

## TIMBER SALE ADVERTISEMENT

**TIMBER FOR SALE, UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT.** SEALED BIDS as hereinafter designated will be received by the District Manager, or designated representative of the Bureau of Land Management, 777 NW Garden Valley Blvd., Roseburg, Oregon 97471, by **10:00 a.m., PST on or before Tuesday, November 30, 2021**, for all timber marked or designated for cutting. Before bids are submitted, full information concerning the timber, the conditions of sale and submission of bids, including appraised prices per species, should be obtained from the above District Manager, or designated representative. The right is hereby reserved to waive technical defects in this advertisement and to reject any or all bids. The United States reserves the right to waive any informality in bids received whenever such waiver is in the interest of the United States.

The decision was posted to the BLM's ePlanning website on **October 28, 2021**, for the Pet Rock Salvage Harvest and Hazard Tree Removal Sale Decision Record, which is a component of the Archie Creek Fire Salvage and Hazard Tree Removal Environmental Assessment and FONSI, DOI-BLM-ORWA-R040-2021-0001-EA.

**IN DOUGLAS COUNTY: OREGON: O&C: SEALED BID: SCALE SALE: PET ROCK FIRE SALVAGE:**  
All timber designated for cutting on certain Federal lands in Sections 11, 13, and 15, T. 25 S., R. 2 W., Willamette Meridian, estimated for the purpose of this sale to be **3,579 M** bd. ft. No written bid for less than **\$50,877.00** will be considered. The minimum deposit with written bid is **\$5,100.00**.

For the purposes of 43 CFR 5401.0-6 and 5430.0-6, this advertisement is being published on **11/09/2021** and **11/16/2021**.

This advertisement includes:

(1) 2022.0001, Pet Rock Fire Salvage

Scale Sale 3,579 MBF

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
777 NW Garden Valley Blvd.  
Roseburg, Oregon 97471

Date: November 9, 2021

TIMBER SALE NOTICE

**NOTICE IS HEREBY GIVEN** that the Bureau of Land Management will offer for sale timber as described herein for sealed bids, pursuant to Instructions to Bidders, as stated on Form No. 5440-9, attached. **SEALED BIDS** must be received by the District Manager, or designated representative, at 777 NW Garden Valley Boulevard, Roseburg, Oregon 97471, by **10:00 a.m., PST on or before Tuesday, November 30, 2021**. Bids will be opened and high bidder will be notified by email by 4:30 p.m., PST.

Sealed bids should be clearly marked, "**ATTN: SEALED BID: PET ROCK FIRE SALVAGE TIMBER SALE**".

**THIS TIMBER SALE NOTICE** does not constitute the decision document for purposes of appeal of a forest management decision. Consistent with 43 CFR Subpart 5003.2(b), the date the BLM posts the forest management decision on the BLM's ePlanning website establishes the effective date of the decision for purposes of an administrative appeal.

The purchase of this salvage timber entitles the purchaser to volume-for-volume and contract term-for-contract term extensions without reappraisal of qualifying BLM contracts for green timber held by the Purchaser.

**A SEALED BID** on Form No. 5440-9 at no less than the appraised price on a unit basis per species and the required minimum bid deposit shall be required for submission of a sealed bid for each tract. Sealed bidding will be restricted to Douglas-fir.

**THE SUCCESSFUL BIDDER**, as a condition of award, will be required to complete and/or sign the following forms:

1. Form No. 5450-017, Export Determination.

**PRE-AWARD QUALIFICATIONS.** The high 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 fifteen (15) 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.

**A PERFORMANCE BOND** in an amount not less than twenty (20) percent of the total purchase price will be required for all contracts of \$10,000 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 10,000.

**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 ten (10) percent of the total purchase price. For sales of \$500,000 or more, installment payments shall be \$50,000.

**“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 these timber sale tracts described herein are available at the above District Office. Copies of the timber sale contracts are also available for inspection at the District Office.

For questions or concerns, please contact the Roseburg District Office at 541-440-4930.

