

# ORDER FOR SUPPLIES OR SERVICES

PAGE OF PAGES

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**IMPORTANT: Mark all packages and papers with contract and/or order numbers.**

|  |  |   |                           |   |  |
|--|--|---|---------------------------|---|--|
| 1. DATE OF ORDER<br>09/25/2008   | 2. CONTRACT NO. (if any)<br>GS07F0067M | 6. SHIP TO:   |                           |   |  |
| 3. ORDER NO.<br>HSBP1108F23911   |  | 4. REQUISITION/REFERENCE NO.<br>0020037238              |                           | a. NAME OF CONSIGNEE<br><br>See Attached Delivery Schedule  |  |
| 5. ISSUING OFFICE (Address correspondence to)<br>CBP, Procurement Directorate<br>ATTN: (b) (6)<br>Intech Two, Suite 100<br>6650 Telecom Drive<br>Indianapolis IN 46278 |  |   |                           | b. STREET ADDRESS   |  |
|  |  | c. CITY   | d. STATE                  | e. ZIP CODE   |  |
|  |  |   |                           | f. SHIP VIA   |  |
| 7. TO:   |  |   |                           | 8. TYPE OF ORDER  |  |
| a. NAME OF CONTRACTOR<br>PEPPERBALL TECHNOLOGIES INC   |  |   |                           | <input type="checkbox"/> a. PURCHASE - Reference Your _____<br>Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.   |  |
| b. COMPANY NAME  |  |   |                           | <input checked="" type="checkbox"/> b. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract. |  |
| c. STREET ADDRESS<br>6142 NANCY RIDGE DR<br>STE 101  |  |   |                           | 10. REQUISITIONING OFFICE<br><br>(b) (6)  |  |
| d. CITY<br>SAN DIEGO   |  | e. STATE<br>CA  | f. ZIP CODE<br>92121-3289 |   |  |
| 9. ACCOUNTING AND APPROPRIATION DATA<br><br>CONTRACTOR TIN: (b) (4)  |  |   |                           |   |  |
| 11. BUSINESS CLASSIFICATION (Check appropriate box(es))  |  |   |                           |   |  |
| <input type="checkbox"/> a. SMALL  |  | <input checked="" type="checkbox"/> b. OTHER THAN SMALL |                           |   |  |
| <input type="checkbox"/> c. DISADVANTAGED  |  | <input type="checkbox"/> d. WOMEN-OWNED                 |                           |   |  |
| <input type="checkbox"/> e. HUBZone  |  | <input type="checkbox"/> f. EMERGING SMALL BUSINESS     |                           |   |  |
| <input type="checkbox"/> g. SERVICE-DISABLED VETERAN-OWNED   |  |   |                           |   |  |
| 12. F.O.B. POINT<br>Origin   |  | 14. GOVERNMENT B/L NO.                                  |                           | 15. DELIVER TO F.O.B POINT<br>ON OR BEFORE (Date)<br>12/31/2008   |  |
| 13. PLACE OF   |  |   |                           | 16. DISCOUNT TERMS<br>NET 30  |  |
| a. INSPECTION  |  | b. ACCEPTANCE   |                           |   |  |

**17. SCHEDULE (See reverse for Rejections)**

| ITEM NO.<br>(a) | SUPPLIES OR SERVICES<br>(b)      | QUANTITY ORDERED<br>(c) | UNIT<br>(d) | UNIT PRICE<br>(e) | AMOUNT<br>(f) | QTY Acpt<br>(g) |
|-----------------|----------------------------------|-------------------------|-------------|-------------------|---------------|-----------------|
| 00010           | PAVA Projectile PC3-R375         | 602.00                  | EA          | \$526.66          | \$317,049.32  |                 |
| 00020           | Inert Powder projectile PC3-P375 | 353.00                  | EA          | \$210.66          | \$74,362.98   |                 |
| 00030           | Shipping                         | 1.00                    | AU          | \$700.00          | \$700.00      |                 |
| 00040           | Inert Projectile PC3-P375        | 475.00                  | EA          | \$210.66          | \$100,063.50  |                 |
| 00050           | Inert Projectile PC3-P375        | 187.00                  | EA          | \$210.66          | \$39,393.42   |                 |
| 00060           | Inert Projectile PC3-P375        | 85.00                   | EA          | \$210.66          | \$17,906.10   |                 |
| 00070           | Additional Shipping              | 1.00                    | AU          | \$363.36          | \$363.36      |                 |

