

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

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2 AMENDMENT/MODIFICATION NO. 009
 3 EFFECTIVE DATE 05/22/2002
 4 REQUISITION/PURCHASE REQ. NO. dtd-5/22/2002 PROJECT NO. (If applicable) ADM RFP#01-0290

6 ISSUED BY U.S. Nuclear Regulatory Commission
 Division of Contracts and Property Mgt.
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 Div of Contracts and Property Mgmt
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 Washington, DC 20555

8 NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code) EER Systems, Inc.
 3750 Centerview Drive
 Chantilly, VA 20151
 POC: Joanne B. Newman (703) 708-1400
 9A. AMENDMENT OF SOLICITATION NO. (X)
 9B. DATED (SEE ITEM 11)
 10A. MODIFICATION OF CONTRACT/ORDER NO. GS00T98ALD0017 DR-01-0290

CODE FACILITY CODE X 09-28-2001
 10B. DATED (SEE ITEM 13)

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 of 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) N/A

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(X) 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) Bilateral, 52.212-4 Contract Terms and Conditions - Commercial Items (4/98) and mutual consent of the parties.

E. IMPORTANT: Contractor is not, X is required to sign this document and return 2 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)
 See the attached continuation pages with one attachment.

TIN: 54-1349668, DUNS#:17-715-3319

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) Joanne B. Newman Vice President of Contracts	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Donald A. King Contracting Officer
15B. CONTRACTOR/OFFEROR Joanne B. Newman (Signature of person authorized to sign)	16B. UNITED STATES OF AMERICA BY Donald A. King (Signature of Contracting Officer)
15C. DATE SIGNED 6/19/02	16C. DATE SIGNED 05-22-2002

TEMPLATE-ADM 001

Adm 02

The purpose of this modification is to:

(1) revise the catalogs delivery date and allow a phased delivery schedule with consideration being offered by EER Systems. As a result, Subsection C.3 Seat Management Service Requirements, paragraph C.3.7 - Catalog Services of the Task Order is revised to reflect the phased delivery approach for catalog support services in accordance with EER System's proposal dated April 26, 2002, and e-mail message dated May 21, 2002.

(2) revise Subsection F.7 Delivery Schedule and Milestone Dates, by extending the catalog delivery dates for: Sub-task 3-3: COTS Catalogue Services from 4/01/2002 to 05/31/2002 (Phase 1) and 09/30/02 (Phase 2) as shown in Attachment 1 to this modification. (Phase one begins with the first three catalogs (COTS Software, COTS Hardware, and Maintenance Services) being delivered for demonstration and initial testing on May 17, 2002, and those same three catalogs will be delivered for implementation and initial use no later than May 31, 2002. Phase two will include submitting a detailed plan for phase two by no later than June 15, 2002, with delivery of the other two catalogs (training and subject matter experts) no later than September 30, 2002).;

This modification confirms receipt of EER Systems' e-mail message dated May 21, 2002, and acceptance of the revised consideration offer for non-delivery of scheduled catalog services. This consideration to be applied to respective monthly invoices is calculated as follows:

(a) (April and May Monthly Invoices)	
Desktop Seats affected (reference: PIP -physical discovery page 2)	2,572*
Credit rate amount	X\$.07
Per catalog per month credit amount	\$ 180.04
Number of catalogs late	X 5
Consideration amount per month late	\$900.20**
(b) (June, July, August, and September monthly Invoices)	
Desktop Seats affected (reference: PIP -physical discovery page 2)	2,572*
Credit rate amount	X\$.07
Per catalog per month credit amount	\$ 180.04
Number of catalogs late	X 2
Consideration amount per month late	\$360.08**

*This figure would be based on the number of desktops billed on the monthly invoice.

**This would be the consideration price for each month of late delivery for that period.

Accordingly, the following section of the task order is hereby modified:

1. under Subsection C.3 Seat Management Service Requirements, paragraph C.3.7- Catalog Services is deleted entirely and the following is substituted in-lieu thereof:

"C.3.7 Catalog Services

The Contractor shall provide and keep current online COTS Software, COTS Peripheral/Hardware, Services Support, Maintenance, Moves, Adds, and Changes (MAC), and Training Catalogs. The Contractor shall be fully responsible for all product interoperability within the NRC DCE when provided through the Catalogs. The end user catalog components and core infrastructure catalogs shall be separate. **The Catalogs shall be provided in two phases. The COTS Software, COTS Peripheral/Hardware, and Maintenance Services catalogs shall be provided for implementation and use in phase one. The Training and Subject Matter Experts catalogs shall be delivered in phase two.**

The Contractor may provide its master contract Catalog(s) or develop a Catalog(s) based on the master contract COTS Software Catalog and customized to general NRC DCE requirements.

