

2. Amendment/Modification No.  0001	3. Effective Date  2004AUG04	4. Requisition/Purchase Req No.  SEE SCHEDULE	5. Project No. (If applicable)
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6. Issued By  TACOM-ROCK ISLAND AMSTA-LC-CSC-C TERESA L STOTTLEMYRE (309)782-4626 ROCK ISLAND IL 61299-7630  EMAIL: STOTTLEMYRET@RIA.ARMY.MIL	Code	W52H09	7. Administered By (If other than Item 6)	Code	
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8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)	<input checked="" type="checkbox"/>		9A. Amendment Of Solicitation No.  DAAE20-03-R-0161
			9B. Dated (See Item 11) 2003DEC19
	<input type="checkbox"/>		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. 2004SEP08 03:45pm

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 2 signed copies of the amendments; (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 ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS**  
It Modifies The Contract/Order No. As Described In Item 14.

<input type="checkbox"/>	A. This Change Order is Issued Pursuant To: The Contract/Order No. In Item 10A.	The Changes Set Forth In Item 14 Are Made In
<input type="checkbox"/>	B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).	
<input type="checkbox"/>	C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:	
<input type="checkbox"/>	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 SECOND PAGE FOR DESCRIPTION

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  By _____ (Signature of Contracting Officer)	16C. Date Signed

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## SECTION A - SUPPLEMENTAL INFORMATION

1. The purpose of this amendment is to make several changes to the solicitation.

2. The ordering periods are change to:

Ordering Period (OP) 1: Award date - 31 December 2005  
Ordering Period (OP) 2: 01 January 2006 - 31 December 2006  
Ordering Period (OP) 3: 01 January 2007 - 31 December 2007  
Ordering Period (OP) 4: 01 January 2008 - 31 December 2008  
Ordering Period (OP) 5: 01 January 2009 - 31 December 2009

3. The guaranteed minimum quantity with the total maximum contract quantity for each item is changed as follows:

Clin	Item	Guaranteed Minimum Quantity	Total Maximum contract quantity
0001	Bipod, Machine Gun	5,000 each	60,000 each
0002	Pivot	0 each	60,000 each
0003	Plug	0 each	60,000 each
0004	Leg Section (Inner Right)	0 each	60,000 each
0005	Leg Section Right	0 each	60,000 each
0006	Leg Section (Inner Left)	0 each	60,000 each
0007	Leg Section Left	0 each	60,000 each
0008	Elevation Mechanism	0 each	60,000 each

4. The "NOTE" following paragraph 3 on page 2 of the Solicitation requiring the Material Composition 16MnCr5 is deleted.

5. Engineering Change Proposal L04S2007 attachment 011 replaces the Material Composition 16MnCr5 with 4130.

6. All prices will be submitted on the revised pricing spreadsheet incorporated as attachment 010. In order to be considered, the offeror shall submit a price for all items, for all ordering periods, and for all price ranges, including First Article Test Report for Clins 0001, 0003, 0004, 0005, 0006 and 0007. A proposal without the requisite pricing information shall be summarily rejected if the Government determines that award without discussions is in its best interest.

7. Sections L and M have been revised. Section L provides specific instructions to offerors concerning preparation and submission of proposals. Previously submitted information may not be applicable due to the change in the definition of "relevant" Therefore, offerors are required to resubmit documentation for all three evaluation areas; Past Performance, Price and Small Business Participation. Section M describes how proposals will be evaluated. Selection of an offeror will not be based on price alone, but rather, an evaluation of past performance, price and small business participation. Past performance and price are equal and small business participation is slightly less important than past performance or price. The Government reserves the right to award to other than the lowest priced or highest rated proposal.

8. Award of all items will be made to one vendor on an "All or None" basis. Evaluation of offers shall be in accordance with the evaluation guidelines in Section M of the solicitation.

9. It may be necessary to place Delivery Orders that would have concurrent deliveries based on the delivery schedule identified in the Solicitation on page 2 and 3, paragraph 10.

