

561—8.5 (17A,456A,461A) Contract for sale of timber.

8.5(1) *Invitation for bids.* When the total cost of a public sale of timber exceeds the sum of \$5,000 as estimated by the state forests and management bureau of the forests and forestry division, the department shall advertise for sealed bids by publishing a notice in at least one newspaper of statewide circulation, one newspaper published in the county seat of the county in which the timber is situated and such other means as may be appropriate in sufficient time to enable prospective bidders to prepare and submit bids, provided that one of said notices shall be not less than 15 days prior to the date set for receiving bids. The notice to bidders (invitation for bids) shall conform as nearly as possible to the provisions of 8.2(3).

8.5(2) *Failure to receive a bid or quotation.* In the event that no sealed bids or quotations are received, the state forests and management bureau of the forests and forestry division may negotiate a contract with a qualified timber buyer.

8.5(3) *Exceptions to the requirement for bids or quotations.* The director may authorize the negotiation of a contract for a timber sale project without first soliciting quotations or advertising for bids under the following circumstances:

- a. If the contemplated timber sale is an addition to an existing timber sale.
- b. If no bidders are available.

8.5(4) *Bonds.* All timber buyers and timber sales agreements must comply in all respects with Iowa Code section 456A.36. For purposes of bond requirements, a timber buyer is the logger who cuts down the tree or who deals with the owner of the tree and is required to have a bond. If the timber buyer exhibits a copy of a contract for lumber sale with a sawmill or other third party who is bonded and responsible for payment to the timber owner, the bonding requirements for the timber buyer are satisfied.