

DCNR, Bureau of Forestry

Changes to Timber Sale Bidding Process

Effective 04/07/2020

PLEASE READ CAREFULLY - The following mandatory changes are being made to the Timber Sale bid process in order to enhance social distancing associated with Timber Sales.

Sale Number: **04-2016BC01**

1. Timber Sale Tours will NOT be conducted. Interested individuals may visit the prospective Timber Sale site at their convenience.
2. Questions regarding the prospective sale will be accepted and answered by sending an email to: **to Dave Planinsek: daplaninse@pa.gov**

Questions regarding the prospective sale will be accepted and answered via telephone between 8:00 AM and 12 noon on **July 08 and July 15**, by calling **(724-238-5040)**

3. Bidders MUST participate in a mandatory conference call at _____ AM on _____ by calling (____ - ____ - ____). (Only applicable if date/time/phone number are provided.) NA
4. Bids will ONLY be accepted by United States Mail (or by delivery services, such as Federal Express or UPS).
5. Sealed, signed bids must be mailed to:
Pennsylvania Department of Conservation and Natural Resources
Office of Chief Counsel, 7th Floor
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101-2301
6. Bids must be mailed and **Post Marked by (Tuesday, July 21, 2020)**. The bids will be opened at 12:00 PM, Local Prevailing time, **Wednesday (July 29, 2020)**. The mailing and postmark requirement applies to ALL bids regardless of the mail or delivery carrier used.
7. There will be no public bid opening.
8. Bids will NOT be accepted in person, by dropping off at a District office or at the Rachel Carson Office Building. All bids must be mailed.
9. Prospective bidders may receive a bid envelop by calling and requesting one from the District Office, or they may use their own envelope and MUST print the following on the envelope:
Timber Sale Bid 04-2016BC01
Hickory Flats Removal Timber Sale
Bid Opening Date July 29, 2020

Commonwealth of Pennsylvania
Department of Conservation and Natural Resources
Bureau of Forestry

PROSPECTUS

Forbes State Forest Timber Stumpage Sale 04-2016BC01
Hickory Flats Removal

The Department offers for sale the following FSC® (FSC-C004248) and SFI® (NSF-SFI-FM-C0435749) certified sawtimber stumpage on 89 acres located Hickory Flats Road, Marshall Fields Trail, Jefferson Township, Somerset County, Pennsylvania. **Bids must be postmarked by Tuesday, July 21, 2020** The bid opening date is Wednesday, July 29, 2020.

VOLUME COMPUTATIONS:

SAWTIMBER		PULPWOOD	
SPECIES	*MBF	SPECIES	**HCF
Red Oak	729.202	Red Maple (pulpwood)	27
Red Maple	30.256	Northern Hardwood (pulpwood)	5
Black Cherry	18.238		
Yellow Poplar	10.674		
Miscellaneous	11.167		
	<hr/> 799.537		<hr/> 32

*MBF equals 1000 Board Feet

**HCF equals 100 Cubic Feet of solid peeled wood. Multiply the total HCF by 1.47 to convert to standard rough cords. Multiply the total HCF hardwood volume by 2.9 to obtain a rough estimate of hardwood tons. Multiply the total HCF softwood volume by 2.2 to obtain a rough estimate of softwood tons.

Sawtimber volumes are based on the Girard Form Class Volume Tables utilizing the International 1/4 Inch Log Rule. Sawtimber volumes for blocks 2, 3, 4, 5, 6, 8 and 9 were 100% tallied. Pulpwood volumes for blocks 2, 3, 4, 5, 6, 8 and 9 were 1% tallied.

The species, quality, and block volumes may vary from said estimates. Volumes and quality are not guaranteed. No volume adjustments will be made. Bidder should bid on his own estimate of merchantable volume and log quality. No logs will be scaled.

Topwood smaller Than 4 inches diameter inside bark on cutting block(s) all is reserved. Topwood is the upper portion of a felled tree not normally merchantable for any product other than fuelwood because of size, taper, or other defect.

