

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE	PAGE OF PAGES 1 4	
2. AMENDMENT/MODIFICATION NO. 3	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 4200418814		5. PROJECT NO. (If applicable) 97697	
6. ISSUED BY CODE OP-CS-A		7. ADMINISTERED BY (If other than Item 6) CODE Same as block 6			
John F. Kennedy Space Center, NASA Procurement Office, OP-CS-A Kennedy Space Center, FL 32899					

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and Zip Code)		9A. AMENDMENT OF SOLICITATION.  X NNK12418814R	
		10A. MODIFICATION OF CONTRACT/ORDER NO.	
		10B. DATED (SEE ITEM 13)	
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 1 copies 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 ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE 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 date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**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 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 Amendment 3 is to:

See Attached Pages

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 BY _____	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

1.) Offerors are informed that all solicitation documents for solicitation NNK12418814R are accessible on NAIS and FEDBIZOPPS under solicitation NNK12418184R

2.) **Section I-Contract Clauses:**

- **FAR Clause 52.204-10**, incorporated by reference, is updated to **(FEB 2012)**
- **NFS 1852.225-71 Restriction on Funding Activity with China**, is hereby added

3.) **Section K-Representations, Certifications, and other Statements of Offerors or Respondents:**

- **Section K.1, FAR Clause 52.204-8 ANNUAL REPRESENTATIONS AND CERTIFICATIONS** is updated to **(FEB 2012)**
- **Section K.2, FAR Clause 52.209-7 INFORMATION REGARDING RESPONSIBILITY MATTERS** is updated to **(FEB 2012)**
- Add the following provision to section K, as provision K.3:

**1852.225-72 Restriction on funding Activity with China – Representation.**

(a) Definition - “China” or “Chinese-owned” means the People’s Republic of China, any company owned by the People’s Republic of China or any company incorporated under the laws of the People’s Republic of China.

(b) Public Laws 112-10, Section 1340(a) and 112-55, Section 536, restrict NASA from contracting to participate, collaborate, or coordinate bilaterally in any way with China or a Chinese-owned company with funds appropriated on or after April 25, 2011. Contracts for commercial and non-developmental items are excepted from the prohibition as they constitute purchase of goods or services that would not involve participation, collaboration, or coordination between the parties.

(c) Representation. By submission of its offer, the offeror represents that the offeror is not China or a Chinese-owned company.

(End of provision)

4.) Answer questions submitted by potential bidders.

**1. REFERENCE:**

Specifications Section M-1 .b.(1), Sheet 92 — The second paragraph states 'All three projects listed in the Technical Experience Summary must have been performed by the offeror as a prime contractor or major subcontractor, under NAICS code 238210". In our case we are a General Contractor performing most work under NAIS code 236220.

**QUESTION:**

Would we be meet this requirement by submitting our experience under our code and our major subcontractor's experience under 238210?

**RESPONSE:**

All three projects listed in the Technical Experience Summary must have been performed by the offeror as a prime contractor or major subcontractor under NAICS code 238210.

**2. REFERENCE:**

Document: 149669-SOL-001-001

Section M

(ix) Developing custom and complex PLC programs and user interface graphics utilizing Citect SCADA software for both automatic and manual sequencing of industrial equipment resulting in a seamless transfer of systems between manual and automatic modes

**QUESTION:**

Can Prime/subcontractors use a compatible SCADA package and PLC programming software/hardware such as Rockwell Automation products (RsLogix 5000 or RsView)

**RESPONSE:**

No. Compatible SCADA packages and PLC programming software/hardware are not acceptable. Citect is the KSC standard SCADA package and the government will be providing the Citect license keys for this project as indicated in section J-B-20 (page 126) of the solicitation. The PLC used for this project shall be a Modicon Quantum programmed using the Concept programming software as indicated in the specification (79K38826) section 23 09 23.13 20 subparagraphs 2.1.1 and 2.1.4.1 and JOFOC 2 of the solicitation.

**3. REFERENCE:**

Specification

**QUESTION:**

Will a stand-alone historian be required?

**RESPONSE:**

No. A stand-alone historian will not be required.

**4. REFERENCE:**

Solicitation Section C. (b).b.2.F

**QUESTION:**

This paragraph requires: "York qualification certificates for all personnel working on the job."

Does this requirement apply only to Option 3? Experience and certification from York are not necessary for the other parts of the job because the equipment, software, and installation services are not dependent upon the type of chiller being integrated into the control system. A contract with Johnson Controls (York) for the work in Option 3 and for consultation on the other parts of the work should be sufficient.

