

### **Additional Information for Development of Technical Proposals**

The attached **Technical Proposal – Cowbell ReAd Attachment 1 to the Bid Form** template provides prospective Offerors with additional information on how to develop their proposals and what specific items to address or emphasize. These items cover areas of special concern to the Forest Service and those that collaborated to develop this Project. **They are areas where we are more likely to consider tradeoffs between price and quality.** You may use the attached template or develop your own, however all items listed in the Offer for Integrated Resource Contract Form should be addressed in your Technical Proposal.

Please keep in mind -

- What you put down in your Technical Proposal becomes a binding part of the Contract (see G.3.1.1 - Inclusion of Technical Proposal). **This includes your Operating Schedule, how you plan to accomplish the work, and the personnel (including sub-contractors) that you plan to use.**
- If it fits, include adaptive approaches. These might help to make sure you are not tied into actions that may become unnecessary. They can also be used to describe to the Forest Service how operations will be done differently if problems arise.
- We understand that what you put in your Technical Proposal may have a price tradeoff. The government is looking for the offer that is both technically acceptable and whose technical/price relationship is the most advantageous to the Government (Best Value).

Also, to further assist you in completing the technical proposal, the *italicized* text provide contractors with details on information to provide in response to the evaluation criteria. **Suggestions listed are not all inclusive and the contractors should add other information as appropriate.**

A cover sheet is provided to attach to your Technical Proposal – Attachment #1. Please number and label all pages submitted with your Bid Form so we may ensure that all Pages are accounted for.

**COST/PRICE EVALUATION CRITERION.** These criteria will (1) consider price reasonableness, and (2) be used to help determine the Offerors' understanding of the work. The importance of cost/price may become greater as the differences between technical proposals decreases. Where Technical Proposals are determined to be substantially equal, any cost/price advantage to the Government may control award.

**Price Proposal (complete, sign and enclose form FS-2400-14BVU)**

**Technical Proposals** will be evaluated and ranked on the basis of the following listed criteria. All factors are listed in descending order of importance. All sub-factors listed under each evaluation criteria are approximately equal in importance. All technical evaluation criteria when combined are approximately equal to cost or price significantly more important than cost or price significantly less important than cost or price.

Except for Past Performance, the Offeror's Technical Proposal, as accepted by the Forest Service, will be incorporated into any resultant Contract.

In preparing your Technical Proposal, the contractor shall keep in mind the following end results, specifications and objectives that shall be achieved in the SAMPLE CONTRACT. (It is strongly recommended you review the SAMPLE CONTRACT prior to preparing your Technical Proposal).

LIST OF <b>END RESULTS</b> , SPECIFICATIONS AND OBJECTIVES TO BE MET WITH THE HOW-TO'S DESCRIBED BY THE CONTRACTOR IN THEIR TECHNICAL PROPOSAL	PAYMENT UNITS
Plan of Operations demonstrates Contractor will complete the Contract by the Termination Date. <b>40% of Included Timber is high risk Aspen and Mixed Conifer products.</b> Operating Plans that demonstrate the Contract will be completed on an accelerated schedule will be given a higher rating. <i>(Optional Blank Operating Schedule format included with Bid Form to assist in this process)</i>	Contract Area, Harvest, Road work, Stewardship Projects, Contractual Work
Quality Control Plan will ensure that residual trees, other resource protection measures defined in the Sample Contract, and Safety requirements are met or exceeded. <i>Failure to submit Performance Questionnaire(s) can affect this rating.</i>	Contract Area
Contractor has experienced sawyers that can hand-fell in a manner that results in minimal damage to residual surroundings.	Stewardship Projects #2-011, #2-066, #2-053
Contractor's Representatives past experience in Contract administration of crews and sub-contractor(s) with similar harvest types, road work, and stewardship projects defined in this Contract will ensure compliance with Contract Specifications and reduce the amount of Forest Service oversight on this Contract.	Contract Area

## EVALUATION CRITERIA.

The Government will assess the capability of each offeror on the basis of the following criteria which are of approximately equal value listed in priority order from highest to lowest: (i) Technical Approach, (ii) Capability and Past Performance, (iii) Utilization of Local Workforce including utilization of small businesses, and (iv) Benefit to communities within the defined local area. The Government will evaluate each offer based on the criteria set forth below.