10. The closing date is extended to 26 Aug 2004.

\*\*\* END OF NARRATIVE A 002 \*\*\*

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## SECTION J - LIST OF ATTACHMENTS

<u>List of</u> <u>Addenda</u>	<u>Title</u>	<u>Date</u>	<u>Number</u> <u>of Pages</u>	<u>Transmitted By</u>
Attachment 010	REVISED PRICING SPREADSHEET		3PG	
Attachment 011	ENGINEERING CHANGE PROPOSAL L04S2007	18-MAY-2004	7PG	
Attachment 012	REVISED PAST PERFORMANCE SUBMISSION		3PG	

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SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

1. Proposals shall be submitted in accordance with this section. Proposals should be specific, complete and state clearly how your will meet the requirements of the solicitation. Sufficient substantiation should be submitted to permit the Government to determine that your offer meets all the requirements of the solicitation. The following three factors will be used to determine the best overall proposal: Past Performance, Price and Small Business Participation. Failure to provide the required supporting documentation may result in your offer being rejected if discussions are not conducted.

IMPORTANT NOTE: Proposals which do not contain the information required by this section (Proposal Instructions) risk rejection or "High Risk" rating by the Government. Also, the Government may award without discussions; consequently, it is your responsibility to submit a proposal that conforms to all of the terms and conditions of the solicitation and contains your best offer.

2. Format: To facilitate review and evaluation of the three areas of Past Performance, Price and Small Business Participation, the offeror's proposal shall be submitted in three sections as set forth below. All information specific to each section will be contained to that section:

Section 1: Past Performance

Section 2: Price

Section 3: Small Business Participation

3. Length: Each section shall be as brief as possible. All three sections combined, including attachments, should be no more than 15 pages.

4. Method of Submission: All information shall be provided electronically in accordance with the Electronic Bids/Offer provision of this solicitation. No hard copies will be accepted.

5. Section 1 - PAST PERFORMANCE:

NOTE TO OFFERORS: To aid in submission of the Past Performance evaluation factor, Attachment 009, "Revised Proposal Submission for Past Performance" form may be completed and returned as part of your proposal.

Contract References: The offeror shall submit with its initial proposal contract references representing its recent, relevant performance under Government and/or commercial contracts. The contractor shall submit no more than three (3) contract references.

"Recent" means any contract under which any performance, delivery, or corrective action has taken place within approximately the last 3 years of the issuance of this solicitation.

"Relevant" means performance that demonstrates the offeror has successfully manufactured or provided M249 Bipod or similar, on a contract that had a value over \$100,000.00. The in-house performance of similar contracts may be considered of greater relevance and a greater predictor of success than the outsourcing of such processes. The degree to which contracts are of a comparable complexity, size or value to the proposed effort may also be considered in determining relevance. The degree of relevance listed in the descending order of importance form the highly relevant to somewhat relevant):

- \* Manufacture of the M249 complete bipod.
- \* Manufacture of M249 Bipod components.
- \* Any other metal small arms components in similar size and complexity.

The following information is required with respect to each contract reference:

- a. Contract number and award date
- b. Item(s) and/or service(s) provided, including national stock number (NSN), product description, part number, if applicable
- c. A brief explanation of the contract's relevance of the current procurement
- d. Contract dollar value
- e. Quantity and monthly delivery rate if applicable
- f. Original performance schedule, actual performance dates
- g. Describe technical innovations or engineering changes that improved the quality of performance aspects of the delivered product, or any significant achievements associated with contract performance

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h. Buying activity or company, and mailing address

i. Point(s) of contact, including names, job titles, telephone and fax numbers, and email addresses

A form is provided at Attachment 009 for the offeror's convenience.

Offerors that are newly formed entities may reference contracts performed by predecessor companies or contracts performed or supported by key personnel. Offerors supplying such information shall describe how it is relevant to the performance of this effort.

Other contracts: In addition to the above contract references, the offeror shall identify every recent and relevant contract it was awarded that:

experienced any delivery/performance delays;

experienced any quality problems;

and every recent contract that was terminated, or cancelled for any reason, in whole or in part.

For any contract falling under the descriptions above, provide all of the information listed in the preceding paragraph, plus:

List each time the delivery schedule was revised

Provide an explanation of why the revision was necessary

Provide a copy of any cure notices or show cause letters received

Identify reason for any termination

State any corrective actions taken to avoid recurrence

Describe the extent to which the corrective action has been successful, identifying points of contact who can confirm the success of the corrective measures

Describe in detail any quality or technical performance problems, including:

Rejection or failure of vendor parts

Internal/external customer complaints

FATR/first piece disapprovals/failures

Lot rejections

Audit findings classified as major

Quality deficiency reports

Warranty claims

The number of contract references provided in response to this paragraph is unlimited.

