

03 November 2015

This is the Military Sealift Command, Strategic Sealift Program Support Office, Norfolk

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Subj: RFP N32205-16-R-3352

Ref: A. SF1449
B. MSC DRYTIME 2013 Rev 1 (10-13)

This acquisition is being conducted under FAR 13.5 Test Program for Certain Commercial Items.

MSC Strategic Sealift Program Support Office, Code N103B, requests proposals for one vessel capable of meeting the transportation requirements described below. The paragraph numbers below apply to the box layout of references (a). and (b), which are incorporated herein by reference (available MSC web site at <http://www.msc.navy.mil>, under "Contracts," then "Proforma" or upon request), and shall be the charter form of any contract resulting from this solicitation. By submission of a proposal, the offeror confirms agreement with all terms and conditions of this solicitation and the charter form, unless otherwise identified therein.

STANDARD FORM 1449 BOXES:

I. Standard Form 1449 Boxes

2. Contract No.: Will be provided upon award
5. Solicitation No.: **N32205-16-R-3352**
6. Solicitation Issue Date: 03 November 2015
7. For Solicitation Information: Robbin Jefferson, 757-443-5886, robbin.jefferson@navy.mil
8. **Offer Due Date: 10 November 2015 at 1000 hours EST**
9. Issued By: Military Sealift Command Norfolk, 471 East C Street, Bldg. SP 64, Naval Station Norfolk, VA 23511-2419 (Code: N32205)
10. This Acquisition is: UNRESTRICTED/NAICS Code: 483111
14. Method of Solicitation: **RFP**
- 18a. Payment will be made by: SEE PART VIII (4), WAWF Submit electronic invoices IAW WAWF contract clause, MSC Worldwide DC ANY (MAY 2013).
- 18b. Submit Invoices to: SEE PART VIII (5) MSC WIDE AREA WORKFLOW (WAWF) INSTRUCTIONS (AUGUST 2012).
- 27a. Solicitation incorporates by reference FAR 52.212-1 and 52.212-4; 52.212-3 and 52.212-5 are incorporated by full text.

B. I. DRYTIME BOXES:

1. **VESSEL REQUIRED:**

A U.S. or foreign flag (Super Cargo required if foreign flag), self-sustaining vessel to carry 81 TEUs with a net explosive weight of 98,040 kg. Vessel speed a minimum of 14 knots when laden.

Hazardous Material:

Hazard classes/divisions 1.1, 1.2, 1.3 and 1.4

Cargo Dimensions:

20 Foot TEUs. Average container weight of 27,000 lbs and max container weight is 45,000 lbs.

Packing List:

Attached

2. **PLACE / RANGE OF DELIVERY:**

Constanta, Romania

3. **PLACE / RANGE OF REDELIVERY:**

Aqaba, Jordan

4. **Charter Period:**

17 days

5. **LAYDAYS:**

Commencing: 03 Dec 2015

Cancelling: 03 Dec 2015

6. **TERMS/CONDITIONS/ATTACHMENTS ADDED, DELETED OR MODIFIED:**

<http://www.acquisition.gov/far/index.html>

<http://farsite.hill.af.mil>

<http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>

Special requirements:

- Vessel must be fully outfitted with container deck fittings, semi-automatic twist locks, stackers, rods, and turnbuckles sufficient in quantity to safely stow and secure a full load of containers.
- Vessel must also be equipped with a certified 20 foot spreader bar.
- Selected carrier will provide detailed diagrams of vessel decks to prepare stow plans.

PART (V) CALL-OUT: CONTRACTOR SECURITY (CS) – DEC 2012

ADD to III(c)(vi): Reports shall be sent to the following email addresses:

MSCHQ-CARGO@navy.mil

MSCHQ.BWC.fct@navy.mil

M-NA-MSCEURAF-CARGO-DISTRO-GS@eu.navy.mil

Lawrence.Dowsing@me.navy.mil

curtis.mcclure@me.navy.mil

AMEND: Part I, Boxes 13-15 – revised in their entirety to read as follows:

	FOS
Base Period: 17 days	\$

DELETE: Part I, Box 17 - delete in its entirety

ADD: PART II (V) 52.204-19 INCORPORATION BY REFERENCE OF REPRESENTATIONS AND CERTIFICATIONS (DEC 2014)

ADD: PART II (W) 52.212-4 CONTRACT TERMS AND CONDITIONS – COMMERCIAL ITEMS (MAY 2015)

AMEND: IV(g) (4) – Add the following to the end of the paragraph: “All policies shall contain an endorsement stating that any cancellation or material change in the coverage adversely affecting the Government's interest shall not be effective unless the Owner provides written notice of the same to the Contracting Officer.”

PART VI: AMEND TO READ: FAR 52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS-COMMERCIAL ITEMS (MAY 2015): Checked boxes remain unchanged.