Local Area is defined as .

***(i) Technical Approach.*** The Government will evaluate each Offeror's technical approach on the basis of the following sub-factors:

***(A) Plan of Operations.*** Offeror's who demonstrate a plan of operations for both product removal and stewardship project work, including its timeline (start and completion dates), and the rationale for work activities to ensure all contractual work will be completed by the contract termination date, will rank the highest.

***(B) Quality Control Plan and Safety.*** Offers that show a well-developed quality control plan and effective measures for ensuring the plan will be followed will rank the highest. This shall include both harvesting and the stewardship projects. Safety plans that discuss the multiple hazards inherent in forest work activities and provide adequate measures to mitigate the hazards will rank the highest.

***(C) Supervision.*** Contract managers and on-the-ground supervisors with more than 5 years' experience, that show knowledge of the multiple stewardship activities and can

demonstrate their ability to manage the multiple stewardship contracts and subcontractors, will rank the highest.

**(D) Equipment.** Offerors who provide a list of equipment to be used and its capability to accomplish this contract that is realistic or innovative based on past projects, and achieve the listed **End Results**, will rank the highest.

**(E) Production Capability.** Offeror's demonstrating a production capability to accomplish this contract within the time allowed will rank acceptable.

**(ii) Capability and Relevant Past Performance.** The Government will evaluate each Offeror's organizational experience on the basis of its breadth, its depth, and its relevance to the work that will be required under the contract.

**(A) Key Personnel.** Key personnel who display significant, high quality experience and education in the type of work to be performed will rank higher. Key personnel who display experience in the defined local area will rank higher.

**(B) Subcontractors.** The Government will evaluate the organizational experience of the Offeror's proposed key subcontractors. Subcontractors who display significant, high quality past performance and who have worked in the defined local area will rank higher.

**(C) Relevant Past Performance.** Past performance is a measure of the degree to which the Offeror satisfied its customers in the past and complied with Federal, state, and local laws and regulations.

In evaluating past performance, the Government will contact some of the references provided by the Offeror and other sources of information, including, but not limited to, Federal, state, and local government agencies, better business bureaus, published media, and electronic data bases.

Past performance will be evaluated on the following sub-factors: Quality of Work, Customer Satisfaction, Timeliness of Performance, Business relations, and Cost Control. Contractors with demonstrated knowledge and experience in the work to be completed, met specifications with few or no contract non-compliances or breaches, satisfied their customers, finished on time or ahead of time, maintained amicable communications with customer, exhibited flexibility, and completed the work at or below contract cost (assuming no changes in specifications), will be rated the highest.

**(iii) Utilization of Local Workforce.** *(Local Area is defined in the Prospectus)* The ability of Offerors to enhance local and small business employment opportunities will be evaluated based upon the following sub-factors. "Place of operation" is defined as the Contractor's address for normally doing business on a year-to-year basis. Credit for recruitment, employment or utilization of labor or subcontractors will be evaluated as follows:

1. Highest evaluated rating: Utilization of work force for at least 9 months each year, creating jobs, and maintaining infrastructure in the defined local area.
2. Secondary evaluated rating: Utilization of work force for at least 6 months each year, creating jobs, and maintaining infrastructure in the defined local area, and
3. Lowest evaluated rating: Utilization of work force for less than 6 months each year, creating jobs, and maintaining infrastructure.

**(A) Local Hires.** Offerors who submit the greatest number of local hires residing in the defined local area will be given a higher rating.

**(B) Prime Contractor.** Offerors whose permanent place of operation is within the defined local area will be given a higher rating

**(C) Key Personnel.** Key personnel who are from the defined local area who display significant, high quality experience and education in the type of work to be performed will rank higher.

