

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE	PAGE OF PAGES 1   6
2. AMENDMENT/MODIFICATION NO. 001	3. EFFECTIVE DATE 1/26/2015	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)	
6. ISSUED BY U.S. DEPARTMENT OF ENERGY NATIONAL NUCLEAR SECURITY ADMINISTRATION M&O CONTRACTING (NA-APM-131) PO BOX 5400, ALBUQUERQUE, NM 87185-5400	CODE MOSD	7. ADMINISTERED BY (If other than Item 6)		Code
8. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code)		(X)	9.A. AMENDMENT OF SOLICITATION NO. <b>DE-SOL-0007749</b>	
		X	9.B. DATED (SEE ITEM 11) 12/12/2015	
			10.A. MODIFICATION OF Contract/Order NO.	
			10.B. 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 3 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 ACKNOWLEDGMENT 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)  
N/A

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

Check One	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.)

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) <b>Stephen M. Sandager Contracting Officer</b>	
15B. CONTRACTOR/OFFEROR  <i>(Signature of person authorized to sign)</i>	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  (Original signed by) BY _____ <i>(Signature of Contracting Officer)</i>	16C. DATE SIGNED 1/26/2015

Block 14 “DESCRIPTION OF AMENDMENT/MODIFICATION,” continued.

This amendment is issued to revise Request for Proposal No. DE-SOL-0007749 as described herein. Deletions are stricken, while additions are underlined, for ease of review.

1. Section H, clause H-13 NATIONAL SECURE MANUFACTURING CENTER GSA LEASE PAYMENT, first line, second word is changed from ~~annual~~ to monthly.
2. Section I, Contract Clauses, FAR Clause 52.209-10 Prohibition on Contracting with Inverted Domestic Corporations, referenced in part A. FAR CLAUSES INCORPORATED BY REFERENCE. The DATE OF CLAUSE is amended from ~~May 2012~~ to Dec 2014.
3. Section J, Appendix A, Statement of Work, Chapter I, is amended to add the new paragraphs 3.2 “RESERVED” and 4.7 “RESERVED”. These revisions are reflected in the attached Section J, Appendix A: Statement of Work.

4. Section J, Appendix H, Key Personnel, Note is amended as follows:

From: [Note: To be inserted by the Contracting Officer ~~after~~ contract award.]

To: [Note: To be inserted by the Contracting Officer at contract award. The Appendix shall list 1) each key person; and 2) the negotiated total reimbursable compensation for that key person, separately stated for the contract’s Base Term (Year 1) and Base Term (Year 2).]

5. Section K, Provision K-1 FAR 52.204-8 ANNUAL REPRESENTATIONS AND CERTIFICATIONS, is amended as follows:

- a. Date of Provision

From: FAR 52.204-8 Annual Representations and Certifications (~~NOV~~ 2014)

To: FAR 52.204-8 Annual Representations and Certifications (DEC 2014)

- b. Subparagraph (b) (1) and (2)

From: (b) (1) If the ~~clause~~ at 52.204-7, System for Award Management, is included in this solicitation, paragraph (d) of this provision applies.  
(2) If the ~~clause~~ at 52.204-7 is not included in this solicitation, and the offeror is currently registered in System for Award Management (SAM), and has completed the Representations and Certifications section of SAM electronically, the offeror may choose to use paragraph (d) of this provision instead of completing the corresponding individual

representations and certification in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

(i) Paragraph (d) applies.

(ii) Paragraph (d) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

- To: (b) (1) If the provision at 52.204-7, System for Award Management, is included in this solicitation, paragraph (d) of this provision applies.
- (2) If the provision at 52.204-7 is not included in this solicitation, and the offeror is currently registered in System for Award Management (SAM), and has completed the Representations and Certifications section of SAM electronically, the offeror may choose to use paragraph (d) of this provision instead of completing the corresponding individual representations and certification in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

(i) Paragraph (d) applies.

(ii) Paragraph (d) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

c. Subparagraph (c) (1) (iii) and (v)

From: (iii) 52.204-3, Taxpayer Identification. This provision applies to solicitations that do not include the ~~clause~~ at 52.204-7, System for Award Management.

(v) 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations—Representation. ~~This provision applies to solicitations using funds appropriated in fiscal years 2008, 2009, 2010, or 2012.~~

To: (iii) 52.204-3, Taxpayer Identification. This provision applies to solicitations that do not include the provision at 52.204-7, System for Award Management.

(v) 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations—Representation.

6. Section L, Provision L-14(b)(2), is amended as follows:

From: (2) In Block 14 of each SF 33, the Offeror must acknowledge receipt of all amendments to the solicitation's Section L provision FAR 52.215-1, *Instructions to Offerors -- Competitive Acquisition*.

To: (2) In Block 14 of each SF 33, the Offeror must acknowledge receipt of all amendments pursuant to the solicitation's Section L provision FAR 52.215-1, *Instructions to Offerors -- Competitive Acquisition*.

