

# AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE PAGE OF PAGES  
1 4

2. AMENDMENT/MODIFICATION NO. 0001	3. EFFECTIVE DATE 06/27/01	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY CONTRACTING OFFICER NAVAL RESEARCH LABORATORY ATTN: CODE:3220.d1 WASHINGTON, DC 20375-5326	CODE N00173	7. ADMINISTERED BY (If other than Item 6) CODE	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  (TO ALL OFFERORS)	(X)	9A. AMENDMENT OF SOLICITATION NO. N00173-01-R-DL04
	X	9B. DATED (SEE ITEM 11) 6/8/01
		10A. MODIFICATION OF CONTRACT/ORDER NO.
		10B. DATED (SEE ITEM 11)
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 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 your 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.)

See pages 2 through 4.

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

1. The following revision is made to Section B-1, CLIN 0002. The Gallon Capacity for NRL Building NO. 101 is revised to require a 500 gallon tank.

2. The following questions have been asked, response follows.

**Question 1 reference Section B-1, p. 2.**

1. Please confirm the resulting contract term to be 60 months.

**Response**

See Section F-2 (8), p. 6.

**Question 2.**

2. Does NRL require fixed unit prices for the two periods of performance, or can bidders supply alternative pricing proposals which will still allow NRL to evaluate the total cost as a function of product price?

**Response**

Section B, Item Number 0001 is revised to require contractor to price on a year by year basis.

ITEM NUMBER	SUPPLIES OR SERVICES	QTY	UNIT	UNIT PRICE	AMOUNT
0001	The contractor shall provide bulk delivery of liquid nitrogen as described in Section C on a delivery order basis to Government- owned and contractor-supplied tanks.				

SUPPLIES	NOT-TO-EXCEED QUANTITY	UNIT	PERIOD OF PERFORMANCE	YEARLY FIXED UNIT PRICE	NOT-TO EXCEED AMOUNT
Bulk Liquid Nitrogen	1,400,000	gallons	10/1/2001 – 9/30/2002		
Bulk Liquid Nitrogen	1,400,000	gallons	10/1/2002 – 9/30/2003		
Bulk Liquid Nitrogen	1,400,000	gallons	10/1/2003 – 9/30/2004		
Bulk Liquid Nitrogen	1,400,000	gallons	10/1/2004 – 9/30/2005		
Bulk Liquid Nitrogen	1,400,000	gallons	10/1/2005 – 9/30/2006		

**Question 3.**

3. Historically, has the Government purchased contractor-supplied tanks? Does the Government intend to purchase tanks during the period of performance for the resulting contract?

**Response.**

The NRL has purchased several tanks in the past five years, however they were not purchased from the incumbent contractor that supplied liquid nitrogen. Although there is no requirement to purchase tanks immediately, the NRL may purchase tanks during the period of performance of this contract.

**Question 4, Reference C-1, p. 4.**

4. What are the requirements for Grade B product? Commercial Item Description A-A-59503 supersedes BB-N-411C, Federal Specification Nitrogen Technical. Grade B is 99.5%. Is this the correct specification for the nitrogen?

**Response.**

The liquid Nitrogen gas shall be low moisture, Technical, Type II, and 99.50% pure.

**Question 5, Reference E-1, p.4.**

5. FAR Clause 52.246-2, Inspection of Supplies – Fixed Price, is incorporated by reference. Is source inspection required?

**Response.**

FAR Clause 52.246-2, Inspection of Supplies – Fixed Price, is a required clause by the Federal Acquisition Regulations for this type contract. There will not be a Quality Assurance Inspector on-site when deliveries are made. However, the contractor will be escorted by the technical monitor or an appointed representative at all times.

**Question 6, Reference E-1, p.4.**

6. DFARS Clause 252.246-7000 is incorporated by reference. It requires the preparation and use of a DD Form 250. The use of the DD Form 250 is an administrative burden both for our fill point and for our Customer Service representatives who would have to track them for invoice purposes, due to the large number of shipments anticipated for the resulting contract. DD Form 250s are not currently required under the existing supply agreement for liquid nitrogen. Can a commercial shipper be used instead of the DD Form 250?

**Response.**

Yes, a commercial shipper is acceptable.

**Question 7, Reference G-3, p.9.**

7. Please clarify if a separate or consolidated invoice is required?

**Response.**

G-3 subparagraph (e). The second block should be "x" requiring a consolidated invoice.

**Question 8, Reference I-1, p 10, 11, 12, 13.**

8. Please identify which clauses are to be incorporated by references.

**Response.**

The clauses listed on pages 10 through 13 are incorporated by reference as stated in I-1 52.252-2 Clauses Incorporated By Reference (FEB 1998).

**Question 9, Reference Section I-4, p. 14**

9. Please clarify the maximum order limitation. The gallons refer to the bulk liquid nitrogen, that is item 0001. What is meant by "combination of items"?

**Response.**

I-4, subparagraph (b) is revised to read:

- (1) Any order for a single item in excess of 6,000 gallons
- (2) Any order for a combination of items in excess of 7,000,000 gallons; or

**Question 10, Reference Section L-1, p. 16.**

10. Please identify which clauses are to be incorporated by reference.

**Response.**

If a clause is listed without full text it is considered "by reference".

**Question 11, Reference Section L-5, p. 17.**

11. Reference is made to Section L-12. There does not appear to be a Section L-12..

**Response.**

The Section L-12 clause should read L-11.