**(D) Subcontractors.** Offerors who submit the greatest number of subcontractors having a permanent place of operation inside the defined local area will be given a higher rating.

**(E) Small Businesses.** Offerors who are small businesses or utilize local small business product manufacturing will be given a higher rating. A small business concern is a concern primarily engaged in the logging or forest products industry, is independently owned and operated, is not dominant in its field of operation, and together with its affiliates, does not employ more than 500 persons.

**(iv) Benefit to Communities Within the Defined Local Area.**

**(A) Positive Economic Impact.** In addition to Utilization of Local Workforce, Offerors that commit to spending the most at businesses within the defined local area will be rated the highest.

**(B) Delivery and Processing of Forest Products.**

Contractors who deliver forest products removed from the contract area to locations inside the defined local area which are also processed at manufacturing facilities inside the local area will be rated the highest. Contractors who deliver forest products removed from the contract area to locations within xx miles of the defined local area will be rated the second highest. Contractors who deliver forest products removed from the contract area to locations beyond xx miles of the defined local area will be rated the lowest. *This only applies to sawtimber products.*

## Instructions for Submission of Technical Proposals

### TECHNICAL APPROACH

#### Capability and Past Performance Section (Items 1 – 6 of the Attachment 1 Form)

- Fill out a Capability and Past Performance Information Sheet for **each of your key supervisory personnel** and for **each subcontractor** you intend to use to include the following information. This information is used to determine level of experience and to follow-up on reference checks for personnel that will be working on this Contract.

Items included:

**Name**, Location, and phone number of each Company - (physical & mailing address of company)

**Years of experience** in this line of work (logging and service work)

**Work Activities** - (list applicable supervision, harvest, road construction, or stewardship projects)

**Key Personnel** - (list owner, field reps, etc.)

**Past Contracts** - (list contracts within past 3 years which involve similar work)

**Equipment** - (list specific equipment that will be used to accomplish the contract activity – this can include equipment you currently have or plan to secure)

**Methods** - (indicate specific methods if appropriate)

**Production Capability** - (list production capability in terms of work activity unit of measure)

**Special qualifications**, experience, or education

**Point of Contact** for a reference check – name, phone number, email, or similar

#### Utilization of Local Work Force

- On each of the attached **Capability and Past Performance Information Sheets** list the physical address of each subcontractor and whether they have historically done contracts within the defined Local Area (Counties in Michigan: Gogebic, Ontonagon, Houghton, Iron, and Dickinson; Counties in Wisconsin that adjoin Michigan).
- How does your hiring, training, or subcontracting help to develop a multi-skilled local workforce and provide greater opportunities for year-round work in the defined Local Area? *This can be described in a separate document.*

#### Contract Management (Item 7 of the Attachment 1 Form)

In preparing your Technical Proposal, the contractor is to keep in mind the end results, specifications and objectives (**described in the SAMPLE CONTRACT**) that are to be met with the “how-to” of accomplishing them described in your Technical Proposal. The contractor is to develop specific responses to individual Bid Items (including the timber harvest and the stewardship projects) to describe how the end results, specifications and objectives are to be achieved. *The information you provide will also be used to make a Determination of Responsibility as a Contractor.*

Also, Contractors are advised to review Special Provisions KT-GT.3.1.4# and KT-FT.1.2# in the Sample Contract for additional operational requirements and restrictions.

