SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEM
OFFEREE TO COMPLETE BLOCKS 12, 17, 23, 24, 32, 33

1. REQUISITION NUMBER
   AG-6395-P-11-0253
   493550

2. CONTRACT NO.
   3. AWARD/EFFECTIVE DATE
   4. ORDER NUMBER
   5. SOLICITATION NUMBER

7. FOR SOLICITATION
   INFORMATION CALL
   CODE APHIS-MRPBS-2
   NAME LARRY NELSON
   TELEPHONE NUMBER 612 336 3225

8. ISSUED BY
   CODE APHIS-MRPBS-2
   USDA APHIS MRPBS
   ASD Procurement Branch
   Butler Square, 5th Floor
   100 N 6TH STREET
   MINNEAPOLIS MN 55403

11. DELIVERY FOR FCO DESTINATION UNLESS BLOCK IS
    MARKED

12. DISCOUNT TERMS

13. THIS ACQUISITION IS

16. ADMINISTERED BY
   CODE APHIS-MRPBS-2

19. CONTRACTOR/ OFFERER
   CODE 516176475
   FACILITY CODE

20. SCHEDULE OF SUPPLIES/SERVICES

21. QUANTITY
   UNIT PRICE
   AMOUNT

22. AMOUNT

23. ACCOUNTING AND APPROPRIATION DATA

24. TOTAL AWARD AMOUNT (For Govt. Use Only)

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

28. CONTRACTOR/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4, 52.212-6 IS ATTACHED.
   ADDENDA ARE NOT ATTACHED.

29. SIGNATURE OF OFFEREE/CONTRACTOR

30. NAME AND TITLE OF SIGNER (Type or print)

31. DATE SIGNED

TELEPHONE NO.

Check if Remittance is Different and Put Such Address in Offer

Send Invoice to Consignee (Block 6)

APLTER FENCING LLC
P.O. BOX 146
516176475 A
PRAY MT 59065

A. Bison Hauling Services in accordance with attatched Quote on an as needed basis for the period of January 31, 2011 through July 31, 2011.

B. Order is funded at a not-to-exceed amount of $15,000. Contractor will not be paid for any work which exceeds funding amount on order.

Specific work direction (where/when hauling is needed) will be given by COR Rebecca Frey up to (Use Reverse and/or Attach Additional Sheets as Necessary)

STANDARD FORM 1440 (REV. 3/2005)
Prepared by GSA - FAR (48 CFR) 52.212

AUTHORIZED FOR LOCAL REPRODUCTION
PREVIOUS EDITION IS NOT USABLE

1/31/11
the funded ceiling amount of this order.
Delivery: 07/31/2011

Accounting Info:
34.11.2Z.2222222.2222222.22.2ZZZZZ.22.529794335.25
70.2Z.2222222.2222 Agency Code (4): 34 Program
Cost Org (7): 2222222 Job Code (8): 22222222 Sub
Cost Org (2): ZZ Budget Yr Start (2): 11 Budget
Yr End (2): ZZ Fund (6): 22ZZZZ Budget Org (7):
ZZZZZZZZ Sub Budget Org (2): ZZ Report Category
(4): ZZZZ
Period of Performance: 01/31/2011 to 07/31/2011

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>SCHEDULE OF SUPPLIES/SERVICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>Bison Hauling services funded at the</td>
</tr>
<tr>
<td></td>
<td>not-to-exceed amount of $15,000.</td>
</tr>
<tr>
<td></td>
<td>Product/Service Code: V119</td>
</tr>
<tr>
<td></td>
<td>Product/Service Description: OTHER CARGO AND FREIGHT SERVICES</td>
</tr>
</tbody>
</table>

The total amount of award: $15,000.00. The obligation for this award is shown in box 26.
<table>
<thead>
<tr>
<th>Item</th>
<th>Schedule of Supplies/Services</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>01</strong></td>
<td>All labor, material and equipment necessary for bison cows, calves and young bulls (2 years of age and younger) transportation to slaughter facilities (Priced per loaded mile)</td>
<td>Mile</td>
<td>7,000 Estimated</td>
<td>$4.75</td>
<td>$33,250</td>
</tr>
<tr>
<td><strong>02</strong></td>
<td>All labor, material and equipment necessary for mature bison bull (greater than 2 years of age) transportation to slaughter facilities (Priced per loaded mile). NOTE: Failure to quote for this CLIN does not exclude offeror from contract consideration but will exclude use as a bison bull transporter.</td>
<td>Mile</td>
<td>2,000 Estimated</td>
<td>$5.15</td>
<td>$10,300</td>
</tr>
<tr>
<td><strong>03</strong></td>
<td>All labor, material and equipment costs necessary for cleaning and disinfection of trailer. (Firm fixed price per disinfection).</td>
<td>EA</td>
<td>10 Estimated</td>
<td>$25.00</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

**Note:** Use and/or Stash Addressing Section: Noted.
SF1449 CONTINUATION:

Statement of Work:

Truck/livestock trailer combinations to haul wild bison from Gardiner, MT to slaughterhouses in Montana and Idaho.

