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Subject

H-5540-1 - CONDUCT OF SALE

1. Explanation of Material Transmitted: This release transmits BLM Manual H-5440-1 - CONDUCT OF SALE, a new handbook which sets forth basic procedural guidelines for the conduct of forest product sales.
2. Reports Required: None.
3. Material Superseded: None.
4. Filing Instructions: File as directed below, immediately after the Manual Section.

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H-5440-1

(Total: 29 Sheets)

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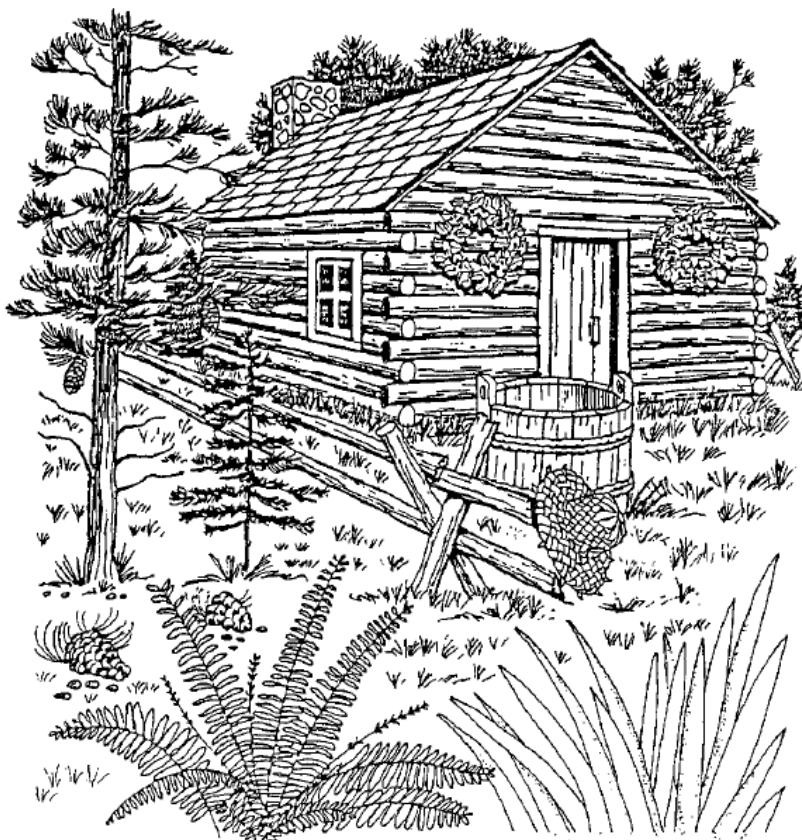
U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management



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Forest Product Sale Procedure Handbook Series

Conduct Of Sale



H-5440-1

H-5440-1 - CONDUCT OF SALE

Table of Contents

<u>Chapter</u>		<u>Page</u>
I.	Pre-sale Actions.....	I-1
A.	Qualifications of Bidders or Purchaser for Sale of Forest Product.....	I-1
1.	Bidder Qualification.....	I-1
2.	Evidence of Qualification.....	I-1
3.	Bid Deposits.....	I-1
4.	Special Considerations.....	I-2
5.	Small Business Administration (SBA) Set-Aside Sale.....	I-3
B.	Preparation for Sale.....	I-3
1.	Sale Room.....	I-3
2.	Clerical Assistance.....	I-3
3.	Announcements.....	I-4
II.	<u>Sale Procedures</u>	II-1
A.	Types of Bidding.....	II-1
1.	Sealed Bid Sales.....	II-1
2.	Oral Auction Sales.....	II-1
B.	Opening the Sale.....	II-1
C.	Bidding Rules.....	II-2
1.	Sealed Bid Sales.....	II-3
2.	Oral Auction Sales.....	II-3
D.	Conduct of Sale Procedure.....	II-4
1.	Sealed bid Sales.....	II-4
2.	Oral Auction Sale.....	II-6
E.	Rejection of bids.....	II-7
1.	Bid Deposit.....	II-7
2.	Bid Price.....	II-7
3.	Qualifying Documents - Set-Asides.....	II-7
4.	Sales Involving Resale of Forest Product.....	II-7
F.	Waiver of Minor Deficiencies.....	II-7
1.	Irregularity in Bid Submission.....	II-8
2.	Irregularity in Bidding.....	II-8
3.	Irregularity in Advertisement.....	II-8
G.	Closing Sale.....	II-8
1.	No Bid Sale.....	II-8
2.	Deposit of Other Bidders.....	II-8
III.	Post-Sale Action.....	III-1
A.	Bid Deposits.....	III-1
1.	Deposit of High Bidder.....	III-1
2.	Deposit of Other Bidders.....	III-1
B.	Reporting Requirements.....	III-1
C.	News Release.....	III-1

H-5440-1 - CONDUCT OF SALES

Table of Contents (cont'd)

IV.	<u>Ninety (90) Day Sales</u>	IV-1
A.	Restrictions.....	IV-1
1.	Criteria.....	IV-1
2.	Restrictions.....	IV-1
3.	Abandonment of Set-Aside Status.....	IV-1
B.	90-Day Sale Procedure.....	IV-1
1.	Advertising Procedures.....	IV-1
2.	Accepting Bids.....	IV-2
3.	Determining High Bidder.....	IV-3
C.	Withdrawal of 90 Day Sale.....	IV-3

Glossary of TermsIllustrations

1. Example of Bid Bond (Form 1822-3)
2. Format for Irrevocable Standby Letter of Credit
3. Example of Cash Bid Bond (Form 5450-22)
4. Format for Assignment of Surety-Bid Deposit
5. Example of Written Bid for Oral Auction Timber Sale
6. Example of Sealed Bid for Vegetative Resource Sales
7. Example of Self Certification Clause (Form 5430-1)
8. Example of Timber Sale Bid Record (Form 5440-10)
9. Example of Overcall Bidding; Bidding Major Species
10. Example of Overcall Bidding; Bidding Mixed Species
11. Example of Confirmation of High Oral Bid
12. Model Letter for Return of Bid Deposit
13. Example of News Release, Results of Timber Sale
14. Example of Written Bid for 90-Day Sale
15. Model Notice of Receipt of Bid
16. Model Letter Notifying Bidder of Oral Auction

H-5440-1 - CONDUCT OF SALES

- I. Presale Actions. Within the context of this handbook, pre-sale actions are those actions related to bidder qualifications and steps necessary to prepare for the sale.

A. Qualifications of Bidders or Purchaser for Sale of Forest

Product.

1. Bidder Qualification. A bidder or purchaser for the sale of forest product must be a native-born or naturalized citizen of the United States (for timber only), 21 years of age or older, or a partnership composed wholly of such citizens, or an unincorporated association composed wholly of such citizens, or a corporation authorized to transact business in the State in which the forest product is located.
2. Evidence of Qualification. At the request of the Authorized Officer, or the Sale Supervisor conducting the sale, bidders must furnish evidence or qualification to bid in conformance with Paragraph I.A1 above, or if such evidence has already been furnished, make appropriate reference to the record containing it. The Authorized Officer or Sales Supervisor may require bidders to furnish evidence of qualifications at the time of sale or prior to award of a contract.
3. Bid Deposits. All bidders must make a deposit of not less than 10 percent of the appraised value of the forest product upon which they wish to bid. The minimum amount of the bid deposit for each sale is specified in the sale notice. Deposits may be made in the form of cash, money orders, bank drafts, cashier's or certified checks made payable to the Bureau of Land Management, bid bonds of a corporate surety shown on the approved list of the United States Treasury Department, Irrevocable Letter of Credit-Bid Deposit, or an Assignment of Surety-Bid Deposit.
 - a. Computation of Bid Deposit.
 - (1) Appraised value \$1,000 or less: Ten (10) percent of the appraised value rounded off to the next highest \$25.00.
 - (2) Appraised value \$1,001 to \$10,000: Ten (10) percent of the appraised value rounded off to the next highest \$50.00.
 - (3) Appraised value in excess of \$10,000: Ten (10) percent of the appraised value rounded off to the next highest \$100.00.
 - b. Preparation of Bid Bond. Bid Bond, Form 1822-3, is prepared in triplicate by the bidder and surety. (See Illustration 1.) The original is submitted with a sealed bid for a sealed bid sale or at the time of qualifying for an oral auction sale. The two carbon copies are retained by the bidder and surety. If the bidder is an individual or a partnership, the bond is signed and witnessed on the lower front side, and certified by the corporate surety on the reverse side. If the bidder is a corporation, both the bidder and surety certify on the reverse side as shown in Illustration 1.
 - c. Preparation of Irrevocable Letter of Credit. An irrevocable letter of credit (ILC) may be used as a bid deposit when accompanied by an executed copy of Form 5450-22, Cash Bid Bond. (See Illustrations 2 and 3.) An ILC is similar to a cash deposit and the BLM may draw on the issuing bank up to the amount stated in the ILC.

