

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

PAGE OF PAGES

1 3

2. AMENDMENT/MODIFICATION NO.

P00014

3. EFFECTIVE DATE

MAY 24 2007

4. REQUISITION/PURCHASE REQ. NO.

5. PROJECT NO. (If applicable)

6. ISSUED BY

CODE

7. ADMINISTERED BY (If other than Item 6)

CODE

DEFENSE LOGISTICS AGENCY
DEFENSE SUPPLY CENTER PHILADELPHIA
700 ROBBINS AVENUE
PHILADELPHIA, PA 19111
Margaret Conforto (215-737-2871)

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

US FOODSERVICE LEXINGTON
120 LONGS POND ROAD
LEXINGTON, SC 29072

9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.
SPM300-07-D-3057

10B. DATED (SEE ITEM 13)

04/16/04

CODE 9P251

FACILITY CODE 9P251

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 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 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)
FAR 43.103 (a) (3) Bilateral Modification

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.)
Contract SPM300-07-D-3057 is hereby modified as follows:

- 1. See pages 2 and 3.
- 2. All other terms and conditions remain unchanged.

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)
STEVEN M. RUSSELL
VP CHAIN ACCOUNTS

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

15B. CONTRACTOR/OFFEROR
Steven M. Russell
(Signature of person authorized to sign)

15C. DATE SIGNED
5/23/07

16B. UNITED STATES OF AMERICA
BY Pat Amendolia
(Signature of Contracting Officer)

16C. DATE SIGNED
MAY 24 2007

A. The following is hereby deleted from subject contract:

1. Page 12, SPM300-03-R-0005, Section VI., Backup Prime Vendors
2. Page 19, SPM300-03-R-0005, Section XIX, Additional Customers

B. The following hereby replaces the language as stated above marked for deletion:

VI. ADDITION OF CUSTOMERS

A. Adding customers within the contract geographic distribution region/zone.

- a. Additional DoD and non-DoD federal government customers that request DSCP foodservice support will be added on to the resultant prime vendor contract under this solicitation, without any new acquisition or competition process, if the customer(s) is clearly within the geographic distribution region/zone covered by this contract.
- b. In this case, the contractor shall include this customer(s) at the effective contract prices applicable to that contract zone or region.
- c. This addition of new customers will not increase the IQC maximum contract value, i.e. 150% of the solicited and contracted dollar value.
- d. The decision as to whether the new customer is clearly within the contract region or zone and will be added to the contract without further competition and at existent contract prices, shall be the sole decision of the DSCP Contracting Officer.

B. Adding customers outside the contract geographic distribution region/zone.

- a. This provision applies to the following customers:
 - i. A new DoD or non-Dod federal customer that is not clearly within the contract geographic distribution region/zone and for which the contractor will not accept the customer(s) at the effective contract price.
 - ii. A customer(s) located in an area that may be considered adjacent or proximal to the geographic distribution region/zone covered by more than one prime vendor contractor.
 - iii. The above instances may occur when new customers request DSCP prime vendor support and/or in the event that the contract performance of the prime vendor contractor providing foodservice support to the existing customer installation(s) is determined unsatisfactory, or that other prime vendor is no longer able to support that proximal customer installation(s). In these latter events, the DSCP will utilize this provision to expeditiously source an alternate prime vendor contractor for the customer installation(s).

- b. The customer installations described in para. (a) above, and their foodservice requirements, will be added to a prime vendor contract as follows:
- i. Complete price proposals to support the subject new customer(s), to include distribution and delivered prices, will be requested from only existing prime vendor contractors that are proximal to the new customer, i.e. close in distance.
 - ii. The new customer(s) will be added to the prime vendor contractor(s) that represents the best value for the new installation(s), based on an evaluation of the past performance (i.e. performance under their existing contract only) and prices, offered by these contractors.
 - iii. Evaluation of past performance will consider contractor fill-rates, product quality record, and their socioeconomic and JWOD program record, in that order of relative importance. Evaluation of price will consider aggregate pricing (unit prices) and distribution prices, in that order of relative importance. Past performance shall be more important than price.
- c. Under this provision, the contract IQC maximum dollar value shall be increased by the maximum dollar values of all new added customers.
- d. The decision as to which prime vendor contractors are proximal to the new customer and will be requested to provide a proposal to support such customer, shall be the sole decision of the DSCP Contracting Officer.