

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. Amendment Three (3)		3. EFFECTIVE DATE 4/21/09	4. REQUISITION/PURCHASE REQ. NO. N/A		5. PROJECT NO. (If applicable)	
6. ISSUED BY NASA-Ames Research Center Attn: Natalie LeMar Acquisition Division, M/S 241-1 Moffett Field, CA 94035-1000		CODE JAI:241-1	7. ADMINISTERED BY (If other than Item 6)			CODE
TO ALL PROSPECTIVE OFFERORS			(4)	9A. AMENDMENT OF SOLICITATION NO. NNA09251287R		
			X	9B. DATED (SEE ITEM 11) 3/23/2009		
				10A. MODIFICATION OF CONTRACT/ORDER NO.		
				10B. DATED (SEE ITEM 13)		
8. NAME AND ADDRESS OF CONTRACTOR (No. Street, county, State and ZIP: Code)		CODE	FACILITY CODE			

11. 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 or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning one (1) copy 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 numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATA SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and data specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

N/A

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

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.
B.	THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
C.	THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
D.	OTHER Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 1 original copy to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

This Amendment 03 to the Final Request for Proposal (RFP) is issued to respond to questions received.

(See page 2)

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

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
_____ (Signature of person authorized to sign)		BY _____ (Signature of Contracting Officer)	

COMMENTS, QUESTIONS, AND RESPONSES
NNA09251287R
FINAL RFP QUESTIONS – SET 3

RFP Section, Paragraph and Page	Question/Comments	Government Response
Section L.4 (b) 2 – Page 56	<p>All of our NASA work uses Time and Material (T&M) subcontracts. We do not have any DCAA approved accounting system for cost plus contracts. Could you let us know if we need to have an approved costing system as a prerequisite to the proposal submittal. The DCAA tells us that the cost review has to be requested by NASA. If so, when is it done, i.e. after an award or before.</p>	<p>Per FAR 16.301-3(a)(1), the Government can only award a cost-reimbursement contract to contractors whose accounting system is adequate for determining costs applicable to the contract.</p> <p>If the contractor does not have an approved accounting system the Government (in this case NASA) would have to request an accounting system review from the Defense Contract Audit Agency (DCAA) to determine that the accounting system is adequate before award of a cost-reimbursement contract.</p>
<p>Clause B.7 – Pages 6 – 7, Section L.7 (c) Cost/Price Proposal (Volume III) Pages 66 – 70.</p>	<p>The referenced RFP section requires that the offeror propose indirect cost ceiling rates for <u>each</u> indirect pool (i.e. fringe, overhead, G&A) by <u>each</u> contract fiscal year.</p> <p>Question:</p> <p>Considering the current global and national economic uncertainty and the potential negative effect indirect cost ceiling rates may have on small business financial stability, we request that the government consider:</p> <p>Eliminating the requirement for indirect cost ceiling rates, or allowing offeror to propose the indirect cost ceiling rates at a composite rate (combined fringe, overhead, G&A) and total contract term level as opposed to individual years?</p>	<p>As stated in clause B.7, the limitations may be adjusted at the discretion of the Contracting Officer to the extent that increases to the Contractor's indirect costs are caused by:</p> <p>(i) New or revised statutes and court decisions and/or written ruling or regulation by the Internal Revenue Service or any other taxing authority.</p> <p>(ii) Wage determinations and/or regulations issued by the Department of Labor pursuant to the Service Contract Act of 1965, as amended, if applicable.</p>

All other terms and conditions remain unchanged.

(END OF AMENDMENT 3)