

**Attachment 2**

**OFFEROR SUBMISSION PACKAGE**

**NAS PATUXENT RIVER, MD  
SP0600-04-R-0103**

**December 1, 2005 – November 30, 2009**

**OFFER UNDER SOLICITATION SP0600-04-R-0103  
ATTN: BID CUSTODIAN, DESC-FPB, RM 2945  
DEFENSE ENERGY SUPPORT CENTER  
8725 JOHN J. KINGMAN RD., STE 4950  
FORT BELVOIR, VA 22060-6222**

**INSTRUCTIONS:**

1. One copy of this Offeror Submission Package must be returned to the Defense Energy Support Center as your offer. See Clause L2.31 for additional information to be submitted.
2. Be sure to check your offer prices in Section B for accuracy and legibility prior to submission. Initial all changes. Sign and date Standard Form 33 (SF33) in ink.
3. Facsimile proposals are NOT authorized. Please be sure that labels of overnight mailings clearly show the solicitation number and are addressed to the Bid Custodian at the address listed on SF33 Block 8.
4. By submission of this package, you are stating that ALL terms and conditions of the entire solicitation are accepted and apply to your offer unless clearly stated on a separate sheet of paper.

**INSERT SF 33**

**SECTION B - SUPPLIES/SERVICES AND PRICES/COST**

**B30 SERVICES TO BE FURNISHED (AARD) (DESC APR 2001)**

(a) **LINE ITEMS.**

(1) **LINE ITEM 0001.**

The Contractor will provide Aircraft Servicing Operations to include the Dispatch function at NAS Patuxent River as described in the Performance Work Statement (PWS). The offered price per month is \$\_\_\_\_\_.

(2) **LINE ITEM 0002.**

The contractor will provide Fuel Storage and Distribution, VQ-4, and Operations as described in the PWS. The offered price per month is \$\_\_\_\_\_.

(3) **LINE ITEM 0003.**

The contractor shall provide the required Service Station Operations for ground products as described in the PWS. The offered price per month is \$\_\_\_\_\_.

(4) **LINE ITEM 0004.**

The contractor shall provide the required Ground Fuel, MUP and JP5 Delivery Operations as outlined in the PWS. The offered price per month is \$\_\_\_\_\_.

(5) **LINE ITEM 0005**

The contractor shall provide the required Ground Fuel, FS2 (Heating Oil) Delivery Operations as outlined in the PWS. The offered price per month is \$\_\_\_\_\_.

(6) **LINE ITEM 0006.**

The contractor shall provide the required services to operate the Cryogenic Storage and Distribution facility as outlined in the PWS. The offered price per month is \$\_\_\_\_\_.

(7) **LINE ITEM 0007**

**NONPERSONAL SERVICES AND SUPPLIES: (COST REIMBURSEMENT - MAINTENANCE)**

The Contractor shall furnish nonpersonal services, maintenance, and supplies at NAS Patuxent River, MD, in accordance with Segment II, Section C, Exhibit D1-1.

**NOTE:** The Contractor will be reimbursed for services, under Line Item 0008, actually performed as approved by the Contracting Officer or the Contracting Officer's Representative, when applicable, for purchases of supplies or services (see Exhibit D1, Unprogrammed Maintenance and Repairs by Cost Reimbursement). The amount for this line item is for Government administrative fund obligation and represents the Government's best estimate of cost reimbursable supplies, services, and overtime for each contract year. **All G&A and profit for this line item must be included in Line Item 0001.** If the Government exceeds this estimate by 25 percent, G&A and profit will be allowed for any work beyond that amount.

\$50,000.00  
COST ESTIMATE/YEAR

(8) **LINE ITEM 0008.**

**Estimated hours:**

(i) Payment for augmentation worked in accordance with Section C-1.19 shall be at the following rates (show computation in (b) below):

<u>SUBLINE ITEM #</u>	<u>POSITION</u>	<u>HOURLY RATE</u>
0008AA	Truck Driver Tractor Trailer - Straight Time	\$ _____/hour
0008AB	Truck Driver Tractor Trailer - Overtime	\$ _____/hour
0008AC	Fuel System Distribution Oper - Straight Time	\$ _____/hour
0008AD	Fuel System Distribution Oper - Overtime	\$ _____/hour

(ii) The Ordering Officer for augmentation at NAS Patuxent River, MD, shall be the Commanding Officer or designee.

