BLOCK 14 2OMB Approval 2700-0042

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE		PAGE 1 OF PAGES 7	
2. AMENDMENT/MODIFICATION NO. 005	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO. 4200373093	5. PROJECT NO. *(If applicable)*

6. ISSUED BY CODE XD040

NASA Shared Services Center
Building 1111, C Road
Stennis Space Center, MS 39529

1. ADMINISTERED BY *(If other than Item* CODE

8. NAME AND ADDRESS OF CONTRACTOR *(No. Street, county, State and ZIP: Code)*

To All Prospective Offerors

CODE FACILITY CODE

(X) X

9A. AMENDMENT OF SOLICITATION NO. NNX11373093R

9B. DATED *(SEE ITEM 11)* August 18, 2011

10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED *(SEE ITEM 13)*

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.

(X) 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 ____ copies to the issuing office.

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

The purpose of this Amendment is to answer questions received from industry since Amendment 004.

The due date and time for receipt of proposals remains unchanged.

Except at 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)* Michelle L. Berdux. Contracting Officer	
15B. CONTRACTOR/OFFEROR *(Signature of person authorized to sign)*	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY *(Signature of Contracting Officer)*	16C. DATE SIGNED September 26, 2011

Summary of Changes

1. **Answers to Questions from Industry since Amendment 004 follow below.**

Amend. #	Question#	RFP Reference	Question/Comment	Answer
001	1	RFP Provision L.18, *Volume II: Past Performance Proposal Instructions*, pg L-14	Which required elements of the Past Performance Volume II, such as OSHA Logs and environmental citations for example, are excluded from the page limitations? If none, would the Government consider significantly increasing the Volume II page limit?	The page limitation for the Past Performance Volume set forth in Section L covers all information requested in Provision L.18, *Volume II: Past Performance Proposal Instructions.* No requested past performance information is excluded from the page limitation. The Government believes that the specified page limitation is sufficient to adquately address the information requested.
001	2	RFP Provision L.17, *Volume I: Mission Suitability Proposal Instructions*, (c) *MS-3 Subcontracting and Teaming Approach*, pg L-11	L.17.c instructs the Offeror to include the "Dollar value and period of performance" in describing any teaming arrangements or subcontracts. Since the inclusion of cost/price data is usually prohibited in the technical volume, can you please clarify the Government's intent?	The information being requested will assist the Government in fully understanding any teaming arrangements or subcontracts proposed. Pricing information in this section of your proposal shall be limited to the total value of any proposed teaming arrangement or subcontract, inclusive of options. Do not include supporting pricing information in this section of your proposal.
001	3	RFP Provison L.18, *Volume II: Past Performance Proposal Instructions*, (f), pg L-15	May we direct our customers to submit their responses to our Past Performance Questionnaires to you electronically instead of via postal mail?	Yes, at the option of the customer responding to the questionnaire, the response may be sent electronically via email to michelle.l.berdux@nasa.gov.
002	4	RFP Clause I.84, *Notification of Competition Limited To Eligible 8(A) Concerns*	Are joint venture organizations permitted under this contract?	This competitive solicitation is limited to eligible 8(a) concerns. Offerors submitting proposals must comply with the requirements contained in Clause I.84, FAR 52.219-18 *Notification of Competition Limited To Eligible 8(A) Concerns.*
002	5	RFP Section J, Attachment J-1, *Statement of Work*, Section 4.1, *Contract Closeout Services* of the SOW; RFP Section B, Clause B.2, *Firm Fixed Price;* Clause B.3, *Performance Incentive;* and Clause B.6, *Minimum and Maximum Quantities*	Part of the contract is firm fixed price and part is indefinite quantity. It there a guaranteed minimum workload for the firm fixed price?	Contract closeout services, as further defined in Section 4.1, *Contract Closeout Services* of the SOW, will be procured on a firm fixed price, completion basis in accordance with Clauses B.2, *Firm Fixed Price* and B.3, *Performance Incentive*. The quantity and type of contractual instrucments to be closed in a given year are specified in Clause B.3, *Performance Incentive*, paragraph (d). The minimum and maximum quantities of Procurement Support Services that can be ordered under the IDIQ provisions of the contract are specified in Clause B.6, *Minimum and Maximum Quantities*.
002	6	RFP Section J, Attachment J-1, *Statement of Work*, Section 1.0(c)	Section 1.0 (c) states that NASA Headquarter has a separate agency-wide contract. Will NASA headquarters have a separate agency-wide contract for Procurement Support Services?	Your interpretation of Section 1.0, *Introduction*, paragraph (c) of the Statement of Work is incorrect. NASA Headquarters does not have a separate Agency-wide contract for Closeout and Procurement Support Services. Procurement services (award and administration) for NASA Headquarters are performed by personnel located at the Goddard Space Flight Center (GSFC) Procurement Office. Likewise, contractor personnel performing closeout services on HQ's contractual instruments under the current Agency-wide closeout contract are also located at GSFC. Please refer to Provison L.21, *Background and Historical Information*, paragraph (a).
002	7	RFP Section J, Attachment J-1, *Statement of Work*, Section 1.0(e)	Section 1.0(e) states that the administration of this contract will be performed at the NASA Shared Services Center (NSSC). Does the program manager (PMO) need to be located onsite at the NSSC or any other location?	The location of the Offeror's Program Manager is at the discretion of the Offeror and will be considered during evaluation under the Mission Suitability Factor, Management Approach Subfactor.