EXPIRATION OF CONTRACT:

This contract will expire on **Wednesday, September 14, 2022.**

TOUR OF THE SALE AREA:

Timber Sale Tours will not be conducted for the sale area. Prospective bidders may visit site at their convenience. Questions regarding sale will be accepted and answered by sending an email to Dave Planinsek: daplaninse@pa.gov. Questions will be answered via a phone call between 9am and 12 noon on **July 08 and July 15. Please call (724-238-5040)**

TIMBER CRUISING:

The approved products for marking trees by prospective buyers are chalk, paint sticks and marking crayons. Prospective buyers may not use the same color of paint as the bureau in each block unless otherwise authorized in writing by the district forester.

BIDS:

The bid form and envelope may be secured from Bureau of Forestry, Route 30 East, P.O. Box 519 PO Box 519, Laughlintown, PA 15655-0519, Telephone (724) 238-1200. . **The outer envelope in which bid is mailed must be clearly marked that it contains a bid for this sale. Print on Bid Envelope the following:**

Timber Sale Bid 04-2016BC01
Hickory Flats Removal
Bid Opening Date: July 29, 2020

This and other prospectuses may be found on the WEB @

<http://www.dcnr.state.pa.us/forestry/stateforestmanagement/timbersales/availabletimbersales/index.htm>

Sealed, signed bids must be mailed to the Pennsylvania Department of Conservation and Natural Resources, Office of Chief Counsel, 7th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301. **Bids must be postmarked by Tuesday, July 21, 2020** The bids will be opened **at 12:00 PM, prevailing local time, Wednesday, July 29, 2020.** This will not be a public bid opening. A certified, cashier's, treasurer's check or official check or bank, postal or express money order payable to the Commonwealth of Pennsylvania for \$ 10,000.00 to guarantee execution of the contract must accompany the bid. **PERSONAL CHECK OR PERSONAL MONEY ORDER WILL NOT BE ACCEPTED AS BID DEPOSIT.** Also, a bid bond on file with the Office of Chief Counsel is acceptable.

Bid deposits not held on file as permanent bid bonds will be handled as follows: Bid deposits will be returned to the unsuccessful bidders immediately following bid opening. The successful bidder's bid deposit will be returned when the contract is executed and a satisfactory performance deposit is furnished as required in the performance deposit section of this prospectus. The successful bidder has the option to apply his bid deposit to the performance deposit or initial payment.

The Department will not consider lump sum bids of less than \$219,647.00. This is the Department's estimated minimum valuation for the timber after a deduction of \$16,527.00 for the Department's estimated cost of construction, improvement and seeding of haulroads. Road and seeding cost estimates are not guaranteed. Bidders should do their own assessment of costs when considering their bid.

The Department reserves the right to reject any or all bids and to waive any informalities, defects, or irregularities in the bids.

PERFORMANCE DEPOSIT:

The successful bidder must furnish as guarantee for performance of their bid commitment a corporate surety bond or a certified, cashier's or treasurer's check or official check or bank, postal or express money order payable to the Commonwealth of Pennsylvania. **PERSONAL CHECK OR PERSONAL MONEY ORDER WILL NOT BE ACCEPTED FOR PERFORMANCE DEPOSIT.** Negotiable securities, including letter of credit, bank savings account or bank investment certificate may be furnished in lieu of the above. The amount of the required performance deposit will be calculated in accordance with the following table:

<u>BID VALUE</u>	<u>PERFORMANCE DEPOSIT</u>
Less than \$50,000	25% of the sum of the bid value plus the Department's estimated road and seeding costs (in the prospectus)
\$50,000 to \$250,000	20% of the sum of the bid value plus the Department's estimated road and seeding costs (in the prospectus)
\$250,000 to less than \$2.5 million	15% of the sum of the bid value plus the Department's estimated road and seeding costs (in the prospectus)
\$2.5 million or more	10% of the sum of the bid value plus the Department's estimated road and seeding costs (in the prospectus)

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CURRENCY:

All bids, bid deposits, performance deposits, sales tax and other payments related to this project will be in United States dollars only.

