

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. CONTRACT ID CODE

PAGE OF

1

PAGES

7

2. AMENDMENT/MOIFICATION NO. <b>A0001</b>	3. EFFECTIVE DATE [REDACTED]	4. REQUISITION/PURCHASE REQUEST NO. <b>N/A</b>	5. PROJECT NO. (If applicable)
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6. ISSUED BY <b>U.S. Department of Housing and Urban Development (HUD) Office of the Chief Procurement Officer 451 Seventh Street, SW, Room 5256 Washington, DC 20410</b>	7. ADMINISTERED BY (If other than Item 6) <b>Tabitha Painson-McLeod, Contracting Officer Office: (202) 402-7132 Email: Tabitha.Painson-McLeod@Hud.gov</b>
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and ZIP Code) <b>Potential Offeror</b>	(v)	9A. AMENDMENT OF SOLICITATION NO. <b>DU100A-12-Q-0002</b>
	X	9B. DATED (SEE ITEM 11) <b>August 08, 2012</b>
CODE	FACILITY CODE	10A. MODIFICATION OF CONTRACT/ORDER NO.
		10B. DATED (SEE ITEM 13)

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

X The 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 ACKNOWLEDGEMENT 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)

**Not Applicable**

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

(v)	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 data, etc.) AS 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)

**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.)

The purpose of this amendment is to provide the revisions to the solicitation and provide an attachment with responses to questions presented by potential offeror(s) as shown on Page 2-5.

Remove Page 2 and 13 of the original solicitation and replace with the Revised Page 2 and 13 attached.

The date and time for receipt of proposals is hereby extended to **August 20, 2012 at 10:00 AM Eastern Standard Time (EST).**

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) <b>TABITHA PAINSON-MCLEOD CONTRACTING OFFICER</b>
15B. CONTRACTOR/OFFEROR  <i>(Signature of person authorized to sign)</i>	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA  BY <i>(Signature of Contracting Officer)</i>	16C. DATE SIGNED

1. HUD provides a photograph of the Secretary? Which would mean the artist selected would not be traveling to meet with and then photograph the Secretary? **HUD will provide a photograph of the Secretary. Travel to meet and photograph the Secretary is not required.**
2. How shall I submit my proposal by email? Since the solicitation forms are locked and must be filled out by hand, may I submit the proposal by shipping a hard copy along with other support materials (or perhaps via fax?). **In addition to email, proposals can be submitted to the contracting officer at the mailing address provided in question 26 of this solicitation amendment document. The solicitation was submitted in PDF format therefore print out the PDF solicitation documents, hand write the information into the contractor fill-in spaces, then email or mail the completed documents back to the contracting officer at the email address list in the solicitation or the mailing address provided in question 26 of this solicitation amendment document.**
3. **Re: Task 2** – Within three (3) weeks after receipt of photographs of HUD Secretary Steven Preston, the contracted artist shall submit for approval an initial sketch for the portrait of HUD Secretary Steven Preston in portrait format. Can this timeframe be revised at all? **Timeframes were allocated to each task in an attempt to stay within the six month project completion date. Revisions to timeframes are not promoted but may be warranted under certain circumstances. The overall target is to have the portrait on display within a six month timeframe.**
4. I am unable to make entries in the e-mail sent to me, and will have to do so separately. Would it be acceptable for me to copy the form sent, and return via Federal Express? Or would I have to return the form with an attachment with those areas requiring entry such as my signature, hours, and costs etc.? **Please refer to answer 2**
5. Can I assume that my three portraits, which currently hang at H.U.D along with The "Washington, D.C." listing in my website, will satisfy the "past performance" requirement? **Please follow the past performance submittal information as outlined on page 12 of the solicitation.**
6. The form speaks of 3 weeks to deliver the sketch and 14 after to deliver the finished work. In other parts of the form there is mention of completion of work within 6 months. Would you please clarify? **The overall target for completion is 6 months. Other timeframes were assigned to help the project stay on track. Task 1 – HUD to provide the photograph of the Secretary to the contracted artist no later than 1 day after contract award. Task 2 - Once HUD provides the photograph to the contracted artist, HUD expects an initial sketch three weeks from the date the photograph is provided. Upon receipt of the initial sketch, HUD will provide comments or approval within ten workdays. Task 3 - The artist is requested to submit one electronic photograph by email and a brief statement on progress no later than the 15<sup>th</sup> of each month. Task 4 - HUD requests a completed portrait within 14 weeks from date of sketch approval. HUD will review the completed portrait and provide comments or approval within ten workdays. Task 5 – Contracted artist to provide completed framed portrait no later than fourteen workdays after approval. HUD's expectation is to complete all five tasks within six months.**
7. Does delivery of the completed work assume delivery of a framed portrait? If this is the case, and as Secretary Preston and the Department have the right of refusal of the completed work, who is responsible for payment for the frame. **The solicitation states that your final portrait must be approved by the agency before you can proceed to putting it into a frame.**

