

USDA - Forest Service SOLICITATION AND OFFER FOR INTEGRATED RESOURCE CONTRACT							
1. Contract Number: 04205		2. Time and Date for Receipt of Offers: mm/dd/2004 10:00 AM		3. Opened By:		4. In the Presence of:	
5. Project Name: Chopper Thin STWD							
6. National Forest: Siuslaw			7. Ranger District: Mapleton			8. Type Offer Best Value	
9. To: (Title and address of Sale Officer receiving bids) Siuslaw N.F. Supervisor's Office Contracting Officer 4077 Research Way Corvallis, OR 97333				10. Name of Newspaper: Gazette Times		11. Date Published: mm/dd/2004	
				12. City Corvallis		13. State Oregon	
INSTRUCTIONS TO SALE OFFICER: Complete applicable blanks before sending to prospective offerors. Attach copy of project advertisement. Entries are required in blocks 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14a, b, c, d, e, and 17; and instruction 13 in all solicitations.							
In response to the Notice of Integrated Resource Contract published in the newspaper specified above, and subject to the conditions attached hereto, the following offer is submitted and shall constitute an Offer.							
14. OFFER INFORMATION—TIMBER - Required fill-in:							
Species (a)		Product (b)	Unit of Measure (c)	Estimated Quantity (d)	Minimum Rate per Unit of Measure	Offer (\$ Per Unit of Measure (g)	
Douglas-fir and Other Coniferous Species		Sawtimber	Tons	83,700			
OFFER INFORMATION—STEWARDSHIP PROJECTS							
Project No. (a)	Description (b)			Unit of Measure (c)	Quantity (d)	Cost (\$ Per Unit of Measure (g)	Total Cost Per Project (h)
Required fill-in							
001	Coarse Woody Debris Creation			Each	1,040		
002	Mature Snags			Each	60		
003	Young Snag Creation (For...)			Each	803		
004	Sidecast Pullback			Cubic Yards	1,410*		
005	Road Culvert and Limb Removal			Cubic Yards	625*		
006	Noxious Weed Control			Acres	32		
007	Fire equipment access			Miles	4		
Total Costs for Mandatory Projects							
Optional Stewardship Projects						Cost (\$ Per Unit of Measure (g)	Total Cost Per Project (h)
008	Pre-commercial thinning			Acres	87		
009	Non-commercial thinning (late pct)			Acres	366		
010	Riparian non-commercial thinning (late pct)			Acres	37		
011	Site prep and tree planting (in harvest units)			Acres	139		
012	Riparian site prep and tree planting			Acres	10		
013	Stockpile large mature wood			Pieces	63		
014	Helicopter Stream structure complex placement			Complexes	63		
015	Trail brushing and Maintenance			Miles	3.5		
016	Road 24 - repair subgrade and pavement			Miles	7.5		
017	Road 24 - surface treat (seal), MP1.2-2480 jct.			Miles	3.3		
018	Road 4830 - realignment and wall, MP 5.6			Job	1		
019	Road 48 - repair subgrade and seal surface			Miles	4		
020	Storm proof non-key roads, pull culverts & waterbar			Miles	40		
021	Decommission Roads			Miles	7		
Total Costs for Optional Projects							
* Quantities are estimated.							

15. OFFEROR RESPONSIBILITY CERTIFICATION: Subject to the penalties prescribed in 18 U.S.C. 1001, Offeror certifies, by signing this solicitation and offer form, that to the best of its knowledge, the following representations are accurate and complete:

a. That the Offeror has not employed or retained any company or person (other than a full-time bona fide employee working solely for the Offeror) to solicit or secure a contract for this offering.

b. That the Offeror has not paid or agreed to pay any company or person (other than a full-time bona fide employee working solely for the offeror) any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of contract for this offering, and agrees to furnish information relating thereto as requested by the Contracting Officer.

c. That the Offeror meets the requirements in 36 CFR 223.101 regarding determination of Contractor responsibility.

d. That if awarded this contract, Offeror will complete the contract to its terms and any modifications thereof including requirements to cut and remove the included timber and complete agreed-upon land management activities by the termination date.

