

Offer Submission Package

SOLICITATION SP0600-00-R-0008-0001

THIS SOLICITATION COVERS THE PERIOD:

DATE OF AWARD – MARCH 31 2003

See **Note** after Clauses B1.01 and B1.01-2
to identify items taking exception to DOA.

INSTRUCTIONS:

1. The original and one copy of the completed offeror submission package must be returned to:

ATTN: Bid Custodian, Room 3815
Defense Energy Support Center
8725 John J. Kingman Road, Suite 4950
Ft. Belvoir, VA 22060-6222

All documents to be completed and returned are contained in this Offer Submission Package:

- Standard Form 1449, Solicitation/Contract/Order for Commercial Items
- All applicable fill-in clauses
- Price Data Sheets, upon which you will submit your offer prices as follows:

2. **For this Solicitation, SP0600-00-R-0008-0001, Facsimile Submission of Bids is acceptable.**
3. **Be sure to proofread all offer prices submitted. They must be in actual dollars per gallon. (e.g. \$0.4000). NOT price differentials. Offer one price per line item which will escalate/deescalate with the named index.**
4. **Be sure to check your offer for accuracy and legibility prior to submission. Initial all changes and sign and date the Standard Form 1449.**

| | | | | | | | |
|--|--|---|--|---|--|--|--|
| SOLCITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30 | | | | 1. REQUISITION NUMBER SP0600-00-0302/0303 | | PAGE 1 OF 48 | |
| 2. CONTRACT NUMBER | | 3. AWARD/EFFECTIVE DATE See Block 31C | | 4. ORDER NUMBER | | 5. SOLICITATION NUMBER SP0600-00-R-0008-0001 | |
| 7. FOR SOLICITATION INFORMATION CALL: →→ | | a. NAME JAMES V. SHILLINGFORD | | b. TELEPHONE NUMBER (no collect calls) (703) 767-9545 FAX: (703) 767-8506 | | 6. SOLICITATION ISSUE DATE 26 JULY 2000 | |
| 8. OFFER DUE DATE/LOCAL TIME 25 AUGUST 2000, 3:00 PM Fort Belvoir, VA | | 9. ISSUED BY CODE SP0600 | | 10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED SET ASIDE % FOR <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> SMALL DISADV BUSINESS <input type="checkbox"/> 8(A) SIC: 5172 SIZE STANDARD: 500 | | 11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE | |
| 13a. THIS CONTRACT IS RATED ORDER UNDER DPAS (15 CFR 700) | | 13b. RATING | | 14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP | | | |
| 15. DELIVER TO CODE SEE SCHEDULE | | | | 16. ADMINISTERED BY CODE SEE BLOCK 9 | | | |
| 17a. CONTRACTOR/OFFEROR BIDDER CODE | | FACILITY | | CAGE CODE | | 18a. PAYMENT WILL BE MADE BY CODE | |
| TELEPHONE NO. | | FAX NO: | | 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER | | | |
| 18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a. UNLESS BLOCK BELOW IS CHECKED | | | | 18a. UNLESS BLOCK BELOW <input type="checkbox"/> SEE ADDENDUM | | | |
| 19. ITEM NO. | | 20. SCHEDULE OF SUPPLIES/SERVICES | | 21. QUANTITY | | 22. UNIT | |
| | | The Schedule is shown on the SF 1449 Continuation Sheet (Attach additional Sheets as Necessary) | | | | 23. UNIT PRICE SEE ATTACHED | |
| | | | | | | 24. AMOUNT SEE ATTACHED | |
| 25. ACCOUNTING AND APPROPRIATION DATA TO BE CITED ON EACH DELIVERY ORDER | | | | 26. TOTAL AWARD AMOUNT (For Govt. Use Only) EST. \$ | | | |
| <input checked="" type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-3. FAR 52.212-4 AND 52.212-5. ADDENDA <input type="checkbox"/> ARE <input checked="" type="checkbox"/> ARE NOT ATTACHED. *SCHEDULE OF SUPPLIES AND SOLICITATION CLAUSES ARE ATTACHED. <input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA <input type="checkbox"/> ARE <input checked="" type="checkbox"/> ARE NOT ATTACHED. | | | | | | | |
| <input checked="" type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 1 COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED HEREIN. | | | | <input type="checkbox"/> 29. AWARD OF CONTRACT: REFERENCE _____ OFFER DATED _____ YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS: _____ | | | |
| 30a. SIGNATURE OF OFFEROR/CONTRACTOR | | | | 31a. UNITED STATES OF AMERICA (Signature of Contracting Officer) | | | |
| 30b. NAME AND TITLE OF SIGNER (Type or Print) | | 30c. DATE SIGNED | | 31b. NAME OF CONTRACTING OFFICER (Type or Print) | | 31c. DATE SIGNED | |
| 32a. QUANTITY IN COLUMN 21 HAS BEEN <input type="checkbox"/> RECEIVED <input type="checkbox"/> INSPECTED <input type="checkbox"/> ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED | | | | 33. SHIP NUMBER <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL | | 34. VOUCHER NUMBER | |
| 32b. SIGNATURE OF AUTHORIZED GOVT. REPRESENTATIVE | | | | 32c. DATE | | 35. AMOUNT VERIFIED CORRECT FOR | |
| 41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT | | | | 36. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL | | 37. CHECK NUMBER | |
| 41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER | | 41c. DATE | | 38. S/R ACCOUNT NO. | | 39. S/R VOUCHER NO. | |
| | | | | 42a. RECEIVED BY (Print) | | 40. PAID BY | |
| | | | | 42b. RECEIVED AT (Location) | | | |
| | | | | 42c. DATE REC'D (YY/MM/DD) | | 42d. TOTAL CONTAINERS | |

AUTHORIZED FOR LOCAL REPRODUCTION

STANDARD FORM 1449
Prescribed by GSAFAR (48 CFR) 53.212

C16.69 FUEL SPECIFICATIONS (PC&S) (DESC MAR 2000)

Supplies delivered under this contract shall conform to all Federal, State, and local environmental requirements applicable to the geographic location of the receiving activity on the date of delivery. The list of such requirements contained in this contract is not intended to be a complete list, and the Contractor shall be responsible for determining the existence of all such requirements at the time deliveries are made. In the event that a Federal, State, or local environmental requirement is more stringent than a specification contained in this contract, the Contractor shall deliver product that complies with the more stringent requirement. Product that fails to meet the more stringent requirement will be considered to be a nonconforming supply. Product(s) to be supplied shall fully meet the requirements of the applicable specification(s) as cited below.

NOTE: Gasoline Reid Vapor Pressure (RVP) specification requirements are seasonal and vary geographically throughout the United States. Therefore, Contractors are expected to know the local, State, or Federal RVP requirements of areas being supplied and comply with those requirements.

