| U.S. DEPARTMENT OF AGRICULTURE<br>FOREST SERVICE<br><br>**TIMBER SALE CONTRACT**<br>(Applicable to Sales to be Measured before Felling) | | **Name of Purchaser** | |
|---|---|---|---|
| **National Forest**<br>Superior | **Ranger District**<br>Laurentian | **Region**<br>Eastern | **Contract Number** |
| **Sale Name**<br>Jack Pine Bay | | **Award Date** | **Termination Date**<br>06/30/2024 |

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

_____
(Title)

_____
(Name)

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

**Sale Name:** Jack Pine Bay **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 798 acres more or less is located in:

Town 61 Range 17W Section 1, 11-14

**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 | 51.00 | CCF | 9.0 | 1 | 8 | 7.6 | 40 |
| Red Pine | Sawtimber | 681.00 | CCF | 9.0 | 1 | 8 | 7.6 | 40 |
| Spruce | Sawtimber | 109.00 | CCF | 9.0 | 1 | 8 | 7.6 | 40 |
| White Pine | Sawtimber | 11.00 | CCF | 9.0 | 1 | 8 | 7.6 | 40 |
| Aspen | Pulpwood | 167.00 | CCF | 5.0 | 1 | 8 | 4.0 | 70 |
| Balsam Fir | Pulpwood | 80.00 | CCF | 5.0 | 1 | 8 | 4.0 | 70 |
| Pine | Pulpwood | 1,226.00 | CCF | 5.0 | 1 | 8 | 4.0 | 70 |
| Paper Birch and Other Hardwoods | Pulpwood | 271.00 | CCF | 5.0 | 1 | 8 | 4.0 | 70 |
| Spruce | Pulpwood | 83.00 | CCF | 5.0 | 1 | 8 | 4.0 | 70 |
| **Timber Subject to Agreement under CT2.11#** | | | | | | | | |
| Softwood - Other | Grn Bio Cv | unestimated | CCF | 4.0 | 1 | 8 | 2.0 | 70 |
| Hardwood - Other | Grn Bio Cv | unestimated | CCF | 4.0 | 1 | 8 | 2.0 | 70 |
| **Total Quantity** | | 2,679.00 | 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) | | 162 |
| Incompletely Measured Payment Units (BT2.36) | | |

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**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 $ |
| Jack Pine | Sawtimber | CCF | 30.05 | 30.06 | | | .00 |
| Red Pine | Sawtimber | CCF | 34.45 | 34.47 | | | .00 |
| Spruce | Sawtimber | CCF | 35.68 | 35.70 | | | .00 |
| White Pine | Sawtimber | CCF | 15.02 | 15.02 | | | .00 |
| Aspen | Pulpwood | CCF | 40.00 | 40.02 | | | .00 |
| Balsam Fir | Pulpwood | CCF | 1.46 | 1.46 | | | .00 |
| Pine | Pulpwood | CCF | 7.18 | 7.18 | | | .00 |
| Paper Birch and Other Hardwoods | Pulpwood | CCF | 1.44 | 1.44 | | | .00 |
| Spruce | Pulpwood | CCF | 1.55 | 1.55 | | | .00 |
| **Timber Subject to Agreement under CT2.11#** | | | | | | | |
| Softwood - Other | Grn Bio Cv | CCF | 1.00 | 1.00 | | | |
| Hardwood - Other | Grn Bio Cv | CCF | 1.00 | 1.00 | | | |

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.