NRC's use of the Catalogs is mandatory or as otherwise approved by the NRC PO for Agency-wide Infrastructure and Headquarters and Local Infrastructure. Regional/Local Infrastructure use of the Catalogs may be phased in at a later date. NRC may procure individual items from the COTS Software, COTS Peripheral/Hardware, Services Support, and Training Catalogs, if it represents the best value solution. Prices for the base equipment, installation, maintenance, support, disposal, and other supplemental costs required for full implementation shall be shown separately for billing purposes.

Catalogs shall be updated, as required, in accordance with documented service levels agreements to include new products the Contractor shall support. Any additions and/or deletions shall require the concurrence of the NRC Project Officer or designated representative.

COTS Software and COTS Hardware and peripherals may be procured outside the catalog. However, integration of these products into the DCE may require execution of a MAC.

The Catalogs shall be used to service this TO and other logical follow-on GSA SMS TORs issued in support of the NRC."

2. Under Section F - DELIVERIES OR PERFORMANCE, Subsection F.7 Delivery Schedule and Milestone Dates, is deleted entirely and the attached subsection F.7 Delivery Schedule and Milestone Dates is substituted in-lieu thereof.

A summary of obligations under this task order, from date of the award through this modification, is given below:

Total FY 01 obligations	\$ 627,000.00
Total FY 02 obligations	\$ 9,554,780.71
Cumulative Total of NRC Obligations	\$10,181,780.71

This modification does not obligate any funds.

All other terms and conditions remain unchanged.

Nuclear Regulatory Commission

Task Order # DR--01-0290

F.7 Delivery Schedule and Milestone Dates

The delivery schedule and milestones dates are indicated in the following table.

Milestone	Responsibility	Planned Completion Date
Task Order Award (TOA)	NRC	09/28/2001
Project Start (PS)	NRC/Contractor	10/15/2001
Task 1: Project Implementation Plan (Mandatory)		
Subtask 1-1: PIP	Contractor	12/26/2001
NRC Review	NRC	Presentation + 15 WD
Final PIP	Contractor	Review + 10 Working Days
Subtask 1-2: Discovery	Contractor	11/27/2001
Subtask 1-3: Maintain Current Operations	Contractor	09/28/2001 through 03/31/2002
Task 2: Transition (Optional)		
Activities To Contractor Defined Milestones	Contractor	04/01/2002
Task 3: Contract Year 1-3 - Operations		
Sub-task 3-1: IT Infrastructure Operations	Contractor	Contract Year 1-3
Sub-task 3-2: IT Development/Integration		
Sub-task 3-3: COTS Catalogue Services		
Phase 1 -COTS Software, COTS Peripheral/Hardware, and Maintenance Services catalogs delivered for demonstration and initial testing.		05/17/2002
Phase 1 - COTS Software, COTS COTS Peripheral/Hardware, and Maintenance Services catalogs delivered for implementation and use.		05/31/2002
Phase 2 - Submit a detailed plan for phase 2 training and subject matter experts catalogs		06/15/2002
Phase 2 - Submit final training and subject matter experts catalogs		09/30/2002

Milestone	Responsibility	Planned Completion Date
Task 4: Contract Year 4 - Operations (Optional)	Contractor	Contract Year 4
Sub-task 4-1: IT Infrastructure Operations		
Sub-task 4-2: IT Development/Integration		
Sub-task 4-3: COTS Catalogue Services		
Task 5: Contract Year 5 - Operations (Optional)	Contractor	Contract Year 5
Sub-task 5-1: IT Infrastructure Operations		
Sub-task 5-2: IT Development/Integration		
Sub-task 5-3: COTS Catalogue Services		
Task 6: Contract Year 6 - Operations (Optional)	Contractor	Contract Year 6
Sub-task 6-1: IT Infrastructure Operations		
Sub-task 6-2: IT Development/Integration		
Sub-task 6-3: COTS Catalogue Services		
Task 7: Contract Year 7 - Operations (Optional)	Contractor	Contract Year 7
Sub-task 7-1: IT Infrastructure Operations		
Sub-task 7-2: IT Development/Integration		
Sub-task 7-3: COTS Catalogue Services		
Task 8: Contract Year 8 - Operations (Optional)	Contractor	Contract Year 8
Sub-task 8-1: IT Infrastructure Operations		
Sub-task 8-2: IT Development/Integration		
Sub-task 8-3: COTS Catalogue Services		
Task 9: Contract Year 9 - Operations (Optional)	Contractor	Contract Year 9
Sub-task 9-1: IT Infrastructure Operations		
Sub-task 9-2: IT Development/Integration		
Sub-task 9-3: COTS Catalogue Services		
Task 10: Travel	Contractor	