

U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

**TIMBER SALE CONTRACT**

(Applicable to Sales to be Measured before Felling)

Name of Purchaser

**National Forest**  
Superior

**Ranger District**  
Kawishiwi

**Region**  
Eastern

**Contract Number**

**Sale Name**

Gem

**Award Date**

**Termination Date**

03/31/2020

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

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

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

By: \_\_\_\_\_

(Purchaser) <sup>2/</sup>

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

\_\_\_\_\_  
(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>

**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.

<b>EXAMPLE 1/</b>	
<p><u>Subcontractor Certification</u>  <u>Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion</u></p>	
<p>Timber Sale Name: _____            National Forest: _____</p>	
<p>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.</p>	
<p>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.</p>	
<p>Name of Subcontractor: _____            Business Address: _____            _____</p>	
<p>_____</p> <p style="text-align: center;">Date</p>	<p>_____</p> <p style="text-align: center;">Signature</p>
<p>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.</p>	

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 710 acres more or less is located in:

T61N R10W Sect 33 & T60N R10W Sect 3 & 4

**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
Jack Pine	Sawtimber	349.00	CCF	9.0	1	8	4.0	40
Spruce	Sawtimber	33.00	CCF	9.0	1	8	4.0	40
Aspen	Pulpwood	2,378.00	CCF	5.0	1	8	4.0	70
Balsam Fir	Pulpwood	27.00	CCF	5.0	1	8	4.0	70
Jack Pine	Pulpwood	168.00	CCF	5.0	1	8	4.0	70
Maple	Pulpwood	27.00	CCF	5.0	1	8	4.0	70
Paper Birch	Pulpwood	147.00	CCF	5.0	1	8	4.0	70
Spruce	Pulpwood	188.00	CCF	5.0	1	8	4.0	70
<b>Timber Subject to Agreement under CT2.11#</b>								
Softwood - Other	Grn Bio Cv	unestimated	CCF	3.0	1	8	2.0	70
Hardwood - Other	Grn Bio Cv	unestimated	CCF	3.0	1	8	2.0	70
<b>Total Quantity</b>		3,317.00	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)	_____	146.6
Incompletely Measured Payment Units (BT2.36)	_____	_____

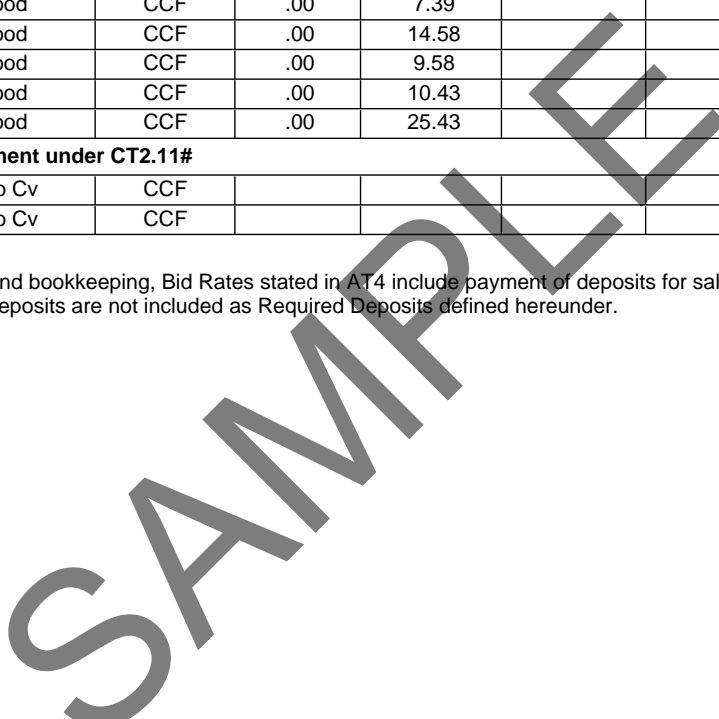
**AT4 - Timber Payment Rates**, applicable to BT3.1 and BT4.0

**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				Required Deposits Slash Disposal \$
			Base \$	Advertised \$	Bid Premium \$	Bid (Flat) \$	
Jack Pine	Sawtimber	CCF	.00	21.78			.00
Spruce	Sawtimber	CCF	.00	31.84			.00
Aspen	Pulpwood	CCF	.00	28.30			.00
Balsam Fir	Pulpwood	CCF	.00	7.39			.00
Jack Pine	Pulpwood	CCF	.00	14.58			.00
Maple	Pulpwood	CCF	.00	9.58			.00
Paper Birch	Pulpwood	CCF	.00	10.43			.00
Spruce	Pulpwood	CCF	.00	25.43			.00
<b>Timber Subject to Agreement under CT2.11#</b>							
Softwood - Other	Grn Bio Cv	CCF					
Hardwood - Other	Grn Bio Cv	CCF					



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.

