

STATEMENT OF WORK

2019 COMPETING VEGETATION REMOVAL BASAL SPAY HAND SPRAY APPLICATION

Department of Conservation and Natural Resources
Bureau of Forestry
Tuscarora State Forest – Forest District 3
(Perry, Juniata, Cumberland, Mifflin and Huntingdon Counties)

I. SCOPE OF WORK:

The Department of Conservation and Natural Resources (DCNR), Bureau of Forestry, Tuscarora State Forest requires the services of a contractor to provide a basal hand spray application of herbicide in specific forested areas of the Tuscarora State Forest to aid in the establishment of stands of high-value trees by eliminating competing understory vegetation.

The Contractor's per acre price should include the cost of herbicide, herbicide adjuvants, labor, insurance, superintendence, tools, equipment, all miscellaneous expenses and any other items necessary for completion of the task.

The services shall include, but not limited to, the furnishing of all materials, herbicides, labor, supervision, tools, and equipment required to apply the herbicides.

Any questions concerning the technical aspects of this bid should be directed to Andrew Baker at 717-536-3191 Monday through Thursday between 7:00 a.m. and 4:00 p.m. or via email at abaker@pa.gov. Questions concerning the contracting or bidding procedures should be directed to Carol Durham at 717-783-3309 or cdurham@pa.gov (Procurement Contact).

II. SITE INSPECTION:

A site inspection is highly recommended. A tour of the treatment blocks will be given on Tuesday, October 15, 2019 at 9:00 a.m. Prospective bidders should meet at the State Forest parking area at Col. Denning State Park, Newville PA. From the park office travel 1 mile back the main park roadway, past the dam. The parking area will be on the right before the bridge. The Ending location for the tour will be Karl Guss State Forest Picnic Area in Juniata County.

III. CONTRACTOR QUALIFICATIONS

- A. This invitation for bid (IFB) is reserved for the Small Business Procurement Initiative as designated in Executive Order 211-09 dated November 21, 2011. Only Self Certified Small Businesses which have been certified by the Department of General Services prior to the bid opening date and time may submit a response to this IFB.

Your self-certification form from the Department of General Services should be submitted along with your IFB response. Failure to produce a valid Self Certified Small Business

certificate (which must be dated prior to the opening date of this IFB) shall render your submission non-responsive.

For more information on the Department of General Services Small Business Self Certification process please visit: [Small Business Program](#).

- B.** Contractor must have an office(s), maintenance facilities, equipment, employees, and qualified equipment operators and mechanics, and have tools, equipment, and spare parts for the make and type of equipment indicated in these specifications.
- C.** Pesticide Application Business Licensed - The Contractor must show proof of a valid Pesticide Applicator Business License issued by the Pennsylvania Department of Agriculture in the category appropriate for herbicide application. The current, valid certification must be submitted with the vendors Invitation for Bid (IFB).

IV. PROJECT BLOCK INFORMATION:

The Bureau of Forestry estimates a total of 490 acres for treatment, consisting of the following eight (8) blocks. All blocks must be completed by September 15, 2020. (See attached Map for each treatment area).

Block 1

22 acres located along Spruce Gap Haul Road
Tuscarora Township, Juniata County

Treatment time frame: June 2, 2020 through September 15, 2020

Species to be Treatment: All striped maple, paulownia, ailanthus and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, and red maple stems greater than 4 feet tall and less than 6 inches in diameter at breast height (DBH) will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12" to 15" of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted.

Directions: From Reeds Gap on Route 35 turn onto Blacklog Valley Road and travel 3 miles making a right onto Steltzer Road. Travel 2.4 miles on the Steltzer Road to the intersection with Headwaters Haul Road. Make a sharp right onto Headwaters Haul Road and travel for about 1.4 miles, the block is located on the north side of the road and is marked with blue bands.

Block 2

30 acres located along Spruce Gap East Haul Road
Tuscarora Township, Juniata County

Treatment time frame: June 2, 2020 through September 15, 2020

Species to be Treatment: All striped maple, paulownia, ailanthus and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, and red maple stems greater than 4 feet tall and less than 6 inches in diameter at DBH will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12” to 15” of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted.