**RESPONSE:**

Yes the requirement to provide York qualification certificates applies only to Option 3. It is agreed that York experience and certification are not necessary for other parts of the job however a York Elink card will be required to interface chillers 3-6 to the new control system as indicated in the design drawings (79K38825) on sheets I-63 and I-68.

**5. REFERENCE:**

Solicitation Section L.2

**QUESTION:**

Please verify a bid bond is not required.

**RESPONSE:**

Bid Bond is required. See "SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS OR RESPONDENTS", L.4 NFS 1852.228-73 **BID BOND (OCT 1998)**

**6. REFERENCE:**

Solicitation Section E.4

**QUESTION:**

This section refers to Fire Alarms. Are fire alarms part of this project?

**RESPONSE:**

No. Fire Alarms are not a part of this project. References to the fire alarm systems in Section E.4 may be ignored.

**7. QUESTION:**

The only manufacturer listed is Modicon, is the intention to source this to Modicon?  
Could Siemens be approved as an equal for this project?

**RESPONSE:**

The PLC used for this project shall be a Modicon Quantum programmed using the Concept programming software as indicated in the specification (79K38826) section 23 09 23.13 20 subparagraphs 2.1.1 and 2.1.4.1 and JOFOC 2 of the solicitation.

**8. REFERENCE:**

Option 2 and Amendment K VFDs.

**QUESTION:**

Option 2 of the solicitation requires the replacement VFDs to be installed in the same footprint as the existing ones but there are no dimensions provided. Can dimensions for the existing VFDs be provided for selection purposes?

**RESPONSE:**

The dimensions for the 6 VFDs on the north wall of the mezzanine are 90" tall, 32" wide and 21" deep. The entire line up of the 6 VFDs is 216" long. The dimensions for VFDs 7&8 are 48" tall, 36" wide and 19" deep. They are both mounted on a 13" enclosure foot. The lineup of both VFDs is 84" long.

## **9. REFERENCE:**

Section M.1(b)(4)

**QUESTION:** In reading this section, it looks like small businesses will be evaluated on proposed subcontracting goals. I thought only large businesses were required to submit subcontracting plans. Is this a typo or a bad cut and paste job?

**ANSWER:** In accordance with Section L Provision L.9, General Proposal Preparation Instructions, paragraph (c)(10), large and small businesses must submit with their proposals, two (2) copies of the Small Business Subcontracting Goals Table, provided as Appendix 5 to Section L. Even though small businesses do not have to submit subcontracting plans, they still need to complete and submit this Table.

In accordance with Section L Provision L.9, General Proposal Preparation Instructions, paragraph (c)(11), large and small businesses must also submit two copies of a Commitment to the Small Business Program Narrative. Instructions on completing this narrative are provided in Section L Provision L.10 (d), Small Business Utilization.

Section M Provision M.1, Basis for Contract Award, paragraph b(4) has been revised to clarify how subcontracting plans (applicable to large businesses only), small business subcontracting goals (applicable to both large and small businesses), and offeror commitments to small businesses (applicable to both large and small businesses) will be evaluated.

The proposal bid date remains the same, April 9, 2012.

## **5.) SECTION M – EVALUATION FACTORS FOR AWARD:**

- Section M.1 (b)(4) Factor 4 – Small Business Utilization, is hereby replaced with the attached pages (98-100) of solicitation NNK12418814R.

**NASA/KSC SOLICITATION NNK12418184R**  
**SECTION M – EVALUATION FACTORS FOR AWARD**

**Neutral**

In the case of an Offeror without a record of relevant past performance or for whom information on past performance is not available, the Offeror may not be evaluated favorably or unfavorably on past performance [see FAR 15.305(a) (2) (ii) and (iv)].

To receive an “Acceptable” rating for past performance, the offeror must receive an overall Past Performance Confidence Rating of Very High, or High.

**(3) FACTOR 3 – SAFETY AND OCCUPATIONAL HEALTH PLAN**

The offeror’s Safety and Occupational Health Plan will be reviewed to determine:

- (a) The offeror’s understanding of and ability to comply with 29 CFR 1926 Safety & Health Regulations for Construction, NPR 8715.3 (NASA Safety Manual & Appendices), KNPR 8715.3 (KSC Safety Practices Procedural Requirements), 8715.7 (KSC Construction Contractor Safety & Health Practices Procedural Requirements)
- (b) The offeror’s ability to ensure the safety and occupational health of the project contractor employees (to include subcontractors) and to ensure safe working conditions throughout the performance of the contract.
- (c) The offeror’s ability to ensure the safety and occupational health of the public, astronauts and pilots, the NASA workforce (including Contractor employees working on NASA contracts) and the protection of the environment, high-valued equipment, and property.