**Attachments:**

Form No. 5440-9 Deposit and Bid for Timber/Vegetative Resource

## SCALE SALE

Sale Date: November 30, 2021

(1) Roseburg Sale No.: ORR04-TS-2022.0001  
 Douglas County, Oregon: O&C: Sealed bid

Sale Name: Pet Rock Fire Salvage  
 Bid Deposit Required: \$5,100.00

All timber designated for cutting on:

SW $\frac{1}{4}$	Sec. 11,	T. 25 S.,	R. 2 W.,	Willamette Meridian
NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13,	T. 25 S.,	R. 2 W.,	Willamette Meridian
W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$	Sec. 15,	T. 25 S.,	R. 2 W.,	Willamette Meridian

Approx. Number Merch. Trees	Est. Vol. MBF 32' Log	Species	Est. Vol. MBF 16' Log	Appraised Price Per MBF	Est. Volume Times Appraised Price
12,001	2,307	Douglas-fir	2,862	<b>\$15.20</b>	** \$43,502.40
1,691	412	Western Hemlock	517	<b>\$8.30</b>	** \$4,291.10
995	85	Western Redcedar	110	<b>\$21.00</b>	** \$2,310.00
149	55	Sugar Pine	70	<b>\$6.90</b>	** \$483.00
62	13	Incense-cedar	15	<b>\$16.60</b>	** \$249.00
10	4	Grand Fir	5	<b>\$8.30</b>	** \$41.50
<b>14,908</b>	<b>2,876</b>		<b>3,579</b>		<b>\$50,877.00</b>

*\*\* This sale does not meet the OR/WA BLM minimum price policy of 10% of pond value. The State Director has given approval to sell this timber sale at 3.18% of pond value, with deficit/surplus adjustments.*

**SEALED BIDS** WILL BE RECEIVED BY THE DISTRICT MANAGER, OR DESIGNATED REPRESENTATIVE BY MAIL OR APPOINTMENT. MAIL SEALED BIDS TO THE BUREAU OF LAND MANAGEMENT ROSEBURG DISTRICT OFFICE, 777 NW GARDEN VALLY BLVD., ROSEBURG, OREGON 97471. CALL 541-440-4930, TO MAKE AN APPOINTMENT TO DROP OFF SEALED BIDS.

**SEALED BIDS MUST BE RECEIVED BY 10:00 A.M., PST ON OR BEFORE TUESDAY, NOVEMBER 30, 2021.** BIDS WILL BE OPENED AND HIGH BIDDER WILL BE NOTIFIED BY EMAIL BY 4:30 P.M., PST.

SEALED BIDS SHOULD BE CLEARLY MARKED, "ATTN: SEALED BID: PET ROCK FIRE SALVAGE TIMBER SALE".

BIDDERS MUST SUBMIT A WRITTEN BID ON FORM 5440-9 ON A PRICE PER MBF AT A MINIMUM BID INCREMENT OF \$0.01 ON THE DOUGLAS-FIR SPECIES ONLY. THE BID MUST NOT BE LESS THAN THE APPRAISED PRICE OF \$15.20/MBF. ALL OTHER SPECIES WILL BE SOLD AT THE APPRAISED PRICE PER UNIT (MBF).

**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 actual purchase price.

**APPRAISED PRICES** are determined by analytical appraisal methods unless otherwise noted on individual timber sale notices.

**LOG EXPORT AND SUBSTITUTION RESTRICTIONS:** 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.

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.

**CRUISE INFORMATION:** For all Harvest Areas: The timber volumes for all tree species are based on a variable plot cruise, containing a total of 37 plots and 76 randomly selected sample trees. Plots were measured using a 20 basal area factor (BAF).

The volume of the randomly selected sample trees has been expanded to a total sale volume. A map showing the location of the plots and sample trees is available at the Roseburg District Office.

With respect to merchantable trees of all species: the average tree is 16.5 inches D.B.H.O.B., the average log contains 75 bd. ft., the total gross volume is approximately 5047 MBF and 71% recovery is expected.

**CUTTING AREA:** An area of approximately 142 acres distributed throughout 5 units will be salvaged.

**TIMBER ACREAGE:**

Area 1: 28 acres	Area 3: 38 acres	Area: 32 acres
Area 2: 26 acres	Area 4: 18 acres	

**ACCESS:** Access to the sale area is provided by Government, County, and privately controlled roads. Road use fees required to be paid to FIA Timber Growth Masters, LLC., are estimated at \$2,844.00; the final amount due will be adjusted based on the final scaled timber volume.

**DIRECTIONS TO SALE AREA:** To access Harvest Areas go east from Roseburg on State Highway 138 (Diamond Lake Blvd) to Rock Creek. Turn left on County Road 78 (which turns into BLM Road 26-3-1.0 at 1.2 miles) and proceed northeast approximately 7.0 miles to the junction with BLM Road 25-2-16.0 and refer to timber sale Exhibits A and D for further details.