(b) **AUGMENTATION RATES.**

(1) Payment for **augmentation** worked in accordance with the Performance Work Statement shall be at the rates in Line Item 0008AA/AC. Computation follows:

**CATEGORY**

Base Rate  
Plus applicable Fringes  
Subtotal  
Plus PT&I\* (specify rate) \_\_\_\_\_  
Subtotal  
Plus Profit (specify rate) \_\_\_\_\_  
Total Straight-Time Rate

\*Payroll Taxes and Insurance

(2) Payment for **overtime augmentation** worked in accordance with the Performance Work Statement shall be at the rates in Line Item 0008AB/AD. Computation follows:

**CATEGORY**

Base Rate times 1.5  
Plus PT&I\* (as specified above)  
Subtotal  
Plus Profit (as specified above)  
Total Overtime Rate

\*Payroll Taxes and Insurance

**NOTE:** When contract contains an option, proposed rates for option periods should be the same as for the basic contract period. When contract is multiyear, proposed rates for each performance period should be the same as for the first performance period. Rates will be adjusted for performance periods with issuance of a new Wage Determination in accordance with the FAIR LABOR STANDARDS ACT AND SERVICE CONTRACT ACT - PRICE ADJUSTMENT clause. (DESC 52.207-9F80)

**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).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(DO NOT EXCEED 153 CHARACTERS)

(DESC 52.232-9F55)

**SECTION K - REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENT OF OFFERORS OR QUOTERS**

**K1.01-5 PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FEB 1999)**

The offeror represents that--

(a) It--

has

has not--

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

(b) It--

has

has not--

filed all required compliance reports; and

(c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

(FAR 52.222-22)

**K1.01-6 AFFIRMATIVE ACTION COMPLIANCE (APR 1984)**

THE FAR REPRESENTATION IN THE FOLLOWING PARAGRAPH SHALL BE COMPLETED BY EACH OFFEROR WHOSE OFFER IS \$50,000 OR MORE AND WHO HAS 50 OR MORE EMPLOYEES.

This representation--

DOES APPLY.

DOES NOT APPLY.

The offeror represents that--

(a) It--

has developed and has on file

has not developed and does not have on file--

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

(b) It--

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

(FAR 52.222-25)

**K1.01-11 SMALL BUSINESS PROGRAM REPRESENTATIONS (ALTS I/II) (OCT 2000)**

(a) (1) The North American Industry Classification System (NAICS) code for this acquisition is 484220.

(2) The small business size standard is \$21.5 million.

(3) The small business size standard for a concern that submits an offer in its own name, other than on a construction or service contract, but that proposes to furnish a product that it did not itself manufacture, is 500 employees.

(b) **REPRESENTATIONS.**

(1) The offeror represents as part of its offer that it--

- is,
- is not

a small business concern.

(2) **(Complete only if offeror represented itself as a small business concern in paragraph (b)(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) **(Complete only if offeror represented itself as a small business concern in paragraph (b)(1) of this provision.)** The offeror represents as part of its offer that it--

- is,
- is not

a women-owned small business concern.

(4) **(Complete only if offeror represented itself as a small business concern in paragraph (b)(1) of this provision.)** The offeror represents, as part of its offer, that it--

- is
- is not

a veteran-owned small business concern.

(5) **(Complete only if offeror represented itself as a veteran-owned small business concern in paragraph (b)(4) of this provision.)** The offeror represents, as part of its offer, that it--

- is
- is not

a service-disabled veteran-owned small business concern.

(6) **(Complete only if offeror represented itself as a small business concern in paragraph (b)(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 office, 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 complies with the requirements of 13 CFR Part 126, and the representation in subdivision (b)(4)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in 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.**

**(7) (Complete if the offeror represented itself as disadvantaged in paragraph (b)(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 origins 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).
- Individual/concern, other than one of the preceding.

