

Special Articles to the Sale by Reference

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ARTICLE PI: COMPLIANCE WITH EUROPEAN UNION (EU) DIRECTIVE 677548 ON THE CLASSIFICATION, PACKAGING AND LABELING OF DANGEROUS SUBSTANCES.

(Applicable to Item(s) XX)

EU Directive 67/548 imposes obligations on certain entities to comply with classification, packaging and labeling requirements before making dangerous substances available to third parties within the EU. These obligations include, but are not limited to, certain notification requirements for dangerous substances, and the assessment of potential risks to man and the environment of notified substances. Consistent with Paragraph 24, Requirements to comply

with applicable laws and regulations, 'Part 2, March 1994, Sale By reference, it is the bidder's responsibility to ascertain the degree to which the hazardous property awarded under this solicitation is subject to Regulation under EU Directive 67754S, to include applicable Host Nation implementing legislation of EU Directive '67/548. Where such hazardous property is so regulated, the bidder certifies by the submission of its bid that prior to making hazardous property awarded under this solicitation available to third parties within the EU, it will have complied with all applicable host nation implementing legislation of EU Directive 677548.

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ARTICLE P: COMPLIANCE WITH EUROPEAN UNION (EU) DIRECTIVE 67/548 ON THE CLASSIFICATION, PACKAGING AND LABELLING OF DANGEROUS SUBSTANCES.

(Applicable Item(s))

EU Directives 67/548 imposes obligations on certain entities to comply with classification, packaging and labeling requirements before making dangerous substances available to third parties within the EU. These obligations include, but are not limited to certain notification requirements for dangerous substances, and the assessment of potential risk to man and the environment of notified substances consistent with para. 24, REQUIREMENTS TO COMPLY WITH APPLICABLE LAWS AND REGULATIONS, Part 2, March 1994, Sale By Reference, it is the bidder's responsibility to ascertain the degree to which the hazardous property awarded under this solicitation is subject to regulation under EU Directive 677543, to include applicable host nation implementing legislation of EU Directive 67/548. Where such hazardous property is so regulated, the bidder's obligations include, but are not limited to, certain notification requirements for dangerous substances and the assessment of potential risk to man and the environment of notified substances. Consistent with Paragraph 24, REQUIREMENTS TO COMPLY WITH APPLICABLE LAWS AND REGULATIONS, Part 2, March 1994, Sale By Reference, it is the bidder's responsibility to ascertain the degree to which the hazardous property awarded under this solicitation is subject to regulation under EU Directive 67/548, to include applicable Host Nation implementing legislation of EU Directive 67/548. Where such hazardous property is so regulated, the bidder certifies by the submission of its bid that prior to making hazardous property awarded under this solicitation available to third parties within the EU, it will have complied with all applicable provisions of EU Directive 67/548, and with all applicable Host Nation implementing legislation of EU Directive 67/548.

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ARTICLE P1: NEW WASTE LAW. (Applicable to Item(s))

Wastes as defined by paragraph 3' (1)-(4), of the German "Kreislaufwirtschafts-und Abfallgesetz", the attachment

to the "Verordnung zur Bestimmung von Ueberwachungsbeduerftigen Abfaellen zur Verwertung", and attachment 1 and 2 to the "Verordnung zur Bestimmung von besonderen Ueberwachungsbeduerftigen Abfaellen", and hazardous waste defined under EU Council Regulation 259/93 require manifestation even though being sold as an economic good. Therefore it will be the buyers responsibility to generate the necessary recycling documentation for recycling within Germany (Entsorgungs-/Verwertungsnachweis"); for recycling outside Germany the notification in accordance with the EU Council Regulation (EEC) No. 259793 on the Supervision and Control of Shipment of Waste within, into, and out of the European Community must be processed. Documents shall be forwarded to for completing and signing the responsible declaration. All cost associated with obtaining the necessary permits will be born by the buyer. No property that meets the definition of a waste will be released without a manifest (Begleitschein oder Uebnahmeschein).