H-5440-1 - CONDUCT OF SALES

- (1) There is no standard BLM form for an ILC; rather, an ILC is prepared by the issuing bank on its business letterhead following a format prescribed by the BLM. The expiry date of the ILC should be 90 days after the forest product sale date.
 - (2) The Authorized Officer or Sale Supervisor must review any ILC submitted as a bid deposit to assure that minimal information specified in the ILC format is met, that the information is accurate, and that no conflicting information has been added.
- d. Preparation of Assignment of Surety. The Assignment of Surety must be executed in triplicate by the bidder and issuing institution and accompanied by an executed copy of Form 5450-22, Cash Bid Bond. (See Illustrations 3 and 4.) The Authorized Officer or Sale Supervisor must review the assignment for a bid deposit to assure that the information is accurately recorded and signed by an authorized officer from the issuing institution. The two copies are retained by the bidder and institution. A Certificate of Time Deposit or Savings Account are the instruments which may be assigned.
- 4. Special Considerations. Bidders must satisfy the following additional requirements before bidding on advertised sales.
 - a. Oral Auction Sale. To qualify for oral bidding, a bidder must submit for each tract he/she desires to bid upon:
 - (1) A bid written on Deposit and Bid for Timber/Vegetative Resource, Form 5440-9, for not less than the advertised appraised price on a unit basis per product or species and total price. (See Illustration 5.)
 - (2) The required minimum bid deposit specified in the forest product sale notice for the tract.
 - b. Sealed Bid Sale. To qualify for participation in a sealed bid sale, the bidder must submit a bid in sealed envelope for each tract that includes:
 - (1) Two copies of the bid written on Deposit and Bid for Timber/Vegetative Resource, Form 5440-9. No bid for less than the advertised appraised price on a unit basis per product or species and total price can be considered. (See Illustration 6.)
 - (2) The required minimum bid deposit specified in the forest product sale notice for the tract.
 - (3) The sealed envelope must be clearly marked that it is a "bid for Forest Product," together with identifying tract number and/or sale name, legal description, and time and date of sale.
 - (4) To qualify for award, sealed bids must be accompanied by a properly executed Independent Price Determination Certificate, Form 1140-6, (See Handbook 5450-1, Award of Contract, Section II.)

H-5440-1 - CONDUCT OF SALES

5. Small Business Administration (SBA) Set-Aside Sale. In sales of forest product set-aside for preferential award of small business concerns, the bidder must meet the following additional requirements to qualify for bidding.
 - a. Self-Certification. A statement must be submitted which shows that the bidder is a small business concern as defined by the Small Business Administration in its regulations, set forth in Title 13, Code of Federal Regulations, Part 121. The certification is made on Form 5430-1, Self-Certification Clause. (See Illustration 7.)
 - b. Eligibility. The bidder must not have been declared ineligible for preferential award by the Small Business Administration.
- B. Preparation for Sale. The District/Area Manager or a designated Sale Supervisor conducts public sales. Prior to the sale, the Sale Supervisor takes the following actions.
 1. Sale Room.
 - a. Places appropriate signs directing bidders to sale room.
 - b. Sets up sale room with chairs facing the Sale Supervisor's table and blackboard or projector screen.
 - c. Prepares projector transparencies, or large lettered sheets to be attached to the top of the blackboard showing the tract number, species, volumes, unit of measure, appraised price, and bid deposit.
 - d. Secures stop watch (not required for sealed bid sales), calculator, tape adding machine, and copies of Deposit and Bid for Timber/Vegetative Resource, Form 5440-0 (which includes instructions to bidders).
 - e. Completes heading on Form 5440-10, Timber Sale Bid Record. (See Illustration 8.)
 - f. Has on-hand the sale notice, prospectus, and sale file for reach tract being offered.
 2. Clerical Assistance. For sealed bid and/or oral auction sales, a designated clerk does the following:
 - a. Receives bids as they are delivered. Records receipt of bids on partially completed Timber Sale Bid Records. For advance written bids, records date and time of receipt on the bid, and records bids in order received on Timber Sale Bid Record. Records advance written bids received in same mail delivery as being received at the same date and time.

H-5440-1 - CONDUCT OF SALES

- b. Places and maintains all sealed bids and advance written bids under lock and key. Sealed bids must remain unopened until time of sale; advance written bids may be opened and bids recorded prior to sale date. All information about sealed bids and advance written bids must be kept confidential until time of sale. Delivers all bids to Sale Supervisor at the time of sale. When sale is held at a place other than the District Office, the clerk must remain in the office to receive bids up to the closing time for receipt of bids. At closing time, and the clerk must take all bids received to the place of the sale and deliver them to the Sale Supervisor.
3. Announcements. For sealed bid sales, the Sale Supervisor be in the sale room approximately five minutes before time scheduled for opening bids and announce that bids are being accepted and that no bids can be honored after the time scheduled for opening. At the time scheduled for opening, the Sale Supervisor should announce that time for receiving sealed bids has expired.

H-5440-1 - CONDUCT OF SALES

II. Sale Procedures. Sales procedures relate to the process of conducting a public offering of forest product including bidding instructions, rejections of bids, and waiver of minor bid deficiencies.

A. Types of Bidding. Bidding at competitive sales shall be by submission of sealed bids, written bids, oral bids, or a combination of bidding methods, depending on type of sale as specified by the Authorized Officer in the advertisement of the sale.

1. Sealed Bid Sales. In sealed bid sales, the bidder submitting the highest sealed bid, together with the required bid deposit and other required documents shall be declared the high bidder. In the event of a tie in high sealed bids, the high bidder shall be determined by lot from among those who submitted the tie bids.
2. Oral Auction Sales. To participate in oral auction sales, the bidder must submit the required minimum bid deposit and a written bid at not less than the advertised appraised price (on a unit basis per product/species and total price) together with any other required documents specified in the sale notice. The officer conducting the sale will declare an open period prior to oral bidding on each tract, during which bid deposits and written bids may be submitted. Bid deposits and written bids may also be submitted any time prior to the open period declared by the Sale Supervisor. Oral bidding to determine the high bidder will begin from the highest written bid after closure of the submittal period. In the event there is a tie in high written bids, and no oral bidding occurs, the bidder who was the first to submit a bid deposit and written bid shall be declared the high bidder. If the Sale Supervisor conducting the sale cannot determine who made the first submission of high tie written bids, the high bidder shall be determined by lot. The declared high bidder must confirm the oral bid in writing immediately after the sale, but failure to do so shall not relieve the bidder of the purchase obligation.

B. Opening the Sale. The Sale Supervisor calls the sale to order at the time specified in the sale notice, and reads the following announcement:

“This meeting is held pursuant to a sale notice issued by this office on (date of notice) and is conducted under the authority of the laws and regulations as stated on the Instructions to Bidders which was included with the sale notice. Cutting and/or removal of material sold shall be carried out under the authorities stated therein.”

For sealed bid sales:

“The time for receiving sealed bids on Tract (name tract(s)) has expired.”

For lands west of the 100th Meridian in the contiguous 48 States:

“All timber offered (except _____) is restricted from the United States in the form of unprocessed and is also prohibited from substitution for exported private timber.”

H-5440-1 - CONDUCT OF SALES

For sales that include set-aside tracts:

“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. A self-certification statement must be submitted with the bid which shows that the bidder is qualified as a small business concern as defined by the Small Business Administration in its regulations. The self-certification clause must be dated with today’s sale date. Sale award to the high bidder will not be made for a period of five (5) days. During this period, a bidder or other interested party may protest the small business status of the high bidder. If a protest is made, the sale award will be suspended pending determination of the bidder’s qualifications by the Small Business Administration. Protests must be submitted in writing.”

The Sale Supervisor should announce that:

“The sales were advertised in (Newspapers).”

“Sale notices were sent to all on the mailing list and were also available at the (specify) office.”

“Supplementary information and copies of the proposed sale contract were available for review at the (specify) office.”

“Any or all bids may be rejected and minor deficiencies in the bids or the sale advertisement may be waived when in the Government’s interest to do so.”

“Prior to the award of any forest product 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. Those bidders who have demonstrated poor performance, including recent contract defaults, may be required to provide additional performance assurances in the form of advance 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.”

If the sale has been protested, all prospective bidders will be notified in writing with acknowledgement and an announcement made as follows:

“Tract No. _____ has been protested. The Bureau of Land Management will proceed with normal bidding on the tract. The award of the sale may be delayed and in the event the protest is sustained, the BLM will reject all bids. Conversely, if the protest is denied, the Authorized Officer may exercise his discretion to give immediate full force and effect to the decision and proceed to award the contract. If this should occur, the protestant has the right to appeal and to petition the Office of Hearings and Appeals to stay the implementation of the decision.”

Other pertinent points of the sale notice which the Sale Supervisor thinks should be brought to the attention of the bidders.

- C. Bidding Rules. The Sale Supervisor explains the bidding procedures as follows:

H-5440-1 - CONDUCT OF SALES

1. Sealed Bid Sales. For sealed bid sales, the Sale Supervisor announces:

“Sealed bids will be opened on each tract in the order in which the appeared in the sale notice (if the sale is composed of two or more tracts). Submission of the required bid deposit, a bid for not less than the advertised appraised price on a unit basis per product/species and total price, and other qualifying documents stipulated in the sale notice, are required to qualify for bidding. Bids and bid bonds must be on forms provided by the Bureau of Land Management. In the event of a tie in high sealed bids, the high bidder will be determined by lot from among those who submitted the tie high bids.”

2. Oral Auction Sales. For oral bid sales, the Sale Supervisor announces:

“Oral auction will proceed for each tract in the order in which they appeared in the sale notice (if the sale is composed of two or more tracts). Written bids submitted prior to the oral auction sale are considered advance written bids. Submission of the required bid deposit, a written bid for not less than the advertised appraised price on a unit basis per species/product and total price, and other qualifying documents stipulated in the Sale Notice are required to qualify for oral bidding. Written bids, bid bonds, and confirmation of oral bids must be on forms provided by the Bureau of Land Management. Oral bidding begins from the unit prices of the highest written bid. The BLM exercises an over-call system in which each bidder assumes the last highest bid and raises from that point. In the event there is a tie in high written bids, and no oral bidding occurs, the bidder who was the first to submit a bid deposit and written bid shall be declared the high bidder. If it cannot be determined who made the first submission of high tie written bids, the high bidder will be determined by lot. The high bidder must confirm the bid, in writing, in room (specify location).”