|                                     |  |                           |                         |                      |                                |
|-------------------------------------|--|---------------------------|-------------------------|----------------------|--------------------------------|
| SEE BILLING INSTRUCTIONS ON REVERSE | 18. SHIPPING POINT                           | 19. GROSS SHIPPING WEIGHT | 20. INVOICE NO.         |                      | 17(h)<br>TOT.<br>(Cont. pages) |
|                                     | 21. MAIL INVOICE TO:                         |                           |                         |                      |                                |
|                                     | a. NAME<br>DHS - Customs & Border Protection |                           | National Finance Center |                      | \$0.00                         |
|                                     | b. STREET ADDRESS (or P.O. Box)              |                           | P.O. Box 68908          |                      | \$549,838.68                   |
| c. CITY<br>Indianapolis             |  | d. STATE<br>IN            | e. ZIP CODE<br>46268    | 17(i)<br>GRAND TOTAL |                                |

|  |   |
|--|---|
| 22. UNITED STATES OF AMERICA<br>BY (b) (6) | 23. NAME (Typed)<br>Susan E. Hargett-Evans<br>TITLE: CONTRACTING/ORDERING OFFICER |
|--|---|

|                             |                                     |                             |                      |
|-----------------------------|-------------------------------------|-----------------------------|----------------------|
| DATE OF ORDER<br>09/25/2008 | CONTRACT NO. (if any)<br>GS07F0067M | ORDER NO.<br>HSBP1108F23911 | PAGE OF PAGES<br>2 2 |
|-----------------------------|-------------------------------------|-----------------------------|----------------------|

**Federal Tax Exempt ID: 72-0408780**

**Emailing Invoices to CBP.** As an alternative to mailing invoices to the National Finance Center as shown on page one of this award, you may email invoices to: **cbpinvoices@dhs.gov**.

**NOTES:**

The purpose of this delivery order is to provide line items 00010 through 00070 per the terms and conditions of GSA Contract No. GS-07F-0067M and the attached Section A.

Reference FedBid Bid No. 4057918 for Buy No. 91626\_01 dated 9/25/08.

The Order Number (Block 3) shall be referenced on the invoice.

Also please send a duplicate invoice to: UFPD/OTD, 1300 Pennsylvania Ave, NW, Room 5.3C, Washington DC 20229

Send invoice to the address in Block 21 or e-mail to cbpinvoices@dhs.gov

CBP Delivery Site Point of Contact: (b) (6), Ph. (b) (6)

Contract Specialist: (b) (6)

**ITEMS AND PRICES, DELIVERY SCHEDULE AND ACCOUNTING DATA  
FOR  
DELIVERY ORDER: HSBP1108F23911**

**SCHEDULE OF SUPPLIES/SERVICES**

|                           |   |   |                   |
|---------------------------|---|---|-------------------|
| <b>Item Number:</b>       | <b>00010</b>  | <b>Line Item (Priced/Information/Option):</b> | <b>P</b>          |
| <b>Supplies/Services:</b> | PAVA Projectile PC3-R375<br>Tactical PAVA Pepperballs Item PC3-R375 - 2 part, 3 gram, PAVA Projectile 602 Canisers<br>(375 projectiles per canister)  |   |                   |
| <b>Qty</b>                | <b>Unit</b>   | <b>Unit Price</b>                             | <b>Ext. Price</b> |
| 602                       | EA  | \$526.6600                                    | \$317,049.3200    |
| <b>Item Number:</b>       | <b>00020</b>  | <b>Line Item (Priced/Information/Option):</b> | <b>P</b>          |
| <b>Supplies/Services:</b> | Inert Powder projectile PC3-P375<br>Inert Powder Pepperballs Item PC3-P375 - Projectile, Inert Powder 353 Canisters (375<br>projectiles per canister) |   |                   |
| <b>Qty</b>                | <b>Unit</b>   | <b>Unit Price</b>                             | <b>Ext. Price</b> |
| 353                       | EA  | \$210.6600                                    | \$74,362.9800     |
| <b>Item Number:</b>       | <b>00030</b>  | <b>Line Item (Priced/Information/Option):</b> | <b>P</b>          |
| <b>Supplies/Services:</b> | Shipping  |   |                   |
| <b>Qty</b>                | <b>Unit</b>   | <b>Unit Price</b>                             | <b>Ext. Price</b> |
| 1                         | AU  | \$700.0000                                    | \$700.0000        |
| <b>Item Number:</b>       | <b>00040</b>  | <b>Line Item (Priced/Information/Option):</b> | <b>P</b>          |
| <b>Supplies/Services:</b> | Inert Projectile PC3-P375<br>Inert Powder Pepperballs Item PC3-P375 - Projectile, Inert Powder 475 Canisters (375<br>projectiles per canister)        |   |                   |
| <b>Qty</b>                | <b>Unit</b>   | <b>Unit Price</b>                             | <b>Ext. Price</b> |
| 475                       | EA  | \$210.6600                                    | \$100,063.5000    |
| <b>Item Number:</b>       | <b>00050</b>  | <b>Line Item (Priced/Information/Option):</b> | <b>P</b>          |
| <b>Supplies/Services:</b> | Inert Projectile PC3-P375<br>Inert Powder Pepperballs Item PC3-P375 - Projectile, Inert Powder 187 Canisters (375<br>projectiles per canister)        |   |                   |
| <b>Qty</b>                | <b>Unit</b>   | <b>Unit Price</b>                             | <b>Ext. Price</b> |
| 187                       | EA  | \$210.6600                                    | \$39,393.4200     |
| <b>Item Number:</b>       | <b>00060</b>  | <b>Line Item (Priced/Information/Option):</b> | <b>P</b>          |
| <b>Supplies/Services:</b> | Inert Projectile PC3-P375<br>Inert Powder Pepperballs Item PC3-P375 - Projectile, Inert Powder 85 Canisters (375<br>projectiles per canister)         |   |                   |
| <b>Qty</b>                | <b>Unit</b>   | <b>Unit Price</b>                             | <b>Ext. Price</b> |
| 85                        | EA  | \$210.6600                                    | \$17,906.1000     |