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

(1) **Service-disabled veteran-owned small business concern** means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) **Service-disabled veteran** means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service connected, as defined in 38 U.S.C. 101(16).

(3) **Small business concern** means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

(4) **Veteran-owned small business concern** means a small business concern—

(i) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and  
(ii) The management and daily business operations of which are controlled by one or more veterans.

(5) **Women-owned small business concern** means a small business concern—

(i) That 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.

(d) **NOTICE.**

(1) 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.

(2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, or women-owned small 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-

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

(FAR 52.219-1/Alts I/II)

**K1.06 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (OCT 2003)**

(a) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation “**DUNS**” or “**DUNS + 4**” followed by the DUNS number or DUNS + 4 that identifies the offeror’s name and address exactly as stated in the offer. The DUNS number is a nine-digit number assigned by Dun and Bradstreet, Inc. The DUNS + 4 is the DUNS number plus a 4-character suffix that may be assigned at the discretion of the offeror to establish additional CCR records for identifying alternative Electronic Funds Transfer (EFT) accounts (see Subpart 32.11) for the same parent concern.

(b) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one.

(1) An offeror may obtain a DUNS number—

(i) If located within the United States, by calling Dun and Bradstreet at 1-866-705-5711 or via the Internet at <http://www.dnb.com>; or

(ii) If located outside the United States, by contacting the local Dun and Bradstreet office.

(2) The offeror should be prepared to provide the following information:

- (i) Company legal business name.
- (ii) Tradestyle, doing business, or other name by which your entity is commonly recognized.
- (iii) Company physical street address, city, state, and Zip Code.
- (iv) Company mailing address, city, state and Zip Code (if separate from physical).
- (v) Company telephone number.
- (vi) Date the company was started.
- (vii) Number of employees at your location.
- (viii) Chief executive officer/key manager.
- (ix) Line of business (industry).
- (x) Company Headquarters name and address (reporting relationship within your entity).

(FAR 52.204-6)

**K15 RELEASE OF UNIT PRICES (DESC MAR 2004)**

The Defense Energy Support Center (DESC) will continue to release unit prices of successful offerors after the contract award pursuant to 10 U.S.C. 2305(g)(2), FAR 15.506(d)(2) and 32 CFR 286h-3. Unit prices are the bottom-line price per unit of product and may include the total contract price. They do not include any breakout of costs, such as transportation or overhead, and do not disclose the offeror’s anticipated profit or any pricing factors. (DESC 52.224-9F25)

**K15.03 CERTIFICATE OF INDEPENDENT PRICE DETERMINATION (APR 1985)**

(a) The offeror certifies that--

(1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered;

(2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and

(3) No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

(b) Each signature on the offer is considered to be a certification by the signatory that the signatory--

(1) Is the person in the offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or

(2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above

\_\_\_\_\_ [insert full name of person(s) in the offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the offeror's organization];

(ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and

(iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above.

(c) If the offeror deletes or modifies subparagraph (a)(2) above, the offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.

(FAR 52.203-2)

**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)

**K85 DISCLOSURE 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)

**K94 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT, AND OTHER RESPONSIBILITY MATTERS (DEC 2001)**

(a) (1) The Offeror certifies, to the best of its knowledge and belief, that--

(i) The Offeror and/or any of its Principals--

(A) [ ] are,  
[ ] are not

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

(B) [ ] have,  
[ ] 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 public (Federal, State, or local) contract or 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

(C) [ ] are,  
[ ] are not

presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in subdivision (a)(1)(i)(B) of this provision.

(ii) The Offeror--

[ ] has,  
[ ] has not

within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

(2) **Principals**, for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

THIS CERTIFICATION CONCERNS A MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES, AND THE MAKING OF A FALSE, FICTITIOUS, OR FRAUDULENT CERTIFICATION MAY RENDER THE MAKER SUBJECT TO PROSECUTION UNDER SECTION 1001, TITLE 18, UNITED STATES CODE.

(b) The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(c) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Offeror nonresponsible.