Directions: From Reeds Gap on Route 35 turn onto Blacklog Valley Road and travel 3 miles making a right onto Steltzer Road. Travel 2.4 miles on the Steltzer Road to the intersection with Headwaters Haul Road. Make a sharp right onto Headwaters Haul Road and travel for about 2.7 miles to the fork in the road. Stay to the right onto Spruce Gap East Haul Road, and travel for 0.1 mile. The block is located on both sides of the road and is marked with blue bands.

Block 3

27 acres located along Spruce Gap Haul Road
Tuscarora Township, Juniata County

Treatment time frame: June 2, 2020 through September 15, 2020

Species to be Treatment: All striped maple, paulownia, ailanthus and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, and red maple stems greater than 6 feet tall and less than 6 inches in diameter at DBH will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12” to 15” of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted.

Directions: From Reeds Gap on Route 35 turn onto Blacklog Valley Road and travel 3 miles making a right onto Steltzer Road. Travel 2.4 miles on the Steltzer Road to the intersection with Headwaters Haul Road. Make a sharp right onto Headwaters Haul Road and travel for about 2.7 miles to the fork in the road. Stay to the left, and travel for 0.5 miles. The block is located on the south side of the road and is marked with blue bands.

Block 4

113 acres - Bratton Township, Mifflin County

Treatment time frame: June 2, 2020 through September 15, 2020

Species to be Treatment: All striped maple, paulownia, ailanthus and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, and red maple stems greater than 4 feet tall and less than 6 inches in diameter at DBH will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12” to 15” of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted.

Directions: From Reeds Gap on Route 35 turn onto Blacklog Valley Road and travel 5.3 miles making a right onto Wynn Gap Road. Travel 2 miles on Wynn Gap Road to Holdermans Haul Road. Turn Right onto Holdermans Haul Road and travel 0.4 miles to the block. The block will be located on both sides of the road and marked with blue bands.

Block 5

22 acres - Shirley Township, Huntingdon County

Treatment time frame: June 2, 2020 through September 15, 2020

Species to be Treatment: All striped maple, paulownia and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, ailanthus, paulownia, black gum and red maple stems greater than or equal to 0.5 inches in diameter at DBH and less than or equal to 3 inches in diameter at DBH will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12" to 15" of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted. All target species as well as black gum between 3 inches DBH and 6 inches DBH will be treated using the stem injection (hack-and-squirt) method.

Directions: From Mount Union take 522 South 1 mile turning Left onto 103. Travel 103 East for 3.5 miles turning right onto Germany Valley Road. Travel 0.3 miles on Germany Valley then turn Left onto Blacklog Mountain Road. Travel 3.2 miles on Blacklog Mountain Road to Blacklog Bench Road. Turn left onto Blacklog Bench Road and drive 2.5 miles (going through the state forest gate) to the block. The block is on the south side of the road and is marked with blue bands.

Block 6

167 acres - Lower Mifflin Township, Cumberland County

Treatment time frame: December 9, 2019 through February 29, 2020 and June 2, 2020 through September 15, 2020.

Species to be Treatment: All striped maple, paulownia, ailanthus and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, and red maple stems greater than or equal to 0.5 inch in diameter at DBH and less than or equal to 5 inches in diameter at DBH will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12" to 15" of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted.

Directions: From Newville, take route 233 north roughly 10 miles to the Doubling Gap Haul Road. This is a gated State Forest road half way up the mountain past Col. Denning State Park. Go through the gate and travel 2.8 miles to the fork in the road. Take the right fork and travel 0.4 miles. The block is located on both sides of the trail and marked with orange bands.

Block 7

11 acres - Shirley Township, Huntingdon County

Treatment time frame: June 2, 2020 through September 15, 2020

Species to be Treatment: All striped maple, paulownia, ailanthus and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, and red maple stems greater than or equal to 0.5 inch in diameter at DBH and less than or equal to 5 inches in diameter at DBH will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12” to 15” of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted.

Directions: From Mount Union take 522 South 1 mile turning Left onto 103. Travel 103 East for 3.5 miles turning right onto Germany Valley Road. Travel 0.3 miles on Germany Valley then turn Left onto Blacklog Mountain Road. Travel 1.1 miles on Blacklog Mountain Road and turn Left (just after the bridge) onto Bell Furnace Road (unmarked). This road will lead to a gate at a shale pit. Go through the gate and keep to the right on Wire Fence Hollow Haul Road. Travel Wire Fence Hollow Haul Road for 0.5 miles to the first trail on the right. Follow the trail less than 0.1 of mile to the block. The block is marked with orange bands.

