

<b>SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS</b> OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, AND 30				1. REQUISITION NUMBER		PAGE 1 OF 49	
2. CONTRACT NO. HDEC04-10-D-0005		3. AWARD/EFFECTIVE DATE 12-Nov-2009		4. ORDER NUMBER		5. SOLICITATION NUMBER HDEC04-09-R-0015	
7. FOR SOLICITATION INFORMATION CALL:		a. NAME REBECCA L ANTICO		b. TELEPHONE NUMBER (No Collect Calls) (804) 734-8000 EXT 48676		8. OFFER DUE DATE/LOCAL TIME 04:00 PM 21 Apr 2009	
9. ISSUED BY DEFENSE COMMISSARY AGENCY EQUIPMENT & MAINTENANCE DIVISION BUILDING P 11200 1300 E AVENUE FORT LEE VA 23801-1800  TEL: FAX: (804) 734-8269/8886		CODE HDEC04		10. THIS ACQUISITION IS <input type="checkbox"/> UNRESTRICTED <input checked="" type="checkbox"/> SET ASIDE: 100% FOR <input checked="" type="checkbox"/> SB <input type="checkbox"/> HUBZONE SB <input type="checkbox"/> 8(A) <input type="checkbox"/> SVC-DISABLED VET-OWNED SB <input type="checkbox"/> EMERGING SB SIZE STD: 100 NAICS: 423740		11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE  13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) 13b. RATING 14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP	
15. DELIVER TO  <b>SEE SCHEDULE</b>		CODE		16. ADMINISTERED BY  <b>SEE ITEM 9</b>		CODE	
17a. CONTRACTOR/OFFEROR DIVERSE PRODUCTS, INC MARIANO FUSCO, PRESIDENT 2279 EAGLE GLEN PKWY STE 112-133 CORONA CA 92883-0790  TEL. (951) 277-0201		CODE 3HGN7		18a. PAYMENT WILL BE MADE BY DEFENSE FINANCE & ACCOUNTING SVC "EFT": DFAS-CVDA/CO P O BOX 369016 COLUMBUS OH 43236-9016		CODE HQ0131	
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER		<input type="checkbox"/> 18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a. UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM					
19. ITEM NO.		20. SCHEDULE OF SUPPLIES/ SERVICES		21. QUANTITY		22. UNIT	
		<b>SEE SCHEDULE</b>				23. UNIT PRICE	
						24. AMOUNT	
25. ACCOUNTING AND APPROPRIATION DATA						26. TOTAL AWARD AMOUNT (For Govt. Use Only)  <b>\$954,350.00</b>	
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3, 52.212-5 ARE ATTACHED. ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED						<input checked="" type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4, FAR 52.212-5 IS ATTACHED. ADDENDA <input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED	
28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN <u>1</u> COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED HEREIN.  REF: Ctr signature on file				29. AWARD OF CONTRACT: REFERENCE <input type="checkbox"/> OFFER DATED . . . YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS: SEE SCHEDULE			
30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)		31c. DATE SIGNED	
						12-Nov-2009	
30b. NAME AND TITLE OF SIGNER (TYPE OR PRINT)		30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (TYPE OR PRINT) DOREEN CADIGAN / CONTRACTING OFFICER TEL: (804) 734-8000 ext 48830 EMAIL: doreen.cadigan@deca.mil			

**SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS  
(CONTINUED)**

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/ SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
SEE SCHEDULE					

32a. QUANTITY IN COLUMN 21 HAS BEEN  
 RECEIVED  INSPECTED  ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: \_\_\_\_\_

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32c. DATE	32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE
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32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE
	32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

33. SHIP NUMBER	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	36. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	37. CHECK NUMBER
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38. S/R ACCOUNT NUMBER	39. S/R VOUCHER NUMBER	40. PAID BY
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41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT	42a. RECEIVED BY ( <i>Print</i> )	
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER	41c. DATE	
	42b. RECEIVED AT ( <i>Location</i> )	
42c. DATE REC'D ( <i>YY/MM/DD</i> )		42d. TOTAL CONTAINERS

## Section SF 1449 - CONTINUATION SHEET

ADDENDUM TO 52.212-4

## TERMS AND CONDITIONS – COMMERCIAL ITEMS

The following paragraphs have been changed/added to FAR 52.212-4 Terms and Conditions – Commercial Items.

