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|---|------------------------------------|--|--|--|--|---|------------|
| SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, AND 30 | | | | 1. REQUISITION NUMBER | | PAGE 1 OF 26 | |
| 2. CONTRACT NO. HDEC04-10-D-0013 | | 3. AWARD/EFFECTIVE DATE 11-Aug-2010 | | 4. ORDER NUMBER | | 5. SOLICITATION NUMBER HDEC04-10-R-0013 | |
| 7. FOR SOLICITATION INFORMATION CALL: | | a. NAME WILLIE L. MOYE | | b. TELEPHONE NUMBER (No Collect Calls) 804-734-8000 EXT 48643 | | 8. OFFER DUE DATE/LOCAL TIME 04:00 PM 02 Jun 2010 | |
| 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: 750 NAICS: 333924 | | 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 SEE SCHEDULE | | CODE | | 16. ADMINISTERED BY SEE ITEM 9 | | CODE | |
| 17a. CONTRACTOR/OFFEROR WIN-HOLT EQUIPMENT CORP. JEFF HERBERT 141 EILEEN WAY SYOSSET NY 11791-5302 TEL: (516) 222-0335 EXT. 103 | | CODE 0BG14 FACILITY CODE | | 18a. PAYMENT WILL BE MADE BY DFAS-WIDE AREA WORK FLOW DFAS - CV/DAAA/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 | | | | 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 | 23. UNIT PRICE | 24. AMOUNT |
| | SEE SCHEDULE | | | | | | |
| 25. ACCOUNTING AND APPROPRIATION DATA | | | | | 26. TOTAL AWARD AMOUNT (For Govt. Use Only) \$235,944.00 EST | | |
| <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 type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. | | | | ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED | | | |
| 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN COPIES <input type="checkbox"/> 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. | | | | 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: | | | |
| 30a. SIGNATURE OF OFFEROR/CONTRACTOR | | | 31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER) | | | 31c. DATE SIGNED | |
| | | |  | | | 11-Aug-2010 | |
| 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) | | | | PAGE 2 OF 26 | |
|---|------------------------------------|--------------------|---|---|-----------------------|
| 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 <input type="checkbox"/> RECEIVED <input type="checkbox"/> INSPECTED <input type="checkbox"/> 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 | | |
| 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"/> PARTIAL <input type="checkbox"/> FINAL | | | | <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL | |
| 37. CHECK NUMBER | 38. S/R ACCOUNT NUMBER | | 39. S/R VOUCHER NUMBER | | |
| | | | 40. PAID BY | | |
| 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:

Contract payments will be processed electronically via EFT through the Defense Finance and Accounting Service (DFAS). Prior to DFAS releasing any contract payment, the contractor must submit a proper invoice using Wide Area Work Flow (WAWF) electronic commerce. After a proper invoice is received, a Government representative will acknowledge acceptance and receipt. After all items are properly submitted, the contract payment will be processed via DFAS electronically.

The contractor must access the WAWF Vendor Tools on the DFAS website and complete the requirements to obtain an active WAWF account. This will allow the contractors to submit invoices via WAWF so that payments can be processed electronically through EFT.

For additional WAWF information, see clause 252.232-7003 ELECTRONIC SUBMISSION OF PAYMENT REQUESTS AND RECEIVING REPORTS (MAR 2008).

Clause FAR 52.213-1, Fast Payment Procedure, applies only to shipments destined for locations outside the continental U.S. (See 5. below.)

3. Period of Performance:

Base Year: September 1, 2010 through July 31, 2011
Option Year 1: August 1, 2011 through July 31, 2012
Option Year 2: August 1, 2012 through July 31, 2013
Option Year 3: August 1, 2013 through July 31, 2014
Option Year 4: August 1, 2014 through July 31, 2015

4. Delivery:

Delivery orders will be issued and accessed through the Electronic Document Access System (EDA) <http://eda.ogden.disa.mil>. Contractors must complete the on-line registration available at the website in order to retrieve documents displayed there.

Delivery is required 30 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. Delivery orders will contain the delivery location and any other necessary delivery instructions. The contractor can find the delivery address and points of contact information for each store at www.commissaries.com

5. Shipping:

Some delivery locations may require packaging and preparation for overseas shipment, but the contractor is responsible only for shipment to the port. Equipment destined for overseas shipment will be wrapped, blocked, and

braced using best commercial practices so that the equipment 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. The contractor shall mark each shipment with the name of the contractor, contract number, and requisition number.

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.

7. ECONOMIC PRICE ADJUSTMENT: Unit prices for steel components will be adjusted either upward or downward annually, approximately September 1, 2011, for the first adjustment, based on a contract start of August 1, 2010.

Adjustment Dates:

September 1, 2011, for the annual average of change in index points for the period August 1, 2010 through July 31, 2011. The baseline period shall be August 1, 2009 through July 31, 2010.

September 1, 2012, for the change for the period August 1, 2011 through July 31, 2012.