(a) **GASOLINE, AUTOMOTIVE, UNLEADED, GRADES REGULAR, MIDGRADE, AND PREMIUM.** ASTM D 4814 applies.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE (6)</u> | <u>AKI. MINIMUM (1)</u> |
|------------------------------|---------------------------------|-------------------------|
| 9130-00-148-7103 | Gasoline, Regular Unleaded | 87(3) |
| 9130-01-272-0983 | Gasoline, Midgrade Unleaded | 89 |
| 9130-00-148-7104 | Gasoline, Premium Unleaded | 91 |

(1) The following oxygenates are permitted at this time:

| <u>OXYGENATE</u> | <u>VOLUME % ALLOWED</u> |
|--|-------------------------|
| Ethanol (only during the oxygenated fuel season) | 9.0 min. to 11.0 max. |
| Methyl tertiary-butyl ether (MTBE) | 15.0 max. |
| Ethyl tertiary-butyl ether (ETBE) | 17.0 max. |

(2) Reductions for altitude and seasonal variations are allowed for all AKI values in accordance with figures X1.2 and X1.3 of ASTM D 4814.

(3) In addition to an AKI of 87 minimum, the MON must not be less than 82.

(4) Blending of oxygenates into gasoline to meet oxygenated fuel requirements shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet contract requirements.

(5) See the SPECIFICATIONS (CONT'D) clause for additional regional gasoline requirements.

(b) **GASOHOL, AUTOMOTIVE, UNLEADED, GRADES REGULAR, MIDGRADE, AND PREMIUM.** In accordance with Executive Order 12261 of January 5, 1981, "Gasohol in Federal Motor Vehicles," Gasohol may be considered an acceptable substitute for Unleaded Gasoline. The Unleaded Gasoline items that permit the substitution of Gasohol are identified in the Schedule. Contractors are required to state, for each line item in their offer, whether Gasohol will be provided. Contractors will not be permitted to substitute Unleaded Gasoline under line items awarded as gasohol. Also, Contractors are not permitted to substitute gasohol for gasoline under line items awarded as gasoline, except when Government regulations mandate use of fuel containing an oxygenate for control of carbon monoxide pollution. CID A-A-52530 dated October 10, 1995, applies.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>AKI. MINIMUM (1)</u> |
|------------------------------|-----------------------------|-------------------------|
| 9130-01-090-1093 | Gasohol, Regular Unleaded | 87 |
| 9130-01-355-2393 | Gasohol, Midgrade Unleaded | 89 |
| 9130-01-090-1094 | Gasohol, Premium Unleaded | 91 |

(1) Reductions for altitude and seasonal variations are allowed for all AKI values in accordance with figures X1.2 and X1.3 of ASTM D 4814.

(2) Blending of ethanol into gasoline to make gasohol shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet contract requirements.

(3) See the SPECIFICATIONS (CONT'D) clause for additional regional requirements affecting gasohol.

(c) **REFORMULATED GASOLINE, AUTOMOTIVE, UNLEADED, GRADES REGULAR, MIDGRADE, AND PREMIUM.** ASTM D 4814 applies, as modified by the Environmental Protection Agency (EPA) requirements detailed in 40 CFR Part 80 - "Regulation of Fuels and Fuel Additives; Standards for Reformulated and Conventional Gasoline; Final Rule," published in the February 16, 1994 Federal Register. In part, these regulations mandate that reformulated gasoline must meet two performance requirements: no net increase in emissions of oxides of nitrogen versus the baseline gasoline marketed by a refiner in 1990; and a 15 percent reduction in emissions of volatile organic compounds (VOCs) versus the baseline gasoline marketed by a refiner in 1990. Further, these regulations mandate that reformulated gasoline must meet three

C16.69 (CONT'D)

compositional requirements: 2.0 weight percent minimum oxygen; 1.0 volume percent maximum benzene; and no heavy metals (lead and manganese are examples of such metals).

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>AKI. MINIMUM (1)</u> |
|------------------------------|---------------------------------|-------------------------|
| 9130-01-388-4080 | Reformulated Gasoline, Regular | 87 |
| 9130-01-388-4513 | Reformulated Gasoline, Midgrade | 89 |
| 9130-01-388-4524 | Reformulated Gasoline, Premium | 91 |

(1) Reductions for altitude and seasonal variations are allowed for all AKI values in accordance with figures X1.2 and X1.3 of ASTM D 4814.

(2) Blending of permissible oxygenate into gasoline shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet contract requirements.

(3) See the SPECIFICATIONS (CONT'D) clause for additional regional reformulated gasoline requirements.

(d) **DIESEL FUEL.** ALL FACILITIES REQUIRING DIESEL FUEL FOR ON-HIGHWAY USE SHALL BE SUPPLIED PRODUCT WITH A MAXIMUM SULFUR CONTENT OF 0.05 WEIGHT PERCENT.

NOTE: FROM JULY 1, 1999, TO JANUARY 1, 2004, ALASKA IS EXEMPT FROM THE DIESEL FUEL MAXIMUM SULFUR CONTENT OF 0.05 WEIGHT PERCENT FOR ON-HIGHWAY USE STATED. THIS TEMPORARY EXEMPTION IS PUBLISHED IN THE FEDERAL REGISTER (VOL 64) DATED 25 JUNE 1999, 40 CFR PART 69.

(1) **APPLICABLE TO GRADES DL2, DL1, DLS, DLW, DF2, AND DF1 ONLY.** Product shall conform to the Commercial Item Description A-A-52557, Fuel Oil, Diesel, For Posts, Camps, and Stations, dated January 2, 1996. Product classification is shown below.

LOW SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>MAXIMUM SULFUR CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|----------------------------------|---------------------------------------|----------------|
| 9140-00-000-0184 | Grade Low Sulfur No. 2-D | DL2 | 0.05 wt% | No |
| 9140-00-000-0185 | Grade Low Sulfur No. 1-D | DL1 | 0.05 wt% | No |
| 9140-01-413-7511 | Grade Low Sulfur No. 2-D | DLS | 0.05 wt% | Yes |
| 9140-01-412-1311 | Grade Low Sulfur No. 1-D | DLW | 0.05 wt% | Yes |

HIGH SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>MAXIMUM SULFUR CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|----------------------------------|---------------------------------------|----------------|
| 9140-00-286-5294 | Grade No. 2-D | DF2 | 0.50 wt% | Yes |
| 9140-00-286-5286 | Grade No. 1-D | DF1 | 0.50 wt% | Yes |

(i) Unless otherwise specified in the Schedule, the cloud point shall be equal to or lower than the tenth percentile minimum ambient temperature specified in Appendix X4 of ASTM D 975.

(ii) Fuel Stabilizer Additive, Corrosion Inhibitor/Lubricity Improver, and Fuel System Icing Inhibitor are not mandatory additives.

(iii) As a means of identification, the Internal Revenue Service (IRS) requires that a red dye, identified as Solvent Red 164 (alkyl derivatives of azo benzene azo naphthol), must be added to all nontaxable diesel and all nontaxable kerosene used for purposes other than military jet fuel. The definitions of diesel and kerosene are provided in 26 CFR Section 48.4081-1. The minimum concentration is provided in 40 CFR Part 80.

(iv) **FOR ALASKA LOCATIONS.** From July 1, 1999, to January 1, 2004, Alaska is exempt from the EPA's diesel fuel dyeing requirements stated in 40 CFR Part 80 as long as the diesel fuel meets a minimum cetane index of 40. This temporary exemption is published in the Federal Register (Vol 64) dated 25 June 1999, 40 CFR Part 69.

