

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE J	PAGE OF PAGES 1 6
2. AMENDMENT/MODIFICATION NO. 0001	3. EFFECTIVE DATE 19-Feb-2013	4. REQUISITION/PURCHASE REQ. NO. WF7LKT23350400		5. PROJECT NO.(If applicable)
6. ISSUED BY REGIONAL CONTRACTING OFFICE (RCO) BOGOTA U.S. EMBASSY-BOGOTA USMILGRP UNIT 5130 APO AA 34038-5130	CODE W913FT	7. ADMINISTERED BY (If other than item 6) SFC LAMINE FALL RCO BOGOTA BOGOTA AA		CODE W913FT
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)			X	9A. AMENDMENT OF SOLICITATION NO. W913FT-13-T-0016
			X	9B. DATED (SEE ITEM 11) 06-Feb-2013
				10A. MOD. OF CONTRACT/ORDER NO.
				10B. DATED (SEE ITEM 13)
CODE	FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer 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 <u>1</u> 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)				
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 <input type="checkbox"/> is not, <input type="checkbox"/> 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 mod is to answer questions, and in consequence, extend the last day to submit a quote to 21st Feb. 2013 at 0900.				
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)	
			TEL:	EMAIL:
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 19-Feb-2013

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 1449 - CONTINUATION SHEET

SOLICITATION/CONTRACT FORM

The required response date/time has changed from 20-Feb-2013 09:00 AM to 21-Feb-2013 09:00 AM.

The following have been added by full text:

QUESTIONS & ANSWERS #2.

W913FT-13-T-0016 QUESTIONS/ ANSWERS.

Q1: We delivered a complete proposal for the original process (W913FT-13-T-0013) with a complete solution for the solicitation. We would like to know the reason of the process cancellation and if scope remains the same for the new process.

A1: W913FT-13-T-0013 was cancelled and replaced by W913FT-13-T-0016; it is the same requirement, the reason why we re-solicited is to obtain better competition.

Q2: After complete review of the documents for the W913FT-13-T-0016 process, we have not found relevant differences between the original process and this one. We have found that specifications for this new version are in general the same but the RFP did not include an exhibit for specifications as the one attached in the original solicitation process. We are wondering if all the information submitted in the prior process still applies?

A2: W913FT-13-T-0016 is the exact same requirement than the cancelled W913FT-13-T-0013, all information are the same.

Q3: In our proposal we did include a complete lump sum for the civil and structural works of a canopy structure in the dispensing zone. Although it was not specified, we consider this as needed for the dispensing equipment protection. Do we need to include it in the price?

A3: All potential bidders are responsible for providing all cost, and prices, in their total value. Keep in mind that this contract will be awarded based on Lowest Price Technically Acceptable.

Q4: We have large experience working for the US embassy nationwide including remote places and also in international projects for US department of State through US companies, having that kind of experience an taking into account the type of project we are quoting, we respectfully consider that the performance period for the project is very short and the proposed 30 days for the whole project is totally impossible. For this project there is a need to perform a complete study after award and on site in order to verify design and then the procurement process, so it

means that just the 30 days will not be enough, our analysis consider at least 90 days for a fair competition.

A4: The 30 days delivery is just estimation, Contractors can include the amount of time necessary to deliver the final product in their quote.

Q5: Could we obtain the changes done for the new version of the solicitation?

A5: No change was made in the requirement from the cancelled solicitation W913FT-13-T-0013.

Q6: Could we submit a proposal where performance period is more than the 30 days? AS stated in numeral 4 it is impossible to comply with that requirement. For this process there is not a clause that allows the offeror to propose a new schedule as it was in the solicitation W913FT-13-T-0013. We consider that this performance period is not enough unless a supplier has the whole solution already in Colombia and do not perform a complete survey for final design.

A6: yes, the contractor is required to include the time needed to deliver the final product if 30 days is not enough.

Q7: Is there any TAX exemption for the project? Do we need to include VAT?

A7: Yes the US government has VAT exemption in Colombia.

Q8: Surfing in the fbo.gov web page I did find a similar process like this with a different solicitation number, which one is the correct?

A8: W913FT-13-T-0013 is cancelled and replaced by W913FT-13-T-0016 for better competition; the requirement is the same, no changes.

Q9: Is this a second project in la Macarena and other solicitation was already awarded or the subjected solicitation number replace the solicitation number W913FT-13-T-0013?

A9: W913FT-13-T-0013 was not awarded; it was cancelled and replaced by W913FT-13-T-0013.

Q10: Is there any preference for equipment brand?

A10: No, there is no preference in brand.

Q11: I did not find drawings or design. Do we need to include design fee?

A11: All contractor are free and required to include all cost, profit, fees in their quote, this is a firm fixed price contract. Exhibit 1(pictures are the only design available).

Q12: Is there any civil works regarding the dispensing zone? Steel structure? Concrete slab? Bollards?

A12: The contractor must ensure that the dispensing machine is placed in the appropriate type of mounting. It is up to the contractor to decide on how to place the equipment. If he decides that it should be on top of a concrete slab, then he needs to provide it.

