

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: McKenny Flats 341-10-56

AUCTION DATE/TIME: October 20, 2009, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Area 1 is 33 net acres of modified clearcut; Area 2 is 56 net acres of modified clearcut; Area 3 is 6 net acres of partial cut.

SALE LOCATION: Portions of Sections 9, 16, and 17, T2N, R8W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook go north on Highway 101 to Miami Foley County Road to Foss County Road; then approximately 7 miles to Cook Creek Road; 6 miles to the South Fork Cook Creek Road; 0.7 mile to Doe Flats Road; then approximately 0.1 mile to the sale area.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																	
			1P	2P	3P	P	SM	1S	2S	3S	4S	12"+	10-11"	8-9"	6-7"	UT	CR	WRM	PLP	
Douglas-fir	12"	908								140	480	288								
W Hem. / fir	16"	353								56	233	64								
Red Alder	12"	336												6	55	77	198			
Sale Total		1,597																		

MINIMUM BID: BID SPECIES Douglas-fir \$ 92.14 per MBF

NO-BID SPECIES Red alder \$109.98 per MBF
Western hemlock and other conifers \$ 45.11 per MBF

In order to compensate Purchaser for the project work, ODF will credit PURCHASER's timber account in the amount of \$18,970 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The timber sale areas contain negligible volumes of other logs to be paid for at the prices in Section 1740.

PERFORMANCE SECURITY: 20% of bid value (unknown) or the total value of the project work (\$19,000), whichever is greater. Bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2011 BID METHOD: Sealed Bids

BID DEPOSIT: \$ 11,700 SALE TYPE: Recovery/BOF – 100 %

INSURANCE: \$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability; \$2,000,000 Logger's Broad Form

HARVEST METHOD: 60% cable, 40% ground

PROJECTS: Construct 0.1 mile of road; improve 0.1 mile of road; re-construct 0.4 mile of road.

FEES: None.

**ENDANGERED SPECIES
ACT COMPLIANCE
STATEMENT:**

The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&E) species survey program. Surveys, determinations, and management measures are developed and implemented in good faith compliance with federal and state Endangered Species Act (ESA) requirements. Restrictions on operations due to T&E species considerations are included in the prospectus. Purchasers are required to comply with all federal and state laws, including the Endangered Species Act. Purchaser should take steps to be certain that no ESA violations occur. Prospective purchasers of timber sales are reminded that ODF surveying efforts may take place any time during the term of a timber sale contract. As part of the survey program, ODF surveys its lands on a continuing basis for land management, species protection, research, and other reasons. During the contract term, T&E survey work and/or the discovery of a threatened or endangered species within or in the vicinity of a timber sale may affect operations contemplated under the contract. In the event a threatened or endangered species is found within or near this sale, ODF may take steps necessary to protect the interests of the State, including contract alteration, suspension, or termination.

Prospective purchasers are encouraged to contact the Tillamook ODF District at (503) 842-2545 for further information or questions relative to threatened or endangered species surveys, future planned survey information, or other threatened or endangered species information.

SPECIAL REMARKS:

**NO PERSONAL OR COMPANY CHECKS ACCEPTED FOR THE BID DEPOSIT.
SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.**

Sale acreage was determined using GIS.

The information shown on the Exhibit A map(s) are approximate locations. Exact locations of features represented by map symbols shall be determined on site and shall depend upon the conditions that exist on site. Activities shall be conducted based upon features determined on site rather than features shown on maps.

See inside front cover of Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.

**SALE NAME: McKenny Flats
COUNTY: Tillamook
CONTRACT NO.: 341-10-56**

TIMBER SALE NAME: **McKenny Flats**

TIMBER SALE NO.: **341-10-56**

OPENING DATE: **October 20, 2009**

FORM OF PROPOSAL

The undersigned agrees to accept and perform all of the above terms and conditions as stated in the form of contract for the above-cited timber sale, and bids, and will pay:

Bid Species:

Douglas-fir, sawmill grade or better _____

_____ Dollars (\$ _____) per MBF.)

Minimum grades and volumes for bid species are stated in the timber sale prospectus.

No-bid species will remain as shown:

Red alder..... **\$109.98** per MBF.

Western hemlock and other conifers **\$ 45.11** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$11,700**, payable to the Oregon Department of Forestry.

The undersigned agrees to execute and deliver the contract, initial payment, required certificates of insurance, and performance bond, within thirty (30) days of the date of the written notice of intent to award; and that any cash bid deposit may be applied to the first required timber sale payment.

