

## SECTION 1 SPECIAL INSTRUCTIONS

### 1-1. General.

The following 2010-2011 Filing Cycle Special Instructions (SI) are provided in addition to the instructions set out in the Vehicle Tender of Service (VTOS), supplements thereto and reissues thereof (Request for Offers (RFO) Section 2-4).

#### 1-1.1. Application of the Vehicle Tender of Service.

Except as otherwise provided hereafter, all provisions of the VTOS apply to this rate solicitation unless otherwise identified herein.

#### 1-1.2. Effective Period.

Except as otherwise provided herein, offers made in response to this request will be for the period November 1, 2010, through October 31, 2011.

#### 1-1.3. Electronic Transmission.

All submissions of rate filings must be accomplished via the Internet utilizing the Rate Upload module within the Transportation Management Services Solution (TMSS) system or via the rate filing module (TMSS) and meet the transmission requirements as defined in RFO Section 7. There will be no hard copy (paper) tenders accepted. If your firm has never submitted rates to GSA and intends to transmit its rate offer via the Rate Upload module itself and will not be utilizing a Rate Filing Service Provider, it will need to contact the Program Management Office (PMO) located in Kansas City, Missouri (RFO Section 1-6). The Vendor must submit a written request on company letterhead in order to receive a User ID and Password. You may FAX your request to the PMO at (816) 823-3656. The response from GSA assigning your firm's User ID and Password will also be via FAX, so be sure to include your firm's FAX number when submitting your request. Requests may take several days to receive and process.

#### 1-1.4. Filing Period.

##### 1-1.4.1. Initial Filing.

Only firms approved to participate in the VTOS may submit offers in accordance with this request. Offers are due by 10:00 P.M. Central Standard Time, October 8, 2010.

##### 1-1.4.2 Supplemental Filings.

The supplemental filing allows the Vendor to review and process any changes to its originally accepted offer and for the submission of new and late filings as defined in Section 1-1.6. Supplemental offers must be submitted in accordance with this request and are due by 10:00 P.M. Central Standard Time, March 30, 2011, and will be reviewed and processed in accordance with Section 1-2.

#### 1-1.5. Re-Filings of Filing Deficiencies.

##### 1-1.5.1. Non-Rate Related Technical Deficiencies.

Vendor offers received between August 25, 2010, and October 8, 2010, or February 14, 2011, and March 30, 2011, which do not meet documentation requirements as stated in RFO Section 1-4 will be considered unacceptable, rates will not be included in the database, and the Vendor will be notified by facsimile transmission or e-mail under RFO Section 1-3 for correction. Corrected documentation must be re-submitted by 10:00 pm CST on the closing date of rates, October 8 2010, or March 30, 2011. In those instances where corrections are not received by 10:00 pm CST on the closing date of October 8, 2010 or March 30, 2011, rate offers will be considered unacceptable and Vendors will not be allowed to re-file until the next supplemental filing period or until a new RFO is distributed, whichever comes first. All corrected offers received by 10:00 pm CST on the closing date, October 8, 2010, or March 30, 2011, will be entered into the database in accordance with RFO Section 1-2.

##### 1-1.5.2. Rate Filing Deficiencies.

Vendor offers received between August 25 2010, and October 8, 2010, or February 14, 2011, and March 30, 2011, which do not meet the rate filing requirements as stated in this RFO will be considered unacceptable, rates will not be included in the database, and the Vendor or Rate Filing Service Provider will be notified by facsimile transmission or e-mail under RFO Section 1-3 for clarification and/or correction of offer. Corrections of deficiencies must be resubmitted by

10:00 pm CST on the closing date of rates, October 8, 2010, or March 29, 2011. In those instances where corrections are not received by 10:00 pm CST on the closing date of October 8, 2010, or March 30 2011, offers will be considered unacceptable and the VENDOR will not be allowed to re-file until the next supplemental filing period, or until a new RFO is distributed, whichever comes first. All corrected offers received by 10:00pm CST on the closing date of October 8 2010 or March 30 2011 will be entered into the database in accordance with RFO Section 1-2. **Electronic rate offers and error corrections will be accepted into the system, pending any errors, through the closing time of 10:00 pm CST on October 8 2010 and March 30 2011. A firm which submits a file at 10:00 pm CST on the closing day of October 8 2010 or March 30 2011 will not have an opportunity to correct any errors detected in that file after the closing time.**