Item Number: 00070 Line Item (Priced/Information/Option): P  
Supplies/Services: Additional Shipping

| Qty | Unit | Unit Price | Ext. Price |
|-----|------|------------|------------|
| 1   | AU   | \$363.3600 | \$363.3600 |

Total Funded Contract Value:

\$549,838.68

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**ACCOUNTING AND APPROPRIATION INFORMATION**


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|             |  |                              |
|-------------|--|------------------------------|
| Item: 00010 | 6100.2671USCSGLCS0901800000Z00008400HQ01 111262671 | Amount <u>\$317,049.3200</u> |
| Item: 00020 | 6100.2671USCSGLCS0901800000Z00008400HQ01 111262671 | Amount <u>\$74,362.9800</u>  |
| Item: 00030 | 6100.2671USCSGLCS0901860000Z00008400AP09 150302671 | Amount <u>\$700.0000</u>     |
| Item: 00040 | 6100.2671USCSGLCS0901800000Z00008400AP09 111262671 | Amount <u>\$100,063.5000</u> |
| Item: 00050 | 6100.2671USCSGLCS0901800000Z00008400BN05 111262671 | Amount <u>\$39,393.4200</u>  |
| Item: 00060 | 6100.2671USCSGLCS0901800000Z00008400AP01 111262671 | Amount <u>\$17,906.1000</u>  |
| Item: 00070 | 6100.2671USCSGLCS0901800000Z00008400HQ01 111262671 | Amount <u>\$363.3600</u>     |

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**DELIVERY SCHEDULE**


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Deliver To: Customs and Border Protection

**(b) (7)(E)**

Instructions:

| Item | Quantity | Delivery Date | Recipient | Unloading PT. |
|------|----------|---------------|-----------|---------------|
|------|----------|---------------|-----------|---------------|

|       |     |            |
|-------|-----|------------|
| 00010 | 602 | 12/31/2008 |
| 00020 | 353 | 12/31/2008 |
| 00030 | 1   | 12/31/2008 |
| 00040 | 475 | 12/31/2008 |
| 00050 | 187 | 12/31/2008 |
| 00060 | 85  | 12/31/2008 |
| 00070 | 1   | 12/31/2008 |

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ODVE 9/25/08 207



DETAILS FOR BUY NO. 91626\_01

GENERAL INFORMATION

Buy Description: Tactical and Inert Pepperballs  
 Competition Type: Reverse Auction  
 Total Target Price: \$ 549,850.00 - Target Price is Active  
 Internal Description: Tactical and Inert Pepperballs  
 Solicitation No: PR20037238  
 Bid Decrement: \$10  
 Set-Aside Requirement: N/A (All Sellers can bid)  
 End Date: 09/25/2008  
 End Time: 14:00 EST  
 Purchase Description: Brand Name or Equal  
 Contract Vehicle: Open Market  
 FBO Solicitation: Yes  
 Award Type: Purchase Order or Delivery Order  
 Category: 13 -- Ammunition and Explosives  
 Subcategory: 1395 -- Miscellaneous Ammunition  
 Seller Community: FedBid Seller Community (All qualified Sellers can bid)

CONTRACT / BIDDING REQ.