Additional instructions regarding oral bidding may be announced as follows:

“Unless there are objections, the maximum time interval between bids will be 30 seconds – time will start as soon as the previous bid been posted. This time limit is set to expedite sale procedure, but extensions will be granted upon request. When 30 seconds have passed after the last bid is posted, without bidding or a request for extension of time, the sale will be closed and no further bidding will be allowed.”

“The bidder shall name the firm or individual for whom bidding as each bid is made. The bid must state the species or product being bid and the price. For example, Joe Jones Lumber bids \$85.10 per thousand on the Douglas-fir.”

“The minimum acceptable bid increment is \$0.05 per thousand board feet (or other appropriate increment).”

“Bidding on minor species usually has little effect upon the outcome of the sale. Procedure of the sale will be greatly expedited by confining your bidding to the major species (or product).”

H-5440-1 - CONDUCT OF SALES

“A bidder may request a delay in bidding in order to have a total bid amount calculated.”

A bid once made and accepted by me may not be withdrawn.”

“If you have tract questions, please ask them at the time the specific tract in question is offered.”

“A recess will be declared at any time the situation warrants.”

“Are there any questions on the bidding procedure?”

D. Conduct of Sale Procedure.

1. Sealed Bid Sale. Procedures for conduct of a sealed bid sale are as follows:
 - a. The Sale Supervisor announces each tract to be offered by giving tract number or sale name. The Sale Supervisor then opens each sealed bid submitted for that tract and announces the bidder's name, address, and total bid price.
 - b. As each bid is opened, the Sale Supervisor or an assistant carefully reviews the bid forms, deposit, and other required qualifying documents to be sure they are all in order. As each bid is accepted, it is recorded on Form 5440-10, Timber Sale Bid Record. (See Illustration 8.) Each bid must be posted with the use of a blackboard or a projector as it is read by the Sale Supervisor.
 - c. The total price bid in any sealed bid sale is the figure used in determining the highest bid submitted.
 - d. In the event of a tie in high sealed bids, the high bidder must then be determined by lot.
 - e. If a high bid is received in which there is an error in multiplication, addition, placing a decimal, transposed figures, or if a bidder—due to misunderstanding, confusion of tracts or other reasons—records a bid totally different than would have been the case for a fully informed bidder, the Sale Supervisor must nevertheless assume that the total price listed on the bid form was the amount the bidder intended to specify. The high bidder then has the following alternatives available:
 - (1) The bidder can enter into the contract on the basis of the total price actually bid; or
 - (2) The bidder can forfeit the bid deposit in the amount specified in the sale notice and void the bid commitment; or

H-5440-1 - CONDUCT OF SALES

- (3) The bidder can present evidence in an attempt to show that the amount bid was in error. If the bidder satisfactorily proves that an unintentional error was made and the error is of the type for which the General Accounting Office allows relief, the bidder may be entitled to a refund of the bid deposit. It should be emphasized that a contract cannot be awarded on the basis of an adjustment in the total price bid. Whenever such a situation arises, the District/Area manager must retain all bid deposits and forward all the bids and a report to the State Director. The State Director will advise the District/Area Manager whether the bid and bid deposit can be returned to the high bidder who made the error and who is willing to forfeit the opportunity to enter into a contract for the total price actually bid, but is unwilling to forfeit the bid deposit. Such a bidder can be given no more than 30 days after being declared high bidder to present his case for relief.
- f. If the bidder who made the error elects to enter into the contract on the basis of the actual total price bid, adjustments may have to be made in the unit prices for administrative and reappraisal purposes. The correct unit prices for administrative and reappraisal purposes. The correct unit price to be used in the contract can be determined by dividing the total consideration bid by the estimated quantity if only one item is involved. If two or more items are involved and the error occurred in computing the value of only one, then that unit price should be adjusted. If the error is not attributable to the calculation of the value of any certain item, the following procedure should be followed in determining appropriate unit prices:
 - (1) Determine products of estimated volume times prices.
 - (2) Divide each product by the total appraised value to determine the decimal fraction the appraised value item is of the total appraised value.
 - (3) Multiply decimal fractions times total bid price bid.
 - (4) Divide each product in step (3) above by the estimated volume of each item. The result is the contract unit price for each item.
 - (5) Should this procedure indicate a contract price for one item that is lower than the appraised price, the appraised price for that item should prevail and the prices of the remaining item should be adjusted by the above procedure until no contract price is less than the appraised price.
 - g. After evaluating all bids for a specific tract consistent with this section, the Sale Supervisor announces the high bidder for that tract.
 - h. After the high bidder is announced, the Sale Supervisor:
 - (1) Retains the original of Form 5440-9, Deposit and Bid, from all bidders.
 - (2) Retains bid deposit and other qualifying documents from high bidder.

H-5440-1 - CONDUCT OF SALES

- (3) Returns second copy of Form 5440-9, Deposit and Bid, to all bidders.
 - (4) Returns bid deposits and other qualifying documents to all unsuccessful bidders. (See Subsection IV.A.)
2. Oral Auction Sale. Procedures for conducting an oral auction sale are as follows:
- a. To open the qualifying period for each tract, the Sale Supervisor first announces the tract to be offered by tract number and sale name (if applicable). The Sale Supervisor may then describe the sale in general terms; i.e., location, volume, product, appraised value, special or unusual contract requirement, and the stipulated bid deposit requirements. The Sale Supervisor must then post all advance written bids in the order received. After this, the Sale Supervisor announces "Written bids, deposits, (and other qualifying documents) will now be received on this tract." The Sale Supervisor must post all bids in the order received.
 - b. As each written bid is received, the Sale Supervisor or an assistant must carefully review the bid forms, deposits, and any other qualifying documents, to be sure they are in order. Each written bid must be recorded, in the order received, on Timber Sale Bid Record, Form 5440-10. (See Illustration 8.)
 - c. The total price bid on a written bid is the figure used to determine the highest written bid submitted. Oral bidding must begin from the unit price, by product or species, of the highest written bid submitted. It is imperative that oral bidding begin from accurate bid data. The high written bid must be checked with a calculator. If the sum of the unit prices by item times the volume by item fails to match the total amount bid, the Sales Supervisor should give the bidder an opportunity to adjust the unit prices to produce the total amount bid. The adjusted unit prices are then posted from which oral bidding can commence. The adjusted unit prices must equal or exceed the appraised unit prices. Under no circumstances can the total bid price be adjusted. If the bidder is not present to correct an error of this nature, then bidding must take place on a total consideration basis with minimum acceptable increments established by the Sales Supervisor. After the bidding is over, the unit prices are determined pursuant to instructions under Paragraph II.D1f.
 - d. After reviewing and posting the written bids, the Sale announces, "Are there any other bidders?" After waiting a reasonable time, the Sale Supervisor closes the qualifying period by announcing, "The qualifying period for receiving bids on tract no. ____ is closed. I will now receive oral bids." (For example of "overcall bidding, see Illustrations 9 and 10.)
 - e. The Sale Supervisor announces when only ten seconds remain for oral bidding. At expiration of the period of time allowed between bids, the Sales Supervisor announces the high bidder and the total bid price (or high bid unit prices when bidding is limited to single species).
 - f. During oral bidding, the Sale Supervisor or an assistant, records bidder's name and amount of bid on Timber Sale Bid Record (Form 5440-10). (See Illustration 8, page 2.)

H-5440-1 - CONDUCT OF SALES

- g. The assistant computes or checks the calculation of the highest bid and next highest bid, as necessary.
 - h. If no oral bidding occurs and there is a tie in high written bids, the bidder who was the first to submit a bid deposit and written bid must be declared the high bidder. If the Sale Supervisor cannot determine who made the first submission of high, tie written bids, the high bidder must be determined by lot from the high, tie bidders.
 - i. If there is an error in the high written bid not adjusted pursuant to Paragraph II.D2c., and no oral bidding occurs, the Sale Supervisor must proceed according to the instructions under Paragraph II.D1e. and Paragraph II.D1f.
 - j. After the high bidder is announced, the Sale Supervisor:
 - (1) Completes the "Oral Bid Made" section of the Bid Schedule on Form 5440-9, Deposit and Bid, from the high bidder and ensures high bidder confirms the oral bid on the form. (See Illustration 11.)
 - (2) Retains bid deposit and other qualifying documents from high bidder.
 - (3) Returns written bids, bid deposits, and other qualifying documents to all unsuccessful bidders. (See Subsection IV.A.)
- E. Rejection of Bids. The Sale Supervisor is authorized to reject any and all bids during a sale when it is in the interest of the Government to do so. During regular sales, a bid should be rejected in the following situations:
- 1. Bid Deposit. The bid deposit submitted is less than the required amount.
 - 2. Bid Price. The total bid price does not equal or exceed the advertised total appraised price.
 - 3. Qualifying Documents – Set-Asides. Bidder for a small business set-aside sale fails to submit a properly completed Self-Certification Clause, Form 5430-1, to qualify for bidding. (See Illustration 7.)
 - 4. Sales Involving Resale of Forest Product. In the resale of forest product remaining from an uncompleted forest product sale contract, no bid will be considered from any person, or from an affiliate of such person, who failed to complete the original contract because of cancellation for purchaser's breach; or who failed to complete payment by the expiration date. As used herein, "person" means an individual, partnership, corporation, or association; and "affiliate" means a person who controls or is controlled by another person. These provisions apply only when 50 percent or more of the forest product included in the resale is forest product remaining from the uncompleted contract.
- F. Waiver of Minor Deficiencies. The Sale Supervisor is authorized to waive minor deficiencies in the bids or sale advertisement during a sale when it is in the interest of the Government to do so.

