U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE **TIMBER SALE CONTRACT** (Applicable to Sales to be Measured before Felling)		**Name of Purchaser**	
National Forest NFS In Alabama	**Ranger District** Bankhead	**Region** Southern	**Contract Number**
Sale Name Payne Creek		**Award Date**	**Termination Date** 11/01/2018

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 _____ hereinafter called Purchaser.

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: AT - Specific Conditions, BT - Standard Provisions, and CT - Special Provisions, together with Sale Area Map, Plans and specifications for developments (if any), and such attachments as may be provided for in Division CT. 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 CT - Special Provisions.

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

UNITED STATES OF AMERICA

Two Witnesses:[1/]

By: _____
Contracting Officer

_____
(Name)

_____
(Title)

By: _____
(Purchaser) [2/]

_____
(Address)

_____

_____
(Name)

_____
(Title)

_____
(Address)

_____
(Business Address)

I, [3/] _____, 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** *4/*

Sample

INSTRUCTIONS:

1/ The signatures and addresses of two witnesses are required if Purchaser is other than a corporation.

2/ If Purchaser is a co-partnership, the signatures should be: XYZ Company, by John Doe, a member of the firm. If Purchaser is a corporation, form of signature should be: XYZ Company, by John Doe, President (or other officer or agent) and the seal of the corporation must be impressed or indicated.

3/ The certificate must be completed if Purchaser is a corporation.

4/ If the corporation has no corporate seal that fact shall be stated, in which case a scroll or adhesive seal shall follow the corporate name.

EXAMPLE 1/

Subcontractor Certification
Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion

Timber Sale Name: _____
National Forest: _____

The prospective subcontractor (participants in lower tier covered transactions) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this timber sale by any Federal department or agency.

Where the prospective subcontractor is unable to certify to any of the statements in this certification, such prospective subcontractor shall attach an explanation to this proposal.

Name of Subcontractor: _____
Business Address: _____
_____

_____ _____
Date Signature

1/ It is the Purchaser's responsibility to have subcontractors complete this certification and to maintain a file of completed certifications. This certification does not need to be returned to the Forest Service, except at the written request of the Contracting Officer.

Sample

The following conditions apply to the indicated portions of Division BT - Standard Provisions issued June 2006.

AT1 - Location and Area, applicable to BT1.1

This Sale Area of 733 acres more or less is located in:

Sec 24 T9S R7W; Sec 26,27,34, 35 T9S R8W

AT2 - Volume Estimate and Utilization Standards, applicable to BT2.1, BT2.2, BT2.4, and BT6.4

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)	Net Scale in % of Gross Scale
Hardwoods	Sawtimber	155.00	CCF	12.0	1.5	8	8.3	70
Southern Yellow Pine	Sawtimber	2,465.00	CCF	9.6	1.5	8	6.3	70
Hardwoods	Pulpwood	248.00	CCF	6.0	1	15	3.5	N/A
Softwood - Other	Pulpwood	1,954.00	CCF	5.0	1	15	3.5	N/A
Total Quantity		4,822.00	CCF					

* Quantities not included here are described in BT2.4.

AT3- Timber Designations, applicable to BT2.3; acres are approximate:

	Number	Acres
Clearcutting Units (BT2.31)		
Specified Road Clearing (BT2.32)		
Overstory Removal Units (BT2.33)		
Understory Removal Units (BT2.34)		
Individual Trees (BT2.35)		230
Incompletely Measured Payment Units (BT2.36)		

Sample

AT4 - Timber Payment Rates, applicable to BT3.1 and BT4.0

AT4a - For Species and Products to be Paid for at Rates Escalated under BT3.2

Not Applicable

AT4b- For Species and Products to be Paid for at Flat Rates

Species	Product	Unit of Measure	Rates per Unit of Measure				
			Base $	Advertised $	Bid Premium $	Bid (Flat) $	Required Deposits Slash Disposal $
Hardwoods	Sawtimber	CCF	18.00	89.85			.00
Southern Yellow Pine	Sawtimber	CCF	14.50	67.02			.00
Hardwoods	Pulpwood	CCF	3.43	5.82			.00
Softwood - Other	Pulpwood	CCF	2.20	8.82			.00

For purposes of convenience in collection and bookkeeping, Bid Rates stated in AT4 include payment of deposits for sale area betterment required pursuant to 16 USC 576b. Such deposits are not included as Required Deposits defined hereunder.

Sample

AT4c - Schedule of Payment Units

Payment Unit No.	Approx. Acres	Quantity of Species and Products to be Escalated under AT4a	Total Tentative Payment $	Quantity of Species and Products to be Paid for at Flat Rates under AT4b				Total Flat Rate Payment $	Total Required Deposits for Slash Disposal $
1	51			Hardwoods	Sawtimber	12.00	CCF		.00
				Southern Yellow Pine	Sawtimber	519.00	CCF		
				Hardwoods	Pulpwood	48.00	CCF		
				Softwood - Other	Pulpwood	574.00	CCF		
				Total PU Quantity And Value		1,153.00	CCF		
2	61			Hardwoods	Sawtimber	14.00	CCF		.00
				Southern Yellow Pine	Sawtimber	621.00	CCF		
				Hardwoods	Pulpwood	57.00	CCF		
				Softwood - Other	Pulpwood	685.00	CCF		
				Total PU Quantity And Value		1,377.00	CCF		
3	55			Hardwoods	Sawtimber	13.00	CCF		.00
				Southern Yellow Pine	Sawtimber	560.00	CCF		
				Hardwoods	Pulpwood	51.00	CCF		
				Softwood - Other	Pulpwood	618.00	CCF		
				Total PU Quantity And Value		1,242.00	CCF		
4	18			Hardwoods	Sawtimber	11.00	CCF		.00
				Southern Yellow Pine	Sawtimber	218.00	CCF		
				Hardwoods	Pulpwood	14.00	CCF		
				Softwood - Other	Pulpwood	23.00	CCF		
				Total PU Quantity And Value		266.00	CCF		
5	45			Hardwoods	Sawtimber	105.00	CCF		.00
				Southern Yellow Pine	Sawtimber	547.00	CCF		
				Hardwoods	Pulpwood	78.00	CCF		
				Softwood - Other	Pulpwood	54.00	CCF		
				Total PU Quantity And Value		784.00	CCF		

sample

The following definitions are established for the terms used in AT4:

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 BT3.31, BT3.32, or BT3.33.

