### SPECIAL USE PERMIT FOR CAMPGROUND AND RELATED GRANGER-THYE CONCESSIONS

# APPENDIX B ANNUAL GRANGER THYE FEE OFFSET AGREEMENT

## AUTHORITY: Section 7 of the Granger-Thye Act, 16 U.S.C. 580d <Reference FSH 2709.11 chapter 50>

This Annual Granger-Thye (GT) Fee Offset Agreement (agreement) is made by [name] (the holder) and the U.S. Department of Agriculture, Forest Service, [name] National Forest (the Forest Service), under section 7 of the G-T Act, 16 U.S.C. 580d, and clause IV.E of the special use permit issued to the holder on [date] (the permit). The total estimated annual land use fee is [amount]. [ ] percent of that land use fee may be offset by the cost incurred by the holder for the Government maintenance, reconditioning, renovation, or improvement (MRRI) projects listed below in accordance with this agreement. Additionally, [ ] percent of that fee may be offset by the cost incurred by the Forest Service for the Government MRRI projects under a separate collection agreement. Projects to be performed by the holder shall be completed by the date specified and within the holder's fiscal year for the year the fee is due. The Forest Service may modify the projects and dates as necessary, after consultation with the holder.

1. <u>Amount of Land Use Fee Subject to Offset</u>. The actual cost of each project that is satisfactorily completed as determined by the Forest Service may be offset against the holder's land use fee. Due dates and cost estimates for completion of each project are enumerated below. Examples of allowable costs include salaries and wages, materials and supplies, and subcontracts that are direct costs of a G-T fee offset project and indirect costs based on an approved indirect cost rate. The total cost for Government MRRI projects to be performed under this agreement shall not exceed the holder's annual land use fee.

2. <u>Projects and Project Costs Covered by This Agreement</u>. Upon a determination by the Forest Service that a project has been satisfactorily completed by the holder, the holder shall submit documentation of its actual cost to the Forest Service and shall certify that the representations in that documentation are accurate and complete. The certification shall be signed and dated, and shall state that failure to sign the certification shall vitiate the fee offset claim. The Forest Service shall verify that documentation before giving any credit against the holder's land use fee, and reserves the right not to grant any fee offset if any representations in the documentation are inaccurate or incomplete.

Description of Project	Due Date	Estimated cost	Completion Date	Actual Cost
[itemize projects]				

The holder shall perform the work itemized below under this agreement.

### <USER NOTES FOR PARAGRAPH 3>

### <Include paragraph 3 if the total estimated cost of Government MRRI projects to be performed under this agreement exceeds \$2,000 and the holder is a private entity or a state or governmental entity that is contracting with a private entity to perform the Government MRRI projects. Otherwise delete paragraph 3, and re-number the remaining paragraph.>

3. <u>Davis-Bacon Act Requirements</u>. This agreement is subject to the Davis-Bacon Act, 40 U.S.C. 3141 *et seq.*, and its implementing regulations at 29 CFR 5.5. These regulatory requirements are incorporated by reference into this agreement as if fully set forth in this agreement.

4. <u>Documentation of Project Costs</u>. Upon a determination by the Forest Service that a project has been satisfactorily completed by the holder, the holder shall submit documentation of its actual cost to the Forest Service and shall certify, using form FS-2700-4h, Appendix G, that the representations in that documentation are accurate and complete. The certification shall be signed and dated and shall state that failure to sign the certification shall vitiate the fee offset claim. The Forest Service shall verify that documentation before giving any credit against the holder's land use fee and reserves the right not to grant any land use fee offset if any representations in the documentation are inaccurate or incomplete.

[NAME AND TITLE OF PERSON SIGNING ON BEHALF OF HOLDER,
IF HOLDER IS AN ENTITY]
#HOLDER NAME#

DATE

APPROVED:

#AUTHORIZ	ED OFFICER NAME#
#TITLE#	

DATE

USDA Forest Service

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