(d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

(FAR 52.209-5)

**K96 CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (APR 1991)**

(a) The definitions and prohibitions contained in the clause at FAR 52.203-12, LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS, included in this solicitation, are hereby incorporated by reference in paragraph (b) of this certification.

**(b) The offeror, by signing its offer, hereby certifies to the best of his or her knowledge and belief that on or after December 23, 1989 --**

(1) 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

(2) If any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) 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 this solicitation, the offeror shall complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities, to the Contracting Officer; and

(3) He or she will include the language of this certification in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.

(c) Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Code. Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure form to be filed or amended by this provision, shall be subject to a civil penalty of not less than \$10,000, and not more than \$100,000, for each such failure. (FAR 52.203-11)

**K99 CERTIFICATION OF TOXIC CHEMICAL RELEASE REPORTING (JUN 2003)**

(a) Submission of this certification is a prerequisite for making or entering into this contract imposed by Executive Order 12969, August 8, 1995.

(b) By signing this offer, the offeror certifies that—

(1) As the owner or operator of facilities that will be used in the performance of this contract that are subject to the filing and reporting requirements described in section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 (42 U.S.C. 11023) and section 6607 of the Pollution Prevention Act (PPA) of 1990 (42 U.S.C. 13106), the offeror will file and continue to file for such facilities for the life of the contract the Toxic Chemical Release Inventory Form (Form R) as described in sections 313(a) and (g) of the EPCRA and section 6607 of the PPA; or

(2) None of its owned or operated facilities to be used in the performance of this contract is subject to the Form R filing and reporting requirements because each such facility is exempt for at least one of the following reasons:

**[Check each block that is applicable.]**

- (i) The facility does not manufacture, process, or otherwise use any toxic chemicals listed under section 313(c) of EPCRA, 42 U.S.C. 11023(c);
- (ii) The facility does not have 10 or more full-time employees as specified in section 313(b)(1)(A) of EPCRA, 42 U.S.C. 11023(b)(1)(A);
- (iii) The facility does not meet the reporting thresholds of toxic chemicals established under section 313(f) of EPCRA, 42 U.S.C. 11023(f) (including the alternate thresholds at 40 CFR 372.27, provided an appropriate certification form has been filed with the Environmental Protection Agency (EPA));
- (iv) The facility does not fall within Standard Industrial Classification (SIC) code major groups 20 through 39 or their corresponding North American Industry Classification System (NAICS) sectors 31 through 33; or
- (v) The facility is not located in the United States or its outlying areas.
- (FAR 52.223-13)

## **SECTION L – INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERS OR QUOTERS**

### **L2.31 PROPOSAL FORMAT AND CONTENT (NAVY) (DESC JAN 2004)**

Proposals will be submitted in two sections and clearly labeled **Price Proposal** and **Technical Proposal**. Offers for less than the entire contract period will not be considered.

(a) **PRICE PROPOSAL.** In addition to pricing data, include information on Past Performance and Socioeconomic Subcontracting within this labeled section.

(1) The SERVICES TO BE FURNISHED clause must be completed and a detailed cost breakdown included. All fill-ins in the Offeror Submission Package must be completed and submitted with the offeror. The offeror should submit the original and one copy of the price proposal.

(2) If any exceptions are to be taken to the terms and conditions, indicate specific paragraphs and submit as part of the price proposal. Only exceptions detailed here will be considered exceptions to the requirements of the solicitation.

(3) **Past Performance Information.** The offeror shall list all DESC contracts and subcontracts (completed or in progress) for the last three years. Additionally, include a list of other contracts (completed or in progress) for other Government agencies and/or private sector contracts that exhibit relevant (similar work performance) and recent (last three years) performance. These contracts may include efforts undertaken on behalf of private industry, quasi-government organizations or Federal agencies, including those performed for non-DoD activities. The offeror should include the following information for every contract listed:

(i) Name of Contracting Activity;

(ii) Contract number;

(iii) Contract type and dollar value;

(iv) A description of the work (if the offeror is a large business, include a description of any subcontracting);

(v) Name and telephone numbers of the Contracting Officers, Contracting Officer's Representative, Administrative Contracting Officer, and Program Manager (all that are applicable); and

(vi) Identify any significant problems and the corrective actions taken with regard to the contract listed.