SALES TAX:

The Department will collect sales tax only for the timber that the buyer will consume for his own use and not sell or process for sale to others.

EXECUTION OF CONTRACT:

The successful bidder will be required to execute the Department's Tree Estimate Timber Stumpage Sale Contract. The buyer must furnish a satisfactory performance deposit by the date specified in the cover letter, which will accompany the contract when it is mailed to the buyer for execution. The contract may be examined in the forest district office.

If the highest qualified bidder fails to execute the contract or provide a satisfactory performance deposit, the bidder will be considered in default and will forfeit his bid deposit to the Department as liquidated damages and the timber will be offered to the other qualified bidders in the order of descending bids, or negotiated or re-advertised as appropriate. The consequence of such a default may also subject the bidder to further sanctions under the statewide Contractor Responsibility Program in accordance with Management Directive 215.9 Amended, as issued by the Governor's Office. Such Contractor Responsibility action may result in finding the Bidder non-responsible in subsequent timber sales and preclude an award to the Bidder in those sales.

PAYMENT FOR TIMBER DAMAGES:

The value of timber damaged by buyer will be computed as stated under Paragraph 10, entitled Timber Damage, of the Tree Estimate Timber Stumpage Sale Contract.

CUTTING BLOCK:

This sale is divided into nine (9) blocks. The order of cutting blocks is optional, except haul road first, which is blocks 1 and 7, unless otherwise authorized in writing by the District Forester. Before logging operations may be started on any cutting block, the stumpage on that block must be paid in full. The buyer has the option to make lump sum payment for all blocks prior to the start of logging operations. Logging operations, including cleanup, must be concluded to the satisfaction of the Department on one block before logging operations may be started on another block unless modified in writing by the Department. Payment for the last cutting block to be purchased must be made by certified, cashier's or treasurer's check; or postal, bank, or express money order payable to the Commonwealth of Pennsylvania. Certified funds may be required for other payments at the discretion of the district forester.

FELLING OF TREES:

All trees marked with yellow or red paint must be felled. All designated trees and unmarked trees 1 inches or more DBH on cutting block(s) 2, 3, 4, 5, 6, 9 must be felled, except serviceberry and American chestnut, which are reserved and should not be cut. All sale boundary and block line trees marked with a band of blue paint at DBH and a spot of blue paint below stump height are reserved and must not be felled. Save trees marked with a spot of blue paint at DBH and below stump height must not be felled. Trees must be felled in accordance with the attached Summary of Trees to be Felled or Reserved by Cutting Block.

CULL TREES:

One hundred and eighty (180) cull trees marked with an 'X' above stump height must be felled. The buyer may utilize felled cull trees without charge.

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LOGGING RESTRICTIONS:

The following are prohibited: The use of equipment that in the opinion of the District Forester results in abnormal damage to the residual stand. Tree length skidding is prohibited for the entire sale unless in the opinion of the district forester damage to the residual stand is kept at a minimum. Whole tree harvesting is prohibited for the entire sale. Cutting and logging operations are prohibited from November 4 to June 1 on cutting block(s) All unless authorized in writing by the District Forester. Hauling is prohibited from November 4 to June 1 on Hickory Flats and Laurel Summit roads, unless authorized in writing by the District Forester. Buyer is not permitted to enter special management zones designated by the District Forester. Buyer must barricade haul road that accesses block 2 with large rocks at a location designated by the District Forester. Buyer must conduct logging operations so that traffic on Hickory Flats Road, Marshall Fields Trail and Beam Road Extension are maintained with safety at all times. Buyer must not obstruct access on Hickory Flats Road, Marshall Fields Trail, and Beam Road Extension at any time. Buyer is responsible for flagging traffic. Buyer must keep gates on roads accessing this timber sale closed at all times. The gate must be locked at the end of each work day. Slash, cutoffs, tops, and other logging debris must not accumulate on or near log landings. Slash, cutoffs, tops, and other logging debris must be returned to the sale area and distributed evenly or hauled away and properly disposed of at the Buyer's expense. A copy of the E & S plan (attachment D on the contract) must be kept on site during logging and road construction operations.

