

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

PAGE OF PAGES

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2. AMENDMENT/MODIFICATION NO.
MODIFICATION NO. PO98

See block 16C below

4. REQUISITION/PURCHASE REG. NO.

5. PROJECT NO. (IF APPLICABLE)
898

3. Issued By
General Services Administration, FSS
Management Services Center
Acquisition Division, 10FTP-A
400 15th St SW
Auburn, WA 98003-8599

7. ADMINISTERED BY (If other than Item 6) Code

Received

Received

8. Name and Address of Contractor (No., street, county, State and ZIP Code)

JUN 18 2003

APR - 7 2003

(X)

9A. AMENDMENT OF SOLICITATION NO.

Weston Solutions, Inc.
6585 Americas Pkwy. NE, Suite 200
Albuquerque, NM 87110 1517

ABQ

ABQ

X

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.
GS-10F-0117J

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. Offer's 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;
 - (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 APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

- (X) 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 data, 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)
Clause 552.243-72 (08/97) Modifications (Multiple Award Schedule)

E. IMPORTANT: Contractor is not, X is required to sign this document and return 2 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)
The above referenced contract for Environmental Services, Federal Supply Schedule is hereby modified as follows:

The Service Contract Act of 1965, as amended, 52.222-41, as incorporated in "Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items (52.212-5)(May 2001)" is considered applicable to ALL Services to be provided under all Special Item Numbers (SINs). As a result, the following changes are made:

(1) Addendum to 52.212-5, is changed to read:
NOTE: THE SERVICE CONTRACT ACT APPLIES TO ALL ENVIRONMENTAL SERVICES TO BE PROVIDED UNDER THIS SCHEDULE.

(2) E.7. Attachment VII is changed to read:

Service Contract Act Wage Determination (SCA W/D's) are applicable to all SINs but are NOT physically attached. The various nationwide SCA W/D's applicable to this modification can be viewed on the following GSA website: <http://www.gsa.gov>. In the Search field type: "GSA Environmental Wage Determination".

Also, noted within this modification is the replacement of Clause G-FSS-920 - Ordering Procedures for Services (Requiring a Statement of Work) (Mar 2003) replaces the version dated May 2000. (copy attached)

All other terms & conditions remain the same.

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)

MICHAEL E WITT / VICE PRESIDENT

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Katherine L. Jocoy
Supervisory Contracting Officer

15B. CONTRACTOR/OFFEROR

Michael E Witt
(Signature of person authorized to sign)

15C. DATE SIGNED (INSERT DATE)

5/29/03

16B. UNITED STATES OF AMERICA

BY

Katherine L. Jocoy
(Signature of Contracting Officer)

16C. DATE SIGNED (INSERT DATE)

6.10.03

NSN 7540-01-152-8070

PREVIOUS EDITION UNUSABLE

(Note: This is an FSS reproduction using word processing software)

30-105

STANDARD FORM 30 (REV. 10-83)

Prescribed by GSA,
FAR (48 CFR) 53.243

(3) Evaluate Responses and Select the Contractor to Receive the Order.

After responses have been evaluated against the factors identified in the request, the order should be placed with the schedule contractor that represents the best value. (See FAR 8.404)

(b) The establishment of Federal Supply Schedule Blanket Purchase Agreements (BPAs) for recurring services is permitted when the procedures outlined herein are followed. All BPAs for services must define the services that may be ordered under the BPA, along with delivery or performance time frames, billing procedures, etc. The potential volume of orders under BPAs, regardless of the size of individual orders, may offer the ordering office the opportunity to secure volume discounts. When establishing BPAs, ordering offices shall?

(1) Inform contractors in the request (based on the agency's requirement) if a single BPA or multiple BPAs will be established, and indicate the basis that will be used for selecting the contractors to be awarded the BPAs.

(i) **SINGLE BPA:** Generally, a single BPA should be established when the ordering office can define the tasks to be ordered under the BPA and establish a firm-fixed price or ceiling price for individual tasks or services to be ordered. When this occurs, authorized users may place the order directly under the established BPA when the need for service arises. The schedule contractor that represents the best value should be awarded the BPA. (See FAR 8.404)

(ii) **MULTIPLE BPAs:** When the ordering office determines multiple BPAs are needed to meet its requirements, the ordering office should determine which contractors can meet any technical qualifications before establishing the BPAs. When establishing multiple BPAs, the procedures in (a)(2) above must be followed. The procedures at (a)(2) do not apply to orders issued under multiple BPAs. Authorized users must transmit the request for quote for an order to all BPA holders and then place the order with the BPA holder that represents the best value.

(2) **Review BPAs Periodically:** Such reviews shall be conducted at least annually. The purpose of the review is to determine whether the BPA still represents the best value. (See FAR 8.404)

(c) The ordering office should give preference to small business concerns when two or more contractors can provide the services at the same firm-fixed price or ceiling price.

(d) When the ordering office's requirement involves both products as well as executive, administrative and/or professional, services, the ordering office should total the prices for the products and the firm-fixed price for the services and select the contractor that represents the best value. (See FAR 8.404)

(e) The ordering office, at a minimum, should document orders by identifying the contractor from which the services were purchased, the services purchased, and the amount paid. If other than a firm-fixed price order is placed, such documentation should include the basis for the determination to use a labor-hour or time-and-materials order. For agency requirements in excess of the micro-purchase threshold, the order file should document the evaluation of Schedule contractors' quotes that formed the basis for the selection of the contractor that received the order and the rationale for any trade-offs made in making the selection.