Block 8

98 acres - Toboyne Township, Perry County

Treatment time frame: December 9, 2019 through February 29, 2020 and June 2, 2020 through September 15, 2020.

Species to be Treatment: All striped maple, paulownia, ailanthus and witch hazel stems greater than or equal to 2 feet tall will be treated with a basal bark application in accordance with label directions. Also, all black birch, and red maple stems greater than 4 feet tall and less than 6 inches in diameter at DBH will be treated with a basal bark application in accordance with label directions. This method requires that the lower 12” to 15” of the stem be wetted with the herbicide mixture. The entire bark surface in the target area must be thoroughly wetted.

Directions: From the District Office travel approximately .5 miles west on route 274 to Upper Buck Ridge Road. Make a left turn onto Upper Buck Ridge Road and travel 3 miles (passing Fowlers Hollow State Park) to Back Hollow Road. Stay left onto Back Hollow Road and travel 1.4 miles to Wolf Road. Make a right onto Wolf Road and travel 1.5 miles to the Bull Run Trail parking area. The block is along both sides of Bull Run Trail and is marked with blue bands.

V. CONTRACT TERM:

The contract shall commence on December 9, 2019 and terminate on September 15, 2020. The service delivery dates may vary but cannot exceed September 15, 2020.

VI. DEPARTMENT PERSONNEL:

The Bureau of Forestry reserves the right to evaluate the proposed spray operation, including but not limited to equipment operators, spray equipment and operating plan, and reject any part of the operation that, in the Bureau of Forestry's said opinion, will result in unsatisfactory performance.

The Bureau of Forestry will furnish personnel to supervise and direct the spray operation in the following capacities:

- A. Program Supervisor** – Stephen Wacker, Assistant District Forester is responsible for the overall operation of the vegetation control program and represents the Bureau of Forestry in settling minor contractual matters. He is responsible for coordinating the activities of all people working on the program within the forest district and communicating with the Contractor's project supervisor concerning any operational problems or changes in plans.
- B. Field Contract Coordinator** – DCNR personnel who serve as the Bureau of Forestry's field liaison with the Contractor and are responsible for reviewing and approving/disapproving the spraying operations plan, verifying calibration of all spray equipment, verifying acceptable spraying conditions, and conducting quality control checks on the spray equipment and application during the spraying operations.

VII. CONTRACTOR PERSONNEL REQUIREMENTS:

- A. Project Supervisor** - The Contractor must designate one of its personnel to serve as the on-site project supervisor and to represent the company in all contractual matters that require prompt attention. This person must be familiar with all equipment being used and, as necessary, must be certified or registered as required by the Pennsylvania Pesticide Control Act rules and regulations of the Pennsylvania Department of Agriculture. If the project involves the simultaneous spraying of two (2) spray blocks, the project supervisor will not be assigned to regularly operate spray equipment or serve as ground support for any equipment.
- B. Ground Support Personnel** - The Contractor must supply properly qualified and trained ground support personnel unless otherwise specified in writing by the Program Supervisor to drive all necessary support vehicles, handle and mix herbicides, help apply the herbicide solution, operate and maintain the equipment used to transfer and mix herbicides, and properly fuel, service and maintain each piece of spray equipment. Providing people with no training or no prior experience is not permitted. All ground personnel involved with the mixing of herbicide must be supervised, certified, or registered as required by the Pennsylvania Pesticide Control Act rules and regulations of the Pennsylvania Department of Agriculture.
- C. Spray Equipment Operators** - The Contractor must provide equipment operators that are qualified to operate the spray equipment specified in the bid in a safe and efficient manner. All spray equipment operators and ground personnel must wear protective gear provided by the Contractor as specified by the herbicide label requirements.

