

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEM OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30				1. REQUISITION NUMBER REQ-2400-11-0056	PAGE OF 1 9
2. CONTRACT NO. GS-35F-0131R		3. AWARD/EFFECTIVE DATE 12/28/2010	4. ORDER NUMBER CPSC-F-11-0021	5. SOLICITATION NUMBER	8. SOLICITATION ISSUE DATE
7. FOR SOLICITATION INFORMATION CALL:		a. NAME Greg Grayson		b. TELEPHONE NUMBER (No collect calls) 301-504-7725	8. OFFER DUE DATE/LOCAL TIME
9. ISSUED BY CONSUMER PRODUCT SAFETY COMMISSION DIV OF PROCUREMENT SERVICES 4330 EAST WEST HWY ROOM 517 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"/> EMERGING SMALL BUSINESS <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> SOLE SOURCE NAICS: 443120 SIZE STANDARD: \$8.00 <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> 8(A)	
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS Net 30		13b. RATING	
15. DELIVER TO CONSUMER PRODUCT SAFETY COMMISSION OFFICE OF INFORMATION SERVICES 4330 EASTWEST HIGHWAY ROOM 706 BETHESDA MD 20814		CODE EXIT	16. ADMINISTERED BY CONSUMER PRODUCT SAFETY COMMISSION DIV OF PROCUREMENT SERVICES 4330 EAST WEST HWY ROOM 517 BETHESDA MD 20814		
17a. CONTRACTOR/OFFEROR AUGUST SCHELL ENTERPRISES INC 51 MONROE ST STE 1802 ROCKVILLE MD 20850-2421		CODE [REDACTED]	FACILITY CODE	18a. PAYMENT WILL BE MADE BY CONSUMER PRODUCT SAFETY COMMISSION DIVISION OF FINANCIAL SERVICES 4330 EAST WEST HWY ROOM 522 BETHESDA MD 20814	
TELEPHONE NO.		CODE FMPS		14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input type="checkbox"/> RFP	

Office of Secretary

17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER

18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED SEE ADDENDUM

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
0001	DUNS Number: 0800000000 The contractor shall provide VMware Software Maintenance in accordance with the attached terms and conditions and GS Schedule. P/N: VS4-ENT-P-SSSGOV Production Support/Subscription for VMwarevSphere Enterprise for 1 processor Start Date: 06/24/2011 End Date: 12/31/2011 0103M-4K24L-N873J-0900M-AXQ00 Instance # 27043158 VMware VS4-ENT-P-SSSGOV (Use Reverse and/or Attach Additional Sheets as Necessary)	4	EA	359.99	1,439.96

25. ACCOUNTING AND APPROPRIATION DATA
0100A11DCC-2011-9994800000-EXITIT2400-25710

26. TOTAL AWARD AMOUNT (For Govt. Use Only)
\$48,605.74

27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA ARE ARE NOT ATTACHED.

27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4, FAR 52.212-5 IS ATTACHED. ADDENDA ARE ARE NOT ATTACHED.

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 HEREIN.