- **Operating Schedule (Item 7.e.)** - provide an operating schedule showing how you plan to complete contract activities within the contract term. **A Blank Operating Plan form is enclosed**

**for your use. Use of this form is optional; however, you will have to address the items shown in the form.**

*Some things to consider when developing your schedule and that you could include as part of your response include;*

- *the sequence of work – correctly recognizing the order and timing in which things are required to be done, i.e. road completion date, summer logging, winter logging, etc.*
  - *cash flow issues associated with doing the project work before logging begins.*
  - *flat rate timber prices – How does your schedule address the risk associated with a flat rate timber price over a 3 year contract period. Have you taken possible price increases into account for the service type stewardship projects in the price entered on the offer form to complete the work?... or is one not needed?*
- **Quality Control Plan (Item 7.f) - attach your General Quality Control Plan (a Sample is shown here)**

Quality Control is an important emphasis item for the Cowbell Stewardship ReAd Integrated Resource Contract. Offerors are encouraged to develop an effective plan for ensuring that their operations are in compliance with all contractual requirements. Offerors should develop a General Quality Control Plan that addresses the following four questions:

**a. How will quality be monitored to assure performance standards are met?**

*Example: Break down the response into major work areas. For example, tree topping, logging, and planting. For all items, you might mention whether you want a pre-work in the field to discuss quality before activities begin.*

*Logging: list examples of the types of things that will be monitored, e.g. residual tree damage, soil displacement and compaction, determining whether appropriate logging conditions are met, cutting only designated trees (no orange), landing size, etc. Indicate whether there is a separate quality control process and how often it will occur, i.e. is your field representative going to take some extra time every day/once a week to review all aspects of quality control? (or, do you just rely on every worker to do their job properly?) Will he be documenting the results of monitoring or just reporting problems verbally to the Contractor's Rep and Forest Service?*

*Tree topping: Indicate the process you will use to determine whether you are meeting the number of trees to be treated in the specifications. Will this require frequent visits by Forest Service to make sure you are on track?*

**b. How will the quality control work be supervised?**

*This is the next higher level of supervision, i.e. how will the Contractor's Rep type supervise the Field Rep's work? How often can we expect the CR to be there? Will the CR do a sample inspection as well, e.g. "once a week the Contractor's Rep will review the results of the quality monitoring for that week (written or verbal) with the Field Rep and do a walk through sample inspection of the completed area to discuss and verify quality control inspections. If there are problems that were not identified by the Field Rep what will be done? (the FR says "everything looks great" and you find that an obvious problem with orange painted trees cut... someone's not doing their quality control job)*

**c. How will results of the monitoring be used to ensure quality performance?**

*If the inspections indicate a problem, how will that be addressed? For example, "The Field Rep will review the problem with those that did the work, require that it be reworked before further work is done (if it can be corrected), and inspect the next batch of work more frequently until it is determined that the problem is corrected. The Field Rep will report quality issues to the next higher level (Contractor's Rep) and to the Forest Service contract administrator".*

**d. Identify, by work activity, the personnel responsible for performing quality control?**

As described above the Contractor's Rep supervising quality control will be \_\_\_\_\_. The Field Rep responsible for quality control monitoring of logging will be \_\_\_\_\_. The Field Rep for <name of work item> will be \_\_\_\_\_. The Field rep for <name of work item> will be \_\_\_\_\_.

or

Name of person will be the contractor's representative supervising quality control and all work items included in this contract.

- **Methods for this Specific contract (Item 7.g.)** - describe what logging methods, logging equipment, trucking capability, road construction equipment and capability. Use this to supplement your Plan of Operations.

*Does the choice of logging system meet contract requirements? Are you going to use a method that will produce better results? Will the equipment be able to meet the contract specifications for varying piece sizes? Will the equipment be able to complete the work in the timeframe required in the contract? Will you be sub-contracting out part of your logging process and to whom? Examples include trucking of forest products, mobilization of your logging equipment to the work-site, road construction & pre-haul maintenance, etc.*

Technical Proposal  
Cowbell Stewardship ReAd Integrated Resource Timber Contract

Prepared for the Watersmeet Ranger District  
OTTAWA NATIONAL FOREST

NOTE:

SUBMISSION OF OFFERS AND TECHNICAL PROPOSALS ARE DUE BY  
December 19, 2013 AT 1:00 P.M. (Local Time) to the Bid Custodian in Watersmeet, Michigan

This Technical Proposal is being submitted in response to the advertisement of the Cowbell Stewardship ReAd Integrated Resource Contract advertised on November 19, 2013 in the *Daily Globe, Ironwood, Mi.* A Price Proposal is submitted on the enclosed "Offer For Integrated Resource Contract" form FS-2400-14BVU.