(A) In the event high-sulfur diesel fuel is shipped from Alaska to the lower 48 states, it would be necessary for the producer or shipping facility to add dye to the noncomplying fuel before it is introduced into commerce in the lower 48 states. In addition,

supporting documentation must clearly indicate the fuel may not comply with the sulfur standard for motor vehicle diesel fuel and is not to be used in a motor vehicle.

(B) Conversely, EPA will not require high sulfur diesel fuel to be dyed if it is being shipped from the lower 48 states to Alaska, but supporting documentation must substantiate that the fuel is only for shipment to Alaska and that it may not comply with the sulfur standard for motor vehicle diesel fuel.

(2) **APPLICABLE TO GRADES LS2, LS1, LSS, LSW, HS2, AND HS1 ONLY.** Product shall conform to ASTM D 975. Product classification is shown below:

LOW SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>MAXIMUM SULFUR CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------|-------------------------------|----------------|
| 9140-01-398-0697 | Grade Low Sulfur No. 2-D | LS2 | 0.05 wt% | No |
| 9140-01-398-1130 | Grade Low Sulfur No. 1-D | LS1 | 0.05 wt% | No |
| 9140-01-413-4919 | Grade Low Sulfur No. 2-D | LSS | 0.05 wt% | Yes |
| 9140-01-413-7494 | Grade Low Sulfur No. 1-D | LSW | 0.05 wt% | Yes |

HIGH SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>MAXIMUM SULFUR CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------|-------------------------------|----------------|
| 9140-01-398-1395 | Grade No. 2-D | HS2 | 0.50 wt% | Yes |
| 9140-01-398-1422 | Grade No. 1-D | HS1 | 0.50 wt% | Yes |

(i) Unless otherwise specified in the Schedule, the cloud point shall be equal to or lower than the tenth percentile minimum ambient temperature specified in Appendix X4 of ASTM D 975.

(ii) As a means of identification, the IRS requires that a red dye, identified as Solvent Red 164 (alkyl derivatives of azo benzene azo naphthol) must be added to all nontaxable diesel and all nontaxable kerosene used for purposes other than military jet fuel. The definitions of diesel and kerosene are provided in 26 CFR Section 48.4081-1. The minimum concentration is provided in 40 CFR Part 80.

(iii) **FOR ALASKA LOCATIONS.** From July 1, 1999, to January 1, 2004, Alaska is exempt from the EPA’s diesel fuel dyeing requirements stated in 40 CFR Part 80 as long as the diesel fuel meets a minimum cetane index of 40. This temporary exemption is published in the Federal Register (Vol 64) dated 25 June 1999, 40 CFR Part 69.

(A) In the event high-sulfur diesel fuel is shipped from Alaska to the lower 48 states, it would be necessary for the producer or shipping facility to add dye to the noncomplying fuel before it is introduced into commerce in the lower 48 states. In addition, supporting documentation must clearly indicate the fuel may not comply with the sulfur standard for motor vehicle diesel fuel and is not to be used in a motor vehicle.

(B) Conversely, EPA will not require high sulfur diesel fuel to be dyed if it is being shipped from the lower 48 states to Alaska, but supporting documentation must substantiate that the fuel is only for shipment to Alaska and that it may not comply with the sulfur standard for motor vehicle diesel fuel.

(3) **APPLICABLE TO ALL GRADES.** Blending of one grade of diesel fuel with another grade, or other compatible components, to produce a different grade or a variation within a grade is permitted. However, such blending shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet all the requirements of the desired fuel.

(4) **APPLICABLE TO DIESEL GRADE #1 ONLY.** DESC frequently requires #1 diesel fuel grades when it is anticipated that the fuel may be exposed to temperatures below 10⁰F (-12⁰C). This product shall conform to ASTM Specification D 975 or CID A-A-52557. Contractors electing to deliver kerosene to meet #1 diesel fuel requirements must--

(i) Provide certification to the Contracting Officer prior to 1 October of each year that the kerosene will meet #1 diesel fuel specifications, including specifically, viscosity and cetane index; **AND**

(ii) For each delivery, submit relevant documents (delivery tickets, bills of lading, etc.) indicating that #1 diesel fuel is being delivered.

(e) **FUEL OIL, BURNER, GRADES 1, 2, 4(LIGHT), 4, 5(LIGHT), 5(HEAVY), AND 6 (VIRGIN FUEL OILS).** ASTM D 396 applies.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------|----------------|
|------------------------------|-----------------------------|--------------------------|----------------|

C16.69 (CONT'D)

| | | | |
|------------------|----------------------------|-----|-----|
| 9140-00-247-4366 | Fuel Oil, Burner 1 | FS1 | Yes |
| 9140-00-247-4365 | Fuel Oil, Burner 2 | FS2 | Yes |
| 9140-01-107-6139 | Fuel Oil, Burner 4 (Light) | FL4 | Yes |
| 9140-00-247-4360 | Fuel Oil, Burner 4 | FS4 | No |
| 9140-01-058-4431 | Fuel Oil, Burner 5 (Light) | FL5 | No |
| 9140-00-247-4359 | Fuel Oil, Burner 5 (Heavy) | FS5 | No |
| 9140-00-247-4354 | Fuel Oil, Burner 6 | FS6 | No |

(1) These residual grades of burner fuel oil (Grades 4, 4(Light), 5(Light), 5(Heavy), and 6) shall consist of fossil-derived hydrocarbon stock. They may not contain used oil or other recycled petroleum components.

(2) Refer to the Schedule for the maximum allowable sulfur content of Burner Oil, Grades 4, 4(Light), 5(Light), 5(Heavy), and 6. The maximum allowable sulfur content for Burner Oil, Grades 1 and 2, shall be 0.5 weight percent or State/local environmental requirements, whichever is more stringent.

(3) Blending of various compatible grades of burner oil to produce an intermediate grade is permitted; however, such blending shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet all the requirements of the grade produced.

(4) The maximum allowable ash content for Burner Oil, Grade 6, shall be .50 weight percent using ASTM D 874, Standard Test Method for Sulfated Ash from Lubricating Oils and Additives.

(5) Under United States regulations, Grades No. 1, 2, and 4 (Light) are required by 40 CFR Part 80 to contain a sufficient amount of the dye Solvent Red 164 so its presence is visually apparent. At or beyond terminal storage tanks, they are required by CFR Part 48 to contain the dye Solvent Red 164 at a concentration spectrally equivalent to 3.9 pounds per thousand barrels of the solid dye standard Solvent Red 26.

(6) **APPLICABLE TO FUEL OIL, BURNER, GRADE #1 ONLY.** This product shall conform to ASTM D 396. Contractors electing to deliver kerosene (red dye) to meet #1 burner oil requirements must--

(i) Provide certification to the Contracting Officer prior to 1 October of each year that the kerosene will meet #1 burner oil specifications, including specifically, viscosity, distillation, density and pour point; AND

(ii) For each delivery, submit relevant documents (delivery tickets, bills of lading, etc.) indicating that #1 burner oil is being delivered.

