

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES
2. AMENDMENT/MODIFICATION NO. PR-CI-08-10962/0003		3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO. PR-CI-08-10962
6. ISSUED BY Environmental Protection Agency Cincinnati Procurement Operations Division 26 W. Martin Luther King Drive Cincinnati, OH 45268		7. ADMINISTERED BY (If other than item 6) Not Applicable.	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) To All Offerors/Bidders.		(✓)	9A. AMENDMENT OF SOLICITATION NO. PR-CI-08-10962
		(✓)	9B. DATED (SEE ITEM 11) 02/13/09
			10A. MODIFICATION OF CONTRACT/ORDER NO.
			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 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 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 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 _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

This Amendment #3 addresses technical questions received in response to the RFP.

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	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
<hr/> <i>(Signature of person authorized to sign)</i>		<hr/> <i>(Signature of Contracting Officer)</i>	

AMENDMENTS TO THE SOLICITATION

1. EPA's responses to technical questions received in accordance with the Section L provision entitled "Technical Questions," are as follows:
- Q.1 In Attachment #6, Technical Evaluation Criteria, Section II.B, Qualifications of Personnel, "P-4 Project Engineer" is specified. Please clarify if the reference should instead be "P-4 Project Leader" in accordance with the Labor Categories in the Level of Effort Distribution (Table 1) in Attachment #10 of the Solicitation, Cost Proposal Instructions. This clarification also applies to the "Organization" section on page 7-2 of Attachment #7, Technical Cost Proposal Instructions.
- A. 1 The references to "P-4 Project Engineer" in the Technical Evaluation Criteria (Section II.B, Qualifications of Personnel) and in the "Organization" section on page 7-2 of Attachment #7 should instead be "P-4 Project Leader." These attachments have been revised accordingly.
- Q.2 Please confirm that an offeror can submit multiple resumes to demonstrate qualifications for the P-4 Project Leader and P-4 Senior Engineer/Scientist positions, in response to Section II.B of the Technical Evaluation Criteria provided as Attachment #6.
- A.2 Yes, the offeror may submit multiple resumes to demonstrate qualifications for the P-4 Project Leader and the P-4 Senior Engineer/Scientist positions.
- Q.3 Will the QMP count in the 150 page limit?
- A.3 Yes.
- Q.4 The line item for Travel in the Other Direct Costs (Table 2) provided in Attachment #10, Cost Proposal Instructions, is not included in the total line. Should the total include travel?
- A. 4 Yes. Attachment #10 (Table 2) has been revised to include the price of travel in the 'Total' line.
- Q.5 As indicated in Attachment #7, Page 7-2 of 7, an offeror may provide samples of scientific publications or corporate publications which do not apply against the proposal page limit of 150 pages. Can these samples of publications be submitted on CD-ROM or are only hard copies acceptable? How many sets of these sample publications need to be provided?

- A.5 No, samples of publications on CD-ROM or other recorded formats are not acceptable. Please submit literature citations (as opposed actual copies of the publications) for work published by the P-4 Project Leader and P-4 Senior Engineer/Scientist within the last 5 years, to demonstrate their qualifications, per Criteria II.B of the Technical Evaluation Criteria. Consistent with the number of technical proposals being submitted, please submit one original and (6) copies of the citations. Attachment 7, Technical Proposal Instructions, has been revised accordingly.
- Q.6 In Clause L.22, Disclosure Requirements for Organizational Conflicts of Interest, subpart a), the EPA requires an offeror to disclose any business or financial relationship with firms that manufacture or sell the specified technologies, equipment, etc. or are firms or have business or financial relationships with firms that are regulated under RCRA, CERCLA, SDWA, or TSCA. Clause H.5, Limitation of Future Contracting, subpart (c), includes language that limits the requirement to obtain the Contracting Officer's prior written approval to the specific activities to be performed under the contract. Clarification is requested as to whether the EPA intended that the offeror's disclosure under Clause L.22 also be limited to relationships involving the specific activities to be performed under the contract or, if the EPA requires that the disclosure include all relationships, whether or not such relationships have any relation to the scope to be performed under the contract.
- A.6 Clause L.22 is a pre-award provision that requires offerors to disclose any business or financial relationship with the firms specified in paragraph (a), related to the work to be performed under this contract..
- Q.7 Are there any Conflict of Interest or other restrictions from bidders on this contract that would preclude either the incumbent contractor, or other proposers from using experimental data or engineering results from activities conducted at the T&E Facility under this contract and utilizing them for economic advantage in other commercial units of the parent organization?
- A.7 Yes. See Section H.5, Limitation of Future Contracting (Headquarters Support) (EPAAR 1552.209-74) Alternate V.
- Q.8 Where should the offeror place the COI Plan in the proposal volumes?
- A.8 In the cost/business proposal.
- Q.9 Clause L.22, Disclosure Requirements for Organizational Conflicts of Interest, paragraph (a) requires offerors to specifically disclose whether it has (1) any business or financial relationships with the identified manufacturing firms or (2) are or have business or

