

All prices shall be valid for 90 days. The time and date of award may be adjusted depending on the availability of funds.

This Order will be awarded at the discretion of PGM. The determination of best value as made by PGM will not be documented or presented for review by unsuccessful bidders.

Vendor/Contractor shall furnish at time of quote a list of all non-domestic articles, materials and supplies included on the quotation provided. Only domestic products shall be used unless PGM's approval is obtained in advance of the delivery or installation of foreign produced articles, materials, parts, supplies or end products. All materials shall be free of imperfections of manufacture and from defects which adversely affect appearance or serviceability. All sharp edges or projections which constitute a personnel hazard shall be removed.

VENDOR/CONTACTOR'S INVOICE:

The goods provided as a result of this Order are subject to acceptance by PGM. As a condition of payment, Vendor/Contractor shall provide proof of receipt and acceptance of the goods provided. Such proof shall be in the form of a delivery receipt and/or a confirming signature from the vessel that goods were received, and/or alternative valid proof of delivery acceptable to Buyer. No invoice will be considered proper until such acceptance and delivery is completed, all required deliverables are provided, and the original invoice is forwarded by Vendor/Contractor to PGM's New Orleans office. Invoices should be mailed via U.S. Mail to PGM's New Orleans office or sent electronically in PDF format to payables@pac-gulf.com. An electronic invoice will be considered received when PGM's Accounting Dept. confirms receipt of the invoice by reply email. Approved invoices will be paid within 30 days from receipt of the original invoice in PGM's New Orleans Office. For additional payment terms and conditions, please visit PGM's website at www.pac-gulf.com.

SPECIAL PURCHASE ORDER REQUIREMENTS:

For the following FAR Clauses specific details can be found at
<http://acquisition.gov/far/current/html/FARTOCP52.html>

FAR 52.202-1	Definitions (Nov 2013) (Only applicable to contracts over \$150K)
FAR 52.203-3	Gratuities (Apr 1984) (Only applicable to contracts over \$150K)
FAR 52.203-6 (Alt I)	Restrictions on Subcontractor Sales to the Government (SEP 2006) (Only applicable to contracts over \$150K)
FAR 52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Only applicable to contracts over \$15K)

FAR 52.204-4	Printed or Copied Double-Sided on Postconsumer Fiber Content Paper (MAY 2011) (Only applicable to contracts over \$150K)
FAR 52.204-15	Service Contract Reporting Requirements for Indefinite-Delivery Contracts (JAN 2014) (Only applicable to contracts over \$150K)
FAR 52.215-2	Audit and Records—Negotiation (OCT 2010) (Only applicable to contracts over \$150K)
FAR 52.222-21	Prohibition of Segregated Facilities (FEB 1999)
FAR 52-222-25	Affirmative Action Compliance (Only applicable to contracts over \$10K)
FAR 52-222-26	Equal Opportunity (MAR 2007)
FAR 52-222-35	Equal Opportunity for Veterans (SEP 2010) (Only applicable to contracts over \$100K)
FAR 52-222-36	Affirmative Action for Workers with Disabilities (OCT 2010) (Only applicable to contracts over \$15K)
FAR 52-222-37	Employment Reports on Veterans (Only applicable to contracts over \$100K)
FAR 52-222-40	Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (Only applicable to contracts over \$150K)
FAR 52.222-41	Service Contract Act of 1965 (NOV 2007)
FAR 52-222-50	Combating Trafficking in Persons (FEB 2009)
FAR 52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (FEB 2006)
FAR 52.223.3 (Alt I)	Hazardous Material Identification and Material Safety Data (JAN 1997)
FAR 52.223-5	Pollution Prevention and Right-to-Know Information (MAY 2011)
FAR 52.223-9	Estimate of Percentage of Recovered Material Content for EPA-Designated Items (MAY 2008) (Only applicable to contracts over \$150K)
FAR 52.223-11	Ozone-Depleting Substances (MAY 2001)
FAR 52.223-15	Energy Efficiency in Energy-Consuming Products (DEC 2007)
FAR 52.223-16	IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products (DEC 2007)