TOPS AND SLASH:

No tops or slash shall be left on any transmission pipeline right-of-way, or drainage ditch leading from a culvert, water bar, intercepting dip or break in berm of road, or in, on, or within 25 feet of a State Forest boundary line, stream, spring seep, dam, lake, trail or within 100 feet of a railroad, building campsite, or officially designated park, picnic area, vista or forest monument. Tops and slash must be removed 25 feet from roads unless otherwise authorized in writing by the district forester.

Tops and slash within 100 feet of improved State Forest roads or public highways, or within the boundaries of officially designated State Parks, picnic areas, vistas, or forest monuments shall be lopped to a diameter of 3 inches and scattered evenly over the ground.

HAUL ROADS:

Buyer must improve 0.3 miles of primary haul road for this sale. Buyer must purchase, deliver and spread 100 tons #3 limestone. Stone to be applied as timber sale operations progress, as needed, but all stone must be applied prior to sale termination. Buyer must purchase, deliver and spread 250 tons 2RC limestone. Buyer must purchase and install 5 permanent 16" X 24 1/4 inch or thicker straight wall steel pipe. Buyer must remove replaced culverts and properly dispose of at the Buyer's expense. Buyer must install, use and remove 1 temporary 12" X 50 1/4 inch or thicker straight wall steel pipe. Buyer must purchase and install 1 permanent 16" X 30" 1/4 inch or thicker straight wall steel pipe. Buyer must improve 0.2 miles of secondary haul road for this sale. Buyer must purchase, deliver and spread 100 tons #3 limestone. Buyer must purchase, deliver and spread 60 tons 2RC limestone. Buyer must grade, crown and ditch haul road as specified by the district forester. Any materials used for Haul Road improvement and/or construction must be approved prior to use and applied as directed by the district forester. All materials specified for haul road construction and maintenance except items specifically noted as temporary will become the property of the Commonwealth. Plowing of State Forest Roads is prohibited unless authorized in writing by the district forester. With the following exceptions the successful bidder may use all State Forest Roads that lead into and/or within the sale area: Hauling is prohibited from November 4 to June 1 on Hickory Flats and Laurel Summit roads, unless otherwise authorized in writing by the district forester.

All State Forest Roads must be kept passable at all times for use by passenger automobiles except during periods when roads are covered with ice or snow or following other extreme weather-related events. The Department does not guarantee the successful bidder the use of roads maintained by the Pennsylvania Department of Transportation (PENNDOT), townships, or other agencies.

SEEDING SALE AREAS:

Approximately 2 acres of disturbed areas must be prepared for seeding and seeded and mulched for this sale. Prior to sale termination the buyer must prepare seedbed by applying the following material(s): 3 tons pelletized agricultural lime, 600 lbs. 10-20-20 fertilizer. Before sale termination the buyer must spread on a prepared seedbed the following material: 50 lbs. Agway Conservation Seed Mix or equivalent seed 18 lbs. wheat if seeded in fall or oats if seeded in spring, 8 lbs. little bluestem seed, PA ecotype, 16 lbs. Tioga deer tongue grass seed, 13 lbs. Virginia wild rye seed, PA ecotype, 13 lbs. Ladino white clover (*Trifolium repens*), 1 lbs. Autumn bentgrass, PA ecotype, 3 lbs. Timothy (*Phleum pratense*), 3 lbs. Fox Sedge, PA ecotype, and 6 lbs. Crimson clover. Buyer must mulch newly planted seed using 120 bales straw mulch. District Forester must be onsite during seeding.

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SAFETY:

The Buyer, his employees and sub-contractors are required to perform all logging operations in a safe manner as required by applicable laws and regulations. The Department expects the Buyer to ensure that logging crewmembers dress in protective attire and perform their duties with equipment in accordance with standards established by the logging industry and the Occupational Safety and Health Administration (OSHA).