**Instructions**

**Open Market** Open Market bids are accepted in this solicitation, however, please refer to the specifications below, including 'Set-Aside Requirement' provision, for additional requirements.

**Brand Name or Equal** The Buyer is allowing Sellers to submit bids for alternate products as long as the bid specification 'Brand Name or Equal' the requested specification. Sellers MUST enter exactly what they are bidding (including make, model, and description) into the blank description field in order for the bid to be considered.

**Minimum Bid Decrement is \$10** The Buyer is requiring that any rebid must be lower than the 'current bid price' by this amount. The reduction is based on the total order and must be satisfied within the rebid minimum.

**Purchase Order or Delivery Order** Buyer intends to issue award using a purchase order or delivery order. Bids from Sellers unable to accept purchase orders or delivery orders will not be considered for award.

**Set-Aside Requirement** This Solicitation is unrestricted and all qualified Sellers can bid.

**Use of FedBid** Buyers and Sellers agree to conduct this transaction through FedBid in compliance with the FedBid Terms of Use. Failure to comply with the below terms and conditions may result in offer being determined as non-responsive.

**Evaluation** Sellers understand that FedBid ranks all Bids by price; however, pursuant to applicable

|                                |   |
|--------------------------------|---|
| <b>Criteria/Basis of Award</b> | acquisition regulations and/or departmental guidelines, Buyers may use criteria other than price to evaluate offers. Accordingly, please note that, unless otherwise specified in the Buy Terms, below, to the extent required by applicable regulations and/or guidelines, award will be made to the responsible Seller whose offer conforming to the solicitation will be most advantageous to the Buyer on the basis of price, technical capability, delivery, and past performance. |
| <b>Question Submission</b>     | Interested offerors must submit any questions concerning the solicitation at the earliest time possible to enable the buyer to respond. Questions can be submitted by using the 'Submit a Question' button. Questions not received within a reasonable time prior to close of the solicitation may not be considered.   |

**BID TERMS**

| Terms                     | Criteria  |
|---------------------------|---|
| 2nd Standard Term         | The selected Offeror must comply with the following commercial item terms and conditions. FAR 52.212-1, Instructions to Offerors - Commercial, applies to this acquisition. The selected Offeror must submit a completed copy of the provision at 52.212-3, Offeror Representations and Certifications - Commercial Items. FAR 52.212-4, Contract Terms and Conditions - Commercial Items, applies to this acquisition. |
| 3rd Standard Term         | The following FAR clauses in paragraph (b) of FAR clause 52.212-5, Contract Terms and Conditions Required To Implement Statutes or Executive Orders-Commercial Items, will apply: 52.222-21, 52.222-26, 52.222-35, 52.222-36, 52.222-37, 52.225-13, 52.232-34. The full text of a FAR clause may be accessed electronically at <a href="http://www.acqnet.gov/far">http://www.acqnet.gov/far</a> .                      |
| 4th Standard Term         | Delivery shall be made within 30-60 days or less after receipt of order (ARO).  |
| 5th Standard Term         | CCR Requirement - Company must be registered on Central Contractor Registration (CCR) before an award could be made to them. If company is not registered in CCR, they may do so by going to CCR web site at <a href="http://www.ccr.gov">http://www.ccr.gov</a> .  |
| Award Evaluation Criteria | Award Evaluation Criteria: The Award Criteria is "Best Value". 1) The extent to which the technical proposed solution meets the requirements and specifications. 2) Company Past performance second. 3) Delivery Date. 4) Price last.   |

**SHIPPING INFORMATION**

|                               |
|-------------------------------|
| <b>Shipping Address</b>       |
| Special Shipping Instructions |

**LINE ITEM(S)**

| Item No. | Description   | Qty  | Unit |
|----------|---|------|------|
| 001      | Tactical PAVA Pepperballs Item PC3-R375 - 2 part, 3 gram, PAVA Projectile 150 Canisters (375 projectiles per canister) See Attachment1 for delivery schedule. | 602  | EA   |
| 002      | Inert Powder Pepperballs Item PC3-P375 - Projectile, Inert Powder 274 Canisters (375 projectiles per canister) See Attachment1 for delivery schedule.         | 1100 | EA   |
| 003      | Freight Charge  | 1    | EA   |

**ATTACHMENTS**

| No. | Document Name                   | Document Size |
|-----|---------------------------------|---------------|
| 001 | <a href="#">attachment1.doc</a> | 26 KB         |

**SUGGESTED SOURCES**

| Company Name | Phone   | Sales Rep | Email |
|--------------|---------|-----------|-------|
| PepperBall   | (b) (6) |           |       |

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