15a. OFFEROR CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER MATTERS: Subject to the penalties prescribed in 18 U.S.C. 1001, Offeror certifies, by signing this solicitation and offer form, that to the best of its knowledge, the following representations are accurate and complete.

a. That the Offeror and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal, State, or local government agency.

b. That the Offeror and its principals have not within a 3-year period preceding this offer been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of or fraud in connection with a public transaction; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or receiving stolen property.

c. That the Offeror and its principals are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b of this certification.

d. That the Offeror and its principals have not within a 3-year period preceding this offer had one or more public transactions (Federal, State or local) terminated for breach or default.

Offerors that cannot certify this block, in whole or in part, shall submit an explanation with their offer (see Instruction 16).

15b. OFFEROR INFORMATION REQUIREMENTS: Subject to the penalties prescribed in 18 U.S.C. 1001, Offeror certifies, by signing this solicitation form, that to the best of its knowledge that the following information is accurate.

a. That the Offeror [] has, [] has not participated in a previous contract subject to the provision of section 202 of Executive Order 11246 (Non-discrimination in Employment) of 9/24/65, as amended; and that the Offeror [] has, [] has not submitted required compliance reports under such previous contracts.

b. That the Offeror together with its affiliates employs the following number of persons and is classified as:
[] 1-25 [] 26-500 [] Over 500 **and** a: [] Manufacturer [] Nonmanufacturer

22. DISCLAIMER OF ESTIMATES AND OFFEROR'S WARRANTY OF INSPECTION: Before submitting this offer, the Offeror is advised and cautioned to inspect the contract area and stewardship activities, review the requirements of the sample contract, and take other steps as may be reasonably necessary to ascertain the location, estimated volumes, construction requirements and estimates, and operating costs of the offered timber and stewardship projects. Failure to do so will not relieve the Offeror from responsibility for completing the contract.

Offeror warrants that this offer is submitted solely on the basis of its examination and inspection of the quality and quantity of the timber offered for sale and stewardship projects to be performed and is based solely on its opinion of the value thereof and its costs of recovery, without any reliance on Forest Service estimates. Offeror further acknowledges that the Forest Service: (i) expressly disclaims any warranty of fitness of timber for any purpose; (ii) offers this timber as is without any warranty of quality (merchantability) or quantity and (iii) expressly disclaims any warranty as to the quantity or quality of timber offered except as may be expressly warranted in the sample contract.

Offeror further holds the Forest Service harmless for any error, mistake, or negligence regarding estimates except as expressly warranted against in the sample contract.

23. CERTIFICATION OF COMPLIANCE WITH EXPORT AND SUBSTITUTION RESTRICTIONS: The Offeror certifies, by signing this solicitation and offer form, that it is in compliance with applicable prohibitions against export and substitution prescribed in the Forest Resource Conservation and Shortage Relief Act of 1990, as amended (16 U.S.C. 620, et seq.).

24. SMALL BUSINESS SET-ASIDE SALE: Not applicable to this solicitation.

25. SPECIAL SALVAGE SALE TIMBER SALE PROGRAM SET-ASIDE SALE: Not applicable to this solicitation.

26. CERTIFICATION OF NON-AFFILIATION: Not applicable to this solicitation.

27. CERTIFICATION OF AFFILIATION: The Offeror certifies that a complete listing of Offeror's affiliates is included with this offer. (A complete list of affiliates is included; see Instructions to Offerors 10 and 14):

Full Name of All Partners, Officers, and Affiliates (Type or Print)	Tax Identification Number

Before signing this offer, review the attached instructions to Offerors and fill in the applicable blanks in boxes 14g, 15b, and 27.

Name of Offeror: (Type or Print)	By: (Signature in ink)	
Tax Identification No.	Title: (Type or Print)	Date:
Business Address (Include Zip Code) (Type or Print)		

INSTRUCTIONS TO OFFERORS

1. OFFER ACCEPTABILITY: Before an offer is considered for award, the offeror is required to submit a technical and price proposal as described in 2 below and comply with all other provisions stated herein. The proposal should be practical and be prepared simply and economically, providing a straightforward, concise delineation of what it is the offeror will do to satisfy the requirements of the contract. Upon contract award, the technical approach (of the technical proposal) and the price proposal will become a binding part of this contract.

