

TIMBER SALE PROSPECTUS

Sale Name :	Akrewoods	Type of Sale :	Scaled
National Forest :	Six Rivers	Ranger District :	Mad River
Bidding Method :	Sealed Bid	Bid Guarantee :	\$43,600.00

Location of Bid Opening : Six Rivers National Forest Supervisor's Office, 1330 Bayshore Way, Eureka, CA 95501

Date : 09/18/2020

Time : 11:00 AM

1. INTRODUCTION. This prospectus furnishes prospective bidders with information not contained in the published advertisement and is designed to enable bidders to decide whether or not to further investigate the sale. The prospectus is not a legally binding document, but is offered to provide general information about a sale. The contract does not include descriptions, estimates, and other data in this prospectus, unless otherwise stated. In the event that the prospectus contains an error or contradicts the sample contract, the contract governs. Bidders are urged to examine the timber sale and make their own estimates. Timber sale Contract 2400-6 will be used. Inspect the sale area and the sample contract before submitting a bid. Obtain the appraisal, other information on the timber, and conditions of sale and bidding at Forest Service offices listed above and in the named attached advertisement.

2. BIDDING. This is a Sealed Bid sale. Bidders must submit sealed bids on prepared forms they can obtain from Forest Service offices listed above and in the attached advertisement. The forms include instructions for bidding and submission of the required certifications. A bid guarantee must be included with the bid in the form of cash, a bid bond on form FS-6500-13 (4/82) or later, certification of annual bid bond allocation on form FS-6500-13a (4/82) or later, an irrevocable letter of credit, a certified check, bank draft, cashiers check, official bank check, or bank or postal money order payable to the Forest Service, USDA in the amount specified above and in the bid form. The bid guarantee shall be returned to each bidder whose bid is not accepted.

Total Sale Value Bidding:

Prospective purchasers must submit bids in terms of the minimum acceptable total sale value. The bid form states minimum acceptable bid rates and estimated quantities of timber, together with the minimum acceptable total sale value. The advertised minimum acceptable total sale value is only for the biddable species, as listed on the bid form in the upper section of block 14. It does not include any non-biddable, fixed rate species listed in the lower section of block 14 titled "Required Removal at Fixed Rate. Only the Fixed Rate Applies." The bidder should enter the offer on the bid form only in terms of the total sale value. The Forest Service shall establish bid rates by species in the contract by multiplying each species' minimum acceptable bid rate by the bid increase percentage. Such rates will be rounded to the nearest cent. The bid increase percentage is the bidder's total sale value bid rate divided by the minimum acceptable total sale value. The total amount for stumpage is the volume of each biddable species multiplied by its bid rate, plus the volume of each fixed rate species multiplied by its fixed rate.

3. LOCATION AND DESCRIPTION OF TIMBER. Refer to the sample contract and sale area map attached to the sample contract for legal location of sale area, location of subdivisions, location of cutting units, the acreage of sale area, and the cutting unit acreage.

THE FOLLOWING GENERAL LOCATION, ROUTES OF ACCESS, ACREAGES, AND OTHER SPECIAL LOCATION DATA DO NOT SUPERSEDE THE SALE AREA MAP OR SAMPLE CONTRACT.

The Akrewoods Timber Sale is approximately 12 air miles south of Mad River Ranger District Office and 1 air mile northeast of Zenia, CA. This sale consists of 1,030 acres of tractor yarding. Cut trees are designated using Individual Tree Mark (ITM) on 901 acres and Designation by Prescription (DxP) on 129 acres of plantation thinning.

There is a total of 56,280 TON (9,212 MBF) sawtimber volume designated for removal: 30,490 TON (4,829 MBF) White fir; 15,459

TON (2,848 MBF) Douglas fir; 7,171 TON (998 MBF) Ponderosa pine; 2,997 TON (512 MBF) Incense cedar; and 163 TON (25 MBF) Sugar pine.

Cut trees within ITM units are designated with BLUE paint above and below stump height, a stump mark at ground level and a band at or above DBH. Trees with BLACK paint over BLUE paint are NOT designated for removal.