**ROAD MAINTENANCE:** Rockwear and maintenance fees required to be paid to the BLM are estimated at \$26,286.34; the final amount due will be adjusted based on the final scaled timber volume. Rockwear fee required to be paid to FIA Timber Growth Masters, LLC., are estimated at \$539.80; the final amount due will be adjusted based on the final scaled timber volume.

**ROAD CONSTRUCTION:** Estimates include the following: construct 4+20 stations and renovate 203+75 stations of road.

**DANGER TREE CLEARING:** Approximately 441 MBF is to be cut and removed in association with danger tree clearing along existing roads within the Contract Area; this timber volume will be included on Exhibit B, but no acres have been attributed to danger tree clearing on Exhibit A.

**DURATION OF CONTRACT** will be 12 months for cutting and removal of timber. The contract will contain SPECIAL PROVISIONS regarding: logging; road construction, renovation, maintenance, and use; environmental protection; fire prevention; slash disposal; snag creation; optional contributions; log exports; safety.

**ADDITIONAL INFORMATION:** This prospectus includes maps and tables that cannot be made Section 508 compliant. For help with its data or information, please contact the Roseburg District Office at 541-440-4930.

**NOTES:**

1. 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 to prevent incidental take of northern spotted owls in accordance with management direction in the Record of Decision (ROD) and Resource Management Plan (RMP), or; (2) Comply with a stay or remedy issued by the Interior Board of Land Appeals or a court order, or; (3) Protect species which were identified for protection in accordance with management direction established in the ROD and RMP.
2. Seasonal restrictions apply to this sale regarding logging operations, and road work. Refer to Sections 42(A)(5)(b) and 42(B)(2) for details. A "seasonal restriction matrix" is included with this prospectus to serve as a guide in planning and scheduling operations for each harvest unit.
3. Roadside hazard clearing will be required along existing roads within the Contract Area. Refer to Section 42(A)(5) and Exhibit E for details.
4. License agreements with FIA Timber Growth Masters, LLC are required. The terms and conditions of each license agreement are available for inspection at the Roseburg District Office.
5. Slash disposal requirements consist of the following: machine piling, covering and burning slash and debris within a fifty (50) foot radius of landings (approximately 49 landings). Refer to Sections 42(E) for details.

# Pet Rock Fire Salvage Seasonal Restrictions Matrix

ORR04-TS-2022.0001 (Page 1 of 1)

 Restricted Times Are Darkly Shaded

Sale Area	Activity	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		
		1 15	1 15	1 15	1 15	1 16	1 15	1 16	1 15	1 15	1 15	1 15	1 15		
Unit 1,2,3, and 4 (Salvage)	Road renovation <sup>1</sup>	■	■	■	■	■	■					■	■	■	■
	Cable yarding on rocked roads														
	Loading or hauling on rocked roads														
Unit 5 (Salvage)	Road Construction and renovation <sup>1</sup>	■	■	■	■	■	■					■	■	■	■
	Cable yarding on rocked roads														
	Loading or hauling on rocked roads														

<sup>1</sup> Wet season restriction applying to use of unsurfaced (or limited strength) roads and all road construction/renovation (October 15-May 15) may be shortened or extended depending on weather conditions.

<sup>2</sup> Wet season restriction: ground-based yarding (October 1 –July 15) may be shortened or extended depending on weather conditions.

Note: This matrix is intended to serve prospective purchasers as a guide only.

Refer to the contract Special Provisions and Exhibit A and D Seasonal Restrictions Map for a full statement of the seasonal operating restrictions.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Name of Bidder
Tract Number
Sale Name
Sale Notice <i>(dated)</i>
BLM District

**DEPOSIT AND BID FOR: (Check One):**

- Timber and/or Other Wood Products or**  
**(Examples of Other Wood Products: biomass, firewood, posts, poles, etc...)**
- Vegetative Resources**  
**(Examples of Vegetative Resources: boughs, pinyon nuts, cones, plants, etc...)**

<input type="checkbox"/> Sealed Bid for Sealed Bid Sale	<input type="checkbox"/> Written Bid for Oral Auction Sale
Time for opening sealed bids <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	Sale commences <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.
On <i>(date)</i> Place	On <i>(date)</i> Place

In response to the above dated Sale Notice, the required deposit and bid are hereby submitted for the purchase of designated Timber and/or Other Wood Products or Vegetative Resources on the tract specified above.