(iii) All kerosene delivered to meet #1 burner oil must be tax free, i.e., dyed in accordance with IRS regulations.

(f) **FUEL OIL, BURNER, CONTAINING RECYCLED USED OILS, GRADES 4, 4(LIGHT), 5, 5(LIGHT), AND 6.** ASTM D 396 applies.

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|------------------------------|----------------|
| 9140-01-468-9083 | Fuel Oil, Burner 4 (Light) | R4L | Yes |
| 9140-01-468-9135 | Fuel Oil, Burner 4 | RF4 | No |
| 9140-01-468-9157 | Fuel Oil, Burner 5 (Light) | R5L | No |
| 9140-01-468-9147 | Fuel Oil, Burner 5 (Heavy) | RF5 | No |
| 9140-01-468-9164 | Fuel Oil, Burner 6 | RF6 | No |

(1) Refer to the Schedule for the maximum allowable sulfur content of Burner Oil, Grades 4, 4(Light), 5(Light), 5(Heavy), and 6. The maximum allowable sulfur content for Burner Oil, Grades 1 and 2, shall be 0.5 weight percent or State/local environmental requirements, whichever is more stringent.

(2) These residual grades of burner fuel oil (Grades 4, 4(Light), 5(Light), 5(Heavy), and 6) shall consist of fossil-derived hydrocarbon stock. The product shall meet the following additional requirements:

| <u>ALLOWABLE CONSTITUENT/PROPERTY</u> | <u>TEST METHOD ¹</u> | <u>REQUIRED DETECTION LIMIT</u> | <u>MAXIMUM LEVEL</u> |
|---|----------------------------------|-------------------------------------|----------------------|
| 1. Arsenic | EPA SW-846 6010 ^{2,3,4} | 0.5 ppm max | 5 ppm max |
| 2. Cadmium | EPA SW-846 6010 ^{2,3} | 0.2 ppm max | 2 ppm max |
| 3. Chromium | EPA SW-846 6010 ^{2,3} | 1.0 ppm max | 10 ppm max |
| 4. Lead | EPA SW-846 6010 ^{2,3} | 10 ppm max | 100 ppm max |

C16.69

(CONT'D)

| | | | | |
|----|----------------|-----------------------------------|----|------------------|
| 5. | Total Halogens | EPA SW-846 5050/9056 ⁵ | NA | 1000 ppm max |
| 6. | Flash Point | ASTM D 93 | NA | 100°F (38°C) min |

NOTES:

1. Choose the appropriate sample preparation method as outlines in EPA SW-846, in order to achieve required detection limits.
2. Background correction must be performed for test method 6010. Laboratory control sample(s) (LCS) containing target analytes must be run for each Quality Control (QC) batch. The LCS must be matrix matched and made with commercially available National Institute of Standards and Technology (NIST) traceable organo-metallic standards. LCS recovery must fall between 80-120 percent. Adherence to all required method QC must be documented and available for review.
3. If the required detection limit of 0.5 ppm cannot be achieved by test method 6010, test method 7060 may be used in order to achieve that requirement. Background correction must be performed. Zeeman or Smith-Hieftje interference correction will be used. Deuterium interference correction will not be accepted under any circumstance. An analytical spike must be performed for each sample. LCS must be prepared and analyzed as outlined in Note 2 above. Adherence to all required method QC must be documented and available for review.
4. Test method 6020 may be used in place of test method 6010. LCS must be prepared and analyzed as outlined in note 2 above. Adherence to all required method QC must be documented and available for review.
5. A bomb blank must be run and analyzed for each QC batch. A LCS of an NIST traceable organic chloride must be run with each QC batch. LCS recovery must fall between 80-120 percent. Adherence to all required method QC must be documented and available for review.
 - (3) The above specification requirements reflect the Federal EPA specifications for used oil contained in 40 CFR Parts 266 and 279. If State or local requirements for used oil are more stringent, the fuel oil offered will be required to comply with such. Copies of SW-846 (Test Method for Evaluating Solid Waste) can be obtained from the U.S. Government Printing Office, Washington, DC 20422, stock number 955-001-00000-1. Test methods must be run by a State certified laboratory.
 - (4) The supply of off-specification used oil as described in EPA regulations, 40 CFR Parts 266 and 279, is not acceptable.

A CONTRACTOR WILL NOT BE PERMITTED TO SUPPLY PRODUCT CONTAINING USED OIL UNLESS (1) IT DISCLOSED IN ITS OFFER THAT PRODUCT WOULD CONTAIN USED OIL, AND (2) THE SUPPLY OF PRODUCT CONTAINING USED OIL IS APPROVED BY THE CONTRACTING OFFICER. CONTRACT AWARD DOCUMENT WILL SERVE AS THE CONTRACTING OFFICER'S APPROVAL TO SUPPLY USED OIL.

[] The offeror represents that it will provide certified test reports with associated QC documents validating EPA used oil standards, contained in 40 CFR Parts 266 and 279, or State/local requirements, whichever is more stringent, for all contract deliveries under the line items identified above to--

ATTN: DESC-BPE ROOM 2954
DEFENSE ENERGY SUPPORT CENTER
8725 JOHN J KINGMAN ROAD SUITE 4950
FORT BELVOIR VA 22060-6222

Offeror's EPA Identification Number: _____

(5) Blending of various compatible grades of burner oil to produce an intermediate grade is permitted; however, such blending shall be accomplished by mechanical mixing or agitation in a tank, or by in-line blending, prior to loading the product into transport equipment, and the resultant product must meet all the requirements of the grade produced.

C16.69 (CONT'D)

(6) The maximum allowable ash content for Burner Oil, Grade 6, shall be .50 wt %, using ASTM D 874, Standard Test Method for Sulfated Ash from Lubricating Oils and Additives.

(g) **KEROSENE.** Product shall conform to ASTM D 3699. Classification of product is shown below.

LOW SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>MAXIMUM SULFUR CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------|-------------------------------|----------------|
| 9140-01-292-4460 | Kerosene, Grade No. 1-K | KS1 | 0.04 wt% max | No |
| 9140-01-461-3989 | Kerosene, Grade No. 1-K | KSR | 0.04 wt% max | Yes |

HIGH SULFUR GRADES

| <u>NATIONAL STOCK NUMBER</u> | <u>PRODUCT NOMENCLATURE</u> | <u>DESC PRODUCT CODE</u> | <u>MAXIMUM SULFUR CONTENT</u> | <u>RED DYE</u> |
|------------------------------|-----------------------------|--------------------------|-------------------------------|----------------|
| 9140-00-242-6748 | Kerosene, Grade No. 2-K | KSN | 0.30 wt% max | Yes |

NOTE: The IRS requires taxation of No. 1-K and No. 2-K kerosene upon removal from the terminal unless the kerosene is indelibly (cannot be removed) dyed or used for military jet fuel. These requirements, part of 26 CFR 48 - Manufacturers and Retailers Excise Taxes, were published in the July 1, 1998, Federal Register. Only undyed (taxable) No. 1-K kerosene is suitable for use in nonflued (unvented) kerosene burner appliances. No. 2-K kerosene (dyed or undyed) is unsuitable for nonflued (unvented) kerosene burner appliances.