(4) Socioeconomic Subcontracting. The offeror shall describe the extent of any planned subcontracting with small, small disadvantaged, veteran-owned small, service-disabled veteran-owned small, and HUBZone small businesses and Historically Black Colleges and Universities and Minority Institutions.

#### **(b) TECHNICAL PROPOSAL.**

(1) The offeror will submit the original and three copies of the technical proposal. The proposal will be evaluated strictly on technical merit, and should describe the offeror's technical approach to the requirements of the work to be performed. Without simply mirroring the content of the Performance Work Statement (PWS), the offeror will provide a concept as to how the workload for the location in question will be accomplished. Within the page limits outlined below, the technical proposal should be specific, complete in every detail, and provide concise, straight forward descriptions of the offeror's capability to perform this work. Offerors will identify any technical, scheduling, performance, or cost risks associated with their proposals, and describe how they will resolve or avoid the identified risks. Proposals that are unrealistic in terms of technical commitments or price may be considered indicative of a lack of understanding of the solicitation requirements. The complete technical proposal for factor (2)(i), excluding résumés and equipment sale/lease agreements, **will not exceed 50 pages.**

(2) **SPECIFIC INSTRUCTIONS.** Technical proposals should address the following subjects which will be evaluated to determine technical ratings:

(i) **OPERATIONAL CAPABILITY.**

(A) Truck/Tractor chassis, the Cargo Tanks and the Pumping Systems shall be treated as separate entities. The offeror must provide a complete description of the equipment to be provided as follows (submit in the format example shown below entitled Equipment Offered):

- (1) **PRIME MOVER/TRACTOR.** List prime movers, truck/tractors by make, model or series, model year, gross vehicle working rate (GVWR), by axle, and the condition of the unit;
- (2) **CARGO TANK.** List cargo tanks(s) by manufacturer name, model number, the year originally built and certified, and the date refurbished, stretched, or rebarreled. Provide the MC/DOT specification, the tank capacity as reflected by the tank data plate, and the condition of the tank.
- (3) **PUMPING SYSTEM.** Show the manufacturer of the pumping system, the year it was originally built and/or refurbished (indicate refurbished if applicable), the year installed on the servicing equipment offered, and whether the major components are new, used or a combination thereof.
- (4) **OWNERSHIP.** If the equipment offered is to be leased, a lease agreement must be submitted with the proposal. This agreement must show the number and description of the trucks, tractors, trailers being provided, and that all parties have agreed to a delivery date and terms of finance. A conditional agreement is acceptable. Other company-owned equipment that will be provided should also be described and a statement of ownership provided.

<b>Equipment Offered (Example)</b>							
	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>	<b>(6)</b>	<b>(7)</b>
	<b>Number</b>	<b>Use or Purpose</b>	<b>Unit/System</b>	<b>Year</b>	<b>Make/Model</b>	<b>Capacity</b>	<b>Condition</b>
<b>1</b>	4	Refueler/Defueler	Chassis	200X	International 44T4000	3 @ 12/24/24*	New
<b>2</b>			Trailer/Tank	200X	Heil BFT8000, DOT 406	2 @ 24/24*, 8000	New
<b>3</b>			Pump System	200X	Williams Brothers	300 GPM	New
<b>1</b>	1	Ground Fuel Truck	Chassis	200X	Freightliner FL70	2 @ 10/18	Excellent
<b>2</b>			Trailer/Tank	1998	Custom Tank, DOT 406	2 X 1,000 gallons	Excellent
<b>3</b>			Pump System	1998	Williams Brothers	25 GPM	New/Used
<b>1</b>	1	Utility Vehicle	Chassis	200X	Ford F-250	¾ ton	Excellent