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 \$		
01	8.5			Jack Pine Sawtimber 15.00 CCF		.00		
				Spruce Sawtimber 3.00 CCF				
				Aspen Pulpwood 149.00 CCF				
				Balsam Fir Pulpwood 1.00 CCF				
				Jack Pine Pulpwood 6.00 CCF				
				Maple Pulpwood 2.00 CCF				
				Paper Birch Pulpwood 11.00 CCF				
				Spruce Pulpwood 12.00 CCF				
					<b>Total PU Quantity And Value</b>		199.00 CCF	
		02	2.4				Jack Pine Sawtimber 4.00 CCF	
				Spruce Sawtimber 1.00 CCF				
				Aspen Pulpwood 42.00 CCF				
				Balsam Fir Pulpwood 0.00 CCF				
				Jack Pine Pulpwood 2.00 CCF				
				Maple Pulpwood 1.00 CCF				
				Paper Birch Pulpwood 3.00 CCF				
				Spruce Pulpwood 3.00 CCF				
				<b>Total PU Quantity And Value</b>	56.00 CCF			
03	10.1					Jack Pine Sawtimber 18.00 CCF		.00
				Spruce Sawtimber 3.00 CCF				
				Aspen Pulpwood 177.00 CCF				
				Balsam Fir Pulpwood 2.00 CCF				
				Jack Pine Pulpwood 7.00 CCF				
				Maple Pulpwood 2.00 CCF				
				Paper Birch Pulpwood 13.00 CCF				
				Spruce Pulpwood 14.00 CCF				
					<b>Total PU Quantity And Value</b>	236.00 CCF		
		04	14.8			Jack Pine Sawtimber 26.00 CCF		
				Spruce Sawtimber 4.00 CCF				
				Aspen Pulpwood 259.00 CCF				
				Balsam Fir Pulpwood 2.00 CCF				
				Jack Pine Pulpwood 10.00 CCF				
				Maple Pulpwood 3.00 CCF				
				Paper Birch Pulpwood 20.00 CCF				
				Spruce Pulpwood 20.00 CCF				
				<b>Total PU Quantity And Value</b>	344.00 CCF			
05	5.6					Jack Pine Sawtimber 10.00 CCF		.00
				Spruce Sawtimber 2.00 CCF				
				Aspen Pulpwood 98.00 CCF				
				Balsam Fir Pulpwood 1.00 CCF				
				Jack Pine Pulpwood 4.00 CCF				
				Maple Pulpwood 1.00 CCF				
				Paper Birch Pulpwood 7.00 CCF				
				Spruce Pulpwood 8.00 CCF				
					<b>Total PU Quantity And Value</b>	131.00 CCF		

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 \$	
06	20.2			Jack Pine	Sawtimber	94.00 CCF	
				Aspen	Pulpwood	274.00 CCF	
				Balsam Fir	Pulpwood	6.00 CCF	
				Jack Pine	Pulpwood	54.00 CCF	
				Maple	Pulpwood	1.00 CCF	
				Paper Birch	Pulpwood	2.00 CCF	
				Spruce	Pulpwood	9.00 CCF	
				<b>Total PU Quantity And Value</b>		440.00 CCF	
07	21.2			Jack Pine	Sawtimber	37.00 CCF	
				Spruce	Sawtimber	6.00 CCF	
				Aspen	Pulpwood	371.00 CCF	
				Balsam Fir	Pulpwood	3.00 CCF	
				Jack Pine	Pulpwood	15.00 CCF	
				Maple	Pulpwood	5.00 CCF	
				Paper Birch	Pulpwood	28.00 CCF	
				Spruce	Pulpwood	29.00 CCF	
<b>Total PU Quantity And Value</b>		494.00 CCF					
08	3.7			Jack Pine	Sawtimber	17.00 CCF	
				Aspen	Pulpwood	50.00 CCF	
				Balsam Fir	Pulpwood	1.00 CCF	
				Jack Pine	Pulpwood	10.00 CCF	
				Maple	Pulpwood	0.00 CCF	
				Paper Birch	Pulpwood	0.00 CCF	
				Spruce	Pulpwood	2.00 CCF	
				<b>Total PU Quantity And Value</b>		80.00 CCF	
09	12.1			Jack Pine	Sawtimber	21.00 CCF	
				Spruce	Sawtimber	4.00 CCF	
				Aspen	Pulpwood	212.00 CCF	
				Balsam Fir	Pulpwood	2.00 CCF	
				Jack Pine	Pulpwood	9.00 CCF	
				Maple	Pulpwood	3.00 CCF	
				Paper Birch	Pulpwood	16.00 CCF	
				Spruce	Pulpwood	17.00 CCF	
<b>Total PU Quantity And Value</b>		284.00 CCF					
10	9.9			Jack Pine	Sawtimber	46.00 CCF	
				Aspen	Pulpwood	134.00 CCF	
				Balsam Fir	Pulpwood	3.00 CCF	
				Jack Pine	Pulpwood	26.00 CCF	
				Maple	Pulpwood	1.00 CCF	
				Paper Birch	Pulpwood	1.00 CCF	
				Spruce	Pulpwood	5.00 CCF	
				<b>Total PU Quantity And Value</b>		216.00 CCF	
12	10.8			Jack Pine	Sawtimber	19.00 CCF	
				Spruce	Sawtimber	3.00 CCF	
				Aspen	Pulpwood	189.00 CCF	
				Balsam Fir	Pulpwood	2.00 CCF	
				Jack Pine	Pulpwood	8.00 CCF	
				Maple	Pulpwood	2.00 CCF	
				Paper Birch	Pulpwood	14.00 CCF	
				Spruce	Pulpwood	15.00 CCF	
<b>Total PU Quantity And Value</b>		252.00 CCF					

