

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS
OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30

1. REQUISITION NUMBER
PAGE 1 OF 11

2. CONTRACT NO. SPE300-20-D-4066
 3. AWARD/EFFECTIVE DATE 10/28/20
 4. ORDER NUMBER
 5. SOLICITATION NUMBER
 6. SOLICITATION ISSUE DATE

7. FOR SOLICITATION INFORMATION CALL:  a. NAME
 b. TELEPHONE NUMBER (No collect calls)
 8. OFFER DUE DATE/ LOCAL TIME

9. ISSUED BY DLA Troop Support
 Directorate of Subsistence, FTAD
 700 Robbins Avenue
 Phila, PA 19111-5092
 POC: Tina Frederico Phone: 215-737-4545
 CODE SPE300
 10. THIS ACQUISITION IS UNRESTRICTED OR SET ASIDE: _____ % FOR:
 SMALL BUSINESS
 HUBZONE SMALL BUSINESS
 SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS
 WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM NAICS: 311999
 EDWOSB
 8 (A)
 SIZE STANDARD: 500

11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED
 SEE SCHEDULE
 12. DISCOUNT TERMS
 13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)
 13b. RATING
 14. METHOD OF SOLICITATION
 RFQ IFB RFP

15. DELIVER TO SEE SCHEDULE
 CODE
 16. ADMINISTERED BY See Block #9
 CODE SPE300

17a. CONTRACTOR/ OFFEROR CODE [REDACTED] FACILITY CODE [REDACTED]
 Ocean Fair International Shipchangers (OFI)
 P.O. 49646
 PLOT #597-904 DUBAI INVESTMENT PARK - PHASE II
 Dubai, UAE DUNS [REDACTED]
 TELEPHONE NO. 971 (4) 8217333
 18a. PAYMENT WILL BE MADE BY Defense Finance and Accounting Svc (DFAS)
 BSM
 P.O. 369031
 Columbus, OH 43236-9031
 CODE SL4701

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 SEE ADDENDUM

| 19. ITEM NO. | 20. SCHEDULE OF SUPPLIES/SERVICES | 21. QUANTITY | 22. UNIT | 23. UNIT PRICE | 24. AMOUNT |
|--|-----------------------------------|--------------|----------|----------------|------------|
| | SEE SCHEDULE | | | | |
| (Use Reverse and/or Attach Additional Sheets as Necessary) | | | | | |

25. ACCOUNTING AND APPROPRIATION DATA 97X4930 5CBX 001 2620 S33189
 26. TOTAL AWARD AMOUNT (For Govt. Use Only) \$107,000,000.00

27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA ARE ARE NOT ATTACHED
 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4, FAR 52.212-5 IS ATTACHED. ADDENDA ARE ARE NOT ATTACHED

28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 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
 29. AWARD OF CONTRACT: REF. [REDACTED] OFFER DATED [REDACTED]. 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 [REDACTED]
 30b. NAME AND TITLE OF SIGNER (Type or print) Adil Master Director
 30c. DATE SIGNED [REDACTED] 20
 31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER) [REDACTED]
 31b. NAME AND TITLE OF SIGNER (Type or print) TINA FREDERICO
 31c. DATE SIGNED 10/27/20

Ocean Fair International Shipchandlers (OFI)

- This bridge contract is awarded to Ocean Fair International Shipchandlers (OFI) in accordance with 10 USC 2304(c)(1), whereby the award was made using other than full and open competition. All terms and conditions of solicitation SPM300-11-R-0005 and resulting contracts SPE300-14-D-4004 and SPE300-19-D-4049, as modified, are incorporated herein and only supplemented by those terms and conditions included below.

This bridge contract provides for Full Line Food Distribution support to the customers located in Bahrain, Qatar and the Kingdom of Saudi Arabia (KSA) for the period of October 28, 2020 thru May 11, 2022. OFI will be responsible for delivering all orders placed in STORES on or before May 11, 2022 regardless of the customer required delivery date (RDD).

Estimated Dollar Value: \$107,000,000.00
 Guaranteed Minimum: \$10,700,000.00
 Contract Maximum: \$214,000,000.00

The administrative catalogs are changed as follows:

| Previous Catalog Number | New Catalog Number |
|-------------------------|--------------------|
| | |

