

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30				1. REQUISITION NUMBER 1000008142		PAGE 1 OF 8	
2. CONTRACT NO. SPE300-18-D-3107		3. AWARD/EFFECTIVE DATE 2014 OCT 10		4. ORDER NUMBER		5. SOLICITATION NUMBER SPM300-13-R-0049	
7. FOR SOLICITATION INFORMATION CALL:		a. NAME		b. TELEPHONE NUMBER (No collect calls)		6. SOLICITATION ISSUE DATE 2013 FEB 15	
				8. OFFER DUE DATE/LOCAL TIME			
9. ISSUED BY DLA TROOP SUPPORT DIRECTORATE OF SUBSISTENCE 700 ROBBINS AVENUE PHILADELPHIA PA 19111-3098 USA Local Admin: William Orwat PSP/ASF Tel: 215-737-4274 Fax: 215-737-7184 Email: WILLIAM.ORWAT@DLA.ML				10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: _____ % FOR: <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> BDWOSB NAICS: <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> 8 (A) SIZE STANDARD:			
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS Net 10 days		13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) <input type="checkbox"/>		13b. RATING	
15. DELIVER TO SEE SCHEDULE				16. ADMINISTERED BY SEE BLOCK 9 Contract: PAS/Huss			
17a. CONTRACTOR/OFFEROR US FOODS, INC. DBA US FOODS - LOS ANGELES 15155 NORTHAM ST LA MIRADA CA 90638-5754 USA TELEPHONE NO. 8477202722		17b. CODE ITZ83		17c. FACILITY CODE		18a. PAYMENT WILL BE MADE BY DEF FIN AND ACCOUNTING SVC BSM P O BOX 369031 COLUMBUS OH 43238-9031 USA CODE SL4701	
<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) \$104,828,240.90	
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3 AND 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 52.212-3 IS ATTACHED. ADDENDA				<input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.			
<input checked="" type="checkbox"/> 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				<input checked="" type="checkbox"/> 29. AWARD OF CONTRACT: REF. <u>SPM300-13-R-0049</u> OFFER DATED <u>2013 Aug 08</u> , 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) 			
30b. NAME AND TITLE OF SIGNER (Type or Print) Anne Van den Haute Vice President National Sales		30c. DATE SIGNED 10/10/2014		31b. NAME OF CONTRACTING OFFICER (Type or Print) THOMAS E. HALEY		31c. DATE SIGNED 2014 OCT 10,	

AUTHORIZED FOR LOCAL REPRODUCTION
PREVIOUS EDITION IS NOT USABLE

STANDARD FORM 1449 (REV. 2/2012)
Prescribed by GSA - FAR (48 CFR) 53.212

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9. ISSUED BY DLA TROOP SUPPORT DIRECTORATE OF SUBSISTENCE 700 ROBBINS AVENUE PHILADELPHIA PA 19111-5096 USA Local Admin: William Orwat PSPTASF Tel: 215-737-4274 Fax: 215-737-7194 Email: WILLIAM.OWAT@DLA.MIL				10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: _____ % FOR <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> EDWOSB NAICS: <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> 8 (A) SIZE STANDARD:			
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS Net 10 days		13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) <input type="checkbox"/>		13b. RATING	
15. DELIVER TO SEE SCHEDULE				14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP			
16. ADMINISTERED BY SEE BLOCK 9 Criticality: PAS: None				17. CODE SPE300			
17a. CONTRACTOR/ OFFEROR US FOODS, INC. DBA US FOODS - LOS ANGELES 15155 NORTHAM ST LA MIRADA CA 90838-5754 USA TELEPHONE NO. 8477202722		18a. PAYMENT WILL BE MADE BY DEF FIN AND ACCOUNTING SVC BSM P O BOX 369031 COLUMBUS OH 43236-9031 USA		18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED. <input type="checkbox"/> SEE ADDENDUM		17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER <input type="checkbox"/>	
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) \$164,828,240.90			
27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.				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.			
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30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER) 			
30b. NAME AND TITLE OF SIGNER (Type or Print)		30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (Type or Print) Thomas Haley THOMAS.HALEY@DLA.MIL PSPFTA4		31c. DATE SIGNED 2014 OCT 10	

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

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

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

37. CHECK NUMBER

☐ PARTIAL ☐ FINAL

☐ COMPLETE ☐ PARTIAL ☐ FINAL

38. S/R ACCOUNT NO.

39. S/R VOUCHER NUMBER

40. PAID BY

41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT

42a. RECEIVED BY (*Print*)

41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER

41c. DATE

42b. RECEIVED AT (*Location*)

42c. DATE REC'D (YYMM/DD)

42d. TOTAL CONTAINERS

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CONTINUATION SHEET

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SPE300-15-D-3107

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Form

On Form 1449 the following should apply:

Block 6 should read 19 April 2013

Block 12 should read as follows: N/A.