Unit boundaries are designated with solid BLUE flagging, ORANGE flashers, and ORANGE paint above and below stump height with a stump mark at ground level and three diagonal lines facing into the treatment unit and vertical directional lines on each side of the tree showing which direction the unit boundary travels.

Equipment Restriction areas identified for streamcourse protection within the Riparian Reserve are designated with BLUE/WHITE stripe flagging and YELLOW tags labelled "ERZ" facing into the unit.

Cultural Resource Control Areas are designated with YELLOW/WHITE stripe flagging and YELLOW/BLACK signs labelled "SENSITIVE AREA Equipment PROHIBITED behind this sign".

Botanical Protection Control Areas: Sensitive Plant Species are designated with ORANGE/WHITE stripe flagging, YELLOW/BLACK signs labelled "SENSITIVE AREA Equipment PROHIBITED behind this sign", and wooden stakes with an attached YELLOW flasher. Noxious Weeds are designated with solid ORANGE flagging labelled "NOXIOUS WEEDS" and YELLOW/BLACK signs labelled "SENSITIVE AREA Equipment PROHIBITED behind this sign", and wooden stakes with an attached YELLOW flasher.

4. TIMBER QUANTITIES AND RATES. The quality, size, cut per acre, and product suitability of the timber are estimates based on detailed cruise information on file and available for inspection at the Forest Service offices listed above and in the advertisement. VOLUME QUANTITIES LISTED HEREIN ARE MADE AVAILABLE WITH THE UNDERSTANDING THAT VALUES SHOWN ARE FOREST SERVICE ESTIMATES AND ARE NOT GUARANTEED. For these reasons, bidders are urged to examine the timber sale area and make their own estimates.

THE MINIMUM ACCEPTABLE BID RATE IS STATED IN THE ATTACHED BID FORM. THESE RATES ARE EFFECTIVE AT THE TIME OF ADVERTISEMENT.

Estimated Quantities and Minimum Acceptable Rates per Unit of Measure

Species	Product	Unit of Measure	Estimated Quantities	Average DBH	Minimum Acceptable Bid Rates	Base Rates	Required Deposits	
							Slash Disposal	Road Maintenance
Combined Softwood	Sawtimber	Ton	56,280.00	N/A	\$7.73	\$.10	\$0.07	\$0.30
	TOTAL	Ton	56,280.00				\$3,939.60	\$16,884.00

The minimum acceptable total sale value bid for advertised timber is \$435,044.40. It does not include any non-biddable, fixed rate species listed on the bid form in the lower section of block 14 titled "Required Removal at Fixed Rate. Only the Fixed Rate Applies." The total amount for stumpage is the volume of each biddable species multiplied by its bid rate, plus the volume of each fixed rate species multiplied by its fixed rate.

The bid rate for species and unit of measure are assigned under procedures for average bid premium bidding, as noted in this prospectus. This rate has been established by appraisal, with a cost allowance for the roads specified by the contract, if any. Required deposits for slash disposal and road maintenance are in addition to the advertised rates for timber.

Timber Subject to Agreement

Species	Product	Unit of Measure	Fixed Rates	Slash Disposal Deposits	Road Maintenance Deposits
Other Softwood	Sawtimber	Ton			

5. PERIOD OF CONTRACT. The normal operating season covers the period between 05/15 and 10/15. Contract termination date is 03/31/2024. Extensions of this contract may be granted only when the purchaser has met specified conditions.

If an appeal or lawsuit is filed challenging the decision to award this contract or upon determination by the Regional Forester that conditions existing on this timber sale are the same as, or nearly the same as, conditions existing on other timber sale(s) in appeal or litigation, Contracting Officer may delay award or reject all bids. If delay in award is for 30 days or more during Normal Operating Season after bid opening, Contracting Officer shall, upon award, adjust the contract term to include additional calendar days in one or more Normal Operating Seasons equal to the time award is delayed during Normal Operating Season.

