AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT	1. CONTRACT ID CODE K	PAGE OF PAGES 1 4

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. *(If applicable)*
0003	See Block 16C		

6. **ISSUED BY** **CODE** SCO600

DEFENSE ENERGY SUPPORT CENTER
8725 JOHN J. KINGMAN RD SUITE 4950
FT BELVOIR VA 22060-6222 FAX 703-767-9044
BUYER/SYMBOL - Debra Simpson-Mayeux / DESC-BZD
PHONE - (703) 767-9297 P.P. 1.1a, 1.1c, 1.1h

7. **ADMINISTERED BY** (*If other than Item 6*) **CODE** SCO600

8. **NAME AND ADDRESS OF CONTRACTOR (***NO., street,city,county,State,and ZIP Code*)

X

9a. **AMENDMENT OF SOLICITATION NO.**
SP0600-00-R-0077

9b. **DATED** *(SEE ITEM 11)*
June 28, 2000

10a. **MODIFICATION OF CONTRACT/ORDER NO.**

10b. **DATED** *(SEE ITEM 13)*

11. **THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

[x] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers
[ ] is extended, [**X**] is not extended

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment;(b) By acknowledging receipt of this amendment on each copy of the offer submitted; or(c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers.
FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. **ACCOUNTING AND APPROPRIATION DATA** *(If required)*

13. **THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: *(Specify authority)* THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES *(such as changes in paying office, appropriation date, etc.)* SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER *(Specify type of modification and authority)*

E. **IMPORTANT:** Contractor [ ] is not, [ ] is required to sign this document and return _____ copies to the issuing office.

14. **DESCRIPTION OF AMENDMENT/MODIFICATION** *(Organized by UCF section headings, including solicitation/contract subject matter where feasible.)*

SEE NEXT PAGE

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remain unchanged and in full force and effect.

15A. **NAME AND TITLE OF SIGNER** (*Type or print*)		16A. **NAME OF CONTRACTING OFFICER** **JOY E. MULLORI**	
15B. **NAME OF CONTRACTOR/OFFEROR** **BY** _____ *(Signature of person authorized to sign)*	15C.**DATE SIGNED**	16B. **UNITED STATES OF AMERICA** BY _____ *(Signature of Contracting Officer)*	16C.**DATE SIGNED**

SF30

1. The following change is to the front portion of the solicitation, Commercial Items clauses:

Clause I1.05 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS (MAR 2000), please **"X"** DFARS 252.225-7007 Buy American Act – Trade Agreements Act – Balance of Payments Program (41 U.S.C. 10a – 10d, 19 U.S.C. 2501-2518, and 19 U.S.C. 3301 note) which will be included in the contract by reference.

2. The following changes are made to the Addendum Package:

a. Clause F52.11 DEBALLASTING (DESC JAN 1990) is hereby added to this solicitation. Clause F52.11 can be found on page 2 of this Amendment.

b. Clause M2.08 EVALUATION OF OFFERS INVOLVING F.O.B. BARGE OR T-1 TANKER LOADING (ALL PRODUCTS SOLICITED FOR WESTPAC) (DESC OCT 1991) is hereby deleted and is superseded by Clause M2.08 EVALUATION OF OFFERS INVOLVING F.O.B. BARGE OR T-1 TANKER LOADING (ALL PRODUCTS SOLICITED FOR WESTPAC) (DESC OCT 2000), Revised Clause M2.08 can be found on page 2 of this Amendment.

c. Clause M24.05 EVALUATION OF OFFERS INVOLVING F.O.B. TANKER LOADING (WESTPAC) (DESC JUL 1999) is deleted and is superseded by Clause M24.05 EVALUATION OF OFFERS INVOLVING F.O.B. TANKER LOADING (WESTPAC) (DESC OCT 2000). Revised Clause M24.05 can be found on pages 3 and 4 of this Amendment.

3. In accordance with Clause M24.05, the time charter hire rate used for evaluation purposes will be **$16,625.00**.

F52.11 DEBALLASTING (DESC JAN 1990)

Deballasting facilities and services will be made available upon request to all vessels loading cargo under this contract. Contractors who neither own nor operate deballasting facilities and services will be responsible for arranging for their availability at the loading facility. Deballasting facilities will be provided at no additional charge to the Government.

(DESC 52.247-9FB1)

M2.08 EVALUATION OF OFFERS INVOLVING F.O.B. BARGE OR T-1 TANKER LOADING (ALL PRODUCTS SOLICITED FOR WESTPAC) (DESC OCT 2000)

(a) Transportation will be considered in the evaluation of all origin offers unless the solicitation specifically indicates otherwise in the Schedule.

(b) The following evaluation procedures will be used for f.o.b. origin barge/T-1 tankers offers:

(1) 46,000 BBLS of product will be considered sufficient to fully utilize a barge/T-1 tanker.

(2) The Government will load no more than 46,000 BBLS of fuel on a barge/T-1 tanker per shipload. A penalty will not be applied for parcels of less than 46,000 BBLS.

(DESC 52.247-9F50)

M24.05 EVALUATION OF OFFERS INVOLVING F.O.B. TANKER LOADING (WESTPAC) (DESC OCT 2000)

(a) Transportation will be considered in the evaluation of all origin offers unless the solicitation specifically indicates otherwise in the Schedule. The transportation rate will be based on a nominal size foreign flag tanker of approximately 30,000 Deadweight Tons (DWTs) and will be inclusive of time charter hire. The Time Charter Hire will be based on the average of the estimated market rate for a foreign flag time charter as determined by the Military Sealift Command. The rate will be in effect or become effective before the expected date of the initial shipment. This evaluation rate will be expressed to DESC as a daily rate for foreign flag time charter cost inclusive of fuel. DESC will use the evaluation rate along with round trip mileage over the tanker routes being evaluated to compute a transportation rate expressed in U.S. cents per gallon. This rate will then be added to the per gallon offered price to determine the evaluated price.