I understand that the **Cowbell Stewardship ReAd Integrated Resource Contract** will be awarded based on a Best Value determination. One award will be made to the Offeror (a) whose proposal is technically acceptable and (b) whose technical/price relationship is the most advantageous to the Government.

This Technical Proposal, along with the FS-2400-14BVU Price Proposal, constitutes a firm offer and binds this company to accept award under the terms of the sample contract, the offer form, and any of the accepted terms of this Technical Proposal.

**All information enclosed in this document is Proprietary Information. Do not release to the Public, Not Subject to FOIA unless I give written permission: (please check one)**

**YES, can Release**

**NO, do not Release**

\_\_\_\_\_  
Name of Offeror (Signature & Print)

\_\_\_\_\_  
By (signature)

\_\_\_\_\_  
Date

Bidder Name: \_\_\_\_\_

(SUBMIT WITH BID FORM)

**ATTACHMENT 1 - TECHNICAL PROPOSAL**

**Instructions: Mark X in the appropriate boxes. Complete Items 1 – 6 for Business, and EACH Sub-Contractor; Include with Bid Form submitted.**

**CAPABILITY & PAST PERFORMANCE SECTION:**

1. Contractors Name, Address & Telephone No.  email address: _____	2. Type of Business <input type="checkbox"/> Company <input type="checkbox"/> Co-Partner <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Non-profit
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3. How many years experience do you have in this line of work \_\_\_\_\_ Yrs

4. How many years experience as a prime contractor \_\_\_\_\_ subcontractor \_\_\_\_\_

5. List the relevant current/past projects for your business in the last 3 years:

a. Project (Location): \_\_\_\_\_

Contract Amount \$ \_\_\_\_\_ Period of Performance \_\_\_\_\_

Description of Services (i.e. type of road, length of road, equipment used, tasks performed, trades involved)

\_\_\_\_\_

\_\_\_\_\_

Name, Address & Telephone Number for Point of Contact for Information:

\_\_\_\_\_

\_\_\_\_\_

b. Project (Location): \_\_\_\_\_

Contract Amount \$ \_\_\_\_\_ Period of Performance \_\_\_\_\_

Description of Services (i.e. type of road, length of road, equipment used, tasks performed, trades involved)

\_\_\_\_\_

\_\_\_\_\_

Name, Address & Telephone Number for Point of Contact for Information:

\_\_\_\_\_

\_\_\_\_\_

c. Project (Location): \_\_\_\_\_

Contract Amount \$ \_\_\_\_\_ Period of Performance \_\_\_\_\_

Description of Services (i.e. type of road, length of road, equipment used, tasks performed, trades involved)

\_\_\_\_\_

\_\_\_\_\_

Name, Address & Telephone Number for Point of Contact for Information:

\_\_\_\_\_

\_\_\_\_\_



Bidder Name: \_\_\_\_\_

(SUBMIT WITH BID FORM)

**7. CONTRACT MANAGEMENT SECTION**

a. No. of employees: \_\_\_\_\_ b. Are employees regularly on your payroll:    yes    no

c. The names and resumes of your contract manager and on-the-ground supervisor.

d. The names and resumes of your subcontractor's.

e. A plan of operation for both timber removal and stewardship project work, including a timeline and the rationale for work activities to ensure all contractual work will be completed by the termination date.

**Bidder Name:** \_\_\_\_\_

**(SUBMIT WITH BID FORM)**

f. A quality control plan for both the harvesting and the stewardship projects.

g. The equipment you propose to use to accomplish this contract.