Block 20 should read as follows: Full Line Food Service for Navy Ships in and around Naval Base San Diego

Block 25 should read as follows: (25% Minimum \$16,482,824.09)

SECTION A – SOLICITATION/CONTRACT FORM

The following amendments issued under Solicitation SPM300-13-R-0049 are hereby incorporated as part of this contract and administrative contracts: SPE300-15-D-3107, SPE300-15-D-A010, SPE300-15-D-A011, and SPE300-15-D-CA02.

Amendment 0001 through Amendment 0016

The following documents from the vendor's offer are hereby incorporated into this contract:

Non-Price Proposal and Price Proposal. All elements of the Non-Price and Price Proposals which exceeded the government's requirements are hereby incorporated into this contract.

Proposal Revisions dated June 2014 –September 2014

Final Proposal Revisions dated 17 September 2014

US Foods Subcontracting Plan

SECTION B – SUPPLIES/SERVICE AND PRICE

ITEMS: This solicitation is for total food and beverage support for garrison foodservice feeding. Navy inventory item requirements are exclusively contained in the Master Load List (MLL). The MLL will represent the Contractor's permanent catalog. The Contractor will only catalog and offer items contained on the MLL.

FOB TERMS: FOB Destination for all the items.

FILL RATE: The required overall contract purchase order fill rate is 98.00% without substitutions. This is measured by the quantity of each line or stock numbered item accepted divided by the quantity of each line or stock numbered item ordered, all within one order opportunity.

CONTRACT TERM: The total duration of this contract, including the exercise of any options, shall not exceed 5 years (Note: There will be an up to 60 day start-up/implementation period upon award followed by a twenty two (22) month performance period, one (1) twelve (12) month option period and one (1) twenty four (24) month option period).

The effective date of this award is 10 October 2014. The first order will take place 9 December 2014 and will continue for a period until 9 October 2016.

CONTRACT TYPE: Indefinite Delivery, Indefinite Quantity Contract – Fixed Price with Economic Price Adjustment (EPA)

Award Date: 10 October 2014

Implementation Period: up to 60 Days

Base Period First Order day – 9 December 2014

Base Period First Delivery day – 15 December 2014

Option Period One (1) – 10 October 2016 to 9 October 2017

Option Period Two (2) – 10 October 2017 to 9 October 2019

The estimated dollar value of the Base Period of the contract (10 October 2014- 9 October 2016) is \$65,931,296.36.00.

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The total estimated dollar value for this acquisition with two options if exercised is \$164,828,240.90.

The base contract contains a guaranteed minimum of \$16,482,824.09.

The guaranteed minimums for each option period, if exercised, are as follows:

Option 1 - \$8,241,412.05

Option 2 - \$16,482,824.09

The maximum ceiling will be 250% of the estimated dollar value of the Contract Term (up to five (5) years) or \$412,070,602.25.

	Guaranteed Minimum	Estimated Contract Value	Contract Maximum
Base Period	\$16,482,824.09	\$65,931,296.36	-
Option 1	\$8,241,412.05	\$32,965,648.18	-
Option 2	\$16,482,824.09	\$65,931,296.36	-
Total	\$41,207,060.23	\$164,828,240.90	\$412,070,602.25

CONTRACT DELIVERED PRICING:

Fixed Price with Economic Price Adjustment (EPA)

Pricing is pursuant to the following:

52.216-9064 ECONOMIC PRICE ADJUSTMENT (EPA) – ACTUAL MATERIAL COSTS FOR SUBSISTENCE DELIVERED PRICE BUSINESS MODEL ECONOMIC PRICE ADJUSTMENT (EPA) - DLA TROOP SUPPORT SUBSISTENCE PRIME VENDOR (SPV) CONTINUOUS UNITED STATES (CONUS), ALASKA, AND HAWAII (APR 2014)

All Ordering Catalog prices shall be fixed and remain unchanged through the contract first order week, as offered in Final Proposal Revisions dated 17 September 2014. Price changes under the EPA clause shall be effective in accordance with the provisions of the EPA clause. All Ordering Catalog Contract Unit Prices in effect when an order is placed shall remain in effect for that order through delivery. DLA Troop Support will be charged the Contract Unit Price at time of each order regardless of any changes in the Contract Unit Price resulting from application of the EPA clause that occur in any subsequent Ordering Week.

All pricing definitions are pursuant to 52.216-9064 and sections I.8. REBATES/DISCOUNTS AND PRICE RELATED PROVISIONS and I.9. CONTRACTOR PRICING – CONUS in the Statement of Work of the solicitation. These definitions supersede all definitions and/or exceptions listed in the awardee's proposal.

CONTRACT DISTRIBUTION PRICES

Contract distribution prices are set for the term of the contract. Contract distribution prices and categories are listed in the attachment to this contract document.

SECTION C – DESCRIPTIONS / SPECIFICATIONS

Under this contract, all customers are required to electronically submit every order through the Government's Subsistence Total Order and Receipt Electronic System (STORES).