The purchaser must submit a Plan of Operations to the Contracting Officer for approval before operations begin or within 60 days of sale award, whichever is earlier. The plan must show how the purchaser plans to complete the contract by the termination date. In addition to the Plan of Operations, the purchaser must submit an annual Operating Schedule before commencing operations. This schedule will include the anticipated major activities and needs for harvest. This annual Operating Schedule does not require concurrence of the Forest Service.

6. PAYMENT. Payment for timber and any required deposits for slash disposal or road maintenance are required in advance of cutting. The Purchaser may transfer purchaser credit into the contract, or provide an acceptable payment guarantee prior to cutting. Payment for required deposits must be a cash payment. The purchaser shall make advance deposits in accordance with provision B(T)4.212 - Advance Deposits.

The high bidder whose bid is accepted shall, at the time the contract is signed and returned by the bidder, make a downpayment pursuant to Title 36, Section 223.49, of the Code of Federal Regulations. The Contracting Officer will notify the high bidder of the amount necessary to make this payment. In no case shall the downpayment be less than 10 percent of the total advertised value plus 20 percent of the bid premium. After receipt of the downpayment and a satisfactory performance bond and upon execution of the timber sale contract, the Forest Service will return the bid guarantee. A cash bid guarantee may be applied to the downpayment at the request of the purchaser. The purchaser cannot apply the amount deposited as a downpayment to cover other obligations due on the sale until conditions stated in the contract for release of downpayment have been met. Refer to the sample contract for the specific conditions.

By the midpoint between award date and the termination date, the purchaser shall have paid for, or in lieu thereof, deposited cash in the greater amount of: (1) 50 percent of the total estimated bid premium, or (2) 35 percent of the total estimated sale value at bid date, exclusive of required deposits, rounded up to the next \$100.

By the midpoint of the last normal operating season, or 12 months from the initial periodic payment, whichever date is first, the purchaser shall have paid for, or in lieu thereof, deposited cash in the amount of 75 percent of the total estimated sale value at bid date, exclusive of required deposits, rounded up to the next \$100.

7. PERFORMANCE BOND. A performance bond is required. The penal sum of the bond will be 10 percent of the total bid value of the sale, rounded up to the nearest \$100 when the total bid value is \$10,000 or less; and rounded up to the nearest \$1,000 when the total bid value exceeds \$10,000 or \$44,000.00 whichever is greater. If an irrevocable letter of credit is used to secure the performance bond, the termination of the letter of credit must be at least 6 months past the contract termination date.

8. SPECIFIED ROADS. Not Applicable.

9. ROAD MAINTENANCE. Purchaser shall perform or pay for road maintenance work, commensurate with purchaser's use, on roads controlled by Forest Service, and used by purchaser in connection with this sale. Road maintenance requirements are based on the predicted haul route. Any change in the purchaser's actual haul route may necessitate a change in the roads to be maintained and/or in the amount of required deposit for road maintenance. Required deposits for road maintenance are listed in Section 4 and in the sample contract. Maintenance specifications are in the sample contract.

10. INAPPLICABLE STANDARD PROVISIONS. See sample contract.

11. SPECIAL PROVISIONS. See sample contract.

12. SET-ASIDE SALES. Not Applicable.

13. LOG EXPORT AND SUBSTITUTION RESTRICTIONS. The contract requires domestic processing of included timber except for species declared to be surplus, and prohibits the use of such included timber in substitution for unprocessed private timber exported. The bidder, by signing the bid for advertised timber, certifies compliance with the applicable prohibitions against export and substitution prescribed in the Forest Resources Conservation and Shortage Relief Act of 1990, as amended (16 U.S.C. 620, et seq.) with each bid.

14. EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE REVIEW. If the total bid value plus required deposits for this contract exceeds \$10 million, before award, the Forest Service shall request an equal employment opportunity compliance review of the high bidder to determine compliance with the provisions of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967 and Executive Order No. 12086 of October 5, 1978.

15. AWARD. The Contracting Officer is required to make a determination of bidder responsibility as stated in Title 36, Section 223.101, of the Code of Federal Regulations.

