

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
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2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY CODE	7. ADMINISTERED BY (If other than Item 6) CODE
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
		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 _____ 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 your 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.

CHECK ONE	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.)

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

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The solicitation is herein amended as follows:

On page 72, Replace 5. SUBMISSION REQUIREMENT – PRICING, d. “distribution price” with:

5. SUBMISSION REQUIREMENT – PRICING

d. “Distribution Price” means the firm price portion of the Contract Unit Price, offered as a dollar amount per unit of issue, rounded up or down to the nearest dollar cent. The Distribution Price is the only method for the Contractor to bill the Government for all aspects of contract performance other than Delivered Price; including but not limited to, the performance requirements of the SOW for the applicable solicitation and resulting contract. As detailed above in (2), Delivered Price is distinct from and not to be included in the Distribution Price.

Note: In response to the solicitation, DLA Troop Support Europe and Africa received the following questions from offerors. This amendment includes the questions as submitted with no changes, corrections, or verifications. DLA Troop Support Europe and Africa does not attest to the accuracy of the facts or information contained within the question.

1) OANDA Interbank rates are the "official" rates quoted in media such as The Wall Street Journal. They typically reflect the market rates for large transactions of US \$1 million or more when banks trade between themselves or with their very large clients. For the smaller amounts exchanged in a retail setting, banks, credit cards and exchange agencies charge commissions to convert currencies. These retail rates add commissions of 1 to 10 percent or more. For example:

- ATMs typically add 2% (and then add service charges in many parts of the world).
- Credit cards typically add 3% (for the major currencies; more for other currencies).
- Foreign exchange kiosks and banks often add 5% when you convert hard cash (for the major currencies; more for other currencies).

Given that the majority (if not all) of the orders under the resulting contract will be below the \$1 million aggregate value kindly advise what % difference in favor of the contractor must be applied to the OANDA Interbank rate for the catalog prices to be submitted with offers and all U.S. dollar calculations under the resulting contract.

DLA TROOP SUPPORT EUROPE AND AFRICA RESPONSE: If quote or invoice prices are provided in a currency other than US Dollars, offerors shall use the currency conversion rate located at: <http://www.oanda.com/currency/converter/>. Offerors shall use the closing conversion rate on December 28, 2012 rounded to 2 decimal places in order to determine the appropriate US Dollar amount to be included in the Spreadsheet. No additional adjustment should be made.

2) The order cancellation clause in the SOW states that customers may “cancel orders up to time of truck sealing. There is no restocking reimbursement”. This will undoubtedly penalize deliveries done by local suppliers who will likely seal truck(s) shortly before delivery as opposed to suppliers from remote locations such as Padova, Italy who will have to seal trucks 3+ days in advance due to time-distance

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considerations. It is kindly requested that the cancellation clause be revisited to encourage the use of local suppliers.

DLA TROOP SUPPORT EUROPE AND AFRICA RESPONSE: This provision of the Solicitation remains unchanged.

3) It remains unclear what catalog prices are to be used for other than the 1st catalog pricing which is used as basis for determining the 110% upward ceiling on Economic price adjustments. If delivered price is defined as “the most recent supplier price per unit to the Contractor, inclusive of standard freight, for that product delivered to the initial point of entry into the Contracting’s distribution network (normally referred to as the landed or delivered price). Please confirm that when billing the price on an item will be the actual delivered price (i.e. most recent supplier price) plus the distribution price and not the catalog price in effect when the order was placed.

DLA TROOP SUPPORT EUROPE AND AFRICA RESPONSE: During contract performance, the amount that should be invoiced for payment purposes is the catalog price in effect at the time a specific order is placed in STORES. The method for establishing initial catalog pricing, as well as the mechanism by which catalog pricing is adjusted, is explained in the solicitation.

4) Please further explain the U.S. government’s right to make multiple awards. Would it be done by geographical location, specific items and/or by Option Year? Can vendors quote on only one area and not the whole zone?

DLA TROOP SUPPORT EUROPE AND AFRICA RESPONSE: As explained in the Solicitation, this acquisition consists of one zone (Southern Europe) covering Department of Defense (DoD) customers. The Government intends to make one (1) award per zone, but reserves the right to award more than one (1) contract per zone. Offerors are required to offer on all items in the Schedule of Items for this zone; failure to do so may result in exclusion from award consideration. Although multiple awards are not intended, see FAR 52.212-1(h) in the Solicitation for a discussion on multiple awards.

5) The bases for determining the catalog prices for any give item remains unclear. With many different locations, currencies and prices by location there can be a considerable delta between the low price and high price for any given item. So for example, if a Lbs. of lettuce costs \$0.75 in Naples, \$1.10 in Turkey and \$0.40 in Kosovo how is one to determine a single catalog price for lettuce?

DLA TROOP SUPPORT EUROPE AND AFRICA RESPONSE: It is up to each offeror to justify their pricing through the invoices and quotes provided. Offerors must consider all price risks when submitting their offers.

6) The issuance of such critical contract in support of U.S. troops without the opportunity given to industry to ask questions in a venue such as pre-solicitation conference clearly gives a competitive advantage to companies already working with DLA under other similar contracts. This does not appear to be in the best interest of the U.S. government. It is kindly suggested that such conference be programmed in order to further clarify the SOW and existing clauses in the solicitation.

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DLA TROOP SUPPORT EUROPE AND AFRICA RESPONSE: DLA Troop Support Europe and Africa does not intend to hold any conferences in reference to this solicitation. DLA Troop Support Europe and Africa has been open for questions during the entire solicitation period, and has provided responses through amendments. DLA Troop Support may conduct negotiations, if necessary, and may hold a post-award conference.

7) The DIP price for strawberries is different from the DIP for potatoes. Can you give us guidance on this as I believe I'd read that the DIP (distribution) should be constant for all 57 items.

DLA TROOP SUPPORT EUROPE AND AFRICA RESPONSE: The delivered price may vary per item.