

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 13
2. AMENDMENT/MODIFICATION NO. 000002	3. EFFECTIVE DATE 03/06/2008	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY ICE/FPS/East CCG/Region 1 Immigration and Customs Enforcement Federal Protective Service Office of Acquisition Management 701 Market Street, Suite 4200 Philadelphia PA 19106	CODE ICE/FPS/EAST CCG	7. ADMINISTERED BY (If other than Item 6) ICE/FPS/East CCG/Region 1 Immigration and Customs Enforcement Ofc of Acquisition Management - FPS 701 Market Street, Suite 4200 Attn: Bethany McLaughlin Philadelphia PA 19106	CODE ICE/FPS/EAST CCG
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x) 9A. AMENDMENT OF SOLICITATION NO. HSCEE1-08-R-00001	
		X 9B. DATED (SEE ITEM 11) 03/06/2008	
		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 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 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 ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

<u>CHECK ONE</u>	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.)

- Page 143, Requirements for Proposal Content, Page Limitations, sixth sentence...Remove page limitation for Table of Contents. The rest of the paragraph and the requirements and limitations therein remain unchanged.
- Post Exhibits - Attachment 1, Line Item 0021, Post 2...Start date is amended to show 7/1/08.
- Post Exhibits - Attachment 1...Total hours have been amended to read 106,418.00.
- Statement of Work 11.4-F...third sentence is amended to read that a qualifying score is 210 or better.

Continued ...

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
_____ (Signature of person authorized to sign)		_____ (Signature of Contracting Officer)	

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
 HSCEE1-08-R-00001/000002

PAGE OF
 2 13

NAME OF OFFEROR OR CONTRACTOR

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>5. List of Exhibits, Exhibit 2D...Quantity of Traffic Control Safety Apparel is amended to read "6".</p> <p>6. List of Exhibits, Exhibit 2E, Firearms and Ammunition, Paragraph A, fifth sentence...Model shall be amended to show "Smith and Wesson Model 10 +P, or equal". Salient characteristics and all other noted qualifications therein remain unchanged.</p> <p>7. Statement of Work, 7.1-E...First sentence shall be amended to read "The CM shall be located/provided with commercial office space, for which contractor shall bear all associated costs and expenses."</p> <p>8. Any additional questions must be received no later than Monday March 31 at 16:00.</p> <p>9. All other terms and conditions as previously established remain the same.</p>				

Technical Questions and Responses

HSCEE1-08-R-00001, Connecticut

1. Question: The instructions for submitting "Technical Proposal" provide a 12 page limitation. See II. Requirements for Proposal Content, (4) Page Limitations. Is the technical proposal 12 page limit correct?

Answer: Yes, the 12 page limit is correct. The RFP states "Excluding cover pages, past performance forms and questionnaires, the technical quote is limited to twelve pages with at least 12pt font and 1" margins. Pages beyond the page limitations will not be evaluated." For this acquisition, the narrative of one page or less for the Past Project Form is considered part of the form and is therefore excluded from the twelve page count. Past performance questionnaires are also not part of the page count. Any additional attachments will not be considered, or reviewed as part of the evaluation process.

2. Question: Refer to Statement of Work paragraph(s) 10.2 and 11.2-1 for identification of supervisor requirements. It is our understanding that supervisors as identified therein are covered under the service contract act and the applicable wage and benefits paid to supervisors are, as such, subject to wage escalation in accordance with the act and other applicable federal regulations. Will the government allow for price escalation at contract option year renewal for the increased costs for supervisors resulting from mandated by SCA wage escalation?

Answer: Bonafide supervisors as defined in the Code of Federal Regulations Title 29, Part 541 are exempt from the SCA. Consequently, any price escalations made by the Government under the provisions of FAR clause 52.222-43, Fair Labor Standards Act and Service Contract Act - Price Adjustment (Multiple Year & Option Contracts) will not cover any contractor initiated increases to the wages and fringe benefits paid to supervisors.

3. Question: Concerning the subject tender's past performance requirements, section "(a)" dealing with "Relevant Prior Experience on Similar Projects", sets a limit of "a maximum of six (6)" references. These same references are to be utilized in the following section "(b)" dealing with "Quality of Past Performance". For these references, a "Past Performance Questionnaire" is to be provided the Government, the details of which are to be submitted to your office by the stated due date. Concerning this obligation of the offeror in this matter of past performance, please note the following questions:

1. The "attached Past Performance Questionnaire" does not seem to be "attached". Please advise as to where this form can be obtained.