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ARTICLE P: REQUIREMENTS OF THE UNITED KINGDOM GOVERNMENT

(Applicable Items XX)

Export Formalities – (Department of Trade and Industry). All purchasers intending to export property offered herein coded ICJDV (Import Certificate/Delivery Verification) are cautioned that before removing the property from the property location indicated herein, they must obtain an export license from Her Majesty's Department of Trade and Industry. Requests for export licenses must be accompanied by the Import Certificate issued by the Government of the country into which the property, or any part of it is to be imported and should be forwarded to the address indicated below:

DEPARTMENT OF TRADE AND INDUSTRY

KINGSGATE HOUSE

66-74 VICTORIA STREET

LONDON SW1E-6SW

Telephone 071 215-8070

Purchasers intending export are further cautioned that export licenses may also be required for other items of property offered herein. Inquiries regarding licensing requirements and procedures should be directed to Her Majesty's Department of Trade and Industry.

- Customs Duty and/or V.A.T. (H.M. Customs and Excise)
- Customs duties and/or V.A.T. or similar charges will be levied against the purchaser of the property listed in this Invitation for Bids; rates applicable to this sale are shown against each item on the schedule. The amount of this duty will be computed on the acceptable total bid price. If V.A.T. is payable in addition to duty, the V.A.T. will be computed on the total bid price plus duty.

- By submission of a bid, the Bidder certifies that the prices tendered for the property for sale in this Invitation for bids are exclusive of any customs duty and for V.A.T.
- The Sales Contracting Officer will send each purchaser of property liable to duty and for V.A.T. an advice as to the method of payment, and to whom payment will be made.
- Deposits for bonds for duty and for V.A.T. will be returned to Her Majesty's Customs and Excise upon proof of export direct from the U.S. Base. When the Purchaser intends to export goods other than direct from the U.S. Base, they should consult Her Majesty's Customs and Excise.
- The rates of customs duty and V.A.T. shown against each individual item are provided by Her Majesty's Commissioner of Customs and Excise and the United States Government accepts no liability for any increase or decrease of these assessments.
- Property awarded under the terms of this contract will not be released without production of Her Majesty's Customs and Excise receipt as evidence of payment of Customs Duty or V.A.T. (as applicable).

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ARTICLE RO: TITLE: RONCHI DECREE. (Applicable to Item(s)).

This property may require special processing in accordance with Italian Law, including the Italian Waste Regulation. Ronchi Decree No. 22, dated 15 Feb 1997. Purchaser will assume full responsibility for determining and complying with all the requirements. Purchaser must be currently licensed and registers with the appropriate authorities and possess all the required permits and authorizations for transporting, storing, and/or recycling of the subject material.

TRADUZIONE

QUESTO MATERIALE E' REGOLATO DAL DECRETO LEGISLATIVO NO. 22 DEL 15 FEBBRAIO 1997, DECRETO RONCHI, PER CUI L'AQUIRENTE SI ASSUME LA PIENA E TOTALE RESPONSABILITA' DELLA SUA GESTIONE. DOVRA' QUINDI DIMOSTRARE DI ESSERE IN POSSESSO DELLE NECESSARIE AUTORIZZAZIONI E PERMESSI.

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ARTICLE P: BILLING PRICE DETERMINATION. (ONLY GERMANY)

(Applicable to Item(s))

- a. The German Market Price as quoted in the METAL BULLETIN in the first issue in

which prices appear for the billing month will be used as the basis for determining the billing price for each item to be included in the monthly billing statements. Billing price will be based on the highest quotation for each item as indicated:

- b. Item(s) _____ Ruhr No. 1 old scrap over 4 mm
- c. In the event no market price is published as specified above, the market price quoted in the first following publication will be used.

The official U.S. Military conversion rate of Deutsche Mark to the U.S. Dollar on the date of publication listed above will be used for billing purposes on contracts stated in U.S. Dollars.

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ARTICLE P: BILLING PRICE DETERMINATION (ONLY FOR U.K.)