H-5440-1 - CONDUCT OF SALES

1. Irregularity in Bid Submission. In the event a situation should occur wherein advance written bids or sealed bids are submitted to qualify for bidding but the required bid deposit or other qualifying documents are missing, the Sale Supervisor may permit the deficiency to be remedied prior to posting or announcing the sealed bids and prior to receiving any oral bids. The reasons for, and the circumstances surrounding any failure to meet qualifying requirements should be recorded and the award of contract must be delayed until the matter has been reviewed with the State Director.

2. Irregularity in Bidding. In the event an irregularity in bidding occurs and there is some question as to which bidder will be considered the high bidder, all sealed or written bids, deposits and other qualifying documents will be retained by the Sale Supervisor until the matter is reviewing by the State Director and a final decision reached.

3. Irregularity in Advertisement. Where there is a minor change or error in the sale advertisement, prospectus or sale notice, the Sale Supervisor will announce the change or correction. All bidders for that tract must acknowledge that they are aware of the change or correction prior to bidding.

G. Closing the Sale. When all tracts have been offered, the Sale Supervisor announces that the sale is closed as to all tracts for which a high bidder has been announced. The Sale Supervisor also advises as to the date of the next scheduled sale.

1. No Bid Sale. Tracts for which no bids were received on the sale date may be kept open for receipt of bids for a period not to exceed 90 days in accordance with special rules of advertising set forth in H-5430-1, Advertisement and the instructions set forth in Chapter IV of this handbook.

2. High Bidder Not Announced. A tract for which a high bidder is not announced because of irregularities in bidding shall remain open until the high bidder is determined or all bids are rejected. No additional bids will be received on these tracts.

H-5440-1 - CONDUCT OF SALES

III. Post-Sale Actions. Post-sale actions describe reporting actions taken by the Authorized Officer or Sale Supervisor following declaration of the high bidder for advertised sales.

- A. Bid Deposits. Following the Sale Supervisor's declaration of the high bidder for advertised sales and confirmation of the high bid, the collection officer, who assists with the sale, process bid deposits received.
1. Deposits of High Bidder. The bid deposit is retained pending acceptance of the high bid and award of contract by the Contracting Officer. Except for corporate surety, ILC, and Assignment of Surety bid bonds, such deposits may subsequently be applied to the purchase price of the contract.
 2. Deposit of Other Bidders. The bid deposit is normally returned to all unsuccessful bidders after the high bid is declared. Deposits may be returned directly to the bidder after the sale, or by mail. (See Illustration 12.) When a bid deposit in the form of cash, money order, bank draft, cashier's check, certified check, irrevocable letter of credit or assignment of surety is returned personally on the day of the sale, the bidder must sign for receipt of the deposit on the Timber Sale Bid Record, Form 5440-10. Return of a corporate surety bid bond must be duly recorded by the collection officer on the same bid record form. For collection and handling procedures regarding bid deposits, refer to Manual Section 13721.
- B. Reporting Requirements. Posting of Timber Sale results to the Timber Sale Information Systems shall be done on the following schedule:

	<u>Initiating Event</u>	<u>Entry Deadline</u>
Sale Results		
Advertised Sale	Timber Sale Day	All Districts post results To TSIS by close of Business two days after the sale.
Negotiated Sale	Contract Approval	No later than 10 th day of the following month.
No-bids	Timber Sale Day	Entered concurrently with, and on same schedule as advertised sale results.
Cutting Unit Data:		
Advertised Sales	Timber Sale Day	No later than COB on Friday of the following week.
Negotiated Sale	Contract Approval	No later than the 10 th day of the month following a contract approval.

- C. News Release. Issue a news release to local news media immediately after the sale. (See Illustration No. 13.)

H-5440-1 - CONDUCT OF SALES

IV. Ninety (90) Day Sales. This section describes the advertising and sale procedures for 90-day sales.

- A. Provisions for 90-Day Sales. Periodically, forest product tracts offered at auction may fail to receive bids. When an offered tract does not attract bidders, the Authorized Officer may keep the sale open for bidding for a period not to exceed 90 days. He may choose to keep the sale open for a lesser period, for example 30 days; however, if a lesser period of time is selected, it must be stipulated in the sale notice. Except for carryover time due to the required seven-day posting period of a bid on a 90-day sale, the sale cannot be offered beyond the stipulated time period without first reappraising and re-advertising the sale.
 1. Criteria. Tracts that receive no bids from either sealed bid or oral auction sales will routinely be offered under the 90-day authority except:
 - a. Rising Market Trends. If there has been a significant rise in the value of the product offered since the initial appraised price offering, the Authorized Officer must reappraise, re-advertise, and reoffer the tract for sale.
 - b. Downward Market Trends. If a number of tracts receive no bids and it appears to be the result of a sudden and severe decline in market conditions which is not reflected in the BLM appraisal system for tracts offered, the District Manager will consult immediately with the State Director before making the tracts available under the 90-day authority.
 2. Restrictions. Sales which have been advertised but withdrawn from sale before the scheduled sale date or sales which have been bid upon but where such bids have been rejected are not eligible for offering as 90-day sales.
 3. Abandonment of Set-Aside Status. When a sale which was originally offered as a set-aside for preferential award to small business, as defined by the Small Business Administration, receives no bids at a regularly scheduled sale, such sale may be offered as a 90-day sale. However, when so offered, bids may be received from both small and large business concerns and the sale awarded to the high bidder without concern for size standards of the high bidder. The SBA Regional Office must be notified of the results of such a 90-day offering.
- B. 90-Day Sale Procedure. Processing rules under the 90-day authority apply to both sealed bid and oral auction no bids.
 1. Advertising Procedures.
 - a. Announcement. At the end of a regular scheduled sale, the Sale Supervisor announces the availability of no-bid tracts for bidding under the 90-day sale authority, except for those tracts that may fail to qualify under the criteria described in Paragraph IV.A1 above. (Also see Paragraph II.G1.)

H-5440-1 - CONDUCT OF SALES

- b. Special Sale Notice. The District/Area Manager prepares a special sale notice (see Handbook 5430-1, Advertisement, Illustration 7). The special notice contains specific reference to the expiration date (not to exceed 90 days). The time period begins on the day of the initial sale offering. The notice will also describe in general terms the procedure for submitting bids, and the bidding procedure in event more than one bid is submitted. The special sale notice is distributed as follows:
 - (1) One copy is posted in a conspicuous place in the office where bids are to be submitted.
 - (2) One copy is placed in the tract file.
 - (3) Additional copies are mailed to all addresses on the forest product sale mailing list.
- c. Sale Prospectus. The District/Area Manager should revise the original sale prospectus by attachment of the special 90-day sale notice. The amended prospectus should be available for distribution to prospective purchasers upon request.

2. Accepting Bids.

- a. Receipt of First Written Bid. Upon receipt of a written bid for not less than the advertised appraised price, together with the required bid deposit and any qualifying documents stipulated in the sale notice, the District/Area Manager reviews the bid and other documents for accuracy. If errors are found, the bidder is advised immediately to make the necessary corrections or the bid cannot be accepted. The District/Area Manager records, on the face of the bid form, the date and time a valid bid is received at the District/Area Office. (See Illustration 14.)
- b. Advertising Receipt of Bid. The District/Area Manager prepares and posts a notice of receipt of bid immediately after receipt of the first valid bid. (See Illustration 15.) This notice is attached to the previously posted 90-day sale notice, or posted adjacent thereto, at the location described in Paragraph IV.B1b, above.
 - (1) The notice of receipt of bid must not reveal the bid price.
 - (2) The notice of receipt of bid must stipulate the time period in which other bids may be received. The period of posting for the first bid received shall continue for seven successive days, terminating at the close of business on the seventh day. For example, if a bid is submitted at 11:30 a.m. on July 1st, the posting period would terminate at the close of business on July 8th. If the seventh day falls on a holiday, the posting period shall be carried over to the next day of business.
 - (3) A copy of the notice of receipt of bid is placed in the tract file.
- c. Care of Bids Received. Written bids received must be kept confidential. After review, and correction if necessary, the valid bids are placed under tight security until the time of oral auction, if any, or the expiration of the posting period.

H-5440-1 - CONDUCT OF SALES

3. Determining High Bidder.
 - a. One Bidder. If no other bids are received during the seven-day posting, the District/Area Manager or Sale Supervisor notifies the lone bidder that said bidder is the high bidder and that the District Area Manager will begin processing the award of contract. Notification should be made by telephone or mail as soon as possible after the close of business on the seventh day.
 - b. More than One Bidder. If more than one bid is received during the seven-day posting period following the initial bid submission, the District/Area Manager or Sale Supervisor notifies all qualified bidders by certified mail with return receipt requested of the time and place of an oral auction to decide the high bidder. (See Illustration 16.) Allow a reasonable period, not to exceed 10 days, before conducting the oral auction. If return receipts from the certified letters have not been received prior to the date of the oral auction, confirm notification of the sale by telephone before proceeding with the auction.
 - (1) Conduct of Oral Auction. The oral auction will be held in the same manner as discussed for the oral auction of advertised tracts (see Chapter II), except the Sale Supervisor must also announce the authority under which the sale is being made, state when the first bid was received and when the 7-day posting period expired. If, after inviting oral bidding, no oral bids are received, the bidder with the high written bid will be declared the high bidder. If there is a tie in the high written bids, the bidder who first submitted the high bid shall be deemed the high bidder. If the high tie written bids were received at the same time the high bidder will be determined by lot.
- C. Withdrawal of 90-Day Sale. Except when a bid has been submitted that triggers a posting period, the Authorized Officer may withdraw a 90-day sale at any time within the time period stipulated in the special notice for keeping the sale open. A withdrawal notice should be distributed to all prospective purchasers on the forest product sale mailing list. (See Handbook 5430-1, Chapter VI.)

