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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | 1. CONTRACT ID CODE | PAGE OF PAGES 1 |
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|-------------------------------|-------------------|----------------------------------|---------------------------------------|
| 2. AMENDMENT/MODIFICATION NO. | 3. EFFECTIVE DATE | 4. REQUISITION/PURCHASE REQ. NO. | 5. PROJECT NO. <i>(if applicable)</i> |
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| 6. ISSUED BY SOUTHWEST DIVISION NAVAL FACILITIES ENGINEERING COMMAND CONTRACTS DEPARTMENT 1220 PACIFIC HIGHWAY SAN DIEGO, CA 92132-5187 | 7. ADMINISTERED BY <i>(If other than Item 6)</i> |
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| 8. NAME AND ADDRESS OF CONTRACTOR <i>(No., street, county State and ZIP Code)</i> | 9A. AMENDMENT OF SOLICITATION NO. |
| | 9B. DATED (SEE ITEM 11) |
| | 10A. MODIFICATION OF CONTRACT/ORDER NO. |
| | 10B. DATED (SEE ITEM 13) |

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| 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 _____ 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 of 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 MODIFIED THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

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| A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: <i>(Specify authority)</i> THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. |
| B. THE ABOVE NUMBERED CONTRACT/ORDERED IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES <i>(such as changes in paying office, appropriation date, etc.)</i> 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)*

Except as provided herein, all terms and conditions of the document referenced in Item 19A or 10A, as heretofore changed, remains unchanged and in full force and effect

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| 15A. NAME AND TITLE OF SIGNER <i>(Type or print)</i> | 16A. NAME AND TITLE OF CONTRACTING OFFICER <i>(Type or print)</i> | | |
| 15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA | 16C. DATE SIGNED |
| BY _____ <i>(Signature of Person Authorized to Sign)</i> | | BY _____ <i>(Signature of Contracting Officer)</i> | |

INSTRUCTIONS

Instructions for items other than those that are self-explanatory, are as follows:

(a) Item 1 (Contract ID Code). Insert the contract type identification code that appears in the title block of the contract being modified.

(b) Item 3 (Effective date).

(1) For a solicitation amendment, change order, or administrative change, the effective date shall be the issue date of the amendment, change order, or administrative change.

(2) For a supplemental agreement, the effective date shall be the date agreed to by the contracting parties.

(3) For a modification issued as an initial or confirming notice of termination for the convenience of the Government, the effective date and the modification number of the confirming notice shall be the same as the effective date and modification number of the initial notice.

(4) For a modification converting a termination for default to a termination for the convenience of the Government, the effective date shall be the same as the effective date of the termination for default.

(5) For a modification confirming the contracting officer's determination of the amount due in settlement of a contract termination, the effective date shall be the same as the effective date of the initial decision.

(c) Item 6 (Issued By). Insert the name and address of the issuing office. If applicable, insert the appropriate issuing office code in the code block.

(d) Item 8 (Name and Address of Contractor). For modifications to a contract or order, enter the contractor's name, address, and code as shown in the original contract or order, unless changed by this or a previous modification.

(e) Item 9, (Amendment of Solicitation No. - Dated), and 10, (Modification of Contract/Order No. - Dated). Check the appropriate box and in the corresponding blanks insert the number and date of the original solicitation, contract, or order.

(f) Item 12 (Accounting and Appropriation Data). When appropriate, indicate the impact of the modification on each affected accounting classification by inserting one of the following entries.

(1) Accounting classification _____
Net increase \$ _____

(2) Accounting classification _____
Net decrease \$ _____

NOTE: If there are changes to multiple accounting classifications that cannot be placed in block 12, insert an asterisk and the words "See continuation sheet".

(g) Item 13. Check the appropriate box to indicate the type of modification. Insert in the corresponding blank the authority under which the modification is issued. Check whether or not contractor must sign this document. (See FAR 43.103.)

(h) Item 14 (Description of Amendment/Modification).

(1) Organize amendments or modifications under the appropriate Uniform Contract Format (UCF) section headings from the applicable solicitation or contract. The UCF table of contents, however, shall not be set forth in this document

(2) Indicate the impact of the modification on the overall total contract price by inserting one of the following entries:

(i) Total contract price increased by \$ _____

(ii) Total contract price decreased by \$ _____

(iii) Total contract price unchanged.

(3) State reason for modification.