**1-1.5.3. Rate Filing Service Provider.**

If a Vendor's offer is submitted in accordance with this RFO by a Rate Filing Service Provider, the Rate Filing Service Provider will be notified of the deficiencies and suspect rate offers and **not** the firm. The Rate Filing Service Provider will be notified by facsimile transmission or e-mail under RFO Section 1-3 for correction. Corrected offers must be resubmitted **by 10:00 pm CST** on the closing date of October 8 2010 or March 30, 2011. In those instances where corrections are not received **by 10:00 pm CST** on the closing date of October 8, 2010, or March 30, 2011, offers will be considered unacceptable and Vendors will not be allowed to re-file until the next supplemental filing period, or until a new RFO is distributed, whichever comes first. All corrected offers received by 10:00 pm CST on the closing date of October 8, 2010, or March 30, 2011, will be entered into the database in accordance with RFO Section 1-2.

**1-1.6. Letter of Intent Certification.**

By the submission of a rate offer to GSA in accordance with this RFO, the submitting Vendor certifies that: "I have read and will comply with all the provisions contained in this RFO and its Special Instructions dated September 1, 2009, as well as any supplements, changes, and/or reissues thereto and the GSA Vehicle Tender of Service (VTOS) as well as any supplements, changes, and/or reissues thereto and subsequent amendments. I further certify that the company for which rate offers have been submitted has the operating authority and insurance as required in RFO Section 1-4.1."

**1-2. Schedule of Accepted Effective Dates**

	INITIAL FILINGS	NEW FILINGS	SUPPLEMENTAL FILINGS
Date Received By	08-25-10 thru 10-8-10	08-25-10 thru 10-15-10	2-14-11 thru 3-30-11
Computer Entry Date	11-01-2010 or before	11-01-2010 or before	5-01-2011 or before
Accepted/Effective Date	11-01-2010	11-01-2010	5-01-2011

**1-3. Vendor Notifications.**

**1-3.1. Official Vehicles**

For rate offers submitted via JUpload, the submitting Vendor or RFSP will receive a summary from GSA stating the total number of records processed, number of records rejected, and the number of records accepted. This notification will be by facsimile transmission or e-mail.

**1-3.2. Armored Vehicles**

For rate offers submitted via JUpload, the submitting Vendor or RFSP will receive a summary from GSA stating the total number of records processed, number of records rejected, and the number of records accepted. This notification will be by facsimile transmission or e-mail.

## **1-4. Documentation Requirements.**

The following documentation is required to be on file with the PMO prior to the acceptance of a Vendors rate offer

### **1-4.1. Vendors Providing Official and Armored Vehicle Transport**

#### **1-4.1.1. Trading Partner Agreement.**

All Vendors approved to provide Official and Armored Vehicle transport are required as part of its filing to have on file with the PMO a signed Trading Partner Agreement (TPA). A TPA CURRENTLY ON FILE SATISFIES THIS REQUIREMENT.

#### **1-4.1.2. Performance Bond - International Only.**

All Vendors approved to provide Official and Armored Vehicle transport are required as part of its filing to furnish a performance bond in the amount of \$75,000.00. The performance bond **MUST** clearly identify that the bond is in force for the period November 1, 2010 through October 31, 2011, or later. A Certification of Continuation of Bond is acceptable. **A PERFORMANCE BOND OR CERTIFICATION OF CONTINUATION OF BOND CURRENTLY ON FILE DOES NOT SATISFY THIS REQUIREMENT AND COPIES WILL NOT BE ACCEPTED.**

