REQUEST FOR QUOTATION
(THIS IS NOT AN ORDER)

THIS RFQ [X] IS [ ] IS NOT A SMALL BUSINESS SET-ASIDE

1. REQUEST NO.	2. DATE ISSUED	3. REQUISITION/PURCHASE REQUEST NO.	4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1	RATING
N00253-05-Q-0008	04 OCT 14	32100 42737146		DO-C

5a. ISSUED BY
SUPPLY OFFICER (CODE 182)
NAVAL UNDERSEA WARFARE CTR, DK

6. DELIVER BY *(Date)*
05 FEB 28

7. DELIVERY
[X] FOB DESTINATION [ ] OTHER *(See Schedule)*

5b. FOR INFORMATION CALL *(NO COLLECT CALLS)*

NAME
610 DOWELL ST
KEYPORT, WA 98345-7610
KRIS HALVERSON

TELEPHONE NUMBER
AREA CODE 360 NUMBER 315-3395
FAX: 360 396-7036

9. DESTINATION N00253
a. NAME OF CONSIGNEE
BUILDING 893
SUPPLY OFFICER
NAVAL UNDERSEA WARFARE CTR, DK

8. TO:
a. NAME
b. COMPANY
c. STREET ADDRESS
d. CITY
e. STATE
f. ZIP CODE

b. STREET ADDRESS
610 DOWELL ST
c. CITY
KEYPORT
d. STATE WA
e. ZIP CODE 98345-7610

10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5A ON OR BEFORE CLOSE OF BUSINESS *(Date)* 04 OCT 26

IMPORTANT: This is a request for information and quotations furnished are not offers. If you are unable to quote, please so indicate on this form and return it to the address in Block 5A. This request does not commit the Government to pay any costs incurred in the preparation of the submission of this quotation or to contract for supplies or services. Supplies are of domestic origin unless otherwise indicated by quoter. Any representations and/or certifications attached to this Request for Quotations must be completed by the quoter.

11. SCHEDULE *(Include applicable Federal, State and local taxes)*

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)
0001	REQN. NO. 32100 /42737146 ITEM NAME: COVER ASSEMBLY, IN CONFORMANCE WITH DRAWINGS: 2827K71G700 REV B, 2839K70P002 REV E, 2838K70P2 REV B, AND 5796320P001 REV T, INCORPORATED IN FULL BY REFERENCE.	16	EA		
0002	REQN. NO. 32100 /42737148 ITEM NAME: CASE ASSEMBLY, IN CONFORMANCE WITH DRAWINGS: 2177K72G700 REV A, PL2177K72G700 REV B, 2171K70P002 REV D, 2172K70P2 REV A, AND 5796320P007 REV T, INCORPORATED IN FULL BY REFERENCE. FOR TECHNICAL QUESTIONS PLEASE CALL BECKY BARNES, PH: 360 396-2641. ACCEPTANCE INSPECTION ATTACHMENT (A), AND CONSTRUCTIVE ACCEPTANCE OF 20 DAYS APPLIES TO BOTH ITEMS. SINGLE AWARD FOR ALL ITEMS.	16	EA		

12. DISCOUNT FOR PROMPT PAYMENT

a. 10 CALENDAR DAYS (%)	b. 20 CALENDAR DAYS (%)	c. 30 CALENDAR DAYS (%)	d. CALENDAR DAYS NUMBER	PERCENTAGE

NOTE: Additional provisions and representations [ ] are [ ] are not attached

13. NAME AND ADDRESS OF QUOTER
a. NAME OF QUOTER
b. STREET ADDRESS
c. COUNTY
d. CITY
e. STATE
f. ZIP CODE

14. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION

15. DATE OF QUOTATION

16. SIGNER
a. NAME *(Type or print)*
b. TELEPHONE
AREA CODE
c. TITLE *(Type or print)*
NUMBER

VENDOR:

SECTION B SUPPLIES/SERVICES

ITEM	SUPPLIES/SERVICES	QUANTITY	UI	U-PRICE	AMOUNT
	QUOTE FOB DESTINATION ONLY.				
	DRAWINGS AVAILABLE IN ELECTRONIC FILES/DRAWINGS ONLY, NO HARD COPY DRAWINGS.				
	TO OBTAIN DRAWINGS CONTACT: K. HALVERSON HALVERSONAK@KPT.NUWC.NAVY.MIL NO LATER THAN 04 OCT 22.				
	FAX QUOTE ON OR BEFORE DATE SHOWN IN BLOCK #10.				
	VISIT THE DAPS WEB SITE, DOD ASSIST ONLINE AT HTTP://ASTIMAGE.DAPS.DLA.MIL TO FIND ELECTRONIC COPIES OF MIL-SPEC'S.				

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

FAR 52.212-1 INSTRUCTIONS TO OFFERORS - COMMERICAL ITEMS JAN 2004

FAR 52.212-2 EVALUATION - COMMERCIAL ITEMS JAN 1999

(a) THE GOVERNMENT WILL AWARD A CONTRACT RESULTING FROM THIS SOLICITATION TO THE RESPONSIBLE OFFEROR WHOSE OFFER CONFORMING TO THE SOLICITATION WILL BE MOST ADVANTAGEOUS TO THE GOVERNMENT, PRICE AND OTHER FACTORS CONSIDERED. THE FOLLOWING FACTORS SHALL BE USED TO EVALUATE OFFERS: PRICE, QUALITY AND PAST PERFORMANCE DATA WILL BE OBTAINED FROM THE NAVY RED, YELLOW, GREEN (RYG) DATA BASE._____

_____

_____

_____

[CONTRACTING OFFICER SHALL INSERT THE SIGNIFICANT EVALUATION FACTORS, SUCH AS (i) TECHNICAL CAPABILITY OF THE ITEM OFFERED TO MEET THE GOVERNMENT REQUIREMENT; (ii) PRICE; (iii) PAST PERFORMANCE (SEE FAR 15.304); (iv) SMALL DISADVANTAGE BUSINESS PARTICIPATION; AND INCLUDE THEM IN THE RELATIVE ORDER OF IMPORTANCE OF THE EVALUATION FACTORS, SUCH AS IN DESCENDING ORDER OF IMPORTANCE.]

TECHNICAL AND PAST PERFORMANCE, WHEN COMBINED, ARE SLIGHTLY MORE THAN PRICE_____ [CONTRACTING OFFICER STATE, IN ACCORDANCE WITH FAR 15.304, THE RELATIVE IMPORTANCE OF ALL OTHER EVALUATION FACTORS, WHEN COMBINED,WHEN COMPARED TO PRICE.]

(b) OPTIONS. THE GOVERNMENT WILL EVALUATE OFFERS FOR AWARD PURPOSES BY ADDING THE TOTAL PRICE FOR ALL OPTIONS TO THE TOTAL PRICE FOR THE BASIC REQUIREMENT. THE GOVERNMENT MAY DETERMINE THAT AN OFFER IS UNACCEPTABLE IF THE OPTION PRICES ARE SIGNIFICANTLY UNBALANCED. EVALUATION OF OPTIONS SHALL NOT OBLIGATE THE GOVERNMENT TO EXERCISE THE OPTION(S).

(c) A WRITTEN NOTICE OF AWARD OR ACCEPTANCE OF AN OFFER, MAILED OR OTHERWISE FURNISHED TO THE SUCCESSFUL OFFEROR WITHIN THE TIME FOR ACCEPTANCE SPECIFIED IN THE OFFER, SHALL RESULT IN A BINDING CONTRACT WITHOUT FURTHER ACTION BY EITHER PARTY. BEFORE THE OFFER'S SPECIFIED EXPIRATION TIME, THE GOVERNMENT MAY ACCEPT AN OFFER (OR PART OF AN OFFER), WHETHER OR NOT THERE ARE NEGOTIATIONS AFTER ITS RECEIPT, UNLESS A WRITTEN NOTICE OF WITHDRAWAL IS RECEIVED BEFORE AWARD.