FAR 52.223-6	Drug-Free Workplace (MAY 2001)
FAR 52.225-1	Buy American Act—Supplies (Feb 2009)
FAR 52.225-13	Restrictions on Certain Foreign Purchases (JUN 2008)
FAR 52.232-23	Assignment of Claims (JAN 1986)
FAR 52.233-4	Applicable Law for Breach of Contract Claim (OCT 2004)
FAR 52.237-2	Protection of Government Buildings, Equipment, and Vegetation (APR 1984)
FAR 52.242-13	Bankruptcy (Jul 1995) (Only applicable to contracts over \$150K)
FAR 52.243-1	Changes—Fixed-Price (AUG 1987)

For the purposes for the Service Contract Act, the following U.S. Department of Labor Wage Determinations shall apply, specific details of which can be found at <http://www.wdol.gov/sca.aspx#0>:

Texas, Houston 2005-2515
Texas, Beaumont 2005-2505
Texas, Orange 2005-2505
Texas, Channelview (Harris County) 2005-2515
Texas, Port Arthur (Jefferson County) 2005-2505
Texas, Corpus Christi (Nueces County) 2005-2507
Virginia, Norfolk and Newport News 2005-2543
Massachusetts, Buzzards Bay (Barnstable County) 2005-2259
Massachusetts, Boston (Suffolk County) 2005-2255
Maine, Castine 2005-2247
Maryland, Baltimore 2005-2247
South Carolina, Charleston 2005-2473
Florida, Jacksonville 2005-2115
New York, New York 2005-2375
Florida, Tampa (Hillsborough County) 2005-2125
Alabama, Mobile 2005-2009
California, Alameda, Contra County 2005-2051
Washington, Pierce County 2005-2567
California, San Francisco 2005-2059
Oregon, Portland 2005-2441

ADDITIONAL CONTRACT CLAUSES:

- FAR 52.244-6 SUBCONTRACTS FOR COMMERCIAL ITEMS (DEC 2004)**
(a) Definitions. As used in this clause – “Commercial item” has the meaning contained in Federal Acquisition Regulation 2.101, Definitions.
“Subcontract” includes a transfer of commercial items between divisions,

subsidiaries, or affiliates of the Vendor/Contractor or subcontractor at any tier.

- (b) To the maximum extent practicable, the Vendor/Contractor shall incorporate, and require its subcontractors at all tiers to incorporate, commercial items or nondevelopmental items as components of items to be supplied under this contract.
- (c)(1) The Vendor/Contractor shall insert the following clauses in subcontracts for commercial items:
 - (i) 52.219-8, Utilization of Small Business Concerns (May 2004) (15 U.S.C. 637(d) (2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$500,000 (\$1,000,000 for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.
 - (ii) 52.222-26, Equal Opportunity (Apr 2002) (E.O. 11246).
 - (iii) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Dec 2001) (38 U.S.C 4212(a));
 - (iv) 52.222-36, Affirmative Action for Workers with Disabilities (June 1998) (29 U.S.C 793).
 - (v) 52.222-39, Notification of Employee Rights concerning Payment of Union Dues or Fees (Dec 2004) (E.O. 13201). Flow down as required in accordance with paragraph (g) of FAR clause 52.222-39).
 - (vi) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Apr 2003) (46 U.S.C. App. 1241 and 10 U.S.C. 2631) (flow down required in accordance with paragraph (d) of FAR clause 52.247-64).
- (2) While not required, the Vendor/Contractor may flow down to subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.
- (d) The Vendor/Contractor shall include the terms of this clause, including this paragraph (d), in subcontracts awarded under this contract.

FAR 52.223-18 CONTRACTOR POLICY TO BAN TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October, 2009 and DOT Order 3902.10, text Messaging While Driving, December 30, 2009, Vendor/Contractors and subcontractors are encouraged to:

- (1) Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving.
 - (i) Company-owned or rented vehicles or Government-owned, leased or rented vehicles: or
 - (ii) Privately-owned vehicles when on official government business or when performing any work for or on behalf of the Government.