financial relationships with firms regulated under RCRA, CERCLA, SDWA, or TSCA, or with chemical manufacturers subject to regulation under the aforementioned laws. Please clarify the time period that should be covered by the disclosure (e.g., current relationships only, relationships within the past 36 months, etc.)

- A.9 Offerors shall disclose past relationships within the last three years, present relationships, and planned interests.
- Q.10 It can be reasonably assumed that nearly all manufacturing firms are regulated by one or more of the environmental laws identified in L.22(a)(2). Does the EPA require disclosure of all relationships with all manufacturing firms regardless of the scope of work performed or can the disclosure be limited to only those relationships in which the offeror's scope was directly associated with or related to one or more of the environmental laws?
- A.10 The EPA requires disclosure of any business or financial relationships with the firms as specified in paragraph (a) relative to the work to be performed under this contract.
- Q.11 Please clarify the specific information that EPA requires to be included in the disclosure or is simply disclosing that the offeror has a relationship with an identified firm sufficient?
- A.11 The offeror is required to describe all relevant information concerning any past (within the last three years), present, or planned interests bearing on whether it (including its chief executives and any directors, or any proposed consultant or subcontractors) may have a potential organizational conflict of interest as specified in paragraph (b) of Section L.22, Disclosure Requirements for Organizational Conflicts of Interest.

2. The attachment entitled "TECHNICAL EVALUATION CRITERIA" has been modified to reflect a correction under Section II.B, Qualifications of Personnel, from "P4 Project Engineer" to "**P4 Project Leader.**" The remaining text is unchanged.

TECHNICAL EVALUATION CRITERIA

II. QUALIFICATIONS OF PERSONNEL

B. Demonstrated qualifications (education, experience, expertise) of other non-key P4 personnel, specifically **P-4 Project Leader** and P-4 Senior Engineer/Scientist, with the type of

work they will perform in completing work assignments under the Performance Work Statement.
50 points

3. The attachment entitled "TECHNICAL PROPOSAL INSTRUCTIONS" has been modified to reflect a correction from "P4 Project Engineer" to "**P4 Project Leader**" under the "4. Organization" Section, and under Subcriterion II.B, "Qualifications of Personnel." Clarification is also provided regarding the scientific and corporate publications submitted, per Subcriterion II.B. The remaining text is unchanged.

TECHNICAL PROPOSAL INSTRUCTIONS

4. Organization - It is strongly suggested that proposals be placed in a three-ring binder (not spiral) with dividers that clearly identify and separate the following seven (7) sections:

- I. Corporate Experience
- II. Qualifications of Personnel
 - A. Qualifications of the P-4 Program Manager, P-4 Compliance & Permits Specialist, P-3 Chief of Operations
 - B. Qualifications of **P-4 Project Leader** and P-4 Senior Engineer/Scientist
- III. Past Performance
- IV. Program Management Plan
 - A. Adequacy of system to assure availability of qualified Personnel
 - B. Appropriateness of Overall Organizational Structure
 - C. Demonstrated Commitment of Upper Management
- V. Quality Management Plan (QMP)
- VI. Start-Up Plan
- VII. Participation of Small Disadvantaged Business

CRITERION II - Qualifications (Education, Experience and Expertise) of Personnel

Criterion II (A) evaluates the qualifications (education, experience and expertise) of proposed P-4 Program Manager, P-4 Compliance & Permits Specialist and P-3 Chief of Operations, as measured by the subcriteria specified in the Technical Evaluation Criteria.