FAR 52.212-3 OFFEROR REPRESENTATIONS AND CERTIFICATONS - COMMERCIAL ITEMS MAY 2004

(a) DEFINITIONS. AS USED IN THIS PROVISION:
"EMERGING SMALL BUSINESS" MEANS A SMALL BUSINESS CONCERN WHOSE SIZE IS NO GREATER THAN 50 PERCENT OF THE NUMERICAL SIZE STANDARD FOR THE NAICS CODE DESIGNATED.
"FORCED OR INDENTURED CHILD LABOR" MEANS ALL WORK OR SERVICE-
(1) EXACTED FROM ANY PERSON UNDER THE AGE OF 18 UNDER THE MENANCE OF ANY PENALTY FOR ITS NONPERFORMANCE AND FOR WHICH THE WORKER DOES NOT OFFER HIMSELF VOLUNTARILY; OR
(2) PERFORMED BY ANY PERSON UNDER THE AGE OF 18 PURSUANT TO A CONTRACT THE ENFORCEMENT OF WHICH CAN BE ACCOMPLISHED

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

BY PROCESS OR PENALTIES.
"SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN"-
(1) MEANS A SMALL BUSINESS CONCERN-
(i) NOT LESS THAN 51 PERCENT OF WHICH IS OWNED BY ONE OR 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 SERVICE-DISABLED VETERAN WITH PERMANENT AND SERVERE 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 DIABILITY THAT IS SERVICE-CONNECTED, AS DEFINED IN 38 U.S.C. 101(16).
"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 SIZE STANDARDS IN THIS SOLICITATION.
"VETERAN-OWNED SMALL BUSINESS CONCERNS" MEAN A SMALL BUSINESS CONCERN -
(1) 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
(2) THE MANAGEMENT AND DAILY BUSINESS OPERATIONS OF WHICH ARE CONTROLLED BY ONE OR MORE VETERANS.
"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 ITS STOCK IS OWNED BY ONE OR MORE WOMEN; AND WHOSE MANAGEMENT AND DAILY BUSINESS OPERATIONS ARE CONTROLLED BY ONE OR MORE WOMEN.
"WOMEN-OWNED SMALL BUSINESS CONCERN" MEANS A SMALL BUSINESS CONCERN-
(1) 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
(2) WHOSE MANAGEMENT AND DAILY BUSINESS OPERATIONS ARE CONTROLLED BY ONE OR MORE WOMEN.

(b) TAXPAYER IDENTIFICATIN NUMBER (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (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 DELIQUENT 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:_____.

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

___ 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 UNITED STATES AND DOES NOT HAVE AN OFFICE OR PLACE OF BUSINESS OR A FISCAL PAYING AGENT IN THE UNITED STATES;
___ OFFEROR IS AN AGENCY OR INSTRUNMENTALITY OF A FOREIGN GOVERNMENT;
___ OFFEROR IS AN AGENCY OR INSTRUMENTALITY OF THE FEDERAL GOVERNMENT.

(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, OR ITS OUTLAYING AREAS. 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.

(2) VETERAN-OWNED SMALL BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTED ITSELF AS A SMALL BUSINESS CONCERN IN PARAGRAPH (c)(1) OF THE PROVISION.] THE OFFEROR REPRESENTS AS PART OF ITS OFFER THAT IT ___ IS, ___ IS NOT A VETERAN OWNED SMALL BUSINESS CONERN.

(3) SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTED ITSELF AS A VETERAN-OWNED SMALL BUSINESS CONCERN IN PARAGRAPH (c)(2) OF THIS PROVISION.] THE OFFEROR REPRESENTS AS PART OF ITS OFFER THAT IT ___ IS, ___ IS NOT A SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN.

(4) SMALL DISADVANTAGE 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.

(5) 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)(6) AND (c)(7) ONLY IF THIS SOLICITATION IS EXPECTED TO EXCEED THE SIMPLIFIED ACQUISITION THRESHOLD.

(6) WOMEN-OWNED BUSINESS CONCERN (OTHER THAN SMALL BUSINESS CONCERN). [COMPLETE ONLY IF THE OFFEROR IS A WOMEN-OWNED BUSINESS CONCERN AND DID NOT REPRESNT ITSELF AS A SMALL

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

BUSINESS CONCERN IN PARAGRAPH (c)(1) OF THIS PROVISION.] THE OFFEROR REPRESENTS THAT IT ___ IS A WOMEN-OWNED BUSINESS CONCERN.

(7) 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:

_____

(8) SMALL BUSINESS SIZE FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM AND FOR THE TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM. [COMPELTE 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).] OFFEROR REPESENTS AS FOLLOWS:

(A) 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) 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 SOLICIATION IS EXPRESSED IN TERMS OF ANNUAL RECEIPTS). (CHECK ONE OF THE FOLLOWING):

NUMBER OF EMPLOYEES	AVERAGE ANNUAL GROSS REVENUES
___ 50 OR FEWER	___ $1 MILLION OR LESS
___ 51-100	___ $1,000,001-$2 MILLION
___ 101-250	___ $2,000,001-$3.5 MILLION
___ 251-500	___ $3,500,001-$5 MILLION
___ 501-750	___ $5,000,001-$10 MILLION
___ 751-1,000	___ $10,000,001-$17 MILLION
___ OVER 1,000	___ OVER $17 MILLION

(9) [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

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

DISADVANTAGED STATUS, THE NET WORTH OF EACH INDIVIDUAL UPON WHOM THE CERTIFICATION IS BASED DOES NOT EXECEED $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 VENTURES 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)(9)(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: _____.]

(10) HUBZONE SMALL BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTS 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 OWERSHIP 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 PARAGRAPH (c)(10)(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 BUISNESS CONCERN OR CONCERSN 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) 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.

(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 PARTS 60-1 AND 60-2), OR

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

(ii) IT ___ HAS NOT PREVIOUSLY HAD CONTRACTS SUBJECT TO 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 KNLOWLEDGE 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 CERTIFICATE. (APPLIES ONLY IF THE CLAUSE AT FAR 52.225-1, BUY AMERICAN ACT-BALANCE OF PAYMENTS PROGRAM-SUPPLIES, IS INCLUDED IN THIS SOLICITATION.)

(1) THE OFFEROR CERTIFIES THAT EACH END PRODUCT, EXCEPT THOSE LISTED IN PARAGRAPH (f)(2) OF THIS PROVISION, IS A DOMESTIC END PRODUCT AND THAT THE OFFEROR HAS CONSIDERED COMPONENTS OF UNKNOWN ORIGIN TO HAVE BEEN MINED, PRODUCED, OR MANUFACTURED OUTSIDE THE UNITED STATES. THE OFFEROR SHALL LIST AS FOREIGN END PRODUCTS THOSE END PRODUCTS MANUFACTURED IN THE UNITED STATES THAT DO NOT QUALIFY AS DOMESTIC END PRODUCTS. THE TERMS "COMPONENT," "DOMESTIC END PRODUCT," "END PRODUCT," FOREIGN END PRODUCT" AND "UNITED STATES" ARE DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-SUPPLIES."

(2) FOREIGN END PRODUCTS:

LINE ITEM NO	COUNTRY OF ORIGIN

[LIST AS NECESSARY]

(3) THE GOVERNMENT WILL EVALUATE OFFERS IN ACCORDANCE WITH THE POLICIES AND PROCEDURES OF FAR PART 25.

(g)(1) BUY AMERICAN ACT-FREE TRADE AGREEMENTS- ISRAELI TRADE ACT CERTIFICATE. ALTERNATE I (JAN 04) (APPLIES ONLY IF THE CLAUSE AT FAR 52.225-3, BUY AMERICAN ACT-NORTH AMERICAN FREE TRADE AGREEMENT-ISRAELI TRADE ACT, IS INCLUDED IN THIS SOLICITATION.)