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Routine Lead Time

Orders shall be submitted by the customer by 2:00 PM for delivery the same day of the following week.

Other Lead Times

For in-port Navy Ships loading out for deployment, the order lead time shall be 14 days. For Visiting Navy Ships i.e. Ships underway and ordering from other than their home port (Contractor catalog), the order lead time shall be 21 days.

SECTION D – PACKAGING AND MARKING

All packaging and packing shall be in accordance with good commercial practice. Labeling shall be in accordance with commercial labeling complying with the Federal Food, Drug and Cosmetic Act and regulations promulgated there under. Shipping containers shall be in compliance with the National Motor Freight Classification and Uniform Freight Classification Code. The Contractor shall be responsible for abiding to any applicable packaging, packing, and marking regulations of the various countries in/through which product will be stored/transported.

SECTION E – INSPECTION AND ACCEPTANCE

Inspection and acceptance of products will be performed at destination. The inspection is normally limited to identify, count and condition; however, this may be expanded if deemed necessary by either the military Veterinary Inspector, Dining Facility Manager, Food Service Advisor/Officer, or the Contracting Officer.

SECTION F – PLACE OF PERFORMANCE

The following is designated as the plant location for the performance of this contract for all contract line items:

US Foods, Inc.
15155 Northam Street
La Mirada, CA 90638-5754

SECTION G – DELIVERY SCHEDULES

Customers authorized to order under this contract are as follows: Navy Ships, Coast Guard, Military Sealift Command (MSC) and Cargo Ships.

ADDRESSES-NAVY SHIPS

NAVSUP Fleet Logistics Center San Diego
937 North Harbor Drive
San Diego, CA 92132

DODAAC: N0024A-F
POC: Monet Bernhardt
Supervisor
757-443-1858

MILITARY SEALIFT COMMAND (MSC)

NAVSUP Fleet Logistics Center San Diego
937 North Harbor Drive
San Diego, CA 92132

DODAAC: MSC001
POC: Monet Bernhardt
Supervisor
757-443-1858

CARGO SHIPS

NAVSUP Fleet Logistics Center San Diego
937 North Harbor Drive
San Diego, CA 92132

DODAAC: N0024G
POC: Monet Bernhardt
Supervisor
757-443-1858

COAST GUARD SHIPS

United States Coast Guard (USCG) – Sector San Diego
2710 N Harbor Drive
San Diego, CA 92101

DODAAC: CGCA04
POC: CPO Steven Jedzniak
Steven.Jedzniak@dla.mil
215-737-2915

USCGC BOUTWELL
2680 Woden Street

DODAAC: Z11405
FSCS Glen.F.Gaskins@uscg.mil

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San Diego, CA 92136

619-556-6559

USCGC SHERMAN
2680 Woden Street
San Diego, CA 92136

DODAAC: Z11406
FSCS Robert.D.Parker@uscg.mil
707-765-7151

SECTION H – CONTRACT ADMINISTRATION DATA

Administration of the contract will be performed by the Defense Logistics Agency (DLA) Troop Support.

The Defense Contract Management Agency (DCMA) will administer US Foods' Subcontracting Program. The Small Business and Small Disadvantaged Business Subcontracting Plan submitted by US Foods is incorporated into this contract. The DCMA is assigned all administrative duties associated with the Small Business and Small Disadvantaged Subcontracting Plan as provided under Clause 52.219-9 "Small Disadvantaged and Women Owned Small Business Subcontracting Plan".

SECTION I – INVOICING

Although invoices must be submitted electronically, the following address must appear in the "Bill To" or "Payment Will Be Made By" block of the contractor's invoice:

DFAS COLUMBUS CENTER
DFAS/CO-SEPS
P.O. BOX 182317
COLUMBUS, OH 43218-6260

Each invoice shall contain sufficient data for billing purposes. This includes, but is not limited to:

1. Contract Number, Call or Delivery Order Number, and Purchase Order Number;
2. DoDAAC;
3. Contract line listed in numeric sequence (also referred to as CLIN order);
4. Item nomenclature;
5. LSN or NSN;
6. Quantity purchased per item in DLA Troop Support's unit of issue;
7. Total dollar value on each invoice (reflecting changes to the shipment, if applicab

The following documents are incorporated as part of this contract.

UPDATED CLAUSES/PROVISIONS (FULL TEXT) –See attachment1

DISTRIBUTION PRICES –See attachment 2

EDI IMPLEMENTATION GUIDELINES (Nov 2013) –See attachment 3

Part 12 Clauses

52.247-9034 POINT OF CONTACT FOR TRANSPORTATION INSTRUCTIONS (JUN 2013) DLAD

Attachments

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List of Attachments

Description	File Name
ATTACH.	3107 Distribution Price
ATTACH.	3107 UPDATED CLAUSES 10
ATTACH.	STORES EDI Guidelines.d
ATTACH.	3107 1449 signed.pdf