

<b>AWARD/CONTRACT</b>		1. THIS CONTRACT IS A RATED ORDER UNDER OPAS (16 CFR 700)	RATING	PAGE 1 OF 6 PAGES
2. CONTRACT (Proc. Inv. Ident.) No. SPM381-11-D-2116		3. EFFECTIVE DATE 08/29/2011	4. REQUISITION/PURCHASE REQUEST/PROJECT NO.	
6. ISSUED BY DLA TROOP SUPPORT DIRECTORATE OF SUBSISTENCE 700 ROBBINS AVENUE PHILADELPHIA, PA 19111 Stephen Granato (215) 737-3839		CODE SP0300	5. ADMINISTERED BY (Use other than item 6) DCMA Dayton 1725 Van Patton Drive Area C Bldg 30 Wright-Patterson AFB, OH 45433-5302	

7. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  Amerqual Group, LLC 18200 Highway 41 North Evansville, IN 47726		8. DELIVERY <input checked="" type="checkbox"/> FOB ORIGIN <input type="checkbox"/> OTHER (See below)
		9. DISCOUNT FOR PROMPT PAYMENT  Net 30 Days
10. SUBMIT INVOICES (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN		ITEM
CODE 08KAO	FACILITY CODE	

11. SHIP TO MARK FOR  See Schedule	CODE	12. PAYMENT WILL BE MADE BY DFAS-BVDP (SL4701) PO Box 38031 Columbus, OH 43238-9031	CODE SL4701
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13. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION: <input type="checkbox"/> 10 U.S.C. 2304(c)(1) <input type="checkbox"/> 41 U.S.C. 253(c)(1)	14. ACCOUNTING AND APPROPRIATION DATA
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15A. ITEM NO.	15B. SUPPLIES/SERVICES	15C. QUANTITY	15D. UNIT	15E. UNIT PRICE	15F. AMOUNT
See Schedule					

15G. TOTAL AMOUNT OF CONTRACT \$483,000.00

(X)	SEQ.	DESCRIPTION	PAGE(S)	(X)	SEQ.	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE				PART II - CONTRACT CLAUSES			
	A	SOLICITATION/CONTRACT FORM			I	CONTRACT CLAUSES	
	B	SUPPLIES OR SERVICES AND PRICES/COSTS		PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH			
	C	DESCRIPTIONS/WORK STATEMENT			J	LIST OF ATTACHMENTS	
	D	PACKAGING AND MARKING		PART IV - REPRESENTATIONS AND INSTRUCTIONS			
	E	INSPECTION AND ACCEPTANCE			K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS	
	F	DELIVERIES OR PERFORMANCE			L	INSTRS., COND'S., AND NOTICES TO OFFERORS	
	Q	CONTRACT ADMINISTRATION DATA			M	EVALUATION FACTORS FOR AWARD	
	H	SPECIAL CONTRACT REQUIREMENTS					

CONTRACTING OFFICER WILL COMPLETE ITEM 17 (SEALED-BID OR NEGOTIATED PROCUREMENT) OR 18 (SEALED-BID PROCUREMENT) AS APPLICABLE

17. <input checked="" type="checkbox"/> CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return 1 copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)	18. <input type="checkbox"/> SEALED-BID AWARD (Contractor is not required to sign this document.) Your bid on Solicitation Number _____ including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the terms listed above and on any continuation sheets. This award constitutes the contract which consists of the following documents: (a) the Government's solicitation and your bid, and (b) this award contract. No further contractual document is necessary. (Block 18 should be checked only when awarding a sealed-bid contract.)
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19A. NAME AND TITLE OF SIGNER (Type or Print)  
John D. Knapp Sr. Vice President

19B. NAME OF CONTRACTOR  
BY

19C. DATE SIGNED  
6.29.11

20A. NAME OF CONTRACTING OFFICER  
EILEEN FRIEL

20B. UNITED STATES OF AMERICA  
BY

20C. DATE SIGNED  
6/29/2011

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Ameriqua Group, LLC

**SECTION B**  
**B-1. ITEMS TO BE SUPPLIED**

WATER, DRINKING, EMERGENCY,  
NSN: 8960-01-587-6603  
Item description:  
4 oz flex pouch pg, w/centered spout  
CID A-A 20332  
Type I, size a, class 1, design c

WATER, DRINKING, EMERGENCY,  
NSN: 8960-01-485-9695  
Item description:  
4 oz flex pouch pg, w/side spout  
CID A-A 20332  
Type I, size a, class 1, design b

WATER, DRINKING, EMERGENCY,  
NSN: 8960-01-124-4543  
Item description:  
4 oz flex pouch pg, w/o spout  
CID A-A 20332  
Type I, size a, class 1, design a

This procurement is for an Indefinite Quantity Contract (IQC) with a minimum and maximum order quantity and for a base year with two one-year option periods.

**B-2. QUANTITY REQUIREMENTS FOR BASE & TWO OPTION YEARS**

<u>LINE</u> <u>ITEM</u>	<u>ITEM/NSN</u>	<u>Base/Option</u> <u>Minimum Qty.</u>	<u>Base/Option</u> <u>Maximum Qty.</u>
0001/0002	WATER, DRINKING, EMERGENCY, FLEXIBLE POUCH NSN: 8960-01-587-6603	100,000	450,000
0003/0004 0005/0006	WATER, DRINKING, EMERGENCY, FLEXIBLE POUCH NSN: 8960-01-485-9695	100,000	250,000
0007/0008 0009/0010	WATER, DRINKING, EMERGENCY, FLEXIBLE POUCH NSN: 8960-01-124-4543	100,000	250,000

Delivery will be FOB ORIGIN for all three NSNs.