(i) THE OFFEROR CERTIFIES THAT EACH END PRODUCT, EXCEPT THOSE LISTED IN PARAGRAPH (g)(1)(ii) OR (g)(1)(iii) OF THIS PROVISION, IS A DOMESTIC END PRODUCT AND THAT THE OFFEROR HAS CONSIDERED COMPONENTS OF UNKOWN ORIGIN TO HAVE BEEN MINED, PRODUCED, OR MANUFACTURED OUTSIDE THE UNITED STATES. THE TERMS "COMPONENT," "DOMESTIC END PRODUCT," "END PRODUCT," FOREIGN END PRODUCT," AND "UNITED STATES" ARE DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENT- ISRAELI TRADE ACT

(ii) THE OFFEROR CERTIFIES THAT THE FOLLOWING SUPPLIES ARE FTA COUNTRY END PRODUCTS OR ISRAELI END PRODUCTS AD DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERCIAN ACT-FREE TRADE AGREEMENTS -iSRAELI TRADE ACT";

FTA COUNTRY OR ISRAELI END PRODUCTS:

LINE ITEM NO.	COUNTRY OF ORIGIN

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

_____
(LIST AS NECESSARY)

(iii) THE OFFEROR SHALL LIST THOSE SUPPLIES THAT ARE FOREIGN END PRODUCTS (OTHER THAN THOSE LISTED IN PARAGRAPH (g)(1)(ii) OF THIS PROVISION) AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENTS - ISRAELI TRADE ACT." THE OFFEROR SHALL LIST AS OTHER FOREIGN END PRODUCTS THOSE END PRODUCTS MANUFACTURED IN THE UNITED STATES THAT SO NOT QUALIFY AS DOMESTIC END PRODUCTS.

OTHER FOREIGN END PRODUCTS:

LINE ITEM NO.	COUNTRY OF ORIGIN

[LIST AS NECESSARY]

(iv) THE GOVERNMENT WILL EVALUATE OFFERS IN ACCORDANCE WITH THE PROLICIES AND PROCEDURES OF FAR PART 25.

(2) BUY AMERICAN ACT-FREE TRADE AGREEMENTS- ISRAELI TRADE ACT CERTIFICATE, ALTERNATE I (JAN 2004). IF ALTERNATE I TO THE CLAUSE AT FAR 52.225-3 IS INCLUDED IN THIS SOLICIATION, SUBSTITUE THE FOLLOWIONG PARAGRAPH (g)(1)(ii) FOR PARAGRAPH (g)(1)(ii) OF THE BASIC PROVISION:

(g)(1)(ii) THE OFFEROR CERTIFIES THAT THE FOLLOWING SUPPLIES ARE CANADIAN END PRODUCTS AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENTS-ISRAELI TRADE ACT":

CANADIAN END PRODUCTS:

LINE ITEM NUMBER

[LIST AS NECESSARY]

(3) BUY AMERICAN ACT-FREE TRADE AGREEMENTS- ISRAELI TRADE ACT CERTIFICATE, ALTERNATE II (JAN 2004). IF ALTERNATE II TO THE CLAUSE AT FAR 52.225-3 IS INCLUDED IN THIS SOLICIATION, SUBUSTITUTE THE FOLLOWING PARAGRAPH (g)(1)(ii) FOR PARAGRAPH (g)(1)(ii) OF THE BASIC PROVISION:

(g)(1)(ii) THE OFFEROR CERTIFIES THAT THE FOLLOWING SUPPLIES ARE CANADIAN END PRODUCTS OR ISRAELI END PRODUCTS AS DEFINED IN THE CLAUSE OF THIS SOLICITION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENT- ISRAELI TRADE ACT":

CANADIAN OR ISRAELI END PRODUCTS:

LINE ITEM NO.	COUNTRY OF ORIGIN

[LIST AS NECESSARY]

VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

(4) TRADE AGREEMENTS CERIFICATE. (APPLIES ONLY IF THE CLAUSE AT FAR 52.225-5, TRADE AGREEMENTS, IS INCLUDED IN THIS SOLICITATION.)

(i) THE OFFEROR CERTIFIES THAT EACH PRODUCT, EXCEPT THOSE LISTED IN PARAGRAPH (g)(4)(ii) OF THIS PROVISION,IS A U.S.-MADE, DESIGNATED COUNTRY, CARIBBEAN BASIN COUNTRY, OR NAFTA COUTNRY END PRODUCT, AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "TRADE AGREEMENTS."

(ii) THE OFFEROR SHALL LIST AS OTHER END PRODUCTS THOSE END PRODUCTS THAT ARE NOT U.S.-MADE, DESIGNATED COUNTRY, CARIBBEAN BASIN COUNTRY, OR NAFTA COUNTRY END PRODUCTS._____

OTHER END PRODUCTS:

LINE ITEM NO.	COUNTRY OF ORIGIN
_____	_____
_____	_____
_____	_____

[LIST AS NECESSARY]

(iii) THE GOVERNMENT WILL EVALUATE OFFERS IN ACCORDANCE WITH THE POLICIES AND PROCEDURES OF FAR PART 25. FOR LINE ITEMS SUBJECT TO THE TRADE AGREEMENTS ACT, THE GOVERNMENT WILL EVALUATE OFFERS OF U.S.-MADE, DESIGNATED COUNTRY, CARIBBEAN BASIN COUNTRY OR NAFTA COUNTRY END PRODUCTS WITHOUT REGARD TO TO THE RESTRICTIONS OF THE BUY AMERICAN ACT. THE GOVERNMENT WILL CONSIDER FOR AWARD ONLY OFFERS OF U.S.-MADE, DESIGNATED CARIBBEAN BASIN COUNTRY, OR NAFTA COUNTRY END PRODUCTS UNLESS THE CONTRACTING OFFICER DETERMINES THAT THERE ARE NO OFFERS FOR SUCH PRODUCTS OR THAT THE OFFERS FOR SUCH PRODUCTS ARE INSUFFICIENT TO FULFILL THE REQUIREMENTS OF THIS SOLICITATION.

(h) CERTIFICATE REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY FOR AWARD (EXECUTIVE ORDER 12549). (APPLIES ONLY IF THE CONTRACT VALUE IS EXPECTED TO EXCEED THE SIMPLIFIED ACQUISITION THRESHOLD.) THE OFFEROR CERTIFIES, TO THE BEST OF ITS KNOWLEDGE AND BELIEF, THAT THE OFFEROR AND/OR ANY OF ITS PRINCIPALS-

(1) ____ ARE, ____ ARE NOT PRESENTLY DEBARRED, SUSPENDED,PROPOSED FOR DEBARMENT, OR DECLARED INELIGIBLE FOR THE AWARD OF CONTRACTS BY ANY FEDERAL AGENCY; AND

(2) ____ 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 FEDERAL, STATE, OR LOCAL GOVERNMENT CONTRACT OR SUBCONTRACT; VIOLATION OF FEDERAL OR STATE ANTITRUST STATUES 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

(3) ____ ARE, ____ ARE NOT PRESENTLY INDICTED FOR, OR OTHER WISE CRIMINALLY OR CIVILLY CHARGED BY A GOVERNMENT ENTITY WITH, COMMISSION OF ANY OF THESE OFFENSES.

(i) CERTIFICATION REGARDING KNOWLEDGE OF CHILD LABOR FOR LISTED END PRODUCTS (EXCUTIVE ORDER 13126). [THE CONTRACTING OFFICER MUST LIST IN PARAGRAPH (i)(1) ANY END PRODUCTS BEING

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ACQUIRED UNDER THIS SOLICITATION THAT ARE INCLUDED IN THE LIST OF PRODUCTS REQUIRING CONTRACTOR CERTIFICATION AS TO FORCED OR INDENTRUED CHILD LABOR, UNLESS EXCLUDED AT FAR 22.1503(b).]

(1) LISTED END PRODUCTS.

LISTED END PRODUCT	LIST OF COUNTRIES OF ORIGIN

(2) CERTIFICATION. [IF THE CONTRACTING OFFICER HAS IDENTIFIED END PRODUCTS AND COUNTRIES OF ORIGIN IN PARAGRAPH (i)(1) OF THIS PROVISION, THEN THE OFFEOR MUST CERTIFY TO EITHER (i)(2)(i) OR (i)(2)(ii) BY CHECKING THE APPROPRIATE BLOCK.]

[ ] (i) THE OFFEROR WILL NOT SUPPLY ANY END PRODUCT LISTED PARAGRAPH (i)(1) OF THIS PROVISION THAT WAS MINED, PRODUCED, OR MANUFACTURED IN THE CORRESPONDING COUNTRY AS LISTED FOR THAT PRODUCT.

