

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE  <b>TIMBER SALE CONTRACT</b> (Applicable to Sales to be Measured before Felling)		Name of Purchaser	
National Forest Ottawa	Ranger District Watersmeet	Region Eastern	Contract Number
Sale Name Little Falls		Award Date	Termination Date 10/01/2020

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:<sup>1/</sup>

By: \_\_\_\_\_  
 Contracting Officer

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

\_\_\_\_\_  
 (Title)

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

By: \_\_\_\_\_  
 (Purchaser) <sup>2/</sup>

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

\_\_\_\_\_  
 (Title)

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

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

I, <sup>3/</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>4/</sup>**

Sale Name: Little Falls

Contract No:

**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/	
<u>Subcontractor Certification</u> <u>Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion</u>	
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.	

Sale Name: Little Falls

Contract No:

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 919 acres more or less is located in:

T46N R38W Secs. 18, 19 & 30, T46N R39W Secs. 13 & 24

**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
Mixed Conifer	Sawtimber	29.00	CCF	9.0	1	8	7.6	40
Mixed Hardwood	Sawtimber	77.00	CCF	11.0	1	8	9.6	50
Red & White Pine	Sawtimber	2,217.00	CCF	9.0	1	8	7.6	40
Aspen	Pulpwood	793.00	CCF	5.0	1	8	4.0	70
Jack Pine	Pulpwood	486.00	CCF	5.0	1	8	4.0	70
Mixed Conifer	Pulpwood	112.00	CCF	5.0	1	8	4.0	70
Mixed Hardwood	Pulpwood	1,485.00	CCF	5.0	1	8	4.0	70
Pine	Pulpwood	464.00	CCF	5.0	1	8	4.0	70
<b>Total Quantity</b>		<b>5,663.00</b>	<b>CCF</b>					

\* 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)	<input type="text" value=""/>	308
Incompletely Measured Payment Units (BT2.36)	_____	_____

Sale Name: Little Falls

Contract No:

**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
			\$	\$	\$	\$	\$
Mixed Conifer	Sawtimber	CCF	2.30	14.83			.00
Mixed Hardwood	Sawtimber	CCF	12.38	91.88			.00
Red & White Pine	Sawtimber	CCF	7.82	54.58			.00
Aspen	Pulpwood	CCF	3.42	26.81			.00
Jack Pine	Pulpwood	CCF	5.41	48.19			.00
Mixed Conifer	Pulpwood	CCF	1.59	7.22			.00
Mixed Hardwood	Pulpwood	CCF	2.25	14.32			.00
Pine	Pulpwood	CCF	6.01	54.55			.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.

Sale Name: Little Falls

Contract No:

AT4c - Schedule of Payment Units

Payment Unit No.	App rox. 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 \$					
001	9			Mixed Conifer Sawtimber 0.00 CCF		.00					
				Mixed Hardwood Sawtimber 0.00 CCF							
				Red & White Pine Sawtimber 4.00 CCF							
				Aspen Pulpwood 11.00 CCF							
				Jack Pine Pulpwood 127.00 CCF							
				Mixed Conifer Pulpwood 16.00 CCF							
				Mixed Hardwood Pulpwood 25.00 CCF							
				Pine Pulpwood 6.00 CCF							
				<b>Total PU Quantity And Value</b>				189.00 CCF			
002	14			Mixed Conifer Sawtimber 0.00 CCF		.00					
				Mixed Hardwood Sawtimber 5.00 CCF							
				Red & White Pine Sawtimber 0.00 CCF							
				Aspen Pulpwood 74.00 CCF							
				Jack Pine Pulpwood 0.00 CCF							
				Mixed Conifer Pulpwood 1.00 CCF							
				Mixed Hardwood Pulpwood 199.00 CCF							
				Pine Pulpwood 0.00 CCF							
				<b>Total PU Quantity And Value</b>				279.00 CCF			
003	23			Mixed Conifer Sawtimber 14.00 CCF		.00					
				Mixed Hardwood Sawtimber 0.00 CCF							
				Red & White Pine Sawtimber 2.00 CCF							
				Aspen Pulpwood 239.00 CCF							
				Jack Pine Pulpwood 194.00 CCF							
				Mixed Conifer Pulpwood 31.00 CCF							
				Mixed Hardwood Pulpwood 9.00 CCF							
				Pine Pulpwood 4.00 CCF							
				<b>Total PU Quantity And Value</b>				493.00 CCF			
004	47			Mixed Conifer Sawtimber 4.00 CCF		.00					
				Mixed Hardwood Sawtimber 0.00 CCF							
				Red & White Pine Sawtimber 540.00 CCF							
				Aspen Pulpwood 0.00 CCF							
				Jack Pine Pulpwood 0.00 CCF							
				Mixed Conifer Pulpwood 6.00 CCF							
				Mixed Hardwood Pulpwood 4.00 CCF							
				Pine Pulpwood 110.00 CCF							
				<b>Total PU Quantity And Value</b>				664.00 CCF			
005	58			Mixed Conifer Sawtimber 2.00 CCF		.00					
				Mixed Hardwood Sawtimber 0.00 CCF							
				Red & White Pine Sawtimber 879.00 CCF							
				Aspen Pulpwood 2.00 CCF							
				Jack Pine Pulpwood 0.00 CCF							
				Mixed Conifer Pulpwood 5.00 CCF							
				Mixed Hardwood Pulpwood 30.00 CCF							
				Pine Pulpwood 176.00 CCF							
				<b>Total PU Quantity And Value</b>				1,094.00 CCF			