The undersigned understands that the bid is irrevocable and further agrees that if they fail to qualify under the terms of the contract within the thirty-day period, the bid deposit shall become the property of the Oregon Department of Forestry as liquidated damages. **If the undersigned fails to qualify within the thirty-day period, STATE may disqualify the undersigned from submitting another bid on this timber sale.**

BIDDER _____
(Name of Individual or Company and Authorized Official)

TAX ID NO. _____

ADDRESS _____

PHONE _____

BY _____
(Signature of Authorized Official & Title)

COMPLETE PURCHASER'S STATUS ON PAGE 2

PURCHASER'S STATUS

Purchaser is a corporation Check
() incorporated in
the State of _____

President's Name _____

Secretary's Name _____

Purchaser is: a partnership an assumed (business) company
 an individual name

List names of all persons doing business under the partnership or assumed name:

If assumed name is subsidiary to a corporation, fill in data requested of corporation also and write in corporation name here:

**CERTIFICATION OF ELIGIBILITY
TO BID ON STATE TIMBER**

_____ hereby certifies that they:

EXPORT

- (a) Will not export the unprocessed State timber as defined in OAR 629-031-0020 which is the subject of this transaction;
- (b) Will not sell, transfer, exchange, or otherwise convey the unprocessed timber as defined above which is the subject of this transaction to any other person without first obtaining a certification from that person which meets the requirements of OAR 629-031-0030.
- (c) Are not prohibited by OAR's 629-031-0005 through 0045 from bidding for unprocessed State timber as defined above directly from the State Forester.
- (d) Understand that falsely entering into this certification is a violation of the Forest Resources Conservation Amendments Act of 1993 and OAR Chapter 629, Division 31, and is subject to any and all penalties contained therein.
- (e) Have not exported unprocessed timber originating from private lands in Oregon in the last 24 months, **or if bidding only on STATE hardwood timber or logs, HAVE** exported unprocessed timber originating from private lands in Oregon in the last 24 months, but **HAVE NOT** exported unprocessed **hardwood** timber originating from private lands in Oregon in the last 24 months **and** meet the requirements of OAR 629-031-0010(2).

DEFAULT, TERMINATION, AND OTHER RELATED MATTERS

- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, in writing, with this bid for consideration by STATE. Any such explanation shall be submitted at the time of bid on a separate piece of paper.

Signed

Title

Dated

[NOTE: For the purpose of this form, the definition of unprocessed timber is the same as in OAR 629-031-0005.]



Oregon

Theodore R. Kulongoski, Governor

Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

503-945-7200

FAX 503-945-7212


TTY 503-945-7213 / 800-437-4490

<http://www.odf.state.or.us>



"STEWARDSHIP IN
FORESTRY"

Biological Survey Report

Project: McKenny Flats
Date: August 17, 2009
To: Tim Lieske
CC: Andy White, District Sale File
From: Jennifer Weikel 

Habitat Suitability

This sale does not contain potentially suitable habitat for marbled murrelets. This sale is located within the historic Tillamook burn. By ODF policy northern spotted owl surveys are not required.

Survey Results

Surveys for northern spotted owls and marbled murrelets are not necessary for this sale.

Known T&E Resources

There are no northern spotted owl activity centers or Marbled Murrelet Management Areas affecting this sale.

Future Survey Plans

ODF has no plans for survey of this sale. However, ODF will be conducting spotted owl surveys in and around this sale, as part of an investigation into the presence or absence of spotted owl use of the Tillamook Burn.



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MEMORANDUM

CHANGE NOTICE FOR TIMBER SALE:

McKENNY FLATS

CONTRACT NO. 341-10-56
(ODF Tillamook District)

TO: ALL PROSPECTIVE PURCHASERS

FROM: Dan R. Corgan
Oregon Department of Forestry (ODF), Contracts Team Leader

DATE: October 6, 2009

The **McKenny Flats** timber sale in the ODF Tillamook District will be offered for bid opening on **Tuesday, October 20, 2009, at 10:00 a.m.**

The following change has been made to the sale:

1. Deleting \$25.00 per ticket in Section 1740 "Log Prices" reference Conifer and Hardwood Pulp Logs.
2. Replacing with \$25.00 per MBF in Section 1740 "Log Prices" reference Conifer and Hardwood Pulp Logs.

This revision will appear in the final contract.

If you have any questions regarding this notice, please contact:

Dan Corgan, ODF Contracts Team Leader
State Forest Division
2600 State Street, Building D
Salem, OR 97310
(503) 945-7381

Barbara Moore, FUS2
Tillamook District
5005 East Third Street
Tillamook OR 97141-2999
(503) 815-7040