- The Distribution Price Categories for Standard Catalog Items (560 Day – Bridge Contract):

| Category Number | Category Description | UOM | Dist. Price | National Price Dist. Price |
|-----------------|--|-----|-------------|----------------------------|
| 1 | Steak Cuts, Raw, Tenderloins, Strip Loin, Rib Eye, Short Loin | LB | | |
| 2 | Primal Roast Cuts (Includes Tenders, Strip Loin, Ribeye, Short Loin) | LB | | |
| 3 | Beef, Raw, Roasts (Includes Steamship, Knuckles, Chuck), Stew Meat, Breaded Beef Items, Braising Steak, Raw Fajita Meat and Other Related Raw Beef Products) | LB | | |
| 4 | Beef, Patties, Ground, Bulk, Raw | LB | | |
| 5 | Beef, Precooked Products (Includes Precooked Ground Beef, Air Dried Beef, Beef Patties and Other Related Precooked Beef Products) | LB | | |
| 6 | Poultry, Raw, Minimally Processed Bone-In (Includes Cut Quarters, 8 Piece Cut, Halves, Whole and Other Related Raw Poultry Products) | LB | | |
| 7 | Poultry, Raw, Boneless and Raw, Breaded or Unbreaded | LB | | |
| 8 | Poultry, Precooked Products | LB | | |
| 9 | Pork, Raw, Whole Loins, Chops, Steaks | LB | | |
| 10 | Pork, Raw, Roasts (excluding loins), Ribs, Breaded and Unbreaded fabricated items (i.e., breaded pork steak, pork stew meat and Other Related Raw Pork Products) | LB | | |
| 11 | Precooked Products (Includes Sausage, Scrapple, Bacon, Pork Roll, Breakfast Ham and Other Related Precooked Pork Products) | LB | | |
| 12 | Raw Sausage, Scrapple, Bacon, Pork Roll, Breakfast Ham, Bratwurst and Knockwurst | LB | | |
| 13 | Luncheon Meats, Franks, Corn Dogs, Pizza Toppings (Includes Toppings with Meat and Other Related Products) | CS | | |
| 14 | Lamb, Veal and Game, Raw, Breaded or Unbreaded | LB | | |
| 15 | Lamb, Veal and Game, Breaded, Precooked Products | LB | | |
| 16 | Shellfish, Whole Lobster, Lobster Tails, Crab Legs | LB | | |
| 17 | Shellfish (Includes Shrimp, Oysters, Clams, Scallops, Crab Cakes, Unbreaded and Other Related Unbreaded Shellfish Products) | LB | | |
| 18 | Shellfish (Includes Shrimp, Oysters, Clams, Scallops, Crab Cakes, Breaded and Other Related Breaded Shellfish Products) | LB | | |
| 19 | Fish, Fillets, Whole, Portioned, Unbreaded | LB | | |
| 20 | Fish, Fillets, Formed, Portioned, Solid Muscle, Breaded | LB | | |
| 21 | Fish, Imitation Crab, Lobster, Precooked, Refrigerated | LB | | |
| 22 | Fish and Meats, Canned or Pouch, Non-Refrigerated | CS | | |

Ocean Fair International Shipchandlers (OFI)