Answer: An attachment containing these questionnaires was provided with the previous amendment.

2. Within the second (2nd) paragraph of section “(b)”, the offeror is directed “For each project submitted under Factor (a) to” to provide some additional information and to have the references complete a “Past Performance Questionnaire”. Although this quite clear, the fourth (4th) paragraph states that “Only a single set of up to three references shall be submitted.” and correspondingly, it is this “set” of references that is to supply a “Past Performance Questionnaire”. The questions then are:

a. What is the actual number of references to be addressed in this section, six (6) or three (3)?

Answer: For relevant past performance (a copy of the form is attached to the amendment a maximum of six (6) and a minimum of three (3) shall be submitted as part of the technical proposal.

b. What is the actual number of Past Performance Questionnaires to be submitted to the Government, again, six (6) or three (3)?

Answer: A minimum of three is requested. The offeror shall demonstrate relevant past performance or affirmatively state that it possesses no relevant past performance. Relevant past performance is performance under contracts or efforts (within the past five years) that are of similar scope, magnitude, and complexity to that which is described in the solicitation (as defined under the Relevant Prior Experience factor).

4. Question: What is the current contract price for the above referenced solicitation?

Answer: The total award contract ceiling is \$17,864,289.65.

5. Question: Also, can we obtain a copy of the seniority list for the current employees?

Answer: A copy of the seniority list was provided with the previous amendment.

6. Question: There is a bit of confusion over the total number of hours to be provided to the Armed Guard II personnel associated with basic firearms training. This confusion is caused by use of different amounts within various elements of the subject RFP. As a result, it is unclear as to whether the number of hours is forty (40) or forty-eight (48); therefore, the Government is requested to clarify/confirm the total number of hours to be given for basic firearms training as forty (40) or forty-eight (48).

Answer: BASIC FIREARMS TRAINING is identified in Exhibit 4E and indicates 40 hours of FIREARMS training. ANNUAL FIREARMS REFRESHER TRAINING is detailed in Exhibit 4F and indicates 8 hours of both firearms and baton. The additional 40 hours of training discussed in 4F is in reference to SOW 11.2-1C, which identifies guard refresher training every three (3) years which is 40 hours of training in all areas of the SGIM which would include firearms training equal to the ANNUAL FIREARMS REFRESHER TRAINING, which is 8 hours.

7. Question: There some level of ambiguity as to whether “all personnel” to be employed pursuant to the subject solicitation are required to participate in basic firearms training. The Government is requested to clarify if the wording “all productive and supervisory security guards working under this Contract” as detailed in section “11.2-1”, and the wording, “The Contractor must present live fire training and familiarization to all security guards” as detailed in “Exhibit 4E”., is to be interpreted by the offeror as requiring both armed and unarmed personnel to successfully take and subsequently, pass the basic firearms training course. As matters stand right now, it is reasonable to interpret, especially as there is a differential in the hourly pay rate between an armed and unarmed security guard, that the unarmed security guards would not have participated in any firearms training.

Answer: Guard II is defined in the SCA Directory of Occupations as: Enforces regulations and procedures designed to prevent breaches of security, exercises judgment and uses discretion in responding to incidents and emergencies, determining whether to intervene directly, ask for assistance as time permits, keep situation under control or surveillance, or to report incident or situation to the appropriate authority for handling. Duties require specialized training in methods and techniques of protecting controlled areas. Commonly, the Guard II is required to demonstrate proficiency with firearms and other special weapons, and to meet rigorous physical fitness standards. In accordance with this RFP, all uniformed guards, both supervisory and non-supervisors, must qualify and be certified to carry a firearm.

8. Question: The Proposal is limited to 12 pages. The requirements within the SOW (50 pages) (and Section L) far exceed the ability to define a creditable response to 12 pages. For example 6 project references will take up 1/2 of the entire technical proposal and “detailed” transition, subcontractor, contract staffing and supervisory plans will also require significantly more pages than the remaining 6 pages. Without an increase in the page count, the contractor proposal will be limited to saying that we will comply with the requirements because we have the experience you are looking for. Will the government increase the Page limitation to 50 pages in order to allow relevant and creditable information to be explicated within the proposal for the SSEB? Previous DHS FPS proposal requirement having 12 Page limits have been increased.