7. Section L, Provision L-14(d), is amended as follows:

From: (d) If the Offeror is organized as a separate corporate entity, the Offeror shall submit a fully completed and executed Performance Guarantee Agreement(s) (see Section G, G-4, *Performance Guarantee(s)*) for each teaming member or parent organization. Section L, Attachment A, *Performance Guarantee Agreement(s)*, contains the minimum Performance Guarantee Agreement conditions acceptable to DOE/NNSA. This agreement will become part of the resulting Contract at Section J, Appendix E, *Performance Guarantee Agreement(s)*. If the Offeror is organized as a separate corporate entity, the Offeror shall submit the last three annual reports for the parent organization(s) providing the Performance Guarantee Agreement(s). Hard copies of the annual reports may be submitted as an attachment to Volume I, so long as a reference to these attachments appears in the ~~order~~ where the information would have been included. The Offeror shall submit evidence that the "the legal entity submitting the offer" is legally established (see Section L, L-13(b)).

To: (d) If the Offeror is organized as a separate corporate entity, the Offeror shall submit a fully completed and executed Performance Guarantee Agreement(s) (see Section G, G-4, *Performance Guarantee(s)*) for each teaming member or parent organization. Section L, Attachment A, *Performance Guarantee Agreement(s)*, contains the minimum Performance Guarantee Agreement conditions acceptable to DOE/NNSA. This agreement will become part of the resulting Contract at Section J, Appendix E, *Performance Guarantee Agreement(s)*. If the Offeror is organized as a separate corporate entity, the Offeror shall submit the last three annual reports for the parent organization(s) providing the Performance Guarantee Agreement(s) (hard or electronic copies are acceptable). Hard or electronic copies of the annual reports may be submitted as an attachment to Volume I, so long as a reference to these attachments appears in the location where the information would have been included. The Offeror shall submit evidence that the "the legal entity submitting the offer" is legally established (see Section L, L-13(b)).

8. Section L, Provision L-16, is amended as follows:

- a. Table 1 -- CLIN 0001 -- Management and Operation of NSC, **Estimated Cost** column, Totals line

From: \$3,460,280,102

To: \$6,557,296,100

- b. Table 2 -- CLIN 0002 -- Work for Others, **Estimated Cost** column, Totals line

From: \$1,158,067,066

To: \$2,316,134,132

9. Section L, Provision L-30 INSTRUCTIONS FOR SUBMITTING FOREIGN OWNERSHIP, CONTROL OR INFLUENCE (FOCI) INFORMATION (JUN 2011), is deleted in its entirety and replaced with the following provision:

**L-30 INSTRUCTIONS FOR SUBMITTING FOREIGN OWNERSHIP, CONTROL OR INFLUENCE (FOCI) INFORMATION (MAY 2014)**

- (a) The Offeror shall submit FOCI information in accordance with the Section L Provision entitled, DEAR 952.204-73, Facility Clearance, using the Department of Energy (DOE) Electronic FOCI (eFOCI) submission system located at <https://foci.anl.gov>.
- (b) New users to the eFOCI system will request initial access to the eFOCI system prior to submitting the FOCI information for this solicitation. Offerors should select NNSA Albuquerque Complex - Acquisition and Project Management (NA-APM) as the FOCI Office that will review the FOCI Submission. Offerors are to transmit FOCI information by the deadline for proposal submission. All FOCI documentation/forms requiring signatures, dates, and company seal (if applicable), must be printed, completed, and uploaded under the Miscellaneous Tab within the eFOCI system. NOTE: Hard copies of the electronic FOCI submission package are no longer required, as indicated in the eFOCI system. Specific problems maneuvering through the fields within the eFOCI system can be clarified by contacting the eFOCI help desk at (630) 252-6566 or [fociserver@anl.gov](mailto:fociserver@anl.gov).
- (c) A completed and signed SF 328, Certificate Pertaining to Foreign Interests, executed in accordance with the instructions on the certification section of the SF328, shall be provided to the Contracting Officer with proposal submission. The SF 328 is required for first time submissions, any time there are changes to the SF 328, and at the request of the Cognizant Security Authority (CSA).
- (d) If the offeror has an active facility clearance with another government agency, provide your CAGE code that can verify an active facility clearance/positive FOCI determination in lieu of the SF 328.

- (e) A DOD Facility Clearance at the level of “Top Secret/TS” is equivalent to a “Q” clearance in DOE; a DOD Facility Clearance at the level of “Secret/S” is equivalent to an “L” clearance in DOE. If the DOD Facility Clearance is at the “L” level and the solicitation requires a “Q,” Offeror shall submit a FOCI package through the DOE eFOCI system.
  
- (f) If the company has an active DOE Facility Clearance and is compliant with FOCI regulations, a resubmission is not required. Provide your DOE Facility Code to the Contracting Officer. Guidance and instructions are available on the eFOCI website.

Attachment

Section J, Appendix A, Statement of Work