29. AWARD OF CONTRACT REF. ME-VM-1202101 OFFER DATED 12/02/2010 YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:

30a. SIGNATURE OF OFFEROR/CONTRACTOR

31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)
Rudi M. Johnson

30b. NAME AND TITLE OF SIGNER (Type or print)
Rudi M. Johnson

30c. DATE SIGNED

31b. NAME OF CONTRACTING OFFICER (Type or print)
Rudi M. Johnson

31c. DATE SIGNED
1/3/2011

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
0002	P/N: VS4-ENT-P-SSSGOV Production Support/Subscription for VMwarevSphere Enterprise for 1 processor Start Date: 06/09/2011 End Date: 12/31/2011 0460P-4K240-N8W3W-001KM-80X5J Instance # 26823008 VMware VS4-ENT-P-SSSGOV	6	EA	388.26	2,329.56
0003	P/N: VS4-ENT-2P-SSSGOV Production Support/Subscription for VMwarevSphere Enterprise for 1 processor Start Date: 11/04/2010 End Date: 12/31/2011 HJ2A2-8KJ1P-18C35-038AH-2XL7M Instance # 21915526 VMware VS4-ENT-2P-SSSGOV	2	EA	797.25	1,594.50
0004	P/N: VS4-ENT-2P-SSSGOV Production Support/Subscription for VMwarevSphere Enterprise for 1 processor Start Date: 07/24/2010 End Date: 12/31/2011 4H42Q-DK1DK-M8H34-0T28H-3WG3N Instance # 19027164 VMware VS4-ENT-2P-SSSGOV	2	EA	991.39	1,982.78
0005	P/N: VS4-ENT-2P-SSSGOV Production Support/Subscription for VMwarevSphere Enterprise for 1 processor Continued ...	2	EA	997.04	1,994.08

32a. QUANTITY IN COLUMN 21 HAS BEEN

RECEIVED INSPECTED

NOTED: ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE 32c. DATE 32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE

32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE 32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE

32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

33. SHIP NUMBER 34. VOUCHER NUMBER 35. AMOUNT VERIFIED CORRECT FOR 36. PAYMENT 37. CHECK NUMBER

PARTIAL FINAL COMPLETE PARTIAL FINAL

38. S/R ACCOUNT NUMBER 39. S/R VOUCHER NUMBER 40. PAID BY

41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT 42a. RECEIVED BY (Print)

41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER 41c. DATE 42b. RECEIVED AT (Location)

42c. DATE REC'D (YY/MM/DD) 42d. TOTAL CONTAINERS

CONTINUATION SHEET

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NAME OF OFFEROR OR CONTRACTOR

AUGUST SCHELL ENTERPRISES INC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
0006	Start Date: 07/21/2010 End Date: 12/31/2011 050CN-8KJ42-08L3D-0398P-984LN Instance # 18938250 Vmware VS4-ENT-2P-SSSGOV P/N: VS4-ENT-2P-SSSGOV Production Support/Subscription for VMwarevSphere Enterprise for 1 processor Start Date: 09/28/2010 End Date: 12/31/2011 N1630-8KK9L-J8138-0E1RM-AJAQ4 Instance # 20716751 Vmware VS4-ENT-2P-SSSGOV	8	EA	866.99	6,935.92
0007	P/N: VS4-ENT-3G-SSSGOV Basic Support/Subscription for VMware vSphere Enterprise for 1 processor Start Date: 01/01/2010 End Date: 12/31/2011 0048N-4K04L-0823D-00C80-3TD3N Instance # 17384313 Vmware VS4-ENT-3G-SSSGOV	2	EA	1,155.81	2,311.62
0008	P/N: VS4-ENT-3G-SSSGOV Basic Support/Subscription for VMware vSphere Enterprise for 1 processor Start Date: 01/01/2010 End Date: 12/31/2011 40415-4K05L-08335-032R4-3XMLN Instance # 17382480 Vmware VS4-ENT-3G-SSSGOV	2	EA	1,155.81	2,311.62
0009	P/N: VS4-ENT-3G-SSSGOV Basic Support/Subscription for VMware vSphere Enterprise for 1 processor Start Date: 01/01/2010 End Date: 12/31/2011 0500Q-0KKD1-08C3E-0HCK4-30M3N Instance # 17382481 Vmware VS4-ENT-3G-SSSGOV	2	EA	1,155.81	2,311.62
0010	P/N: VCS-STD-P-SSSGOV Production Support/Subscription for vCenter Server 4 Standard Start Date: 12/31/2010 End Date: 12/31/2011 J140L-6A19J-N8R33-0JCR4-15NJ5 Instance # 23718280 Vmware VCS-STD-P-SSSGOV Continued ...	1	EA	1,272.12	1,272.12