To determine a purchaser to be responsible, a Contracting Officer must find that:

- a. The purchaser has adequate financial resources to perform the contract or the ability to obtain them;
- b. The purchaser is able to perform the contract within the contract term taking into consideration all existing contracts and Governmental business commitments;
- c. The purchaser has a satisfactory performance record on timber sale contracts. A prospective purchaser that is or recently has been seriously deficient in contract performance shall be presumed not to be responsible, unless the Contracting Officer determines that the circumstances were beyond the purchaser's control and were not created through improper actions by the purchaser or affiliate, or that the purchaser has taken appropriate corrective action. Past failure to apply sufficient tenacity and perseverance to perform acceptably under a contract is strong evidence that a purchaser is not a responsible contractor. The Contracting Officer shall consider the number of contracts involved and extent of deficiency of each in making this evaluation;
- d. The purchaser has a satisfactory record of integrity and business ethics;
- e. The purchaser has or is able to obtain equipment and supplies suitable for logging the timber and for meeting the resource protection provisions of the contract;
- f. The purchaser is otherwise qualified and eligible to receive an award under applicable laws and regulations.

Bidders, by signing the bid form, certify that, to the best of bidder's knowledge the bidder will meet the requirements in 36 CFR 223.101, determination of purchaser responsibility, and, if awarded this contract, that bidder will complete the timber sale contract and any modifications thereof in accordance with its terms including requirements to purchase, cut, and remove included timber.

16. FALSE STATEMENTS ACT. Bidders, by signing the bid form, certify that they are aware that bidder is subject to the penalties prescribed in 18 U.S.C. 1001, Chapter 47, Fraud and False Statements (P.L. 104-45). The Act states "whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any

false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than 5 years, or both."

17. DAMAGES. This contract shall be terminated for breach pursuant to paragraph 16, 19, and/or 21 of the bid form and the terms of the sample contract if: 1) bidder fails to execute a timber sale contract, furnish a downpayment, or furnish a satisfactory performance bond within 30 days of the award letter's date; or 2) bidder is found to have violated the False Statements Act in making any statement or certification on the bid form including not meeting purchaser responsibility requirements, and bidder has made a false statement. The bid guarantee shall be retained, in whole or in part, by the Forest Service to satisfy any damages that may be assessed.

18. SUSPENSION AND DEBARMENT CERTIFICATION. Non-procurement debarments and suspensions are governed by the Government-wide common rules (7 CFR 3017).

These rules require each timber sale purchaser, to submit a certification for itself, its principals, and its affiliates when bidding on sales. The bidder must designate its status regarding debarment, suspension, and other matters as specified on the bid form. The bidder, by signing the bid form, certifies this status. An explanation for not submitting a certification may be submitted. The Contracting Officer will determine whether the explanation provides sufficient reason for permitting participation in the bidding. Also, as a timber sale purchaser enters into transactions with subcontractors, these subcontractors must certify their eligibility. The certification titled "Subcontractor Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion" must be provided to subcontractors, but completed certifications are not required to be submitted with bid forms. Purchaser must keep these subcontractor certification forms on file for review by the Forest Service, if requested.

The certification forms and instructions for subcontractor transactions are provided as an addendum to the bid form.

19. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) LOGGING REGULATIONS. Conduct of operations on this timber sale is subject to inspection for compliance with the logging operations regulations at 29 CFR 1910.266 by OSHA. This standard is applicable to the entire logging industry wherever logging operations occur. Information is available to assist purchasers to ensure compliance with the logging operations regulations during conduct of this timber sale from the U.S. Department of Labor, Occupational Safety and Health Administration, OSHA, California Department of Industrial Relations, 1515 Clay Street, Suite 1901, Oakland, California 94612.

20. GENERAL. Corporations submitting an offer under this solicitation must include form AD-3030, Representations Regarding Felony Conviction and Tax Delinquent Status For Corporate Applicants. Copies of this form may be obtained from the Forest Service office shown on page 1 of this prospectus or electronically at: <http://www.ocio.usda.gov/policy-directives-records-forms/forms-management/approved-computer-generated-forms>.