If there are no recent relevant contracts meeting the description above, the offeror must so state that.

Subcontractor Performance References: If the offeror intends to subcontract any major production process which exceeds 25% of the value of the effort of this procurement, the offeror shall identify the proposed subcontractor(s) and provide past performance information on the subcontractor(s) as referenced in the applicable paragraphs above, and include that information as part of its proposal submission. In addition, the offeror shall include in its proposal the written consent of its proposed subcontractor(s) allowing the government to discuss the subcontractor's past performance evaluation with the offeror during negotiations. The number of submissions for any significant subcontractor shall be no more than three (3) relevant and recent contracts in which it was a major subcontractor or the prime contractor.

6. Section 2 - PRICE:

a. The offeror will enter unit prices for all pricing periods for all quantity ranges for all Clins on the Revised Price Evaluation

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Spreadsheet. Additionally, offerors will enter a price for First Article Testing (FAT), for each applicable Clin. All unit prices and the FAT will be binding.

b. Offers must completely fill out the attached pricing evaluation spreadsheet. Offers who take exception to the ranges or ordering periods or who condition their proposal with terms and conditions different from the attached pricing spreadsheet may be summarily rejected as non-responsive.

c. The Government reserves the right to require the submission of any data necessary to validate the reasonableness of an offer.

**7. Section 3 - SMALL BUSINESS PARTICIPATION:**

Note to Offerors: To aid in submission of the Small Business Participation evaluation factor, Attachment 008 may be completed and returned as part of your proposal.

All offerors are to identify the extent to which small businesses (SBs), veteran-owned small businesses (VOSBs), service-disabled veteran-owned small businesses (SDVOSBs), historically under utilized business zone (HUBZone) small businesses, small disadvantaged businesses (SDBs), woman-owned small businesses (WOSBs), historically black colleges/universities or minority institutions (HBCUs/MIs) would be utilized in the performance of this proposed contract. For small businesses, as defined by the North American Industrial Classification System (NAICS) Code applicable to this solicitation, the offeror's own participation as a SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, or HBCU/MI is to be identified, and will be considered in evaluating small business participation. The offeror is to address the following factors in detail:

a. All offerors are to provide:

(1) The names of SBs, VOSBs, SDVOSBs, HUBZone SBs, SDBs, WOSBs or HBCUs/MIs who would participate in the proposed contract, identifying specific components to be produced or services to be performed by them, and the estimated total dollars of such work;

(2) A description of the offeror's performance over the past three calendar years in complying with the requirements of FAR 52.219-8, Utilization of Small Business Concerns, including description and available documentation of the methods employed to promote small business participation and the internal methods used to monitor such participation. Offerors who have never held a contract incorporating 52.219-8 shall so state.

b. In addition, offerors who are large businesses as defined by the North American Industry Classification System (NAICS) Code applicable to this solicitation, are to provide a description of their performance over the past three calendar years in complying with the requirements of FAR 52.219-9, including documentation of their accomplishment of the goals established under Subcontracting Plans of prior contracts. Large businesses that have never held a contract incorporating 52.219-9 will so state.

\*\*\* END OF NARRATIVE L 001 \*\*\*

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SECTION M - EVALUATION FACTORS FOR AWARD

1. Basis for Award:

a. The award of a contract will be made to the offeror whose proposal offers the best overall value to the Government based on an integrated assessment of the non-price and price factors. The evaluation factors include: Past Performance, Price and Small Business Participation. The past performance and small business participation factors will be rated in an adjectival manner. Past performance and Price are equal and Small Business Participation is slightly less important than past performance or price.

b. Because this is a best value procurement, the Government reserves the right to make an award to someone other than the offeror who submits the lowest overall evaluated price or highest rated proposal.

c. The Government may reject any proposal that is unreasonably high or low in price since that indicates that the offeror has failed to comprehend the requirements.

d. In accordance with FAR 52.215-1, the Government intends to evaluate proposal and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). However, the Government reserves the right to conduct discussions if the contracting officer later determines them to be necessary.