Q113: Do we need to include VAT?

A13: Yes.

Q14: Checking importation process time, design, ground transportation and jobs to be performed, 30 days is a very short time for performance period. Could you change the performance period? In accordance with our analysis we think that less than 75 days is impossible specially thinking about a remote place like La Macarena.

A14: The 30 days delivery is just an estimation, Contractors can include the amount of time necessary to deliver the final product in their quote.

Q15: Warranty period?

A15: Aside from the implied warranty, contractors must include in their quote the expressed warranties.

Q16: Checking the first RFP from the solicitation number W913FT-13-T-0013 that included more detailed specifications. Could we take same specifications from that process or this is totally different.

A16: W913FT-13-T-0013 is the same requirement than W913FT-13-T-0016.

Q17: Is there any contractor on site performing a similar work or providing Services or material for a fuel operation?

A17: No similar work is being perform at this site at this time.

Q18: Will be the solicitation awarded to the lowest price?

A18: yes the base for award is Lowest Price Technically acceptable.

Q19: During importation process, is the cargo considered a diplomatic cargo? Are we going to be in charge of the sea freight cost or can the embassy assume this fee?

A19: As per the Statement of Work (SOW) Para 1.1, Contractors are responsible for transport of products and personnel.

Q20: Is this a FFP contract?

A20: Yes.

Q21: Any special requirement for personnel on site?

A21: The requirement for personnel on site is as stated on SOW Para 1.7 (security requirement).

The following have been modified:

INSTRUCTIONS TO OFFERORS

Instruction to Offerors

1. DELIVERY OF OFFER: All responses shall be in English and legible.

Electronic submission. The Contractor shall provide one copy of their offer as an electronic file (acceptable electronic submissions are: Microsoft WORD, EXCEL, and Adobe PDF only). The preferred method is by email, but a CD delivered before the closing date is fine for very large files. The offer shall be submitted to lamine.fall@tcsc.southcom.mil and Rosalba.mateus@tcsc.southcom.mil before 090:00 AM (EST) 21 FEB 2013. No fax copies will be accepted. Separate the technical proposal from the price proposal.

b. Solicitation Questions: Questions regarding this solicitation shall be submitted in writing to the Contracting Specialist by email lamine.fall@tcsc.southcom.mil or Rosalba.mateus@tcsc.southcom.mil. **The Government will answer all questions received by 0900AM 18 FEB 2013.** The Government reserves the right not to respond to any questions received concerning this solicitation after the question receipt date and time above. Accordingly, Contractors are encouraged to carefully review all solicitation requirements and submit questions to the Government before the closing of questions.

c. Amendments prior to date set for receipt of offer. The Government reserves the right to amend the solicitation specifications and/or drawings prior to receipt of Offers via formal Amendment. The Contracting Officer will send all information relating to this solicitation, including pertinent changes/amendments and information, to all interested parties prior to the offer due date.

2. CONTENTS OF OFFER: The offeror shall submit the following with its offer:

- Section 00100 - **This is a fixed price contract payable in United States Dollar (USD) for companies based in the United States, and Colombian Pesos for companies based in Colombia (see FAR clause 52.225-17).** Price all two Line Items. - Complete all applicable portions of this form in each relevant category (such as labor, materials, etc.);

- Section 00600 - Representations and Certifications- Insert the required certifications and representations and return only those shown in section 00600.

- Section 00700 – 252.229-7001, Tax Relief – Offerors will complete and submit with their offer.

- Amendments – Acknowledge by signing any amendments issued to the solicitation. Amendments may also be acknowledged in block 19 of the SF 1442.

- Contractor is to provide a list with the description of materials and products to be used to assure the Contractor understands the required compliance for this project.

3. EVALUATION OF OFFERS: Offers will be evaluated using Lowest Price Technically Acceptable.

4. AWARD. Subject to the provisions contained herein, the Government intends to award a single contract resulting from the solicitation, to the Offeror whose response conforms to the Statement of Work and provides the lowest total price Technically Acceptable for the actual contract line items awarded considering available funding.

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

Technical Capability: Offer must clearly reflect the offeror's understanding of the items and work to be performed and fully respond to the minimum requirements specified in FAR 52.212-1, Instructions to Offerors, and its addendum. Offerors who simply restate the specified requirements, or fail to submit the minimum information specified in the Instructions, may result in the offer being rejected as non-compliant with the requirement for submission or required information.

Technical Ratings

Acceptable – Proposal clearly meets the minimum requirements of the solicitation.

Unacceptable – Proposal does not clearly meet the minimum requirements of the solicitation.

Price: The Price factor will be assessed upon total evaluated price, to include an assessment of price reasonableness to the U.S. Government. Price offers will be reviewed for reasonableness to determine whether they reflect an understanding of the requirements or contain apparent mistakes. Award will be made to the offeror who submits a technically acceptable offer at the lowest price.

(b) Options. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of provision)

(End of Summary of Changes)