2. PREPARATION OF OFFERS: Each offeror shall furnish the information required by the solicitation. Offers shall be manually signed, with prices entered in Box 14g for the timber and mandatory projects and any optional stewardship project the offeror is willing to complete, and all fill-in blanks completed. If erasures or other changes appear on the forms, each erasure or change must be initialed by the person signing the offer.

Proposal Requirements. Proposals shall be submitted in two parts: (a) technical proposal and a price proposal.

A. **Technical Proposal Instructions.** The technical proposal consists of three parts, technical approach, past performance, and benefit to local community. The technical approach must present sufficient information to reflect a thorough understanding of the contract requirements and a detailed description of the techniques, procedures, and program to achieve the specific objectives. Forest Service shall consider proposals that parallel the requirements of the contract specifications, or use phrases such as “will comply” or “standard techniques employed” as unacceptable and will not give further consideration. This proposal must include the following information:

- (1) **Technical Approach** – *Do not exceed three pages to address this item.*
 - a. Describe how the work will be accomplished in a manner that will meet the resources management objectives while removing the timber and completing the stewardship projects.
 - b. Describe the timing of work (similar to an operating schedule) and ability to have multiple projects and/or logging operations working concurrently by including the number of pieces of equipment and/or yarding sites that will be used.
- (2) **Past Performance** – *Do not exceed two pages to address this item.*
 - a. List experiences with stewardship contracts by identifying the resource management objectives and how the project was completed to implement these objectives.
 - b. Provide references that can describe your ability to perform service in accordance with contract requirements. List any contacts from state or other agencies where contract work was completed. Firms that do not have a record of past performance may submit past performance records of their work and their employees’ work prior to the firm’s establishment. This may include experience as a subcontractor. Be sure to indicate whether the work was completed as a prime contractor or as a subcontractor.
- (3) **Benefit to Local Community** – *Do not exceed one page to address this item.*
 - a. Identify how you intend to utilize laborers, subcontractors, and other existing workforces in the logging industry from the local area. Local is defined as being within 1.5 hours of the contract area.
 - b. Identify how you intend to utilize the local trucking companies.
 - c. Describe how you intend to utilize and/or market material to local milling facilities. If the workforce is not local, describe how local motels, restaurants, and other local business will benefit.

B. **Price Proposal.** Complete 14g of this solicitation and offer form. An offer must be submitted for the timber and a cost for all mandatory projects. A cost may be submitted for any optional projects you are willing to complete as part of this contract.

3. SUBMISSION OF OFFERS: Offers must be submitted to the Contracting Officer, designated by the advertisement as the receiving officer, at or prior to the time established by the advertisement. Such offers must be enclosed in a sealed envelope addressed to the designated receiving officer. The envelope should show on the outside that it is an offer and proposal for work, the integrated resource contract name and the date and time for receipt of offers as specified in the advertisement. Offers received after the time specified in the advertisement are late offers. Forest Service Handbook 2409.18, Chapter 60, will govern acceptance of such offers. "Bid" and "Offer" are synonymous under the above Forest Service Handbook reference.

4. PUBLIC OPENING OF OFFERS: The best value process does not allow for public opening of offers.

5. ORAL AUCTION: Not applicable to this solicitation.

6. BID GUARANTEE: Not applicable to this solicitation.

7. EVALUATION OF OFFER AND AWARD OF CONTRACT: Best Value selection will be based on a point-system evaluation of each Offeror's technical and price proposal submitted with the solicitation and offer form. Proposals' unrealistically high or low rates may reflect an inherent lack of knowledge of the contract. The following criteria will be used to evaluate the proposals.

- **Technical Approach**
- **Past performance**
- **Benefit to Local Community**
- **Price**

Technical approach – The maximum rating is 15 points. Evaluation will be determined by:

1. demonstration of a thorough understanding of the resource management objectives for the project area along with the description of how the harvest and remove of included timber and completion of stewardship projects meet those objectives,
2. description of the timing of activities (both logging and stewardship projects) and the type and number of equipment to be used to meet those timelines.

