



**DEFENSE LOGISTICS AGENCY
 DEFENSE NATIONAL STOCKPILE CENTER
 8725 JOHN J. KINGMAN ROAD, SUITE 3229
 FT. BELVOIR, VIRGINIA 22060-6223**

IN REPLY
 REFER TO **DNOSC-C1**

February 27, 2004

**AMENDMENT NUMBER 007
 DLA-FERROMANGANESE-003
 SOLICITATION OF OFFERS FOR HIGH CARBON FERROMANGANESE**

The above referenced solicitation is amended to revise Subsections A.1, E.2, I.2, J.1 and J.2.

1. Amendment Numbers 001, 002, 003, 004, 005, and 006 are deleted.
2. Delete Subsection A.1 Introduction (JAN 04) and add Subsection A.1 Introduction (FEB 04) as follows:
 - a. The Defense Logistics Agency (DLA), Defense National Stockpile Center (DNOSC), is soliciting offers for the sale of approximately 7,430.46 short tons of high carbon ferromanganese. The opening will be held at 10:00 am, local time, Fort Belvoir, VA on March 12, 2004. Offers must be received at the address in Section B.2.a. by 10:00 am, local time, Ft. Belvoir, VA. In the event DNOSC is closed at the time set, offers at that time will be received at 10:00 am, local time, Ft. Belvoir, VA on the next DNOSC business day.
 - b. Handling and outloading will be by and at the expense of the Contractor. (See Subsection F.1.a.)
 - c. This Solicitation supersedes Solicitation of Offers for Ferromanganese, DLA-FERROMANGANESE-001, which is hereby cancelled in its entirety.
3. Delete "\$0.005 per pound" from paragraph b. of Subsection E.2 Storage Charges (JUL 97) and add "\$0.005 per ton."
4. Delete Subsection I.2 Shopping List (JAN 04) and add attached Subsection I.2 Shopping List (FEB 04).
5. Delete all references to Subsection I.2 Shopping List (JAN 04) and add Subsection I.2 Shopping List (FEB 04).
6. Delete Subsection J.1 Analyses (JAN 04) and add attached Subsection J.1 Analyses (FEB 04).
7. Delete Subsection J.2 Storage Locations (JAN 04) and add attached Subsection J.2 Storage Location (FEB 04).
8. Offerors shall acknowledge receipt of this Amendment by signing in the space provided below and returning a copy of this Amendment along with their offer to: ATTN: DNOSC-R/Bid Custodian, Defense National Stockpile Center, 8725 John J. Kingman Road, Suite 3229, Fort Belvoir, VA 22060-6223. Facsimile number is (703)767-5541. Failure to acknowledge receipt of this Amendment may result in an Offeror being ineligible for award. Except as provided herein, all other terms and conditions of DLA-FERROMANGANESE-003 remain unchanged and in full force and effect.

NAME OF FIRM	_____
ADDRESS	_____
TELEPHONE	_____
FACSIMILE	_____
COMPLETED BY	_____
SIGNATURE	_____
TITLE	_____
DATE	_____

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J.1 Analysis of Material (FEB 04)

Item	Location	Pile	Grade	Net Weight (ST)	Origin	Mn	C	Si	P	S	Fe
73	New Haven, IN	24	B	153.20	Canada	76.57%	6.58%	0.53%	0.32%	0.01%	15.99%
77	New Haven, IN	37	B	2,214.54	Canada	76.80%	6.56%	0.63%	0.21%	0.01%	15.74%
78	New Haven, IN	38	B	1,067.00	Canada	77.08%	6.58%	0.48%	0.32%		15.54%
79	New Haven, IN	41	B	3,995.72	Canada	76.55%	6.64%	0.74%	0.21%	0.01%	15.85%

J.2. Storage Locations (FEB 04)

Location	Status	Days	Hours	Accessibility	Responsible Depot
New Haven, IN	Staffed	Monday - Thursday Friday	0730-1500 0730 -1430	Truck/Rail	Hammond, IN

Note 1: Prior arrangements must be made before shipping.

Note 2: Truck and rail scales are available. Weight capacity is 360,000 pounds. The rail spur next to the ore pile is not in service at this time, but the main service line is 50 to 100 yards from the pile. Material will have to be relocated to a site next to the main line to out-load. DNSC can only accommodate one out-loader at a time via rail.

Note 3: Mr. John Olszewski is the Depot Manager. His telephone number is (219)937-5383 at extension 104.

Note 4: Ms. Nikki Horther and Ms. Lois Huddleston are Storage Specialists. Their telephone number is (260)749-9544.