Amend. #	Question#	RFP Reference	Question/Comment	Answer
002	8	RFP Section J, Attachment J-1, *Statement of Work*, Section 2.0, *Applicable Documents*, paragraph (b)	Section 2.0 (b) Can you provide the name and contact information for the technical monitor at the center.	No, in accordance with Provision L.14, *Communications Regarding this Solicitation,* questions or comments regarding this solicitation shall be submitted in writing to the Contracting Officer. Questions or comments shall not be directed to technical activity personnel.
002	9	RFP Section J, Attachment J-1, *Statement of Work*, Section 3.1, *On-site Contractor Performance*, paragraph (a)	Section 3.1(a) How many contractor employees are located onsite at each NASA location where contract closeout services are provided under this contract? What is the range of pay for the contractor's employees located onsite at each NASA location?	This information will not be provided.
002	10	RFP Section J, Attachment J-1, *Statement of Work* RFP Section L, Provision L.21, *Background and Historical Information*, paragraph (d)	How many employees are currently performing procurement support services at each NASA location where procurement support services are sought under this contract?	This information is provided in Provison L.21, *Background and Historical Information, paragraph (d).* Offerors are strongly cautioned to carefully read this provision in its entirety.
002	11	RFP Section J, Attachment J-1, *Statement of Work*, Section 3.1, *On-site Contractor Performance*, paragraph (b)	Section 3.1(b) states that there may be occasion when support will be required outside regular duty hours and/or on weekends, as the need arises. How often does the need arise?	This is an infrequent event that rarely occurs other than at the end of the Government's fiscal year. Historical data regarding the exact number of these occurrences does not exist.
002	12	RFP Section J, Attachment J-1, *Statement of Work*, Section 3.5, *Reporting Deliverables*, paragraph (b)	Section 3.5(b). Is there a requirement for employees that have ceased work under the contract to sign a debriefing to the NDA?	No, the requirement for conducting such a debriefing is at the discretion of the Offeror but must be consistent with the provisions of the Offeror's Organizational Conflict of Interest Plan.
002	13	RFP Section J, Attachment J-5, *Projected Number of Instruments To Be Closed*	Section 1.0 states that NASA Headquarter has a separate agency-wide contract. Why is NASA Headquarter listed in the table to Attachment J-5 for the projected number of instruments to be closed? Should our proposed cost include NASA Headquarter?	Please refer to the answer for question #5 and question #6.
002	14	RFP Section J, Attachment J-1, *Statement of Work*, Section1.0 RFP Section H, Clause H.6, *NFS 1852.225-70 Export Licenses*, paragraph(b)	H.6(b) states that the Contractor shall be responsible for obtaining export licenses. Was it necessary for the incumbent or prior contractors to obtain an export license?	No.

Amend. #	Question#	RFP Reference	Question/Comment	Answer
002	15a	RFP Section B, Clause B.3, *Performance Incentive*, paragraph (d), pg B-3, table; RFP Section B, Clause B.3, *Performance Incentive,* paragraph (e), pg B-3, sentence one; RFP Section B, Clause B.3, *Performance Incentive*, paragraph (f), pg B-3, Negative incentive; RFP Section J, Attachment J-5, *Projected Number of Instruments To Be Closed*, pg 1 of 1, Table 1, 2011 Expiring Documents, last row, last column; RFP Section J, Attachment J-5, Projected Number of Instruments To Be Closed, pg 1 of 1, Table 2, 2012 Expiring Documents, last row, last column	Does the government intend for the 2012 projections identified in Section J, Attachment J-5, table 2 to be used as the baseline for the Standard Performance Range?	No.
002	15b		If the answer to question #15 part a above is no, does the government intend for the Standard Performance Range identified in Section B, Page B-3, Clause B 3, paragraph (d), table to be used as the baseline?	Yes.
002	16	RFP Section B, Clause B.2, *Firm Fixed Price*, paragraph (a), pg B-1; RFP Section J, Attachment J-5, *Projected Number of Instruments To Be Closed*, pg 1 of 1, Table 2, 2012 Expiring Documents, last row, last column	Does the government intend for the 2012 projections expiring documents (3,067) to be used by the bidder to establish the Firm Fixed Price elements for The Total Firm Fixed Price table completion?	No, Offerors shall use the number of contractual instruments to be closed identified in Clause B.3, *Performance Incentive*, paragraph (d) as the basis for establishing the Offerors firm-fixed price. The statistical data listed in Attachment J-5, *Projected Number of Instruments to Be Closed*, and Attachment J-6, *2008-2010 Closeout Statistical Data*, is provided only to give Offerors an indication of the work load at each Center along with the types of contractual instruments generally closed at each Center.
002	17	RFP Clause H.4, *Limitation of Future Contracting*	Due to the Agency-wide nature of this contract, to what extent would we, as a company, including any of our affiliates, be prohibited from pursuing or otherwise be required to recuse ourselves from all future NASA opportunities? Would these prohibitions extend beyond the completion of the ACCPSS contract and, if so, for how long? Please include references to any relevant regulations that govern this matter.	An Offeror is not restricted from proposing on future NASA procurement opportunites, but during the term of this contract any personnel performing work under this contract would be prohibited from participating on any business development, proposal preparation, or capture team formed for the purpose of obtaining additional NASA work. (Reference Clause H.4, 1852.209-71, NFS1852.209-71, *Limitation of Future Contracting*, paragraph (c)) This clause shall be included in every subcontract (Reference paragraph (h)). The restriction of this clause covers all option periods; extensions to be period of performance issued under a bilateral agreement; or extensions to the period of performance issued pursuant to Clause I.64, *Continuity of Services* (Reference paragraph (e)).
002	18	RFP Section J, Attachment J-5, *Projected Number of Instruments To Be Closed*	We recognize that the projected number of contractual instruments expiring in 2012 is based on data current as of July 31, 2011. Do you believe that the actual number of contractual instruments that will expire in 2012 to be similar to 2008 - 2011, roughly 10,000 - 11,500 total?	Yes, the Government believes the actual number of contractual instruments expiring in 2012 will roughly mirror the numbers experienced in 2008 through 2011 (10,000 to 11,500 annually). The Government also believes that the number of instruments that will expire in 2013 through 2016 will also roughly mirror the numbers experienced in 2008 through 2011.