2. The selection criteria is set forth as follows:

a. PAST PERFORMANCE:

Past performance information is evaluated as a predictor of future contract performance. Using past performance information for each offeror, the Government will assess the probability that the instant requirement will be successfully completed in accordance with contract terms.

In evaluating performance history, the Government may review the offeror's current and prior performance record of complying with all aspects of its contractual agreement: conformance to technical requirements; timeliness of deliveries/performance; quality of performance.

In conducting the past performance evaluation, the Government may use information obtained from other sources. The Government may consider the currency, degree of relevance, source and context of the past performance information it evaluates as well as general trends in performance, and demonstrated corrective actions. A significant achievement, problem/problem resolution or lack of relevant data in any element can become an important consideration in the selection process. A negative finding in any element may result in an overall high-risk rating.

The Government may also consider past performance information regarding predecessor companies, key personnel, other corporate entities or subcontractors where such information is relevant to this acquisition.

Offerors' past performance will be rated as follows:

Very Low Risk: Based on the offeror's past performance, very little doubt exists that the offeror will successfully perform the required effort.

Low Risk: Based on the offeror's past performance, little doubt exists that the offeror will successfully perform the required effort.

Moderate Risk: Based on the offeror's past performance, some doubt exists that the offeror will successfully perform the required effort.

High Risk: Based on the offeror's past performance, significant doubt exists that the offeror will successfully perform the required effort.

Unknown Risk: The offeror had little or no recent/relevant past performance upon which to base a meaningful performance risk prediction.

The Government is not required to interview all points of contact identified by offerors. It is the responsibility of the offeror to provide complete past performance information and thorough explanations as required by Section L. The Government is not obliged to make another request for the required information.

b. PRICE:

1. The Government will evaluate offers based on prices proposed for all Clins for all pricing periods and any other price related factors required by the solicitation.

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a. For the purposes of evaluating Clins 0001 through 0008, the proposed unit prices for each order quantity range will be multiplied by the weight of the range and the maximum order quantity of the range to determine a weighted price. The evaluated price for each pricing period will be the sum of the weighted prices for all order quantity ranges. The evaluated Clin price is the sum of the evaluated prices for all pricing periods.

b. A total evaluated price will be determined by adding the evaluated Clin prices, the FAT prices (if required), and any other price related evaluation factors required by the solicitation. Inclusion of FAT price in the evaluation will be dependent upon whether or not an offeror has received approval of a waiver of the FAT requirement prior to evaluation.

2. If an offeror takes exception to any of the Clins or fails to propose for all quantities on all pricing periods, and the FAT for each applicable Clin, the Government may reject that offer as unacceptable.

c. **SMALL BUSINESS PARTICIPATION:**

The Government will evaluate the extent to which offerors identify, and commit to utilizing, SBs, VOSBs, SDVOSBs, HUBZone SBs, SDBs, WOSBs and HBCUs/MIs in the performance of the contract; such utilization may be as the prime contractor or a subcontractor, or as a member of a joint venture or teaming arrangement. The Government will also evaluate the extent of the offeror's past compliance with FAR 52.219-8, Utilization of Small Business Concerns, and FAR 52.219-9, and Small Business Subcontracting Plan. Evaluation will consider the following:

(a) The extent to which the proposal specifically identifies SBs, VOSBs, SDVOSBs, HUBZone SBs, SDBs, WOSBs and HBCUs/MIs;

(b) The extent of participation of such concerns in terms of the value of the total contract amount; and

(c) An assessment of the risk, based upon past performance, of the offeror actually achieving the involvement of small business concerns as proposed. Such assessment will include:

- For all offerors, an evaluation of performance over the past three calendar years in complying with the requirements of FAR 52.219-8, Utilization of Small Business Concerns;

- For offerors who are large businesses as defined by the North American Industry Classification System (NAICS) Code applicable to this solicitation, an additional evaluation of past performance over the last three calendar years in complying with the requirements of FAR 52.219-9, Small Business Subcontracting Plan. Where a large business has not held a contract that included 52.219-9, its prior performance will be evaluated against 52.219-8 only.

(d) The extent of substantive evidence indicating the level of past compliance with the requirements of FAR 52.219-8 and FAR 52.219-9.