Criterion II (B) evaluates the qualifications (education, experience and expertise) of proposed **P-4 Project Leader**, and P-4 Senior Engineer/Scientist as measured by the subcriteria in the Technical Evaluation Criteria.

All proposed personnel should meet the qualifications set forth in Attachment 8, Definitions of Labor Classifications.

For proposed personnel the following information shall be provided:

- a . Name, Professional Level, and Job Title
- b. Proposed role under the contract
- c. Degree (s) held and corresponding field of study (e.g. , BS in chemical engineering)
- d. Specific project experience which relates directly to the type of work specified in the Performance Work Statement*
- e. Job responsibility for project experience described in item e*
- f. Time dedicated to each project in item e
- g. Beginning and ending date of each project in item e
- h. Examples of scientific publications or corporate publications to support the qualifications of the proposed P-4 Project Leader and P-4 Senior Engineer/Scientist. Submissions should be limited to literature citations (as opposed to actual copies of the publications) for work published by the proposed personnel within the last 5 years.

* It is not sufficient to merely state that an individual worked on a project. WHAT DID SHE/HE DO?

4. The attachment entitled "COST PROPOSAL INSTRUCTIONS" has been modified to reflect the addition of the "Travel" line item to the overall totals for "Table 2 - Other Direct Costs." The remaining text is unchanged:

COST PROPOSAL INSTRUCTIONS

Table 2 - Other Direct Costs											
Cost Element	Base	Opt Qty Base	Opt I	Opt Qty Opt I	Opt II	Opt Qty Opt II	Opt III	Opt Qty Opt III	Opt IV	Opt Qty Opt IV	Total
Shop Materials/ Supplies	\$1,861	\$15,218	\$2,082	\$17,029	\$2,330	\$19,056	\$2,607	\$21,324	\$2,917	\$23,861	\$108,285
Electronic/ Electrical Equipment & Supplies	\$18,606	\$152,184	\$20,820	\$170,294	\$23,297	\$190,559	\$26,070	\$213,235	\$29,172	\$238,610	\$1,082,847

Table 2 - Other Direct Costs

Office Equipment & Supplies	\$6,977	\$57,069	\$7,807	\$63,860	\$8,737	\$71,460	\$9,776	\$79,963	\$10,940	\$89,479	\$406,068
Safety Equipment & Supplies	\$4,651	\$38,046	\$5,205	\$42,573	\$5,824	\$47,640	\$6,517	\$53,309	\$7,293	\$59,653	\$270,712
Personal Protective Apparel	\$6,047	\$49,460	\$6,766	\$55,345	\$7,572	\$61,932	\$8,473	\$69,301	\$9,481	\$77,548	\$351,925
Lab Instruments & Equipment/ Supplies	\$14,419	\$117,943	\$16,135	\$131,978	\$18,055	\$147,683	\$20,204	\$165,257	\$22,608	\$184,923	\$839,206
Analytical Instruments & Accessories	\$13,954	\$114,138	\$15,615	\$127,720	\$17,473	\$142,919	\$19,552	\$159,926	\$21,879	\$178,958	\$812,135
Pilot-Plant/ Field Equipment & Supplies	\$13,954	\$114,138	\$15,615	\$127,720	\$17,473	\$142,919	\$19,552	\$159,926	\$21,879	\$178,958	\$812,135
Technology Transfer	\$4,186	\$34,241	\$4,684	\$38,316	\$5,242	\$42,876	\$5,866	\$47,978	\$6,564	\$53,687	\$243,641
Craftsmen Material & Supplies	\$930	\$7,609	\$1,041	\$8,515	\$1,165	\$9,528	\$1,303	\$10,662	\$1,459	\$11,931	\$54,142
Reproduction	\$930	\$7,609	\$1,041	\$8,515	\$1,165	\$9,528	\$1,303	\$10,662	\$1,459	\$11,931	\$54,142
Medical Monitoring	\$1,395	\$11,414	\$1,561	\$12,772	\$1,747	\$14,292	\$1,955	\$15,993	\$2,188	\$17,896	\$81,214
Computer Software & Licensing	\$2,326	\$19,023	\$2,602	\$21,287	\$2,912	\$23,820	\$3,259	\$26,654	\$3,647	\$29,826	\$135,356
Plumbing Equipment	\$2,791	\$22,828	\$3,123	\$25,544	\$3,495	\$28,584	\$3,910	\$31,985	\$4,376	\$35,792	\$162,427