[ ](ii) THE OFFEROR MAY SUPPLY AN END PRODUCT LISTED IN PARAGRAPH (i)(1) OF THIS PROVISION THAT WAS MINED, PRODUCED, OR MANUFACTURED IN THE CORRESPONDING COUTNRY AS LISTED FOR THAT PRODUCT. THE OFFEROR CERTIFIES THAT IT HAS MADE A GOOD FAITH EFFORT TO DETERMINE WHETHER FORCED OR INDENTURED CHILD LABOR WAS USED TO MINE, PRODUCE, OR MANUFACTURE ANY SUCH END PRODUCT FURNISHED UNDER THIS CONTRACT. ON THE BASIS OF THOSE EFFORTS, THE OFFEROR CERTIFIES THAT IT IS NOT AWARE OF ANY SUCH USE OF CHILD LABOR.

(END OF PROVISION)

ALTERNATE I (APRIL 2002). AS PRESCRIBED IN 12.301(b)(2), ADD THE FOLLOWING PARAGRAPH (c)(11) TO THE BASIC PROVISION:

(11) (COMPLETE IF THE OFFEROR HAS REPRESENTED ITSELF AS DISADVANTAGED IN PARAGRAPH (c)(4) OR (c)(9) OF THIS PROVISION.)

[THE OFFEROR SHALL CHECK THE CATEGORY IN WHICH ITS OWNERSHIP FALLS]:

___ BLACK AMERICAN
___ HISPANIC AMERICAN
___ NATIVE AMERICAN (AMERICAN INDIAN, ESKIMOS, ALEUTS OR NATIVE HAWAIIANS)
___ ASIAN-PACIFIC AMERICAN (PERSONS WITH ORIGINS FROM BURMA, THAILAND, MALAYSIA, INDONESIA, SINGAPORE, BRUNI, 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.

ALTERNATE II (OCT 2000) AS PRESCRIBED IN FAR 12.301(b)(2), ADD THE FOLLOWING PARAGRAPH (c)(9)(iii) TO THE BASIC PROVISION:

(iii) ADDRESS. THE OFFEROR REPRESENTS THAT ITS ADDRESS ___ IS, ___ IS NOT IN A REGION FOR WHICH A SMALL DISADVANTAGED BUSINESS PROCUREMENT MECHANISM IS AUTHORIZED AND ITS ADDRESS HAS NOT

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CHANGED SINCE ITS CERTIFICATION AS A SMALL DISADVANTAGED BUSINESS CONCERN OR SUBMISSION OF ITS APPLICATION FOR CERTIFICATION AS A SMALL DISADVANTAGED BUSINESS CONCERN OR SUBMISSION OF ITS APPLICATION FOR CERTIFICATION. THE LSIT OF AUTHORIZED SMALL DISADVANTAGED BUSINESS PROCUREMENT MECHNANISMS AND REGIONS IS POSTED AT http://www.arnet.gov/References/ sdbadjustments.htm. THE OFFEROR SHALL USE THE LIST IN EFFECT ON THE DATE OF THIS SOLICITATION. "ADDRESS," AS USED IN THIS PROVISION, MEANS THE ADDRESS OF THE OFFEROR AS LISTED ON THE SMALL BUSINESS ADMINISTRATION'S REGISTER OF SMALL DISADVANTAGED BUSINESS CONCERNS OR THE ADDRESS ON THE COMPLETED APPLICATION THAT THE CONCERN HAS SUBMITTED TO THE SMALL BUSINESS ADMINISTRATION OR A PRIVATE CERTIFIER IN ACCORDANCE WITH 13 CFR PART 124,SUBPART B. FOR JOINT VENTURES, "ADDRESS" REFERS TO THE ADDRESS OF THE SMALL DISADVANTAGED BUSINESS CONCERN THAT IS PARTICIPATING IN THE JOINT VENTURE.

FAR 52.212-4 CONTRACT TERMS AND CONDITIONS - COMMERCIAL ITEMS OCT 2003

FAR 52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS - COMMERCIAL ITEMS JUNE 2004

(a) THE CONTRACTOR SHALL COMPLY WITH THE FOLLOWING FEDERAL ACQUISITION REGULATION (FAR) CLAUSE, WHICH IS INCORPORATED IN THIS CONTRACT BY REFERENCE, TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDERS APPLICABLE TO ACQUISITIONS OF COMMERCIAL ITEMS: 52.233-3, PROTEST AFTER AWARD (AUG 1996)(31 U.S.C. 3553).

(b) THE CONTRACTOR SHALL COMPLY WITH THE FAR CLAUSES IN THIS PARAGRAPH (b) WHICH THE CONTRACTING OFFICER HAS INDICATED AS BEING INCORPORATED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDERS APPLICABLE TO ACQUISITIONS OF COMMERCIAL ITEMS.
[CONTRACTING OFFICER CHECK AS APPROPRIATE.]

___ (1) 52.203-6, RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT, (JUL 1995, WITH ALTERNATE I (OCT 1995) (41 U.S.C. 253g AND 10 U.S.C. 2402).
___ (2) 52.219-3, NOTICE OF TOTAL HUBZONE SMALL BUSINESS SET-ASIDE (JAN 1999)(15 U.S.C. 657a)
___ (3) 52.219-4, NOTICE OF PRICE EVALUATION PREFERENCE FOR HUBZONE SMALL BUSINESS CONCERNS (JAN 1999). (IF THE OFFEROR ELECTS TO WAIVE THE PREFERENCE, IT SHALL SO INDICATE IN ITS OFFER)(15 U.S.C. 657a).
___ (4)(i) 52.219-5, VERY SMALL BUSINESS SET-ASIDE (JUNE 2003) (PUB. L. 103-403, SECTION 304, SMALL BUSINESS REAUTHORIZATION AND AMENDMENTS ACT OF 1994).
___ (ii) ALTERNATE I (MAR 1999) OF 52.219-5
___ (iii) ALTERNATE II (JUNE 2003) OF 52.219-5.
___ (5)(i) 52.219-6 NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE (JUNE 2003)(15 U.S.C. 644).
___ (ii) ALTERNATE I (OCT 1995) OF 52.219.6.
___ (iii) ALTERNATE II (MAR 2004) OF 52.219-6.
___ (6) (i) 52.219-7, NOTICE OF PARTICAL SMALL BUSINESS SET-ASIDE (JUNE 2003)(15 U.S.C. 644)
___ (ii) ALTERNATE I (OCT 1995) OF 52.219-7.
___ (iii) ALTERNATE II (MAR 2004) OF 52.219-7.
___ (7) 52.219-8 UTILIZATION OF SMALL BUSINESS CONCERNS (MAY 2004)