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NAME OF OFFEROR OR CONTRACTOR
 AUGUST SCHELL ENTERPRISES INC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
0011	P/N: VC-VLM4-P-SSSGOV Production Support/Subscription* for VMware vCenter Lab Manager 4.0 Start Date: 12/31/2010 End Date: 12/31/2011 1H0CP-4R287-08A3N-0M3R2-2TGM0 Instance # 23718282 VMware VC-VLM4-P-SSSGOV	14	EA	358.83	5,023.62
0012	P/N: VS4-ENT-P-SSSGOV Production Support/Subscription for VMware vSphere Enterprise for 1 processor for 1 year Start Date: 12/31/2010 End Date: 12/31/2011 PJ69J-FKJ9H-58T3X-0T2K4-91GL5 Instance # 23718281 VMware VS4-ENT-P-SSSGOV	22	EA	689.82	15,176.04
0013	Reinstatement Fee Effective October 31, 2006:There is a 20% reinstatementfee for any lapse of maintenancecontracts VMware First Option Year - January 1, 2012 to December 31, 2012	1	EA	3,922.30	3,922.30
0014	VMware Software Maintenance Renewal See line items on quote Amount: \$41,316.98 (Option Line Item) Accounting Info: \$41,316.98 (Subject to Availability of Funds) Second Option Year - January 1, 2013 to December 31, 2013	1	LO	41,316.98	0.00
0015	VMware Software Maintenance Renewal See line items on quote Amount: \$41,316.98 (Option Line Item) Accounting Info: \$41,316.98 (Subject to Availability of Funds) Continued ...	1	LO	41,316.98	0.00

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NAME OF OFFEROR OR CONTRACTOR
 AUGUST SCHELL ENTERPRISES INC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
0016	Third Option Year - January 1, 2014 to December 31, 2014 VMWare Software Maintenance Renewal See line items on quote Amount: \$41,316.98 (Option Line Item) Accounting Info: \$41,316.98 (Subject to Availability of Funds) The total amount of award: \$172,556.68. The obligation for this award is shown in box 26.	1	LO	41,316.98	0.00

LC 1A CONTRACTOR'S NOTE

Deliveries and/or shipments shall not be left at the Loading Dock. **All deliveries shall be considered "inside deliveries"** to the appropriate room at the Consumer Product Safety Commission (CPSC) and in accordance with the instructions below. When scheduling deliveries the purchase order number shall always be referenced and all packages shall clearly display the Purchase Order Number on the outside of the cartons and/or packages, to include the packing slip.

ATTENTION GOVERNMENT VENDOR:

A. DELIVERY INSTRUCTIONS:

1. DELIVERY INSTRUCTIONS FOR LARGE OR HEAVY ITEMS:

If the shipment or item being delivered requires use of a loading dock, advance notification is required. The contractor shall contact the Shipping and Receiving Coordinator at (301) 366-7018 or Ronald Welch (301) 504-7091, forty-eight (48) hours in advance of the date the items are to arrive to schedule use of the loading dock.

LOADING DOCK HOURS OF OPERATION:

9:00 am to 11:00 am or 1:30 pm to 4:00 pm
Monday through Friday (except holidays)

Please notify contact person if there is a change in the delivery date. For changes, delays, or assistance please contact CPSC as follows:

Facilities Management Support Services (301) 504-7091
And Project Officer Jacob WarrenFeltz (301) 504-7046

Upon arrival, the driver should contact the CPSC Guard, 301-504-7721, at the loading dock to obtain assistance in using freight elevators and to gain access to CPSC security areas.

2. DELIVERY INSTRUCTIONS FOR SMALL ITEMS

When delivering or shipping small items, the contractor and/or carrier service shall report to the 4th floor lobby, North Tower, 4330 East West Highway, to sign in with the CPSC guard. Upon completion of signing in, the contractor shall deliver all shipments to the Mail Room, Room 415. After delivery, delivery personnel shall promptly depart the building.

