

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE 1 OF 3 PAGES
2. AMENDMENT/MODIFICATION NO. A000005	3. EFFECTIVE DATE 11/21/2017	4. REQUISITION/PURCHASE REQ. NO. Not Applicable	5. PROJECT NO. (If applicable)	
6. ISSUED BY USDOT/OST-R/Volpe Center 55 Broadway Kendall Square Cambridge, MA 02142		7. ADMINISTERED BY (If other than Item 6)		
8. NAME AND ADDRESS OF CONTRACTOR (No. Street, county, State and ZIP: Code)		(4)	9A. AMENDMENT OF SOLICITATION NO. 6913G618R200001	
		X	9B. DATED (SEE ITEM 11) 11/21/2017	
			10A. MODIFICATION OF CONTRACT/ORDER NO.	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

X The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended, **X** 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 one (1) copy 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 DATA 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 data specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

Not Applicable

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 is not, [] is required to sign this document and return 3 copies to the issuing office.

See attached continuation pages 2-3 for responses to questions received through 16 November 2017 from industry regarding the FLS solicitation.

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) Roland J. Regan	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		BY (Signature of Contracting Officer)	

The purpose of this Amendment is to respond to contractor clarification questions regarding solicitation 6913G618R200001 as follows.

Question #1: With this being an IDIQ Contract and two task orders (CLIN 0100 and CLIN 0200) are being issued under the solicitation, is it the intent of the Government that all work with all agencies mentioned in the Request For Proposal (RFP) will be conducted ONLY by these two task orders, or will there be other task orders issued during the course of the contract?

Response Question #1: CLINs 0100 and 0200 are NOT task orders in and of themselves. Rather, CLINs 0100 and 0200 represent the scope of what will be contained in the MASTER contract(s). After award of the MASTER contract(s), individual task orders will be placed during the course of master contract performance under whatever CLIN the work is suited to.

Question #2: Are all personnel and services to be conducted on contractor site or will there be a requirement for certain key personnel to be co-located with DOT Volpe personnel?

Response Question #2: There will be no permanent relocation of contractor personnel to be co-located with DOT Volpe personnel for any intended work under either CLIN. Most work under either CLIN requirement will be conducted at the contractor's site. Depending on the work requirement in either CLIN task order, a contractor may be required to travel to a site temporarily for participation in fire protection consultation meetings, inspections, engineering surveys, quality assurance assessments, etc.

Question #3: Is there a ceiling to the contract value of this IDIQ?

Response Question #3: Yes. The ceiling of each awarded CLIN will be the evaluated value of the selected offeror's cost proposal for each CLIN, based on the number of hours specified by the Government in the instructions to offerors. Consequently, the ceiling value of each CLIN will depend on the winning offeror(s)' proposed amount for each CLIN based on its proposed labor and other rates. This is why it was emphasized under Section L.5 of the solicitation and during the webinar that a "best value" analysis of each offeror's proposal will be conducted, and that offerors should not underestimate or minimize the importance of cost in the Government's determination of "best value".

Question #4: Will the participant list from the November 9, 2017 Preproposal Conference Webinar be made available on FedBizOpps.Gov (FBO)?

Response Question #4: Yes, a list of those FLS webinar participants was uploaded into FBO on November 16, 2017.

Question #5: CFR Title 13 (Business Credit and Assistance) Chapter I (SBA) Part 125 (Government Contracting Programs) - §125.6 (c) (excerpted and linked below) provides allowances for the use of *subcontracts to similarly situated entities*. Will this Volpe Center solicitation permit the allowances under this provision, in determination of subcontract performance percentages as discussed in section G.17 of the subject solicitation?

[Quoted from CFR 125.6(c) §125.6 (c) *Subcontracts to similarly situated entities*. A small business concern prime contractor that receives a contract listed in paragraph (a) of this section and spends contract amounts on a subcontractor that is a similarly situated entity shall not consider those subcontracted amounts as subcontracted for purposes of determining whether the small business concern prime contractor has violated paragraph (a) of this

section, to the extent the subcontractor performs the work with its own employees. Any work that the similarly situated subcontractor does not perform with its own employees shall be considered subcontracted SBA will also exclude a subcontract to a similarly situated entity from consideration under the ostensible subcontractor rule (§121.103(h)(4)). https://www.ecfr.gov/cgi-bin/text-idx?SID=50ff66d5d1cc9357d5f4ce114fcc5c79&mc=true&node=pt13.1.125&rgn=div5#se13.1.125_15]

Response Question #5: In determining whether the prime contractor is in compliance with the requirements of FAR 52.219-14, the Government will consider the reports and other information provided by the offeror as required by Section G.17, as well as the small business status of the subcontractor. A “similarly situated entity”, as defined in 13 C.F.R. §125.1 generally will not result in a violation of FAR 52.219-14 subject to 13 C.F.R. §121.103 et. seq., although a specific determination is highly dependent on the specific situation. Offerors should be mindful that the percentage of the work subcontracted to similarly situated subcontractors may violate other clauses and/or provisions within the solicitation (e.g., “FAR 52.215-22: Limitation on Pass-Through Charges – Identification of Subcontractor Efforts” as cited under Section I of the solicitation”).

Question #6: Does this Volpe Center solicitation (considering the referenced **FAR 52.219-14 Limitations on Subcontracting**) permit IRS 1099 independent contract employees to be considered as employees, in determination of subcontract performance percentages as discussed in section G.17 of the subject solicitation?

Response Question #6: No.

Question #7: Would the Government allow for an extended FLS proposal due date from December 19, 2017 @ 2:00 PM ET to January 8, 2018 @ 2:00 PM ET?

Response Question #7: No