Answer: The RFP states “Excluding cover pages, past performance forms and questionnaires, the technical quote is limited to twelve pages with at least 12pt font and 1” margins. Pages beyond the page limitations will not be evaluated.” For this acquisition, the narrative of one page or less for the Past Project Form is considered part of the form and is therefore excluded from the twelve page count. Past performance questionnaires are also not part of the page count.

9. Question: The table of contents is limited to a single page. This requirement serves no viable purpose in that the table is not included in the page count. The table of contents must be allowed to fully identify each and every paragraph within the body of the technical proposal in order to provide the SSEB with a road map to link the RFP, Sections L & M to the contractor’s proposal. Will the Government remove this requirement?

Answer: The requirement limiting the Table of Contents to one page has been removed. Please see this Amendment # 1. However, it should also be noted that the Table of Contents is not included in the evaluated pages.

10. Question: The proposal is due the first of April. It was released the 6th of March. Normal proposal activity within the Government provides for a 30 day response time from interested vendors. Will the Government consider extending the due date until April 8 (at a minimum) to provide for ample stewardship of the proposal?

Answer: Previous amendment extended closing date to April 8, 2008.

11. Question: Will the government consider electronic submissions? Several recent procurements through DHS FPS have accepted electronic transmissions of proposals followed by a mailed hard copy.

Answer: Please submit hard copies of your proposals, in accordance with the instructions in the solicitation.

12. Question: The RFP includes one CBA between C&D Security and the SPFPA union. Does this one document cover all sites within Connecticut or are there other governing DOL wage determinations that apply, if so, please provide the appropriate DOL WD’s.

Answer: All sites are covered by the existing CBA.

13. Question: Will the government consider adding a CLIN to the base Period to cover Phase In?

Answer: The offeror’s hourly rate shall be inclusive of all the offeror’s direct costs, indirect costs and profit and include all costs associated with providing the services described in the Statement of Work (e.g. relief, training, vacation, sick

time, etc) Please submit proposals in accordance with CLINs and hours highlighted in Schedule B of the solicitation.

14. Question: The Post assignment and post hours chart, dated 12/6/2007, that was provided in PDF format has a type font so small that when expanded and printed on a 11x17 page we have to use 3x reading glass to read the chart. Can the government provide this data in a format that we can read without extreme magnification?

Answer: This is currently the only format available. Should another format become available it will be provided. Please see this Amendment #s 2 and 3.

15. Question: The hours Listed in Schedule "B" BASIC SERVICES do not match The Post assignment and post hours chart, dated 12/6/2007, that was provided in PDF format. There are several math errors on the PDF attachment. Please verify the hours and reissue the Post assignment and post hours chart in an MS excel Spreadsheet format.

Answer: The post exhibit has been verified. The post exhibit is the current hours required. The hours listed in schedule B are the Government's estimated maximum hours.

16. Question: Is there on site parking for Guards at the sites listed in the post assignment chart?

Answer: Government does not provide parking.

17. Question: Against the subject RFP, please confirm that the successful offeror will be entitled to progress payments for the duration of the contract.

Answer: Invoicing and payments is on a monthly basis.

18. Question: I did not notice any enclosed DOL WD for CT in the RFP for this procurement. There was a CBA with C&D security. Are all listed sites covered under this CBA?

Answer: Please see Question # 12.

19. Question: The Technical Volume has a 12 page limit. However, with the requirement for up to six reference write-ups and the contents of the Management Approach section, it will be difficult to provide the type of information FPS desires within 12 pages. Will FPS increase the page limit on the Technical Volume?

Answer: Please see Question # 8.

20. Question: There was no Past Performance Questionnaire provided with the solicitations. Please provide an electronic copy of the questionnaire to enable bidders to send it to their references.

Answer: The past performance questionnaires and the Past Performance Form have been posted on www.fbo.gov , and was also attached to the previous amendment.

21. Question: We understand the solicitation requires .38 revolvers. Does FPS plan to replace these weapons with 9 mm weapons in the near future?

Answer: Replacement of existing weapons has not been determined at this time. Please submit proposals in accordance with existing guidelines.