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## 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 $ |
|---|---|---|---|---|---|---|---|---|
| 01 | 16 | | | Red Pine | Sawtimber | 80.00 CCF | | .00 |
| | | | | White Pine | Sawtimber | 3.00 CCF | | |
| | | | | Aspen | Pulpwood | 2.00 CCF | | |
| | | | | Balsam Fir | Pulpwood | 8.00 CCF | | |
| | | | | Pine | Pulpwood | 230.00 CCF | | |
| | | | | Paper Birch and Other Hardwoods | Pulpwood | 4.00 CCF | | |
| | | | | Spruce | Pulpwood | 2.00 CCF | | |
| | | | | **Total PU Quantity And Value** | | 329.00 CCF | | |
| 02 | 19 | | | Jack Pine | Sawtimber | 51.00 CCF | | .00 |
| | | | | Red Pine | Sawtimber | 21.00 CCF | | |
| | | | | Aspen | Pulpwood | 9.00 CCF | | |
| | | | | Balsam Fir | Pulpwood | 3.00 CCF | | |
| | | | | Pine | Pulpwood | 265.00 CCF | | |
| | | | | **Total PU Quantity And Value** | | 349.00 CCF | | |
| 03 | 17 | | | Red Pine | Sawtimber | 85.00 CCF | | .00 |
| | | | | White Pine | Sawtimber | 4.00 CCF | | |
| | | | | Aspen | Pulpwood | 2.00 CCF | | |
| | | | | Balsam Fir | Pulpwood | 9.00 CCF | | |
| | | | | Pine | Pulpwood | 244.00 CCF | | |
| | | | | Paper Birch and Other Hardwoods | Pulpwood | 4.00 CCF | | |
| | | | | Spruce | Pulpwood | 2.00 CCF | | |
| | | | | **Total PU Quantity And Value** | | 350.00 CCF | | |
| 04 | 13 | | | Red Pine | Sawtimber | 65.00 CCF | | .00 |
| | | | | White Pine | Sawtimber | 3.00 CCF | | |
| | | | | Aspen | Pulpwood | 2.00 CCF | | |
| | | | | Balsam Fir | Pulpwood | 7.00 CCF | | |
| | | | | Pine | Pulpwood | 187.00 CCF | | |
| | | | | Paper Birch and Other Hardwoods | Pulpwood | 3.00 CCF | | |
| | | | | Spruce | Pulpwood | 1.00 CCF | | |
| | | | | **Total PU Quantity And Value** | | 268.00 CCF | | |
| 05 | 16 | | | Spruce | Sawtimber | 109.00 CCF | | .00 |
| | | | | Aspen | Pulpwood | 5.00 CCF | | |
| | | | | Balsam Fir | Pulpwood | 36.00 CCF | | |
| | | | | Paper Birch and Other Hardwoods | Pulpwood | 2.00 CCF | | |
| | | | | Spruce | Pulpwood | 77.00 CCF | | |
| | | | | **Total PU Quantity And Value** | | 229.00 CCF | | |
| 06 | 7 | | | Red Pine | Sawtimber | 35.00 CCF | | .00 |
| | | | | White Pine | Sawtimber | 1.00 CCF | | |
| | | | | Aspen | Pulpwood | 1.00 CCF | | |
| | | | | Balsam Fir | Pulpwood | 4.00 CCF | | |
| | | | | Pine | Pulpwood | 100.00 CCF | | |
| | | | | Paper Birch and Other Hardwoods | Pulpwood | 2.00 CCF | | |
| | | | | Spruce | Pulpwood | 1.00 CCF | | |
| | | | | **Total PU Quantity And Value** | | 144.00 CCF | | |
| 07 | 33 | | | Red Pine | Sawtimber | 314.00 CCF | | .00 |
| | | | | Pine | Pulpwood | 194.00 CCF | | |
| | | | | **Total PU Quantity And Value** | | 508.00 CCF | | |

SAMPLE

**Sale Name:** Jack Pine Bay **Contract No:**

| Pay-ment 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 $ |
|---|---|---|---|---|---|---|---|---|---|
| 08 | 15 | | | Red Pine | Sawtimber | 81.00 | CCF | | .00 |
| | | | | Balsam Fir | Pulpwood | 9.00 | CCF | | |
| | | | | Pine | Pulpwood | 6.00 | CCF | | |
| | | | | **Total PU Quantity And Value** | | 96.00 | CCF | | |
| 09 | 26 | | | Aspen | Pulpwood | 146.00 | CCF | | .00 |
| | | | | Balsam Fir | Pulpwood | 4.00 | CCF | | |
| | | | | Paper Birch and Other Hardwoods | Pulpwood | 256.00 | CCF | | |
| | | | | **Total PU Quantity And Value** | | 406.00 | CCF | | |

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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 |

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

April 01 to November 15 , inclusive

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

**Initial Fire Supression,** 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

June 30, 2024

**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:** _____ 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:** 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 |
| BT8.64 | DEBARMENT AND SUSPENSION CERTIFICATION |

**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) |
| CT2.351# | DESIGNATION BY SPACING (04/2004) |
| 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) |
| CT5.31# | ROAD MAINTENANCE REQUIREMENTS (07/2001) |
| CT5.32# | ROAD MAINTENANCE DEPOSIT SCHEDULE (08/2012) |
| CT6.314# | OPERATING REQUIREMENTS (06/2009) |
| CT6.412 | STUMP MARKS (02/2009) |
| CT6.7# | SLASH DISPOSAL MEASURES (06/2009) |
| CT7.2 | FIRE PRECAUTIONS (06/2009) |
| CT8.212 | MARKET-RELATED CONTRACT TERM ADDITION (11/2008) |
| CT8.64 | DEBARMENT AND SUSPENSION CERTIFICATION (03/2018) |

SAMPLE