8. Page 1, Block 12 - Block 12 is already filled in with NET 30. What am I to complete in block 12? **The contractor is not to complete Box 12, it is already prefilled.**
9. Page 1, Block 17a. - Are "CODE" and "FACILITY CODE" to be filled out by myself in that block? **On Page 1, Block 17 "CODE" and "FACILITY CODE" are NOT to be filled in by the contractor. In block 17a where it says OFFEOR: that is the ONLY area to be filled out by the contractor. It can be hand written in.**
10. Page 1, Block 23 - is the UNIT PRICE (Block 23) the figure from Page 2, B.3 "TOTAL"? **Page 1, Block 23 "UNIT PRICE" is not requested from the contractor. On page 2, B.3. "TOTAL" refers to the total cost for the services requested to be completed.**
11. Page 1, Block 24 - is the "AMOUNT" (Block 24) the figure from Page 2, B.3 "TOTAL"? **Page 1, Block 24 "AMOUNT" shall be the figure from Page 2.B.3 "TOTAL".**
12. Page 2, Section B.3 - CLIN. - What does "Quantity of Issue" describe? **Page 2, Section B.3 Description "QUANTITY OF ISSUE" has been changed and revised so that the Section B chart will now show Unit of Issue, Quantity, Hourly Rate and Total Cost of each CLIN for how the services will be performed. Therefore, please REMOVE the original page 2 of the solicitation and REPLACE it with the attached REVISED Page 2 this amendment.**
13. Page 2, Section B.3 - 0001 - Will the kick off meeting be "in person" in Washington, D.C. or over the telephone, as this will affect my cost proposal? **The kick-off meeting will be held in HUD's Washington DC Headquarters Building.**
14. Page 2, Section B.3 - 0003 - What is the abbreviation "NSP" under Quantity of Issue? **Page 2, Section B.3-003, 004 the abbreviation NSP stands for NOT SEPARATELY PRICED.**
15. Page 2, Section B.3 - 0005 - My fees are not based on an hourly wage; the portrait costs the same whether it requires 50 or 200 hours to complete, and the amount of time required to bring a portrait to completion is not predictable. How is it best to comply to your form in answering questions relating to hours and hourly wage? (For example, I could plug in the average number of hours a portrait has taken to complete in the past). **Pricing breakdown of labor hour and rate are required to determine fair and reasonable pricing for the government.**

