

<b>AWARD/CONTRACT</b>		1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 350)	RATING	PAGE OF	PAGE
2. CONTRACT (Proc. Inst. Ident.) NO. 33-9A40-2-1P40		3. EFFECTIVE DATE April 1, 2001	4. REQUISITION/PURCHASE REQUEST/PROJECT NO.		
5. ISSUED BY Southern Sierra Province Acquisitions 1600 Tollhouse Road Clovis, CA *93611	CODE	8. ADMINISTERED BY (If other than Item 5)		CODE	

7. NAME AND ADDRESS OF CONTRACTOR (No., street, city, county, State and ZIP Code) Pinecrest Permittees Association P.O. Box 95 Twain Harte, CA 95383		8. DELIVERY <input type="checkbox"/> FOB ORIGIN <input checked="" type="checkbox"/> OTHER (See below)
		9. DISCOUNT FOR PROMPT PAYMENT
		10. SUBMIT INVOICES (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN:  ITEM

11. SHIP TO/MARK FOR	CODE	FACILITY CODE	12. PAYMENT WILL BE MADE BY	CODE
		Southern Sierra Province, Finance 1600 Tollhouse Road, Clovis Ca 93611		

13. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION: <input type="checkbox"/> 10 USC 2304(c) ( ) <input type="checkbox"/> 41 USC 253(c) ( )	14. ACCOUNTING AND APPROPRIATION DATA 0516 IDP5R4
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15A. ITEM NO.	15B. SUPPLIES/SERVICES	15C. QUANTITY	15D. UNIT	15E. UNIT PRICE	15F. AMOUNT

15G. TOTAL AMOUNT OF CONTRACT \$

(X)	SEC.	DESCRIPTION	PAGE(S)	(X)	SEC.	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE				PART II - CONTRACT CLAUSES			
N/A	A	SOLICITATION/CONTRACT FORM		X	I	CONTRACT CLAUSES	1
N/A	B	SUPPLIES OR SERVICES AND PRICES/COST		PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH.			
X	C	DESCRIPTION/SPECS./WORK STATEMENT	3	X	J	LIST OF ATTACHMENTS	1
N/A	D	PACKAGING AND MARKING		PART IV - REPRESENTATIONS AND INSTRUCTIONS			
N/A	E	INSPECTION AND ACCEPTANCE		N/A	K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS	
N/A	F	DELIVERIES OR PERFORMANCE		N/A	L	INSTRS., CONDS., AND NOTICES TO OFFERORS	
N/A	G	CONTRACT ADMINISTRATION DATA		N/A	M	EVALUATION FACTORS FOR AWARD	
N/A	H	SPECIAL CONTRACT REQUIREMENTS					

**CONTRACTING OFFICER WILL COMPLETE ITEM 17 OR 18 AS APPLICABLE**

17. <input checked="" type="checkbox"/> CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return <u>Original</u> copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)	18. <input type="checkbox"/> AWARD (Contractor is not required to sign this document.) Your offer on Solicitation Number _____ including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the items listed above and on any continuation sheets. This award consummates the contract which consists of the following documents: (a) the Government's solicitation and your offer, and (b) this award/contract. No further contractual document is necessary.
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19A. NAME AND TITLE OF SIGNER (Type or print)		20A. NAME OF CONTRACTING OFFICER PATRICK J. GALLEGOS	
19B. NAME OF CONTRACTOR	19C. DATE SIGNED	20B. UNITED STATES OF AMERICA	20C. DATE SIGNED
BY _____ (Signature of person authorized to sign)		BY _____ (Signature of Contracting Officer)	

**CONTRACT NO. 53-9A40-2-1P40**  
**BETWEEN THE USDA FOREST SERVICE**  
**AND**  
**PINECREST PERMITTEES ASSOCIATION**

**PART I - SCOPE**

**INTRODUCTION**

- The Forest Service has assigned certain lines, valves, lift stations, and other appurtenances funded by the Forest Service to the Pinecrest Permittees Association (PPA) for the purposes of providing sewer service for Forest Service facilities. These facilities are included in a separate special use permit issued under the term of section 7, Granger-Thye Act of April 24, 1950, which authorizes the use and occupancy of National Forest System lands. The PPA has accepted the permit and the responsibility for providing these services.
- The PPA maintains wastewater collection, treatment, disposal, and associated facilities in order to furnish sewage services to the Service area as shown in the special use permit.
- The PPA is required to provide sewer service within the Pinecrest Recreation Area and Recreation Residences.
- The PPA will charge each customer their fair share of the PPA's cost of providing service; and
- The PPA will provide sewer service to the Forest Service facilities identified in Exhibit A.
- The Forest Service will pay its fair share to the PPA for providing sewer service.