Table 2 - Other Direct Costs

Travel	\$8,000	\$27,975	\$8,952	\$31,304	\$10,017	\$35,029	\$11,209	\$39,198	\$12,543	\$43,862	\$228,089
Total	\$101,029	\$788,895	\$113,051	\$882,773	\$126,504	\$987,823	\$141,558	\$1,105,374	\$158,403	\$1,236,914	\$5,642,324

5. Clause L.22 entitled “Disclosure Requirements for Organizational Conflicts of Interest,” paragraphs (a) and (b) have been modified to clarify the types of business and financial relationships to be disclosed, and to specify a timeframe for past interests to be disclosed.

a) The proposed contract requires that the contractor provide on-site technical research and facility operations support services. An offeror shall specifically disclose whether they have any business or financial relationships **relative to the work to be performed under this contract**, with any firms that manufacture or sell: water-related treatment technologies, processes or equipment; water-related sensors or monitors; package plan and/or POU (Point of Use)/POE (Point of Entry) water treatment equipment or devices designed for small water treatment plants (as defined by the Safe Drinking Water Act); membrane-based separation process technology; water treatment devices or technology involving UV radiation, ozone generation, or titanium dioxide-based photocatalysis; water-related biological response/effect sensors or monitors; biofuel feedstock crops (ie: corn) or ligno-cellulosic metabolizing enzymes and the microbes from which such enzymes are derived; Endocrine Disrupting Compounds (EDCs), pharmaceuticals, and/or personal care products; or with firms that are (or have business or financial relationships with firms) regulated under: RCRA, CERCLA, SDWA, or TSCA; or with chemical manufacturers subject to regulation under the aforementioned laws, or whether they are performing any work that potentially conflicts with work under this contract for EPA or other Government agencies.

b) Provision K.5 ORGANIZATIONAL CONFLICT OF INTEREST CERTIFICATION (EPAAR 1552.209-72), requires the offeror to certify whether it is or is not aware of any potential organizational conflict of interest (COI). If the offeror is aware of a conflict, then Provision L.9 ORGANIZATIONAL CONFLICT OF INTEREST NOTIFICATION (EPAAR 1552.209-70), requires the offeror to provide a disclosure statement in its proposal describing all relevant information concerning any past (**within the last three years**), present, or planned interests bearing on whether it (including its chief executives and any directors, or any proposed consultant or subcontractors) may have a potential organizational conflict of interest. Firms responding to this solicitation are required to disclose any such business or financial relationships. The disclosure statement must address and identify any actual or potential organizational COI within the offeror's entire corporate organization, including parent company, sister companies, affiliates, and subsidiaries. In addition to identifying potential organizational COI, the disclosure statement shall describe how any such conflict can be avoided, neutralized, or mitigated. Also, the contractors COI Plan shall describe the process by which the contractor will ascertain whether any actual or potential COI exist within its own company and all identified organizational

relationships. The EPA contracting officer will determine an offeror's eligibility for award based on the information provided in the disclosure statement.

(c) The Agency has determined that firms directly engaged in or having significant business or financial relationships with firms that manufacture or sell: water-related treatment technologies, processes or equipment; water-related sensors or monitors; package plan and/or POU/POE water treatment equipment or devices designed for small water treatment plants (as defined by the Safe Drinking Water Act); membrane-based separation process technology; water treatment devices or technology involving UV radiation, ozone generation, or titanium dioxide-based photocatalysis; water-related biological response/effect sensors or monitors; biofuel feedstock crops (ie: corn) or ligno-cellulosic metabolizing enzymes and the microbes from which such enzymes are derived; Endocrine Disrupting Compounds (EDCs), pharmaceuticals, and/or personal care products; or with firms that are (or have business or financial relationships with firms) regulated under: RCRA, CERCLA, SDWA, or TSCA; or with chemical manufacturers subject to regulation under the aforementioned laws may have a significant actual or potential organizational conflict of interest in relation to the requirements of this solicitation. In addition, the Agency has determined that firms that provide consulting and/or technical services related to firms that manufacture or sell: water-related treatment technologies, processes or equipment; water-related sensors or monitors; package plan and/or POU/POE water treatment equipment or devices designed for small water treatment plants (as defined by the Safe Drinking Water Act); membrane-based separation process technology; water treatment devices or technology involving UV radiation, ozone generation, or titanium dioxide-based photocatalysis; water-related biological response/effect sensors or monitors; biofuel feedstock crops (ie: corn) or ligno-cellulosic metabolizing enzymes and the microbes from which such enzymes are derived; Endocrine Disrupting Compounds (EDCs), pharmaceuticals, and/or personal care products; or with firms that are (or have business or financial relationships with firms) regulated under: RCRA, CERCLA, SDWA, or TSCA; or with chemical manufacturers subject to regulation under the aforementioned laws may present significant actual or potential COI concerns.