22. Question: How many weapons are required at each site?

Answer: Each armed guard must carry a firearm.

23. Question: Please provide a list of the cities/towns in which service is required.

Answer: See Schedule notes, page 6 of the RFP, Please contact bethany.mclaughlin@dhs.gov for exhibit documents.

24. Question: Please provide the hours of weekly service per location.

Answer: Please see Question # 23.

25. Question: It is unclear as to whether the CBAs will apply to all the locations in under the solicitations. Please indicate which sites are covered by the CBAs attached with the solicitations and which sites are covered by the Wage Determination Schedule.

Answer: Please see Question #12.

26. Question: Will FPS provide the Contract Manager for both CT and MA/RI with office space and allow the use of its copiers/fax machine for contract business purposes?

Answer: See this Amendment # 7 for updated 7.1 E of the Statement of Work. The awardee is responsible for costs and meeting the requirements of the SOW.

27. Question: The solicitation indicates that the cost for supervision must be factored into the bill rate, as this is not directly billable. We understand that this applies to the Contract Manager and any Site Supervisors. However, does this apply to the shift supervisors as well, or are they billable?

Answer: Please refer to Pricing Schedule and submit pricing in accordance with CLINs.

28. Question: Page 45, Item D5 (of the CT solicitation) indicates that firearms must be stored off-site (not on Federal property). However, most states do not allow security personnel to carry their firearms off site. Therefore, will FPS allow the contractor to store its site-required firearms/ammo at each of the facilities where armed personnel are required?

Answer: In accordance with SOW 15.2-2, Section D, Paragraph 5, weapons and ammo are to be stored off-site.

29. Question: How long does it typically take for FPS to issue a temporary Entry on Duty (EOD) decision?

Answer: Refer to SOW 17.1, Section B, Paragraph 2.

30. Question: Please list the positions/posts for which government security clearances are required.

Answer: Refer to the Statement of Work 17.1 A. All personnel performing on this contract must meet HSPD-12 requirements.

31. Question: Exhibit 2A seems to indicate that the contractor must provide at least 1 communication device for each site. However, it is not clear how many devices are required at the sites with 2 or more officers ("Sites with two or more officers require communication devices with the ability to communicate among all the contract officers at that site.") If more than 1 communication device is required at the sites with 2 or more officers, please indicate how many are required at those sites.

Answer: Guards located at multi-guard sites need to have the capability to communicate with each other.

32. Question: Will cell phones be acceptable communication devices at all the sites, except for the one in Hartford, CT where the radio was specifically required?

Answer: Direct connect cell phones are acceptable. Multi-Guard sites should have the capability to communicate with each other. However, 15.2-2 B of the SOW states: Contractor shall provide one (1) 4-watt radio or better for each guard and/or supervisor (currently, this number is 7) at one of the Federal Buildings located in Hartford, CT. This requirement applies specifically to this site due to the structural make-up of the building, and is necessary for adequate clear communications. Site location will be disclosed to awardee at time of award.

33. Question: How many base stations is the contractor to provide (e.g., one for every site)?

Answer: This may be determined by the contractor, based on the proposed communication plan.

34. Question: Please confirm that the annual weapons training must be at least 40 hours (which includes 8 hours for baton). (Reference Exhibit 4F)

Answer: Please see Question # 6.

35. Question: Under the Relevant Prior Experience section of the Technical Volume, will FPS allow bidders to include experience references from bidder's corporate officers or is this section restricted to the contracts the company itself has held? Please note that only FPS solicitations for guard services in the past 6 months have allowed bidders to use the experience from its corporate officers.

Answer: This section is restricted to the contracts the company itself has held.

36. Question: When the CBAs indicate they exclude supervisors, does this mean the shift supervisors or just the Contract Manager and any site supervisors?

Answer: Please refer to Article 2, Paragraph 2.1 of CBA. The incorporated CBA is as was submitted to the Government. Refer to NLRA for additional clarification, if necessary.

37. Question: The CBA mentions semi-annual firearms training/requalification, but the solicitation only mentions annual training in this area. Please clarify how many hours of firearms training/requalification FPS requires and how often per year (other than the initial firearms training).

Answer: Please refer to Question # 6.

38. Question: Can we please obtain a seniority list of all current employees, to include start dates and current vacation balances?