**CHARGE FOR SEWER SERVICE**

The Forest Service agrees to pay a service fee to cover operation and maintenance expenses for sewer service. Operation and maintenance expenses include all costs of the PPA required to provide sewer service to the service area including administrative costs related to sewer services and major repairs or replacement of equipment and Government-owned facilities except those covered under the Granger-Thye portion of the Special Use Permit.

The operation and maintenance expenses may not include costs not directly related to providing sewer service to other users, or any costs associated with providing additional facilities or expansion of these facilities to provide service to other users.

Charges shall be determined as follows: Annually an Independent Certified Audit using Generally Accepted Accounting Practices shall be provided on or before March 15. Only the above stated expenses will be considered valid expenditures.

Current year rates will be 29.90 percent of pervious year's actual operation and maintenance expense as determined in the annual audit; i.e.; the rate for the period from April 1, 2001 through March 31, 2002 shall be 29.90 percent of the 2000 calendar year's actual operation and maintenance expense.

Concessionaires operating Forest Service recreation facilities under special use authorizations shall be billed directly by the PPA, based on previous year's actual expenses for their proportionate share of the total Forest Service charges. The Forest Service has no obligation for the payment of the service fee for these facilities. The Forest Service will only be billed by the PPA for the 7.2% share of expenses that related to non-concession Forest Service facilities for the period 4/01/03 through 12/31/04. If the percentage of use by the Forest Service Concessionaire changes, an adjustment to the Forest Service share will be adjusted accordingly. The Forest Service will promptly notify the PPA of any changes in its share of expenses.

The Government will make payment for service in accordance with the Prompt Payment Act.

**PERIOD OF PERFORMANCE (AGAR 452.211-74) (FEB 1988)**

The period of performance of this contract is from April 1, 2001 through December 31, 2004.

## PART II - CONTRACT CLAUSES

### I.1 CLAUSES INCORPORATED BY REFERENCE (FAR 52.252-2) (Feb 98)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. In addition, the full text of a clause may be accessed electronically on the Internet at this/these address(es):

<http://www.arnet.gov>  
then - Federal Acquisition Regulation  
then - HTML Format  
then - Subchapter H - Clauses and Forms  
then select clause number from list in Part 52.2 Text of Provisions  
and Clauses

- 52.209-06 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Jul 95)
- 52.222-03 Convict Labor (Aug 96)
- 52.222-21 Prohibition of Segregated Facilities (Feb 99)
- 52.222-26 Equal Opportunity (Apr 02)
- 52.222-36 Affirmative Action for Workers with Disabilities (Jun 98)
- 52.232-01 Payments (Apr 84)
- 52.232-08 Discounts for Prompt Payment (Feb 02)
- 52.232-11 Extras (Apr 84)
- 52.232-23 Assignment of Claims (Jan 86)
- 52.232-25 Prompt Payment (Feb 02)
- 52.232-34 Payment by Electronic Funds Transfer--Other than Central Contractor Registration (May 99)
- 52.233-01 Disputes (Dec 98), Alternate I (Dec 91)
- 52.237-02 Protection of Government Buildings, Equipment, and Vegetation (Apr 84)
- 52.243-04 Changes (Aug 87), Alternate I (Apr 84)
- 52.249-01 Termination for Convenience of the Government Fixed Price (Short Form)(Apr 84)
- 52.249-08 Default (Fixed-Price Supply and Service) (Apr 84)

*Do not look  
these up  
for Len Dorton*

**EXHIBIT A**

**Forest Service Facilities Requiring Sewer Services From The PPA**

<b><u>LOCATION</u></b>	<b><u>ESTIMATED PERIOD OF OPERATION</u></b>
# 1 Meadow view Campground	May to September
# 1 Pinecrest Campground	April to October
# 1 Pinecrest Transfer Station	April to October
# 2 Forest Service Administrative Site	Yearlong Yearlong
# 2 Pinecrest Boat Ramp	Yearlong Yearlong
# 2 Pinecrest Beach and Picnic Area	April to October yearlong
<b>#1 Concessionaire Facilities under Special Use Authority.</b>	<b>22.70%</b>
<b>#2 Forest Service Facilities.</b>	<b><u>7.20%</u></b>
<b>Total Forest Service and Concession percentage of use</b>	<b>29.90%</b>