

**U.S. DEPARTMENT OF AGRICULTURE
 FOREST SERVICE
 CONTRACT FOR SALE OF DECKED TIMBER**

Sale Name: North Cispus Firewood	Contract No:
	Procurement Contract No:
	Award Date:
	Termination Date: 07/31/2013
	Legal Location: T. 11 N., R. 8 E., Section 11, W.M., Unsurveyed, Lewis County, Washington

Included Timber							
Product	Species	Estimated Quantity	Unit of Measure (UOM)	Product Rate per UOM	Road Maint. Deposits per UOM	Total Products \$	Total Road Maintenance
Fuelwood	Douglas-fir	5.00	Cords		2.00		10.00
Total Quantity:		5.00		Total Sale Value:			10.00

General Conditions

Amount Payable for Timber. Purchaser shall pay to USDA Forest Service the total sale value for products and road maintenance when the contract is executed. Additional timber shall be paid for prior to removal.

Additional Timber. Forest Service may add to the contract timber cut to facilitate operations and undesigned trees damaged by Purchaser. Such timber shall be paid for at contract rates, plus deposits. Timber subject to agreement may be added to the contract, subject to agreement on volume.

Statutory Compliance. Purchaser agrees to conduct operations under this contract and other related business activities in compliance with Federal, State, and local statutes, standards, orders, permits, or other regulations.

Use of Roads by Purchaser. Purchaser is authorized to use existing National Forest roads when such use will not cause damage to the roads or National Forest resources and when hauling can be done safely.

Road Maintenance. If Purchaser elects to use different roads than those in Forest Service Road Maintenance Plan, Forest Service shall determine Purchaser's commensurate share of road maintenance and revise road maintenance deposits.

Product Identification. West of the 100th meridian, before transport, unless Contracting Officer determines that circumstances warrant a written waiver or adjustment, Purchaser shall hammer brand, with assigned brand, all products that are eight (8) feet or more in length and one-third (1/3) or more sound, on each end that is seven (7) inches or more in diameter. Products that require domestic processing that are eight (8) feet or more in length and one-third (1/3) or more sound must also be painted with a spot of highway-yellow paint at least three (3) square inches in size on each end that is seven (7) inches or more in diameter. All hammer brands and/or highway-yellow paint must remain on logs until they are domestically processed.

Title Passage. All right, title, and interest in and to timber shall vest in Purchaser when it has been decked and paid for. Title to any timber that has not been removed from National Forest land by Purchaser on or prior to termination date shall revert to Forest Service.

Liability for Loss. If timber is destroyed or damaged the party holding title shall bear the value loss resulting from such destruction or damage.

Contract Term Adjustment. The contract term shall be adjusted to include additional calendar days equal to the actual time lost if hauling is interrupted due to causes beyond Purchaser's control or Purchaser accepts Forest Service written request to interrupt or delay operations.

Contract Term Extension. If the associated procurement contract is extended the contract term of this contract shall be extended to include additional calendar days equal to the additional time on the procurement contract.

Termination. In event the associated procurement contract is canceled, this contract shall be terminated without liability to either party due to the termination. Purchaser shall receive a refund for any included timber not removed due to termination.

Disputes. This contract is subject to the Contract Disputes Act of 1978.

Other Conditions

Sale Area is designated on the ground with orange ribbon and white tags labeled "North Cispus Firewood" and orange tracer paint.

Included Material is designated with white tracer paint, and may only be removed in firewood form unless otherwise agreed by the Forest Service for whole log removal. Included Material extending beyond the unit boundary is included for removal.

Skidding or pulling of any kind is prohibited unless otherwise agreed to by the Forest Service. Material must be hand carried or rolled to Forest Road 2300000 unless otherwise agreed to by the Forest Service.

Only pickup trucks allowed for product removal unless otherwise agreed to by Forest Service. Vehicle must remain on Forest Roads 2300000 and 2300132.

Slash associated with Purchaser's Operations must be piled or scattered as directed by Forest Service.

Traffic control signs shall be installed and maintained by Purchaser at locations indicated by the Forest Service prior to the start of the operations.

Signs shall meet specifications listed in attached Traffic Control Plan and Specifications.

Purchaser shall furnish flag personnel at each loading site on Forest Road 2300000.

Traffic delays associated with operations on Forest Road 2300000 shall be limited to 10 minutes. Traffic delays on Forest Road 2300132 will not be permitted unless otherwise agreed to by the Forest Service.

