

This Advertisement includes:

Date Mailed:
6/26/2013

(Order of Auction)

1. Williams Thin ORM07-TS13-06 (DXD Scale Sale)

Sale Date:
7/25/2013

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, attached. Written and oral bids will be received by the District Manager, or his representative, at the Bureau of Land Management Interagency Office, 2164 NE Spalding Ave Grants Pass, Oregon, telephone (541) 471-6500. The timber sale will commence at 9:00 a.m. on Thursday, July 25, 2013, at the Grants Pass Interagency Office, 2164 NE Spalding Ave 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 Grants Pass Daily Courier and the Medford Mail Tribune on or about June 27th and July 4th 2013. 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 5430-11, 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 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-M070-2012-009-EA) was prepared for Williams Thin Timber Sale, a Finding of No Significant Impact has been documented for this project. This document is available for inspection as background for this sale at the Medford Interagency Office.

PROSPECTUS

DXD SCALED SALE

GRANTS PASS RESOURCE AREA
JOSEPHINE MASTER UNIT

Medford Sale # ORM07-TS-13-06
July 25, 2013 (AF)

#1. WILLIAMS THIN, Josephine County, O&C. BID DEPOSIT REQUIRED: \$45,000.00

All timber designated for cutting in S½SW¼ Section 1, SE¼ Section 3, N½NW¼ Section 12, Lots 6, 10, and 11 Section 23, NW¼NW¼, SW¼SW¼ Section 25, N½NE¼, SW¼NE¼ Section 26, T. 39S. R. 6W., Willamette Meridian.

Approx. Number Merch. Trees	Est. Volume MBF 32' Log	Species	Est. Volume MBF 16' Log	Appr. Price Per MBF*	Est. Volume Times Appraised Price
12,426	1,633	Douglas-fir	2,023	\$ 207.70	\$ 420,177.10
2371	250	White Fir	313	\$ 82.90	\$ 25,947.70
711	27	Port-Orford-cedar	38	\$ 82.70	\$ 3,142.60
89	5	Incense-cedar	6	\$ 84.00	\$ 504.00
7	1	Ponderosa Pine	1	\$ 97.40	\$ 97.40
15,605	1,916	Totals	2,381		\$ 449,868.80

*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, OR, at 9 a.m. on Thursday, July 25, 2013.

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 within the gaps (scattered clusters of blue marked harvest trees) has been cruised using the 3-P sampling method to select sample trees in units 1-4, 12-3, 23-4, 25-13, 26-1A and 26-1B. The volume of all other species in the above mentioned gaps 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. The Douglas-fir and white fir within the gaps in units 3-17A and 3-17B has been cruised using the 3-P sampling method to select sample trees. The volume of all other species within the gaps in units 3-17A and 3-17B 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. The Douglas-fir within the temporary routes has been cruised using the 3-P sampling method to select sample trees in units. The volume of all other species in the temporary routes 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. All of the sample trees have been measured, utilizing the VOLT system of measurement, and the volume expanded to a total sale volume. The timber within the unit boundaries but outside of the gaps and temporary routes has been cruised using the PCMTRE sampling method to select sample trees. The sample trees have been measured, utilizing the VOLT system of measurement, and the volume expanded to a total sale volume. Maps showing the location and description of these sample trees and PCMTRE plot centers are available at the Grants Pass Interagency Office.