Required bid deposit is \$ \_\_\_\_\_ and is enclosed in the form of:

cash   
 money order   
 cashier's check   
 certified check   
 bank draft  
 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 product and species will be considered. If the bid is rejected the deposit will be returned.

**BID SCHEDULE – TIMBER AND/OR OTHER WOOD PRODUCTS OR VEGETATIVE RESOURCES**

*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
			X	=	X	=
			X    \$8.30	=    \$4,291.10	X	=
			X    \$21.00	=    \$2,310.00	X	=
			X    \$6.90	=    \$483.00	X	=
			X    \$16.60	=    \$249.00	X	=
			X    \$8.30	=    \$41.50	X	=
			X	=	X	=
			X	=	X	=
			X	=	X	=
			X	=	X	=
			X	=	X	=
TOTAL PURCHASE PRICE						



If sale contract is executed, undersigned is liable for total purchase price including all modifications executed under the terms of the contract. Timber and/or Other Wood Products or Vegetative Resources designated for taking may be less or more than 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)*

*(Check appropriate box, sign in ink, and complete the following)*

<input type="checkbox"/> Signature, if firm is individually owned	Name of firm <i>(type or print)</i>
<input type="checkbox"/> Signatures, if firm is a partnership or L.L.C.	Business address, include zip code <i>(type or print)</i>
<input type="checkbox"/> Corporation <u>organized</u> under the state laws of	<i>(To be completed following oral bidding)</i>
Signature of Authorized Corporate Signing Officer	I HEREBY confirm the above oral bid By <i>(signature)</i>
Title	Date
Submit bid, in <i>duplicate</i> , 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 and/or Other Wood Products or (1a) “Vegetative Resources ” (2) Time bids are to be opened (3) Legal description

### NOTICES

The Privacy Act and the regulations in 43 CFR 2.223(d) require that you be furnished with the following information:

**AUTHORITY:** 38 FR 6280 and 43 CFR 5442.1

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

**ROUTINE USES:** 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 and/or Other Wood Products or Vegetative Resources.

## **INSTRUCTIONS TO BIDDERS**

1. **AUTHORITY** – Timber and/or Other Wood Products or Vegetative Resources, located on the revested Oregon and California Railroad Grant Lands and on the reconveyed Coos Bay Wagon Road Grant Lands is administered and sold pursuant to authority of the Act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a); Timber and/or Other Wood Products or Vegetative Resources located on other public lands of the United States under jurisdiction of the Bureau of Land Management are administered and sold pursuant to authority of the Act of July 31, 1947 (61 Stat. 681), as amended, by the Act of July 23, 1955 (69 Stat. 367; 30 U.S.C. 601 et. seq.). Regulations of the Secretary of the Interior governing sale of Timber and/or Other Wood Products or Vegetative Resources, are codified in 43 CFR Group 5400.

2. **QUALIFICATIONS OF BIDDERS** – A bidder for sale of Timber and/or Other Wood Products or Vegetative Resources must be either (a) a citizen of the United States, (b) a partnership composed wholly of such citizens, (c) an unincorporated association composed wholly of such citizens, or (d) a corporation authorized to transact business in the State in which the Timber and/or Other Wood Products or Vegetative Resources are located.

3. **INSPECTION OF TIMBER AND/OR OTHER WOOD PRODUCTS OR VEGETATIVE RESOURCES** – Bidder is invited, urged, and cautioned to inspect the Timber and/or Other Wood Products or Vegetative Resources prior to submitting a bid. By executing the Timber and/or Other Wood Products or Vegetative Resources sale contract, bidder warrants that the contract is accepted on the basis of his examination and inspection of the Timber and/or Other Wood Products or Vegetative Resources and his opinion of its value.

4. **DISCLAIMER OF WARRANTY** – Government expressly disclaims any warranty of the fitness of the designated Timber and/or Other Wood Products or Vegetative Resources for any purpose of the bidder; all Timber and/or Other Wood Products or Vegetative Resources are to be sold “As Is” without any warranty of merchantability by Government. Any warranty as to the quantity or quality of Timber and/or Other Wood Products or Vegetative Resources to be sold is expressly disclaimed by Government.

5. **BIDS** – Sealed or written bids for not less than the advertised appraised price, per Timber and/or Other Wood Products or Vegetative Resources must be submitted in duplicate to the District Manager who issued *Timber and/or Other Wood Products or Vegetative Resources Sale Notice*.