VIII. GENERAL CONTRACT TASKS:

- A. **Purpose** - It is the purpose and intent of this document to provide specifications for herbicide(s), equipment, application, and other operational requirements necessary for a properly prepared and executed contract and for securing proper equipment, dispersal systems, service facilities, qualified ground personnel, and qualified equipment operators capable of making a proper application of herbicide and performing necessary related functions.
- B. **Acreage** - The Bureau of Forestry has eight (8) blocks totaling 490 acres for treatment in this contract. The treatment area consists of stands set to receive timber harvests to stimulate desired regeneration.
- C. **Start and Completion Dates** - All blocks must be completed by September 15, 2020. The contract shall commence upon December 9, 2019 and terminate on September 15, 2020. Blocks 1, 2, 3, 4, 5 and 7 cannot be treated before June 1, 2020. Blocks 6 and 8 may be treated after December 9, 2019. No treatment is allowed on any blocks between March 1, 2020 and June 1, 2020.
- D. **Recall** - The Contractor may be recalled to treat any area(s) or tree(s) that were missed or to retreat area(s) because of faulty application, wash-off, or inadequate herbicide effectiveness. The Bureau of Forestry will resolve any disputes between the Contractor and the Bureau of Forestry. Recall spraying and re-spraying resulting from misses and faulty application will be at the Contractor's expense. The Contractor will be required to treat, without any additional compensation, areas not treated due to skips, faulty application or equipment limitations that were not immediately apparent after initial application.

The Program Supervisor will make this decision three (3) weeks after the initial application or three (3) weeks following bud break and will transmit a final written decision to the Contractor with the exact locations and time frames of the areas that must be retreated. Thereafter, the Contractor will be required to complete the re-treatment by the date specified in the Program Supervisor's letter.

IX. CONTRACT SPECIFICATIONS:

- A. **Herbicides**: Blocks 1, 2, 3, 4, 5, 6, 7, and 8 are to be treated with spray equipment and will have the following mix applied: Garlon 4 [(3, 5, 6-trichloro-2-pyridinyl) oxy) acetic acid, butoxy ethyl ester] diluted in oil or an oil based liquid at a 20 percent dilution rate, or comparable herbicide mixture rate and product at the Bureau of Forestry's approval. In Block Five (5) all tree species being treated using the stem injection method will be treated with glyphosate and cannot be more than 50% diluted with water.
- B. **Diluents**: Must use environmentally safe diluents with a colored basal oil dye that ***clearly defines that a stem has been treated***. No kerosene, diesel fuel, or by-product, thereof may be used as the diluents. The diluents may be mineral oil or equivalent.

C. Other Special Requirements:

1. All work must be conducted within the regulations of the labels concerning temperature, wind velocity, weather, etc.
2. The Contractor must follow all state and federal safety procedures that apply to general pesticide handling and to the specific material being used.

X. OBLIGATION OF THE DEPARTMENT:

Maps - The Bureau of Forestry will supply, for use by the Contractor, copies of maps on which the areas to be treated have been delineated. The Bureau of Forestry will also supply for operational purposes, copies of forest district maps. Maps are compatible with the Avenza app and may be airdropped to other ipad or iphone devices for Contractor use on request.

XI. OBLIGATIONS OF THE CONTRACTOR:

- A. General** - The Contractor is obligated to furnish spray equipment, spray materials, support equipment, and personnel necessary to produce an herbicide application in accordance with the Invitation for Bid (IFB), and contract specifications. The Contractor maintains responsibility for an entire contract even if another organization is providing part of the equipment and personnel.
- B. Pesticide Application Business License** - The Contractor must show proof of a valid Pesticide Application Business License issued by the Pennsylvania Department of Agriculture (PADA) in the category appropriate for ground spraying of forests.
- C. Proof of Insurance** - The Contractor must provide proof of insurance as specified for equipment owned, leased, rented, subcontracted, or otherwise utilized by the Contractor and for all personnel hired, subcontracted, or otherwise employed by the Contractor per requirements in Section XV.
- D. Spray Materials** - The Contractor is responsible for the purchase of the herbicide and any diluents used in this project. Specific details on herbicides and diluents are given in Section IX., A and B.
- E. Start Date Notification** - The Contractor must notify the Program Supervisor seven (7) days prior to the beginning of application.
- F. Daily Application Records** - Upon completion of each individual spray block, a copy of the application records for each day of work must be provided for the Program Supervisor. These include: the BU number, the names of applicators with license numbers, the EPA number of actual brand of pesticide applied and rate of mixture, the brand of diluents and rate, the marker dye and/or surfactants used, the total amount of mix applied each day, and the area that was covered each day.