Specific fire precautionary measures listed in attached Fire Precautionary Measures are applicable during Purchaser's Operations from April 1 to October 31. Required tools and equipment shall be kept in serviceable condition and immediately available.

Signatures

_____	_____		_____	_____
Witness Signature	Date		Contracting Officer Signature	Date
_____	_____		_____	_____
Witness Signature	Date		Purchaser Signature	Date

CERTIFICATION

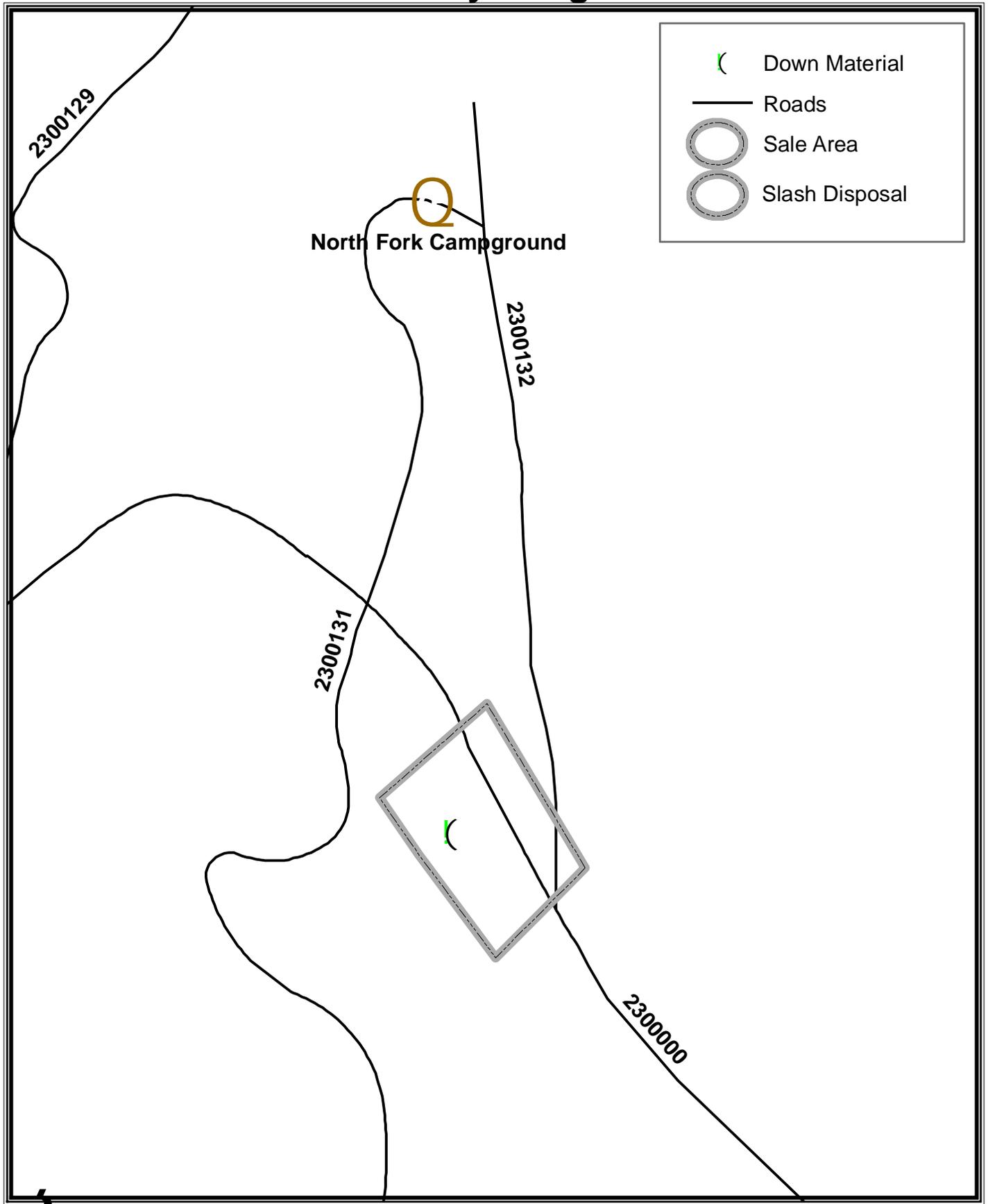
I, _____, certify that I am the _____ Secretary of the corporation named as Purchaser herein; that _____ who signed this contract on behalf of the Purchaser, was then _____ of said corporation; that said contract was duly signed for and in behalf of said corporation by authority of its governing body,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