Trailer should be of a design that is durable enough to haul wild bison safely and humanely for a minimum distance of 80 miles. Livestock trailer minimum length should be 20 ft. Trailers should be able to be cleaned and disinfected when these procedures are indicated. The rear gate of the trailers must have a sliding half gate (vertical or horizontal) to permit loading at the facility.

Contract haulers must be available to haul with minimal notice (< 12 hours notice) and must be able to start as early as 6 am MST, five days per week. Contractors will be making one trip per day under winter driving conditions. Load size haul could vary from as few as 2 to as many as 60 bison per load.

Three types of bids needed:

$ amount/ per loaded mile to haul mature bull bison to slaughter
$ amount/ per loaded mile to haul all other types of bison to slaughter.
$ amount to clean out interior of trailer.

Offeror Notes:

A. This Request for Quote will result in a firm-fixed price per mile and firm-fixed price per trailer sanitation purchase order(s) for transportation of bison to slaughter facilities in Yellowstone Park vicinity (Idaho, Montana, Wyoming and South Dakota).

B. The amounts listed in CLINS 01, 02 and 03 are only estimated amounts and contractor(s) will only be reimbursed for actual loaded miles and trailer disinfections used. Contractors should not rely on the estimated amounts as these are only our best guess at this time. Any orders issued will be funded at an estimated NTE (not-to-exceed) amount after which verbal orders will be issued within order NTE amounts per the direction of the Contracting Officer Representative (COR) Rebecca Frey. Contractor is not authorized to exceed the NTE amount without prior written approval from authorized Contracting Officer.

C. Cleaning and disinfection must be accomplished with high pressure sprayer and bleach (1% solution: 1 part household bleach to 4 parts water—leaves on surface for 10 minutes before rinsing) per COR instructions. Cleaning must be accomplished, at a minimum, at the commencement of each bison hauling session. Cleaning and disinfecting must be accomplished, at a minimum, at the conclusion of each bison hauling session.

D. One or more purchase orders may be issued as a result of this RFQ (Request for Quote) at not-to-exceed amounts. Issuance of actual verbal work orders within the not-to-exceed amounts will be dependent on contractor's availability, proximity to necessary routes, total price, performance and delivery times.

E. Period of Performance: February 1, 2011 until need for bison hauling ceases which will be no later than July 31, 2011.
F. All personnel providing service under this contract are unofficial representatives of the United States Government and shall maintain a professional demeanor at all times. Inappropriate behavior may constitute grounds for contract termination.

G. The Government shall arrange for all necessary security services in support of this contract.

H. Invoicing: Submit invoices to the following address:

Clint Cates  
Western Regional Office, Veterinary Services  
2150 Centre Avenue, Building B, Mailstop 3E13; Fort Collins, CO 80526-8117  
Phone: (970) 494-7358  
e-mail: clint.e.cates@aphis.usda.gov

III. CONTRACT CLAUSES

The following contract clauses are applicable to any awarded purchase orders: (The full text of the clauses can be found at http://farsite.hill.af.mil/vffar1.htm)

52.212-4 -- Contract Terms and Conditions -- Commercial Items. (Jun 2010)

52.212-5 -- Contract Terms and Conditions Required to Implement Statutes or Executive Orders -- Commercial Items (Jan 2011)

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

(1) 52.222-50, Combating Trafficking in Persons (FEB 2009) (22 U.S.C. 7104(g)).

(2) 52.222-50, Combating Trafficking in Persons (AUG 2007) of 52.222-50 (22 U.S.C. 7104(g)).


(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the contracting officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[Contracting Officer check as appropriate.]


(2) 52.203-13, Contractor Code of Business Ethics and Conduct (Apr 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).


(6) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Dec 2010) (31 U.S.C. 6101 note). (Applies to contracts over $30,000). (Not applicable to subcontracts for the acquisition of commercially available off-the-shelf items).

(7) 52.219-3, Notice of Total HUBZone Set-Aside or Sole-Source Award (Jan 2011) (15 U.S.C. 657a).

(8) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Jan 2011) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).

(9) [Reserved]


(ii) Alternate I (Oct 1995) of 52.219-6.

(iii) Alternate II (Mar 2004) of 52.219-6.


(iii) Alternate II (Mar 2004) of 52.219-7.

(12) 52.219-8, Utilization of Small Business Concerns (Jan 2011) (15 U.S.C. 637(d)(2) and (3)).

(13) (i) 52.219-9, Small Business Subcontracting Plan (Jan 2011) (15 U.S.C. 637 (d)(4).)


(iii) Alternate II (Oct 2001) of 52.219-9.

(iv) Alternate III (July 2010) of 52.219-9.

(14) 52.219-14, Limitations on Subcontracting (Dec 1996) (15 U.S.C. 637(a)(14)).


(16) (i) 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns (Oct 2008) (10 U.S.C. 2333) (if the offeror elects to waive the adjustment, it shall so indicate in its offer).

(ii) Alternate I (June 2003) of 52.219-23.


(20) 52.219-28, Post Award Small Business Program Rererepresentation (Apr 2009) (15 U.S.C. 632(a)(2)).

