

2. CONTRACT NO: CPSC-D-12-0001
3. AWARD/EFFECTIVE DATE: 08/19/2015
4. ORDER NUMBER: 0016
5. SOLICITATION NUMBER:
6. SOLICITATION ISSUE DATE:

7. FOR SOLICITATION INFORMATION CALL: **Greg Grayson**
b. NAME: Greg Grayson
b. TELEPHONE NUMBER (No collect calls): 301-504-7725
8. OFFER DUE DATE/LOCAL TIME: ET

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: UNRESTRICTED OR SET ASIDE. % FOR:
 SMALL BUSINESS
 HUBZONE SMALL BUSINESS
 SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS
 WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM
 EDWOSB
 8(A)
 NAICS 541690
 SIZE STANDARD: \$6.0

11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED: SEE SCHEDULE
12. DISCOUNT TERMS: Net 30
13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700):
13b. RATING:
14. METHOD OF SOLICITATION: RFQ IFB RFP

15. DELIVER TO: CONSUMER PRODUCT SAFETY COMMISSION
ROCKVILLE CAMPUS
5 RESEARCH PLACE
ROCKVILLE MD 20850
CODE: LSE2

16. ADMINISTERED BY: CONSUMER PRODUCT SAFETY COMMISSION
DIV OF PROCUREMENT SERVICES
4330 EAST WEST HWY
ROOM 523
BETHESDA MD 20814
CODE: FMPS

17a. CONTRACTOR/OFFEROR: TOXICOLOGY EXCELLENCE FOR RISK ASSESSMENT
ATTN JACQUELINE PATTERSON
2300 MONTANA AVE SUITE 409
CINCINNATI OH 45211-3888
CODE: [REDACTED] FACILITY CODE:
TELEPHONE NO: (513) 542-7475 EXT29

18a. PAYMENT WILL BE MADE BY: CPSC Accounts Payable Branch
AMZ 160
P. O. Box 25710
Oklahoma City OK 73125
CODE: FMPS

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
	DUNS Number: [REDACTED] Contracting Officer Representative: Kristina Hatlelid Khatlelid@cpsc.gov 301-987-2558 Task Order 0016 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 11, 2015 through (Use Reverse and/or Attach Additional Sheets as Necessary)				

25. ACCOUNTING AND APPROPRIATION DATA: 0100A15DSE-2015-2572700000-EXHR004000-252H0
26. TOTAL AWARD AMOUNT (For Govt. Use Only): \$208,973.00

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.
 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.

30a. SIGNATURE OF OFFEROR/CONTRACTOR
31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)
Eddie Ahmad

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: 8/20/15

19 ITEM NO.	20 SCHEDULE OF SUPPLIES/SERVICES	21 QUANTITY	22 UNIT	23 UNIT PRICE	24 AMOUNT
0001	<p>September 10, 2016. All work shall be in accordance with the attached statement of work and contractor's revised quote dated August 6, 2015.</p> <p>Risk Assessment Services</p> <p>The total amount of award: \$208,973.00. The obligation for this award is shown in box 26.</p>	1	LO	208,973.00	208,973.00

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

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

Statement of Work
 (Contract# CPSC-D-12-0001 / Task Order 0016)
**Exposure Assessment: Potential for the Presence of Phthalates in Specified
 Materials at Concentrations Above 0.1 Percent**

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 materials with regards to the possibility of containing any of the specified phthalates in concentrations greater than 0.1 percent (1000 ppm). The specified materials are:

- Ethylene-butene copolymers;
- Ethylene copolymers;
- Ethylene-propylene monomer (EPM) and Ethylene-propylene-diene monomer (EPDM);
- Polystyrene (crystal and general-purpose (GPS)), medium-impact (MIPS), and super-high-impact (SHIPS) grades;
- Styrene-butadiene copolymers;
- Styrene-butadiene-styrene rubber (SBS), and styrene-butadiene rubber (SBR);
- Styrene-acrylonitrile copolymers (SAN);
- Polycarbonate;
- Acrylic resin;
- Butadiene-ethylene resins;
- Propylene-ethylene copolymers;
- Ionomers; and
- Silicone rubber.

The specified phthalates are listed in Table 1:

Table 1 Restricted or Potentially Restricted Phthalates	
Phthalate	Chemical Abstracts Service (CAS) Number
DEHP: di-(2-ethylhexyl) phthalate	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

DIBP: diisobutyl phthalate	84-69-5
DPENP: di-n-pentyl phthalate	131-18-0
DHEXP di-n-hexyl phthalate	84-75-3
DCHP dicyclohexyl phthalate	84-61-7

The contractor's investigation shall include the following factors:

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

Information about applications for the use of the specified materials in consumer products shall focus on circumstances where the specified material could contain any of the specified phthalates at concentrations greater than 0.1 percent. The research shall detail the specified material 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 specified material, the research shall detail the reasons why the phthalates are not present (*e.g.*, incompatible chemical properties, no identified application for phthalates for the specified material, 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 Contracting Officer Representative (COR) 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 with the 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 of 2008 (CPSIA) restricts the presence of six phthalates in children's toys and child care articles.¹ 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 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*.² In that report, the CHAP 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. § 1500.91.³ Component parts made from these materials are not subject to third party testing for certification purposes.⁴

In a similar manner, it may be possible for the Commission to determine that some specified 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.⁵ 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.

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

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

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

⁴ 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.

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

4. Objective

Under this task order, CPSC staff plans to research the worldwide manufacture and applications of certain plastics and synthetic rubbers (the specified materials) 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

September 11, 2015 through September 10, 2016.

6. Government Furnished Materials

There are no government furnished materials.

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

Item(s)	Quantity	Delivery or Performance
The Contractor and CPSC Contracting Officer's Representative (COR) shall meet by teleconference to discuss and initiate the contractor's project plan.	1	Within 14 calendar days of the period of performance start date.
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 250 calendar days after the initial teleconference.

The CPSC COR will provide written comments on the draft final report to	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.

10. Inspection and Acceptance

The Draft Final Report submitted to the CPSC will be reviewed within 14 days of receipt 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 30 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 in accordance with the master contract clause LC 21A Disclosure of Information – Limits on Publication.