(a) **Sealed Bid Sales** – Bids will be received until time for opening which is set out in the Notice. Enclose both copies of bid with required bid deposit in a sealed envelope marked on the outside *Bid for Timber and/or Other Wood Products or Vegetative Resources*, time bid is to be opened, tract number, and legal description of land on which Timber and/or Other Wood Products or Vegetative Resources are located. In event of a tie, the high bidder shall be determined by lot from among those who submitted the tie bids.

(b) **Auction Sales** – Submission of the required bid deposit and a written bid is required to qualify for oral bidding. Oral bidding shall begin from the highest written bid. No oral bid will be considered which is not higher than the preceding bid. In the event there is a tie in high written bids, and no oral bidding occurs, the bidder who was the first to submit his bid deposit and written bid shall be declared the high bidder. If the officer conducting the sale cannot determine who made the first submission of high tie written bids, the high bidder shall be determined by lot. High bidder must confirm his bid, in writing, immediately upon being declared high bidder.

(c) Except as otherwise provided in 43 CFR 5442.2, bids will not be considered in resale of Timber and/or Other Wood Products or Vegetative Resources remaining from an uncompleted contract from any person or affiliate of such person who failed to complete the original contract because of (1) cancellation for the purchaser’s breach or (2) through failure to complete payment by expiration date.

(d) When it is in the interest of the Government to do so, it may reject any and all bids and may waive minor deficiencies in bids or in sale advertisement.

6. **BID FORMS** – All sealed, written bids, and confirmation of oral bids shall be submitted on forms provided by Government.

(a) **Timber and/or Other Wood Products or Vegetative Resources Sales** – For each product and species, bids shall specify (1) Bureau of Land Management estimated unit volume or quantity, (2) bidder’s price per unit and total value, and (3) bidder’s total purchase price. Estimated volume and price per unit are to be used for administrative and appraisal purposes only. Upon award of contract, the high bidder agrees to pay the Government for the Timber and/or Other Wood Products or Vegetative Resources designated for removal in accordance with the terms of the contract. Timber and/or Other Wood Products or Vegetative Resources designated for taking may be less or more than total estimated volume or quantity shown above.

7. **BID DEPOSIT** – All bidders must make a deposit of not less than the amount specified in the *Timber and/or Other Wood Products or Vegetative Resources*

*Notice*. Deposit may be in the form of cash, money orders, bank drafts, cashiers or certified checks made payable to the Department of the Interior – BLM, bid bonds of a corporate surety shown on the approved list of the United States Treasury Department (*Applies To Timber Only*), or any approved guaranteed remittance approved by the Contracting Officer. Upon conclusion of bidding, the bid deposit of all bidders, except high bidder, will be returned. The cash deposit of the successful bidder may be applied toward the required sale deposit and/or the purchase price. Cash not applied to the sale deposit or the purchase price, or a corporate surety bid bond, will be returned at the time the contract is signed by the Government.

8. **AWARD OF CONTRACT** – Government may require high bidder to furnish such information as is necessary to determine the ability of bidder to perform the obligation of contract. Contract will be awarded to high bidder, unless he is not qualified or responsible or unless all bids are rejected. If high bidder is not qualified or responsible or fails to sign and return the contract together with required performance bond and any required payment, contract may be offered and awarded to the highest bidders qualified, responsible, and willing to accept the contract.

9. **TIMBER AND/OR OTHER WOOD PRODUCTS OR VEGETATIVE RESOURCES SALE CONTRACTS** – To be executed by purchaser, has been prepared by Government, and may be examined in the District or Field Manager’s office.

10. **PERFORMANCE BOND** – (*Primarily Used For Timber Sales*)

(a) A performance bond in an amount of not less than 20 percent of total purchase price is required, but the amount of the bond shall not be in excess of \$500,000, except when the purchaser opts to increase the minimum bond to permit cutting prior to payment as provided in 43 CFR 5451.2, or in the event the purchaser is a holder of an unresolved default the bond may be increased as provided in 43 CFR 5450.1(b). Performance bond may be (1) bond of a corporate surety shown on approval list issued by the United States Treasury Department and executed on an approved standard form, (2) personal surety bond executed on an approved standard form if Government determines principals and bondsman are capable of carrying out the terms of the contract, (3) cash bonds, (4) negotiable securities of the United States, or (5) any guaranteed remittance approved by the Contracting Officer.