(b) DESC will not evaluate offers for JP5, JP8, F76 or RME-25 on the basis of a two-product load.

(c) **For JP5/JP8/F76.** The following procedures will be followed in applying transportation freight rates to offers in the evaluation process:

(1) No freight rate will be computed/evaluated from any source to a destination/interim terminal in the same port area.

(2) **235,000** barrels of product will be considered sufficient to fully utilize vessels 30,000 DWTs and over.

(3) In the event an offeror limits its offer to individual tanker lifting of less than **235,000** barrels, the offer will be evaluated on the basis of (i) a single-port load plus shifting charges if it is determined that the same product will be available in the same port area, (ii) the least expensive two-port loading rate if it is determined that the same product will not be available in the same port area but will be available in another port area in the same geographical area under this solicitation, or (iii) total vessel freight rate prorated over the maximum parcel size offered if there are no other products offered for tanker loading in the same geographical area. The additional costs represented by the shifting charge or the two-port loading will be assessed for evaluation purposes against such offer on a prorated basis per gallon on the quantity indicated by the offeror as the maximum lifting.

(4) Upon completion of the initial evaluation, if any portion of the product(s) utilized to fill the vessel fails to evaluate as the lowest laid down cost, the product(s) will be eliminated and new transportation freight rates applied based on the successful portion of the product(s). If the offeror takes exception to paragraph (d) of the DELIVERY AND ORDERING PERIODS clause by refusing to accumulate pro rata to equal maximum parcel size offered, then the evaluated volume will be the pro-rata volume corresponding to that portion of the offer that evaluated low in the initial evaluation.

(d) **For Mogas.** The following procedures will be followed in applying transportation freight rates to offers in the evaluation process:

(1) No freight rate will be computed/evaluated from any source to a destination/interim terminal in the same port area ..

(2) **235,000** barrels of product will be considered sufficient to fully utilize vessels 30,000 DWTs and over.

(3) The Government will load no more than **36,000** barrels of Mogas per shipload. All offers will be evaluated assuming a maximum loading of **36,000** barrels of Mogas, except where the offeror limits the loading of Mogas to less than **36,000** barrels, in which case the smaller volume will be used. Mogas will evaluated on the basis of joint loading with other products (with a maximum parcel size up to the quantity required to fill the vessel to 235,000 barrels) as follows:

(i) Single-port load plus shifting charges if it is determined that other products under this solicitation will be available in the same port area;

(ii) The least expensive two-port loading rate if it is determined that other products will not be available in the same port area but will be available in another port area in the same geographical area under this solicitation; or

(iii) Total vessel freight rate prorated over the maximum parcel size offered if there are no other quantities of other products offered for tanker loading in the same geographical area. The additional costs represented by the shifting charge or the two-port loading will be assessed for evaluation purposes against such offer on a prorated basis per gallon or per barrel based on the quantity indicated by the offeror as the maximum lifting.

(4) Upon completion of the initial evaluation, if any portion of the product(s) utilized to fill the vessel fails to evaluate as the lowest laid down cost, the product(s) will be eliminated and new transportation freight rates applied based on the successful portion of the product(s). Offers of Mogas will be reevaluated using the criteria of paragraphs (d)(1), (2), and (3) above. If the offeror takes exception to paragraph (d) of the DELIVERY AND ORDERING PERIODS clause by refusing to accumulate pro rata to equal maximum parcel size offered, then the evaluated volume will be the pro-rata volume corresponding to that portion of the offer that evaluated low in the initial evaluation.

(e) **For Fuel Oil.** The following procedures will be followed in applying transportation freight rates to offers in the evaluation process:

(1) No freight rate will be computed/evaluated from any source to a destination/interim terminal in the same port area .

(2) **235,000** barrels of product will be considered sufficient to fully utilize vessels 30,000 DWTs and over.

(3) The Government will load no more than **140,000** barrels of fuel oil per shipload. All offers will be evaluated assuming a maximum loading of **140,000** barrels of fuel oil, except where the offeror limits the loading of fuel oil to less than **140,000** barrels, in which case the smaller volumes will be used. Fuel oil will be evaluated on the basis of joint loading with other products (with a maximum parcel size up to the quantity required to fill the vessel to **235,000** barrels) as follows:

M24.05 (Cont'd)

(i) Single-port loading plus shifting charges if it is determined that RME-25 under this solicitation will be available in the same port area;

(ii) The least expensive two-port loading rate if it is determined that RME-25 will not be available in the same port area but will be available in another port area in the same geographical area under this solicitation;

(iii) Total vessel freight rate prorated over the maximum parcel size offered if there are no other quantities of other products offered for tanker loading in the same geographical area. The additional costs represented by the shifting charge or the two-port loading will be assessed for evaluation purposes against such offer on a prorated basis per gallon or per barrel based on the quantity indicated by the offeror as the maximum lifting.

(4) Upon completion of the initial evaluation, if any portion of the product(s) utilized to fill the vessel fails to evaluate as the lowest laid down cost, the product(s) will be eliminated and new transportation freight rates applied based on the successful portion of the product(s). Offers of RME-25 will be reevaluated using the criteria of paragraphs (e)(1), (2), and (3) above. If the offeror takes exception to paragraph (d) of the DELIVERY AND ORDERING PERIODS clause by refusing to accumulate pro rata to equal maximum parcel size offered, then the evaluated volume will be the pro rata volume corresponding to that portion of the offer that evaluated low in the initial evaluation.

(DESC 52.247-9F20)