

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

BPA NO.

1. CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NUMBER  
0003

3. EFFECTIVE DATE  
11-18-2022

4. REQUISITION/PURCHASE REQ. NUMBER

5. PROJECT NUMBER (if applicable)  
None

6. ISSUED BY CODE

00244

7. ADMINISTERED BY (If other than Item 6)

CODE 00244

Department of Veterans Affairs  
Network Contracting Office 4  
  
1601 Kirkwood Highway  
Wilmington DE 19805

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Network Contracting Office 4  
  
1601 Kirkwood Highway  
Wilmington DE 19805

8. NAME AND ADDRESS OF CONTRACTOR (Number, street, county, State and ZIP Code)

To all Offerors/Bidders

(X)

9A. AMENDMENT OF SOLICITATION NUMBER

36C24423Q0133

9B. DATED (SEE ITEM 11)  
11-09-2022

10A. MODIFICATION OF CONTRACT/ORDER NUMBER

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 electronic communication 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 letter or electronic communication, provided each letter or electronic communication 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.**

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 1 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 update the evaluation criteria to a tiered evaluation as outlined in the continuation pages.

All other RFQ terms and conditions remain the same.

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)

Ronald Kline  
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)

## CONTINUATION PAGE

\*\*The Government intends to make an all or none award to the offerer within the Lowest Tier as determined technically acceptable on all items and whose offer represents the lowest overall evaluated price. This solicitation is a Tiered Evaluation to include (1) SDVSOB concerns, (2) VOSB Concerns, (3) Small Business Concerns with Hubzone small business concerns and 8(a) participants having priority; and (4) Large Business Concerns. Of the lowest tier(SDVSOB), LPTA will be considered of offers at the lowest tier. If no offers are evaluated to be responsive, acceptable, and/or fair and reasonable, the next tier would then be evaluated. Offerers must provide open market pricing on all line items mentioned. Additionally, offerers must be Authorized Distributors of the OEM for each brand offered and mentioned. All offers must submit all documentation as described in Section 6 of this statement of work to be considered fully. Failure to provide documentation as requested may result in offer being considered non-responsive. \*

### **Tiered/Cascading set-aside strategy:**

The evaluation of offers received in response to the solicitation will use a tiered or cascading order of precedence. "Tiered evaluation of offers," also known as "cascading evaluation of offers," is a procedure used in negotiated acquisitions when market research is inconclusive for justifying limiting competition to small business concerns or sub-categories of small business concerns. The contracting officer—

(1) Solicits offers from both small and other than small business concerns that will be evaluated in the following tier order:

- (a) service-disabled veteran-owned small business (SDVOSB);
- (b) veteran-owned small business (VOSB);
- (c) all other small business concerns;
- (d) other than small business.

(2) If an award or a sufficient number of awards cannot be made at the first tier, evaluation of offers will proceed at the next lower tier until an award or a sufficient number of awards can be made.

## **E.6 52.212-2 EVALUATION—COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES (NOV 2021)**

(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:

**TIERED EVALUATIONS INCLUDING LARGE BUSINESS CONCERNS: This solicitation is being issued as tiered evaluation with the following tiers: (1) SDVOSB concerns, (2) VOSB concerns, (3) small business concerns with HUBZone small business concerns and 8(a) participants having priority; and (4) large business concerns. If award cannot be made, the solicitation will be cancelled and the requirement resolicited.**

(b) *Options.* Not Applicable.

(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 Document