| Category Number | Category Description | UOM | Dist. Price | National Price Dist. Price |
|-----------------|---|-----|-------------|----------------------------|
| 23 | Entrees, Frozen, Precooked (Includes Cordon Blue, Chicken Kiev, Stuffed Chicken Breasts, Stuffed Pork Chops and Other Related Products) | CS | | |
| 24 | Miscellaneous Frozen (Includes Appetizers, Breakfast Pizza, Pizza Crust, Burritos, Pancakes, French Toast and Other Related Products) | CS | | |
| 25 | Desserts and Breads, Frozen (Includes Prepared Doughnuts, Danish, Pastries, Muffins, Bagels, Biscuits, Cookie Dough, Pie Shells, Bread Dough, Turnovers, Cheesecakes, Cobblers, Specialty Cakes, Cakes, Pies and Other Related Products) | CS | | |
| 26 | Snack Foods (i.e. Cookies, Crackers, Granola Bars, Toaster Pastries, Snack Cakes and other related products) | CS | | |
| 27 | Dry Pasta, Rice, Dried Beans, Bread Crumbs, Croutons, and Ice Cream Cones, Cereal, Taco Shells and other related products | CS | | |
| 28 | Baking Mixes (i.e. Brownie Mix, Roll Mix, Bread Mix, Pancake Mix, Cake Mix and other related products) Less than or Equal to 24 lbs. | CS | | |
| 29 | Baking Mixes (i.e. Brownie Mix, Roll Mix, Bread Mix, Pancake Mix, Cake Mix and other related products) Greater than 24 lbs. | CS | | |
| 30 | Icings and Pie Fillings and other related products | CS | | |
| 31 | Sugar or Flour Bulk | CS | | |
| 32 | Bouillions, Dry Soups, Soup and Gravy Bases, Gravy, Cooking Wine, Sauces | CS | | |
| 33 | Shortenings, Food Oils, Butter, Margarine | CS | | |
| 34 | Sandwich/Meal Kits | CS | | |
| 35 | All No. 10 Size Cans | CS | | |
| 36 | Fruits, Vegetables, Dehydrated Dairy, Baby Food, Nutritional Supplements, Dietetic Products, Semi-Perishable, Other than No. 10 Size Can | CS | | |
| 37 | Fruits and Vegetables, Frozen | CS | | |
| 38 | Table Top Size, Refrigerated or Non-Refrigerated Jams, Jellies, Peanut Butter, Preserves, Honey, Syrups, Toppings, Dressings, Olives, Pickles, Relish, Mayonnaise, Mustard, Ketchup, Sauces, Dessert Related Products, Hot Sauce and Other Condiment Related Products | CS | | |
| 39 | Bulk Size, Refrigerated or Non-Refrigerated Jams, Jellies, Peanut Butter, Preserves, Honey, Syrups, Toppings, Dressings, Olives, Pickles, Relish, Mayonnaise, Mustard, Ketchup, Sauces, Dessert Related Products, Hot Sauce and Other Condiment Related Products | CS | | |
| 40 | Individual Portion, Refrigerated or Non-Refrigerated Up to 500 Count Case Jams, Jellies, Peanut Butter, Preserves, Honey, Syrups, Toppings, Dressings, Relish, Mayonnaise, Mustard, Ketchup, Sauces, Dessert Related Products, Hot Sauce, Gelatins, Puddings, and Other Condiment Related Products | CS | | |
| 41 | Individual Portion, Refrigerated or Non-Refrigerated 501 to 999 Count Case Jams, Jellies, Peanut Butter, Preserves, Honey, Syrups, Toppings, Dressings, Relish, Mayonnaise, Mustard, Ketchup, Sauces, Dessert Related Products, Hot Sauce, Gelatins, Puddings, and Other Condiment Related Products | CS | | |
| 42 | Individual Portion, Refrigerated or Non-Refrigerated 1000 to 3000 Count Case Jams, Jellies, Peanut Butter, Preserves, Honey, Syrups, Toppings, Dressings, Relish, Mayonnaise, Mustard, Ketchup, Sauces, Dessert Related Products, Hot Sauce, Gelatins, Puddings, and Other Condiment Related Products | CS | | |
| 43 | Individual Portion, Refrigerated or Non-Refrigerated > 3000 Count Case Jams, Jellies, Peanut Butter, Preserves, Honey, Syrups, Toppings, Dressings, Relish, Mayonnaise, Mustard, Ketchup, Sauces, Dessert Related Products, Hot Sauce, Gelatins, Puddings, and Other Condiment Related Products | CS | | |
| 44 | Salads, Prepared, Chilled Fresh | LB | | |
| 45 | Soups, Frozen | CS | | |

Ocean Fair International Shipchandlers (OFI)

| Category Number | Category Description | UOM | Dist. Price | National Price Dist. Price |
|-----------------|---|-----|-------------|----------------------------|
| 46 | Spices, Herbs, Flavorings or Food Coloring | CS | | |
| 47 | Individual - Spices, Herbs, Flavorings or Food Coloring | CO | | |
| 48 | Confectionary, Candy, Nuts, Sugars other than bulk, Dried Fruit and Baking Chips | CS | | |
| 49 | Cocoa, Hot Chocolate, Coffee, Tea and Beverage Based Powder | CS | | |
| 50 | Beverages, Semi-Perishable, Chilled or Frozen, Dispenser Required (Includes Soda, Sports Drinks, Juice, Coffee, Hot Chocolate, Water ((any type)) and Other Drink Related Products) | CS | | |
| 51 | Beverages, Semi-Perishable, No Dispenser Required (Includes Soda, Sports Drinks, Juice, Coffee, Hot Chocolate, Water ((any type)) and Other Drink Related Products) | CS | | |
| 52 | Mixes, Soft Serve Ice Cream, Milk Shake, Yogurt | CS | | |
| 53 | Ice Cream Bulk or Novelties, Ice/Fruit Bars | CS | | |
| 54 | Eggs, Fresh | CS | | |
| 55 | Egg Product, Liquid, Shelf Stable, Frozen or Chilled | CS | | |
| 56 | Cheese | LB | | |
| 57 | Dairy Products other than Cheese and Ice Cream, Fresh (Includes Yogurt, Sour Cream, Milk and Other Fresh Dairy Related Products) | CS | | |
| 58 | Bakery Products, Fresh | LB | | |
| 59 | Fresh Fruits and Vegetables (FF&V) | LB | | |
| 60 | Food Service Operating Supplies (FSOS) Chemical (Dry or Liquid) | CS | | |
| 61 | Food Service Operating Supplies (FSOS) Chemical (Dry or Liquid) | EA | | |
| 62 | Food Service Operating Supplies (FSOS) Kitchen and Dining Supplies | EA | | |
| 63 | Food Service Operating Supplies (FSOS) Kitchen and Dining Supplies | CS | | |
| 64 | Food Service Operating Supplies (FSOS) Kitchen and Dining Supplies (Flatware) | CS | | |
| 65 | Food Service Operating Supplies (FSOS) Plastic and Paper Products | CS | | |
| 66 | Food Service Operating Supplies (FSOS) Pots and Pans | EA | | |
| 67 | Food Service Operating Supplies (FSOS) Kitchen Utensils | EA | | |
| 68 | Toiletries and health/comfort items | CS | | |
| 69 | Film | CS | | |
| 70 | Ice (Cubed, Crushed) | LB | | |