## 1. Administrative Modifications:

The government may issue unilateral written modifications that do not affect the substantive rights of the parties. Examples of administrative modifications are corrections in the payment office address or changes to the accounting and appropriation data.

## 2. Payment Procedures:

Funding will be provided on individual delivery orders. Payment will be made by Defense Finance and Accounting Service (DFAS). Delivery orders will be issued and accessed through the Electronic Document Access System (EDA) at <http://eda.ogden.disa.mil>. The contractor shall submit the invoice to the address designated in the individual delivery order.

Clause 252.232-7003, entitled Electronic Submission of Payment Requests (Mar 2008), is included in this contract. If during the period of performance of this contract, the Contracting Officer determines that DECA (including stores) and the contractor have mutual capability to convert to WAWF, the contract will be modified. The Contractor will be provided a 30 day advance notice before the effective date for compliance. Conversion will be at no additional cost to the government.

## 3. Period of Performance:

Base Year: September 1, 2009, or date of award if later, through November 30, 2010  
Option Year 1: December 1, 2010 through November 30, 2011  
Option Year 2: December 1, 2011 through November 30, 2012

## 4. Delivery:

Delivery is required 35 days after receipt of delivery order. Delivery to commissaries shall be made between the hours of 7:00 am and 3:00 pm local time, Monday through Friday, excluding official Government Holidays.

Shipping: The contractor shall charge for shipment of each order as a charge separate from the cost of the product (see schedule). Some delivery locations may require packaging and preparation for overseas shipment, but the contractor is responsible only for shipment to the port. Machines destined for overseas shipment will be wrapped, blocked, and braced using best commercial practices so that the machine arrives at destination without damage. Each Outside Continental United States (OCONUS) delivery order will include packing and marking instructions to the shipping port specified in the order.

5. Commissary Equipment Descriptions - Complete specifications (Commissary Equipment Description, (CED)) for each line item can be accessed at [www.commissaries.com](http://www.commissaries.com). The following steps will take you to the pages where the CEDs are located:

1. To [www.commissaries.com](http://www.commissaries.com)
2. To "About Us"
3. To "Business with DECA"
4. To "Equipment"
5. To "Automated Commissary Equipment Descriptions"
6. To "Search for CEDs"

- 7. In "Search" enter the CED number for each line and search
- 8. Click on the CED link twice
- 9. Press "Open" and the CED will open for viewing/printing

6. Be advised that this contract will be posted on <http://www.commissaries.com/business/contracting.cfm> at two distinct points during the procurement cycle:

(1) RECENT CONTRACT AWARDS - The first posting will take place immediately after the contract is awarded and will contain only the base year pricing.

(2) HISTORICAL PRICING - The second posting will take place when it is time for re-solicitation of an existing contract and will contain all CLINs and Sub-CLINs prices of the base period and all exercised options of the contract which is about to expire and is being re-solicited.

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0001	BASE YEAR: Sep 1, 2009 - Nov 30, 2010 FFP Sandwich Preparation Tables CED 1D05 Group 1 FOB: Destination				\$0.00
ESTIMATED NET AMT					\$0.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0001AA	Sandwich Preparation Tables FFP Four feet long CED 1D05-4 FOB: Destination	18	Each	\$2,994.00	\$53,892.00
					\$53,892.00
ESTIMATED NET AMT					

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0001AB	Sandwich Preparation Tables FFP Six feet long CED 1D05-6 FOB: Destination	2	Each	\$3,830.00	\$7,660.00
					\$7,660.00
ESTIMATED NET AMT					

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0001AC	Shipping FFP in accordance with the Addendum to 52.212-4 FOB: Destination	20	Each	\$750.00	\$15,000.00