ADD: 52.204-14, SERVICE CONTRACT REPORTING REQUIREMENTS (JAN 2014) – CHECKED; ADD: 52.204-15, SERVICE CONTRACT REPORTING REQUIREMENTS FOR INDEFINITE-DELIVERY CONTRACTS (JAN 2014) – NOT CHECKED; AMEND (5) 52.204-11, AMERICAN RECOVERY AND REINVESTMENT ACT – REPORTING REQUIREMENTS TO READ RESERVED.

http://www.acquisition.gov/far/current/html/52_212_213.html

AMEND 52.209-10, PROHIBITION ON CONTRACTING WITH INVERTED DOMESTIC CORPORATIONS (DEC 2014) – NOT CHECKED

ADD 252.203-7997 PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS-REPRESENTATION (DEVIATION 2016-O0003) (OCT 2015)

AMEND PART VIII (b) (8) TO READ AS FOLLOWS; DFARS 252.204-7012, SAFE GUARDING OF UNCLASSIFIED CONTROLLED TECHNICAL INFORMATION (NOV 2013); CHECKED

PART VIII(b)(12): AMEND TO READ: DFARS 252.215-7008 ONLY ONE OFFER (OCT 2013)

PART VIII (b)(13): ADD: 252.223-7002 SAFETY PRECAUTIONS FOR AMMUNITION AND EXPLOSIVES (MAY 1994) – CHECKED

PART VIII (b)(21): ADD: 252.209-7992 CHANGE IN PLACE OF PERFORMANCE – AMMUNITION AND EXPLOSIVES (DEC 1991) – CHECKED

ADD 252.225-7993 PROHIBITION ON PROVIDING FUNDS TO THE ENEMY (DEVIATION 2012-O006) (SEP 2015)

ADD 252.225-7981 ADDITIONAL ACCESS TO CONTRACTOR AND SUBCONTRACTOR RECORDS (OTHER THAN USCENTCOM) (DEVIATION 2015-O0016) (SEP 2015)

PART VIII (b)(22): ADD 52.232-40 PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS (DEC 2013); CHECKED

PART VIII (b)(23): ADD 252.211-7007 Reporting of Government-Furnished Property (AUG 2012); CHECKED.

AMEND PART X (b)(10): delete (10) in its entirety and replace it with the following: Past performance information shall include recent and relevant contracts for the same or similar items and other references (including contract numbers, points of contact with telephone numbers and other relevant information).

AMEND: X(c): AMEND TO READ: “Unless offeror proposes a shorter period, by submission of an offer, offeror agrees that its offer, including any timely revisions thereto, shall remain valid until the Government makes award under this solicitation. The forgoing does not preclude an offeror from withdrawing its offer prior to award.”

AMEND PART XI (d)(a): delete (a) in its entirety and replace it with the following: Past Performance. Offerors will be evaluated on their performance under existing and prior contracts for similar services and as otherwise detailed in the solicitation. Information obtained from references listed in proposals, other customers known to the Government, and other sources of useful and relevant information will be considered.

(A) At a minimum, award will not be made to an offeror who is or within the past three years has been seriously deficient in contract performance, unless the Contracting Officer determines that the circumstances were properly beyond the offeror's control or that the offeror took appropriate corrective action.

(B) If discussions are held, offerors will be given the opportunity to address unfavorable reports of past performance.

(C) Offerors without a past performance history relating to this solicitation shall not be evaluated favorably or unfavorably on past performance.

AMEND: XI(e) with the following:

- (A) 11
- (B) 00
- (C) 06

(1) MGO/MDO	per metric ton	\$ 1,002.65
(2) IFO-180	per metric ton	\$ 608.48
(3) IFO-380	per metric ton	\$ 603.08

PART XII (d)(2): AMEND TO READ: FAR 52.212-3 Offeror Representations and Certifications – Commercial Items, (MAR 2015) Alternate 1 (OCT 2014)

PART XIII: ADD: DFARS 252.209-7992 REPRESENTATION BY CORPORATIONS REGARDING AN UNPAID DELIQUENCY TAX LIABILITY OR A FELONY CONVICTION UNDER ANY FEDERAL LAW-FISCAL YEAR 2015 APPROPRIATIONS (DEC 2014)

(a) In accordance with sections 744 and 745 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235), none of the funds made available by this or any other Act may be used to enter into a contract with any corporation that—

(1) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government; or

(2) Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this action is not necessary to protect the interests of the Government.

(b) The Offeror represents that—

(1) It is is not a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability,

(2) It is [] is not [] a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

(End of provision)

C. INSTRUCTIONS TO OFFERORS

Offerors shall use the guidelines set forth in Part X for submission of offer; however, at a minimum, offers must contain the following:

Information pursuant to Ref (b), MSC DRYTIME 2013 Rev 1 (10-13) DRYTIME BOXES pages I-1 through I-12, as applicable and at a minimum:

- Owners acknowledgement of all terms and conditions of the RFP and MSC DRYTIME PROFORMA 2013 Rev 1 (10-13)
- INMARSAT #
- Call Sign
- IMO#
- Vessel year
- Vessel Flag
- Proposed laydays
- Charter Hire rate and fuel consumption in (metric tons)
- Signature of offeror or authorized agent
- Owner's full style email address, and point of contact to be used in conjunction with the Government's web-based post-contract performance information system, Contractor Performance Assessment Reporting System (CPARS), which stands for Contractor Performance Assessment Reporting System. Instructions to be provided post-award.
- Completed Offeror Representations and Certifications – Commercial Items FAR 52.212-3 (NOV 2015) (Parts XII and XIII, Ref (b)).
- Completed (Jul 2013) FAR 52.209-7 – Information Regarding Responsibility Matters
- Information pursuant to Part I boxes and Parts XII and XIII Representations and Certifications
- Evidence of International Safety Management (ISM) and International Shipboard Port Security (ISPS) compliance

Note: failure to submit all required information as requested could result in your offer not being considered for award.

SIGNED: LORRIE LEEDY, CONTRACTING OFFICER, MSC, N1033