Sale Name: Little Falls

Contract No:

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 \$
006	31			Mixed Conifer Sawtimber 9.00 CCF		
				Mixed Hardwood Sawtimber 30.00 CCF		
				Red & White Pine Sawtimber 0.00 CCF		
				Aspen Pulpwood 195.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 17.00 CCF		
				Mixed Hardwood Pulpwood 409.00 CCF		
				Pine Pulpwood 0.00 CCF		
				<b>Total PU Quantity And Value 660.00 CCF</b>		
007	15			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 0.00 CCF		
				Red & White Pine Sawtimber 0.00 CCF		
				Aspen Pulpwood 35.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 0.00 CCF		
				Mixed Hardwood Pulpwood 66.00 CCF		
				Pine Pulpwood 0.00 CCF		
				<b>Total PU Quantity And Value 101.00 CCF</b>		
008	17			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 15.00 CCF		
				Red & White Pine Sawtimber 0.00 CCF		
				Aspen Pulpwood 114.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 2.00 CCF		
				Mixed Hardwood Pulpwood 233.00 CCF		
				Pine Pulpwood 0.00 CCF		
				<b>Total PU Quantity And Value 364.00 CCF</b>		
009	12			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 0.00 CCF		
				Red & White Pine Sawtimber 137.00 CCF		
				Aspen Pulpwood 0.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 0.00 CCF		
				Mixed Hardwood Pulpwood 7.00 CCF		
				Pine Pulpwood 31.00 CCF		
				<b>Total PU Quantity And Value 175.00 CCF</b>		
010	1			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 2.00 CCF		
				Red & White Pine Sawtimber 113.00 CCF		
				Aspen Pulpwood 49.00 CCF		
				Jack Pine Pulpwood 14.00 CCF		
				Mixed Conifer Pulpwood 6.00 CCF		
				Mixed Hardwood Pulpwood 48.00 CCF		
				Pine Pulpwood 21.00 CCF		
				<b>Total PU Quantity And Value 253.00 CCF</b>		
011	31			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 0.00 CCF		
				Red & White Pine Sawtimber 542.00 CCF		
				Aspen Pulpwood 1.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 1.00 CCF		
				Mixed Hardwood Pulpwood 21.00 CCF		
				Pine Pulpwood 116.00 CCF		
				<b>Total PU Quantity And Value 681.00 CCF</b>		

Sale Name: Little Falls

Contract No:

Payment Unit No.	App rox. 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 \$
012	13			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 2.00 CCF		
				Red & White Pine Sawtimber 0.00 CCF		
				Aspen Pulpwood 11.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 1.00 CCF		
				Mixed Hardwood Pulpwood 91.00 CCF		
				Pine Pulpwood 0.00 CCF		
<b>Total PU Quantity And Value</b>				105.00 CCF		.00
013	7			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 10.00 CCF		
				Red & White Pine Sawtimber 0.00 CCF		
				Aspen Pulpwood 14.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 1.00 CCF		
				Mixed Hardwood Pulpwood 142.00 CCF		
				Pine Pulpwood 0.00 CCF		
<b>Total PU Quantity And Value</b>				167.00 CCF		.00
014	13			Mixed Conifer Sawtimber 0.00 CCF		
				Mixed Hardwood Sawtimber 6.00 CCF		
				Red & White Pine Sawtimber 0.00 CCF		
				Aspen Pulpwood 2.00 CCF		
				Jack Pine Pulpwood 0.00 CCF		
				Mixed Conifer Pulpwood 0.00 CCF		
				Mixed Hardwood Pulpwood 85.00 CCF		
				Pine Pulpwood 0.00 CCF		
<b>Total PU Quantity And Value</b>				93.00 CCF		.00
015	17			Mixed Hardwood Sawtimber 7.00 CCF		
				Aspen Pulpwood 46.00 CCF		
				Jack Pine Pulpwood 151.00 CCF		
				Mixed Conifer Pulpwood 25.00 CCF		
				Mixed Hardwood Pulpwood 116.00 CCF		
				<b>Total PU Quantity And Value</b>		