H-5440-1 - CONDUCT OF SALES

GLOSSARY OF TERMS

-A-

Authorized Officer: Any employee of the BLM to whom has been delegated the authority to take the action described in this handbook.

-N-

Ninety (90) Day Sale: An advertised sale for which no bids are received at the original sale offering and which is kept open for bidding under special rules of advertising and sale.

-O-

Oral Auction Sale: An offering of forest product where written bids are received and oral bids are invited from qualified bidders.

-S-

Sale Notice: A supplement document to the newspaper advertisement which provides prospective purchasers with detailed information about the scheduled sale, bidding requirements, and pertinent information about each tract being offered for sale.

Sealed Bid Sale: An offering of forest product where sealed bids are received from qualified bidders.

Set-Aside Sale: A designation of timber for sale which is limited to bidding by small business concerns as defined by the Small Business Administration in its regulations (13 CFR Part 121) under the authority of Section 15 of the Small Business Act of July 18, 1958 (72 Stat. 384) as codified and amended (15 U.S.C. 631 *et seq.*).

Substitution: The acquisition of unprocessed timber from Federal lands and engaging in exporting, or selling for export unprocessed timber originating from private lands within the same geographic and economic area.

-U-

Unprocessed Timber: Means trees or portions of trees or other roundwood not processed to standards and specifications suitable for end product use. "Unprocessed timber" does not include timber processed into any one of the following:

- (1) Lumber or construction timbers, except Western Red Cedar, meeting current American Lumber Standards Grades or Pacific Lumber Inspection Bureau of Export R or N list grades, sawn on four sides, not intended for remanufacture.
- (2) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, meeting current American Lumber Standards Grades or Pacific Lumber Inspection Bureau Export R or N list clear grades, sawn on four sides, not to exceed 12 inches in thickness.

H-5440-1 - CONDUCT OF SALES

- (3) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, which do not meet the grades referred to in clause (2) and are sawn on four sides, with waness less than $\frac{1}{4}$ of any face, not exceeding $8\frac{3}{4}$ inches in thickness.
- (4) Chips, pulp, or pulp products.
- (5) Veneer or plywood.
- (6) Poles, posts, or piling cut or treated with preservatives for use as such.
- (7) Shakes or shingles.
- (8) Aspen or other pulpwood bolts, not exceeding 100 inches in length, exported for processing into pulp.
- (9) Pulp logs or cull logs to be processed at domestic pulp mills, domestic chip plants or other domestic operations for the purpose of conversion of the log into chips.

H-5440-1 - CONDUCT OF SALES

Example of Bid Bond

<p>Form 1822-3 (October 1982)</p>	<p>UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT</p> <hr/> <p>BID BOND</p>	<p>FORM APPROVED OMB NO. 1004-0112 Expires: April 30, 1985</p>								
<p>KNOW ALL MEN BY THESE PRESENTS, That we,</p> <p>as principal, and</p> <p style="text-align: right;">, as surety,</p> <p>are held and firmly bound unto the United States of America, hereinafter called the Government, in the sum of dollars (\$)</p> <p>lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.</p> <p>The condition of this obligation is such, that whereas the principal has submitted the accompanying bid, dated , 19 , for</p> <p>NOW, THEREFORE, If the principal shall within the period specified in the notification of award enter into a written contract with the Government, in accordance with the bid and the terms and conditions of the notice of sale, then the above obligation shall be void and of no effect, otherwise to remain in full force and effect.</p> <p>In witness whereof, the above-bounden parties have executed this instrument under their several seals this day of , 19 , the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.</p> <p>In presence of:</p> <table style="width: 100%;"><tr><td style="width: 50%; text-align: center;"><hr style="border: none; border-top: 1px solid black;"/></td><td style="width: 50%; text-align: center;"><hr style="border: none; border-top: 1px solid black;"/></td></tr><tr><td style="text-align: center;">(Address)</td><td style="text-align: center;">(Individual principal)</td></tr><tr><td style="text-align: center;"><hr style="border: none; border-top: 1px solid black;"/></td><td style="text-align: center;"><hr style="border: none; border-top: 1px solid black;"/></td></tr><tr><td style="text-align: center;">(Address)</td><td style="text-align: center;">(Business Address)</td></tr></table>			<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>	(Address)	(Individual principal)	<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>	(Address)	(Business Address)
<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>									
(Address)	(Individual principal)									
<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>									
(Address)	(Business Address)									

H-5440-1 - CONDUCT OF SALES

Example of Bid Bond

Attest:	_____	(Corporate principal)
	_____	(Business address)
_____	By _____	[AFFIX CORPORATE SEAL]
	_____	(Title)
Attest:	_____	(Corporate surety)
	_____	(Business address)
_____	By _____	[AFFIX CORPORATE SEAL]
	_____	(Title)

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, CERTIFY That I am the
secretary of the corporation named as principal in the within bond; that
_____, who signed the said bond on behalf of the principal was
then _____ of said corporation; that I know his signature, and his
signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said
corporation by authority of its governing body.

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires us to inform you that:
Information is being collected to obtain surety information relevant to the operation of this timber sale contract.
Information will be used to guarantee performance under the terms of this timber sale contract.
Response to this request is mandatory (43 CFR 5450) to fulfill the requirements of a timber sale contract.

GPO 827 - 181

H-5440-1 - CONDUCT OF SALES

Format for Irrevocable Standby Letter of Credit

(Letterhead of Issuing Bank)

IRREVOCABLE STANDBY LETTER OF CREDIT-BID BOND

Date: _____

Letter of Credit Number: _____

Beneficiary:

United States Department of the Interior

Bureau of Land Management

(District Office Name)(P.O. Box or Street Address)(City, State, Zip Code)

Amount: \$ _____

Gentlemen:

We hereby establish this irrevocable standby letter of credit in your

Favor for account of: (Name and Address of BLM Bidder)

_____ In the amount of _____ Dollars (\$ _____)

Available by your draft on the issuing bank at sight accompanied by the
Following documents:A signed statement from Bureau of Land Management, United States
Department of the Interior stating the following:

“We hereby certify that (Name of BLM Bidder) has been awarded the bid on
(BLM Sale Name and Number) and has filed to complete further contractual
 Documents in accordance with the terms and conditions of 43 Code of
 Federal Regulations 5450.1(b).”

SPECIAL CONDITIONS

This credit expires at the counters of the issuing bank on (ninety (90)
Days after sale date).

This credit is subject to the “Uniform Customs and Practice for
 Documentary Credits, (1974 Revision)” International Chamber of Commerce,
 Publication No. 290, or any further revisions thereof.

We hereby engage with drawers, endorsers and bona fide holders that drafts
 And documents will be honored upon presentation.

(Name of Issuing Bank)

By: _____
 (Signature)

(Title)

H-5440-1 - CONDUCT OF SALES

Format for Irrevocable Standby Letter of Credit

Instructions:

An Irrevocable Standby Letter of Credit-Bid Bond must include the following:

1. An identifying number.
2. The clear statement that it is irrevocable.
3. The purpose of the letter, i.e., bid bond.
4. Name of the bank's customer, that is, the bidder.
5. The maximum limit of credit. This limit must equal or exceed the amount of the required bid deposit for the sale bid upon.
6. An authorization to draw sight drafts upon the bank in favor of the BLM.
7. A clear statement that the tract number of sale name appearing on the sight draft is sufficient for honoring the draft.
8. An Irrevocable Standby Letter of Credit-Bid Bond may apply to only one timber sale.

H-5440-1 - CONDUCT OF SALES

Form 5450-22 (March 1986) (formerly OR 5440-16)	UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT CASH BID BOND	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 5px;">Sale Number</td></tr><tr><td style="padding: 5px;">Bid Date</td></tr></table>	Sale Number	Bid Date
Sale Number				
Bid Date				

KNOW ALL MEN BY THESE PRESENTS. That ☐ I ☐ We _____

of _____ State of _____

doing business as an ☐ individual ☐ partnership ☐ corporation organized and existing under the laws of the State

of _____ as Principal, is held and firmly bound unto the United States of America in the penal sum

of _____ dollars (\$ _____).

lawful money of the United States, for the payment of which, well and truly to be made, I bind myself, my heirs, executors,

administrators, successors and assigns, jointly and severally, as a further guarantee of which a cash deposit or assured payment

has been made with the Bureau of Land Management at _____ in the form of

a _____ in the amount of \$ _____.

A _____ shall not be negotiated unless the principal fails to enter into a written contract with

The Government in accordance with the bid and terms and conditions of the notice of the above sale.

<p>THAT, The said Principal does hereby constitute and</p> <p>appointment the Secretary of the Interior as his attorney, to transfer</p> <p>and apply the said deposit, as security for the faithful performance</p> <p>of the above-condition, and it is agreed that, in case of any</p> <p>default in the performance of this condition, the said attorney</p> <p>shall have full power to assign, appropriate transfer, and apply</p> <p>said deposit without notice, as liquidated damages.</p> <p>The said Principal hereby ratifies and confirms, whatever his</p> <p>said attorney shall do by virtue of these presents.</p>	<p>If the said Principal shall within the period specified in the</p> <p>notification of award enter into a written contract with the</p> <p>Government, in accordance with the bid and the terms and</p> <p>conditions of the notice of sale, then and in that event the above</p> <p>obligation shall be null and void and the deposit shall be</p> <p>released and returned to the Principal. Otherwise, said obligation</p> <p>shall remain in full force and effect.</p>
---	---

H-5440-1 - CONDUCT OF SALE

Example of Cash Bid Bond

Signed, sealed, and delivered this _____ day of _____, 19____.