**8. Geographical Proximity.**

The contractor's main office or branch office is located \_\_\_\_\_ miles from \_\_\_\_\_

Bidder Name: \_\_\_\_\_

(SUBMIT WITH BID FORM)

9. List the experience of the principal individuals of your business

INDIVIDUALS NAME	PRESENT POSITION	YRS EXP	TYPE OF WORK

10. Information required to complete a financial responsibility determination if the apparent successful offeror.

a. Credit References

Company Name/Address	Point of Contact	Telephone number	TYPE OF WORK

b. Banking Information.

Company Name/Address	Point of Contact	Telephone number	TYPE OF WORK

11. REMARKS: (PLEASE NOTE ADDITIONAL SHEETS MAY BE ATTACHEHD TO SUPPLEMENT THIS FORM)

**CERTIFICATION:** I certify that all of the statements made by me are complete and correct to the best of my knowledge and that any persons named as references are authorized to furnish the Forest Service with any information needed to verify my capability to perform this project:

Name:	Title:	Date:

Offeror: Please make copies of this form and have references submit directly to Iron River/Watersmeet Ranger District offices, E23979 US 2 East, Watersmeet, MI 49969, or fax to (906) 358-4000

Attachment 2

PRESENT/PAST PERFORMANCE QUESTIONNAIRE

You have been selected to provide information on the Contractor named in Section A. Please complete Section B and the attached questionnaire and fax or mail attention of: Contracting Officer at (906)358-4000 by 1:00 PM (CT) on December 19, 2013. Please mark "Confidential".

SECTION A: CONTRACTOR INFORMATION

- 1) Contractor's Name and Address:
2) Point of Contact:
3) Phone #:
4) Contract Number: Contract Type:
5) Project Title:
6) Period of Performance:
7) Brief Description/Scope of Services provided:
8) Authorization is hereby granted to provide the information requested in SECTION B of this questionnaire.

Signature of Authorized Contractor Representative Date

Printed Name and Title of Authorized Contractor Representative

SECTION B: RESPONDENT INFORMATION:

- A. Name:
B. Position:
C. Telephone Number: Fax Number:
D. Address:
E. Relationship and Time Involved with Contractor:
F. Date Questionnaire Completed:

<b>E</b>	<b>A</b>	<b>N</b>	<b>M</b>	<b>U</b>
Exceptional	Acceptable	No Rating	Marginal	Unacceptable

<b>Contract Performance</b>						
1.	Working relationship with your Company	E	A	N	M	U
2.	Did the contractor provide experienced managers and supervisors with the technical and administrative abilities needed to meet contract requirements? If no, please explain.	Yes	No		N/A	
3.	Exhibited knowledge of and compliance with government (or other) regulations and industry standards	E	A	N	M	U
4.	Did the contractor provide and properly maintain operational equipment throughout the term of the contract? If no, please explain.	Yes	No		N/A	
5.	Did the contractor demonstrate the ability to hire, maintain, and replace, if necessary qualified personnel during the contract? If no, please explain.	Yes	No		N/A	
6.	Does the contractor provide timely and accurate records?	Yes	No		N/A	
7.	How well did the contractor comply with Environmental, Safety, health and security requirements	E	A	N	M	U
8.	Would you award similar contracts to this contractor (If no, Please explain in remarks)	Yes	No		N/A	
9.	<b>Contractor's Overall Performance</b>	E	A	N	M	U
	<b>Quality of Service/Control</b>					
1.	Contractor's accomplishment in meeting the quality standards	E	A	N	M	U
2.	Did the contractor provide an effective quality control plan or inspection procedures to meet contract requirements? If no, please explain.	Yes	No		N/A	
3.	<b>Overall Quality of Service/Control</b>	E	A	N	M	U
	<b>Timeliness</b>					
1.	Was the job/contract started and completed on time?. If not, explain	Yes	No		N/A	
2.	Did the contractor have a system or method to track progress on all work in progress?	Yes	No		N/A	