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(15 U.S.C. 637(d)(2) AND (3).
___ (8)(i) 52.219-9, SMALL BUSINESS SUBCONTRACTING PLAN (JAN 2002) (15.U.S.C. 637(d)(4).
___ (ii) ALTERNATE I (OCT 2001) OF 52.219-9.
(iii) ALTERNATE II (OCT 2001) OF 52.219-9.
___ (9) 52.219-14, LIMITATIONS OF SUBCONTRACTING (DEC 1996) (15 U.S.C. 637 (a)(14)).
___ (10) (i) 52.219-23, NOTICE OF PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS (JUN 03)(PUB.L. 103-355 SECTION 7102, AND 10 U.S.C. 2323) (IF THE OFFEROR ELECTS TO WAIVE THE ADJUSTMENT, IT SHALL SO INDICATE IN ITS OFFER).
___ (ii) ALTERNATE I (JUN 2003) OF 52.219-23.
___ (11) 52.219-25, SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM-DISADVANTAGED STATUS AND REPORTING (OCT 1999)(PUB.L. 103-355 SECTION 7102 AND 10 U.S.C. 2323.)
___ (12) 52.219-26 SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM-INCENTIVE SUBCONTRACTING (OCT 2000)(PUB.L. 103-355, SECTION 7102 AND 10 U.S.C. 2323).
___ (13) 52.219-27, NOTICE OF TOTAL SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS SET-ASIDE (MAY 2004)
___ (14) 52.222-3, CONVICT LABOR (JUN 2003)(E.O. 11755).
✓ (15) 52.222-19 CHILD LABOR-COOPERATION WITH AUTHORITIES AND REMEDIES (JUNE 2004)(E.O. 13126).
✓ (16) 52.222-21 PROHIBITION OF SEGREGATED FACILITIES (FEB 1999)
✓ (17) 52.222-26 EQUAL OPPORTUNITY (APR 2002)(E.O. 11246).
✓ (18) 52.222-35 EQUAL OPPORTUNITY FOR SPECIAL DISABLED VETERANS VETERANS OF VIETNAM ERA, AND OTHER ELIGIBLE VETERANS (DEC 2001)(38 U.S.C. 4212).
✓ (19)52.222-36 AFFIRMATIVE ACTION FOR WORKERS WITH DISABLITIES (JUN 1998)(29 U.S.C. 793).
✓ (20) 52.222-37 EMPLOYMENT REPORTS ON SPECIAL DISABLED VETERANS VETERANS OF THE VIETNAM ERA AND OTHER ELIGIBLE VETERANS (DEC 2001)(38 U.S.C. 4212).
___ (21)(i) 52.223-9 ESTIMATE OF PERCENTAGE OF RECOVERED MATERIAL CONTENT FOR EPA-DESIGNATED PRODUCTS (AUG 2000)(42 USC 6962(c)(3)(A)(ii)).
___ (ii) ALT I (AUG 2000) OF 52.223-9 (42 U.S.C. 6962 (1)(2)(C)).
___ (22) 52.225-1 BUY AMERICAN ACT-SUPPLIES (JUNE 2003) (41 U.S.C. 10a-10d).
___ (23)(i) 52.225-3 BUY AMERICAN ACT-FREE TRADE AGREEMENTS-ISRAELI TRACE ACT (JAN 2004)(41 U.S.C.10a-10d, 19 U.S.C.3301 NOTE, 19 U.S.C. 2112 NOTE, PUB L. 108-77, 108-78).
___ (ii) ALTERNATE I (JAN 2004) OF 52.225-3.
(iii) ALTERNATE II (JAN 2004) OF 52.225-3
___ (24) 52.225-5 TRADE AGREEMENTS (JUNE 2004)(19 U.S.C. 2501, et seq., 19 U.S.C. 3301 NOTE).
✓ (25) 52.225-13 RESTRICTIONS ON CERTAIN FOREIGN PURCHASES (DEC 2003)(E.o.s. PROCLAMATIONS AND STATUTES ADMINISTERED BY OFFICE OF FOREIGN ASSETS CONTROL OF THE DEPARTMENT OF TREASURY).
___ (26) 52.225-15 SANCTIONED EUROPEAN UNION COUNTRY END PRODUCTS (FEB 2000) (E.O. 12849).
___ (27) 52.225-16 SANCTIONED EUROPEAN UNION COUNTRY SERVICES (FEB 2000)(E.O. 12849)
___ (28) 52.232-29 TERMS FOR FINANCING OF PURCHASES OF COMMERCIAL ITEMS (FEB 2002)(41 U.S.C. 255(f), 10 U.S.C. 2307(f)).
___ (29) 52.232-30 INSTALLMENT PAYMENTS FOR COMMERCIAL ITEMS (OCT 2003) (41 U.S.C. 255(f), 10 U.S.C. 2307(f))
✓ (30) 52.232-33, PAYMENT BY ELECTRONIC FUNDS TRANSFER-CENTRAL CONTRACTOR REGISTRATION (OCT 2003)(31 U.S.C. 3332).
___ (31) 52.232-34 PAYMENT BY ELECTRONIC FUNDS TRANSFER-OTHER THAN

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CENTRAL CONTRACTOR REGISTRATION (MAY 1999)(31 U.S.C. 3332).
___ (32) 52.232-36 PAYMENT BY THIRD PARTY (MAY 1999)(31 USC 3332)
___ (33) 52.239-1 PRIVACY OR SECURITY SAFEGUARDS (AUG 1996) (5 U.S.C. 552a)).
___ (34)(i) 52.247-64 PREFERENCE FOR PRIVATELY OWNED U.S.-FLAG COMMERCIAL VESSELS (APR 2003)(46 USC APPX 1241 AND 10 USC 2631).
___ (ii) ALTERNATE I (APR 1984) OF 52.247-64.

(c) THE CONTRACTOR SHALL COMPLY WITH THE FAR CLAUSES IN THIS PARAGRAPH (c), APPLICABLE TO COMMERICAL SERVICES, THAT THE CONTRACTING OFFICER HAS INDICATED AS BEING INCORPORATED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDERS APPLICABLE TO ACQUISITIONS OF COMMERCIAL ITEMS:
[CONTRACTING OFFICER CHECK AS APPROPRIATE]

___ (1) 52.222-41 SERVICE CONTRACT ACT OF 1965, AS AMENDED (MAY 1989) (41 U.S.C. 351, et seq.).
___ (2) 52.222-42 STATEMENT OF EQUIVALENT RATES FOR FEDERAL HIRES (MAY 1989) (29 U.S.C. 206 AND 41 U.S.C. 351, et seq).
___ (3) 52.222-43 FAIR LABOR STANDARDS ACT AND SERVICE CONTRACT ACT-PRICE ADJUSTMENT (MULTIPLE YEAR AND OPTION CONTRACTS) (MAY 1989) (29 U.S.C. 206 AND 41 U.S.C. 351 et seq).
___ (4) 52.222-44 FAIR LABOR STANDARS ACT AND SERVICE CONTACT ACT-PRICE ADJUSTMENT (FEB 2002)(29 U.S.C. 206 AND 41 U.S.C. 351 et seq).
___ (5) 52.222-47, SCA MINIMUM WAGES AND FRINGE BENEFITS APPLICABLE TO SUCCESSOR CONTRACT PURSUANT TO PREDECESSOR CONTRACTOR COLLECTIVE BARGAINING AGREEMENTS (CBA) (MAY 1989) (41 U.S.C. 351, et seq).

(d) COMPTROLLER GENERAL EXAMINATION OF RECORD. THE CONTRACTOR SHALL COMPLY WITH THE PROVISIONS OF THIS PARAGRAPH (d) IF THIS CONTRACT WAS AWARDED USING OTHER THAN SEALED BID, IS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD, AND DOES NOT CONTAIN THE CLAUSE AT 52.215-2, AUDIT AND RECORDS-NEGOTIATION.

(1) THE COMPTROLLER GENERAL OF THE UNITED STATES OR AN AUTHORIZED REPRESENTATIVE OF THE COMPTROLLER GENERAL SHALL HAVE ACCESS TO AND RIGHT TO EXAMINE ANY OF THE CONTRACTOR'S DIRECTLY PERTINENT RECORDS INVOLVING TRANSACTIONS RELATED TO THIS CONTRACT.

(2) THE CONTRACTOR SHALL MAKE AVAILABLE AT ITS OFFICES AT ALL REASONABLE TIMES THE RECORDS, MATERIALS, AND OTHER EVIDENCE FOR EXAMINATION, AUDIT, OR REPRODUCTION, UNTIL 3 YEARS AFTER ANY FINAL PAYMENT UNDER THIS CONTRACT OR FOR ANY SHORTER PERIOD SPECIFIED IN FAR SUBPART 4.7, CONTRACTOR RECORDS RETENTION, OF THE OTHER CLAUSES OF THIS CONTRACT. IF THIS CONTRACT IS COMPLETELY OR PARTIALLY TERMINATED, THE RECORDS RELATING TO THE WORK TERMINATED SHALL BE MADE AVAILABLE FOR 3 YEARS AFTER ANY RESULTING FINAL TERMINATION SETTLEMENT. RECORDS RELATING TO APPEALS UNDER THE DISPUTES CLAUSE OR TO LITIGATION OR THE SETTLEMENT OF CLAIMS ARISING UNDER OR RELATING TO THIS CONTRACT SHALL BE MADE AVAILABLE UNTIL SUCH APPEALS, LITIGATION OR CLAIMS ARE FINALLY RESOLVED.

(3) AS USED IN THIS CLAUSE, RECORDS INCLUDE BOOKS, DOCUMENTS ACCOUNTING PROCEDURES AND PRACTICES, AND OTHER DATA, REGARDLESS OF TYPE AND REGARDLESS OF FORM. THIS DOES NOT REQUIRE THE CONTRACTOR TO CREATE OR MAINTAIN ANY RECORD THAT THE CONTRACTOR DOES NOT MAINTAIN IN THE ORDINARY COURSE OF BUSINESS OR PURSUANT TO A PROVISION OF LAW.

