Hiring a Contractor

Suggestions from the Nova Scotia Woodlot Owners and Operators Association

There are many things to consider when hiring a contractor to work on your woodlot to harvest timber, perform silviculture work, build roads, or perform other activities. The following are some things to look for and include in a contract:

Term of contract: It should be clear how long the contract is valid for. For example, the proposed operation may only take 3 months, but the contract is valid for the next 12 months giving the contractor operational flexibility. The term of contract is usually greater than the duration of operations.

Estimated start and end date of operations: Contractors should provide you with an estimated timeline of the operation and inform you if changes to the timeline need to be made during the operation.

Property identification: The contract should include the PIDs of the land where the work is to take place.

Method of payment: It should be clear whether payments will be made from the contractor to the landowner, or from the landowner to the contractor. In the case of services provided (in which the contractor is paid), a copy of the contractor's quote and commitment to stay on budget and on time should be attached and signed. In the case of paying for resources (in which stumpage is paid to the landowner), it should be clear on whether the payment is lump-sum or a fixed rate based on mill scale. If the latter is chosen, copies of the mill slips should be provided to the landowner. In any situation, the schedule of payments (frequency and duration) should be included in the contract.

Proof of liability insurance: Contractors must carry liability insurance and be enrolled in Workers Compensation, and provide proof of coverage when working on your property to cover potential accidents, damages, etc.

Compliance with regulations: The contractor should agree (in writing) to comply with all applicable municipal, provincial, and federal laws and regulations during the operation.

Signatures: The signatures of the landowner and contractor should be on the contract. They should be dated and witnessed by a third person, who provides their signature.

Maps: The operation area should be shown on a map of the property and provided to the landowner prior to operations. The map can include existing and proposed roads, watercourses, wetlands, special habitats, and operational limits.

Prescription: It should be indicated in the contract what the operation is (clear-cut harvest, selection management, tree planting, culvert installation, etc.) and why the operation is being performed. For example, "An old clear-cut harvest has resulted in poor natural regeneration, therefore the landowner has decided to plant red spruce on this site." This section could also reference a landowner's

management plan, if available. Also to be included, is any future work the contractor is to be responsible for that would fall within the contract. For example, if the wood had to remain on-site while road/landing work was completed before it was serviceable for log trucks to haul safely.

Extent of Responsibility: Your contract should include to what extent the contractor is responsible for the operation. Are they looking after the harvest, hauling, selling and post treatment assessments, or just a portion thereof?

Safety Plans: Contractors should include a safe work plan, that addresses any special considerations in the treatment area, or regulations governing the operation, such as steep slope, spill response, fire prevention, etc.

Pre-treatment assessments (PTA): It is not possible to make truly sound decisions without assessing vegetation types and soil types. It is a requirement on Crown lands, but private landowners should ask for a PTA to be performed as well.

Post-harvest and silviculture assessments: Immediately after harvest, the site should be walked to ensure all BMPs have been followed, no wood has been missed and there are no issues requiring corrective action (brushing around water crossing, fix rutting that poses a risk of erosion, etc.).

Follow-up Assessments: Two years post-harvest, the site should be assessed for need for future silviculture. This is especially important on clear cut lands. It's also good to walk partial harvests to see how they are responding and if there is salvage work required due to excessive wind damage.

Other considerations: The landowner may have other special requests, conditions, or standards with regards to the operation. This should be discussed, agreed upon, and put into the contract. These could include standards for road construction, technical standards for forestry operations, no-cut zones, soil-damage minimization, road access, wildlife features, or any other considerations.

The Nova Scotia Woodlot Owners and Operators Association supports landowners through education, demonstration, marketing, and cooperation. NSWOOA is an independent organization of woodlot owners and operators achieving prosperity, stewardship, and solidarity through the practice of ecologically, socially, and economically sustainable forestry. We believe that truly sustainable forest management can only be achieved if all the values of our woodlands – ecological, social, cultural and economic – are preserved for future generations.

For more information about how NSWOOA can help you to achieve your goals for a sustainably managed woodlot, contact us at **info.nswooa@gmail.com** or toll-free at **1-855-NS-WOODS** (1-855-679-6637). You can also write to us at NSWOOA, PO Box 823, Truro, NS B2N 5G6.