1. WATER, DRINKING, EMERGENCY,  
NSN: 8960-01-587-6603  
CLIN 0001 is for Tracy, California (W62G2T)  
CLIN 0002 is for Susquehanna, Pennsylvania (W25G1U)
2. WATER, DRINKING, EMERGENCY,  
NSN: 8960-01-485-9695  
CLIN 0003 is for Tracy, California (W62G2T)  
CLIN 0004 is for Susquehanna, Pennsylvania (W25G1U)  
CLIN 0005 is for Warner Robins AFB, GA (SW3119)  
CLIN 0006 is for Tinker AFB, OK (SW3211)

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3. WATER, DRINKING, EMERGENCY,  
NSN: 8960-01-124-4543  
CLIN 0007 is for Tracy, California (W62G2T)  
CLIN 0008 is for Susquehanna, Pennsylvania (W25G1U)  
CLIN 0009 is for Warner Robins AFB, GA (SW3119)  
CLIN 0010 is for Tinker AFB, OK (SW3211)

The inspection point for this contract is at Origin. The inspection will be performed by the cognizant USDA-AMS office.

The Acceptance point for this contract is at Destination.

This award consummates the contract which consists of the following documents:

Solicitation SPM3S1-10-R-7051, Amendment 0001, your original offer dated December 10, 2010, your revised offer dated May 18, 2011, your final offer dated June 03, 2011 and this award/contract.

The following clause replaces FAR 52.216-18 in the solicitation:

**DFARS 252.216-7006 ORDERING (MAY 2011)**

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders or task orders by the individuals or activities designated in the contract schedule. Such orders may be issued from date of award through completion of contract.

(b) All delivery orders or task orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order or task order and this contract, the contract shall control.

©(1) If issued electronically, the order is considered "issued" when a copy has been posted to the Electronic Document Access system, and notice has been sent to the Contractor.

(2) If mailed or transmitted by facsimile, a delivery order or task order is considered "issued" when the Government deposits the order in the mail or transmits by facsimile. Mailing includes transmittal by U.S. mail or private delivery services.

(3) Orders may be issued orally only if authorized in the schedule.

The following clause has been updated:

**FAR 52.219-8 -- Utilization of Small Business Concerns (JAN 2011)**

(a) It is the policy of the United States that small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, small disadvantaged business concerns, and women-owned small business concerns shall have the maximum practicable opportunity to participate in performing contracts let by any Federal agency,

including contracts and subcontracts for subsystems, assemblies, components, and related services for major systems. It is further the policy of the United States that its prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their subcontracts with small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, small disadvantaged business concerns, and women-owned small business concerns.

(b) The Contractor hereby agrees to carry out this policy in the awarding of subcontracts to the fullest extent consistent with efficient contract performance. The Contractor further agrees to cooperate in any studies or surveys as may be conducted by the United States Small Business Administration or the awarding agency of the United States as may be necessary to determine the extent of the Contractor's compliance with this clause.

(c) *Definitions.* As used in this contract--

"HUBZone small business concern" means a small business concern that appears on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration.

"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 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 severe 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 disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern" means a small business as defined pursuant to Section 3 of the Small Business Act and relevant regulations promulgated pursuant thereto.

"Small disadvantaged business concern" means a small business concern that represents, as part of its offer, that--

(1)

(i) It has received certification as a small disadvantaged business concern consistent with 13 CFR 124, Subpart B;

(ii) No material change in disadvantaged ownership and control has occurred since its certification;

(iii) Where the concern is owned by one or more individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(iv) It is identified, on the date of its representation, as a certified small disadvantaged business in the CCR Dynamic Small Business Search database maintained by the Small Business Administration, or

(2) It represents in writing that it qualifies as a small disadvantaged business (SDB) for any Federal subcontracting program, and believes in good faith that it is owned and controlled by one or more socially and economically disadvantaged individuals and meets the SDB eligibility criteria of 13 CFR 124.1002.

"Veteran-owned small business concern" means 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 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.

(d)

(1) Contractors acting in good faith may rely on written representations by their subcontractors regarding their status as a small business concern, a veteran-owned small business concern, a service-disabled veteran-owned small business concern, a small disadvantaged business concern, or a women-owned small business concern.

(2) The Contractor shall confirm that a subcontractor representing itself as a HUBZone small business concern is certified by SBA as a HUBZone small business concern by accessing the Central Contractor Registration (CCR) database or by contacting the SBA. Options for contacting the SBA include—

(i) HUBZone small business database search application Web page at [http://dsbs.sba.gov/dsbs/search/dsp\\_searchhubzone.cfm](http://dsbs.sba.gov/dsbs/search/dsp_searchhubzone.cfm); or <http://www.sba.gov/hubzone>

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(ii) In writing to the Director/HUB, U.S. Small Business Administration, 409 3<sup>rd</sup> Street, SW., Washington DC 20416; or

(iii) The SBA HUBZone Help Desk at [hubzone@sba.gov](mailto:hubzone@sba.gov).