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(e)(1) NOTWITHSTANDING THE REQUIREMENTS OF THE CLAUSES IN PARAGRAPHES (a), (b), (c), AND (d) OF THIS CLAUSE, THE CONTRACTOR IS NOT REQUIRED TO FLOW DOWN ANY FAR CLAUSE, OTHER THAN THOSE IN PARAGRAPHS (i) THROUGH (vi) OF THIS PARAGRAPH IN A SUBCONTRACT FOR COMMERCIAL ITEMS. UNLESS OTHERWISE INDICATED BELOW, THE EXTENT OF THE FLOW DOWN SHALL BE AS REQUIRED BY THE CLAUSE-

(i) 52.219-8 UTILIZATION OF SMALL BUSINESS CONCERNS (MAY 2004) (15 U.S.C. 637(d)(2) AND (3)), IN ALL SUBCONTRACTS THAT OFFER FURTHER SUBCONTRACTING OPPORTUNITIES. IF THE SUBCONTRACT (EXCEPT SUBCONTRACTS TO SMALL BUSINESS CONCERNS) EXCEEDS $500,000 ($1,000,000) FOR CONSTRUCTION OF ANY PUBLIC FACILITY). THE SUBCONTRACTOR MUST INCLUDE 52.219-8 IN LOWER TIER SUBCONTRACTS THAT OFFER SUBCONTRACTING OPPORTUNITIES.
(ii) 52.222-26, EQUAL OPPORTUNITY (APR 2002) (E.O. 11246).
(iii) 52.222-35, EQUAL OPPORTUNITY FOR SPECIAL DISABLED VETERANS, VETERANS OF VIETNAM ERA, AND OTHER ELIGIBLE VETERANS (DEC 2001) (38 U.S.C. 4212).
(iv) 52.222-36 AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES (JUNE 1998) (29 U.S.C. 793).
(v) 52.222-41 SERVICE CONTRACT ACT OF 1965, AS AMENDED (MAY 1989), FLOW DOWN REQUIRED FOR ALL SUBCONTRACTS SUBJECT TO THE SERVICE CONTRACT ACT OF 1965 (41 U.S.C. 351, et seq).
(vi) 52.247-64 PREFERENCE FOR PRIVATELY OWNED U.S.-FLAG COMMERCIAL VESSELS (APR 2003)(46 U.S.C. APPX 1241 AND 10 U.S.C 2631). FLOW DOWN REQUIRED IN ACCORDANCE WITH PARAGRAPH (d) OF FAR CLAUSE 52.247-64.

(2) WHILE NOT REQUIRED, THE CONTRACTOR MAY INCLUDE IN ITS SUBCONTRACTS FOR COMMERCIAL ITEMS A MINIMAL NUMBER OF ADDITIONAL CLAUSES NECESSARY TO SATISFY ITS CONTRACTUAL OBLIGATIONS.

(END OF CLAUSE)

ALTERNATE I (FEB 2000) AS PRESCRIBED IN 12.301(b)(4), DELETE PARAGRAPH (d) FROM THE BASIC CLAUSE, REDESIGNATE PARAGRAPH (e) AS PARAGRAPH (d), AND REVISE THE REFERENCE TO "PARAGRAPHS (a), (b), (c) OR (d) OF THIS CLAUSE" IN REDESIGNATED PARAGRAPH (d) TO READ "PARAGRAPHS (a), (b), AND (c) OF THIS CLAUSE".

DFARS 252.212-7001 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS MAY 2004

(a) THE CONTRACTOR AGREES TO COMPLY WITH THE FOLLOWING FEDERAL ACQUISITION REGULATION (FAR) CLAUSE WHICH, IF CHECKED, IS INCLUDED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT A PROVISION OF LAW APPLICABLE TO ACQUISITIONS OF COMMERICAL ITEMS OR COMPONENTS.

___ 52.203-3 GRATUITIES (APR 1984) (10 U.S.C. 2207)

(b) THE CONTRACTOR AGREES TO COMPLY WITH ANY CLAUSE THAT IS CHECKED ON THE FOLLOWING LIST OF DEFENSE FAR SUPPLEMENT CLAUSES WHICH, IF CHECKED, IS INCLUDED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDERS APPLICABLE TO ACQUISITIONS OF COMMERICAL ITEMS OR COMPONENTS.

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___ 252.205-7000 PROVISION OF INFORMATION TO COOPERATIVE AGREEMENT HOLDERS (DEC 1991) (10 U.S.C. 2416)
___ 252.219-7003 SMALL, SMALL DISADVANTAGED AND WOMEN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN (DOD CONTRACTS) (APRIL 1996) (15 U.S.C. 637)
___ 252.219-7004 SMALL, SMALL DISADVANTAGED AND WOMEN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN (TEST PROGRAM) (JUN 1997) (15 U.S.C. 637 NOTE)
✓ 252.225-7001 BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM (APR 2003) (41 U.S.C. 10a-10d, E.O. 10582)
___ 252.225-7012 PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES (MAY 2004) (10 U.S.C. 2533a)
___ 252.225.7014 PREFERENCE FOR DOMESTIC SPECIALTY METALS (APR 2003) (10 U.S.C. 2533a)
___ 252.225-7015 RESTRICTION ON ACQUISITION OF HAND OR MEASURING TOOLS (APR 2003)(10U.S.C. 2533a).
___ 252.225.7016 RESTRICTION ON ACQUISITION OF BALL AND ROLLER BEARINGS (MAY 2004) (___ALTERNATE I) (APR 2003)(10U.S.C. 2534 AND SECTION 8099 OR PUB.L. 104-61 AND SIMILAR SECTIONS IN SUBSEQUENT DOD APPROPRIATIONS ACTS.)
___ 252.225-7021 TRADE AGREEMENTS (JAN 2004)(19U.S.C. 2501-2518 AND 19U.S.C 3301 NOTE)
___ 252.225.7027 RESTRICTION ON CONTINGENT FEES FOR FOREIGN GOVERNMENTS (APR 2003)(22U.S.C. 2779)
___ 252.225-7028 EXCLUSIONARY POLICIES AND PRACTICES OF FOREIGN GOVERNMENTS (APR 2003)(22U.S.C. 2755).
___ 252.225-7036 BUY AMERICAN ACT-FREE TRADE AGREEMENTS-BALANCE OF PAYMENTS PROGRAM (JAN 2004) (ALTERNATE I) (JAN 2004)(41 U.S.C. 10a-10d AND 19 U.S.C.3301 NOTE).
___ 252.225-7038 RESTRICTION ON ACQUISITION OF AIR CIRCUIT BREAKERS (APR 2003)(10 U.S.C. 2534(a)(3)).
___ 252.226-7001 UTILIZATION OF INDIAN ORGANIZATIONS, INDIAN-OWNED ENTERPRISES, AND NATIVE HAWAIIAN SMALL BUSINESS CONCERNS (OCT 2003)(SECTION 8021 OF PUB. L. 107-248).
___ 252.227-7015 TECHNICAL DATA-COMMERCIAL ITEMS (NOV 1995) (10 U.S.C. 2320).
___ 252-227-7037 VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA (SEP 1999)(10.U.S.C. 2227).
___ 252.232.7003 ELECTRONIC SUBMISSION OF PAYMENT REQUESTS (JAN 2004)(10 U.S.C. 2227)
___ 252.243.7002 REQUESTS FOR EQUITABLE ADJUSTMENT (MAR 1998) (10 U.S.C. 2410).
___ 252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA (MAY 2002) (___ ALTERNATE I)(MAR 2000)(___ ALTERNATE II)(MAR 2000) (___ ALTERNATE III)(MAY 2002)(10 U.S.C. 2631).
___ 252.247-7024 NOTIFICATION OF TRANSPORTATION OF SUPPLIES BY SEA (MAR 2000)(10 U.S.C. 2631)

(c) IN ADDITION TO THE CLAUSES LISTED IN PARAGRAPH (e) OF THE CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS-COMMERCIAL ITEMS CLAUSE OF THIS CONTRACT (FAR 52.212-5), THE CONTRACTOR SHALL INCLUDE THE TERMS OF THE FOLLOWING CLAUSES, IF APPLICABLE, IN SUBCONTRACTS FOR COMMERCIAL ITEMS OR COMMERCIAL COMPONENTS, AWARDED AT ANY TIER UNDER THIS CONTRACT.