With respect to merchantable trees of all conifer species: the average tree is 13.9 inches DBHOB; the average gross merchantable log contains 45 bd. ft.; the total gross volume is approximately 2,381 M bd. ft; and 94% recovery is expected. (Average DF is 14.1 inches DBHOB; average gross merchantable log DF contains 46 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 – Eight (8) units containing one hundred forty nine (149) 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 public roads to the contract area. To access units 23-4, 26-1A, 26-1B, and 25-13 from Williams, Oregon turn west on Cedar Flat Road, proceed to Caves Camp Road. Turn south on Caves Camp Road, which turns into BLM road 39-5-18.1, and proceed approximately 4.5 miles to BLM road 39-6-11.0. Turn west on BLM road 39-6-11.0 and proceed approximately 2.2 miles to the northwest boundary of units 26-1A and 26-1B. Continue approximately another one mile on BLM road 39-6-11.0 to unit 23-4. To reach unit 25-13, instead of turning onto BLM road 39-6-11.0, continue on BLM road 39-5-18.1 (from junction of BLM road 39-6-11.0 and BLM road 39-5-18.1) for approximately one mile and unit 25-13 will be on the west side of the road. To access units 1-4, 3-17A, 3-17B, and 12-3 from Williams, Oregon turn west on Cedar Flat Road and proceed to BLM road 39-5-6.0. Turn south on BLM road 39-5-6 and proceed approximately four miles to units 1-4 and 12-3. To access units 3-17A and 3-17B, proceed on BLM road 39-5-6.0 road for approximately two miles, (past units 1-4 and 12-3) until BLM road 39-6-2.2 is reached. Turn south on BLM road 39-6-2.2 and continue approximately one quarter mile to the north boundary of units 3-17A and 3-17B. See Exhibit A, Williams Thin Timber Sale Location Map, and Grants Pass Resource Area transportation maps for more detailed information on roads and unit locations. Among other conditions, Agreement No. M-1166 (*with Indian Hill, LLC*) requires completion of an agreement between the Purchaser and Permittee and payment of **\$1,025.98** for the removal of right-of-way timber; Agreement No. M-660 (*with Tristar Southwest Oregon Timberland, LLC*) requires a road use fee of **\$26.18** and the completion of an agreement between the Purchaser and Permittee; and Agreement No. M-1538 (*Josephine County Forestry*) requires the completion of an agreement between the Purchaser and Permittee and payment for the removal of right-of-way timber **in an amount to be determined upon completion of the Josephine County Forestry cruise and appraisal.**

ROAD MAINTENANCE – The Purchaser will be required to maintain 9.11 miles of BLM and Private roads utilized for timber harvest operations and pay a maintenance fee of \$0.65 per MBF for the use of BLM roads shown in Section 42(C)(4) and a rock wear fee of \$0.51 per MBF, for the use of BLM roads shown in Section 42(C)(5).

ROAD CONSTRUCTION/RENOVATION - The contract will require the Purchaser to renovate 482.6 stations of existing road and construct 19.0 stations of Temp Route. Additional information is available in the timber sale prospectus.

SOIL DAMAGE PREVENTION - Pursuant to Section 26 of Form 5450-3, Timber Sale Contract, no tractor yarding/ground based yarding, road maintenance/renovation, temporary route/swing road, landing construction, and skid trail, landing, temporary route/swing road decommissioning shall be conducted on the contract area between October 15 of one calendar year and May 15 of the following calendar year, both days inclusive. Purchaser may request, in writing, a conditional waiver of this restriction. If soil moisture conditions are dry, as determined by the inability of soil sample taken at 4"-6" to maintain form when compressed and by the inability of soil moisture at the surface to be readily displaced, causing ribbons and ruts along equipment tracks, the Contracting Officer may approve a conditional waiver. If impacts to soil resulting from said conditional waiver are not acceptable, as determined by the Authorized Officer, the waiver will be revoked. The Purchaser shall construct waterbars on tractor skid roads and block skid roads where they intersect with haul roads. Ripping of main skid roads required.

EQUIPMENT REQUIREMENTS –

1. Yarding tractor not greater than 9 feet wide, as measured from the outer edges of standard width track shoes and equipped with integral arch and winch capable of lining logs 75 feet.
2. Skyline yarder capable of one end log suspension, minimum lateral yarding capability of seventy-five (75) feet while maintaining a fixed position during inhaul, and yarding logs uphill approximately 950 feet. Multispan capable, (see Other).
3. A minimum two hundred (200) flywheel horsepower tractor with mounted rippers and capable of ripping to a depth of eighteen (18) inches will be required for decommissioning temporary spurs, natural surface landings, and main tractor skid roads.