SMALL BUSINESS PARTICIPATION  
ADJECTIVAL SCALE

The element of Small Business Participation will be evaluated in accordance with the following. Apply the adjectival rating for the definition that most closely meets the evaluation conclusion.

ADJECTIVAL	DEFINITION AND CRITERIA
Excellent	Proposal includes a substantial portion of the work, in terms of dollar value (more than 20%) to be performed in the Small Business (SB), Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), HUBZone Small Business (HUBZone SB), Small Disadvantaged Business (SDB), Women-Owned Small Business (WOSB), and Historically Black Colleges and University/Minority Institution (HBCU/MI) sector by the prime (if so qualified) and/or as subcontractors or team members. Offeror has substantive evidence suggesting prior achievement of subcontracting plans or policy goals. Based on the proposal and past performance history, the offeror's proposed goals and/or actions are substantial and are considered very realistic (very low risk). There is substantive evidence indicating past compliance with the requirements of FAR 52.219-8 and FAR 52.219-9.
Good	Proposal includes a significant portion of the work in terms

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of dollar value (more than 15%) to be performed in the Small Business (SB), Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), HUBZone Small Business (HUBZone SB), Small Disadvantaged Business (SDB), Women-Owned Small Business (WOSB), and Historically Black Colleges and University/Minority Institution (HBCU/MI) sector by the prime (if so qualified) and/or as subcontractors or team members. Offeror has evidence suggesting prior achievement of most subcontracting plan or policy goals. Based on the offeror's proposal and past performance history, the offeror's proposed goals and/or actions are significant and are considered realistic (low risk). There is significant substantive evidence indicating past compliance with the requirements of FAR 52.219-8 and FAR 52.219-9.

Adequate

Proposal includes a reasonable portion of the work in terms of dollar value (more than 10%) to be performed in the Small Business (SB), Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), HUBZone Small Business (HUBZone SB), Small Disadvantaged Business (SDB), Women-Owned Small Business (WOSB), and Historically Black Colleges and University/Minority Institution (HBCU/MI) sector by the prime (if so qualified) and/or as subcontractors or team members. Offeror has evidence suggesting prior achievement of some subcontracting plan or policy goals. Based on the offeror's proposal and past performance history, the offeror's proposed goals and/or actions are adequate and could be met if the offeror focuses attention on them (moderate risk). There is reasonable substantive evidence indicating past compliance with the requirements of FAR 52.219-8 and FAR 52.219-9.

Marginal

Proposal includes a minimal portion of the work in terms of dollar value (less than 10%) to be performed in the Small Business (SB), Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), HUBZone Small Business (HUBZone SB), Small Disadvantaged Business (SDB), Women-Owned Small Business (WOSB), and Historically Black Colleges and University/Minority Institution (HBCU/MI) sector by the prime (if so qualified) and/or as subcontractors or team members. Based on the offeror's proposal and/or past performance history, there is little likelihood that more than a minimal portion of the work will be performed in this sector. (High risk) There is minimal substantive evidence indicating past compliance with the requirements of FAR 52.219-8 and FAR 52.219-9.

Poor

Offeror demonstrates little or no commitment to using SBs, VOSBs, SDVOSBs, HUBZone SBs, SDBs, WOSBs and HBCU/MIs. There is no evidence that the offeror met his prior goals and/or shows no serious commitment and did not provide adequate justification for not doing so. Based on the proposal and/or past performance history, there is negligible likelihood that anything other than a token portion of the work will be performed in this sector. (Very high risk) There is little or no substantive evidence indicating past compliance with the requirements of FAR 52.219-8 and 52.219-9.

Neutral

Foreign firm (offeror) has held no past Government contract(s) subject to FAR 52.219-8 or 52.219-9. Foreign firm (offeror) indicates no opportunity for using SBs, SDBs,

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HUBZone SBs, SDBs, WOSBs and HBCU/MIs as all contract work will be performed completely outside the United States or no meaningful subcontract opportunities exist.

\* Offerors are required to address two areas in their SB Participation response: (1) "Proposed" SB usage in performance of the potential contract, and (2) "Past" usage of SBs in contract performance. The Government will evaluate both areas to develop one overall rating.

\*\*\* END OF NARRATIVE M 001 \*\*\*