Amend. #	Question#	RFP Reference	Question/Comment	Answer
002	19	RFP Section B, Clause B.3, *Performance Incentive*	Regarding the qualifying conditions for the Positive Incentive, we believe that the amount of the incentive award is far too small to cover the additional effort and associated expense which would be required to qualify for the award, especially when contrasted with the potentially large amount of the Negative Incentive penalty, coupled with the relative ease with which it could be triggered. As a result, the unintended incentive is for us to drastically increase our price in response to the significant risk and minimal potential reward we would face. This disparity applies with all of the historical data charts in J-5 and J-6, but is especially exacerbated by the much lower numbers in the 2012 contract expiration table. We respectfully request that the Government clarify their intent and reconsider the Incentive terms.	Answer was truncated. See Amend 003 #20 below for complete response.
003	20	RFP Section B, Clause B.3, *Performance Incentive*	The Government's response to Question 19 appears to have been truncated in Amendment 2. Can the Government release another Amendment with the complete answer to Question 19? Question #19 (above) Regarding the qualifying conditions for the Positive Incentive, we believe that the amount of the incentive award is far too small to cover the additional effort and associated expense which would be required to qualify for the award, especially when contrasted with the potentially large amount of the Negative Incentive penalty, coupled with the relative ease with which it could be triggered. As a result, the unintended incentive is for us to drastically increase our price in response to the significant risk and minimal potential reward we would face. This disparity applies with all of the historical data charts in J-5 and J-6, but is especially exacerbated by the much lower numbers in the 2012 contract expiration table. We respectfully request that the Government clarify their intent and reconsider the Incentive terms.	The Government's intent is to enter into a contract (on a firm-fixed price, completion basis) that will provide the capability for closing out a quantity of contractual instruments falling within the standard performance range identified in Clause B.3, *Performance Incentive*. This same quantity of contractual instruments will be required to be closed during each option year of the contract. It is the Government's desire not to invoke either the positive or negative incentive during contract performance. These incentives have been included to ensure that an expected level of performance (Standard Performance Range) is achieved and only exceptional performance is rewarded and substandard performance is penalized. The competitiveness of the market place along with the business risk posture of each potential offer will determine the aggressiveness of the pricing received along with any potential contingencies included in that pricing. The large number of proposals anticipated to be received with ensure that fair and reasonable pricing will be obtained. The government has reviewed both the positive and negative incentives included in the solicitation and at this time will not make any changes to those incentives.
004	21	RFP Section J, Attachment J-1, *Statement of Work*, Section 3.1, *On-site Contractor Performance*, paragraph (a)	We are requesting the Department of Labor Wage Determinations for each NASA location. Please provide the pay rates for the employees currently performing the work.	Please refer to the answer for question #9. Department of Labor Wage Determinations apply when a contract is subject to the Service Contract Act. This contract is not subject to the Service Contract Act of 1965, does not incorporate any of the related Service Contract Act clauses, and therefore there are no wage determinations for this contract.

Amend. #	Question#	RFP Reference	Question/Comment	Answer
005	22	RFP Provision L.16, *Proposal Preparation Instructions (General)*, paragraph (c), *Proposal Due Date and Copies*	Will the Government extend the proposal due date for this solicitation?	At this time the Government will not extend the due date for the proposals for this solicitation. If a Government shutdown becomes imminent due to ongoing budgetary deliberations, at that time the Government will consider issuing an amendment to extend the due date for the proposals.