The color test requirement is deleted if red dye has been added in compliance with IRS regulations; however, the resulting fuel/dye blend must have a red tint.

(DESC 52.246-9FW5)

F3 TRANSPORT TRUCK AND/OR TRUCK AND TRAILER FREE TIME AND DETENTION RATES (PC&S/COAL) (DESC APR 1998)

(a) Upon arrival of Contractor's transport truck or truck and trailer, the receiving activity shall promptly designate the delivery point into which the load is to be discharged. Contractor shall be paid for detention beyond free time for delays caused by the Government. A minimum of one hour free time is required.

(1) Free time for unloading a transport truck, excluding multiple drop deliveries, or truck and trailer in excess of one hour:

_____.

(2) Rate for detention beyond free time: _____.

The above will not be considered in the evaluation of offers for award.

(b) Notwithstanding the above, the Government is entitled to at least as much free time as is allowed by the common carrier or that the Contractor normally allows its regular commercial customers, whichever is greater. In addition, the Government will not pay more in detention rates than the actual rate charged by the common carrier or the rate the Contractor normally charges its regular commercial customers, whichever is lower. **UNLESS OFFEROR INDICATES OTHERWISE, FREE TIME WILL BE CONSIDERED UNLIMITED.**

(c) **DETENTION COSTS.** Detention costs do not apply to tank wagon or to multiple drop transport truck or truck and trailer deliveries. Detention costs will be the sole responsibility of the activity incurring them. Any invoices for detention costs will be forwarded directly to the activity receiving the product.

(DESC 52.247-9FK1)

F3.03 NOTIFICATION OF CHANGE IN TRANSPORTATION COMPANY (DOMESTIC PC&S) (DESC JUN 1997)

(a) In the performance of this contract, the Contractor agrees not to utilize transportation companies that have been debarred or suspended, are ineligible for receipt of contracts with Government agencies, are in receipt of a notice of proposed debarment or ineligibility from any Government agency, or are otherwise ineligible under Federal programs. Substitution of a new transportation company is subject to review by the Contracting Officer for use under this contract.

F3.03 (CONT'D)

(b) If the Contractor changes transporters after award, the Contractor shall provide the Contracting Officer with the following information on alternative or new transportation company(ies) being utilized in the transportation of supplies under this contract.

Name, Address, and Phone Number
of Transportation Company

State(s) in which transporter
is authorized to operate

(DESC 52.247-9FJ5)

G9.06 ADDRESS TO WHICH REMITTANCE SHOULD BE MAILED (DESC DEC 1999)

Remittances shall be mailed only at the Government's option or where an exception to payment by Electronic Funds Transfer (EFT) applies. (See the PAYMENT BY ELECTRONIC FUNDS TRANSFER - CENTRAL CONTRACTOR REGISTRATION or the PAYMENT BY ELECTRONIC FUNDS TRANSFER - OTHER THAN CENTRAL CONTRACTOR REGISTRATION clause.)

Offeror shall indicate below the complete mailing address (including the nine-digit zip code) to which remittances should be mailed if such address is other than that shown in Block 15a (Standard Form (SF) 33) for noncommercial items or Block 17a (SF 1449) for commercial items. In addition, if offeror did not incorporate its nine-digit zip code in the address shown in Block 15a of the SF 33 or in Block 17a of the SF 1449, the offeror shall enter it below:

(a) Payee Name (Contractor): _____
(DO NOT EXCEED 25 CHARACTERS)

(b) Check Remittance Address:

(DO NOT EXCEED 30 CHARACTERS PER LINE)

(c) Narrative Information (special instructions).

K1.01-10 (CONT'D)

(3) **Women-owned small business concern** means a small business concern--

(i) Which is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(ii) Whose management and daily business operations are controlled by one or more women.

(4) **Women-owned business concern** means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

(b) **TAXPAYER IDENTIFICATION NUMBER (TIN) (26 U.S.C. 6050M). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)**

(1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).

(2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(3) **TAXPAYER IDENTIFICATION NUMBER (TIN).**

TIN: _____

TIN has been applied for.

TIN is not required because:

Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the U.S. and does not have an office or place of business or a fiscal paying agent in the U.S.

Offeror is an agency or instrumentality of a foreign government;

Offeror is an agency or instrumentality of a Federal, state, or local government;

Other. State basis. _____

(4) **TYPE OF ORGANIZATION.**

Sole proprietorship;

Partnership;

Corporate entity (not tax-exempt);

Corporate entity (tax-exempt);

Government entity (Federal, State, or local);

Foreign government;

International organization per 26 CFR 1.6049-4;

Other: _____.

(5) **COMMON PARENT.**

Offeror is not owned or controlled by a common parent.

Name and TIN of common parent:

Name _____

TIN _____

(c) Offerors must complete the following representations when the resulting contract is to be performed inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia. Check all that apply.

(1) **SMALL BUSINESS CONCERN.** The offeror represents as part of its offer that it--

is

is not

a small business concern.

K1.01-10 (CONT'D)

(2) SMALL DISADVANTAGED BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents, for general statistical purposes, that it--

- is
- is not

a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) WOMEN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents that it--

- is
- is not

a women-owned small business concern.

NOTE: Complete paragraphs (c)(4) and (c)(5) only if this solicitation is expected to exceed the simplified acquisition threshold.

(4) WOMEN-OWNED BUSINESS CONCERN (OTHER THAN SMALL BUSINESS CONCERN). (Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents that it -

- is

a woman owned business concern.

(5) TIE BID PRIORITY FOR LABOR SURPLUS AREA CONCERNS. If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price.

(6) SMALL BUSINESS SIZE FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM AND FOR THE TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM. (Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.)

(i) (Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the four designated industry groups (DIGs)). The offeror represents as part of its offer that it--

- is
- is not

an emerging small business.

(ii) (Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or four designated industry groups (DIGs)). The offeror represents as follows:

(A) The offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees); or

(B) The offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in the solicitation is expressed in terms of annual receipts).

(Check one of the following:)

K1.01-10 (CONT'D)

| <u>NUMBER of EMPLOYEES</u> | <u>AVERAGE ANNUAL GROSS REVENUES</u> |
|--------------------------------------|--|
| <input type="checkbox"/> 50 or fewer | <input type="checkbox"/> \$1 million or less |
| <input type="checkbox"/> 51 - 100 | <input type="checkbox"/> \$1,000,001 - \$2 million |
| <input type="checkbox"/> 101 - 250 | <input type="checkbox"/> \$2,000,001 - \$3.5 million |
| <input type="checkbox"/> 251 - 500 | <input type="checkbox"/> \$3,500,001 - \$5 million |
| <input type="checkbox"/> 501 - 750 | <input type="checkbox"/> \$5,000,001 - \$10 million |
| <input type="checkbox"/> 751 - 1,000 | <input type="checkbox"/> \$10,000,001 - \$17 million |
| <input type="checkbox"/> Over 1,000 | <input type="checkbox"/> Over \$17 million |

(7) (Complete only if the solicitation contains the clause at FAR 52.219-23, NOTICE OF PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS, or FAR 52.219-25, SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM - DISADVANTAGED STATUS AND REPORTING, and the offeror desires a benefit based on its disadvantaged status.)

