



**DEFENSE LOGISTICS AGENCY
HEADQUARTERS
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July 3, 2017

**AMENDMENT NO. 001 (TUNGSTEN ORES AND CONCENTRATES)
TO
BASIC ORDERING AGREEMENT SOLICITATION FOR
STOCKPILE MATERIALS
UNDER
DLA-STOCKPILE MATERIALS-001-(BOA)**

The above referenced solicitation DLA-Stockpile Materials-001-(BOA), issued **July 3, 2017**, is hereby amended to offer tungsten ores and concentrates for sale under the BOA Solicitation. This amendment applies to the solicitation only for the offering of tungsten ores and concentrates, as follows:

- 1. Section A.4. Material Description (JUN 17)** is revised to add the following paragraphs **c. – e.**, for tungsten ores and concentrates:

Section A.4. Material Description (Tungsten Ores and Concentrates) (JUN 17)

- c.** Some lots may not meet customers' standard purchase specifications with regard to WO_3 , and/or one or more other elements, and/or moisture (H_2O). Government analyses are listed on the DLA Strategic Materials online sales site (<https://businessportal.dla.mil/irj/portal>) and the DLA Strategic Materials Website (<https://www.dla.mil/Strategic-Materials>).
 - d.** The material being offered may consist of ferberite, huebnerite, scheelite, synthetic scheelite, wolframite, and miscellaneous forms (mixed types, sweepings, etc.). The list of lots is shown on the websites (see above).
 - e.** The Government's tungsten ores and concentrates have been in storage for 40-60 years. The material was acquired from numerous domestic and foreign sources. Original packaging consisted of metal drums, burlap bags, and wooden crates. All of the bagged and crated material has been repackaged into steel drums. Some original drums have deteriorated to varying degrees as a result of drum quality, long-term storage in warehouses without environmental controls, outdoor storage, and the presence of residual moisture and processing reagents. Over the years, DLA Strategic Materials personnel have monitored drum conditions, and have restored drums as needed. In some instances these circumstances and activities have resulted in the presence of rust (fine particles, flakes, pieces) and/or burlap (shreds, pieces) in the material.
- 2. Section A.6. Inspection (JUN 17)** is amended to add the following for tungsten ores and concentrates:

Section A.6. (Tungsten Ores and Concentrates) Inspection (JUN 17)

- a.** Quoters, or their designees at their expense, are encouraged to inspect material and take a grab sample, not to exceed two (2) pounds from each drum provided. One drum from each

lot will be available for inspection and sampling. Quoters shall provide a container for each required sample. The sample will be obtained in the presence of and under the direction of a DLA Strategic Materials representative. The Government does not warrant any samples to be representative of the entire drum or lot.

- b.** Requests for an appointment to inspect and/or sample the material must be made by submitting a Material Sampling Request through the DLA Strategic Materials website at:

<http://www.dla.mil/HQ/Acquisition/StrategicMaterials/Resource/SamplingRequests.aspx>

All information will be sent by email. The Government reserves the right to limit the number of individuals granted access to the depot or storage location.

- c.** The Quoter, its agents and representatives shall comply at all times with the rules of the storage location.

- 3.** Section **C.4. Offer Price (JUN 17)** is amended to add the following for tungsten ores and concentrates:

Section C.4. (Tungsten Ores and Concentrates) Offer Price (JUN 17)

Quotes shall be expressed as a fixed U.S. dollar and cent value per **WO₃ STU** (short ton unit).

- 4.** Section **C.5. Price Adjustments for Specific Materials (JUN 17)** does not apply to tungsten ores and concentrates. Section **C.5. Maximum Award Quantity (OCT 13)** is substituted for tungsten ores and concentrates only:

Section C.5. (Tungsten Ores and Concentrates) Maximum Award Quantity (OCT 13)

The maximum quantity awarded to any one company in any calendar month shall be approximately 200,000 pounds of contained tungsten (pounds "W").