This sale was designed for WHOLE tree yarding using a combination of mechanical harvest and tractor grapple yarding. This sale was not planned to be logged with conventional tractor logging equipment. Occasionally, handfelling may be necessary. There is approximately 16.5 acres dispersed throughout the units where tractor endlining (ENDL) operations will be required.

This timber sale contract is offered in accordance with the following decision document required by the National Environmental Policy Act (NEPA), Akrewoods Fuels Reduction Project Decision Memo, decision date May 11, 2020, for review at the Forest Service office(s) named in the attached advertisement. Should this NEPA document contain information that differs from the Purchaser's understanding of the terms of this sale, Purchaser is to inquire with the Forest Service to clarify any ambiguities.

SBA BOND GUARANTEE PROGRAM: The Surety Bond Guarantee (SBG) Program regulations have been amended to allow SBA to guarantee bid and performance bonds for timber sale contracts. This change applies to contracts administered by the U.S. Forest Service.

APPRAISAL ALLOWANCES: This sale was appraised for 1,030 acres of mechanical/tractor. Approximately 118.5 acres of the mechanical/tractor based operation was appraised for Adverse Skidding and 16.5 acres for endline (ENDL) requirements. Appraisal allowances were made for but not limited to the following: move-in/move-out costs, sawtimber logging costs for mechanical tractor yarding, haul cost, road maintenance, erosion control work, felling of small damaged trees (FELL), lop and scattering of logging slash (SCAT 18"), delimiting and decking top wood (STACK), piling landing slash, covering of piles, scarify (6" depth) non-system/temporary roads and associated landings, and Project Activity Level impacts.

THE FOLLOWING REQUIREMENTS ARE INCLUDED IN THE CONTRACT. PURCHASERS NEED TO BE AWARE OF SPECIAL REQUIREMENTS THAT MAY AFFECT THE CONDITIONS OF THE SALE.

1. This is a WEIGHT SCALE sale.
2. CLEANING OF EQUIPMENT: Required prior to entering the Sale Area. See Sample Timber Sale Contract B6.35 - Equipment Cleaning. Cleaning of Equipment will be required after operations in units: 25-29, 32-33, & 40. See Sample Timber Sale Contract C6.24# - SITE SPECIFIC PROTECTION MEASURES.
3. SPECIAL EROSION PREVENTION MEASURES: The spreading of logging slash or other material as agreed will be required on skid trails within Riparian Reserves and gouging created from endling and other areas identified during operations. C6.6# - Erosion Prevention and Control (05/2008) requires the Purchaser to maintain a minimum 50% soil cover. SEPM will be required on a maximum of 25 acres, as shown on the Sale Area Map.
4. SCARIFY TEMPORARY ROADS AND ASSOCIATED LANDINGS: up to a maximum of 1.0 acres (0.5 miles) of temporary roads and an estimated 18 landings (9 acres) located adjacent to temporary and non-system roads will require scarification to a depth of 6 inches after harvest treatments are complete. See Sample Timber Sale Contract, C6.6# - Erosion Prevention and Control.

THE FOLLOWING SPECIAL C PROVISIONS ARE INCLUDED IN THE CONTRACT:

C2.11# - Timber Subject To Agreement (02/1971). There is an unestimated volume within units: 62, 301-303 that will be included upon written agreement.

C2.355# - DESIGNATION BY PRESCRIPTION (05/15). Timber is designated for cutting as shown in C2.35# - Designation of Timber and as described in C2.355# - Designation by Prescription.

C6.36# - Acceptance of Work (07/30/2019) describes the review process and requirements for acceptance of C2.355#. See Sample Timber Sale Contract.

C5.32# - ROAD MAINTENANCE DEPOSIT SCHEDULE (08/2012). A Road Maintenance Deposit of \$0.30 per TON is required.

C5.35# - ROAD AND WATER SUPPLY USE (08/2008). A Surface Replacement Deposit of \$0.46 per TON is required.