(4) When removing, reinstating, or adding funds, identify the contract items and accounting classifications.

(5) When the SF 30 is used to reflect a determination by the contracting officer of the amount due in settlement of a contract terminated for the convenience of the Government, the entry in Item 14 of the modification may be limited to --

(i) A reference to the letter determination; and

(ii) A statement of the net amount determined to be due in settlement of the contract.

(6) Include subject matter or short title of solicitation/contract where feasible.

(i) Item 16B. The contracting officer's signature is not required on solicitation amendments. The contracting officer's signature is normally affixed last on supplemental agreements.

E. REQUEST FOR QUALIFICATIONS (STEP 1 RFQ)
4. INSTRUCTIONS AND ADDITIONAL INFORMATION

Section E.4. Request for Qualifications (Step 1 RFQ), Instructions and Additional Information is amended by inserting thereto

- c. Interested proposers shall monitor SAM.gov for any solicitation amendments. Please refer to amendment two (2) regarding documentation to be submitted as part of Statement of Qualifications for Step 1 RFQ regarding conflict of interest, if applicable.

F. REQUEST FOR PROPOSALS (STEP 2 RFP)
5. EVALUATION OF PROPOSALS
g. PROVISIONS

Section F.5.g. Request for Proposals (Step 2 RFP), Evaluation of Proposals, Provisions is amended by deleting therefrom:

- The Concourse Group, LLC (“TCG”) is serving as an advisor to the Government on this project (and has recused itself from the proposal related to this project. Government reserves the right to disqualify any Proposer based on an actual or perceived conflict of competition). Each proposer must certify they are not using TCG, or any of its subcontractors or affiliates, to assist in the preparation of any interest stemming from any current or prior contractual arrangements it or any of its team members had with the Government or any of its past or present consultants relating to the OTC Revitalization. A “no-conflict-of-interest” certification to be executed by the proposer and returned with its proposal is included as part of the proposer’s cover page in Appendix 4.

and inserting in the place thereof:

- The Concourse Group, LLC (“TCG”) is serving as an advisor to the Government on this solicitation (and has recused itself from the competition). Each proposer must certify they are not using TCG, or any of its subcontractors or affiliates, to assist in the preparation of any proposal related to this project.
- The Government has used and continues to use various consultants/contractors to support development of this RFQ/RFP and supporting materials such as environmental documentation. A potential organizational conflict of interest could arise from a consultant’s/contractor’s participation in the Navy’s development of this RFQ/RFP and supporting documents, including ***but not*** limited to the development of the requirements for the NAVWAR facilities, cost

- estimating, and the internal strategy discussions and meetings about these and related issues. That is, a conflict of interest arises if an entity potentially obtained non-public information that is relevant to the RFQ/RFP, is not available to all potential proposers, and could assist it in obtaining the award, resulting in an unfair competitive advantage.
- Proposers or members of their teaming structure who previously supported the OTC Revitalization, including but not limited to the development of this RFQ/RFP or supporting materials, shall present documentation as part of their Statement of Qualifications submitted for Step 1 RFQ to the Government explaining either:
 - (1) why there is not organizational conflict of interest (e.g., they did not obtain non-public information that would give them an unfair advantage), or
 - (2) their proposed mitigation plan to avoid or neutralize conflicts (e.g., establishing an ethical wall by, for example using departments, offices, or personnel that did not participate on the prior OTC contract or subcontract, and/or employing other measures that clearly block the flow of information between contractor personnel who had access to non-public competitive information, and other contractor employees who would be participating in the **procurement process**).
 - In each instance, it will be a case-by-case analysis of whether a conflict of interest exists and/or if a proposed mitigation plan is sufficient to protect the integrity of our solicitation process.
 - The Government will focus on ensuring a fair process and will work to resolve these questions as early as possible.
 - Government reserves the right to disqualify any Proposer based on a conflict of interest stemming from any current or prior contractual arrangements it or any of its team members had with the Government or any of its past or present consultants relating to the OTC Revitalization.
 - A “no-conflict-of-interest” certification and supporting documentation, as appropriate, shall be executed by the proposer and returned with its proposal submitted for Step 2 RFP. The Conflicts of Interest statement is included as part of the proposer’s cover page in Appendix 4.
 - Note: Proposers that do not team with contractors who previously supported the Navy on the OTC Revitalization are not required to present any *additional* conflict of interest documentation to the Navy, beyond the required certification from Appendix 4.