#### **1-4.1.3.1. Addendum to the Performance Bond**

All Vendors approved to provide Official and Armored Vehicle transport are required as part of its filing to furnish a performance bond to the PMO in the amount of \$75,000. By the submission of an international rate offer to the GSA in accordance with this request, the Vendor certifies that it will comply with the following performance bond specifications: THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that the Principal will enter into bill of lading contracts with the Government from time-to-time during the effective period of this bond, for furnishing supplies or services to the Government, that the Government is represented by the department or agencies shown above, and that, based upon the Principal's desires, all such contracts will be covered by one bond, instead of by a separate performance for each contract. This performance bond serves to protect the Government in the event the carrier to whom the actual bill of lading contract is issued fails to effect delivery of the shipment set forth on the bill of lading. By this performance bond, the Surety(ies) underwrites and assumes the Principal's liability to the Government for excess procurement costs when, due to the Principal's failure to complete delivery of a shipment, the Federal civilian agency named in the bill of lading deems it necessary to procure transportation services from an alternate carrier. The Government shall be sole beneficiary of this bond in the event the Principal defaults and is unable to perform for whatever reason, including that of filing a petition in bankruptcy or an involuntary bankruptcy. THIS BOND WILL BE CONTINUOUS, and may be canceled at any time by the Surety(ies) upon thirty (30) days written notice to the General Services Administration, Transportation Management Branch (6FBD-X), 1500 East Bannister Road, Building 6, Kansas City, Missouri 64131, representing the Government. Termination under this provision shall not effect or relieve the Surety(ies) of any obligation or liability that may have occurred prior to such termination. The time for commencing collection of monies owed the Government arising under the carrier's contracts with the Government is determined by: Title 28, United States Code, Section 2416; Title 31, United States Code, Section 3716; Title 31, United States Code, Section 3726; and Title 49, United States Code, Section 11706. IN WITNESS WHEREOF, the Principal and Surety(ies) have executed this performance bond and have affixed their seals on the date set forth above.

**NOTE 1:** The word "contracts" as used herein means agreements for transportation and services as provided in applicable bills of lading, associated tenders of service, rate tenders and tariffs, and the General Services Administration, Vehicle Tender of Service Rate Solicitation.

**NOTE 2:** The word "services" as used herein means all transportation and related services required to be performed in accordance with the applicable contract as defined above.

#### **1-4.2. Submission To.**

**All required documents must be submitted as originals with original signatures to the address specified in RFO Section 1-6.**

#### **1-4.3. Place of Receipt.**

Receipt of documentation requirements by any other office of the General Services Administration or by a Rate Filing Service Provider shall not be construed as receipt by the office specified in RFO Section 1-6.

#### **1-4.4. Time of Submission.**

The TPA and Performance Bond must be submitted in accordance with RFO Section 1-4. These provisions will apply with respect to deficiencies in any of these documents.

#### **1-5. Vendor Certification Statement.**

Vendor certification of eligibility for the award of contracts for transportation.

(A) By submission of a rate offer electronically, the submitting Vendor certifies that:

(1) Neither the Vendor, nor any of its subsidiaries, officers, directors, principal owners, or principal employees is currently suspended, debarred, or in receipt of a notice of proposed debarment from any Federal agency as a result of civil judgment or criminal conviction or for any cause from GSA, or has been placed in temporary nonuse status by GSA for the routes covered by this tender as of the date that this rate tender is offered.

(2) The Vendor is not a corporation, partnership, sole proprietorship or any other business entity which has been formed or organized following the suspension or debarment of, a subsidiary, officer, director, principal owner, or principal employee thereof (or from such an entity formed after receipt of a notice of proposed debarment).

(B) The following definitions are applicable to this certification:

(1) A subsidiary is a business entity whose management decisions are influenced by the Vendor through legal or equitable ownership of a controlling interest in the firm's stock, assets, or otherwise.

(2) A principal owner is an individual or company, which owns a controlling interest in the Vendor's stock, or an individual who can control, or substantially influence, the Vendor's management, through the ownership interest of family members of close associates.

(3) A principal employee is a person(s) acting in a managerial or supervisory capacity (including consultants and business advisors) who is able to direct, or substantially influence, the carrier's performance of its obligations under its contracts for transportation with the Federal Government.

(C) The knowledge of the person who executes this certification is not required to exceed the knowledge which that person can reasonably be expected to possess, following inquiry, regarding the suspended or debarred status of the parties defined in (B) above.

(D) THE VENDOR HAS A CONTINUING OBLIGATION TO INFORM THE GSA OFFICE TO WHICH THIS RATE TENDER IS SUBMITTED OF ANY CHANGE IN CIRCUMSTANCES WHICH RESULTS IN ITS INELIGIBILITY FOR THE RECEIPT OF CONTRACTS FOR TRANSPORTATION.

(E) An erroneous certification of eligibility or failure to notify the GSA transportation zone office receiving this tender of a change in eligibility may result in a recommendation for administrative action against the carrier. Additionally, false statements to an agency of the Federal Government are subject to criminal prosecution pursuant to 18 USC 1001, as well as possible civil penalties.

#### **1-6. Contact**

General Services Administration  
Center For Transportation Management  
1500 East Bannister Road (QMCCB)  
Building 6  
Kansas City, MO 64131

Brian Kellhofer [brian.kellhofer@gsa.gov](mailto:brian.kellhofer@gsa.gov)

(816) 823-3646 or FAX (816) 823-3656