252.225.7014 PREFERENCE FOR DOMESTIC SPECIALTY METALS, ATERNATE I (APR 2003)(10U.S.C. 2533a).
252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA (MAY 2002) (10 U.S.C. 2631).
252.247-7024 NOTIFICATION OF TRANSPORTATION OF SUPPLIES BY SEA (MAR 2000)(10 U.S.C. 2631).

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(END OF CLAUSE)

DFARS 252.204-7004 REQUIRED CENTRAL CONTRACTOR REGISTRATION ALTERNATE A (NOV 2003) NOV 2003

(a) DEFINITIONS. AS USED IN THIS CLAUSE-

"CENTRAL CONTRACTOR REGISTRATION (CCR) DATABASE" MEANS THE PRIMARY GOVERNMENT REPOSITORY FOR CONTRACTOR INFORMATION REQUIRED FOR THE CONDUCT OF BUSINESS WITH THE GOVERNMENT.

"COMMERCIAL AND GOVERNMENT ENTITY (CAGE) CODE MEANS-
(1) A CODE ASSIGNED BY THE DEFENSE LOGISTICS INFORMATION SERVICE (DLIS) TO IDENTIFY A COMMERCIAL OR GOVERNMENT ENTITY; OR

(2) A CODE ASSIGNED BY A MEMBER OF THE NORTH AMERICAN TRADE ORGANIZATION THAT DLIS RECORDS AND MAINTAINS IN THE CAGE MASTER FILE. THIS TYPE OF CODE IS KNOWN AS AN "NCAGE CODE."
"DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER" MEANS THE 9-DIGIT NUMBER ASSIGNED BY DUN AND BRADSTREET, INC. (D&B) TO IDENTIFY UNIQUE BUSINESS ENTITIES.

"DATA UNIVERSAL NUMBERING SYSTEM +4 (DUNS+4) NUMBER" MEANS THE THE DUNS NUMBER ASSIGNED BY D&B PLUS A 4-CHARACTER SUFFIX THAT MAY BE ASSIGNED BY A BUSINESS CONCERN. (D&B HAS NO AFFILIATION WITH THIS 4-CHARACTER SUFFIX.) THIS 4-CHARACTER SUFFIX MAY BE ASSIGNED AT THE DISCRETION OF THE BUSINESS CONCERN TO ESTABLISH ADDITIONAL CCR RECORDS FOR IDENTIFYING ALTERNATE ELECTRONIC FUNDS TRANSFER (EFT) ACCOUNTS (SEE SUBPART 32.11 OF FEDERAL ACQUISITION REGULATION) FOR THE SAME PARENT CONCERN.

"REGISTERED IN THE CCR DATABASE" MEANS THAT-
(1) THE CONTRACTOR HAS ENTERED ALL MANDATORY INFORMATION INCLUDING THE DUNS NUMBER OR THE DUNS+4 NUMBER, INTO THE THE CCR DATABASE.

(2) THE COTRACTOR'S CAGE CODE IS IN THE CCR DATABASE; AND

(3) THE GOVERNMENT HAS VALIDATED ALL MANDATORY DATA FIELDS AND HAS MARKED THE RECORDS AS "ACTIVE."

FAR 52.204-6 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER OCT 2003

SECTION F TIME OF DELIVERY

DELIVERIES SHALL BE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS

ITEM	QUANTITY	DELIVERY REQUIRED
0001	16 EA	05-FEB-28
0002	16 EA	05-FEB-28

VENDOR:

SECTION L INSTRUCTIONS AND CONDITIONS

SUP 5252.213-9401 NOTICE TO PROSPECTIVE SUPPLIERS APR 1997

(A) THIS PROCUREMENT IS SUBJECT TO THE NAVY'S RED/YELLOW/GREEN (RYG) PROGRAM. RYG IS AUTHORIZED BY THE ASSISTANT SECRETARY OF THE NAVY (RESEARCH, DEVELOPMENT, AND ACQUISITION) FOR USE IN THE ACQUISITION OF SUPPLIES AND SERVICES USED TO BUILD, MAINTAIN AND OPERATE THE FLEET.

(B) THE GOVERNMENT RESERVES THE RIGHT TO AWARD TO THE SUPPLIER WHOSE QUOTE REPRESENTS THE BEST VALUE TO THE GOVERNMENT. AS, SUCH, THE BASIS FOR AWARD WILL INCLUDE AN EVALUATION OF EACH SUPPLIER'S PAST PERFORMANCE HISTORY FOR THE FEDERAL SUPPLY CLASS(ES) OR SERVICE CODES(S) (FSCs) OF THE SUPPLIES AND SERVICES BEING PURCHASED. THE PRICE TO BE CONSIDERED IN DETERMINING BEST VALUE WILL BE THE EVALUATED PRICE AFTER APPLICATION OF TECHNICAL EVALUATION ADJUSTUMENTS (TEAS).

(C) THE PROCEDURES DESCRIBED IN THE CLAUSE ENTITLED, "ADDITIONAL EVALUATION FACTOR FOR CONSIDERATION OF PAST PERFORMANCE - NAVY RED/YELLOW/GREEN PROGRAM (APR 1997)", WILL BE USED TO ASSIST IN DETERMINING BEST VALUE FOR THE GOVERNMENT.

SUP 5252.213-9402
ADDITIONAL EVALUATION FACTOR FOR CONSIDERATION OF PAST PERFORMANCE - NAVY RED/YELLOW/GREEN PROGRAM APR 1997

(A) THIS PROCUREMENT IS SUBJECT TO THE NAVY'S RED/YELLOW/GREEN (RYG) PROGRAM, AUTHORIZED BY THE ASSISTANT SECRETARY OF THE NAVY (RESEARCH, DEVELOPMENT AND ACQUISITION) FOR USE BY PARTICIPATING ACTIVITIES DURING THE ACQUISITION OF SUPPLIES AND SERVICES USED TO BUILD, MAINTAIN, AND OPERATE THE FLEET.

(B) THE PURPOSE OF RYG IS TO ASSIST CONTRACTING PERSONNEL DURING SOURCE SELECTION TO DETERMINE THE BEST VALUE FOR THE GOVERNMENT. THE PROGRAM USES ACCUMULATED SUPPLIER BEST PERFORMANCE DATA TO CLASSIFY EACH SUPPLIER'S PERFORMANCE BY FEDERAL SUPPLY CLASS(ES) OR SERVICE CODE(S) (FSCs) AS EITHER RED (HIGH RISK), YELLOW (MODERATE RISK), GREEN (LOW RISK) OR NEUTRAL (NO RISK ESTABLISHED).

(C) TO ASSIST IN SOURCE SELECTION, A MONETARY ASSESSMENT IN THE FORM OF A TECHNICAL EVALUATION ADJUSTMENT (TEA) IS ADDED TO EACH SUPPLIER'S QUOTE HAVING A RED OR YELLOW CLASSIFICATION FOR THE FSC INVOLVED. THE DOLLAR AMOUNT OF THE RED OR YELLOW TEA ASSESSMENT IS BASED ON THE COST TO THE GOVERNMENT OF EFFECTING ADDITIONAL ACTIONS REQUIRED TO ASSURE PERFORMANCE BY A SUPPLIER WITH AN UNSATISFACTORY PERFORMANCE HISTORY FOR THE FSC(s) INVOLVED. NO TEA IS ASSESSED FOR A SUPPLIER HAVING EITHER A GREEN OR NEUTRAL FSC RYG CLASSIFICATION. FOR PURPOSES OF THE RYG PROGRAM, A NEUTRAL CLASSIFICATION IS ASSIGNED TO SUPPLIERS WHO ARE FIRST TIME QUOTERS TO THE GOVERNMENT

VENDOR:

SECTION L INSTRUCTIONS AND CONDITIONS

FOR THE FSC(s) INVOLVED, SUPPLIERS OTHERWISE HAVING NO PEFORMANCE DATA IN THE RYG DATABASE FOR THE FSC(s) INVOLVED, AND SUPPLIERS WHOSE PAST PERFORMANCE DATA IN THE RYG DATABASE FOR THE FSC(s) INVOLVED ARE OVER THREE YEARS OLD. AFTER CONSIDERATION OF ANY OTHER PERTINENT, PRICE-RELATED FACTORS (E.G., TRANSPORTATION CHARGES, FIRST ARTICLE TESTING, DISCOUNT TERMS), THE ADJUSTED PRICE BECOMES THE BASIS FOR DETERMINING AWARD. A SUPPLIER'S RYG CLASSIFICATION MAY CHANGE OVER TIME AS NEW OR REVISED PERFORMANCE DATA BECOMES AVAILABLE.