- (1) The number of units described in (2), “all” factors (columns 3 through 7 and lines 1 through 3) remaining equal. Should “any” descriptive factor or unit/system combination change, add a new information block.
- (2) List, in descending order, Refuelers, Defuelers, Refueler/Defueler, Ground Fuel Trucks, Used Oil Trucks, Recyclable Jet Fuel Trucks, Vacuum Trucks, and Utility Vehicles.
- (3) The three major components of the equipment being offered.
- (4) The calendar year built (new), refurbished (R), stretched (S), rebarreled (B), or otherwise (\* explain) changed in a significant manner.
- (5) The make/manufacturer, model, or other descriptive name of the equipment to be provided.
- (6) For the chassis, list the number of axles and the GVWR for each. For a semi-trailer, list the number of axles, the GVWR of each, and the capacity of the tank. An entry of 2X 1,000 gallons indicates a dual product truck. Use an asterisk (\*) to indicate the axles have been or will be re-rated to accommodate heavier loads.
- (7) State new or use a descriptive term regarding the condition of the equipment/unit/system being offered.

(B) The offeror will submit a basic manning plan that outlines manning of the various fuel and cryogenic functions (internal workload) and supportive of number of unique or independent work centers that are authorized to request fuel services (external

structure). Using the 24-hour by 7-day example depicted below and the specific labor classification codes used in Section C-1.9, Qualifications, of the PWS, provide a typical 7-day (weekday/weekend) workforce schedule for all positions/labor classifications, including the manager and the assistant manager that will be employed under this contract. Furthermore, show all planned collateral duties for all positions, i.e., Fuel Distribution System Operator (FDSO) (FLT) would indicate the storage attendant (FDSO) will also serve as the fuel laboratory technician (FLT). For occupation titles, i.e., cryogenic supervisor/operator (CS/O), not listed in the Department of Labor Service Contract Act, Directory of Occupations and multi-skilled positions assigned to remote locations, show the specific labor category to which the position will be conformed.

<b>Manning Profile <sup>(1)</sup> (Example)</b>							
<b>Position(s)</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>	<b>S&amp;H</b>
<b>Day Shift (0700-1500 hours)</b>							
Site Manager (SM) <sup>(2)</sup>	X	X	X	X	X	AR	AR
Assistant Site Manager (ASM) <sup>(2)</sup>	X	X	X	X	X	AR	AR
Dispatcher/Computer Operator (D/CO)	1	1	1	1	1	1	1
Driver/System Operator (D/SO)	4.5	4.5	4.5	4.5	4.5	2	2
Fuel Distribution System Operator (FDSO (FLT)) <sup>(3)</sup>	2	2	2	2	2	1	1
<b>Swing Shift (1500 - 2300 hours)</b>							
Dispatcher /Computer Operator (D/CO)	1	1	1	1	1	1	1
Driver/System Operator (D/SO)	2	2	2	2	2	1	1
<b>Mid Shift (2300 - 0700 hours)</b>							
No Manning Required							

(1) Used to portray full time manning on a per hour/shift/day basis for a “typical” workweek. If part-time manning is to be used/represented, decimal figures may be used to provide a better understanding of manpower commitments.

(2) The “X” annotation indicates the specific position will be filled and that management will be available as required (AR) on weekends/holidays.

(3) The FDSO (FLT) entry indicates that the storage operator (FDSO) will undertake the responsibilities of the fuel laboratory technician (FLT) as long as all training, skills, and certifications that may be required are met.

(C) Each offeror will submit a summary (not to exceed three pages) of each plan required in Section C-1.4, Detailed Plans.

(D) If specifically required by the PWS and a separate contract line item number is established, the offeror will provide a detailed Transition Plan detailing the means and method of converting from a military/civil service workforce to a contractor-managed function. The Transition Plan shall specify the positions/skills that comprise the Transition Team, the date that the Transition Team will be in place, transition training to be undertaken by contract personnel, and the date and time that the transition workforce will be in place.

(E) Provide a résumé for each of the key personnel, the Corporate Executive Officer, the Site Manager, and the Assistant Manager, if applicable, providing the person’s name, current employer and position, and employment history of the positions (of at least 10 years). Indicate the positions held, the period of employment, the employer, and a brief description of the responsibilities for each of the positions.

(DESC 52.215-9F95)