IF INDIVIDUAL OR PARTNERSHIP, SIGN HERE:

By _____ (Name) _____ (Address) _____ (Address) _____ (Name) _____ (Address) _____ (Name) _____ (Address) _____ (Name) _____ (Address)

IN THE PRESENCE OF TWO WITNESSES:

(Witness)

(Address)

(Witness)

(Address)

IF CORPORATION, SIGN HERE:

By _____ (Name) _____ (Title)

(Address)

THE UNITED STATES OF AMERICA
Signed and Approved: _____
By _____ (Name) _____ (Title)

CORPORATION CERTIFICATE

If Purchaser is a corporation, the following certificate shall be executed by the Secretary or Assistant Secretary of the Corporation.

I, _____, certify that I am the _____ Secretary of the corporation named as Purchaser herein; that _____, who signed this contract, was then _____ of said corporation; that said contract was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

(Corporate Seal)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires us to inform you that: Information is being collected to obtain surety information relevant to the operation of this timber sale contract. Information will be used to guarantee performance under the terms of this timber sale contract. Response to this request is mandatory (43 CFR 5450) to fulfill the requirements of a timber sale contract.

U. S. Government Printing Office: 1982-773-017/6-1870 MB

H-5440-1 - CONDUCT OF SALES

Format for Assignment of Surety-Bid Deposit

ASSIGNMENT OF SURETY - BID DEPOSIT

The undersigned Owner, and Co-owner if any, of the herein described Certificate of Time Deposit/Savings Account ("deposit") hereby assigns his or their right, title and interest in, to or under said "deposit" to the U.S. Department of the Interior, Bureau of Land Management in the amount \$Ten Thousand Dollars (\$10,000).

Such amount shall be for the purpose of the bid deposit specified in the sale notice for Roseburg Sheep Hill OR100-TS6-000.
(BLM District, Sale Name and Number)

The Bureau of Land Management, U.S. Department of the Interior shall be authorized to charge against the described "deposit" should the undersigned owner(s) be awarded the bid and fail to complete further contractual documents in accordance with the terms and conditions of 43 Code of Federal Regulations 5450.1(b).

Any interest earnings shall remain the property of the Owner. It is agreed the issuing institution will hold the "deposit" in trust for the uses and purposes stated above until released by the Bureau of Land Management, U.S. Department of the Interior. Time deposits shall be automatically renewable at maturity date at the rates and terms in effect at the time of renewal.

Type Deposit Certificate of Time Deposit

Number 00-000000 Effective Date: June 1, 1986

Signature(s) Guaranteed: _____
(Owner) (Seal)

Acknowledged & Record: June 15, 1986

Institution: North Zone State Bank 1111 No. 2nd St.
Anywhere, Oregon
(Address)

By: _____

Title: Asst. Vice President & Manager

RELEASE OF ASSIGNMENT

The Bureau of Land Management U.S. Department of the Interior hereby releases all right, title and interest in, to and under the form of deposit described in above Assignment.

Date: _____

Bureau of Land Management
U.S. Department of the Interior

By: _____

Name: _____

Title: _____

cc: Owner
Issuing Institution

H-5440-1 - CONDUCT OF SALE

Example of Written Bid for Oral Auction Timber Sale

Form 5440-9
(July 1990)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0113
Expires: July 31, 1992

DEPOSIT AND BID FOR ☐ TIMBER*
☐ VEGETATIVE RESOURCE
(Other Than Timber)

LUMP SUM SALE

Tract Number 89-30

Sale Name Big Sale

Sale Notice (dated) Jan. 10, 1989

BLM District Roseburg

☐ Sealed Bid for Sealed Bid Sale

☒ Written Bid for Oral Auction Sale

In response to the above dated Sale Notice, the required deposit and bid are hereby submitted for the purchase of designated timber/vegetative resource on the tract specified above.

Required bid deposited is \$ 50,000.00 and is enclosed in the form of ☐ cash ☐ money order ☐ bank draft
☐ cashier's check ☐ certified check ☒ bid bond of corporate surety on approved list of the United States Treasury
☐ guaranteed remittance approved by the authorized officer.

IT IS AGREED That the bid deposit shall be retained by the United States as liquidated damages if the bid is accepted and the undersigned fails to execute and return the contract, together with any required performance bond and any required payment within 30 days after the contract is received by the successful bidder. It is understood that no bid for less than the appraised price on a unit basis per species will be considered. If the bid is rejected the deposit will be returned.

BID SCHEDULE — LUMP SUM SALE
NOTE: Bidders should carefully check computations in completing the Bid Schedule

BID SUBMITTED					ORAL BID MADE	
PRODUCT SPECIES	UNIT	ESTIMATED VOLUME OR QUANTITY	UNIT PRICE	TOTAL VALUE	UNIT PRICE	TOTAL VALUE
Douglas-fir	M	9,756	<u>186.00</u>	<u>1,814,616.00</u>	<u>215.00</u>	<u>2,097,540.00</u>
Western Hemlock	M	803	<u>110.00</u>	<u>88,330.00</u>		
Grand Fir	M	216	<u>98.00</u>	<u>21,168.00</u>		
Incense Cedar	M	119	<u>135.00</u>	<u>16,065.00</u>		
TOTAL PURCHASE PRICE				<u>1,940,179.00</u>		<u>2,223,163.00</u>

(Continued on reverse)

H-5440-1 - CONDUCT OF SALE

Example of Written Bid for Oral Auction Timber Sale

If sale contract is executed, undersigned is liable for total purchase price even though the quantity cut, removed, or designated for taking is more or less than the total estimated volume or quantity shown above. Undersigned certifies bid was arrived at by bidder or offeror independently, and was tendered without collusion with any other bidder or offeror. In submitting or confirming this bid, undersigned agrees to the foregoing provisions, applicable regulations, and certifies that he is authorized to act as, or on behalf of, the bidder.

Bid submitted on (date) 1/15/57 received at U.S. Forest Service, Coconino County, Arizona
(Check appropriate box, sign in ink, and complete the following)

<input type="checkbox"/> Signature, if firm is individually owned	Name of firm (type or print) <u>Arthur J. Lumberton Co.</u>
<input type="checkbox"/> Signatures, if firm is a partnership	Business address, include zip code (type or print) <u>4495 Diamond Lake Rd</u> <u>Prescott, AR 77500</u>
<input checked="" type="checkbox"/> Corporation organized under the state laws of <u>Arizona</u>	(To be completed following oral bidding)
Signature of Authorized Corporate Signing Officer <u>Arthur J. Lumberton</u>	I HEREBY confirm the above oral bid By (signature)
Title <u>President</u>	Date
Submit bid, in duplicate, to qualify for either an oral auction or sealed bid sale together with the required bid deposit made payable to the Department of the Interior-BLM.	Sealed Bid — Send to District Manager, who issued the sale notice, in a sealed envelope marked on the outside: (1) "Bid for Timber" (2) Vegetative Resource Other Than Timber (3) Time bids are to be opened (4) Legal description
Oral Auction — Submit to Sales Supervisor prior to closing of qualifying period for tract.	

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et. seq.) requires us to inform you that:
This information is being collected to obtain data relevant to the operation of this timber sale contract.
This information will be used to administer our timber sale program.
Response to this request is required to obtain a benefit.

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 38 FR 6280 and 43 CFR 5442.1

PURPOSE: To qualify an oral auction bidder, and then if successful, to bind bidder to certain contract conditions.

ROUTINE USE: To determine that an individual is qualified to participate in oral auction bidding, and, as surety that bidder will fulfill contract requirements.

EFFECT OF NOT PROVIDING INFORMATION: Filing this deposit and bid information is necessary only when an individual wishes to participate in a sealed or auction bid sale for timber or vegetative resources.

BURDEN HOURS STATEMENT

Public reporting burden for this form is estimated to average 1 hr. 15 min. per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (Alternate) Bureau Clearance Officer, (WO-771), 18 and C Streets, N.W. Washington, D.C. 20240, and the Office of Management and Budget, Paperwork Reduction Project (1004-0113), Washington, D.C. 20503.

H-5440-1 - CONDUCT OF SALE

Example of Sealed Bid for Vegetative Resource Sale

Form 5440-9
(July 1990)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0113
Expires: July 31, 1992

DEPOSIT AND BID FOR ☐ TIMBER*
☒ VEGETATIVE RESOURCE
(Other Than Timber)

LUMP SUM SALE

Tract Number
89-7

Sale Name
Huck Brush

Sale Notice (dated)
10/14/89

BLM District
Roseburg

☒ Sealed Bid for Sealed Bid Sale

☐ Written Bid for Oral Auction Sale

In response to the above dated Sale Notice, the required deposit and bid are hereby submitted for the purchase of designated timber/vegetative resource on the tract specified above.

Required bid deposited is \$ 10.00 and is enclosed in the form of ☒ cash ☐ money order ☐ bank draft
☐ cashier's check ☐ certified check ☐ bid bond of corporate surety on approved list of the United States Treasury
☐ guaranteed remittance approved by the authorized officer.

IT IS AGREED That the bid deposit shall be retained by the United States as liquidated damages if the bid is accepted and the undersigned fails to execute and return the contract, together with any required performance bond and any required payment within 30 days after the contract is received by the successful bidder. It is understood that no bid for less than the appraised price on a unit basis per species will be considered. If the bid is rejected the deposit will be returned.