CORPORATE SEAL

Sale Area Map: North Cispus Firewood Sale

Gifford Pinchot National Forest

Cowlitz Valley Ranger District



0 125 250 500 750 1,000 Feet

T11N R08E

TRAFFIC CONTROL PLAN AND SPECIFICATIONS

Unless otherwise agreed, the following measures are required to provide adequate warning of hazards for users of roads and trails adjacent to Purchaser's Operations.

PART I. SIGNING AND OTHER WARNING METHODS:

(a) Signs. The following signs are required when Purchaser's Operations are in progress adjacent to or on Forest Service controlled roads and trails:

<u>MINIMUM LETTER SIZE AND LEGEND</u>	<u>MINIMUM SIZE AND SHAPE</u>	<u>WHEN AND WHERE REQUIRED</u>
1. LOGGING OPERATIONS NEXT <> MILES (4" letters)	24" (rectangle) 36"	Min. 100 ft. outside of any continuous work areas, on roads and trails listed in Part II.
2. LOGGING OPERATIONS (3" letters)	24" (diamond) 24"	To be used in conjunction with "Logging Operations Next <> Miles" and where work area is not continuous.
3. FOR LOGGING USE ONLY (3" letters)	24" (diamond) 24"	Required where roads and temporary roads intersect. Install a cross ditch to discourage use when sign is covered or removed for extended periods.
4. TRUCKS (4" letters)	24" (diamond) 24"	At critical intersections when traffic is heavy or otherwise exceeds volumes stated in Part II below. Remove or cover when the sign is not applicable.
5. END LOGGING OPERATIONS (4" letters)	24" (rectangle) 36"	Use in conjunction with "Logging Operations Next <> Miles" and "Logging Operations."
6. TREE FELLING AHEAD (3" letters)	24" (diamond) 24"	Required 200 feet in advance of danger area where timber is being felled adjacent to all roads, including temporary roads, and trails.
7. ROAD MACHINERY AHEAD (3" letters)	24" (diamond) 24"	Required at least 200 feet in advance of Purchaser road maintenance operations.

TRAFFIC CONTROL PLAN AND SPECIFICATIONS (CONTINUED)

All signs shall meet requirements as specified in Parts I and VI of the Manual of Uniform Traffic Control Devices (MUTCD).

Sign borders and lettering shall be black. Borders are 1/2 inch wide, inset 1/2 inch from outside edge of sign. All sign backgrounds shall be orange, except signs #1 and 5 which shall be reflectorized orange.

Signs shall be installed on posts, with a 5 foot minimum ground clearance, or on temporary supports complying with MUTCD standards.

All signs are to be removed or covered when operations are interrupted for seasonal nonuse or other extended periods.

Purchaser shall furnish flag personnel and advance warning signs when cable or helicopter logging above roads or trails, felling adjacent to roads or trails, where logs being bucked may roll into roads or trails, and in areas where fallout from blasting may occur. Purchaser may temporarily block the road in lieu of furnishing flag personnel.

(b) Barricades. if Purchaser's Operations cause the traveled way or road shoulders to be constricted overnight, or longer, by such obstructions as decked logs, parked equipment, or piled slash, Purchaser shall place barricades on both sides of the encroaching obstruction to safely channel traffic around such obstructions. Barricades shall remain in place until the obstruction is removed.

Barricades shall be Type II and meet specifications in MUTCD, Part VI. Barricades must be at least 3 feet high. Rails must be at least 2 feet long. Striping shall be alternating orange and white, sloping at a 45 degree angle, and reflectorized. For rails 2 feet to 3 feet long, striping shall be 4 inches wide. For rails longer than 3 feet, striping shall be 6 inches wide. Two rails, 8-12 inches in width, must face each direction.

Barricades shall be equipped with warning lights which shall be Type A low intensity flashing and shall be maintained so as to be capable of being visible on a clear night from a distance of 3,000 feet.

(c) Other Traffic Control Methods. The posting of CB channel signs may be authorized.

