

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

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2. AMENDMENT/MODIFICATION NO. 0004	3. EFFECTIVE DATE 01/01/2011	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY DOT/Maritime Administration, MAR-380 1200 New Jersey Ave SE, MAR380 W28-201 Washington, DC 20590	CODE 00091	7. ADMINISTERED BY (If other than Item 6) DOT/Maritime Administration, MAR-380 1200 New Jersey Ave SE, MAR380 W28-201 Washington, DC 20590	CODE 00091

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code) No Contractor Information Available	(X)	9A. AMENDMENT OF SOLICITATION NO. DTMA1Q09001
	(X)	9B. DATED (SEE ITEM 11) 11/06/2008
		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.

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 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 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.
<input type="checkbox"/>	
<input type="checkbox"/>	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).
<input type="checkbox"/>	
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)
<input type="checkbox"/>	

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.)

A. The purpose of this amendment is to make the following changes to RFQ DTMA1Q09001:

1. Extend the expiration date of this RFQ from December 31, 2010 to December 31, 2011.
2. As of October 1, 2010 the ceiling amount for awards increased from \$5.5 million to \$6.5 million.

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) Alfredia Rich-Murphy
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

Line Item Summary	Document Number DTMA1Q09001/0004	Title FY09_Thru_10_Ship Disposal	Page 2 of 6
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No Funding Information

Line Item Number	Description	Delivery Date (Start date to End date)	Quantity	Unit of Issue	Unit Price	Total Cost
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This RFQ is issued for the sole purpose of reviewing and evaluating technical proposals to establish a pool of standing quotations. No awards will be made under this RFQ.

No Changed Line Item Fields

Previous Total:
Modification Total:
Grand Total:

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SECTION A -- SOLICITATION/CONTRACT FORM

A.1 SUMMARY OF CHANGES

The free form item 'Limit Competition on Selected Price Revision Requests 'has been added.
The free form item 'Member of the Pool of Standing Quotations'has been added.
The free form item 'Procurement Summary and Introduction'has been edited.

A.2 MEMBER OF THE POOL OF STANDING QUOTIONS

The names of vendors who are included in the pool of standing quotations will be posted on MARAD's website and will otherwise be considered to be publicly available from on or about October 4, 2010. MARAD will update the list periodically as necessary.

A.3 PROCUREMENT SUMMARY AND INTRODUCTION

Notice of the U.S. Maritime Administration's (MARAD) Intent to Use Standing Quotations to Make Ship Disposal Awards

Due to legislation enacted in Congress, section 3502 of the Defense Authorization Act of 2009 (Public Law No. 110-417), the Maritime Administration's ability to utilize foreign recycling facilities has been restricted. New general technical proposals from Offerors proposing to recycle ships at foreign facilities are not currently being accepted.

The following language from DFAA FY 2009 is referenced:

SEC. 3502. LIMITATION ON EXPORT OF VESSELS OWNED BY THE GOVERNMENT OF THE UNITED STATES FOR THE PURPOSE OF DISMANTLING, RECYCLING, OR SCRAPPING.

IN GENERAL.--Except as provided in subsection (b), no vessel that is owned by the Government of the United States shall be approved for export to a foreign country for purposes of dismantling, recycling, or scrapping.

(b) EXCEPTION.--Subsection (a) shall not apply with respect to a vessel if the Administrator of the Maritime Administration certifies to the Committee on Armed Services of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that--

- (1) a compelling need for dismantling, recycling, or scrapping the vessel exists;
- (2) there is no available capacity in the United States to conduct the dismantling, recycling, or scrapping of the vessel;
- (3) any dismantling, recycling, or scrapping of the vessel in a foreign country will be conducted in full compliance with environmental, safety, labor, and health requirements for ship dismantling, recycling, or scrapping that are equivalent to the laws of the United States; and
- (4) the export of the vessel under this section will only be for dismantling, recycling, or scrapping of the vessel.

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The simplified acquisition process authorized in Federal Acquisition Regulations (FAR) Part 13 provides, in FAR 13.103, for the use of standing quotations, a competitive process that will facilitate the disposal of MARAD's obsolete vessels through dismantlement. Use of simplified acquisition procedures for these commercial services is authorized under FAR 13.5, Test Program for Certain Commercial Items; therefore no contract awarded under the standing quotation process will exceed \$6,500,000 (Ad of October 1, 2010). This RFQ will be used to award contracts for ship dismantlement during the period between posting of the RFQ through December 31, 2011.