- 5.** Section **C.11 Tie Quote Procedures (JUN 17)** is amended to add the following for tungsten ores and concentrates:

Section C.11. (Tungsten Ores and Concentrates) Tie Quote Procedures (OCT 13)

In the event that Quotes of an equal unit price are received for a single line item, lots will be drawn to determine the successful Quoter for award of the material.

- 6.** Section **E.2. Storage Charges (JUN 17)**, paragraph **b.**, is deleted and revised specifically for tungsten ores and concentrates, as follows:

Section E.2. (Tungsten Ores and Concentrates) Storage Charges (JUN 17)

- b.** The storage charge is the greater of the following: (1) **\$0.005 per pound bulk weight** (if a fraction of a pound remains, the charge will be for a full pound) per 30 day period regardless of whether the material remains in storage a period of 30 days or less than 30 days; **or** (2) commercial storage charges, if applicable.

7. Section **F.1. Request for Shipment (JUN 17)**, paragraph **a.**, is deleted and revised specifically for tungsten ores and concentrates, as follows:

Section F.1.a. (Tungsten Ores and Concentrates)

- a.** Delivery of tungsten ores and concentrates is F.O.B. carrier's conveyance.
8. Section **F.1. Request for Shipment (JUN 17)**, paragraph **f.**, is revised to state that requests for shipment of tungsten ores and concentrates shall be for a minimum of one line item.
9. Section **F.3. Weighing (JUN 17)** is deleted in its entirety and the following inserted for tungsten ores and concentrates:

Section F.3 (Tungsten Ores and Concentrates) Weighing (APR 02)

- a.** No outweighing of material will be performed by the Government. The Government's weights of record shall govern and will be used for payment purposes. The Contractor may elect to have a representative present to witness the outloading.
- b.** Weight certificates shall be provided at the expense of the Government.
- c.** In the event that any broken containers are detected at time of shipment, these will be overpackaged by the Government at the Government's expense prior to outloading. If no loss is discernible, the weight of record with the Government shall govern for that item and shall be final for payment.
10. Section **F.4. Weight Discrepancy (JUN 17)** applies to tungsten ores and concentrates and the text of this clause is included below:

Section F.4. (Tungsten Ores and Concentrates) Weight Discrepancy (JAN 95)

- a.** If the Contractor's weights for the material delivered vary from the Government's certified weights by more than one-half of one percent, the Contractor may give notice of such difference to the Contracting Officer within **two (2)** working days (exclusive of Saturdays, Sundays, and Government holidays) after receipt of the material at destination, requesting that the material be reweighed. In that case, the Contractor shall segregate the shipment in question and hold it intact pending reweighing. The entire shipment shall be reweighed by the Contractor at its expense, in the presence of and in the manner approved by a Government representative, using scales approved by the Government representative. If the weight varies from the Government's certified weight by greater than one-fourth of one percent, plus or minus, that weight shall govern for payment purposes. If the weight determined by reweighing does not vary from the Government's certified weight by greater than one-fourth of one percent, plus or minus, the Government's certified weight shall be final for payment purposes.
- b.** No adjustment shall be considered or made in accordance with the above paragraph unless notice is given by the Contractor to the Contracting Officer within the time specified above and all other requirements of the paragraph are complied with.

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- 11.** Section **F.6. Adjustment for Variation in Quantity or Weight (JUN 17)** is revised to add a percentage of **5%** for tungsten ores and concentrates.
- 12.** The reference to Section **I.10 Special Certifications (JUN 17)** is deleted. There are no special certifications required for tungsten ores and concentrates.
- 13.** Except as provided herein, all other terms and conditions of DLA-Stockpile Materials-001-(BOA) remain unchanged and in full force and effect. The Quoter must acknowledge receipt of this Amendment by checking the box below. By acknowledging this Amendment, the Quoter accepts the terms and conditions of BOA Solicitation DLA-Stockpile Materials-001-(BOA), as amended by this Amendment No. 001 (Tungsten Ores and Concentrates) and the Acceptance Letter.

User
Certified: (By checking this box, you are certifying that you accept the
contents of the certification and that all input is correct.)