Distribution Prices for Government Furnished Material (GFM):

| Category Number | Category Description | UOM | Dist. Price | National Price Dist. Price |
|-----------------|--|-----|-------------|----------------------------|
| 71 | Government Furnished Material (GFM) for Prime Vendor Dist. Meals Ready To Eat (MREs, Halals and Kosher) | EA | | N/A |
| 72 | Government Furnished Material (GFM) for Prime Vendor Dist. Unitized Group Ration Heat and Serve (UGR-H&S), 3 CS per EA (EA=Module and there is 3 cases per module) | EA | | N/A |
| 73 | UGR-A Semi Perishable, 2 CS Per EA, (EA=Module and there is 2 cases per module) | EA | | N/A |
| 74 | Government Furnished Material (GFM) for Prime Vendor Dist. (Includes Product Procured to fill NIS Situations. Approved at the Contracting Officer's discretion) | EA | | N/A |
| 75 | Government Furnished Material (GFM) for Prime Vendor Dist. UGR-A Perishable A Group Rations | EA | | N/A |
| 76 | Government Furnished Material (GFM) Unitized Group Ration Express (UGR-E) | EA | | N/A |
| 77 | GFM - Health and Comfort Packs | CS | | N/A |
| 78 | GFM- OTHER | CS | | N/A |

Ocean Fair International Shipchandlers (OFI)

| Storage Charges for Government Furnished Material (GFM): | | | | |
|---|---|--------------|--------------------|-----------------------------------|
| <i>Category Number</i> | <i>Category Description</i> | <i>UOM</i> | <i>Dist. Price</i> | <i>National Price Dist. Price</i> |
| 79 | Government Furnished Material (GFM) for Prime Vendor Dist. Meals Ready To Eat (MREs, Halalals and Kosher) | Pallet Space | | N/A |
| 80 | Government Furnished Material (GFM) for Prime Vendor Dist. Unitized Group Ration Heat and Serve (UGR-H&S) | Pallet Space | | N/A |
| 81 | UGR-A Semi Perishable, 2 CS Per EA, (EA=Module and there is 2 cases per module) | Pallet Space | | N/A |
| 82 | Government Furnished Material (GFM) for Prime Vendor Dist. (Includes Product Procured to fill NIS Situations. Approved at the Contracting Officer's discretion) | Pallet Space | | N/A |
| 83 | Government Furnished Material (GFM) for Prime Vendor Dist. UGR-A Perishable A Group Rations | Pallet Space | | N/A |
| 84 | Government Furnished Material (GFM) Unitized Group Ration Express (UGR-E) | Pallet Space | | N/A |
| 85 | GFM - Health and Comfort Packs | Pallet Space | | N/A |
| 86 | GFM- OTHER | CS | | N/A |
| Rework Charges for Government Furnished Material (GFM): | | | | |
| <i>Category Number</i> | <i>Category Description</i> | <i>UOM</i> | <i>Dist. Price</i> | <i>National Price Dist. Price</i> |
| 87 | Open Case Inspection | CS | | N/A |
| 88 | Open Case Rework | CS | | N/A |
| 89 | Labeling/Relabeling | CS | | N/A |
| 90 | Dead Stock Disposal Cost (Includes Transportation; Approved at the Contracting Officer's discretion) | LB | | N/A |
| 91 | Restocking Fee (Approved at the Contracting Officer's discretion) | CS | | N/A |
| Pallet and Ice for Airlifts: | | | | |
| <i>Category Number</i> | <i>Category Description</i> | <i>UOM</i> | <i>Dist Price</i> | <i>National Price Dist. Price</i> |
| 92 | Dry Pallet Non-Tri-Wall | EA | | N/A |
| 93 | Dry Pallet Tri-Wall | EA | | N/A |
| 94 | Chilled Pallet Tri-Wall | EA | | N/A |
| 95 | Frozen Pallet Tri-Wall | EA | | N/A |
| 96 | Wet Ice for Airlifts | LB | | N/A |
| 97 | Dry Ice | LB | | N/A |

3. The following clause is updated:

52.212-5 -- Contract Terms and Conditions Required to Implement Statutes or Executive Orders -- Commercial Items (OCT 2020)

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

(1) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

X (2) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (JUL 2018) (Section 1634 of Pub. L. 115-91).

(3) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (AUG 2020) (Section 889(a)(1)(A) of Pub. L. 115-232).

(4) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (NOV 2015).

(5) 52.233-3, Protest After Award (AUG 1996) (31 U.S.C. 3553).