Past performance – The maximum rating is 25 points. Evaluation will be based on worked performed within the last three years for:

1. experience with stewardship contracts,
2. demonstrated ability to perform and complete work and/or services in accordance with contract requirements.

Reliability and compliance with time schedules, ability to manage projects of this nature, working relationships with contracting personnel, and flexibility will also be considered part of the evaluation. Firms lacking a past performance record (new firms or those with no relevant experience with their organization) will be treated as an unknown performance risk and receive no points.

Benefit to local community – The maximum rating is 10 points. Evaluation will be determined by the ability to utilize:

1. local workforce,
2. local trucking companies,
3. local manufacturing facilities.

Local is defined as being within 1-1/2 hours from the project area.

Price – The maximum rating is 30 points. Evaluation will be determined by:

1. the number of optional projects you are willing to complete at the lowest total cost,
2. the lowest total cost for mandatory projects, and
3. highest total price for the timber.

The Government intends to award the contract from this solicitation to the responsible offeror whose offer represents the best value after evaluation in accordance with the total points as mentioned above. The critical factor in making any technical/price trade-off is not the spread between the technical ratings, but rather the significance of that difference. The significance of the spread in ratings will be determined on the basis of what that difference might mean in terms of performance and what it would cost the Government to take advantage of it.

Proposals must be submitted initially on the most favorable terms from a technical and price standpoint that the offeror can submit to the Government. The Government reserves the right to award without discussions with the offerors. However, after receipt of initial offers, written or oral discussions may be conducted with all responsible offerors whose offers are determined to be in the competitive range. Discussions conducted after receipt of an offer do not constitute a rejection or counteroffer by the Government. If the Government conducts oral discussions, a transcriber and tape recorder may be used to record the discussion and exchange of information. A written copy of the transcription may be created and retained in the files.

A written award or acceptance of offer mailed or otherwise furnished to the successful offeror shall result in a binding contract without further action by either party.

The Government may disclose the following information in postaward debriefings to other offerors:

- (1) The overall evaluated cost or price and technical rating of the successful offeror;
- (2) The overall ranking of all offerors, when any ranking was developed by the agency during source selection;
- (3) A summary of the rationale for award

The Government may reject any or all proposals if such action is in the Government's interest.

8. DOWNPAYMENT: Not applicable to this solicitation.

9. DAMAGES: Offeror acknowledges that a resulting contract shall be terminated for breach if the Offeror is found to have violated the False Statements Act in making any statement or certification on this offer form including not meeting purchaser responsibility requirements.

10. PRIVACY ACT: All personal information is requested on a voluntary basis; however, if you do not provide this personal information, your offer will not be accepted and the contract will not be awarded to you. Solicitation of this information is necessary for the Government to conduct its resource management program and thus is authorized under the National Forest Management Act of 1976, (16 U.S.C. 472a). The principal purpose for collecting this information is to allow for proper award of a integrated resource contract and to provide for administration of that contract after award.

Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes shall--

A. Mark the title page with the following legend: *This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed--in whole or in part--for purposes other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of the solicitation, in connection with, the submission of this data, the Government shall have the right to duplicate, use, or disclose this data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The subject to this restriction are contained in sheets (insert numbers or other identification numbers); and*

B. Mark each sheet of data with the following legend: *Use or disclosure of data contained on this sheet is subject to the restriction stated on the title page of this proposal.*

11. ROAD CONSTRUCTION: Offeror hereby acknowledges that the Offeror is aware of the road completion date in the same contract. The Offeror also acknowledges that if the Offeror elects to have Forest Service construct specified roads, the Offeror is aware of: (a) that the Forest Service expects to contract for road construction, (b) that the timber sale contract will not be awarded unless a satisfactory road construction bid is received and a road construction contract is awarded or, if the Forest Service fails to receive such a bid within a maximum period stated in the advertisement, the Offeror agrees to perform road construction, (c) that the Forest Service may extend the maximum award delay time by the amount of time needed to confirm either sale or road Offeror's size status or by any time in excess of 40 days from timber sale bid opening needed to begin solicitation of construction bids, and (d) that if the Forest Service extends the maximum award delay period because solicitation of the road contract is delayed, the Offeror may withdraw its bid without penalty.