**Sale Name:** Little Falls

**Contract No:**

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)
All	Sawtimber	14
All	Pulpwood	10

Sale Name: Little Falls

Contract No:

**AT7 - Specified Roads, applicable to BT5.2**

Name and Date of Governing Road Specifications: Federal Highway Administration Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects(2003)-english

Project		Design Class	Approx. Length (mi./km.)	Sheet Numbers and Approval Date	Performance Responsibility		
Road No.	Name				Survey	Design	Construction Staking 1/
5255-H	FDR5255-H (C) (segment .23 to .29)	Single Lane - 10 mph	.06 / .1	SR1-28 08/11/2016	FS	FS	FS AC
5255-H	FDR5255-H (C) (segment .72 to .79)	Single Lane - 10 mph	.07 / .11	SR1-28 08/11/2016	FS	FS	FS AC
5255	FDR5255 (R) (segment 1.6 to 2.48)	Single Lane - 10 mph	.88 / 1.42	SR1-28 08/11/2016	FS	FS	FS AC
5255-H	FDR5255-H (R) (segment .29 to .72)	Single Lane - 10 mph	.43 / .69	SR1-28 08/11/2016	FS	FS	FS AC
5255-L	FDR5255-L (R) (segment 0 to .24)	Single Lane - 10 mph	.24 / .39	SR1-28 08/11/2016	FS	FS	FS AC

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**

April 01 to November 15, inclusive

**AT10 - Purchaser Responsibility to Furnish Crews and Equipment for:**

**Initial Fire Suppression, applicable to BT7.3**

Within 5 road miles

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

Within 20 road miles

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

Maximum Amount: \$ \$1,000

**AT12 - Termination Date, applicable to BT8.2**

October 01, 2020

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

First Period: August 01 to September 30, inclusive

Second Period: December 15 to March 15, inclusive

**AT14 - Performance Bond, applicable to BT9.1**

Performance Bond Amount: \_\_\_\_\_

Sale Name: Little Falls

Contract No: \_\_\_\_\_

**AT15 - Downpayment, applicable to BT4.211**

Downpayment Amount: \_\_\_\_\_

**AT16 - Periodic Payment Amount, applicable to BT4.213**

	<u>Periodic Payment Determination Date</u>	<u>Amount</u>
Initial Payment:	_____	_____
Additional Payment:	_____	_____

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

Index Name: Wood Chips Index Number: 3211135

**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
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.)

CT2.302#	BOUNDARY TREES (06/2009)
CT2.352#	DESIGNATION BY SPECIES AND DIAMETER (04/2004)
CT2.355#	INDIVIDUAL TREES, CUT TREE MARKING (06/2009)
CT4.211	DOWNPAYMENT (06/2007)
CT4.212	TEMPORARY REDUCTION OF DOWNPAYMENT (08/2009)
CT4.4	PAYMENTS NOT RECEIVED (08/2012)
CT5.103#	APPROACHES TO SURFACED ROADS (06/2009)
CT5.12#	USE OF ROADS BY PURCHASER (06/1999)
CT5.221#	MATERIAL SOURCES (04/2004)
CT5.31#	ROAD MAINTENANCE REQUIREMENTS (07/2001)
CT5.32#	ROAD MAINTENANCE DEPOSIT SCHEDULE (08/2012)
CT5.33#	SNOW REMOVAL (06/2009)
CT6.313#	CUTTING SCHEDULE (06/2009)
CT6.314#	OPERATING REQUIREMENTS (06/2009)
CT6.412	STUMP MARKS (06/2009)
CT6.42#	SKIDDING AND YARDING REQUIREMENTS (06/2009)
CT6.62#	SITE SPECIFIC WETLANDS PROTECTION MEASURES (07/2001)
CT6.63#	TEMPORARY ROAD CLOSURE (06/2009)
CT6.7#	SLASH DISPOSAL MEASURES (06/2009)
CT7.2	FIRE PRECAUTIONS (06/2009)
CT8.212	MARKET-RELATED CONTRACT TERM ADDITION (11/2008)