- G. **Maintenance** - The Contractor must maintain a readily available on-site inventory of commonly needed spare parts and spare equipment including, but not limited to, pumps, pump seals, and other components to provide current maintenance on the spray system and equipment, the mixing and pumping system, the support trucks, and the storage tanks and to provide for immediate replacement of critically needed parts and equipment. Routine maintenance must be conducted only at times that will not interfere with the spray operation. Care must be taken to prevent leakage of spray material at all times.
- H. **Security** - Guard service for the spray equipment and/or support equipment is the responsibility of the Contractor.
- I. **Field Expenses and Transportation** - Costs incurred in the operation and maintenance of all Contractor equipment are the responsibility of the Contractor.
- J. **Spill Cleanup Expenses** - The Contractor is responsible for all cleanup activity and costs resulting from any contamination caused by the accidental or intentional spilling, leakage, or dumping of herbicide, fuel, oil, or any other contaminant from Contractor supplied equipment.
- K. **Safety** - The Contractor must provide essential safety equipment including, but not limited to, properly sized and coded fire extinguishers and spill-containment materials and supplies.

XII. APPLICATION, CONDITIONS, AND RESTRICTIONS:

- A. **Safety** - The Contractor's and its personnel are required to conduct themselves in a safe manner at all times. The Contractor must provide spray equipment suitable for the safe application of herbicide on all types of terrain encountered on the contract.
- B. **Marking** - The boundary of all blocks are marked with a blue band.
- C. **Waterways and Springs** - The application of herbicides within 30 feet of seasonal springs or drainages is prohibited. It will be the Contractor's duty to be aware of and identify these drainages and make sure no herbicides are applied within 30 feet from them.

XIII. HERBICIDES AND ADJUVANTS:

- A. **Purchasing, Storage and Transportation** - The Contractor must purchase the herbicide used on this project, pay all applicable sales and use taxes, and arrange for delivery of the product to a suitable site where it will be secure and protected from damage. The Contractor must assure that adequate supplies of herbicide are strategically located in the contract area to assure an efficient operation. The Contractor must also assure that its personnel and Bureau of Forestry personnel are aware of the locations of these supplies.

Commonwealth property may be used to store spray material and equipment if prior arrangements are made with the District Forester.

The Contractor is also responsible for handling and transporting the herbicide from the storage site to the treatment area.

- B. MSDS** - The Contractor must keep a copy of the Material Safety Data Sheet (MSDS) available on site throughout the course of the project for any herbicide or other materials requiring an MSDS which are supplied by the manufacturer for the project.
- C. Acceptable Garlon 4 Formulations** - Areas to be treated with spray equipment will have the following mix applied: Garlon 4 [(3,5,6-trichloro-2-pyridinyl) oxy] acetic acid, butoxy ethyl ester] diluted in oil or an oil based liquid at a 20 percent dilution rate.
- D. Dilutents** - Must use an environmentally safe diluent. No kerosene, diesel fuel, or by-product of may be used as the diluent. The diluent may be mineral oil or equivalent.
- E. Operational Problems** - The Contractor must determine what, if any, operational problems exist with any product. These problems may include handling, mixing, storage, transportation, and spraying difficulties. To the best of the Bureau of Forestry's knowledge at this time, no adverse characteristics exist with any of the listed products. It is the Contractor's responsibility to insure a trouble-free operation with the material purchased. If a delivered product presents operational problems, it must be immediately replaced.
- F. Container Disposal** - The Contractor is responsible for the proper disposal of all herbicide and adjuvant containers as specified on the product label.
- G. Herbicide Mixing**
 - 1. When to Mix** - All herbicides must be mixed at the work-site (unless purchased pre-mixed) as needed only in quantities sufficient to keep the spray equipment in operation. The decision to mix herbicide as well as the quantity to mix is the responsibility of the Contractor. Material may be required to be mixed in the presence of Bureau of Forestry personnel. It will be at the option of the Program Supervisor if spray material is to be mixed in the presence of Bureau of Forestry personnel. Any material deemed unsuitable must be properly disposed of at the Contractor's expense as outlined in the specimen label.
 - 2. Mixing Procedures** - All herbicides must be mixed in strict accordance with the herbicide manufacturer's recommendations. Detailed mixing procedures along with allowable storage periods for the mixed herbicide are prepared by the Bureau of Forestry for the formulations used based upon the manufacturer's recommendations and are given to all personnel involved in herbicide mixing. All herbicide mixtures must be thoroughly mixed if permitted to set eight (8) hours or more.
 - 3. Time Limits on Holding Mixed Herbicide** - Mixed material must be sprayed within the following time limits established by the Bureau of Forestry:

- a. **Garlon 4** - Mixed batches of Garlon 4 may be sprayed within 8 hours of mixing (unless purchased pre-mixed) without concern as long as the batch is properly re-agitated.

