

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE		Name of Purchaser	
<b>TIMBER SALE CONTRACT</b> <i>(Applicable to Sales to be Scaled after Felling)</i>			
National Forest Flathead	Ranger District Tally Lake	Region 01	Contract Number
Sale Name Lost Pilot Timber Sale		Award Date	Termination Date 9/30/2017

The parties to this contract are The United States of America, acting through the Forest Service, United States Department of Agriculture, hereinafter called Forest Service, and <sup>1/</sup> \_\_\_\_\_

a \_\_\_\_\_ hereinafter called Purchaser.

<sup>2/</sup> Forest Service having advertised a sale at which either (1) Purchaser, whose required bid deposit is now held by Forest Service as an initial deposit, was the successful bidder, or (2) no bids were received and Purchaser having subsequently offered at least the minimum advertised price and made an initial deposit in the same amount as the bid deposit specified in the sale advertisement; and the parties hereto desiring to record their agreement; now therefore,

Unless provided otherwise herein, Forest Service agrees to sell and permit Purchaser to cut and remove Included Timber and Purchaser agrees to purchase, cut, and remove Included Timber.

This contract consists of three Divisions: A – Specific Conditions, B – Standard Provisions, and C – Special Provisions, together with Sale Area Map, Plans and specifications for developments (if any), and such attachments as may be provided for in Division B or Division C. Specific Conditions are numbered and apply to the Part, Section, Subsection, or Item of the Standard Provisions, as indicated hereunder. Other conditions of this contract are stated in Division C – Special Provisions.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the award date.

**UNITED STATES OF AMERICA**

By: \_\_\_\_\_  
Contracting Officer  
(Title)

Two Witnesses: <sup>3/</sup> \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Purchaser) <sup>4/</sup>

By: \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Business Address)

I, <sup>5/</sup> \_\_\_\_\_, certify that I am the \_\_\_\_\_ Secretary of the corporation named as Purchaser herein; that \_\_\_\_\_ who signed this contract on behalf of Purchaser, was then \_\_\_\_\_ of the corporation; that the contract was duly signed for and in behalf of the corporation by authority of its governing body, and is within the scope of its corporate powers.

**CORPORATE  
SEAL <sup>6/</sup>**



The following conditions apply to the indicated portions of Division B – Standard Provisions issued \_\_\_06/06\_\_\_.

**A1 – Location and Area**, applicable to B1.1

This Sale Area of 250 acres more or less is located in: Portions of Sections 14, 23, 26 and 35, T30W, R23W, Flathead County, State of Montana, PMM.

**A2 – Volume Estimate and Utilization Standards**, applicable to B2.1, B2.2, B2.4, and B6.4

Species	Product	Estimated Quantity	Unit of Measure	Minimum Specifications				
				Merchantable Tree		Piece Required to be Removed		
				Diameter Breast High (d.b.h.) (inches)	Number of Minimum Pieces per Tree	Length (feet)	Diameter Inside Bark at Small End (inches)	<sup>1/</sup>
Douglas Fir and Other Species (Live and Dead)	Sawtimber	1026	Tons	7.0	1	8	5.6	10.67
Lodgepole Pine (Live and Dead)	Sawtimber	701	Tons	6.0	1	8	5.6	10.67
Combined Softwoods (Live and Dead)	Nonsawtimber	938	Tons	4.0	1	16	2.5	50%
<b>Timber Subject to Agreement under C2.11#</b>								
Douglas Fir and Other Species (Live and Dead)	Sawtimber	N/A	Tons	7.0	1	8	5.6	10.67
Lodgepole Pine (Live and Dead)	Sawtimber	N/A	Tons	6.0	1	8	5.6	10.67
Combined Softwoods (Live and Dead)	Nonsawtimber	N/A	Tons	4.0	1	16	2.5	50%
<b>Total Quantity</b>		2,665						

<sup>1/</sup> Enter Merchantability Factor (Merch. Factor) or Net Scale in % of Gross Scale, whichever is appropriate.

**A3 – Timber Designations**, applicable to B2.3; acres are approximate:

	<u>Number</u>	<u>Acres</u>
Clearcutting Units (B2.31)	_____	_____
Specified Road Clearing (B2.32)	_____	_____
Overstory Removal Units (B2.33)	_____	_____
Understory Removal Units (B2.34)	_____	_____
Individual Trees (B2.35)	_____	151
Incompletely Marked Timber (B2.36)	_____	_____

**A4 – Timber Payment Rates**, applicable to B3.1 and B4.0

**A4a – For Species and Products to be Paid for at Rates Escalated under B3.2**

Species	Product	Unit of Measure	Rates per Unit of Measure				Required Deposits Slash Disposal \$	Base Index
			Base \$	Advertised \$	Bid Premium \$	Bid (Tentative) \$		
N/A								