16. Page 2, Section B.3 - 0005 - Additional to my portrait fee is Pennsylvania Sales Tax. Is this project exempt from sales tax? If not exempt where shall I include the sales tax on your form? **The government is exempt from taxes.**
17. Page 2, Section B.3 - 0005 - Additional to the fee for the actual portrait, are costs for any shipping, framing, sales tax etc. Are these additional costs to be lumped together with the cost of the portrait itself in this task 0005? If not, where are those costs to appear? As you can see, those costs are not related to number of hours needed to complete the portrait itself. **The contractor is responsible for submitting their pricing proposal, so the contractor needs to prepare their pricing for the portrait and the pricing breakdown.**
18. Page 3, Objective - Is it possible to see other official portraits displayed at the U.S. Department of Housing and Urban Development (electronically is fine) so that I may faithfully present a portrait complementary to the other official portraits? **HUD will make several electronic photographs of official portraits available, including frames, to the awardee of this contract.**
19. Page 3, Scope - Regarding providing the described framing, is it possible to see the portraits in the collection with their frames (again electronically is fine) so that I may do a cost estimate and provide a similar frame? **Please refer to answer 18.**
20. Page 3, Task 1 - My standard practice and preference is to meet my subject, have a work session, and take my own photographs to work from. In this way I insure the highest level of artistry and artistic value for my clients and my body of work. At that time, I work on composition, lighting, pose, facial expression and the work is then an artistic creation of the portrait artist. My normal practice is to travel to the location of my subject to work with them at their convenience. Would it be possible to meet with Mr. Preston for a photo session in order to create the best possible outcome for this portrait? **The Secretary of HUD will select a pose to be painted from a previous sitting with a professional photographer. HUD will provide the selected photograph to the contracted artist. An additional photo session with the secretary shall not be built into the budget or timeline for this request.**
21. Page 3, Task 1 - I work with someone else's photographs under special circumstances, such as posthumous portraits. If it is necessary to use supplied photos, I must see the photographs to make sure that they are workable for a portrait of this stature. If using supplied photos, the copyright use must be secured by HUD in advance of the project, and any fees associated with the copyright use would be assumed by HUD. Usually the copyright use is granted by the owner and the fee, if any, is small. **HUD owns the photograph and only the awardee will see the photograph at the time stated in the solicitation.**

22. Page 3, Task 2 -My standard practice is to obtain a 50% deposit for the contract price of the portrait at the time of signing the contract, which insures a placement in my painting schedule. Is this remittance of a deposit something that can be included in the government contract, perhaps connected to delivery of the initial sketch? **The contract schedule B states when payments will be make and what deliverable must be delivered and accepted by the government in order to receive payment.**
23. Page 3, Task 4 and Page 4, Task 5 - The contract requires delivery of the "original portrait" to submit for approval and then re-delivery of "final portrait with frame" two weeks later. May I substitute a print and digital file of the completed original portrait to submit for consideration and approval as is my standard practice? Or, must I send the "original portrait" for review and approval. I assume that if I must ship the "original portrait" for review and approval, I should add and include "shipping costs to you" at that juncture, as well as "costs of return shipping to me", so that the original painting is returned to me so that I may be take it to my framer for selection and later fitting in its frame. **The solicitation states the terms and conditions for deliverables, the time frame, place for deliverables, and what deliverables is required. It is the contractor's responsibility to meet these deliverables as stated in the solicitation.**
24. Page 4, Task 5 - I cannot order a frame before the painting is approved. The procedure is to precisely measure for fitting and to select a frame with the completed, approved portrait in hand. After selection, the period of time required for the construction of a custom gilded frame is six weeks. Do you have the ability to change the timetable of deliverables based on my experience with the framing? **Please refer to answer 3.**
25. A question regarding your email: You request that the SF 1449 form be submitted via email. The form attached is a PDF and is fixed. How can I fill out the form/proposal and submit it electronically via email? **Please refer to answer 2.**
26. There appears to be an issue forwarding jpegs of a few recent official portraits for your consideration. Can you advise? **Proposals as outlined on page 13 of the Revised Solicitation shall now be revised to include submittal of proposal via mail to the Contracting Officer at the following address: Capital View Office Building, 425 3<sup>rd</sup> Street, SW, 3<sup>rd</sup> Floor, Washington, DC 20024 ATTN: Tabitha Painson-McLeod Contracting Officer and must also be submitted in one (1) Original and (1) Hard Copy no later than August 20, 2012 at 10:00AM Eastern Standard Time (EST). No proposals received after August 20, 2012 at 10:00am EST will be accepted. Therefore, please REMOVE the original page 13 of the solicitation and REPLACE it with the attached REVISED Page 13 this amendment.**

**SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS**

**B.1. SERVICES:** This is a **six (6) Month, Firm Fixed Priced**, Small Business-Set Aside type contract. This firm fixed price procurement is being conducted utilizing Federal Acquisition Regulation (FAR) Part 12 "Commercial Items" Procedures. The services required are: Provide HUD's Office of the Executive Secretary with a high quality portrait of the 14th Secretary of the U.S. Department of Housing and Urban Development (HUD) that will be complementary to other official portraits displayed at the U.S. Department of Housing and Urban Development in accordance with the SOW.