4. Rates and Applications

- a. Garlon 4 [(3,5,6-trichloro-2-pyridinyl) oxy) acetic acid, butoxy ethyl ester] diluted in oil or an oil based liquid at a 20 percent dilution rate.
 - b. Glyphosate: N-(phosphonomethyl) glycine, isopropylamine salt or comparable herbicide mixture diluted in water at 50 percent dilution rate.
 - c. The basal treatment herbicides are to be applied to the lower 12-15 inches of the stem to and including the root collar for all stems.
 - d. In Block 5 enough herbicide is to be applied to the stem to cover the stem. The herbicide is to be applied until runoff at ground line is noticeable. The herbicide will be applied at 0.5 fluid ounces (15 milliliters) per 1-inch diameter stem. Stem diameter is measured at DBH. The amount of herbicide applied to each individual stem will be determined by the actual stem diameter.
- H.** In Block 5, one injection must be made for every inch of DBH rounded up to the nearest inch on all stems treated by stem injection (hack-and-squirt) between 3 inches DBH and 6 inches DBH. Stems must **NOT** be girdled.
- I. Safety** - The Contractor must follow all safety procedures that apply to general pesticide handling and to the specific material being used. Persons handling the Garlon 4 and/ or glyphosate formulation or the open containers in which it is packaged must wear rubber gloves provided by the Contractor. Persons must also be wearing long sleeved shirts, long pants, and footwear with socks.

XIV. LIQUIDATED DAMAGES

The contractor shall be responsible for any damage to Commonwealth property resulting from the improper use of equipment for these treatments. The Contractor will be given one (1) written warning that damage is becoming excessive and, if the action continues, damages will be assessed.

- A. Timber Damages** - When, in the opinion of the Program Supervisor, damage to the residual stand becomes excessive the Contractor shall pay the Commonwealth a fair base current value determined by the Program Supervisor per unit of volume. If this value for damage due to Contractor's carelessness or negligence is less than \$25.00 per tree then a minimum charge of \$25.00 per tree will be made whether the tree is commercial, non-commercial, merchantable or non-merchantable.
- B. State Forest Facilities** - Contractor shall immediately repair in a manner which meets with the approval of the Program Supervisor, any damage to State Forest roads and/or other

facilities, including camp access roads, resulting from the Contractor's use for this spray operation. General wear and tear is accepted. The Program Supervisor may notify the Contractor in writing to temporarily discontinue use of any of the above whenever in their opinion such action is necessary to prevent serious damage.

XV. INSURANCE REQUIREMENTS:

The contractor shall purchase and maintain, at its expense, the following types of insurance, issued by companies acceptable to the Commonwealth.

Workmen's Compensation Insurance for all of the Contractor's employees and those of any subcontractor, engaged in work at the site of the project as required by law.

- A.** Public Liability and Property Damage Insurance to protect the Commonwealth, the Contractor, and any and all subcontractors from claims for damages for personal injury (including bodily injury), sickness or disease, accidental death and damage to property including the loss of use resulting from any property damage, which may arise from the activities performed under the Contract, or the failure to perform under the Contract, whether such performance or non-performance be by the Contractor, by any subcontractor, or by anyone directly or indirectly employed by either. The minimum amounts of coverage shall be \$250,000 per person and \$1,000,000 per occurrence for bodily injury, including death, and \$250,000 per person and \$1,000,000 per occurrence for property damage. Such policies shall be occurrence rather than claims-made policies and shall not contain any endorsements or any other form designated to limit and restrict any action by the Commonwealth, as an additional insured, against the insurance coverage in regard to work performed for the Commonwealth.