(i) **GENERAL.** The offeror represents that either--
 (A) It--

- is
- is not

certified by the Small Business Administration as a small disadvantaged business concern and identified, on the date of this representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration (PRO-Net), and that no material change in disadvantaged ownership and control has occurred since its certification, and, where the concern is owned by one or more individuals claiming disadvantaged status, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); or

(B) It--

- has
- has not

submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(ii) **JOINT VENTURE UNDER THE PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS.** The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements in 13 CFR 124.1002(f) and that the representation in paragraph (c)(7)(i) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: _____.

(8) **(Complete if the offeror represented itself as disadvantaged in paragraph (c)(2) of this provision.)** The offeror shall check the category in which its ownership falls:

- Black American
- Hispanic American
- Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).
- Asian Pacific American (persons with origin from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).
- Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).

K1.01-10 (CONT'D)

[] Individual/concern, other than one of the preceding.

(9) **HUBZONE SMALL BUSINESS CONCERN.** (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents as part of its offer that--

(i) It--

[] is
[] is not

a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns Maintained by the Small Business Administration, and no material change in ownership and control, principal place of ownership, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR Part 126; and

(ii) It--

[] is
[] is not

a joint venture that complied with the requirements of 13 CFR Part 126, and the representation in paragraph (c)(9)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating on the joint venture. (The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture:

_____.)

Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(d) **CERTIFICATIONS AND REPRESENTATIONS REQUIRED TO IMPLEMENT PROVISIONS OF EXECUTIVE ORDER 11246.**

(1) **PREVIOUS CONTRACTS AND COMPLIANCE.** The offeror represents that--

(i) It--

[] has
[] has not

participated in a previous contract or subcontract subject to the EQUAL OPPORTUNITY clause of this solicitation; and

(ii) It--

[] has
[] has not

filed all required compliance reports.

K1.01-10 (CONT'D)

(2) **AFFIRMATIVE ACTION COMPLIANCE.** The offeror represents that--

(i) It--

- has developed and has on file
- has not developed and does not have on file

at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR Subparts 60-1 and 60-2), or

(ii) It--

has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) **CERTIFICATION REGARDING PAYMENTS TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. 1352).**

(Applies only if the contract is expected to exceed \$100,000). By submission of its offer, the offeror certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with the award of any resultant contract.

(f) **BUY AMERICAN ACT - TRADE AGREEMENTS - BALANCE OF PAYMENTS PROGRAM CERTIFICATE. (Applies only if DFARS clause 252.225-7007, TRADE AGREEMENTS ACT, is incorporated by reference in this solicitation.)**

(1) The offeror certifies that--

- (i) Each end product, except the end products listed in subparagraph (2) below, is a domestic end product (as defined in the BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM clause of this solicitation); and
- (ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country.

(2) The offeror must identify and certify all end products that are not domestic end products.

(i) The offeror certifies that the following supplies qualify as "U.S.-made end products" but do not meet the definition of "domestic end product":

(Insert line item no.)

(ii) The offeror certifies that the following supplies are qualifying country end products:

(Insert line item no.)

(Insert country of origin)

(iii) The offeror certifies that the following supplies are qualify as designated country end products:

(Insert line item no.)

(Insert country of origin)

(iv) The offeror certifies that the following supplies qualify as Caribbean Basin country end products:

(Insert line item no.)

(Insert country of origin)

(v) The offeror certifies that the following supplies qualify as NAFTA country end products:

(Insert line item no.)

(Insert country of origin)

(vi) The offeror certifies that the following supplies are other nondesignated country end products:

(Insert line item no.)

(Insert country of origin)

K1.01-10 (CONT'D)

(LIST AS NECESSARY)

(3) Offers will be evaluated by giving preference to U.S.-made end products, qualifying country end products, designated country end products, NAFTA country end products, and Caribbean Basin country end products over other end products.

(g) **BUY AMERICAN ACT - NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION ACT - BALANCE OF PAYMENTS PROGRAM CERTIFICATE.** (Applies only if DFARS clause 252.225-7036, NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION ACT, clause is incorporated by reference in this solicitation.)

(1) The offeror certifies that--

(i) Each end product, except the end products listed in subparagraph (2) below, is a domestic end product (as defined in the BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM clause of this solicitation); and

(ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country.

(2) The offeror must identify and certify all end products that are not domestic end products.

(i) The offeror certifies that the following supplies qualify as "U.S.-made end products," but do not meet the definition of "domestic end products":

(Insert line item number)

(ii) The offeror certifies that the following supplies are qualifying country (except Canada) end products:

(Insert line item number)

(Insert country of origin)

(iii) The offeror certifies that the following supplies qualify as NAFTA country end products:

(Insert line item number)

(Insert country of origin)

(iv) The offeror certifies that the following supplies are other non-NAFTA country end products:

(Insert line item number)

(Insert country of origin)

(LIST AS NECESSARY)

(3) Offers will be evaluated by giving preference to U.S.-made end products, qualifying country end products, or NAFTA country end products over other end products.

(h) **CERTIFICATION REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY FOR AWARD (EXECUTIVE ORDER 12549).**

The offeror certifies, to the best of its knowledge and belief, that--

(1) The offeror and/or any of its principals

[] are

[] are not

presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency,

and

(2) [] Have or

[] Have not,

within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or

K1.01-10 (CONT'D)

subcontract ; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

- are or
- are not

presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.
(FAR 52.212-3/Alts I/III)

K1.01-12 SMALL BUSINESS PROGRAM NOTICE (DESC MAR 1999) NOTICE.

(a) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.

(b) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small or small disadvantaged business concern in order to obtain a contract to be awarded under the preference programs established pursuant to sections 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall--

- (1) Be punished by imposition of a fine, imprisonment, or both;
- (2) Be subject to administrative remedies, including suspension and debarment; and
- (3) Be ineligible for participation in programs conducted under the authority of the Act.

(DESC 52.219-9F25)

K1.05 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (NOV 1995)

(a) **DEFINITIONS.** As used in this clause--

(1) **Foreign person** means any person other than a United States person as defined in Section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. Sec 2415).

(2) **United States person** is defined in Section 16(2) of the Export Administration Act of 1979 and means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any foreign concern), and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern that is controlled in fact by such domestic concern, as determined under regulations of the President.

(b) **CERTIFICATION.** By submitting this offer, the offeror, if a foreign person, company, or entity, certifies that it--

- (1) Does not comply with the Secondary Arab Boycott of Israel; and
- (2) Is not taking or knowingly agreeing to take any action, with respect to the Secondary Boycott of Israel by Arab countries,

which 50 U.S.C. App. Sec 2407(a) prohibits a United States person from taking.