LOGGER CERTIFICATION:

On-site crew leaders for all logging crews working on this sale must be trained under the Pennsylvania Sustainable Forestry Initiative. Information relating to this training may be found on the Internet at www.sfiopa.org. Each crew leader operating on the sale must present a valid PA SFI Core Level Training card as proof of training to the District Forester prior to beginning logging operations on the sale. Comparable training from other states may be accepted in lieu of Pennsylvania Sustainable Forestry Initiative training.

ENVIRONMENTAL PROTECTION:

The Buyer must take whatever precautions are necessary, in the opinion of the district forester, to prevent soil erosion, water pollution and any other conditions detrimental to the environment on state and private land, and must correct immediately at his/her own expense to the satisfaction of the Department any conditions detrimental to the environment which result from the operation of this sale.

SAWMILL SETS:

Sawmill sets for this sale are not permitted unless otherwise authorized in writing by the district forester.

EXTENSION OF EXPIRATION DATE OF CONTRACT:

The expiration date of this contract may be extended at the discretion of the Department. When the district forester suspends sale operation in writing for any reason other than buyer non-compliance, the contract can be extended at no cost to the buyer for a period equal to the period of suspension. If for any other reason an extension beyond the contract expiration date becomes necessary, the buyer must submit a written request 30 days prior to contract expiration date to the district forester stating the period of extension requested in months and reasons why the contract cannot be completed by the expiration date.

For each month of the requested extension period, the buyer will pay to the Department five (5) percent of the value of all cutting blocks not released by the district forester. Payment in full for each extension in the form of a certified, cashier's, treasurer's or official check, or postal or express money order payable to the Commonwealth of Pennsylvania must accompany the request for extension. If the extension is granted and sale operations are completed prior to the end of the extension period, no refunds will be made.

If sale operations have not been completed by the contract expiration date and the Department has not approved a contract extension, all sales related activities will be suspended. If an extension is subsequently approved, the buyer must make payment as outlined above to include the period of suspension.

U. S. DEPARTMENT OF AGRICULTURE QUARANTINES:

Quarantines of forest products against the spread of emerald ash borer (entire state), pine shoot beetle (entire state) and gypsy moth (entire state) are now in effect in Pennsylvania. The buyer is responsible for understanding and complying with all applicable quarantines. Please contact the regional office of U.S. Department of Agriculture, 702 West Pitt Street, Bedford, PA 15522, telephone 814-623-2801 or see their website: http://www.aphis.usda.gov/plant_health/plant_pest_info/index.shtml for further information on regulations, inspections and certification to move regulated articles out of quarantined areas.

GREEN CERTIFICATION STATEMENT:

SCS-FM/COC-00011N FSC 100% and NSF-SFI-FM-C0435749 - SFI 100% Certified Forest Content indicate that the timber in this timber stumpage sale comes from a forest that is well managed according to strict environmental, social and economic standards. This forest has been independently inspected and evaluated according to the principles and criteria for forest management agreed and approved by the Forest Stewardship Council® and the Sustainable Forestry Initiative®.

This and other prospectuses may be found on the WEB @

<http://www.dcnr.state.pa.us/forestry/stateforestmanagement/timbersales/availabletimbersales/index.htm>

NON-DISCRIMINATION CLAUSE:

The Commonwealth of Pennsylvania is an Equal Opportunity Employer and requires conformance with Title 16 Pennsylvania Code, Chapter 49, Contract Compliance Regulations.

ADDITIONAL RESTRICTIONS:

Buyer is not permitted to enter special management zones designated by the District Forester. Buyer must barricade haul road that accesses block 2 with large rocks at a location designated by the District Forester. Buyer must conduct logging operations so that traffic on Hickory Flats Road, Marshall Fields Trail and Beam Road Extension are maintained with safety at all times. Buyer must not obstruct access on Hickory Flats Road, Marshall Fields Trail, and Beam Road Extension at any time. Buyer is responsible for flagging traffic. Buyer must keep gates on roads accessing this timber sale closed at all times. The gate must be locked at the end of each work day.