September 1, 2013 for the change for the period August 1, 2012 through July 31, 2013.

September 1, 2014 for the change for the period August 1, 2013 through July 31, 2014.

The adjustment period data will appear in August of each year for the period ending July 31 of each year.

The Commodity Series IDs:

WPU101 will be used for Iron and Steel. The following CLINs will be affected: 0003AA, 0004AA, 0004AC, 0004AD, 0005AA, 0005AB, and 0005AC. Option year CLINs will follow the pattern aforementioned.

WPU102201 will be used for Aluminum. The following CLINs will be affected: 0001AA and 0003AD. Option year CLINs will follow the pattern aforementioned.

WPU102504 will be used for Stainless Steel. The following CLINs will be affected: 0002AA, 0002AB, 0002AC, 0002AD, 0002AE, and 0002AF. Option year CLINs will follow the pattern aforementioned.

The other CLINs not mentioned above have the option of being made using Steel, Aluminum, or Stainless Steel per the CEDs. The Series ID will be added on contract award, depending on the offeror's product.

The amount of change will be determined by applying the annual percent change (inflation factor) from the U.S. Department of Labor, Bureau of Labor Statistics, Producer Price Index (PPI) Commodity Series ID: WPU101; Not Seasonally Adjusted; Group: Metals and Metal Products; Item: Iron and Steel. The tables can be accessed at www.bls.gov/data/ by clicking on Series Report, typing in the Series ID WPU101 for Iron and Steel Products. When the next page appears, select the applicable period report data. Then click on the Retrieve Data button at the bottom of the page. The percent change to be applied to each unit price to determine new pricing, will be arrived at using 50% of the change in index points from one 12-month period to the next, and converted to a percentage. The following is an example using the previous years' data:

| | |
|--|--------|
| Annual Average, January 2007 - December 2008 | 246.40 |
| Annual Average, January 2008 - December 2009 | 183.90 |

| | |
|--|----------|
| Change in index points | 62.50 |
| Percent change (62.50/246.40) | 25% |
| Applicable % to contract prices | 50% |
| Percent change to be applied to contract unit prices (25% x 50%) | 12.5% |
| | |
| Previous unit price | \$100.00 |
| New unit price | \$ 87.50 |

Since this change is greater than 5% for this particular period, there would be an adjustment in contract price.

Normal rules for rounding will apply. No adjustment will be made if the applicable percentage change is less than 5%. Contract unit prices will be adjusted upward to a maximum of 150 percent of the awarded unit price. The downward adjustment from the base price shall not exceed 30%. If the results of the price adjustment calculation specified herein should exceed the 150 percent ceiling, the Government may unilaterally raise the ceiling, provided such increase is consistent with the prevailing market conditions. Prices will be adjusted no more often than annually. The contractor shall provide the contracting officer revised pricing for the period two weeks following the published report. If the contractor does not provide adjusted prices by the required date, the government's calculation of prices shall prevail.

| ITEM NO | SUPPLIES/SERVICES | EST. QUANTITY | UNIT | UNIT PRICE | EST. AMOUNT |
|--------------|--|------------------|------|------------|---------------|
| 0005 | GROUP 2: GROCERY AND RECEIVING FP-EPA BASE YEAR: SEPTEMBER 1, 2010 THROUGH JULY 31, 2011 FOB: Destination | | | | \$0.00 EST |
| EST. NET AMT | | | | | \$0.00 (EST.) |

| ITEM NO | SUPPLIES/SERVICES | EST. QUANTITY | UNIT | UNIT PRICE | EST. AMOUNT |
|---------|---|------------------|------|------------|-----------------|
| 0005AA | CED 2R04-A FP-EPA CART, RECEIVING, GROCERY DISTRIBUTION | 76 | Each | \$369.00 | \$28,044.00 EST |

FOB: Destination

| | | |
|--------------|-------|--------------------|
| EST. NET AMT | <hr/> | \$28,044.00 (EST.) |
|--------------|-------|--------------------|

| ITEM NO | SUPPLIES/SERVICES | EST. QUANTITY | UNIT | UNIT PRICE | EST. AMOUNT |
|---------|---|------------------|------|------------|------------------|
| 0005AB | CED 2R04-B FP-EPA CART, RECEIVING, PALLET CARRIER | 113 | Each | \$1,650.00 | \$186,450.00 EST |

FOB: Destination

| | | |
|--------------|-------|---------------------|
| EST. NET AMT | <hr/> | \$186,450.00 (EST.) |
|--------------|-------|---------------------|

| ITEM NO | SUPPLIES/SERVICES | EST. QUANTITY | UNIT | UNIT PRICE | EST. AMOUNT |
|---------|---|------------------|------|------------|-----------------|
| 0005AC | CED 2R14-A FP-EPA PLATFORM TRUCK, HAND, NESTING | 66 | Each | \$325.00 | \$21,450.00 EST |

FOB: Destination

EST. NET AMT

\$21,450.00 (EST.)