(DFARS 252.212-7000)

K33.01 AUTHORIZED NEGOTIATORS (DESC JAN 1998)

The first page of the offer must show names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate with the Government on the offeror's behalf in connection with this solicitation. The offeror or quoter represents that the following persons are authorized to negotiate on its behalf with the Government in connection with this request for proposals or quotations.

(DESC 52.215-9F28)

K45.01 FACSIMILE OR ELECTRONIC INVOICING (DESC JAN 1998)

(a) **FACSIMILE INVOICING.**

- (1) Submission of invoices by facsimile (FAX) is authorized when the offeror will utilize this method of invoicing at all times.
- (2) Offeror shall indicate whether or not he intends to submit invoices via FAX:

- YES
- NO

(3) See the SUBMISSION OF INVOICES FOR PAYMENT clause for FAX invoicing procedures.

(4) **RETURN OF INVOICES BY THE PAYING OFFICE.**

(i) Invoices deemed improper in accordance with the Prompt Payment Act may be returned to the offeror via FAX with the reason for return.

K45.01 (CONT'D)

- (ii) The offeror's FAX number for returning improper invoices is--

(For overseas locations, include the country code)

(b) ELECTRONIC INVOICING (EDI)

(1) Electronic submission of invoices via Electronic Data Interchange (EDI) for all applicable items (as defined in the SUBMISSION OF INVOICES FOR PAYMENT clause) is authorized when the offeror will utilize this method of invoicing at all times for those affected items.

- (2) The offeror shall indicate whether it intends to submit electronic invoices via EDI.

YES NO

- (3) See the SUBMISSION OF INVOICES FOR PAYMENT for electronic invoicing procedures.

(DESC 52.232-9F20)

K45.04 FACSIMILE INVOICING (DESC JUL 1998)

- (a) Submission of invoices by facsimile (FAX) is authorized when the offeror will utilize this method of invoicing at all times.

- (b) Offeror shall indicate whether or not invoices will be submitted via FAX:

YES NO

- (c) Invoicing by facsimile shall be in accordance with the procedures of the applicable paying office.

(d) RETURN OF INVOICES BY THE PAYING OFFICE.

(1) Invoices deemed improper in accordance with the Prompt Payment Act may be returned to the Contractor via FAX with the reason for the return clearly annotated.

- (2) The offeror's/Contractor's FAX number for returning improper invoices is _____.

(DESC 52.232-9F10)

K85 DIS CLOSURE OF OWNERSHIP OR CONTROL BY THE GOVERNMENT OF A TERRORIST COUNTRY (MAR 1998)

- (a) **DEFINITIONS.** As used in this provision--

(1) **Government of a terrorist country** includes the state and the government of a terrorist country, as well as any political subdivision, agency, or instrumentality thereof.

(2) **Terrorist country** means a country determined by the Secretary of State, under Section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(i)(A)), to be a country the government of which has repeatedly provided support for acts of international terrorism. As of the date of this provision, terrorist countries include Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria.

- (3) **Significant interest**, as used in this provision means--

(i) Ownership of or beneficial interest in 5 percent or more of the firm's or subsidiary's securities. Beneficial interest includes holding 5 percent or more of any class of the firm's securities in "nominee shares," "street names," or some other method of holding securities that does not disclose the beneficial owner;

(ii) Holding a management position in the firm, such as director or officer;

(iii) Ability to control or influence the election, appointment, or tenure of directors or officers in the firm;

(iv) Ownership of 10 percent or more of the assets of a firm such as equipment, buildings, real estate, or other tangible assets of the firm; or

(v) Holding 50 percent or more of the indebtedness of a firm.

(b) **PROHIBITION ON AWARD.** In accordance with 10 U.S.C. 2327, no contract may be awarded to a firm or subsidiary of a firm if the government of a terrorist country has a significant interest in the firm or subsidiary or, in the case of a subsidiary, the firm that owns the subsidiary, unless a waiver is granted by the Secretary of Defense.

- (c) **DISCLOSURE.**

If the government of a terrorist country has a significant interest in the offeror or a subsidiary of the offeror, the offeror shall disclose such interest in an attachment to its offer. If the offeror is a subsidiary, it shall also disclose any significant interest each government has in any firm that owns or controls the subsidiary. The disclosure shall include--

(1) Identification of each government holding a significant interest; and

(2) A description of the significant interest held by each Government.

(DFARS 252.209-7001)

**L117 NOTIFICATION OF TRANSPORTATION COMPANY TO BE UTILIZED IN THE DELIVERY OF PRODUCT
(DOMESTIC PC&S) (DESC JUN 1997)**

[] Check here if not subcontracting with a transportation company in the performance of any resultant contract.

(a) In the performance of any resultant contract, offeror agrees not to utilize transportation companies that have been debarred or suspended, are ineligible for receipt of contracts with Government agencies, are in receipt of a notice of proposed debarment or ineligibility from any Government agency, or are otherwise ineligible under Federal programs. Offerors shall submit the name, address, and telephone number of the transportation company(ies) that will be utilized in the performance of any resultant contract. In addition, it is requested that offerors provide the State(s) in which the transporter is authorized to conduct business.

(b) The information provided will not be used in the evaluation of offer prices. However, the information is subject to review by the Contracting Officer and could result in a nonresponsibility determination. Failure to provide the requested information may also render the offeror nonresponsible.

(c) Should any of the specified information change prior to award, offerors are required to provide the Contracting Officer with the updated information (also see the NOTIFICATION OF CHANGE IN TRANSPORTATION COMPANY clause in Addendum II).

Name, Address, and Phone Number
of Transportation Company

State(s) in which transporter
is authorized to operate

(DESC 52.247-9F60)

COG 4 BASE REFERENCE PRICES

BASE REFERENCE DATE: 8 MAY 2000

| ITEM NUMBER | STATE | COUNTY | ESCALATION REFERENCE | BASE REFERENCE PRICE |
|------------------------|--------------|---------------|---------------------------------|---------------------------------|
| 005-83 | AL | JEFFERSON | OPIS Birmingham | 0.7349 |
| 043-83 | AL | LOWNDES | OPIS Birmingham | 0.7349 |
| 058-83 | AL | ETOWAH | OPIS Birmingham | 0.7349 |
| 077-83 | AL | MOBILE | OPIS Mobile | 0.7482 |
| B67-28 | AL | MONTGOMERY | OPIS Birmingham | 0.8841 |
| B67-46 | AL | MONTGOMERY | OPIS Birmingham | 0.7200 |
| B95-28 | AL | MACON | OPIS Birmingham | 0.8841 |
| B95-462 | AL | MACON | OPIS Birmingham | 0.7200 |

| ITEM NUMBER | STATE | COUNTY | ESCALATION REFERENCE | BASE REFERENCE PRICE |
|------------------------|--------------|---------------|---------------------------------|---------------------------------|
| 142-24 | AR | GARLAND | AXXIS LITTLE ROCK | 0.9047 |
| 142-28 | AR | GARLAND | AXXIS LITTLE ROCK | 0.9047 |
| 164-24 | AR | PERRY | AXXIS LITTLE ROCK | 0.9047 |
| 164-28 | AR | PERRY | AXXIS LITTLE ROCK | 0.9047 |