(Applicable to Item(s)XX)

- a. The highest U.K. Market Price as quoted in the Materials Recycling Week published the first Friday of the month in which pickup is made will be used as the basis for determining the billing price of each item to be included in the monthly billing statement. Billing price will be based on the highest quotation for each item as indicated:
- b. Item(s) _____ Grade 1 old steel (No. 15 ft)
- c. Item(s) _____ Grade 5c loose light steel scrap (light iron)
- d. In the event no market price is published as specified above, the market price quoted in the first following publication will be used.

The official U.S. Military conversion rate of British Pound Sterling to the U.S. Dollar on date of publication will be used for billing purposes on contracts stated in U.S. Dollars.

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NOTICE TO PURCHASERS OF EXCESS PROPERTY FROM U.S. BASES IN THE UNITED KINGDOM(Applicable to Item(s)XX) Customs Duties and V.A.T.

1. All communications to the Customs Excise should quote the Invitation for Bid number and the Item Number (e.g., 5Q-8105, item 1. The DRMS contract number does not assist the Customs and should not be quoted.
2. Remittances for Duty and/or Car Tax, and/or V.A.T., or for deposits to secure the release pending exportation should be sent or taken in the form of cash, Bankers Draft, United Kingdom Bank guaranteed check, or money order direct to:

The Collector
H.M. Custom & Excise
Bedford E.P.U.,E.P.U.
Princess House

Cliftonville Road
Northampton
Northants, NN1 5SW, England
Tel.: 604-731615
Fax: 01604-731518

To whom all remittances should be made payable. Unguaranteed checks will not be acted upon until they have been cleared and their use will delay release of goods.

3.(a) PURCHASERS ARE ADVISED THAT PROPERTY WILL NOT BE RELEASED WITHOUT PROTECTION OF H.M. CUSTOMS & EXCISE RECEIPT IN EVIDENCE OF PAYMENT OF CUSTOMS DUTY/V.A.T. DUE.

- TERM CONTRACT PURCHASERS WILL BE REQUIRED TO LOOSE A DEPOSIT AT THE COLLECTOR'S OFFICE, H.M. CUSTOMS & EXCISE OFFICE BEDFORD, TO COVER V.A.T. AND DUTY LIABILITY PROPERTY WILL NOT BE RELEASED WITHOUT EVIDENCE OF THE DEPOSIT LODGED.
- Purchase taking delivery of goods in the U.K. must pay the duty prior to release from the U.S. Base. Any V.A.T. due must be paid at the same time. (See par. 5 in regards to goods intended for subsequent exportation).
- Exportation – Importance Notice. The facility for the refund of Customs Duties and VAT on exported items is now withdrawn.

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ARTICLE P: BID EVALUATION AND AWARD DETERMINATION

(Applicable to Item(s) XX) Award will be made to the highest percentage bid submitted. The resultant Notice of Award, however, will reflect an estimated total contract price in U.S. Dollars using the percentage bid bases on the Deutsche Mark figures stated in Article P.

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ARTICLE P: CONTAINERS (Applicable to Item(s) XX)

The Purchaser will furnish all containers and equipment for the accumulation and removal of the property in accordance with all applicable environmental laws and regulations. All containers must comply with the requirements of the German Traffic Regulation, entitled: "Verordnung ueber die Befoerderung gefaehrlicher Gueter auf der Strasse". All containers will be acid proof. The door frame of the containers will be equipped with an acid-proof rubber sealing, capable of precluding leaks even when the container is in sloping position while being removed. A clean, empty container will be provided to replace each container removed immediately. Transfer of the property from container to container will not be permitted at any removal point. Leakage and/or spilling of the property on roads and other areas will not be permitted. The Purchaser will immediately clean up any spilling which may occur at no cost to the U.S. Government. Containers are subject to inspection at any time.

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BASIC INSTRUCTIONS FOR MANIFESTATION OF HAZARDOUS WASTE

(Applicable to Item(s))

Processing of disposal authorizations (Entsorgungs-/Verwertungsnachweis, EVN)

In general the processing of the EVN is the responsibility of the owner of the waste. For the purpose of items sold by the Government that require the availability of an EVN prior to the removal by a buyer, the buyer consents to process EVN for the Government and absorbs all cost, labor and material associated with this process.