Ocean Fair International Shipchandlers (OFI)

(6) 52.233-4, Applicable Law for Breach of Contract Claim (OCT 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) 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) 52.203-6, Restrictions on Subcontractor Sales to the Government (JUN 2020), with *Alternate I* (OCT 1995) (41 U.S.C. 4704 and 10 U.S.C. 2402).

(2) 52.203-13, Contractor Code of Business Ethics and Conduct (JUN 2020) (41 U.S.C. 3509).

(3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (JUN 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)

(4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (JUN 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).

(5) [Reserved]

(6) 52.204-14, Service Contract Reporting Requirements (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).

(7) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).

(8) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (JUN 2020) (31 U.S.C. 6101 note).

(9) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (OCT 2018) (41 U.S.C. 2313).

(10) [Reserved]

(11)(i) 52.219-3, Notice of HUBZone Set-Aside or Sole Source Award (MAR 2020) (15 U.S.C. 657a).

(ii) Alternate I (MAR 2020) of 52.219-3.

(12)(i) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (MAR 2020) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).

(ii) Alternate I (MAR 2020) of 52.219-4.

(13) [Reserved]

(14)(i) 52.219-6, Notice of Total Small Business Set-Aside (MAR 2020) (15 U.S.C. 644).

(ii) Alternate I (MAR 2020) of 52.219-6.

(15)(i) 52.219-7, Notice of Partial Small Business Set-Aside (MAR 2020) (15 U.S.C. 644).

(ii) Alternate I (MAR 2020) of 52.219-7.

(16) 52.219-8, Utilization of Small Business Concerns (OCT 2018) (15 U.S.C. 637(d)(2) and (3)).

(17)(i) 52.219-9, Small Business Subcontracting Plan (JUN 2020) (15 U.S.C. 637(d)(4)).

(ii) Alternate I (NOV 2016) of 52.219-9.

(iii) Alternate II (NOV 2016) of 52.219-9.

(iv) Alternate III (JUN 2020) of 52.219-9.

(v) Alternate IV (JUN 2020) of 52.219-9.

(18)(i) 52.219-13, Notice of Set-Aside of Orders (MAR 2020) (15 U.S.C. 644(r)).

(ii) Alternate I (MAR 2020) of 52.219-13.

(19) 52.219-14, Limitations on Subcontracting (MAR 2020) (15 U.S.C. 637(a)(14)).

(20) 52.219-16, Liquidated Damages—Subcontracting Plan (JAN 1999) (15 U.S.C. 637(d)(4)(F)(i)).

(21) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (MAR 2020) (15 U.S.C. 657f).

(22)(i) 52.219-28, Post-Award Small Business Program Representation (MAY 2020) (15 U.S.C. 632(a)(2)).

(ii) Alternate I (MAR 2020) of 52.219-28.

(23) 52.219-29, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business (EDWOSB) Concerns (MAR 2020) (15 U.S.C. 637(m)).

(24) 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (MAR 2020) (15 U.S.C. 637(m)).

(25) 52.219-32, Orders Issued Directly Under Small Business Reserves (MAR 2020) (15 U.S.C. 644(r)).

(26) 52.219-33, Nonmanufacturer Rule (MAR 2020) (15 U.S.C. 637(a)(17)).

(27) 52.222-3, Convict Labor (JUN 2003) (E.O. 11755).

(28) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (JAN 2020) (E.O. 13126).

(29) 52.222-21, Prohibition of Segregated Facilities (APR 2015).

(30)(i) 52.222-26, Equal Opportunity (SEPT 2016) (E.O. 11246).

(ii) Alternate I (Feb 1999) of 52.222-26.

(31)(i) 52.222-35, Equal Opportunity for Veterans (JUN 2020) (38 U.S.C. 4212).

(ii) Alternate I (July 2014) of 52.222-35.

(32)(i) 52.222-36, Equal Opportunity for Workers with Disabilities (JUN 2020) (29 U.S.C. 793).

(ii) Alternate I (July 2014) of 52.222-36.

Ocean Fair International Shipchandlers (OFI)