**A4b – For Species and Products to be Paid for at Flat Rates**

Species	Product	Unit of Measure	Rates per Unit of Measure				Required Deposits Slash Disposal \$
			Base \$	Advertised \$	Bid Premium \$	Bid (Flat) \$	
Douglas Fir and Other Species (Live and Dead)	Sawtimber	Ton	1.02	11.94			Lump Sum
Lodgepole Pine (Live and Dead)	Sawtimber	Ton	1.02	11.94			Lump Sum
Combined Softwoods (Live and Dead)	Nonsawtimber	Ton	.34	.34			N/A

For purposes of convenience in collection and bookkeeping, Bid Rates stated in A4 include payment of deposits for sale area betterment required pursuant to 16 USC 576b. Such deposits are not included as Required Deposits defined hereunder.

The following definitions are established for the terms used in A4:

**Base Rates** are the lowest rates of payment for timber that are authorized by this contract. Base Rates remain constant throughout the life of this contract and are not subject to change by rate redetermination, except for reduction under B3.31, B3.32, or B3.33.

**Advertised Rates** are the minimum acceptable Bid Rates for timber, exclusive of Required Deposits. These rates are those indicated by appraisal, with a cost allowance made for construction of Specified Roads listed in A7, but are never less than Base Rates.

**Bid Premium Rates** are the amounts by which Purchaser's bid is in excess of Advertised Rates. The Bid Premium Rates are constant during this contract, except as provided in B3.31, B3.32, and B3.33.

**Bid Rates** are the rates bid by Purchaser (exclusive of Required Deposits for slash disposal, road maintenance, and contract scaling) and are the sum of Advertised Rates and Bid Premium Rates. Until a rate redetermination becomes effective, the Bid Rate for species and products in A4a is the Tentative Rate that is subject to quarterly adjustment under B3.2; for species and products in A4b, the Bid Rate is the Flat Rate.

**Required Deposits** are deposits that Purchaser may be required to pay for slash disposal (16 USC 490), road maintenance (16 USC 537), and contract scaling (1994 Appropriations Act). Required Deposits may be adjusted as part of a rate redetermination or a Contract Term Extension. The table shows only Required Deposits for slash disposal; road maintenance deposits, if any, are given in C5.32#; and contract scaling deposits, if any, are given in C6.816#.

**Base Index** is the specified average of the lumber or other product selling value index used as the basis for computing adjustment in rates for variance in product selling value, as provided in B3.2.

**A5 – Indices Used in Quarterly Adjustment**, applicable to B3.2

Species	Index Name and Date
N/A	N/A

**A6 – High Stumps**, applicable to B6.412

Species	Product	Maximum Stump Height (inches)
ALL	ALL	12"

**A7 – Specified Roads**, applicable to B5.2

Name and Date of Governing Road Specifications: \_\_\_\_\_

Project		Design Class	Approx. Length (mi./km.)	Sheet Numbers and Approval Date	Performance Responsibility		
Road No.	Name				Survey	Design	Const. Staking <sup>1/</sup>
N/A							

<sup>1/</sup> Indicate timing, i.e., before clearing (BC) or after clearing (AC). Applicable to B5.212.

**A8 – Forest Service Engineering Completion Schedule**, applicable to B5.21

Road No.	Road Name	Type of Work	Completion Date
N/A			

**A9 – Scaling Instructions and Specifications**, applicable to B6.8

Name and Date of Governing Instructions: FSH 2409.11A National Forest Log Scaling Handbook, as amended and supplemented. And instructions provided in provision C6.801, C6.822#, C6.823, C6.848, and C6.849

Scaling Specifications					
Species	Product	Maximum Scaling Length (feet)	Trim Allowance		
			Diameter Range (inches)	Length Range (feet)	Trim Allowance (inches)
ALL	ALL	N/A	ALL	ALL	6"



**A21 – Inapplicable Standard Provisions**

The following listed Sections, Subsections, or Items of Division B – Standard Provisions – are hereby made inapplicable. (Instructions: List by reference number and title.)

- |   |                             |
|---|-----------------------------|
| B4.211 Downpayment                        | B6.84 Accountability        |
| B4.4 Payments not Received                | B6.841 Route of Haul        |
| B6.23 Protection of Land Survey Monuments | B6.85 Scaling Lost Products |
| B6.35 Equipment Cleaning                  |                             |

**A22 – List of Special Provisions**

The following listed special provisions are attached to and made a part of this contract as Division C. Provisions with reference numbers followed by # contain blanks into which data have been entered for this sale. (Instructions: List by reference number, title, and date.)

See Attached Sheet – List of Special Provisions