EVNs shall be processed as follows: The buyer shall identify the requirements for an EVN, and provide the forms EN, VE, and AA, as applicable to the SCO. The SCO will initiate internal DRMSI processing of the EVN (by DRMSI-H, DRMSI-D will sign the forms AA and VE) and return all forms to the SCO to be forwarded to the buyer to obtain the acceptance Form AE, and the approval by the competent authorities, Form BB. Upon submission of the original EVN (Forms AA, if applicable, EN, VE, AE, and BB) are to be forwarded to the SCO to be filed and administered by DRMSI-H. Upon submission of the EVN removal of the property may commence.

Removing property is subject to an EVN: Each buyer is required to complete the manifest known as "Begleitschein" in accordance with the requirements of the "Kreislaufwirtschafts- und Abfallgesetz", and the ordinance on disposal and recycling documentation ("Nachweisverordnung"). DRMO environmental staff will release the property signing the manifest in the generator block.

Environmentalists will ensure that the generator address number and EVN number used are correct, and that the document is dated and signed by the transporter. The buyer will be responsible to ensure that the gold copy of the manifest is provided to the SCO within 30 days. SCO will forward the gold copy to the DRMO environmental office where it will be filed with a copy of the EVN, and be kept for five (5) years.

Buyers who export goods that are regulated under the European ordinance of transboundary shipments of hazardous waste must provide approved notifications prior to removal of the procured goods. Buyers are responsible to process these notifications and also shall bear all associated cost, including but not limited to material and labor. If required, the Government will sign documents as the generator. Necessary documents shall be forwarded to the SCO for processing as described in 2 above.

For further information contact Mr. Justus Bernardy, DSN 338-7339, CIV 0611-380-7339

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CUSTOMS REQUIREMENTS FOR U.S. I.D. CARD HOLDERS.

Purchasers possessing a U.S. ID card who have purchased property on this Sealed Bid must first obtain clearance from the local customs office before they will be allowed to remove property. U.S. ID card holders are cautioned that when property is purchased for their own use and is subsequently sold, given away as gifts or otherwise transferred to other than authorized personnel, the local customs officer will be notified before such disposition of property.

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TRANSPORTING BATTERIES IN GERMANY

Batteries must be transported in leak-proof conveyance which complies with German law (Gefahrentgutverordnung Strasse (GGSV Klasse 8, Ziffer 1b) Ausnahme S69 und Gefahrentgutverordnung Eisenbahn (GGVE Klasse 8, Ziffer 1) Ausnahme Nr. E9

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ITALIAN LAW 185

(APPLICABLE ONLY TO PROPERTY LOCATED IN ITALY)

(Applicable to Item(s) 16)

Italian individual/companies bidding on property requiring demilitarization and/or mutilation under U.S. supervision either prior to or after removal of the property, and Munitions List Items/Strategic List Items (MLI/SLI) described in this IFO as "CAT II" requiring an Import Certificate Delivery Verification Certificate (IC/DV) from Italy, must submit official documentation with their bid that they are entered on the National Register of Enterprises, operating in the planing, production, import, export, maintenance and other armaments-related activities, in accordance with Italian Law 185, dated 9 July 1990. Failure to submit such official documentation with a bid may result in the bid being rejected as non-responsive.

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TRANSPORTING SCRAP MATERIAL IN THE UNITED KINGDOM.

In accordance with the Duty of Care (Section 34 of the Environmental Pollution Act 1990), scrap material is defined as a controlled waste and can only be transported by a carrier registered with the Waste Regulation Authority. Items within this IFB described as, or consisting of scrap material will therefore only be released to a registered carries.

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ARTICLE KIB: IMPORT RESTRICTION:

This property is prohibited from import into the country in which it is located. Property may be purchased for export from the country in which it is located.

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UNITED KINGDOM REQUIEMENT FOR SCRAP METAL MERCHANTS.

In accordance with the Environmental Protection Act 1990, all scrap metal merchants must have their sites licensed with their local waste Regulation Authority, in addition to any registration required under the Scrap Metal Dealers Act 1964.

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