

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE PAGE OF PAGES
1 of 3

2. AMENDMENT / MODIFICATION NO. Sixteen (016)
3. EFFECTIVE DATE 27 SEP 2011
4. REQUISITION / PURCHASE REQ NO.
5. PROJECT NO. (if applicable)

6. ISSUED BY National Science Foundation
Division of Acquisition & Cooperative Support (DACS)
4201 Wilson Blvd, Suite 475
Arlington, VA 22230
7. ADMINISTERED BY (if other than Item 6)

8. NAME AND ADDRESS OF CONTRACTOR
9A. AMENDMENT OF SOLICITATION NO. (3) X DACS08P2215
9B. DATED (SEE ITEM 11) 10 Oct 2008
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 document 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 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 CONTRACT/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

- (3) 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 copy to issuing office with their proposal submittal.

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

Offerors are required to acknowledge receipt of this RFP amendment with their Final Proposal Revision (FPR) submittal.

See attached for additional information.

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

15A. NAME AND TITLE OF SIGNER (Type of print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		Bart Bridwell Contracting Officer	
15B. CONTRACTOR / OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		 (Signature of Contracting Officer)	9/27/2011

I. This amendment to Request for Proposal (RFP) No. DACS08P2215 provides for the following:

1. Section H: To add H.30 GUARANTEE (September 2011);
2. Section K: To make a correction within the second paragraph of K.6 (as last amended by RFP Amendment 014); and,
3. Section L: To correct L.8.2 sub-paragraph numbering (as amended by RFP Amendment 013).

II. RFP No. DACS08P2215 is amended as follows:

A. SECTION H – SPECIAL CONTRACT REQUIREMENTS:

Paragraph H.30, GUARANTEE is added as follows:

H.30 GUARANTEE (September 2011)

At the National Science Foundation's discretion, the contractor shall provide financial and performance guarantees by a corporate or other guarantor given for the agency's benefit, as follows:

- Full, complete and faithful performance of the contract,
- Contract financing,
- Repayment of any amounts owed to the Government, including cost disallowances, and
- Payments to contractor employees, agents, suppliers, lessors, subcontractors and other third parties to the extent not otherwise reimbursable per this contract, 48 CFR Part 31, or 48 CFR Part 99.

The extent of any guarantee shall be limited to this contract, and shall be provided within sixty (60) calendar days of the National Science Foundation's request.

The guarantee shall:

- Continue in full force and effect until all continuing obligations under the contract are fully and completely discharged, including any obligations arising from the exercising of contract options to extend the performance period and any mutually agreed extensions of time,
- Bind the guarantor, its successors and assigns to the terms and conditions of the contract,
- Guarantee the performance of any person, firm, corporation or entity other than the contractor that becomes obligated to perform the contract, or any part thereof, whether by operation of law or otherwise, and
- Waive any notice of the contractor's default to the guarantor by the National Science Foundation.

The guarantor must demonstrate from time-to-time, upon request, its financial capacity to provide the guarantee to the satisfaction of the National Science Foundation. Acceptance of the guarantor by the National Science Foundation shall not unreasonably be withheld. The contractor agrees to provide an alternate form of guarantee per this clause in the event the National Science Foundation determines the guarantor lacks financial capacity to provide the guarantee.

B. SECTION K – REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS

The second paragraph of K.6, IDENTIFICATION OF ALL SUBCOTNRACTORS is amended only to correct the L.8.2 reference (at the end of the paragraph) which shall be changed to read:

“Offerors proposing alternate subcontractors, regardless of costs, to those set out in the Section J, Attachment 7 listing, must result in an offeror proposed change page for Section J, Attachment 7, which accurately lists assignable subcontractors, leases, charters and operation agreements which will be in effect as of April 1, 2012 (also see below Section L.8.2j).”

**C. SECTION L – INSTRUCTIONS, CONDITIONS, AND NOTICIES TO OFFERORS
OR RESPONDENTS**

L.8 VOLUME I – TRANSMITTAL LETTER AND ADMINISTATIVE INFORMATION is amended for the last subparagraph of L.8.2 (indicated in RFP Amendment 013) to change the subparagraph numbering from “L.8.2i)” to “L.8.2j)” and should read as follows:

“L.8.2 j) Offerors proposing alternate subcontracts to those in the Government-issued Section J, Attachment 7, Assignable Subcontracts, Leases, Charters, and Operator Agreement Listing, must provide a change page for Section J, Attachment 7 which accurately lists assignable subcontractors, leases, charters and operator agreements which shall be in effect on April 1, 2012.”

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