SLASH DISPOSAL – Appraised slash disposal consists of seventy-five (75) acres of hand pile and cover, seventy-four (74) acres of lop and scatter, and two (2) acres of covering landing decks.

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 –

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

- and contract signing requirements.
2. All leave trees will be selected by the Purchaser through Designation by Description (DxD) criteria as outlined in Exhibit E, (L-26M).
 3. Seasonal operating constraints. (L-18, L-18a).
 4. Slash treatment concurrent with logging.
 5. Cleaning of equipment to eliminate noxious weed seeds is required prior to move in of equipment onto federal lands.
 6. 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, 42(D)(12).
 6. Whole tree, (limbs, tops attached) yarding will be required unless unacceptable damage occurs, (L-6).
 7. Mechanical harvesters may be used. Restrictions apply. Section 42(B)(6)L-7.
 8. It is estimated that approximately four (4) skyline corridors in units 1-4 and 12-3 will need to be logged in a multispan configuration. Intermediate trees confirmed. Appraisal covers tree climbing costs.
 9. It estimated that fourteen (14) skyline corridors will need tail (lift) trees between 30 and 55 feet in units 3-17B, 12-3, 25-13, and 26-1B. Appraisal covers tree climbing costs.
 10. This sale is located in a Late Successional Reserve, (LSR). Conifer trees 20 inch D.B.H.O.B. and larger are reserved, (IR-1, IR-3M). Any cutting of trees this size must be left on site.
 11. 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 guylines 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; and, It is estimated that approximately 25 MBF of such additional timber may be removed under the contract, but is not included in the advertised sale volume nor was it included in the timber sale appraisal. This estimate is a net figure reduced by the estimate of the volume of trees previously marked for cutting, which the Authorized Officer may elect to reserve.
 12. Haul off the 39-6-26.0 road has a truck turn-around approximately one mile north on and adjacent to the 39-6-11.0 road, (just north of unit 23-4).

NARRATIVE DESCRIPTION OF HOW TO GET TO THE TIMBER SALE AREA – Access to the sale area is available via public roads to the contract area. To access units 23-4, 26-1A, 26-1B, and 25-13 from Williams, Oregon turn west on Cedar Flat Road, proceed to Caves Camp Road. Turn south on Caves Camp Road, which turns into BLM road 39-5-18.1, and proceed approximately 4.5 miles to BLM road 39-6-11.0. Turn west on BLM road 39-6-11.0 and proceed approximately 2.2 miles to the northwest boundary of units 26-1A and 26-1B. Continue approximately another one mile on BLM road 39-6-11.0 to unit 23-4. To reach unit 25-13, instead of turning onto BLM road 39-6-11.0, continue on BLM road 39-5-18.1 (from junction of BLM road 39-6-11.0 and BLM road 39-5-18.1) for approximately one mile and unit 25-13 will be on the west side of the road. To access units 1-4, 3-17A, 3-17B, and 12-3 from Williams, Oregon turn west on Cedar Flat Road and proceed to BLM road 39-5-6.0. Turn south on BLM road 39-5-6 and proceed approximately four miles to units 1-4 and 12-3. To access units 3-17A and 3-17B, proceed on BLM road 39-5-6.0 road for approximately two miles, (past units 1-4 and 12-3) until BLM road 39-6-2.2 is reached. Turn south on BLM road 39-6-2.2 and continue approximately

one quarter mile to the north boundary of units 3-17A and 3-17B. See Exhibit A, Williams Thin Timber Sale Location Map, and Grants Pass Resource Area transportation maps for more detailed information on roads and unit locations.

ENVIRONMENTAL ASSESSMENT - An environmental assessment DOI-BLM-OR-M070-2012-009-EA was prepared for this sale, and a Finding of No Significant Impact has been documented. This document is available for inspection as background for this sale at the Medford Interagency Office.