**B.2. PRICE SCHEDULE:** This is a firm fixed price contract and the total number of labor hours that are required to perform the services are to be displayed in the chart below as well as the hourly rate and fixed total cost for the required services. As total compensation for all services performed in accordance with the terms, conditions, and specifications stated herein, the contractor will be paid according to the fixed total price as listed below:

**B.3 ORDERING PERIOD OF PERFORMANCE: August 29, 2012 through February 28, 2013.**

CLIN.	Supplies/Services Description	Unit of Issue	Quantity No. of Hours	Hourly Rate	Total
0001	Kick-off meeting	Hour			
0002	Develop Initial Sketch of HUD Secretary Steven Preston	Hour			
0003	Monthly Progress Reports	NSP	NSP	NSP	NSP
0004	Completed Portrait For HUD Approval of Final Portrait	NSP	NSP	NSP	NSP
0005	Final Portrait with Frame	Hour			
<b>TOTAL</b>					

**REVISED CHART FOR PAGE 2 OF THE SOLICITATION**

**THE GOVERNMENT RESERVES THE RIGHT TO MAKE AWARD OF THE RESULTING CONTRACT(S) WITHOUT DISCUSSIONS.**

**QUESTIONS FROM OFFERORS CONCERNING THE SOLICITATION**

Offerors may submit questions, concerns, or request clarification of any aspect of this solicitation via electronic mail to [Tabitha.Painson-McLeod@Hud.gov](mailto:Tabitha.Painson-McLeod@Hud.gov). The Offeror must include the solicitation number **DU100A-12-Q-0002** and the company name in the subject line of the email. The question(s) should include the page number and paragraph number or identifier, which pertains to the Offeror's question. Questions received without this information may not be answered. It is requested that all questions be received by **August 10, 2012 at 10:00AM Eastern Standard Time (EST)** to allow the Government adequate time to prepare and issue responses, so that Offerors can use the information to prepare their proposals. The Government will no longer accept any questions after **August 10, 2012 at 10:00AM Eastern Standard Time (EST)**. Acknowledgment of receipt of questions will not be made.

**PROPOSALS ARE TO BE SUBMITTED VIA EMAIL TO THE CONTRACTING OFFICER TABITHA PAINSON-MCLEOD AT [TABITHA.PAINSON-MCLEOD@HUD.GOV](mailto:TABITHA.PAINSON-MCLEOD@HUD.GOV) BY 10:00AM ON AUGUST 20, 2012. ADDITIONALLY PROPOSALS CAN BE SUBMITTED VIA MAIL TO THE CONTRACTING OFFICER AT THE FOLLOWING ADDRESS: CAPITAL VIEW OFFICE BUILDING, 425 3<sup>RD</sup> STREET, SW, 3<sup>RD</sup> FLOOR, WASHINGTON, DC 20024 ATTN: TABITHA PAINSON-MCLEOD CONTRACTING OFFICER AND MUST ALSO BE SUBMITTED IN ONE (1) ORIGINAL AND (1) HARD COPY NO LATER THAN AUGUST 20, 2012 AT 10:00AM EASTERN STANDARD TIME (EST). NO PROPOSALS RECEIVED AFTER AUGUST 20, 2012 AT 10:00AM EST WILL BE ACCEPTED.**

**Modifications, amendments, or withdrawal of proposals should be sent to the Contracting Officer at the email address provided on page one (1) before the closing day and time. Telegraphic offers shall not be considered.**

Offerors must comply with the detailed instructions for the format and content of the proposal. Proposals that do not comply with the detailed instruction for the format and content of the proposal may be considered non-responsive and may render the Offeror ineligible for award.

**52.212-3 OFFEROR REPRESENTATIONS AND CERTIFICATIONS—COMMERCIAL ITEMS (May 2011)**

An offeror shall complete only paragraph (b) of this provision if the offeror has completed the annual representations and certifications electronically at <http://orca.bpn.gov>. If an offeror has not completed the annual representations and certifications electronically at the ORCA website, the offeror shall complete only paragraphs (c) through (o) of this provision.

(a) *Definitions.* As used in this provision—

“Economically disadvantaged women-owned small business (EDWOSB) concern” means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of

**REVISED PROPOSAL SUBMISSION INSTRUCTIONS FOR PAGE 13 OF THE SOLICITATION**