

2. AMENDMENT/MODIFICATION NO. 000003	3. EFFECTIVE DATE 01/10/2013	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY U.S. DOE/NETL Morgantown Campus 3610 Collins Ferry Road PO Box 880 Morgantown WV 26507-0880	CODE	02605	7. ADMINISTERED BY (If other than Item 6) U.S. DOE/NETL Morgantown Campus 3610 Collins Ferry Road PO Box 880 Morgantown WV 26507-0880	CODE	02605
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(x)	9A. AMENDMENT OF SOLICITATION NO. DE-SOL-0003641
	x	9B. DATED (SEE ITEM 11) 12/07/2012
		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 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 telegram which includes a reference to 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 ONLY APPLIES TO MODIFICATION 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.)
 SBA Requirement No. 0390/12/203735/01

*Acknowledgement of Amendments shall be accomplished by an indication in the "Offeror and Other Documents" submittal of your proposal on the SF 33 block #14.

SEE FOLLOWING PAGES AND ATTACHMENTS, AS APPLICABLE, FOR AMENDMENT DESCRIPTION.

Please note the due date (01/28/2013) for receipt of proposals is not impacted by issuance of this amendment.

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) Donald E. Hafer		
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA Signature on File (Signature of Contracting Officer)	16C. DATE SIGNED 01/10/2013

The purpose of this amendment is to revise the solicitation and to provide the attached “DE-SOL-0003641 Questions and Responses 1-9-13.” Accordingly the solicitation is amended as follows:

1. The solicitation is hereby revised as follows:
 - a. Clause M.3 Basis for Contract Award is deleted in its entirety and replaced with the following. Changes are delineated in **bold yellow highlighted text**.

“M.3 BASIS FOR CONTRACT AWARD

The Government intends to award one contract to the responsible Offeror whose proposal is responsive to the solicitation and is determined to be the best value to the Government; however, as stated in Part IV, Section L, Number of Awards, the Government reserves the right to make any number of awards, or no award, if considered to be in the Government's best interest to do so.

Selection of the best value to the Government will be achieved through a process of evaluating the strengths and weaknesses of each Offeror's proposal in accordance with the Evaluation Criteria set forth in this Section M. In determining the best value to the Government, the Technical Proposal Criteria are significantly more important than: **the Total Evaluated Price (e.g. the sum of the most probable cost plus fee for the two Cost-Plus-Award-Fee Sample Task Orders plus the fixed price proposed for the fixed price Sample Task Order plus the fixed price for the Transition Task Order), the evaluated fixed fee and award fee ceilings, the evaluated escalation rates, and the evaluated indirect rates and ceilings.**

The Government is more concerned with obtaining a superior Technical Proposal than making an award at the lowest **Total Evaluated Price, the evaluated fixed fee and award fee ceilings, the evaluated escalation rates, and the evaluated indirect rates and ceilings.** In determining potential trade-offs to arrive at the best value selection, the Government will assess the strengths, weaknesses, and deficiencies between or among competing technical proposals from the standpoint of 1) what the difference might mean in terms of anticipated performance; and 2) what the **estimated** cost would be for the Government to take advantage of that difference. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one technical proposal over another. Thus, to the extent that Offerors' Technical Proposals are evaluated as technically equivalent (equal or so close to be considered equal in merit) the **Total Evaluated Price, the evaluated fixed fee and award fee ceilings, the evaluated escalation rates, and the evaluated indirect rates and ceilings are** more likely to be a determining factor.”

- b. Clause M.6 Basis for Contract Award is deleted in its entirety and replaced with the following. Changes are delineated in **bold yellow highlighted text**.

“M.6 EVALUATION CRITERIA - COST

Volume III, Cost Proposal will neither be point-scored, nor adjectively rated, but will be evaluated to determine reasonableness (Fixed Price and CPAF Task Orders) and cost realism and completeness (CPAF Task Orders). For evaluation purposes, the total evaluated price will be the sum of the most probable cost plus fee for the two Cost-Plus-Award-Fee Sample Task Orders plus the fixed price proposed for the fixed price Sample Task Order plus the fixed price for the Transition Task Order. DOE will evaluate each Offeror's **cost proposal**, using one or more of the techniques defined in FAR 15.404 **(cost analysis techniques will be used to evaluate CPAF Task Orders, and price analysis techniques will be used to evaluate Fixed Price Task Orders)**. The evaluation of cost realism **(CPAF Task Orders)** includes an analysis of specific elements of each Offeror's proposed cost to determine whether the proposed estimated cost elements are sufficient for the work to be performed; reflect a clear understanding of requirements; and are consistent with the methods of performance and materials described in the Offeror's technical proposal.

For evaluation purposes, DOE will compute the most probable cost associated with the Offeror's proposal for the two Cost-Plus-Award-Fee Sample Task Orders. The most probable cost, for the Sample Task Orders, will be determined based on the Offeror's proposal and any upward or downward adjustments required from the evaluation of reasonableness, realism, and completeness. Cost and fee will not be adjectively rated or scored, but will be evaluated for consistency with the Technical Proposal and will be used to determine which proposal will represent the best value to the Government. The total evaluated cost will be inclusive of the most probable cost plus the proposed award fee.

Evaluated Fee Ceilings: DOE will evaluate the fixed fee and award fee ceilings proposed as part of its best value determination in accordance with the following:

The proposed fee ceilings will not be point scored or adjectively rated but will be evaluated for consistency and reasonableness and commensurate with the risk for the type of work to be required under this contract. The proposed fee ceilings will be used in determining which proposal represents the best value to the Government. The cost plus award fee ceiling will be included as part of the total evaluated price for the Sample Tasks. The fixed fee proposed will be evaluated separately in accordance with the above regarding consistency and commensurateness. Offerors that propose a fixed fee ceiling that exceeds the statutory limitation specified in FAR 15.404-4(c) (4)(i) may be ineligible for award.

Escalation Rates, Indirect Rates and Ceilings: DOE will evaluate the escalation rates, indirect rates and ceilings proposed as part of its best value determination in accordance with the following:

The proposed escalation rates, indirect rates and ceilings will not be point scored or adjectively rated but will be evaluated for consistency and reasonableness and

realism. The proposed escalation rates, indirect rates and ceilings will be used in determining which proposal represents the best value to the Government. Indirect rates will be included as part of the total evaluated price for the cost plus award fee Sample Tasks. The escalation rates and indirect ceilings proposed will be evaluated separately in accordance with the above regarding consistency, reasonableness, and realism.”

2. The Questions and Responses file has been revised to include questions and responses regarding the content of the solicitation received through close of business January 9, 2013. As a result, the file, DE-SOL-0003641 Questions and Responses 1-2-2012.doc, has deleted in its entirety and replaced with the file, DE-SOL-0003641 Questions and Responses 1-9-13.doc, attached to this amendment.

Except as amended herein, all other terms and conditions remain unchanged.

END OF AMENDMENT 003