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 AT7, 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 BT3.31, BT3.32, and BT3.33.

Bid Rates are the rates bid by Purchaser (exclusive of Required Deposits for slash disposal and road maintenance) 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 AT4a is the Tentative Rate that is subject to quarterly adjustment under BT3.2; for species and products in AT4b, the Bid Rate is the Flat Rate.

Required Deposits are deposits that Purchaser may be required to pay for slash disposal (16 USC 490) and road maintenance (16 USC 537). 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 CT5.32#.

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 BT3.2.

AT5 - Indices Used in Quarterly Adjustment, applicable to BT3.2

Not Applicable

AT6 - High Stumps, applicable to BT6.412

Species	Product	Maximum Stump Height (inches)
Hardwoods	Sawtimber	12
Southern Yellow Pine	Sawtimber	12
Hardwoods	Pulpwood	6
Softwood - Other	Pulpwood	6

Sample

AT7 - Specified Roads, applicable to BT5.2

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	Construction Staking 1/
		NOT APPLICABLE					

1/ Indicate timing, i.e. before clearing (BC) or after clearing (AC). Applicable to BT5.212.

AT8 - Forest Service Engineering Completion Schedule, applicable to BT5.21

Road No.	Road Name	Type of Work	Completion Date
	NOT APPLICABLE		

AT9 - Fire Precautionary Period, applicable to BT7.2

January 01 to December 31 , inclusive

AT10 - Purchaser Responsibility to Furnish Crews and Equipment for:

Initial Fire Supression, applicable to BT7.3

Within 00002 road miles

Fire Suppression Reinforcement, applicable to BT7.312 and BT7.313

Within 00010 road miles

AT11 - Purchaser's Obligation per Operations Fire, applicable to BT7.41

Maximum Amount: $ $2,700

AT12 - Termination Date, applicable to BT8.2

November 01, 2018

AT13 - Normal Operating Season, applicable to BT6.31, BT6.66, BT8.21 and BT9.3

First Period: March 15 to November 01 , inclusive

Second Period: _____ to _____ , inclusive

Sample

AT14 - Performance Bond, applicable to BT9.1

Performance Bond Amount: _____

Sample

AT15 - Downpayment, applicable to BT4.211

Downpayment Amount: _____

AT16 - Periodic Payment Amount, applicable to BT4.213

	Periodic Payment Determination Date	Amount
Initial Payment:	____	_____
Additional Payment:	____	_____

AT17 - Market-Related Contract Term Addition Producer Price Index, applicable to BT8.212

Index Name: Softwood Lumber **Index Number:** 0811

AT18 - Inapplicable Standard Provisions

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

BT4.211	DOWNPAYMENT
BT4.4	PAYMENTS NOT RECEIVED
BT6.81	PRODUCT IDENTIFICATION
BT8.212	MARKET-RELATED CONTRACT TERM ADDITION

AT19 - List of Special Provisions

The following listed special provisions are attached to and made a part of this contract as Division CT. 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.)

CT2.2	UTILIZATION AND REMOVAL OF INCLUDED TIMBER (09/2002)
CT2.302#	PAYMENT UNIT BOUNDARIES (09/2004)
CT2.355#	INDIVIDUAL TREES (08/2004)
CT4.211	DOWNPAYMENT (06/2007)
CT4.212	TEMPORARY REDUCTION OF DOWNPAYMENT (08/2009)
CT4.4	PAYMENTS NOT RECEIVED (08/2012)
CT5.31#	ROAD MAINTENANCE REQUIREMENTS (07/2001)
CT5.32#	ROAD MAINTENANCE DEPOSIT SCHEDULE (08/2012)
CT6.222#	PROTECTION OF SPECIAL AREAS (08/2001)
CT6.23	PROTECTION OF LAND SURVEY MONUMENTS (09/2004)
CT6.3#	SCHEDULE FOR RELEASE OF PAYMENT UNITS (08/2001)
CT6.401#	CONDUCT OF LOGGING (09/2004)
CT6.414#	DIRECTIONAL FELLING OBJECTIVES (08/2001)
CT6.601#	REVEGETATION PLAN AND SPECIFICATIONS (08/2006)
CT6.63#	TEMPORARY ROADS (08/2004)
CT6.65	SKID TRAILS AND FIRE LINES (08/2001)
CT6.66	CURRENT OPERATING AREAS (08/2001)
CT6.7#	SLASH TREATMENT (08/2004)
CT6.8	MEASURING (08/2001)
CT7.201	TRUCK, TRACTOR AND POWER SAW MUFFLERS (08/2001)

Sample

CT7.202#	FIRE FIGHTING EQUIPMENT (08/2001)
CT7.22	EMERGENCY FIRE PRECAUTIONS (08/2001)
CT8.212	MARKET-RELATED CONTRACT TERM ADDITION (11/2008)
CT8.23#	ADDITION OF NET GROWTH (08/2004)
CT8.71	TRIPARTITE LAND EXCHANGE (04/1999)

Sample