To receive an “Acceptable” rating, the Safety and Occupational Health Plan must represent a reasonable initial effort to address the essential requirements of NFS 1852.223-73, Safety and Health Plan, demonstrates the offeror understands NASA’s safety requirements, and contains no major deficiencies or omissions which, if corrected, would not require a major rewrite of the Plan.

Failure to meet all of the requirements under this factor will result in an “UNACCEPTABLE” rating and elimination from further consideration for contract award.

**(1) FACTOR 4 - SMALL BUSINESS UTILIZATION**

The evaluation of Small Business Subcontracting and Commitment to the Small Business Program applies to all Offerors, except that Small Businesses are not required to submit a Small Business Subcontracting Plan.

**NASA/KSC SOLICITATION NNK12418184R**  
**SECTION M – EVALUATION FACTORS FOR AWARD**

**(a) Small Business Subcontracting**

- (1) Large Business Concerns: Large businesses are required to submit subcontracting plans, to include Section L, Appendix 5, Small Business Subcontracting Plan Goals. The offeror's Small Business Subcontracting Plan will be evaluated in terms of meeting the requirements of FAR 19.704, Subcontracting Plan Requirements. The Small Business Subcontracting goals will be evaluated in terms of the offeror's proposed subcontracting goals (overall subcontracting goals and individual subcontracting goals by small business category) in comparison to the Contracting Officer's assessment of the appropriate subcontracting goals for this procurement. The evaluation of the Small Business Subcontracting Plan will be on the basis of total contract value.
  
- (ii) Small Business Concerns: Small businesses are not required to submit subcontracting plans but are required to submit Section L, Appendix 5, Small Business Subcontracting Goals. NASA will only evaluate the amount of work proposed to be performed by the small business prime and any small business at the first tier subcontract level. The proposed amount of work to be done by the prime small business and first tier small business subcontractors will be evaluated against the Contracting Officer's assessment of the overall subcontracting goal for this procurement. Individual subcontracting goals by small business categories will not be evaluated for small business primes and their first tier subcontractors.

**(b) Commitment to Small Businesses**

- (1) NASA will evaluate the extent to which any work performed by a small business subcontractor(s) is identified as "high technology." NASA also will evaluate the extent of commitment to use the subcontractor(s) (enforceable vs. non-enforceable commitments.)
  
- (2) NASA will evaluate the extent to which the identity of the small business subcontractor is specified in the proposal as well as the extent of the commitment to use small businesses.
  
- (3) NASA will evaluate the Offeror's established or planned procedures and organizational structure for small business outreach, assistance, participation in the Mentor Protégé program, counseling, market research and small business identification, and relevant purchasing procedures. (For large businesses Offerors, this information should conform to its submitted Small Business Subcontracting Plan. For small business Offerors, NASA will evaluate this only if subcontracting opportunities exist.)

**NASA/KSC SOLICITATION NNK12418184R**  
**SECTION M – EVALUATION FACTORS FOR AWARD**

Offerors must meet all of the following standards to receive an “Acceptable” rating on this factor:

- The offeror’s small business subcontracting plan addresses most of the requirements of FAR 19.704, Subcontracting Plan Requirements. Weaknesses may exist but are not significant. (Applicable to Large Businesses Only)
- The offeror’s proposed small business subcontracting goals meet or exceed the Contracting Officer’s assessment of the appropriate subcontracting goals for this procurement. (NOTE: NASA will consider the amount of work being retained for performance by the prime contractor in-house when determining whether subcontracting goals meet or exceed.)( Applicable to Large Businesses and Small Businesses)
- The offeror’s proposal demonstrates some Small Business subcontractor commitments. (NOTE: For Small Business, NASA will evaluate this only if subcontracting opportunities exist.) (Applicable to Large and Small Businesses)

**c. EVALUATION OF PRICE PROPOSALS**

- (1) FAR 52.217-4, “Evaluation of Options Exercised at Time of Contract Award (JUN 1988)”, applies to this solicitation. The Government will evaluate offers for award purposes by including the total price for the basic requirement together with any options exercised at time of award.
- (2) The proposed prices will be evaluated by comparison against the Government estimate and prices submitted by other offerors. Prices that are determined to be more than 25% above or below the Independent Government Estimate or more than 25% above or below the average of all the price proposals received in response to the solicitation will be considered to be unreasonably high or unrealistically low and will not be considered for award.

**d. EVALUATION PROCESS**

The following describes the general methodology that will be used for proposal evaluation:

(1) General Review:

Offerors will be checked against the List of Parties Excluded From Federal Procurement and Non-procurement Programs. Offerors who appear on the List will be eliminated without further consideration. Proposals will also be checked for minor informalities or irregularities. The Contracting Officer will follow guidance at FAR 15.306 for resolving minor informalities or irregularities.