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 \$
13	4			Jack Pine      Sawtimber      7.00 CCF		.00
				Spruce          Sawtimber      1.00 CCF		
				Aspen          Pulpwood      70.00 CCF		
				Balsam Fir     Pulpwood      1.00 CCF		
				Jack Pine      Pulpwood      3.00 CCF		
				Maple          Pulpwood      1.00 CCF		
				Paper Birch    Pulpwood      5.00 CCF		
				Spruce          Pulpwood      6.00 CCF		
					<b>Total PU Quantity And Value</b>	
14	3.1			Spruce          Pulpwood      20.00 CCF		.00
					<b>Total PU Quantity And Value</b>	
15	20.2			Jack Pine      Sawtimber      35.00 CCF		.00
				Spruce          Sawtimber      6.00 CCF		
				Aspen          Pulpwood      353.00 CCF		
				Balsam Fir     Pulpwood      3.00 CCF		
				Jack Pine      Pulpwood      14.00 CCF		
				Maple          Pulpwood      5.00 CCF		
				Paper Birch    Pulpwood      27.00 CCF		
				Spruce          Pulpwood      28.00 CCF		
					<b>Total PU Quantity And Value</b>	

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#.

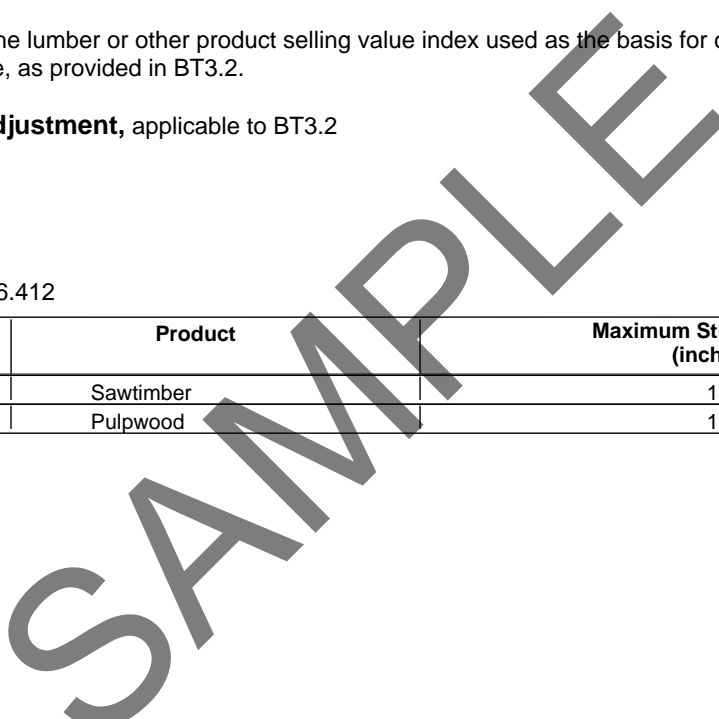
**Base Index** is the specified average of the lumber or other product selling value index used as the basis for computing adjustment in rates for variance in product selling value, as provided in BT3.2.

**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)
All	Sawtimber	14
All	Pulpwood	10





**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/
<b>NOT APPLICABLE</b>							

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
<b>NOT APPLICABLE</b>			

**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:** \$ \$900

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

March 31, 2020

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

**First Period:** June 15 to March 15, inclusive

**Second Period:** December 01 to March 15, inclusive

**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

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

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

**Index Name:** Wood Chips      **Index Number:** 211135

**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.)

CT2.11#	TIMBER SUBJECT TO AGREEMENT (06/1972)
CT2.301#	PROTECTED AREAS (06/2009)
CT2.302#	BOUNDARY TREES (06/2009)
CT2.352#	DESIGNATION BY SPECIES AND DIAMETER (04/2004)
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)
CT5.33#	SNOW REMOVAL (06/2009)
CT6.2#	FACILITIES TO MANUFACTURE INCLUDED TIMBER (06/2009)
CT6.313#	CUTTING SCHEDULE (06/2009)
CT6.314#	OPERATING REQUIREMENTS (06/2009)
CT6.331	SAFETY (09/2004)
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)