(d) The purpose of requiring the information covered by Paragraph (b) above is to provide the Agency with an opportunity to assess its vulnerabilities relative to organizational COI with respect to individual offerors prior to award. The Agency recognizes that there exists a need for firms to gain the requisite experience necessary to fulfill the requirements of the proposed contract and that such experience is often gained through provision of consulting or related technical services to firms that manufacture or sell: water-related treatment technologies, processes or equipment; water-related sensors or monitors; package plan and/or POU/POE water treatment equipment or devices designed for small water treatment plants (as defined by the Safe Drinking Water Act); membrane-based separation process technology; water treatment devices or technology involving UV radiation, ozone generation, or titanium dioxide-based photocatalysis; water-related biological response/effect sensors or monitors; biofuel feedstock crops (ie: corn) or ligno-cellulosic metabolizing enzymes and the microbes from which such enzymes are derived; Endocrine Disrupting Compounds (EDCs), pharmaceuticals, and/or personal care products; or with firms that are (or have business or financial relationships with firms) regulated under: RCRA, CERCLA, SDWA, or TSCA; or with chemical manufacturers subject to regulation under the aforementioned laws. Accordingly, the fact that a firm has worked, is working, or plans to

work for firms that manufacture or sell: water-related treatment technologies, processes or equipment; water-related sensors or monitors; package plant and/or POU/POE water treatment equipment or devices designed for small water treatment plants (as defined by the Safe Drinking Water Act); membrane-based separation process technology; water treatment devices or technology involving UV radiation, ozone generation, or titanium dioxide-based photocatalysis; water-related biological response/effect sensors or monitors; biofuel feedstock crops (ie: corn) or ligno-cellulosic metabolizing enzymes and the microbes from which such enzymes are derived; Endocrine Disrupting Compounds (EDCs), pharmaceuticals, and/or personal care products; or with firms that are (or have business or financial relationships with firms) regulated under: RCRA, CERCLA, SDWA, or TSCA; or with chemical manufacturers subject to regulation under the aforementioned laws, will not necessarily disqualify the firm from consideration for award on the basis of significant or potential COI. There is no precise formula for determining whether a firm's business or financial relationships or its past, present, or future effort performing on-site technical research and facility operations support services would result in a determination by the contracting officer that award to a particular offeror would not be in the best interest of the Government due to organizational COI concerns. Each offeror will be evaluated individually on the basis of the information disclosed pursuant to the requirements of this provision and upon the adequacy of the offeror's plan for avoiding, neutralizing, or mitigating such conflicts. In summary, the Agency is seeking a technically qualified firm which can demonstrate that its activities and relationships will not impact its ability to provide unbiased work products to the Agency under the proposed contract.

6. The attachment entitled "Definitions of Minimum Labor Classifications" has been modified to reflect a correction in the P-4 labor category.

DEFINITION OF MINIMUM LABOR CLASSIFICATIONS

The following definitions of the labor classifications are provided to aid in the preparation of the technical and cost portions of your proposal.

A. Professional

- A. Professional Level 4 (PL-4) - Plans, conducts, and supervises projects of major significance, necessitating advanced knowledge and the ability to originate and apply new and unique methods and procedures. Supplies technical advice and counsel to other professionals. Generally operates with wide latitude for unreviewed action.

Typical Title: Senior Engineer/Scientist, Project Manager, **Project Leader**, Compliance & Permits Specialist

Normal Qualifications: Ph.D. Degree or equivalent (see paragraph (c)(1))

Experience: 10 years or more