Answer: Please see Question #5.

39. Question: Please provide a list of all training for current staff in order to correctly calculate annual training dates accordingly.

Answer: A training list is not available at this time, but will be provided to the successful offeror after award of the contract.

40. Question: Please confirm that there is no requirement for the contractor to pay a pension allotment in the CT CBA.

Answer: The incorporated CBA is as was submitted to the Government.

41. Question: Can you provide a list of site locations and posts including post time schedules armed or unarmed, and security clearance required?

Answer: Please see Question # 23.

42. Question: Will a site visit be scheduled or allowed?

Answer: Site visits will not be scheduled or allowed.

43. Question: Will a current employee seniority list be provided to determine vacation eligibility?

Answer: Please see Question # 5.

44. Question: Will employee leave time be “cashed out” by current vendor or will new contractor be required to fund accumulated leave time?

Answer: FPS does not dictate hiring practices.

45. Question: In accordance with section 11.2-1 paragraph B “additional training may be required if or when equipment or technology is changed”. Will this training be a billable expense?

Answer: Typically, training for new/changed equipment or technology is done on the job. However, each case would have to be reviewed individually. If additional costs are to be incurred, the awardee would be responsible for notifying and obtaining authorization from the Contracting Officer (CO) in advance, before any costs are incurred. If authorization is not obtained from the CO in advance, the awardee will be held responsible for the cost of the training.

46. Question: Contractor Furnished Supplementary Equipment Requirements: The third item on this list is Traffic Control Safety Apparel. There is no required quantity listed for these items. Can the Government clarify if these items are required for each officer, each post, or each building?

Answer: These items are required on posts handling traffic duties, such as garages, loading docks, parking areas, etc. Based on current requirements, quantity is at or about 6, in total. Please see this Amendment # 5.

47. Question: The annual hours amount is incorrect. The scanned post locations show a total of 108,695 - add them manually and there are 106,418. Please advise, thanks.

Answer: Please see this Amendment # 3. The post exhibit has been amended to show total hours as 106,418.

48. Question: Under firearms training it states a qualifying score of 80% or better but the exhibit shows a score of 210. Which score would be required?

Answer: A score of 210 is required. Please see this Amendment # 4.

49. Question: It is our intent to sub-contract to another, small business. Currently, we do not possess a license in this state. My question is: Are there any restrictions that we need to be aware of related to our intentions for this solicitation?

Answer: Please see clause 52.219-14 Limitations on Subcontracting (Dec 1996). The Government has no privity of contract between a prime and a subcontractor. It is the prime's responsibility to ensure that all requirements of the RFP must be met by the subcontractor.

50. Question: In the RFP it states a .38 Caliber S&W Model 13. I believe that this model has been discontinued it was a .357 caliber, I believe the replacement is a S&W 619 w/ 7 round capacity in .357 Stainless? Should this be a Model 10?

Answer: We require a .38 +P ammunition. This is a higher velocity than normal .38 ammunition. A Mod. 10 S&W .38 weapon will not handle this ammo. A Mod.13 S&W will. S&W informs us that they no longer manufacture the S&W Mod. 13. It is our understanding that they now manufacture a "MOD.10 +P" revolver which will handle the +P ammunition. Other manufacturers do not have the problem with +P ammo with their standard .38 revolvers. No revolver is chambered for "7 rounds". They are all "6 rounds". Please see this Amendment # 6.

51. Question: Under Relevant Prior Experience on Similar Projects, it is stated "Offerors shall submit **a maximum of six(6) and a minimum of three (3) contracts** for evaluation that were actively on-going during the time period January 2003 to the date established for receipt of the proposals [*emphasis added*]."

1. Does it mean that we can only submit contract information for contracts that were active during Jan. 2003, and **that will be** active and ongoing until April 1, 2008, the date for receipt of the proposals? Please clarify.

Answer: Experience submitted in this section shall not pre-date January 2003. In accordance with requirements, experience submitted should be similar in magnitude and complexity.

2. Can we submit contracts which were ongoing in 2003 and completed in 2006, 2007, or even by January 2008?

Answer: Refer to first answer for Question # 51.

3. Can we submit contracts which were initiated after January 2003 and completed in 2006, 2007, or even by January 2008?

Answer: Refer to first answer for Question # 51.