MAIL ROOM HOURS OF OPERATION:

Monday through Friday (except holidays) – 7:30 am to 5:00 pm

B. BILLING INSTRUCTIONS

Pursuant to the Prompt Payment Act (P.L. 97-177) and the Prompt Payment Act Amendments of 1988 (P.L. 100-496) all Federal agencies are required to pay their bills on time, pay interest penalties when payments are made late, and to take discounts only when payments are made within the discount period. To assure compliance with the Act, vouchers and/or invoices shall be submitted on any acceptable invoice form which meets the criteria listed below. Examples of government vouchers that may be used are the Public Vouchers for Purchase and Services Other Than Personal, SF 1034, and Continuation Sheet, SF 1035. At a minimum, each invoice shall include:

1. The name and address of the business concern (and separate remittance address, if applicable).
2. Taxpayer Identification Number (TIN).
3. Invoice date (use of invoice number in addition to invoice date is prudent but not required).
4. The contract or purchase order number (see block 2 of OF347 and block 4 of SF1449 on page 1 of this order), or other authorization for delivery of goods or services.
5. Description, price and quantity of goods or services actually delivered or rendered.
6. Shipping cost terms (if applicable).
7. Payment terms.
8. ACH Vendor Information which includes: the Financial Institution, routing transit number, and depositor account number. In addition please specify whether account is a checking account or savings account.
9. Other substantiating documentation or information as specified in the contract or purchase order.
10. Name, title, phone number and mailing address of responsible official to be notified in the event of a deficient invoice.

ORIGINAL VOUCHERS/INVOICES SHALL BE SENT TO:

Accounting Officer
Div. of Financial Services, Room 522
U.S. Consumer Product Safety Commission
4330 East-West Hwy
Bethesda, MD 20814

Invoices not submitted in accordance with the above stated minimum requirements will not be processed for payment. Deficient invoices will be returned to the vendor within seven days or sooner. Standard forms 1034 and 1035 will be furnished by CPSC upon request of the contractor.

Inquiries regarding payment should be directed to the Finance Office at 301-504-7404.

C. PAYMENT

Payment will be made as close as possible to, but not later than, the 30th day after receipt of a proper invoice as defined in "Billing Instructions," except as follows:

When a time discount is taken, payment will be made as close as possible to, but not later than, the discount date. Discounts will be taken whenever economically justified. Otherwise, late payments will include interest penalty payments. Inquiries regarding payment should be directed to Rachelle Coleman, Accounting Officer at (301) 504-7404 or at the following address:

Accounting Officer
Div. of Financial Services, Room 522
U.S. Consumer Product Safety Commission
4330 East-West Hwy
Bethesda, MD 20814

Complaints related to the late payment of an invoice should be directed to Deborah Peebles Hodge, Director, Division of Financial Services at the same address (above) or 301-504-7130.

D. INSPECTION & ACCEPTANCE PERIOD

Unless otherwise stated in the Statement of Work or Description, the Commission will ordinarily inspect all materials/services within three (3) working days after the date of receipt. The CPSC contact person will transmit disapproval, if appropriate. If other inspection information is provided in the Statement of Work or Description, it is controlling.

E. ALL OTHER INFORMATION RELATING TO THE PURCHASE ORDER

Contact: Greg Grayson at (301) 504-7725

F. PROCESSING INSTRUCTIONS FOR REQUESTING OFFICES

The Purchase Order/Receiving Report (Optional Form 347 or Standard Form 1449) must be completed at the time the ordered goods or services are received. Upon receipt of the goods or services ordered, each item should be inspected, accepted (partial or final) or rejected. The Purchase Order/Receiving Report must be appropriately completed, signed

and dated by the authorized receiving official. In addition, the acceptance block shall be completed (Blocks 32 a, b & c on the SF 1449 and column G and page 2 of the OF 347). The receiving report shall be retained by the requesting office for confirmation when certifying invoices.

G. PROPERTY/EQUIPMENT PURCHASES

In the case of Purchase Orders/Receiving Reports involving the purchase and receipt of property/equipment, a copy of the Purchase Order/Receiving Report must also be immediately forwarded directly to the Administrative Services Specialist (Ron Welch) in the Facilities Management Support Services Branch (Room 416). The transmittal of Purchase Orders/Receiving Reports to the property management officer is critical to the integrity and operation of CPSC's Property Management System. Receiving officials should also forward copies to their local property officer/property custodian consistent with local office procedures.