MARAD's obsolete vessels are principally located in three reserve fleet locations: the James River Reserve Fleet, (JRRF), Ft. Eustis, VA, (JRRF), Suisan Bay Reserve Fleet, (SBRF), Benicia, CA (SBRF) and Beaumont Reserve Fleet, Beaumont TX (BRF). A list of obsolete vessels available for disposal, including those designated as high priority vessels, is located in the library of MARAD's Virtual Office of Acquisition (VOA) website, <http://voa.marad.dot.gov>. As awards are made this list will be periodically updated.

It is MARAD's intent to establish and maintain a pool of vendors from whom vessel-specific dismantlement pricing can be requested. Through this Request for Quotation (RFQ) MARAD will evaluate all the quotations it receives and, from those that are found to be technically acceptable, will create and maintain a pool of standing quotations. MARAD will use these standing quotations to make its contract awards for ship disposal in the period between the posting of the RFQ through December 31, 2011. The pool will remain open for vendors to submit quotations continuously in response to the RFQ until the RFQ expires.

A standing quotation shall consist of a technical proposal, including a Technical Compliance Plan (TCP) and a generic dollar per ton price quotation based on an average sized MARAD vessel of approximately 7500 tons for CLIN 1. MARAD will only accept quotations submitted through MARAD's VOA website. For Technical Compliance Plan (TCP), towing, bonding, and insurance requirements see MARAD's VOA web-site library. The generic dollar per ton price quotation shall be a notional value during the evaluation of the technical proposals and establishment of the pool of standing quotations. The notional price per ton will not be used for technical or price evaluations and will be superseded when MARAD requests pricing for specific vessels after establishment of the pool of standing quotations.

When the program office identifies specific vessel(s) for dismantlement, MARAD will solicit firm-fixed price, vessel-specific revised price quotations from the pool of vendors with technically acceptable standing quotations. Awards will be made on the basis of best value to the Government and in accordance with the Evaluation Criteria clause set forth in this RFQ. Awards will be dependent upon the availability of the vessel and availability of funding.

MARAD will post a list of obsolete ships to be used as a guide by the offerors. However, not all vessels may be available for award and the list is subject to revision based on the changing condition of the vessels and contract awards. All of MARAD's obsolete vessels are subject to the requirements of the National Historic Preservation Act. MARAD's obsolete vessels are undergoing a historic assessment process to determine if they possess historic value and are eligible for placement on the National Register. Not all of MARAD's obsolete ships have completed the historic assessment.

State Consent Requirements for Aquatic Invasive Species. The National Invasive Species Act (NISA) requires entities to mitigate the transmission of non-indigenous aquatic species. 16 USC 4701 applies. To this end, except for vessels transiting to a qualified facility within the jurisdiction of the same US Coast Guard Captain of the Port as the fleet where the vessel is currently berthed, the hulls of obsolete vessels included in a request for revised pricing will be cleaned in accordance with the USCG Interim Criteria for Cleaning Hulls of MARAD Vessels Prior to Relocation (dated 27 June 2006) posted in the VOA Library. The Maritime Administration requires the State in which the obsolete vessels will be recycled to consent, in writing, under terms acceptable to the Maritime Administration, to allow vessels with their hulls cleaned in accordance with the USCG Interim Criteria referenced above to enter that State's waters for recycling. Offers will only be accepted if they comply with these State Consent Requirements. The Current Status of State Consent will be posted in the VOA Library.

A.4 LIMIT COMPETITION ON SELECTED PRICE REVISION REQUESTS

In order to preserve and/or increase domestic ship recycling capacity MARAD, at its discretion may exclude one or more vendors included in the pool of standing procurements from selected vessel specific price revisions requested by MARAD at

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various times prior to the expiration date to dispose non-retention vessels. There are three circumstances where MARAD may elect to limit competition by excluding one or more vendors included in the pool of standing quotations: 1) where an otherwise responsible vendor has no ships or soon will have no ships to work on at facility or can otherwise demonstrate that there will be a significant demobilization imminent at facility due to a lack of work; 2) where MARAD's predominant concentration on ships in California endangers the future available capacity for vendors primarily competitive on ships located in Virginia and Texas fleet site and; 3) to encourage new capacity allowing new vendors in the pool of standing quotations a sole source opportunity for their first contract.