

<b>SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS</b> OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30		1. REQUISITION NUMBER REQ-4500-14-0007	PAGE OF 1   7
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2. CONTRACT NO. CPSC-D-12-0001	3. AWARD/EFFECTIVE DATE 09/17/2014	4. ORDER NUMBER 0012	5. SOLICITATION NUMBER	6. SOLICITATION ISSUE DATE
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7. FOR SOLICITATION INFORMATION CALL:	a. NAME Greg Grayson	b. TELEPHONE NUMBER (No collect calls) 301-504-7725	8. OFFER DUE DATE/LOCAL TIME ET
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9. ISSUED BY CONSUMER PRODUCT SAFETY COMMISSION DIV OF PROCUREMENT SERVICES 4330 EAST WEST HWY ROOM 523 BETHESDA MD 20814	CODE FMPS	10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: % FOR:  <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> EDWOSB <input type="checkbox"/> 8(A) NAICS: 541690 SIZE STANDARD: \$6.0
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11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE	12. DISCOUNT TERMS Net 30	<input type="checkbox"/> 13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)	13b. RATING	14. METHOD OF SOLICITATION <input checked="" type="checkbox"/> RFQ <input type="checkbox"/> IFB <input type="checkbox"/> RFP
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15. DELIVER TO CONSUMER PRODUCT SAFETY COMMISSION DIRECTORATE FOR HEALTH SCIENCES 5 Research Place Rockville MD 20850	CODE HS	16. ADMINISTERED BY CONSUMER PRODUCT SAFETY COMMISSION DIV OF PROCUREMENT SERVICES 4330 EAST WEST HWY ROOM 523 BETHESDA MD 20814	CODE FMPS
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17a. CONTRACTOR/OFFEROR TOXICOLOGY EXCELLENCE FOR RISK ASSESSMENT ATTN JACQUELINE PATTERSON 2300 MONTANA AVE SUITE 409 CINCINNATI OH 45211-3888  TELEPHONE NO. (513) 542-7475 EXT29	CODE [REDACTED]	FACILITY CODE	18a. PAYMENT WILL BE MADE BY CPSC Accounts Payable Branch AMZ 160 P. O. Box 25710 Oklahoma City OK 73125	CODE FMFS
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<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER	<input type="checkbox"/> 18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM
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19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
	DUNS Number: [REDACTED] Contracting Officer Representative: Kristina Hatlelid Email: Khatlelid@cpsc.gov Tel: 301-987-2558  Task Order 0012 to contract number CPSC-D-12-0001 is hereby issued for risk assessment services. The contractor shall provide all necessary personnel, materials, and services for the performance period of September 22, 2014 through (Use Reverse and/or Attach Additional Sheets as Necessary)				

25. ACCOUNTING AND APPROPRIATION DATA 0100A14DSE-2014-2572700000-EXHR004500-252H0	26. TOTAL AWARD AMOUNT (For Govt. Use Only) \$98,353.00
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<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA	<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.
<input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA	<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.

<input type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED.	<input type="checkbox"/> 29. AWARD OF CONTRACT: _____ OFFER DATED _____ YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:
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30a. SIGNATURE OF OFFEROR/CONTRACTOR	31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER) 		
30b. NAME AND TITLE OF SIGNER (Type or print)	30c. DATE SIGNED	31b. NAME OF CONTRACTING OFFICER (Type or print) Eddie Ahmad	31c. DATE SIGNED 9/18/14

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
	June 21, 2015. All work shall be in accordance with the attached statement of work, contractor's quote, and terms and conditions of master contract# CPSC-D-12-0001.				
0001	Risk Assessment Services	900	HR	108.17	97,353.00
0002	Literature Review	1	LO	1,000.00	1,000.00
The total amount of award: \$98,353.00. The obligation for this award is shown in box 26.					

32a. QUANTITY IN COLUMN 21 HAS BEEN

RECEIVED     INSPECTED     ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: \_\_\_\_\_

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32c. DATE	32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE
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32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE
	32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

33. SHIP NUMBER <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	36. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	37. CHECK NUMBER
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38. S/R ACCOUNT NUMBER	39. S/R VOUCHER NUMBER	40. PAID BY
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41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT		42a. RECEIVED BY ( <i>Print</i> )	
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER		41c. DATE	
		42b. RECEIVED AT ( <i>Location</i> )	
		42c. DATE REC'D ( <i>YY/MM/DD</i> )	42d. TOTAL CONTAINERS

## Statement of Work

(Contract# CPSC-D-12-0001 / Task Order 0012)

### Exposure Assessment: Potential for the Presence of Phthalates in Selected Plastics

#### 1. Description of Services

The contractor shall furnish all necessary personnel, materials, services, and facilities to perform the work set forth below.

