

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J - FFP	PAGE OF PAGES 1 of 4
2. AMENDMENT/MODIFICATION NO. P00012		3. EFFECTIVE DATE 12 DEC 2019	4. REQUISITION/PURCHASE REQ.NO.		5. PROJECT NO. (If applicable)
6. ISSUED BY AFLCMC/HIK		CODE FA8771	7. ADMINISTERED BY (If other than Item 6)		CODE FA8732
DEPARTMENT OF THE AIR FORCE (AFMC) AFLCMC/HIK 490 EAST MOORE DR., SUITE 130 MAFB - GUNTER ANNEX AL 36114-3000 WILLIS R. WHEELER 334-416-4382 willis.wheeler@us.af.mil			DEPARTMENT OF THE AIR FORCE (AFMC) AFLCMC/HIK 490 EAST MOORE DRIVE SUITE 270 MAFB-GUNTER ANNEX AL 36114-3000		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) ATLANTIC COMMTECH CORPORATION 2509 WALMER AVE NORFOLK VA 23513-2604 (757) 858-5303				(X)	9A. AMENDMENT OF SOLICITATION NO.
					9B. DATED (SEE ITEM 11)
				X	10A. MODIFICATION OF CONTRACT/ORDER NO. FA8732-15-D-0023
					10B. DATED (SEE ITEM 13) 02 APR 2015
CODE 1J0V2		FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> 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 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 MODIFICATION OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
(X)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: ( ) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. 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).				
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 43.103(a)(3) Mutual Agreement between both Parties				
	D. OTHER (Specify type of modification and authority)				
E. IMPORTANT: Contractor is not, X is required to sign this document and return 1 copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) (1) Incorporate, update and remove clauses (2) Remove Trade Agreements Act (TAA) requirements and incorporate Buy American Act (BAA) requirements in the Performance Work Statement (PWS) dated 27 July 2017. The revised date of the PWS is 16 October 2019 IAW FAR 43.103(a)(3).					
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 SIGNER (Type or print)		
			TIMOTHY H. DOWLING Contracting Officer		
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED	16B. UNITED STATES OF AMERICA		16C. DATE SIGNED
			//signed//		12 DEC 2019
_____ (Signature of person authorized to sign)			BY _____ (Signature of Contracting Officer)		

ITEM 14 continuation from page 1

The purpose of this modification is as follows:

1. Incorporate the following FAR and DFARS clauses in Section I:
  - a. FAR 52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and other Covered Entities (Jul 2018)
  - b. FAR 52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (Aug 2019)
  - c. FAR 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (Aug 2019)
  - d. DFARS 252.239-7017 Notice of Supply Chain Risk (Feb 2019)
  - e. DFARS 252.239-7018 Supply Chain Risk (Feb 2019)
2. Update the following FAR clauses in Section I:
  - a. FAR 52.215-12 (DEV) Subcontractor Certified Cost or Pricing Data (Deviation 2018-O0015) (May 2018)
  - b. FAR 52.215-13 (DEV) Subcontractor Certified Cost or Pricing Data- Modifications (Deviation 2018-O0015) (May 2018)
  - c. FAR 52.222-4 Contract Work Hours and Safety Standards - Overtime Compensation (May 2018)

3. Remove Trade Agreements Act requirements and incorporate Buy American Act requirements into the contract as follows:

a. PART II, SECTION I

(1) Remove the following Trade Agreements clauses

(a) FAR 52.225-05 Trade Agreements (Nov 2013)

(b) DFARS 252.225-7021 Trade Agreements - Basic (Nov 2014)

(c) DFARS 252.225-7045 Balance Of Payments Program--Construction Material Under Trade Agreements - Basic (Nov 2014) Para (c)(3). C.O. lists materials or "none".  
""to be cited in each individual task order""

(d) FAR 52.225-23 Required Use of American Iron, Steel, and Manufactured Goods - Buy American Statute - Construction Materials Under Trade Agreements (May 2014)

(2) Incorporate the following Buy American Act clauses

(a) FAR 52.225-1, Buy American - Supplies (May 2014)

(b) FAR 52.225-2 Buy American Certificate (May 2014)

b. PART III, SECTION J, ATTACHMENT 1 NOSB Performance Work Statement (PWS)

(1) PWS dated 27 Jul 2017, Paragraph 3.5.1.1.5 is deleted and re-written as follows:

## **DELETED**

### **3.5.1.1.5. Products.**

~~The contractor shall provide all products, peripherals, and associated peripheral equipment as required by each individual delivery order. The “products” are commercial items as defined by FAR 2.101. All documentation, software, and user guides that are commercially packaged with the product shall be provided to the Government. All proposed products must be compliant with the Trade Agreements Act of 1979 (TAA). In accordance with DFARS 252.225-7021, the Trade Agreements Certificate at DFARS 252.225-7020 shall be provided as requested by the Ordering Contracting Officer for any end item offered in response to any RFQ issued under this contract. Please note that Federal Acquisition Regulation (FAR) paragraph 25.103(e) includes an exemption from the Buy American Act (BAA) for acquisition of information technology that are commercial items. If further clarification is required contact the Contracting Officer or submit your questions to [www.netcents.af.mil](http://www.netcents.af.mil). The contractor shall ensure that products meet the standards identified in the AF Standards Center of Excellence Repository (SCOER) located at [netcents.af.mil](http://netcents.af.mil). (Deleted by P0000xx)~~

## **REWRITTEN**

### **3.5.1.1.5. Products.**

The contractor shall provide all products, peripherals, and associated peripheral equipment as required by each individual delivery order in accordance with the Buy American Act of 1933. Accordingly, FAR 52.225-1, Buy American - Supplies (May 2014) and FAR 52.225-2 Buy American Certificate (May 2014) are incorporated in Section of the contract by reference. FAR 52.225-1 does not apply to small business set-aside contracts when the supply portion of a contract for services that involves the furnishing of supplies (e.g., lease) is equal to or less than the micro-purchase threshold (reference FAR 25.100(b)(2)) or to the acquisition of information technology that is a commercial item (reference FAR 25.103(e)). For commercial items, all documentation, software, and user guides that are commercially packaged with the product shall be provided to the Government. The contractor shall ensure that products meet the standards identified in the AF Standards Center of Excellence Repository (SCOER) located at netcents.af.mil. If further clarification is required contact the Contracting Officer or submit your questions to [www.netcents.af.mil](http://www.netcents.af.mil) <<http://www.netcents.af.mil>>. (Added by P000xx)

6 PART III, SECTION J is changed as follows:

Attachment 1 date is changed from 27 July 2017 to 16 October 2019 as a result of the change to paragraph 3.5.1.1.5.

4. All other terms and condition remain unchanged.