(b) If purchaser elects to cut Timber and/or Other Wood Products or Vegetative Resources without skidding or yarding it to a loading point or removing it prior to the payment of the second or subsequent installments, Government shall require an increase in amount of performance bond initially required by an amount equal to the value of Timber and/or Other Wood Products or Vegetative Resources to be cut. Such increase must be on a bond rider form supplied by Government and be approved, in writing, by Government prior to cutting Timber and/or Other Wood Products or Vegetative Resources covered by the bond increase. This increased amount of bond shall be used to assure payment for Timber and/or Other Wood Products or Vegetative Resources cut in advance of payment.

11. **PAYMENT BOND**— (*Primarily Used For Timber Sales*)

If purchaser elects to (a) cut and remove Timber and/or Other Wood Products or Vegetative Resources, or (b) remove Timber and/or Other Wood Products or Vegetative Resources already cut which has been secured by an increased performance bond as provided in paragraph 10(b) above, before payment of the second or subsequent installments, Government shall require a payment bond on a form supplied by Government. Purchaser shall obtain written approval from Government of payment bond prior to cutting and/or removal of Timber and/or Other Wood Products or Vegetative Resources covered by the bond. Payment bond shall be used to assure payment for Timber and/or Other Wood Products or Vegetative Resources cut and/or removed in advance of payment.

12. **PAYMENT OF PURCHASE PRICE** – For sales of \$500 or more, Government may allow payment by installments. Except as discussed in paragraphs 10 and 11 above, no part of any Timber and/or Other Wood Products or Vegetative Resources sold may be severed, cut, or removed unless advance payment has been made as provided in contract.

13. **LIQUIDATED DAMAGES** – Within thirty (30) days from receipt of *Timber and/or Other Wood Products or Vegetative Resources Sale Contract*, the successful bidder shall sign contract and return it to Government, together with required bond and any required payment. If successful bidder fails to comply within the stipulated time, his bid deposit shall be retained by Government as liquidated damages.

14. **NINETY-DAY SALES** – If no bid is received within time specified in the advertisement of sale and if Government determines that there has been no significant rise in the market value of Timber and/or Other Wood Products or Vegetative Resources, it may, in its discretion, keep the sale open, not to exceed ninety (90) days.

15. *UNAUTHORIZED USE OF GOVERNMENT PROPERTY* – A sale may be refused to high bidder who has been notified that he has failed to make satisfactory arrangements for payment of damages resulting from unauthorized use of, or injury to, property of the United States.

16. *EQUAL OPPORTUNITY CLAUSE* – This contract is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the nondiscrimination clauses. Copies of this order may be obtained from the District Manager. 43 CFR 60-1.7(b) requires that the Equal Opportunity *Compliance Report Certification* will be completed by prospective contractors. Certification may be obtained from District Manager.

17. *LOG EXPORT* – All timber offered for sale except as noted in the *Timber Sale Notice* is restricted from export from the United States in the form of unprocessed timber and cannot be used as a substitute for exported private timber. For the purpose of this contract, unprocessed timber is defined as: (1) any logs except those of utility grade or below, such as saw logs, peeler logs, and pulp logs; (2) cants or squares to be subsequently remanufactured exceeding eight and three quarters (8-3/4) inches in thickness; (3) split or round bolts or other roundwood not processed to standards and specifications suitable for end product use; or (4)

western red cedar lumber which does not meet lumber of American Lumber Standards Grades of Number 3 dimensions or better, or Pacific Lumber Inspection Bureau R-List Grades of Number 3 common or better. Timber manufactured into the following will be considered processed: (1) lumber and construction timbers, regardless of size, manufactured to standards and specifications suitable for end product uses; (2) chips, pulp and pulp products; (3) green or dry veneer and plywood; (4) poles and piling cut or treated for use as such; (5) cants, squares, and lumber cut for remanufacture of eight and three quarters (8-3/4) inches in thickness or less; or (6) shakes and shingles. In event purchaser wishes to sell any or all of timber restricted from export in the form of unprocessed timber, the buyer, exchanges, or recipient shall be required to comply with contractual provisions relating to “*unprocessed timber*”. Special reporting, branding and painting of logs may be included in contract provisions.\*

18. *DETAILED INFORMATION* – Detailed information concerning contract provisions, bid, performance bond forms, tract location maps, and access conditions may be obtained from the District Manager. All persons interested in bidding on the products listed are encouraged to familiarize themselves with all such detailed information.