- B.** Prior to commencement of the work under the Contract and at each insurance renewal date during the term of the Contract, the Contractor shall provide the Commonwealth with current certificates of insurance. These certificates or policies shall name "The Commonwealth of PA-DCNR" as an additional insured and shall contain a provision that the coverage's afforded under the policies will not be cancelled or changed until at least thirty (30) days written notice has been given to the Commonwealth. These certificates shall include the location and a brief description of the work to be performed under the contract.

The Commonwealth shall be under no obligation to obtain such certificates from the Contractor(s). Failure by the Commonwealth to obtain the certificates shall not be deemed a waiver of the Contractor's obligation to obtain and furnish certificates. The Commonwealth shall have the right to inspect the original insurance policies.

XVI. BID AWARD:

Bidder must complete and return the following for award of bid:

- A.** The electronic Invitation for Bid to be found at www.pasupplierportal.state.pa.us,

- B. A copy of your self-certification form from the Department of General Services and the Small Business Procurement Initiative. Failure to produce a valid Self-Certified Small Business certificate shall render your submission non-responsive.
- C. A copy of your current, valid Pesticide Application Business License.
- D. A properly executed Reciprocal Limitations Act Requirements form that lists the state of manufacture for any supplies procured.

The bid will be awarded based on the total sum of all blocks as indicated on the IFB-Invitation for Bid.

The contract quantities herein are estimated only and may increase or decrease depending on the needs of the Department.

Note: The Department will only accept out to two (2) decimal points when entering your bid.

XVII. REFERENCES:

After the bid opening and prior to awarding of the contract, the Department has the right to request references (name, address, and telephone number) of similar work performed in the previous two (2) years as proof of qualifications to perform the work involved in this contract.

References are an optional tool available to the Department to help determine bidder capabilities. If any of these references are requested and the bidder cannot supply the necessary documentation and proof of compliance, the Department reserves the right to reject the bidder. The decision to both request references or reject bidders based on inadequate reference will be made solely at the discretion of the Department.

XVIII. PAYMENT TERMS:

Payment shall be on a reimbursement basis for actual services performed and will be based on the Bureau of Forestry's GPS surveyed acreage. Payment will be upon satisfactory completion of each project, contingent upon satisfactory completion as determined by field inspection conducted by a Bureau of Forestry representative.

XIX. INVOICES

Invoice format shall be in accordance with the IFB – Invitation for Bid. All invoices for this contract MUST either be:

- A. Emailed to the following for a Paperless Email Invoice Option:
Email a copy of the correctly executed invoice to: 69180@pa.gov.

For information on the Commonwealth's E-Invoicing Program, visit:
<http://www.budget.pa.gov/Programs/Pages/E-Invoicing.aspx>.

- B.** Or, mailed to the following address:
Commonwealth of PA – PO Invoice
P.O. Box 69180
Harrisburg, PA 17106

All invoices MUST have the purchase order number, block number(s), as well as your SAP Vendor Number on the invoice. The name and address listed on the purchase order must also be listed on each invoice. Failure to provide this information will result in a delay of payment.

Please Note: Vendors are reminded to NOT include employer identification numbers, Social Security Numbers, bank account information, or other personally identifiable information on their invoices. That information is uniquely tied to your SAP Vendor Number and, for security purposes, should not be explicitly stated on an invoice.

XX. REFERENCES AND QUALIFICATIONS:

After bid opening and prior to awarding of the contract, the Department has the right to request references (names, addresses and telephone numbers) of similar work performed in the previous two (2) years as proof of qualifications to perform the work involved in this contract.

References are an optional tool available to the Department to help determine bidder capabilities. If any of these references are requested and the bidder cannot supply the necessary documentation and proof of compliance, the Department reserves the right to reject the bidder. The decision to both request references or reject bidders based on inadequate reference will be made solely at the discretion of the Department.

XXI. RECEIPT AND OPENING OF BIDS

Bids must be submitted via the PA Supplier Portal, to be found at www.pasupplierportal.state.pa.us. Faxed bids and mailed bids will not be accepted.

No responsibility will be attached to any employee of the Department for the premature opening of, or the failure to open, a bid not properly addressed and identified, or for any reason whatsoever.

XXII. BID RESULTS

Bidders can obtain bid results by accessing www.emarketplace.state.pa.us/bidtabs.aspx. The bids will be posted within three (3) business days following the bid opening. The results are the apparent bidders, and all bids are under review until final award of the purchase order.

Attachment:

Project Area Maps