(21) 52.222-3, Convict Labor (June 2003) (E.O. 11755).

(22) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (Jul 2010) (E.O. 13126).

(23) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).


(27) 52.222-37, Employment Reports on Veterans (Sep 2010) (38 U.S.C. 4212).

(28) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).

(29) 52.222-54, Employment Eligibility Verification (Jan 2009). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)

(30) (i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

(ii) Alternate I (May 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)


(ii) Alternate I (Dec 2007) of 52.223-16.

(33) 52.223-18, Contractor Policy to Ban Text Messaging while Driving (Sep 2010) (E.O. 13513).


(iii) Alternate II (Jan 2004) of 52.225-3.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or executive orders applicable to acquisitions of commercial items:

[Contracting Officer check as appropriate.]


(d) **Comptroller General Examination of Record** The Contractor shall comply with the provisions of this paragraph if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records--Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, cf the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e)

(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c) and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause—

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (Apr 2010) (Pub. L. 110-252, Title VI, Chapter I (41 U.S.C. 251 note)).

(ii) 52.219-8, Utilization of Small Business Concerns (Dec 2010) (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 $650,000 ($1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(iii) [Reserved]

(iv) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).


(vii) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.


(ix) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).

___ Alternate I (Aug 2007) of 52.222-50 (22 U.S.C. 7104(g)).


(xii) 52.222-54, Employment Eligibility Verification (Jan 2009).

(xiii) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations. (Mar 2009) (Pub. L. 110-247). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

(xiv) 52.247-64, Preference for Privately-Owned U.S. Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx 1241(b) 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 contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.
# Amendment of Solicitation/Modification of Contract

<table>
<thead>
<tr>
<th>1. Contract ID Code</th>
<th>Page of Pages</th>
</tr>
</thead>
<tbody>
<tr>
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<td>0001</td>
<td>03/03/2011</td>
<td></td>
<td></td>
<td>USDA APHIS MRPBS</td>
<td>APHIS-MRPBS-ASD-6</td>
</tr>
</tbody>
</table>

USDA APHIS MRPBS
ASD Procurement Branch
Butler Square, 5th Floor
100 N 6th Street
MINNEAPOLIS MN 55403

8. Name and Address of Contractor (No., street, county, state and ZIP Code)

ANTLER FENCING LLC
P.O. BOX 146
516176475 A
FRAY MT 59065

<table>
<thead>
<tr>
<th>Code</th>
<th>Facility Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>516176475</td>
<td></td>
</tr>
</tbody>
</table>

10. This item only applies to amendments of solicitations

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of offers is extended. ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment number. Failure of your acknowledgement to be received at the place designated for the receipt of offers prior to the hour and date specified may result in rejection of your offer. If you fail to this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided such telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. Accounting and Appropriation Data (if required)

See Schedule

13. This item only applies to modification of contracts/orders. It modifies the contract/order No. as described in Item 14.

<table>
<thead>
<tr>
<th>CHECK ONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. This change order is issued pursuant to: (Specify authority) the changes set forth in Item 14 are made in the contract order No. in Item 10a.</td>
</tr>
<tr>
<td>B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data, etc.) set forth in Item 14, pursuant to the authority of FAR 4.103(b).</td>
</tr>
<tr>
<td>C. This supplemental agreement is entered into pursuant to authority of:</td>
</tr>
<tr>
<td>D. OTHER (Specify type of modification and authority)</td>
</tr>
</tbody>
</table>

14. Description of Amendment/Modification (Organized by UCP section headings, including solicitation/contract subject matter where feasible)

Tax ID Number: 51-6176475
DUNS Number: Not Available

A. The purpose of this modification is to add a line item for a daily rate for short-distance hauling. The daily rate of $400 will be paid when the hauling requires two to three trips of short hauls of approximately 7 loaded miles but requires that the hauler must be available for up to 8 hours during the day. The hauler will still receive loaded mileage rates in addition to the base fee of $400 for an entire day.

Continued...

Except as provided herein, all items and conditions of the document referenced in Item 9A or 10A, as hereinafter changed, remains unchanged and in full force and effect.

15A. Name and Title of Signer (Type or print)

LARRY D. NELSON

15C. Date Signed

3/13/11

16A. Name and Title of Contracting Officer (Type or print)

LARRY D. NELSON

16C. Date Signed

3/13/11

Signature of person authorized to sign

Signature of Contracting Officer

NSN 7540-01-152-4070

Preceding edition unsuitable

FAR (48 CFR) 33.243

STANDARD FORM 30 (REV. 10-85)
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<tr>
<th>ITEM NO. (A)</th>
<th>SUPPLIES/SERVICES (B)</th>
<th>QUANTITY (C)</th>
<th>UNIT (D)</th>
<th>UNIT PRICE (E)</th>
<th>AMOUNT (F)</th>
</tr>
</thead>
</table>

**Payment:**

SEND INVOICE TO CONSIGNEE (BLOCK 6)

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Period of Performance: 01/31/2011 to 07/31/2011