David E. Planinsek
June 9, 2020
Compartment 7
Laurel Mountain LMU
Scale: 1" = 0.25 miles

EXHIBIT A
Forbes State Forest
Timber Stumpage Sale #04-2016BC01
Hickory Flats Removal Sale
Jefferson Twp., Somerset County

Overstory Removal	45 acres
Buffer Two - age Removal	44 acres
<hr/>	
TOTAL	89 acres



Legend

-  Cutting blocks 3, 5, 9 - overstory removal
-  Cutting blocks 2, 4, 6, 8 - buffer two-age removal
-  Secondary Haul Road - To Be Improved
-  Main Haul Road - To Be Improved
-  Roads
-  Streams
-  Gate
-  Forbes State Forest
-  Landing

Haul Road is Blocks 1 and 7

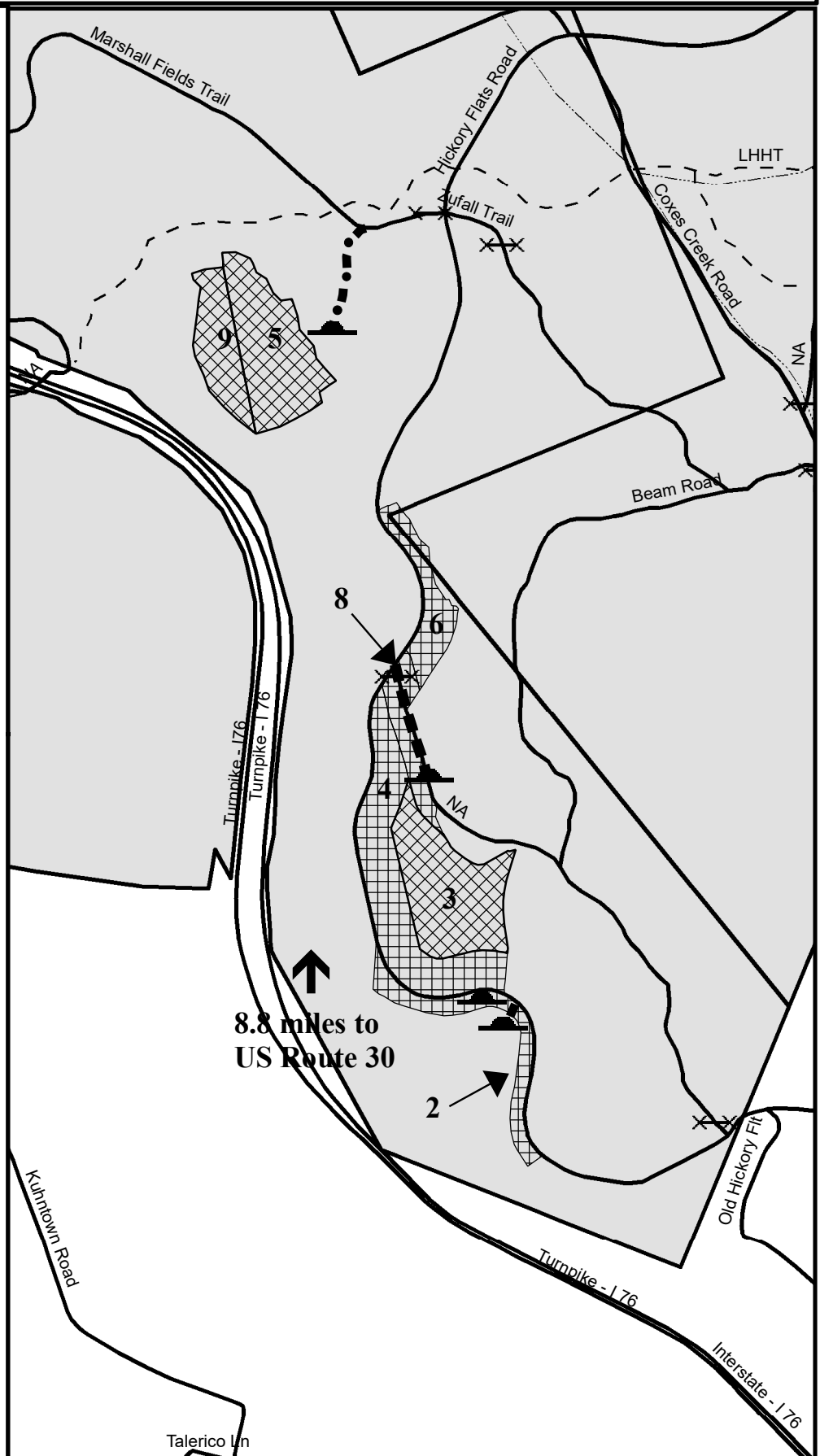


EXHIBIT B 04-2016BC01 (Hickory Flats Removal)										
Summary of Trees to be Felled or Reserved by Cutting Block										
BLOCK NUMBER	TREATMENT	BLOCK ACRES	CUT TREES (must be felled)		LEAVE	OPTIONAL	SPECIAL INSTRUCTIONS			
						DEAD CULL TREES ³				
			PAINTED	UNPAINTED		BLUE PAINT				
			RED PAINT ¹	YELLOW PAINT ¹	GREATER THAN ²			BETWEEN ²	LOW INCHES ²	HIGH INCHES ²
1	HAUL ROAD	0								
2	REMOVAL	8			1			B		
3	REMOVAL	19			1			B		
4	REMOVAL	22			1			B		
5	REMOVAL	17			1			B		
6	REMOVAL	8			1			B		
7	HAUL ROAD	0								
8	REMOVAL	6		Y				B		All black birch, fire cherry, striped maple, and witch hazel must be cut.
9	REMOVAL	9			1			B		

¹ All trees marked with yellow or red paint must be felled.

² All trees larger (or between) the listed DBH value(s) should be cut with the exception of species listed under special instructions.

³ Dead cull trees marked only below stump height with a spot of yellow paint may be felled at the option of the buyer.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
Silviculture Section FMT-14
**BID FOR STATE FOREST TREE
ESTIMATE CONTRACT TIMBER STUMPAGE SALE**

District Sale Number
4-2016BC01
(Hickory Flats Removal)
Opening 12:00 PM
Local Prevailing Time
7/29/2020

I/We _____
(Print or type name above line)

(Print or type street or rural route number, city, state, and zip code above line)

offer lump sum bid of \$_____ for the marked and/or designated timber stumpage described in the prospectus for the Pennsylvania Department of Conservation and Natural Resources for the above timber sale.