Purchaser may be authorized to install temporary gates, barricades (except cables), or natural barriers. The devices must be installed with the necessary hazard markers, be reasonably passable by Forest Service, and be removed prior to acceptance of the Payment Unit being served by the road.

PART II. SPECIFIC REQUIREMENTS:

Signs in Part I will be installed and maintained by Purchaser at locations indicated by the Forest Service prior to the start of the operations.

Purchaser shall furnish flag personnel at each active loading site on Forest Road 2300000.

Traffic delays associated with operations on Forest Road 2300000 shall be limited to 10 minutes.

INDUSTRIAL FIRE PRECAUTIONARY MEASURES

Purchaser shall comply with State fire laws, covering fire prevention and suppression equipment, applicable to Purchaser's Operations under this contract. Purchaser shall certify compliance with the Fire Precautionary Measures and specific fire precautions included in this contract.

FIRE PRECAUTIONARY MEASURES. Purchaser shall restrict operations in accordance with the following Industrial Fire Precaution Levels. Forest Service may change the Industrial Fire Precaution Levels to other values upon revision of the National Fire Danger Rating System and may change the specific Industrial Fire Precaution Levels when such changes are necessary for the protection of the National Forest. When sent to Purchaser, the revised Industrial Fire Precaution Levels will supersede the following levels. Adherence to these Fire Precautionary Measures shall be from April 1 through October 31.

<u>LEVEL</u>	<u>INDUSTRIAL FIRE PRECAUTION</u>
I.	Closed Season - Fire precaution requirements are in effect. A Fire Watch/Fire Security is required at this and all higher levels unless otherwise waived.
II.	Partial Hootowl - The following may operate only between the hours of 8 p.m. and 1 p.m. local time: power saws, except at loading sites; cable yarding; blasting; welding or cutting of metal.
III.	Partial shutdown - The following are prohibited: cable yarding - except that gravity operated logging systems employing non-motorized carriages may be operated between the hours of 8 p.m. and 1 p.m. local time when all blocks and moving lines are 10 feet or more above the ground, excluding the line between the carriage and the choker. power saws - except at loading sites and on tractor/skidder operations between the hours of 8 p.m. and 1 p.m. local time. In addition, the following are permitted between the hours of 8 p.m. and 1 p.m. local time: tractor, skidder, feller-buncher, forwarder, or shovel logging operations where tractors, skidders or other equipment with a blade capable of constructing fireline are immediately available to quickly reach and effectively attack a fire start; mechanized loading and hauling; blasting; welding or cutting of metal; any other spark-emitting operation not specifically mentioned.
IV.	General shutdown - All operations are prohibited.

INDUSTRIAL FIRE PRECAUTIONARY MEASURES (CONTINUED)

Exhaust system in good repair with a screen-type spark arrester of 0.023" or less and qualified under USDA Forest Service standards.

Shovel: Long-handled round point with an 8" blade (size 0"), in possession of operator.

Fire Extinguisher: Pressurized chemical of not less than 8 oz. capacity by weight, in possession of operator.

The following definitions shall apply to these Industrial Fire Precaution Levels:

Cable yarding systems: A yarding system employing cables and winches in a fixed position.

Closed Season (Fire Precaution Period): That season of the year when a fire hazard exists.

Hauling: Where hauling involves transit through more than one shutdown zone/regulated use area, the precaution level at the woods site shall govern the level of haul restrictions, unless prohibited by other than the Industrial Fire Precaution Level system.

Loading sites/woods site: A place where any product or material (including but not limited to logs, firewood, slash, soil, rock, poles, posts, etc.) is placed in or upon a truck or other vehicle.

Advance written waiver of the above precautions may be issued by the Contracting Officer or Forest Service Representative.

Such waiver, or substitute precautions, shall prescribe measures to be taken by Purchaser to reduce the risk of ignition, and/or the spread of fire. The Contracting Officer or Forest Service Representative shall consider site specific weather factors, fuel conditions, and specific operations that result in less risk of fire ignition and/or spread than contemplated when precaution level was predicted. Consideration shall also be given to measures that reduce the precaution levels above. Purchaser shall assure that all conditions of such waivers or substitute precautions are met.

Purchaser shall obtain the predicted Industrial Fire Precautionary Level from the appropriate Ranger District headquarters. If predictions made after 6:00 p.m., local time, are significantly different than originally estimated, Forest Service will inform Purchaser when changes in restrictions or industrial precautions are indicated.