Point of Contact

Defense Logistics Agency
 Defense National Stockpile Center
 Attn: Robert F. Clark
 8725 John J. Kingman Road, Suite 3229
 Fort Belvoir, VA 22060-6223

Telephone Number: (703)767-7614
 Facsimile Number: (703)767-7608

I.1 Sale of Government Property Negotiated Sales Contract (OCT 02)

SALE OF GOVERNMENT PROPERTY NEGOTIATED SALES CONTRACT		CONTRACT NUMBER		PAGE 1 OF	
<p>This contract is entered into by and between the United States of America, hereinafter called the "Government," represented by the Contracting officer executing this contract and the Contractor below identified. The Government agrees to sell and the Contractor agrees to buy the material described below in accordance with the terms and conditions of DLA-FERROMANGANESE-003. In the event of a conflict between the terms of the Solicitation and the Negotiated Sales Contract, the terms of the Negotiated Sales Contract shall govern.</p>					
ITEM	PROPERTY DESCRIPTION AND LOCATION	QUANTITY (No. of Unit(s))	UNIT	UNIT PRICE	AMOUNT
EXECUTION BY CONTRACTOR			EXECUTION BY GOVERNMENT		
DATE (Day, Month, Year)			UNITED STATES OF AMERICA BY:		DATE:
NAME OF CONTRACTOR					
ADDRESS (Street, City, State & Zip Code) (Type or Print)			NAME AND TITLE OF CONTRACTING OFFICER		
Telephone Number:					
Facsimile Number					
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS CONTRACT (Type or print name and title under signature)					

I.3 Anticipated Removal Schedule - High Carbon Ferromanganese (OCT 02)

Offerors must specify both a minimum and maximum removal weight per 90-day period based on the percentage of the offer (or subsequent award) weight.

Item	Weight (ST)	Minimum Removal Weight Percentage	Maximum Removal Weight Percentage	Removal Month & Year

I.4 Certificate of Independent Price Determination (JAN 01)

a. The offeror certifies that:

- (1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.

b. Each signature on the offer is considered to be a certification by the signatory that the signatory:

- (1) Is the person in the offeror's organization responsible for determining the prices being offered in this bid or offer, and that the signatory has not participated and will not participate in any action contrary to subparagraphs **a.(1)** through **a.(3)** above; or
- (2)(i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs **a.(1)** through **a.(3)**, above

(insert full name of person(s) in the offeror's organization responsible for determining the prices offered in this bid or offer, and the title of his or her position in the offeror's organization);

- (ii) As an authorized agent, does certify that the principals named in subdivision **b.(2)(i)** above have not participated, and will not participate, in any action contrary to subparagraphs **a.(1)** through **a.(3)** above; and
- (iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs **a.(1)** through **a.(3)** above.

c. If the offeror deletes or modifies subparagraph **a.(2)** above, the offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.

I.5 Certification Regarding Debarment, Suspension, Proposed Debarment, Environmental Compliance and Other Responsibility Matters (JUL 97)

a.(1) The Offeror certifies, to the best of its knowledge and belief, that -

(i) The Offeror and/or any of its Principals -

(A) Are are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) Have have not , within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission

of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and

- (C) Are are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in subdivision **a. (1)(i)(B)** of this provision.
- (D) Are are not presently indicted for or otherwise criminally or civilly charged by a Federal, state or local entity with violation of any environmental laws;
- (E) Have have not within the three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for violation of a Federal, state or local environmental statute or regulation.
- (ii) The Offeror has has not , within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.
- (2) "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).
- (3) If the Offeror answers affirmatively to **(a)(1)**, above, the Offeror shall include in its offer an explanation of the circumstances, including the outcome.

This certification concerns a matter within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under section 1001, title 18, United States Code.

- b.** The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- c.** A certification that any of the items in paragraph **a.** of this provision exists will not necessarily result in withholding of an award under this Solicitation. However, the certification will be considered in connection with a determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Offeror nonresponsible.
- d.** Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph **a.** of this provision. The knowledge and information of a Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- e.** The certification in paragraph **a.** of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to the other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this Solicitation for default.

I.6 Type of Business Organization (APR 96)

The Offeror represents that--

- a. It operates as a corporation incorporated under the laws of the State of _____, an individual, a partnership, a nonprofit organization, or a joint venture.
- b. If the offeror is a foreign entity, it operates as an individual, a partnership, a nonprofit organization, a joint venture, or a corporation registered for business in _____ (country)
- c. If the offeror is a corporation, it is independent (not owned or controlled by another company), owned or controlled by _____ corporation company registered for business in _____ (state/country).
- d. If the offeror is owned or controlled by another, state the relationship (e.g., wholly owned subsidiary, etc.):

- e. The offeror agrees to provide additional information relating to the above representations if requested to do so by the Contracting Officer.

I.7 Authorized Negotiators (JUN 95)

The Offeror represents that the following individuals are authorized to negotiate on its behalf.

TYPED NAME	TITLE	TELEPHONE NO.

I.8 Persons Authorized to Request Shipment of Material (FEB 98)

The Offeror shall provide the name(s), title(s), signature(s), and telephone number(s) of representative(s) authorized to sign Section J.3 Shipping Instructions:

TYPED NAME	SIGNATURE	TITLE	TELEPHONE NO.

I.9 Offeror's Billing Address (JUL 95)

The Offeror shall provide its billing address and billing facsimile number below.