12. ELECTION OF ROAD OPTION AND CERTIFICATE OF SMALL BUSINESS STATUS: The National Forest Management Act of 1976 (16 USC 472h(i)) provides that the Secretary of Agriculture may permit timber purchasers qualifying as small business concerns under the Small Business Act to elect, when submitting a bid for timber, to have the Secretary build the specified roads. Offerors qualifying as a Small Business concern under the Small Business Act, as amended, and the regulations thereunder, may elect to have the Forest Service construct the Specified Roads required by this contract. The Offeror who does not elect agrees, if awarded the contract, to construct the roads in accordance with the contract. A Offeror who does elect acknowledges that Offeror is aware of and agrees to the conditions stated in Instruction 11 above and that the Offeror is a Small Business concern.

If you wish to elect Government construction, you must so indicate in Block 17 on the solicitation and offer form that you submit in response to the advertisement. You may not accept this election at a later time. If you do not elect Government construction on your original bid form and you receive contract award, you must construct needed specified roads. You must elect Government construction for all of the specified roads as a package. Election of Government construction of a portion of the roads constitutes a nonresponsive bid. When you elect Government construction, you must certify your firm as a qualified small business concern and acknowledge your understanding that award of the sale cannot take place until the Forest Service ensures road construction.

Except in rare instances, and then only when indicated in the advertisement, the Forest Service must rely upon independent contractors to construct the roads when you request Government construction. The Forest Service shall make a good-faith effort to let a contract for the construction. Without receipt of a satisfactory bid under Federal Procurement Regulations, the Forest Service can only award the integrated resource contract to you if you agree to

perform the construction. This problem does not arise often, but you should consider the possibility when deciding upon your election.

The Act also requires that when the purchaser elects to have the Secretary build the roads, the price paid for the timber must include all of the estimated construction costs of the roads. The purchaser must pay the total cost of the road, regardless of the amount that the bid value exceeds base rate value. This means that you may be billed at a rate higher than the bid rate.

13. ELECTION OF ROAD OPTION: Not applicable to this solicitation.

14. DEFINITIONS:

Affiliates: Business concerns or individuals are affiliates of each other if, directly or indirectly, (a) either one controls or has the power to control the other; or (b) a third party controls or has the power to control both.

Best Value: An offer which is most advantageous to the Government, price and other factors considered, based upon evaluation of competitive proposals.

Contracting Officer: An individual delegated responsibility for opening and evaluating offers and awarding and administering the contract.

Covered Transactions: A primary or lower tier covered transaction. A primary covered transaction is any nonprocurement transaction between an Agency and a person. A lower tier covered transaction is any transaction between a participant and a person other than a procurement contract with a maximum value of a procurement contract is greater than \$25,000.

Discussions: Negotiations that occur after establishment of the competitive range that may, at the Contracting Officer's discretion, result in the offeror being allowed to revise its proposal.

In writing: "Writing" or "written" means any worded or numbered expression which can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

Offeror: Any individual, organization, or other legal entity that submits an offer for, or may be expected to submit an offer for, a National Forest solicitation.

Participant: Any person who submits a proposal for, enters into, or reasonably may be expected to enter into, a covered transaction. This term also indicates any person who acts on behalf of or is authorized to commit a participant in a covered transaction as an agent or representative of another participant.

Proposal modification: A change made to a proposal before the solicitation's closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

Proposal revision: A change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

Sale Officer: An individual delegated responsibility for any specific aspect or task in the bidding or awarding process for the solicitation.

Small Business: In sales of National Forest timber a Small Business is a concern that: (1) is primarily engaged in the logging and forest products industry; (2) is independently owned and operated; (3) is not dominant in its field of operation; and (4) together with its affiliates does not employ more than 500 persons.