BID SCHEDULE — LUMP SUM SALE
NOTE: Bidders should carefully check computations in completing the Bid Schedule

BID SUBMITTED					ORAL BID MADE	
PRODUCT SPECIES	UNIT	ESTIMATED VOLUME OR QUANTITY	UNIT PRICE	TOTAL VALUE	UNIT PRICE	TOTAL VALUE
Huckleberry Brush	1b.	1000	\$0.10	100.00	X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
			X		X	
TOTAL PURCHASE PRICE				100.00		

(Continued on reverse)

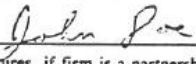
H-5440-1 - CONDUCT OF SALE

Example of Sealed Bid for Vegetative

Resource Sale

If sale contract is executed, undersigned is liable for total purchase price even though the quantity cut, removed, or designated for taking is more or less than the total estimated volume or quantity shown above. Undersigned certifies bid was arrived at by bidder or offeror independently, and was tendered without collusion with any other bidder or offeror. In submitting or confirming this bid, undersigned agrees to the foregoing provisions, applicable regulations, and certifies that he is authorized to act as, or on behalf of, the bidder.

Bid submitted on (date) 10-30-97. Received at 10:00 A.M. by Mary Sene, District Clerk
(Check appropriate box, sign in ink, and complete the following)

<input checked="" type="checkbox"/> Signature, if firm is individually owned	Name of firm (type or print)
	
<input type="checkbox"/> Signatures, if firm is a partnership	Business address, include zip code (type or print)
	<u>P.O. Box 506</u>
	<u>Resburg, OR 97770</u>
<input type="checkbox"/> Corporation organized under the state laws of	(To be completed following oral bidding)
Signature of Authorized Corporate Signing Officer	I HEREBY confirm the above oral bid By (signature)
Title	Date
Submit bid, in duplicate, to qualify for either an oral auction or sealed bid sale together with the required bid deposit made payable to the Department of the Interior—BLM.	Sealed Bid — Send to District Manager, who issued the sale notice, in a sealed envelope marked on the outside:
Oral Auction — Submit to Sales Supervisor prior to closing of qualifying period for tract.	(1) "Bid for Timber"
	(2) Vegetative Resource Other Than Timber
	(3) Time bids are to be opened
	(4) Legal description

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et. seq.) requires us to inform you that:
This information is being collected to obtain data relevant to the operation of this timber sale contract.
This information will be used to administer our timber sale program.
Response to this request is required to obtain a benefit.

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 38 FR 6280 and 43 CFR 5442.1

PURPOSE: To qualify an oral auction bidder, and then if successful, to bind bidder to certain contract conditions.

ROUTINE USE: To determine that an individual is qualified to participate in oral auction bidding, and, as surety that bidder will fulfill contract requirements.

EFFECT OF NOT PROVIDING INFORMATION: Filing this deposit and bid information is necessary only when an individual wishes to participate in a sealed or auction bid sale for timber or vegetative resources.

BURDEN HOURS STATEMENT

Public reporting burden for this form is estimated to average 1 hr. 15 min. per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (Alternate) Bureau Clearance Officer, (WO-771), 18 and C Streets, N.W. Washington, D.C. 20240, and the Office of Management and Budget, Paperwork Reduction Project (1004-0113), Washington, D.C. 20503.

H-5440-1 - CONDUCT OF SALE
Example of Self-Certification Clause

Form 5430-1
(May 1965)
(formerly 5-1540)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SELF CERTIFICATION CLAUSE

BIDDERS STATEMENT

The bidder represents that he ☒ is ☐ is not a small business concern as defined by Title 13, Chapter 1, Part 121 of the Code of Federal Regulations, as amended.

October 1, 1990
(Date)

[Signature]
(Signature of Bidder)

Title 18 USC, sec. 1001, makes it a crime for any person knowingly and wilfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

INSTRUCTIONS

In order to qualify for a set-aside sale, all bidders must certify to being a small business concern by submitting an executed Self Certification Clause.

The date on the Self Certification Clause and the sale date must be the same.

A Self Certification Clause must accompany the deposit to qualify for each set-aside sale. After a sale award is made,

the Self Certification Clause will be immediately returned, with the deposit, to the unsuccessful bidder but may be re-submitted to qualify for other set-aside sales offered on the same date.

The Self Certification Clause submitted by the successful bidder will be retained by the Bureau of Land Management.

GPO 550-466
GPO 945716

H-5440-1 - CONDUCT OF SALE

Example of Timber Sale Bid Record

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT				Tract Number 34-12		Required Bid Deposit \$ 6,000.00		Management Area 0.11004	
TIMBER SALE BID RECORD				District 10, Sec. 10, T. 10 N., R. 10 E.		Sale Supervisor Joe E. Smith		County 10, Sec. 10, T. 10 N., R. 10 E.	
NAME OF BIDDER				BID DEPOSIT (Dollars)		WRITTEN BID (Total Dollars)		SIGNATURE OF BIDDER OR REPRESENTATIVE	
BIDDER				BID DEPOSIT		WRITTEN BID		SIGNATURE	
BIDDER				BID DEPOSIT		WRITTEN BID		SIGNATURE	
1	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
2	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
3	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
4	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
5	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
6	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
7	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
8	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
9	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
10	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
11	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
12	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.	10, Sec. 10, T. 10 N., R. 10 E.
TOTALS				TOTALS		TOTALS		TOTALS	

Rel. 5-147
6/18/92

H-5440-1 - CONDUCT OF SALES

Example of Overcall Bidding:

Bidding on Major Species Only

Scenario 1. Written bids were posted with the use of a projector follows:

TOTAL ESTIMATES	SALE NAME	<u>Humbug Salvage #3</u>	TRACT NO. <u>GL-5</u>			
\$ Value:	species	Douglas-fir	P. Pine	W. Fir	Hemlock	I. Cedar
65,222.65						
Volume: 553	MBF	482	23	30	2	16
BIDDERS	R/MBF	121.85	171.85	14.75	29.15	127.35
C&D Lumber		Appr.		Appr.	Appr.	Appr. 65,222.65
Little River Lbr..		-		-	-	-
Johnson Tbr. Co.		-		-	-	-
Robert Dollar Co.		-		-	-	-
Superior Tbr.		-		-	-	-
Suntip Co.		-		-	-	-
Mtn. Fir Lbr.		-		-	-	-
Fred Skeels		122.00	-	-	-	65,294.95
Ben F. Watts		122.85	-	-	-	65,704.65

Scenario #2. The high written bid was from Ben F. Watts. Oral bidding began from the unit prices established by that bid. In overcall bidding each bidder accept all the unit prices established from the previous high bid and bids from that point. If no oral bids were received Ben Watts would be declared the high bidder.

Senario 4. After some bidding activity, Robert Dollar made the final bid of \$138.00/M bd. ft. on the Douglas-fir. (There was no bidding on the minor species.)

138.00	Appr.	Appr.	Appr.	73,006.95
				(Total oral bid)

H-5440-1 - CONDUCT OF SALE
Examples of Overcall Bidding;
Bidding on More than One Species

NOTE: All written and oral bids are posted with use of a black board or projector.

TOTAL ESTIMATES	SALE NAME	Aircraft Spur	TRACT NO.	84-49			
\$ Value:	349,994.25	SPECIES	Douglas-fir	W. hemlock	Noble fir	W. redcedar	
VOLUME:	2,372	MBF	1,472	427	370	103	TOTAL
BIDDERS		\$/MBF	179.05	79.15	89.45	189.70	WRITTEN
Scenario #1.	Three bidders (A, B, & C) qualify as follows:						BID

"A"	180.00	Appr.	Appr.	Appr.	351,392.65
"B"	Appr.	100.00	Appr.	Appr.	358,897.20
"C"	Appr.	Appr.	150.00	200.00	373,458.65

Scenario #2. In overcall bidding each bidder accepts all the unit prices established from the previous high bid and bids from that point. In this example, bidder "C" submitted the high written bid; therefore, oral bidding begins from the unit prices established by that bid as follows:

	179.05	79.15	150.00	200.00
"A" bids \$200.00/M bd. ft. DF; the posted bid is:	200.00	79.15	150.00	200.00
"C" bids \$160.00/M bd. ft. NF; the posted bid is:	200.00	79.15	160.00	200.00
"B" bids \$105.00/M bd. ft. WH; the posted bid is:	200.00	105.00	160.00	200.00
"C" bids \$200.00/M bd. ft. all species; the posted bid is:	200.00	200.00	200.00	200.00

"A" calls for extension of bid prices--the total is computed and announced (\$474,400.00)

"A" bids \$205.00/M bd. ft. DF; the posted bid is:	205.00	200.00	200.00	200.00
"B" bids \$210.00/M bd. ft. WH; the posted bid is:	205.00	210.00	200.00	200.00
"C" bids \$201.00/M bd. ft. NF; the posted bid is:	205.00	210.00	201.00	200.00
"B" bids \$215.00/M bd. ft. WH; the posted bid is:	205.00	215.00	201.00	200.00
"C" bids \$210.00/M bd. ft. NF; the posted bid is:	205.00	215.00	210.00	200.00
"A" bids \$250.00/M bd. ft. DF; the posted bid is:	250.00	215.00	210.00	200.00

"C" calls for extension of bid prices--the total is computed and announced (\$558,105.00)

"C" bids \$225.00/m bd. ft. NF; the posted bid is:	250.00	215.00	225.00	200.00
---	--------	--------	--------	--------

Scenario #4. There is no further bidding--time is called and bidder "C" is declared the high bidder at the posted unit prices established with his last bid.

II-5440-1 - CONDUCT OF SALE

Example of Confirmation of High Oral Bid

If sale contract is executed, undersigned is liable for total purchase price even though the quantity cut, removed, or designated for taking is more or less than the total estimated volume or quantity shown above. Undersigned certifies bid was arrived at by bidder or offeror independently, and was tendered without collusion with any other bidder or offeror. In submitting or confirming this bid, undersigned agrees to the foregoing provisions, applicable regulations, and certifies that he is authorized to act as, or on behalf of, the bidder.

