

**AMENDMENT NO. 2
TO
INVITATION FOR BIDS
NO. EXC-8642
(February 7, 2001)**

Prompted by a potential bidder's suggested change to the text of the format letter of credit for bid which was part of the original Invitation for Bids No. EXC-8642 issued on December 13, 2000, Amendment No. 1 to Invitation for Bids No. EXC-8642 issued on January 24, 2001, extended the hour and day for receiving and opening bids to 2:30 p.m., local time, Wednesday, February 15, 2001.

It is determined that change in the format of a letter of credit for bid would be in the public interest, *i.e.*, the pool of bidders may be increased or individual bids may be facilitated.

**Therefore, Invitation for Bids No. EXC-8642 is hereby further
and formally amended by this Amendment No. 2 as follows:**

- I. A new, additional format letter of credit for bid appears in pages 3-4 hereof and is made part of the Invitation for Bids No. EXC-8642, as amended.
- II. The original format letter of credit for bid contained in the Invitation for Bids No. EXC-8642 remains available for use by a bidder.
- III. The original format letter of credit for bid contained in the Invitation for Bids No. EXC-8642 may, at the option of a bidder, be modified to:
 - A. Add a new fifth paragraph to say "Partial drawings are permitted."; and/or
 - B. In lieu of the existing sixth paragraph reading

"We undertake to honor each draft on the day drawn
and presented as above specified at our counters at
(insert street address of Bank)."

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substitute therefor the following text:

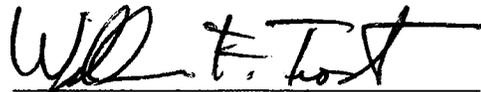
"We undertake to honor each draft on the day drawn if presented by _____ (a.m.)(p.m.), local time, to our counters at _____ (Name of Bank), _____ (Street Address), _____ (Room/Floor), _____ Attn: _____ (Office/Division/Department), _____ (City) _____ (State) _____ (ZIP). If presented after said hour, payment will be made on the next business day.

We hereby engage with you that all draft(s) drawn under and in compliance with all the terms and conditions of this credit will be duly honored if drawn and presented for payment to _____ (Name of Bank), _____ (Street Address), _____ (Room/Floor), _____ Attn: _____ (Office/Division/Department), _____ (City) _____ (State) _____ (ZIP) on or before the expiration of this Letter of Credit."

Otherwise, Invitation for Bids No. EXC-8642, as previously amended by Amendment No. 1 dated January 24, 2001, remains in full force and effect.

Special Note: A bidder must acknowledge both Amendment No. 1 and Amendment No. 2 on the first page of each copy of the BID FORM submitted. Failure of acknowledgement to be received at the place designated for receipt of bids prior to the hour and date specified shall render the bid nonresponsive.

Date: 2/7/01



WILLIAM F. TROST
Acting Director
Office of Sealift Support
Contracting Officer

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BANK LETTERHEAD

IRREVOCABLE STANDBY LETTER OF CREDIT (BID)

DATE xxxxxxxxxxxxxxxx

BENEFICIARY:

U.S. Department of Transportation
Maritime Administration (MAR-630)
400 Seventh Street, S.W. - Room 7307
Washington, DC 20590

APPLICANT:

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

DATE OF EXPIRATION: xxxxxxxxxxxxxxxx
PLACE OF EXPIRATION: xxxxxxxxxxxxxxxx

Gentlemen:

At the request of _____ (Applicant) we hereby issue our Irrevocable Standby Letter of Credit No. _____ (L/C) in favor of the U.S. Department of Transportation, Maritime Administration, for a sum not exceeding in the aggregate _____ U.S. Dollars.

This L/C is provided as the good faith deposit required under the Invitation for Bids No. EXC-8642, and is available to you at sight on ourselves to be accompanied only by your signed statement that the amount drawn for represents funds payable due to the breach of conditions of Invitation for Bids No. EXC-8642 by the Applicant.

The condition of this obligation is such that Applicant has submitted the accompanying bid for the amount as stated and identified therein, for the purchase of vessel(s) described in such bid, under all of the terms and conditions set forth in the above identified Invitation for Bids.

If the Applicant shall comply with all of the terms and conditions of said Invitation for Bids, or in the event of failure to comply with all the terms and conditions of said bid, if the Applicant shall pay the Government an amount equal to the liquidated damages specified in the Invitation for Bids pursuant to which said bid was submitted, then the above obligation shall be null and void, otherwise to be and remain in full force and effect.

This L/C shall remain valid until it is returned to the Bank for cancellation, but in no event is this L/C valid later than _____ (insert date which is 90 days from closing date of Invitation for Bids) _____.

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which is the expiration date. Each draft must be marked "Drawn Under Irrevocable Standby Letter of Credit No. _____ of _____ (Name of Bank) _____ dated _____."

[As to Bank's undertaking and place of presentation, insert original text or the optional text found on pages 1-2 of this Amendment No. 2]

This L/C is subject to the International Standby Practices ISP98, International Chamber of Commerce - Publication No. 590.

Sincerely,

(Authorized Signature)

- E N D -