 2011

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](http://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 Medford Interagency 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 9:00 a.m. on Thursday, December 22, 2011, at the Medford Interagency Office, 3040 Biddle Road, Medford, 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 December 1<sup>st</sup>, 2011. 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.

**\*FOR SET-ASIDE TRACTS, the bidder must not have been determined by the Small Business Administration to be ineligible for preferential award of set-aside sales and must accompany his deposit with a self-certification statement that he is qualified as a small business concern as defined by the Small Business Administration in its regulations, Title 13, Chapter I, Part 121 as amended, of the Code of Federal Regulations. The Form 5430-1, Self Certification Statement, must be completed prior to awarding the contract. The successful bidder will be required to sign SBA Form 723, 'Small Business Certification Required on all Preferential Sales of Set-Aside Timber' at the time he signs the timber sale contract.**

**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, including timber from Federal rights-of-ways, 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 5424 as amended.

**LOG EXPORT AND SUBSTITUTION RESTRICTIONS:** Excepting Port-Orford-cedar, all timber offered for sale hereunder is restricted from export from the United States in the form of unprocessed timber and is prohibited from being used as a substitute for exported private timber.

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

An environmental assessment (DOI-BLM-OR-2012-0002-EA) was prepared for the MC Thin sale, and a Finding of No Significant Impact has been documented.

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.

# P R O S P E C T U S

ASHLAND RESOURCE AREA  
JACKSON MASTER UNIT

Medford Sale # OR110-TS12-05  
December 22, 2011

#5 MC Thin (5900), Jackson County, O&C

BID DEPOSIT REQUIRED: **\$7,700.00**

All timber designated for cutting in NE¼, NE¼ NW¼, S½ NW¼, N½ SW¼, Sec. 9; NW¼ Sec. 15, T. 38 S., R. 3 E., 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
1899	482	1007	Douglas-fir	596	\$106.50	\$63,474.00
2215	340	746	White fir	435	\$29.90	\$13,006.50
57	8	17	Ponderosa pine	10	\$40.00	\$400.00
4171	830	1770	<b>TOTAL</b>	<b>1041</b>		<b>\$76,880.50</b>

\*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 100% cruise using form class tables for estimating board foot volume of trees in 16-foot logs. With respect to merchantable trees of all conifer species: the average tree is 16.5 inches DBHOB; the average gross merchantable log contains 84 bd. ft.; the total gross volume is approximately 1171 M bd. ft; and 89% recovery is expected. (Average DF is 18.0 inches DBHOB; average gross merchantable log DF contains 90 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 - 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.

CUTTING AREA – Four (4) units containing one hundred seventy eight (178) acres to 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 existing BLM roads and Road Use Agreement as shown in Section 41 (C)(10). Among other conditions, this agreement may require payment of road use fees and completion of an agreement between the Purchaser and Permittee.

ROAD MAINTENANCE - The Purchaser will be required to maintain 1.57 miles of existing BLM road. BLM will maintain 5.00 miles of roads listed in Section 41(C)(3). The Purchaser will be required to pay a maintenance fee of \$ 2.35 per MBF or a total of \$2449.66 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 on the contract area any tractor-type logging equipment when soil moisture content exceeds twenty (20) percent by weight. The Purchaser shall construct waterbars on tractor skid trails, and block main skid trails where they intersect haul roads.

EQUIPMENT REQUIREMENTS - LOGGING: A ground-based machine less than 9 feet wide, equipped with a winch, integral arch, and at least a 75 foot skidding line.

SLASH DISPOSAL - Section 41(G)(1) defines the slash disposal and site preparation work that may be required under this contract. Appraised slash disposal consists of 178 acres of hand piling/covering.

CONTRACT TERMINATION - A Special Provision in the contract 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 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 -

1. No extension of time beyond the normal 30 days will be granted for completing bonding and contract signing requirements.
2. BLM haul roads and harvest operations are seasonally restricted. Some variations of the restricted dates are possible depending on weather conditions.
3. Extend road 38-3E-15.3 across the existing gas pipeline as specified by the natural gas company. Tentative plans are to place approximately 40 cubic yards of 4" minus rock material to provide for safe logging equipment passage over the buried pipe.
4. 1.82 miles of roadside brushing and 2.43 miles of spot blading is required prior to hauling timber. Refer to Exhibit C for all required road work.
5. Keys to obtain access may be obtained from the BLM. Contact John McNeel at 541-618-2370.

NARRATIVE DESCRIPTION OF HOW TO GET TO THE TIMBER SALE AREA – From Ashland, Oregon, proceed east on Dead Indian Memorial Road approximately 13 miles to Conde Creek Road (38-3E-17.00) and to reach the other portion of the sale proceed on Dead Indian Memorial road approximately 3 miles to road 38-3E-15.00.

ENVIRONMENTAL ASSESSMENT - An Environmental Assessment (DOI-BLM-OR-2012-0002-EA) was prepared for this project, and a Finding of No Significant Impact has been documented. This document is available for inspection as background for this sale at the Medford District Office.