Enclosed is a certified, cashier's or treasurer's check or bank, postal, or express money order number _____ for **\$10,000.00**, payable to the Commonwealth of Pennsylvania which may be appropriated by the Commonwealth of Pennsylvania as liquidated damages if I/we are the successful Bidder and should fail to execute contract, furnish a satisfactory performance deposit, and make initial payment in full, within thirty (30) days from date of District Forester's letter which will accompany contract when it is forwarded to me/us for execution. **Personal check or personal money order will not be accepted**, (except a money order purchased from a bank and signed by a bank official).

If you are high bidder for this sale, what should be done with your bid deposit?

- ☐ applied to initial payment ☐ applied only to cash performance ☐ returned after contract is executed
☐ annual bid bond on file with expiration date _____

If you are high bidder for this sale, what type of performance deposit will be used?

- ☐ corporate bond ☐ cash bond ☐ letter of credit
☐ savings account ☐ investment certificate

If you are high bidder for this sale, how will payment be made?

- ☐ lump sum payment ☐ payment by cutting blocks

Federal ID or Social Security No. _____ Telephone No. _____(_____)_____

WITNESS:

Sign and print

Sign and print

Sign and print

Attest:

Sign and print Secretary

SINGATURE OF BIDDER:

By _____
Sign and print
By _____
Sign and print
By _____
Sign and print

Name of Corporation
By _____ (Seal)
Sign and print President

All signatures must be written in ink. All other information must be typed or written in ink.

If bidder is a partnership, each partner must sign. If bidder is a corporation, President must sign and Secretary must sign attest and imprint corporation seal.

The Department of Conservation and Natural Resources reserves the right to reject any or all bids; also to waive any technical defects which might arise in connection with this bid.

Lump sum bids of less than **\$219,647.00** will be rejected.