The contractor shall conduct research regarding the production and use of specified plastics with regards to the possibility of containing any of the specified phthalates in concentrations greater than 0.1 percent (1000 ppm). The plastics are:

- Polypropylene;
- Polyethylene;
- High Impact Polystyrene (HIP); and
- Acrylonitrile Butadiene Styrene (ABS).

The specified phthalates are:

- DEHP: di-(2-ethylhexyl) phthalate (CAS number 117-81-7);
- DBP: dibutyl phthalate (84-74-2);
- BBP: benzyl butyl phthalate (85-68-7);
- DINP: diisononyl phthalate (28553-12-0, 68515-48-0);
- DIDP: diisodecyl phthalate (26761-40-0, 68515-49-1);
- DnOP: di-n-octyl phthalate (117-84-0);
- DIOP: diisooctyl phthalate (27554-26-3);
- DIBP: diisobutyl phthalate (84-69-5);
- DPENP: di-n-pentyl phthalate (131-18-0);
- DHEXP di-n-hexyl phthalate (84-75-3); and
- DCHP dicyclohexyl phthalate (84-61-7).

The contractor's investigation shall include the following factors:

- The raw materials used in the production of the specified plastics;
- The manufacturing processes used worldwide to produce the plastics;
- Typical applications for the plastics in consumer products, especially toys and child care articles;
- The potential use of recycled materials containing the specified phthalates in the production of the plastics; and
- The potential for phthalate contamination during packaging, storage, use, or other factors.

Information about applications for the use of the plastics in consumer products shall focus on circumstances where the plastic could contain phthalates at concentrations greater than 0.1 percent. The research shall detail the plastic in which the specified

phthalates are used, which phthalates are typically used, the reasons for including phthalates, and typical phthalate concentration ranges. If the specified phthalates are unlikely to be present in a plastic, the research shall detail the reasons why the phthalates are not present (*e.g.*, incompatible chemical properties, no identified application for phthalates for the plastic, none of the specified phthalates are used because an alternative chemical is used).

The contractor shall prepare a project plan detailing the contractor's planned activities. The contractor shall meet with the U.S. Consumer Product Safety Commission (CPSC or Commission) staff by teleconference to discuss the plan prior to the commencement of the research. Any changes to the task list or project schedule shall be immediately communicated to the CPSC project officer by email, with an updated task list and/or project schedule delivered within seven calendar days.

In addition, the contractor shall conduct a progress report meeting once per month after the task is awarded with the Contracting Officer's Representative (COR) and/or designated staff. The project tasks and schedule will be reviewed. Technical issues, questions and other matters may be discussed.

The contractor shall provide electronic copies of the report and a list of all references examined during the research. Copies of references cited shall be made available to the Contracting Officer in paper or electronic form at the completion of the task.

All documents delivered shall contain the following information:

1. Date;
2. Contract Number;
3. Contractor name; and
4. Document author.

## 2. **Contract Type**

This is a firm fixed price task order with fully loaded hourly rates for the hours indicated in the schedule of services.

## 3. **Background**

Section 14 of the Consumer Product Safety Act (CPSA) requires third party testing of children's products for compliance to the applicable children's product safety rules. Section 108 of the Consumer Product Safety Improvement Act (CPSIA) restricts the presence of six phthalates in children's toys and child care articles.<sup>1</sup> A children's toy is a consumer product designed or intended by the manufacturer for a child 12 years of age or younger for use by the child when the child plays. A child care article is a consumer product designed or intended by the manufacturer to facilitate sleep or the feeding of children age 3 and younger, or to help such children with sucking or teething. The six prohibited phthalates cannot be present in children's toys or child care articles in concentrations above 0.1 percent. The limit applies to DBP, BBP, and DEHP in all children's toys and child care articles products, and to DnOP, DINP and DIDP in

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<sup>1</sup> <http://www.cpsc.gov/PageFiles/129663/cpsia.pdf>.

mouthable toys, as well as child care articles. Additionally, CPSC's Chronic Hazard Advisory Panel (CHAP) released a report titled *Chronic Hazard Advisory Panel on Phthalates and Phthalate Alternatives*.<sup>2</sup> In that report, the CHAP recommends that DIOP be subject to an interim ban from use in children's toys and child care articles at levels greater than 0.1 percent until sufficient toxicity and exposure data are available to assess the potential risks. The CHAP further recommends that DIBP, DPENP, DHEXP, and DCHP be permanently banned from use in children's toys and child care articles at levels greater than 0.1 percent.