(D) RYG CLASSIFICATIONS ARE SUMMARIZED AS FOLLOWS:

(1) GREEN IS LOW RISK. NO PERFORMANCE ASSURANCE ACTIONS ARE CONSIDERED NECESSARY. NO TEA WILL BE ASSESSED.

(2) YELLOW IS MODERATE RISK. ADDITIONAL PERFORMANCE ASSURANCE ACTIONS ARE CONSIDERED NECESSARY. A TEA WILL BE APPLIED TO THE PROSPECTIVE SUPPLIER'S PRICE TO REFLECT THE GOVERNMENT'S ESTIMATED ADDITIONAL COSTS.

(3) RED IS HIGH RISK. SIGNIFICANT ADDITIONAL PERFORMANCE ASSURANCE REQUIREMENTS ARE CONSIDERED NECESSARY. A TEA WILL BE APPLIED TO THE PROSPECTIVE SUPPLIER'S PRICE TO REFLECT THE GOVERNMENT'S ESTIMATED ADDITIONAL COSTS.

(4) NEUTRAL IS NO RISK ESTABLISHED. NO TEA IS ASSESSED; NEVERTHELESS, ADDITIONAL PERFORMANCE ASSURANCE REQUIREMENTS MAY BE CONSIDERED NECESSARY TO ASSURE QUALITY AND ON-TIME DELIVERY.

(E) RYG CLASSIFICATRIONS FOR ALL APPLICABLE FSCs ARE ESTABLISHED MONTHLY FOR EACH SUPPLIER AND PROVIDED TO THEM. SUPPLIERS MAY ADDRESS QUESTIONS ABOUT THEIR FSC RYG CLASSIFICATIONS TO THE NAVAL SEA SYSTEMS COMMAND DETACHMENT, NAVAL MATERIAL QUALITY ASSESSMENT OFFICE (NMQAO), FEDERAL BUILDING, ROOM 400, 80 DANIEL STREET, PORTSMOUTH, NH 03801-3884, TELEPHONE (603)431-9460, EXT 464. SUPPLIERS MAY ALSO ASSESS THEIR INDIVIDUAL FSC RYG CLASSIFICATIONS THORUGH THE AUTOMATED VENDOR ACCESS PROGRAM. TO OBTAIN AUTOMATED ACCESS, WRITTEN REQUESTS MUST BE SUBMITTED ON COMPANY LETTERHEAD TO NMQAO AT THE ADDRESS ABOVE. THE REQUEST MUST INCLUDE THE REQUESTOR'S NAME, TITLE, COMPANY NAME, ADDRESS, TELEPHONE NUMBER AND CONTRACTOR AND GOVERNMENT ENTITY (CAGE) CODE. THE CAGE CODE IS MANDATORY. IN RESPONSE, NMQAO WILL PROVIDE EACH SUPPLIER, WITHOUT CHARGE, WITH AN INDIVIDUAL PASSWORD, ALL REQUIRED SOFTWARE, AND INFORMATION ON ACCESSING ITS INDIVIDUAL DATA. ADDITIONAL INFORMATION ON THE AUTOMATED VENDOR ACCESS PROGRAM IS AVAILABLE BY CALLING (603)431-9460, EXT 464.

INSPECTION AND ACCEPTANCE SHALL BE MADE AT DESTINATION BY A REPRESENTATIVE OF THE GOVERNMENT.

IN ACCORDANCE WITH FAR 32.904(b)(1)(B)(4), THE CONTRACTING OFFICER HAS DETERMINED THAT MORE THAN SEVEN (7) DAYS ARE NEEDED FOR CONSTRUCTIVE ACCEPTANCE. PLEASE NOTE THAT PARAGRAPH (a)(5)(i) OF FAR CLAUSE 52.232-25, "PROMPT PAYMENT," INCORPORATED HEREIN, IS MODIFIED TO READ

VENDOR:

SECTION L INSTRUCTIONS AND CONDITIONS

20 DAYS FOR CONSTRUCTIVE ACCEPTANCE.

OR PERFORMED THE SERVICES IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CONTRACT, UNLESS THERE IS A DISAGREEMENT OVER QUANTITY, QUALITY, OR CONTRACTOR COMPLIANCE WITH A CONTRACT PROVISION.

PAYMENT WILL BE DUE THE VENDOR IN ACCORDANCE WITH FAR 52.323-(a)(1)
DUE DATE

(i) EXCEPT AS INDICATEDIN PARAGRAPHS (a)(2) AND (c) OF THIS CLAUSE, THE DUE DATE FOR MAKING INVOICE PAYMENTS BY THE DESIGNATED PAYMENT OFFICE SHAL BE NO LATER THAN THE FOLLOWING TWO EVENTS:

(A) THE 30TH DAY AFTER THE DESIGNATED BILLING OFFICE RECEIVES A PROPER INVOICE FROM THE CONTRACTOR (EXECEPT AS PROVIDED IN PARAGRAP (a)(1)(ii) OF THIS CLAUSE.

(B) THE 30TH DAY AFTER GOVERNMENT ACCEPTANCE OF SUPPLIES DELIVERED OR SERVICES PERFORMED. FOR A FINAL INVOICE, WHEN THE PAYMENT AMOUNT IS SUBJECT TO CONTRACT SETTLEMENT ACTIONS, ACCEPTANCE IS DEEMED TO OCCUR ON THE EFFECTIVE DATE OF THE CONTRACT SETTLEMENT.

(ii) IF THE DESIGNATED BILLING OFFICE FAILS TO ANNOTATE THE INVOICE WITH THE ACTUAL DATE OF RECEIPT AT THE TIME OF RECEIPT, THE INVOICE PAYMENT DU DATE IS THE 30TH DAY AFTER THE DATE OF THE CONTRACTOR'S INVOICE; PROVIDED THE DESIGNATED BILLING OFFICE RECEIVES A PROPER INVOICE AND THERE IS NO DISAGREEMENT OVER QUANTITY, QUALITY, OR CONTRACTOR COMPLIANCE WITH CONTRACT REQUIREMENTS.

FAR 52.219-6 NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE JUN 2003

FAR 52.211-14 NOTICE OF PRIORITY RATING FOR DEFENSE USE SEP 1990

ANY CONTRACT AWARDED AS A RESULT OF THIS SOLICIATION WILL BE ____ DX RATED ORDER; _XX DO RATED ORDER CERTIFIED FOR NATIONAL DEFENSE USE UNDER THE DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM (DPAS) (15 CFR 700), AND THE CONTRACTOR WILL BE REQUIRED TO FOLLOW ALL OF THE REQUIREMENTS OF THIS REGULATION.

FAR 52.211-16 VARIATION IN QUANTITY APR 19

(A) A VARIATION IN THE QUANTITY OF ANY ITEM CALLED FOR BY THIS CONTRACT WILL NOT BE ACCEPTED UNLESS THE VARIATION HAS BEEN CAUSED BY CONDITIONS OF LOADING, SHIPPING, OR PACKING, OR ALLOWANCES IN MANUFACTURING PROCESSES, AND THEN ONLY TO THE EXTENT, IF ANY, SPECIFIED IN PARAGRAPH (B) OF THIS CLAUSE.

(B) THE PERMISSIBLE VARIATIONS SHALL BE LIMITED TO:
0____ PERCENT INCREASE
0____ PERCENT DECREASE.

THIS INCREASE OR DECREASE SHALL APPLY TO CLINS 0001, 0002.
_____.

VENDOR:

ACCEPTANCE INSPECTION

Acceptance inspection of lots or batches will be in accordance with American National Standard ANSI/ASQC Z1.4-1993. Unless otherwise specified, attributes, which if defective would prohibit or reduce the usability of the product for its intended purpose, will be inspected at an acceptable quality level (AQL) of 1.0. Attributes which do not materially reduce the usability of the product will be inspected at an AQL of 2.5. Any attribute classified as critical on the technical documentation will be inspected on each unit of product submitted. The right is reserved to reject any unit of product found nonconforming during inspection whether that unit of product forms a part of a sample or not, and whether the lot or batch as a whole is accepted or rejected.