- (33) 52.222-37, Employment Reports on Veterans (JUN 2020) (38 U.S.C. 4212).
- (34) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496).
- (35)(i) 52.222-50, Combating Trafficking in Persons (OCT 2020) (22 U.S.C. chapter 78 and E.O. 13627).
- (ii) *Alternate I* (Mar 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).
- (36) 52.222-54, Employment Eligibility Verification (Oct 2015). (E. O. 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)
- (37)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (MAY 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- (ii) *Alternate I* (MAY 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- (38) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (JUN 2016) (E.O. 13693).
- (39) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O. 13693).
- (40)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514).
- (ii) *Alternate I* (OCT 2015) of 52.223-13.
- (41)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (Jun 2014) (E.O.s 13423 and 13514).
- (ii) *Alternate I* (Jun 2014) of 52.223-14.
- (42) 52.223-15, Energy Efficiency in Energy-Consuming Products (MAY 2020) (42 U.S.C. 8259b).
- (43)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (OCT 2015) (E.O.s 13423 and 13514).
- (ii) *Alternate I* (Jun 2014) of 52.223-16.
- (44) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (JUN 2020) (E.O. 13513).
- (45) 52.223-20, Aerosols (JUN 2016) (E.O. 13693).
- (46) 52.223-21, Foams (JUN 2016) (E.O. 13693).
- (47)(i) 52.224-3, Privacy Training (JAN 2017) (5 U.S.C. 552a).
- (ii) *Alternate I* (JAN 2017) of 52.224-3.
- (48) 52.225-1, Buy American—Supplies (MAY 2014) (41 U.S.C. chapter 83).
- (49)(i) 52.225-3, Buy American—Free Trade Agreements—Israeli Trade Act (MAY 2014) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).
- (ii) *Alternate I* (MAY 2014) of 52.225-3.
- (iii) *Alternate II* (MAY 2014) of 52.225-3.
- (iv) *Alternate III* (MAY 2014) of 52.225-3.
- (50) 52.225-5, Trade Agreements (OCT 2019) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note).
- (51) 52.225-13, Restrictions on Certain Foreign Purchases (JUNE 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
- (52) 52.225-26, Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
- (53) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (NOV 2007) (42 U.S.C. 5150).
- (54) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (NOV 2007) (42 U.S.C. 5150).
- (55) 52.229-12, Tax on Certain Foreign Procurements (JUN 2020).
- (56) 52.232-29, Terms for Financing of Purchases of Commercial Items (FEB 2002) (41 U.S.C.4505, 10 U.S.C. 2307(f)).
- (57) 52.232-30, Installment Payments for Commercial Items (JAN 2017) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).
- (58) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (OCT 2018) (31 U.S.C. 3332).
- (59) 52.232-34, Payment by Electronic Funds Transfer—Other than System for Award Management (JUL 2013) (31 U.S.C. 3332).
- (60) 52.232-36, Payment by Third Party (MAY 2014) (31 U.S.C. 3332).
- (61) 52.239-1, Privacy or Security Safeguards (AUG 1996) (5 U.S.C. 552a).
- (62) 52.242-5, Payments to Small Business Subcontractors (JAN 2017)(15 U.S.C. 637(d)(13)).
- (63)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).

Ocean Fair International Shipchandlers (OFI)

___ (ii) Alternate I (Apr 2003) of 52.247-64.

___ (iii) Alternate II (Feb 2006) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial 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:

___ (1) 52.222-41, Service Contract Labor Standards (AUG 2018) (41 U.S.C. chapter 67).

___ (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

___ (3) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (AUG 2018) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

___ (4) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

___ (5) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (MAY 2014) (41 U.S.C. chapter 67).

___ (6) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements (MAY 2014) (41 U.S.C. chapter 67).

___ (7) 52.222-55, Minimum Wages Under Executive Order 13658 (DEC 2015).

___ (8) 52.222-62, Paid Sick Leave Under Executive Order 13706 (JAN 2017) (E.O. 13706).

___ (9) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) (42 U.S.C. 1792).

(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, as defined in FAR 2.101, on the date of award of this contract, 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 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.

(e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) 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) 52.203-13, Contractor Code of Business Ethics and Conduct (JUN 2020) (41 U.S.C. 3509).

(ii) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(iii) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (JUL 2018) (Section 1634 of Pub. L. 115-91).

(iv) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (AUG 2020) (Section 889(a)(1)(A) of Pub. L. 115-232).

(v) 52.219-8, Utilization of Small Business Concerns (OCT 2018) (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 the applicable threshold specified in FAR 19.702(a) on the date of subcontract award, the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(vi) 52.222-21, Prohibition of Segregated Facilities (APR 2015).

(vii) 52.222-26, Equal Opportunity (SEP 2016) (E.O. 11246).

(viii) 52.222-35, Equal Opportunity for Veterans (JUN 2020) (38 U.S.C. 4212).

(ix) 52.222-36, Equal Opportunity for Workers with Disabilities (JUN 2020) (29 U.S.C. 793).

(x) 52.222-37, Employment Reports on Veterans (JUN 2020) (38 U.S.C. 4212).

(xi) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.

Ocean Fair International Shipchandlers (OFI)

- (xii) 52.222-41, Service Contract Labor Standards (AUG 2018)(41 U.S.C. chapter 67).
- (xiii) ___ (A) 52.222-50, Combating Trafficking in Persons (OCT 2020) (22 U.S.C. chapter 78 and E.O. 13627).
___ (B) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).
- (xiv) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (MAY 2014) (41 U.S.C. chapter 67).
- (xv) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements (MAY 2014) (41 U.S.C. chapter 67).
- (xvi) 52.222-54, Employment Eligibility Verification (Oct 2015) (E. O. 12989).
- (xvii) 52.222-55, Minimum Wages Under Executive Order 13658 (DEC 2015).
- (xviii) 52.222-62 Paid Sick Leave Under Executive Order 13706 (JAN 2017) (E.O. 13706).
- (xix)(A) 52.224-3, Privacy Training (JAN 2017) (5 U.S.C. 552a).
(B) Alternate I (JAN 2017) of 52.224-3.
- (xx) 52.225-26, Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
- (xxi) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.
- (xxii) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (FEB 2006) (46 U.S.C. Appx. 1241(b) 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.