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				ESTIMATED NET AMT	\$15,000.00
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ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0002	BASE YEAR: Sep 1, 2009 - Nov 30, 2010 FFP Sushi Preparation Tables CED 1D07 Group 1 FOB: Destination				\$0.00

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				ESTIMATED NET AMT	\$0.00
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ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0002AA	Sushi Preparation Tables FFP Four feet long CED 1D07-A FOB: Destination	13	Each	\$6,841.00	\$88,933.00
					<hr/>
					ESTIMATED NET AMT \$88,933.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0002AB	Sushi Preparation Tables FFP Six feet long CED 1D07-B FOB: Destination	10	Each	\$8,756.00	\$87,560.00
					<hr/>
					ESTIMATED NET AMT \$87,560.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0002AC	Sushi Preparation Tables FFP Eight feet long CED 1D07-C FOB: Destination	2	Each	\$10,522.00	\$21,044.00
ESTIMATED NET AMT					\$21,044.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0002AD	Shipping FFP in accordance with the Addendum to 52.212-4 FOB: Destination	25	Each	\$750.00	\$18,750.00
ESTIMATED NET AMT					\$18,750.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0004	BASE YEAR: Sep 1, 2009 - Nov 30, 2010 FFP Self-Contained Multi-Deck Refrigerated Cases CEDs 1G15, 1M39, or 1P09 Group 3 FOB: Destination				\$0.00
ESTIMATED NET AMT					\$0.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0004AA	Self-Contained Multi-Deck Refrigerated FFP Cases Six feet long CEDs 1G15-06,1M39-06, and 1P09-06 FOB: Destination	21	Each	\$8,052.00	\$169,092.00
ESTIMATED NET AMT					\$169,092.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0004AB	Self-Contained Multi-Deck Refrigerated FFP Cases Eight feet long CEDs 1G15-08, 1M39-08, and 1P09-08 FOB: Destination	11	Each	\$10,409.00	\$114,499.00

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ESTIMATED  
NET AMT

\$114,499.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0004AC	Self-Contained Multi-Deck Refrigerated FFP Cases Twelve feet long CEDs 1G15-12, 1M39-12, and 1P09-12 FOB: Destination	9	Each	\$15,292.00	\$137,628.00

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ESTIMATED  
NET AMT

\$137,628.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0004AD	Shipping FFP in accordance with the Addendum to 52.212-4 FOB: Destination	41	Each	\$750.00	\$30,750.00

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				ESTIMATED NET AMT	\$30,750.00
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ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0005	BASE YEAR: Sep 1, 2009 - Nov 30, 2010 FFP Grab-n-Go Refrigerated Wall Merchandisers CED 1G24 Group 3 FOB: Destination				\$0.00

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				ESTIMATED NET AMT	\$0.00
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ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0005AA	Grab N Go FFP Four feet long Five feet high CED 1G24-B FOB: Destination	8	Each	\$6,200.00	\$49,600.00
					<hr/>
					ESTIMATED NET AMT \$49,600.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0005AB	Grab N Go FFP Four feet long Six feet, six inches tall CED 1G24-E FOB: Destination	15	Each	\$6,682.00	\$100,230.00
					<hr/>
					ESTIMATED NET AMT \$100,230.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0005AC	Grab N Go FFP Six feet long Five feet high CED 1G24-G FOB: Destination	3	Each	\$7,536.00	\$22,608.00
					<hr/>
					ESTIMATED NET AMT \$22,608.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0005AD	Grab N Go FFP Six feet long Six feet, six inches tall CED 1G24-H FOB: Destination	2	Each	\$8,052.00	\$16,104.00
					<hr/>
					ESTIMATED NET AMT \$16,104.00

ITEM NO	SUPPLIES/SERVICES	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ESTIMATED AMOUNT
0005AE	Shipping FFP in accordance with the Addendum to 52.212-4 FOB: Destination	28	Each	\$750.00	\$21,000.00

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ESTIMATED  
NET AMT \$21,000.00