The Commission has determined that some materials do not, and will not, contain lead (Pb) in excess of 100 ppm. These materials are listed in 16 C.F.R. § 1500.91.<sup>3</sup> Component parts made from these materials are not subject to third party testing for certification purposes.<sup>4</sup>

In a similar manner, it may be possible for the Commission to determine that some materials do not contain any of the specified phthalates at levels that exceed the concentration limit, and thus do not require third party testing to assure compliance with section 108 of the CPSIA. In 2009, CPSC staff published a statement of policy regarding the use of phthalates in some materials.<sup>5</sup> Section C of that document listed materials that might not contain phthalates. While useful, the statement of policy does not include information showing that the specified phthalates cannot or will not be present in the materials at concentrations above 0.1 percent.

#### 4. **Objective**

Under this task order, CPSC staff plans to research the worldwide manufacture and applications of certain plastics used in toys and child care articles, and their potential to contain any of the specified phthalates in concentrations above 0.1 percent.

The objective of this task order is to acquire data to support Commission determinations regarding required third party testing.

#### 5. **Period of Performance**

The period of performance shall be from September 22, 2014 through June 21, 2015.

#### 6. **Government Furnished Materials**

There are no government furnished materials.

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<sup>2</sup> <http://www.cpsc.gov/PageFiles/169902/CHAP-REPORT-With-Appendices.pdf>.

<sup>3</sup> <http://www.ecfr.gov/cgi-bin/text-idx?SID=ab4f9fdffa42c50cb72e8e725ac134d&node=16:2.0.1.3.79.0.1.37&rgn=div8>.

<sup>4</sup> Compliance to the lead content limit of 100 ppm is always required for accessible component parts of children's products, irrespective of any testing requirements.

<sup>5</sup> <https://www.cpsc.gov/PageFiles/126588/componenttestingpolicy.pdf>.

**7. Deliverables or Performance**

The contractor shall provide the requested information in the form of a written report. The report shall be in the format of a scientific report with full citations and tables, as appropriate. The reviewer shall e-mail the report to the COR in a Microsoft Word file.

**8. Delivery Schedule**

The contractor shall provide the service or deliverable listed in Table 2 per the delivery or performance listed.

**Table 2. Delivery Schedule**

<b>Item(s)</b>	<b>Quantity</b>	<b>Delivery or Performance</b>
The Contractor and CPSC Contracting Officer's Representative (COR) will meet by teleconference to discuss and initiate the contractor's project plan.	1	Within 14 calendar days of project initiation.
The Contractor and CPSC COR shall meet by teleconference for status updates.	As appropriate	At least once per month after project initiation
The Contractor shall submit a draft final report to the CPSC COR.	1	Within 150 calendar days after the initial teleconference.
The CPSC COR will provide written comments on the draft final report to the Contractor.	1	Within 14 calendar days after receipt of the draft final report.
The Contractor shall submit a final report to the CPSC COR.	The Contractor will revise the draft final report as appropriate.	Within 30 calendar days after receipt of comments.
Inspection and Acceptance	The Final report will be reviewed by the CPSC COR	Within 14 calendar days after receipt of the report

**9. Place of Delivery**

The contractor shall submit written materials by email to the COR, Dr. Kristina Hatlelid (khatlelid@cpsc.gov). If needed, the contractor may mail or send written materials by the deadlines to:

Kristina Hatlelid, Ph.D., M.P.H.  
U.S. Consumer Product Safety Commission

5 Research Place  
Rockville, MD 20850

Technical questions or clarifications about the documents should be directed to Dr. Kristina Hatlelid at 301-987-2558 or [khatlelid@cpsc.gov](mailto:khatlelid@cpsc.gov).

**10. Inspection and Acceptance**

The Draft Final report submitted to the CPSC will be reviewed within 14 days of receipt of the draft final report for any additional questions and/or comments. If returned to the contractor as a result of the review, the contractor shall address and/or revise their report accordingly and return the final version to the COR within 14 days of receipt. The CPSC COR will then have an additional 14 days to review the Final report.

**11. Requirement for CPSC Clearance**

The final report is the property of the U.S. Consumer Product Safety Commission. The Contractor shall not publish the final report, present the information at scientific meetings, or in any other way make the findings public in any form without the written permission of the COR. Any publication must be cleared following CPSC procedures, as outlined in the CPSA.