4. The following provisions incorporated by reference are updated:

| Provision Number | Title/Date |
|------------------|--|
| 52.225-25 | Prohibition on Contracting With Entities Engaging in Certain Activities or Transactions Relating to Iran - Representation and Certification (Jun 2020) |

The Contractor shall comply with any clause that is checked on the following list which, if checked, is included in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items or components.

1. FAR 52.203-3, Gratuities (APR 1984)
2. DFARS 252.203-7000, Requirements Relating to Compensation of Former DoD Officials (SEP 2011)
3. DFARS 252.203-7003, Agency Office of the Inspector General (AUG 2019)
4. DFARS 252.203-7005, Representation Relating to Compensation of Former DoD Officials (NOV 2011)
6. DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (DEC 2019)
7. DFARS 252.204-7014, Limitations on the Use or Disclosure of Information by Litigation Support Contractors (MAY 2016)
8. DFARS 252.204-7015, Notice of Authorized Disclosure of Information for Litigation Support (MAY 2016)
9. DFARS 252.205-7000, Provision of Information to Cooperative Agreement Holders (DEC 1991)
10. ___ DFARS 252.211-7003, Item Unique Identification and Valuation (MAR 2016)
11. DFARS 252.211-7006, Passive Radio Frequency Identification (DEC 2019)
12. DFARS 252.211-7007, Reporting of Government-Furnished Property (AUG 2012)
13. ___ DFARS 252.212-7002, Pilot Program for Acquisition of Military-Purpose Nondevelopmental Items (JUN 2016)
14. ___ DFARS 252.215-7003, Requirements for Submission of Data Other Than Certified Cost or Pricing Data—Canadian Commercial Corporation (JUL 2012)
15. ___ DFARS 252.215-7004, Requirement for Submission of Data other Than Certified Cost or Pricing Data—Modifications—Canadian Commercial Corporation (OCT 2013)
16. ___ DFARS 252.215-7007, Notice of Intent to Resolicit (JUN 2012)
17. ___ DFARS 252.215-7008, Only One Offer (OCT 2013)
18. FAR 52.219-9 Small Business Subcontracting Plan (JUN 2020)
 - a. ___ Alternate I (NOV 2016)
 - b. ___ Alternate II (NOV 2016)
 - c. ___ Alternate III (JUN 2020)
19. ___ DFARS 252.219-7003, Small Business Subcontracting Plan (DoD Contracts) (APR 2018)
 - a. ___ Alternate I (APR 2018) of 252.219-7003
20. ___ DFARS 252.219-7004, Small Business Subcontracting Plan (Test Program) (APR 2018)
21. ___ DFARS 252.223-7008, Prohibition of Hexavalent Chromium (JUN 2013)
22. DFARS 252.225-7000, Buy American—Balance of Payments Program Certificate (NOV 2014)

Ocean Fair International Shipchandlers (OFI)