C6.24# - SITE SPECIFIC PROTECTION MEASURES (4/04). There are known areas that need to be protected for cultural resources in this Timber Sale. These areas are not shown on the Sale Area Map, however are identified on the ground. A separate Cultural Resource map will be provided to the Purchaser that is exempt from disclosure under the Freedom of Information Act. Upon completion of the Timber Sale Purchaser must return the cultural resource map to office from which it was assigned from. Prospective bidders can review the cultural resource map before bidding on this contract at the Forest Service offices identified in the ad as contacts for complete information concerning this contract. The cultural resources map may only be viewed at the Forest Service office.

Areas of Sensitive Plant Species and Noxious Weeds are identified and are to be avoided. Cleaning of Equipment is required prior to moving equipment from units: 25, 26, 33 (after common use of landing #39), and units 27, 28, 29, 32, and 40 after harvest operations. There are sites identified adjacent to haul routes FSR 2S08, 3S14, 2S26, 3S41, and 3S47 that will prohibit road maintenance work from being performed. See Sample Timber Sale Contract.

C6.241 - TIMBER SALE SPECIFIC WILDLIFE SURVEY NEEDS (08/2018). See Sample Timber Sale Contract.

C6.315# - SALE OPERATIONS SCHEDULE (08/2006). See Sample Timber Sale Contract.

There will be no Limiting Operational Periods (LOP) through the life of the contract as long as surveys continue through implementation. Surveys to protocol would continue for the life of the contract or additional seasonal restrictions would be imposed on any treatment in or within 0.25 miles of nesting/roosting habitat. A September 15 LOP would be used in occupied (breeding pair) or nesting/roosting habitat if no surveys are conducted. If a new Activity Center is detected through surveys additional seasonal restriction would also be imposed: prohibiting all timber harvest, heavy equipment use, chainsaw use, and smoke producing activities within 0.25 miles of known Northern Spotted Owl Activity Centers from February 1 through July 31.

C6.41# - FELLING, BUCKING, AND LIMBING (8/2006). This sale requires directional felling away from: Roads, Streamcourses, Wetlands, Riparian Reserves Inner Zones, Other Ownership, Survey Monuments, Control Areas, and Improvements.

C6.42# - GROUND BASED SKIDDING (8/2006). Requires specific logging equipment capabilities and methods to achieve product removal and protection of resources.

C6.6# - EROSION PREVENTION AND CONTROL (5/2008). See Sample Timber Sale Contract for Special Erosion Protection Measures (SEPM) and Soil Scarification requirements.

Riparian Reserve outer zones identified as SEPM on the Sale Area Map will require Feller-bunchers to minimize turning and skid equipment will not be allowed to turn around within, skid equipment must back into the Riparian Reserve and skid material straight out.

C6.62# - SITE SPECIFIC WETLANDS PROTECTION MEASURES (07/2001). See Sample Timber Sale Contract.

C6.7# - SLASH TREATMENT (08/2006). See Sample Timber Sale Contract for MACH, SCAT 18', STACK, COVER, and FELL requirements.

C6.815 - THIRD PARTY SCALING SERVICES (04/2004). This timber sale contract has been designed for weight scaling using Third Party Scaling Organizations. Under this provision, the purchaser shall bear and administer the cost of scaling services. Weight scaled sales assume purchaser shall request an alternate weight scaling location. Alternate weight scaling location must have a currently State certified scale (B6.814) and the ability to transmit scale data to TPSO for processing (C6.815). If an Alternate Scaling request is not made purchaser shall bear all costs for arrangements to weigh loads at a Forest Service approved location on or near the sale area using portable scales or as otherwise agreed. Weight scaling shall be performed by an authorized Third Party Scaling Organization.

C7.22# - EMERGENCY PRECAUTIONS (6/2012). The Project Activity Level (PAL), an industrial operation's for fire precaution system will be used on this sale. The Mad River Area 130 Remote Area Weather Station will be used to calculate the Project Activity Levels. The "working operations period" is from May 1 to November 30. Average historical days in each of the Project Activity Levels for the operation month are shown at the end of the Prospectus in Table A.