| ITEM NUMBER | STATE | COUNTY | ESCALATION REFERENCE | BASE REFERENCE PRICE |
|------------------------|--------------|---------------|---------------------------------|---------------------------------|
| 850-34 | FL | BAY | AXXIS PANAMA CITY | 0.9540 |

| ITEM NUMBER | STATE | COUNTY | ESCALATION REFERENCE | BASE REFERENCE PRICE |
|------------------------|--------------|---------------|---------------------------------|---------------------------------|
| 238-13 | GA | CHATTAHOOCHEE | AXXIS ATLANTA | 0.7402 |
| 238-28 | GA | CHATTAHOOCHEE | AXXIS ATLANTA | 0.9019 |
| 865-34 | GA | LOWNDES | AXXIS ALBANY | 0.7316 |
| G10-24 | GA | CLARKE | AXXIS ATLANTA | 0.9019 |
| G10-28 | GA | CLARKE | AXXIS ATLANTA | 0.9019 |
| G15-24 | GA | FULTON | AXXIS ATLANTA | 0.9019 |
| G15-28 | GA | FULTON | AXXIS ATLANTA | 0.9019 |
| G15-68 | GA | FULTON | AXXIS ATLANTA | 0.7402 |
| G22-46 | GA | DEKALB | AXXIS ATLANTA | 0.7220 |
| G27-70 | GA | RICHMOND | AXXIS ATLANTA | 0.7220 |

| ITEM NUMBER | STATE | COUNTY | ESCALATION REFERENCE | BASE REFERENCE PRICE |
|------------------------|--------------|-----------------|---------------------------------|---------------------------------|
| 320-24 | LA | RAPIDES PARRISH | OPIS NEW ORLEANS | 0.8822 |
| 320-28 | LA | RAPIDES PARRISH | OPIS NEW ORLEANS | 0.8822 |

| ITEM NUMBER | STATE | COUNTY | ESCALATION REFERENCE | BASE REFERENCE PRICE |
|------------------------|--------------|---------------|---------------------------------|---------------------------------|
|------------------------|--------------|---------------|---------------------------------|---------------------------------|

| | | | | |
|--------|----|------------|-----------------|--------|
| 900-34 | MS | LOWNDES | AXXIS MERIDIAN | 0.7145 |
| 920-13 | MS | LAUDERDALE | AXXIS MERIDIAN | 0.7301 |
| J65-27 | MS | JACKSON | OPIS MOBILE, AL | 1.0087 |
| J99-68 | MS | YAZOO | AXXIS VICKSBURG | 0.7357 |

| ITEM | | | ESCALATION | BASE REFERENCE |
|---------------|--------------|----------------|----------------------|-----------------------|
| NUMBER | STATE | COUNTY | REFERENCE | PRICE |
| 347-13 | MO | CAPE GIRARDEAU | AXXIS CAPE GIRARDEAU | 0.7747 |
| 352-13 | MO | JEFFERSON | OPIS ST. LOUIS | 0.8119 |
| 371-13 | MO | NEWTON | OPIS SPRINGFIELD | 0.8475 |
| 376-13 | MO | JACKSON | OPIS KANSAS CITY, KS | 0.8458 |
| 941-08 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.9640 |
| 941-12 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.8635 |
| 941-13 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.8119 |
| 942-13 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.8119 |
| K10-68 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.8119 |
| K10-70 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.7788 |
| K23-24 | MO | JACKSON | OPIS KANSAS CITY, KS | 0.8831 |
| K23-28 | MO | JACKSON | OPIS KANSAS CITY, KS | 0.8831 |
| K23-88 | MO | JACKSON | OPIS KANSAS CITY, KS | 0.8975 |
| K23-94 | MO | JACKSON | OPIS KANSAS CITY, KS | 0.8458 |
| K55-08 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.9640 |
| K55-68 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.8119 |
| K59-68 | MO | ST. LOUIS | OPIS ST. LOUIS | 0.8119 |
| K76-24 | MO | GREENE | OPIS SPRINGFIELD | 0.8893 |
| K76-28 | MO | GREENE | OPIS SPRINGFIELD | 0.8893 |
| K76-67 | MO | GREENE | OPIS COLUMBIA | 0.9171 |

| ITEM | | | ESCALATION | BASE REFERENCE |
|---------------|--------------|---------------|-------------------|-----------------------|
| NUMBER | STATE | COUNTY | REFERENCE | PRICE |
| 392-13 | NC | HERTFORD | AXXIS NORFOLK, VA | 0.7534 |
| 394-13 | NC | WATAUGA | OPIS GREENSBORO | 0.7379 |
| 423-13 | NC | GUILFORD | OPIS GREENSBORO | 0.7379 |
| 425-13 | NC | ASH | OPIS GREENSBORO | 0.7379 |
| 439-13 | NC | FRANKLIN | OPIS GREENSBORO | 0.7379 |
| 958-13 | NC | STANLEY | OPIS GREENSBORO | 0.7379 |
| 958-24 | NC | STANLEY | OPIS GREENSBORO | 0.895 |
| 958-28 | NC | STANLEY | OPIS GREENSBORO | 0.895 |
| 965-461 | NC | WAYNE | OPIS GREENSBORO | 0.7165 |
| L10-46 | NC | CARTERET | OPIS WILMINGTON | 0.8168 |
| L22-24 | NC | DARE | AXXIS NORFOLK, VA | 0.8963 |
| L22-28 | NC | DARE | AXXIS NORFOLK, VA | 0.8963 |
| L61-46 | NC | GUILFORD | OPIS GREENSBORO | 0.7165 |
| L62-94 | NC | GUILFORD | OPIS GREENSBORO | 0.7379 |
| L70-46 | NC | PITT | OPIS GREENSBORO | 0.7165 |
| L71-46 | NC | PITT | OPIS GREENSBORO | 0.7165 |
| L95-24 | NC | ALLEGHANY | OPIS GREENSBORO | 0.895 |
| L95-28 | NC | ALLEGHANY | OPIS GREENSBORO | 0.895 |
| M05-28 | NC | DARE | AXXIS NORFOLK, VA | 0.8963 |
| M25-682 | NC | DURHAM | OPIS GREENSBORO | 0.7379 |

| ITEM | | | ESCALATION | BASE REFERENCE |
|----------------------|---------------------|----------------------|---|-----------------------|
| <u>NUMBER</u> | <u>STATE</u> | <u>COUNTY</u> | <u>REFERENCE</u> | <u>PRICE</u> |
| 445-55 | SC | RICHLAND | Platt's Low Sulfur Resid Fuel Oil NY Cargo .3% HP | 0.564643 |
| N16-94 | SC | CHARLESTON | OPIS CHARLESTON | 0.7648 |
| N24-24 | SC | EDGEFIELD | OPIS SPARTANBURG | 0.8973 |
| N24-28 | SC | EDGEFIELD | OPIS SPARTANBURG | 0.8973 |
| N24-46 | SC | EDGEFIELD | OPIS SPARTANBURG | 0.7237 |
| N24-70 | SC | EDGEFIELD | OPIS SPARTANBURG | 0.7237 |