Bid submitted on (date) <u>1/31/97</u> received at <u>10:00 A.M.</u> by <u>Mark Jones District Clerk</u> (Check appropriate box, sign in ink, and complete the following)	
<input type="checkbox"/> Signature, if firm is individually owned	Name of firm (type or print) <u>John Doe Lumber Co.</u>
<input type="checkbox"/> Signatures, if firm is a partnership	Business address, include zip code (type or print) <u>4495 Diamond Fork Rd.</u> <u>Roseburg, O.R. 97470</u>
<input checked="" type="checkbox"/> Corporation organized under the state laws of <u>Oregon</u>	(To be completed following oral bidding) I HEREBY confirm the above oral bid By (signature) <u>John Doe</u>
Signature of Authorized Corporate Signing Officer <u>John Doe</u>	Date <u>1/31/97</u>
Title <u>Pres.</u>	
Submit bid, in duplicate, to qualify for either an oral auction or sealed bid sale together with the required bid deposit made payable to the Department of the Interior—BLM.	
Oral Auction — Submit to Sales Supervisor prior to closing of qualifying period for tract.	
The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et. seq.) requires us to inform you that: This information is being collected to obtain data relevant to the operation of this timber sale contract. This information will be used to administer our timber sale program. Response to this request is required to obtain a benefit.	
Sealed Bid — Send to District Manager, who issued the sale notice, in a sealed envelope marked on the outside: (1) "Bid for Timber" (2) Vegetative Resource Other Than Timber (3) Time bids are to be opened (4) Legal description	

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 38 FR 6280 and 43 CFR 5442.1

PURPOSE: To qualify an oral auction bidder, and then if successful, to bind bidder to certain contract conditions.

ROUTINE USE: To determine that an individual is qualified to participate in oral auction bidding, and, as surety that bidder will fulfill contract requirements.

EFFECT OF NOT PROVIDING INFORMATION: Filing this deposit and bid information is necessary only when an individual wishes to participate in a sealed or auction bid sale for timber or vegetative resources.

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H-5440-1 - CONDUCT OF SALES

Model Letter for Return of Bid Deposit

(Date)

CERTIFIED MAIL
RETURN RECEIPT REQUEST

(Bidder's Name)

(Business Address)

(Salutation)

Your bid for the purchase sale of timber sale tract (number and name) located in
(legal description) offered for sale by this office on (date) was not
successful. Accordingly, your (deposit or bid bond) submitted with your bid is
returned.

A contract is being awarded to (name of bidder) for a total bid price of
\$_____).

Sincerely yours,

District Manager

Enclosure

H-5440-1 - CONDUCT OF SALES

Example of News Release, Results of Timber Sale

FOR IMMEDIATE RELEASE

TIMBER SALE RESULT

The Medford District of the Bureau of Land Management held its regular monthly sale on February 23rd with only one tract of timber being offered.

There were three qualified for the Missouri Mason timber sale which is located in Curry County. Medico Timber Co. was the high bidder for the estimated 2,447,999 board feet of timber which was appraised at \$65,397.50. The Douglas-fir sold for \$78.05 per thousand board feet and the total sale bid was \$165,321.10. Boise Cascade Corp. and Roseburg Lumber Co. were unsuccessful bidders.

The next regular timber sales for the Medford District is scheduled for March 22, 1984, at 9:00 A.M. in the Oregon Room at the Bureau of Land Management Building, 3040 Biddle Road, Medford, Oregon.

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H-5440-1 - CONDUCT OF SALE

Example of Written Bid for 90-Day Sale

Form 5440-9
(July 1990)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0113
Expires: July 31, 1992

DEPOSIT AND BID FOR ☒ **TIMBER***
☐ **VEGETATIVE RESOURCE**
(Other Than Timber)

LUMP SUM SALE

☐ Sealed Bid for Sealed Bid Sale ☒ Written Bid for Oral Auction Sale

In response to the above dated Sale Notice, the required deposit and bid are hereby submitted for the purchase of designated timber/vegetative resource on the tract specified above.

Required bid deposited is \$ 1,500.00 and is enclosed in the form of ☐ cash ☐ money order ☐ bank draft
☒ cashier's check ☐ certified check ☐ bid bond of corporate surety on approved list of the United States Treasury
☐ guaranteed remittance approved by the authorized officer.

IT IS AGREED That the bid deposit shall be retained by the United States as liquidated damages if the bid is accepted and the undersigned fails to execute and return the contract, together with any required performance bond and any required payment within 30 days after the contract is received by the successful bidder. It is understood that no bid for less than the appraised price on a unit basis per species will be considered. If the bid is rejected the deposit will be returned.

Tract Number
Addition to Plan

Sale Name
French Creek Salvage

Sale Notice (dated)
May 31, 1989

BLM District
Resuburg

BID SCHEDULE — LUMP SUM SALE

NOTE: Bidders should carefully check computations in completing the Bid Schedule

BID SUBMITTED					ORAL BID MADE	
PRODUCT SPECIES	UNIT	ESTIMATED VOLUME OR QUANTITY	UNIT PRICE	TOTAL VALUE	UNIT PRICE	TOTAL VALUE
<u>Douglas Fir</u>	<u>M</u>	<u>140</u>	<u>x 105.55</u>	<u>= 14,777.00</u>	<u>x 130.50</u>	<u>= 18,270.00</u>
<u>Incense Cedar</u>	<u>M</u>	<u>2</u>	<u>x 63.75</u>	<u>= 127.50</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
			<u>x</u>	<u>=</u>	<u>x</u>	<u>=</u>
TOTAL PURCHASE PRICE				<u>14,904.50</u>	<u>x</u>	<u>= 18,407.50</u>

(Continued on reverse)

H-5440-1 - CONDUCT OF SALES

Illustration 14, Page 2

H-5440-1 - CONDUCT OF SALE

Example of Written Bid for 90-Day Sale

<p>If sale contract is executed, undersigned is liable for total purchase price even though the quantity cut, removed, or designated for taking is more or less than the total estimated volume or quantity shown above. Undersigned certifies bid was arrived at by bidder or offeror independently, and was tendered without collusion with any other bidder or offeror. In submitting or confirming this bid, undersigned agrees to the foregoing provisions, applicable regulations, and certifies that he is authorized to act as, or on behalf of, the bidder.</p>	
<p>I certify that this bid was received at: Bid submitted on (date) <u>7/7/89</u> <u>11:05 A.M.</u> on <u>7/7/89</u> <u>May Jones Public Sale</u> (Check appropriate box, sign in ink, and complete the following)</p>	
<input type="checkbox"/> Signature, if firm is individually owned	Name of firm (type or print) <u>C & B Logging</u>
<input checked="" type="checkbox"/> Signatures, if firm is a partnership <u>L. Jones</u> <u>Don Jones</u>	Business address, include zip code (type or print) <u>443 N. Glenwood Ct</u> <u>Rockville MD 20850</u>
<input type="checkbox"/> Corporation organized under the state laws of	(To be completed following oral bidding) I HEREBY confirm the above oral bid By (signature) <u>L. Jones</u>
Signature of Authorized Corporate Signing Officer	Date <u>7/16/89</u>
Submit bid, in duplicate, to qualify for either an oral auction or sealed bid sale together with the required bid deposit made payable to the Department of the Interior—BLM. Oral Auction — Submit to Sales Supervisor prior to closing of qualifying period for tract.	Sealed Bid — Send to District Manager, who issued the sale notice, in a sealed envelope marked on the outside: (1) "Bid for Timber" (2) Vegetative Resource Other Than Timber (3) Time bids are to be opened (4) Legal description
The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et. seq.) requires us to inform you that: This information is being collected to obtain data relevant to the operation of this timber sale contract. This information will be used to administer our timber sale program. Response to this request is required to obtain a benefit.	

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 38 FR 6280 and 43 CFR 5442.1

PURPOSE: To qualify an oral auction bidder, and then if successful, to bind bidder to certain contract conditions.

ROUTINE USE: To determine that an individual is qualified to participate in oral auction bidding, and, as surety that bidder will fulfill contract requirements.



EFFECT OF NOT PROVIDING INFORMATION: Filing this deposit and bid information is necessary only when an individual wishes to participate in a sealed or auction bid sale for timber or vegetative resources.

BURDEN HOURS STATEMENT

Public reporting burden for this form is estimated to average 1 hr. 15 min. per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (Alternate) Bureau Clearance Officer, (WO-771), 18 and C Streets, N.W., Washington, D.C. 20240, and the Office of Management and Budget, Paperwork Reduction Project (1004-0113), Washington, D.C. 20503.



H-5440-1 - CONDUCT OF SALES

Model Notice of Receipt of Bid

	<p>United States Department of the Interior</p> <p>BUREAU OF LAND MANAGEMENT</p>	 <p>IN REPLY REFER TO:</p>
<p>NOTICE OF RECEIPT OF BID</p>		
<p>_____</p> <p>(Name of Bidder)</p>		
<p>Has submitted a bid together with the required deposit, for the purchase of Tract</p> <p>(Number and Name) on _____ (date) _____. Written bids may be submitted,</p> <p>Together with the required deposit, until the close of business on _____</p> <p>(date) _____.</p>		
<p>District Manager</p>		

H-5440-1 - CONDUCT OF SALES

Model Letter Notifying Bidder of Oral Auction

	<p>United States Department of the Interior</p> <p>BUREAU OF LAND MANAGEMENT</p>	 <p>IN REPLY REFER TO:</p>
(Date)		
CERTIFIED MAIL RETURN RECEIPT REQUEST		
(Bidder's Name)		
(Business Address)		
(Salutation)		
This is to advise that more than one bid has been received on the 90-day Sale,		
Tract No. <u>(number and name)</u> ; therefore, it will be necessary to hold an oral		
auction on Friday, <u>(date and time of day)</u> , at this office, to determine the		
successful bidder.		
Sincerely yours,		
District Manager		