- a. Alternate I (NOV 2014) of 52.225-7000
- 23. DFARS 252.225-7001, Buy American and Balance of Payments Program - Basic (DEC 2017)
- a. Alternate I (DEC 2017) of 252.225-7001
- 24. DFARS 252.225-7008, Restriction on Acquisition of Specialty Metals (MAR 2013)
- 25. DFARS 252.225-7009, Restriction on Acquisition of Certain Articles Containing Specialty Metals (OCT 2014)
- 26. DFARS 252.225-7010, Commercial Derivative Military Article—Specialty Metals Compliance Certificate (JUL 2009)
- 27. DFARS 252.225-7012, Preference for Certain Domestic Commodities (DEC 2017)
- 28. DFARS 252.225-7015, Restriction on Acquisition of Hand or Measuring Tools (JUN 2005)
- 29. DFARS 252.225-7016, Restriction on Acquisition of Ball and Roller Bearings (JUN 2011)
- 30. DFARS 252.225-7017, Photovoltaic Devices (JAN 2018)
- 31. DFARS 252.225-7018, Photovoltaic Devices—Certificate (JAN 2018)
- 32. DFARS 252.225-7020, Trade Agreements Certificate (NOV 2014)
 - a. Alternate I (NOV 2014) of 252.225-7020
- 33. DFARS 252.225-7021, Trade Agreements (SEP 2019)
 - a. Alternate II (DEC 2017) of 252.225-7021
- 34. DFARS 252.225-7023, Preference for Products or Services from Afghanistan (SEP 2013)
- 35. DFARS 252.225-7024, Requirement for Products or Services from Afghanistan (SEP 2013)
- 36. DFARS 252.225-7026, Acquisition Restricted to Products or Services from Afghanistan (SEP 2013)
- 37. DFARS 252.225-7027, Restriction on Contingent Fees for Foreign Military Sales (APR 2003)
- 38. DFARS 252.225-7028, Exclusionary Policies and Practices of Foreign Governments (APR 2003)
- 39. DFARS 252.225-7029, Acquisition of Uniform Components for Afghan Military or Afghan National Police (SEP 2013)
- 40. DFARS 252.225-7031, Secondary Arab Boycott of Israel (JUN 2005)
- 41. DFARS 252.225-7035, Buy American—Free Trade Agreements—Balance of Payments Program Certificate (NOV 2014)
 - a. Alternate I (NOV 2014) of 252.225-7035
 - b. Alternate II (NOV 2014) of 252.225-7035
 - c. Alternate III (NOV 2014) of 252.225-7035
 - d. Alternate IV (NOV 2014) of 252.225-7035
 - e. Alternate V (NOV 2014) of 252.225-7035
- 42. DFARS 252.225-7036, Buy American --Free Trade Agreements--Balance of Payment Program - Basic (DEC 2017)
 - a. Alternate I (DEC 2017) of 252.225-7036
 - b. Alternate II (DEC 2017) of 252.225-7036
 - c. Alternate III (DEC 2017) of 252.225-7036
 - d. Alternate IV (DEC 2017) of 252.225-7036
 - e. Alternate V (DEC 2017) of 252.225-7036
- 43. DFARS 252.225-7040, Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States (AUG 2015)
- 44. DFARS 252.225-7043, Antiterrorism/Force Protection Policy for Defense Contractors Outside the United States (JUN 2015)
- 45. DFARS 252.226-7001, Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns (APR 2019)
- 46. DFARS 252.227-7013, Rights in Technical Data - Noncommercial Items (FEB 2014)
- 47. DFARS 252.227-7015, Technical Data -- Commercial Items (FEB 2014)
- 48. DFARS 252.227-7037, Validation of Restrictive Markings on Technical Data (SEP 2016)
- 49. DFARS 252.232-7003, Electronic Submission of Payment Requests and Receiving Reports (DEC 2018)
- 50. DFARS 252.232-7009, Mandatory Payment by Governmentwide Commercial Purchase Card (MAY 2018)
- 51. DFARS 252.232-7010, Levies on Contract Payments (DEC 2006)
- 52. DFARS 252.232-7011, Payments in Support of Emergencies and Contingency Operations (MAY 2013)
- 53. DFARS 252.237-7010, Prohibition on Interrogation of Detainees by Contractor Personnel (JUN 2013)
- 54. DFARS 252.237-7019, Training for Contractor Personnel Interacting with Detainees (JUN 2013)
- 55. DFARS 252.239-7017, Notice of Supply Chain Risk (NOV 2013)
- 56. DFARS 252.239-7018, Supply Chain Risk (OCT 2015)
- 57. DFARS 252.243-7002, Requests for Equitable Adjustment (DEC 2012)
- 58. DFARS 252.244-7000, Subcontracts for Commercial Items (OCT 2020)
- 59. DFARS 252.246-7003, Notification of Potential Safety Issues (JUN 2013)

Ocean Fair International Shipchandlers (OFI)

60. DFARS 252.246-7004, Safety of Facilities, Infrastructure, and Equipment for Military Operations (OCT 2010)
 61. DFARS 252.247-7003, Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer (JUN 2013)
 62. DFARS 252.247-7022, Representation of Extent of Transportation by Sea (AUG 1992)
 63. DFARS 252.247-7023, Transportation of Supplies by Sea (FEB 2019)
 - a. Alternate I (APR 2014) of 252.247-7023.
 - b. Alternate II (APR 2014) of 252.247-7023
 64. DFARS 252.247-7024, Notification of Transportation of Supplies by Sea (FEB 2019)
 65. DFARS 252.247-7025, Reflagging or Repair Work (JUN 2005)
 66. DFARS 252.247-7026, Evaluation Preference for Use of Domestic Shipyards—Applicable to Acquisition of Carriage by Vessel for DoD Cargo in the Coastwise or Noncontiguous Trade (NOV 2008)
 67. DFARS 252.247-7027, Riding Gang Member Requirements (MAY 2018 2011)
 68. DFARS 252.247-7028, Application for U.S Government Shipping Documentation/Instructions (JUN 2012)
5. All other terms and conditions of contracts SPE300-14-D-4004 and SPE300-19-D-4049 and its underlying solicitation, as updated and modified, and which are herein incorporated, remain the same and are only changed when conflicting to the terms and conditions contained within this document.