**REMARKS:** If additional remarks are necessary, please attach an additional sheet.

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**AD-3030-FS** **U.S. DEPARTMENT OF AGRICULTURE**

**REPRESENTATIONS REGARDING FELONY CONVICTION  
AND TAX DELINQUENT STATUS FOR CORPORATE APPLICANTS**

**Note:** You only need to complete this form if you are a corporation. A corporation is any entity that has filed articles of incorporation in one of the 50 States, the District of Columbia, or the various territories of the United States including American Samoa, Federated States of Micronesia, Guam, Midway Islands, Northern Mariana Islands, Puerto Rico, Republic of Palau, Republic of the Marshall Islands, or the U.S. Virgin Islands. Corporations include both for profit and non-profit entities.

*The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. 552(a), as amended). The authority for requesting the following information is sections 433 and 434 of the Consolidated Appropriations Act, 2012, P.L. 112-74, and subsequent similar provisions. The information will be used to confirm applicant status concerning entity conviction of a felony criminal violation, and/or unpaid Federal tax liability status.*

*According to the Paperwork Reduction Act of 1985 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0025. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

<b>1. APPLICANT'S NAME</b>	<b>2. APPLICANT'S ADDRESS (Including Zip Code)</b>	<b>3. TAX ID NO. (Last 4 digits)</b>
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- 4A.** Has the Applicant been convicted of a felony criminal violation under Federal law in the 24 months preceding the date of application?     YES     NO
- 4B.** Has any officer or agent of Applicant been convicted of a felony criminal violation for actions taken on behalf of Applicant under Federal law in the 24 months preceding the date of application?     YES     NO
- 4C.** Does the Applicant have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability?     YES     NO

Providing the requested information is voluntary. However, failure to furnish the requested information will make the applicant ineligible to enter into a contract, memorandum of understanding, grant, loan, loan guarantee, or cooperative agreement with USDA.

**PART B – SIGNATURE**

<b>5A. APPLICANT'S SIGNATURE (BY)</b>	<b>5B. TITLE/RELATIONSHIP OF THE INDIVIDUAL IF SIGNING IN A REPRESENTATIVE CAPACITY</b>	<b>5C. DATE SIGNED (MM-DD-YYYY)</b>
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*The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.*

AD-3031-FS

**U.S. Department of Agriculture**  
**ASSURANCE REGARDING FELONY CONVICTION**  
**OR TAX DELINQUENT STATUS FOR CORPORATE APPLICANTS**

**NOTE:** *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 55a – as amended). The authority for requesting the following information for Forest Service is in sections 433 and 434 of the Consolidated Appropriations Act 2012, P.L. No. 112-74, and subsequent similar provisions. The information will be used to document compliance with appropriations restrictions.*

*According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number of this information collection is 0505-0025. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.*

This award is subject to the provisions contained in the Consolidated Appropriations Act, 2012, P.L. No. 112-74, Division E, Sections 433 and 434 regarding corporate felony convictions and corporate federal tax delinquencies.

Accordingly, by accepting this award the recipient acknowledges that it: (1) does not have a tax delinquency, meaning that it is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) has not been convicted (or had an officer or agent acting on its behalf convicted) of a felony criminal violation under any Federal law within 24 months preceding the award, unless a suspending and debaring official of the United States Department of Agriculture has considered suspension or debarment of the recipient corporation, or such officer or agent, based on these convictions and/or tax delinquencies and determined that suspension or debarment is not necessary to protect the interests of the Government. If the recipient fails to comply with these provisions, the awarding agency will annul this agreement and may recover any funds the recipient has expended in violation of sections 433 and 434.

\_\_\_\_\_  
APPLICANT'S SIGNATURE (BY)

\_\_\_\_\_  
TITLE/RELATIONSHIP OF THE INDIVIDUAL IF SIGNING IN A REPRESENTATIVE CAPACITY

\_\_\_\_\_  
BUSINESS NAME

\_\_\_\_\_  
DATE SIGNED (MM-DD-YYYY)

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