Time: If stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

15. CERTIFICATION OF COMPLIANCE WITH EXPORT RESTRICTIONS: Certain restrictions on the purchase and export of unprocessed logs cut from National Forest timber apply in various parts of the country. Pursuant to the Forest Resources Conservation and Shortage Relief Act of 1990, as amended (16 U.S.C. 620, et seq.), the Offeror acknowledges that the Offeror is aware of the applicable export restrictions.

The Offeror is aware that these restrictions affect the disposition of the included timber and is aware that the restrictions may reduce the potential value of the timber.

16. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT AND OTHER RESPONSIBILITY MATTERS-PRIMARY COVERED TRANSACTIONS: The inability of a person to provide the certifications in block 16 will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Forest Service's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

The certification is a material representation of fact upon which reliance was placed when the Forest Service determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Forest Service may terminate this transaction for cause or default.

The prospective primary participant shall provide immediate written notice to the Forest Service to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

The terms 'covered transaction,' 'debarred,' 'suspended,' 'ineligible,' 'lower tier covered transaction,' 'participant,' 'person,' 'primary covered transaction,' 'principal,' 'proposal,' and 'voluntarily excluded,' as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the Forest Service for assistance in obtaining a copy of those regulations.

The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Forest Service to enter into this transaction.

The prospective primary participant further agrees by submitting this proposal that it shall provide the addendum titled 'Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction,' without modification, to all lower tier covered transactions and in all solicitations for lower tier covered transactions.

A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

Except for transactions authorized under these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Forest Service may terminate this transaction for cause or default.

17. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS: Pursuant to Title 7 of the Code of Federal Regulations, Part 3017, Section .510 each participant shall require participants in lower tier covered transactions to include a certification for it and its principals in any proposal submitted in connection with such lower tier covered transactions. Contractors shall keep the certifications on file until the termination date of the contract.

A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is

not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Forest Service may pursue available remedies, including suspension and/or debarment. The instructions and certification are listed below:

**CERTIFICATION Regarding Debarment, Suspension, Ineligibility And
Voluntary Exclusion - Lower Tier Covered Transactions**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below:

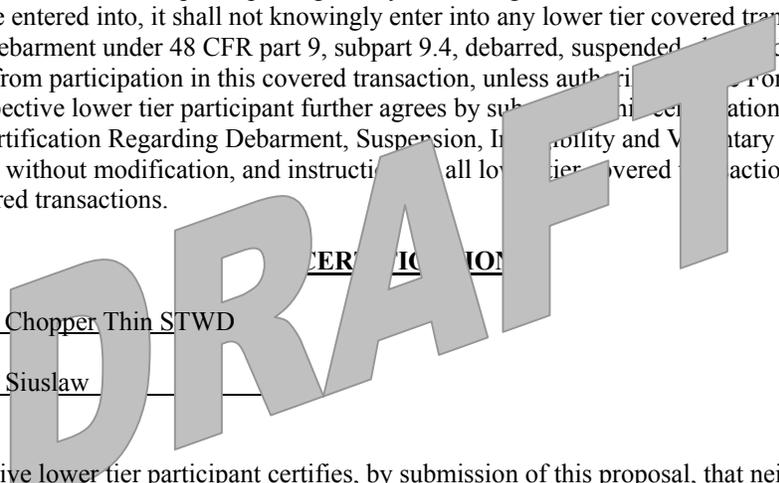
2. The certification is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Forest Service with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms 'covered transaction,' 'debarred,' 'suspended,' 'ineligible,' 'lower tier covered transaction,' 'participant,' 'person,' 'primary covered transaction,' 'principal,' 'proposal,' and 'voluntarily excluded,' as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this certification that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, and ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Forest Service.

6. The prospective lower tier participant further agrees by submitting this certification that it will include this certification titled 'Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction,' without modification, and instruct all lower tier covered transactions and in all solicitations for its lower tier covered transactions.



Project Name: Chopper Thin STWD

National Forest: Siuslaw

The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Lower Tier Participant: _____

Business Address: _____

Date

Signature