



United States Department of

Health & Human Services

Office of the Assistant Secretary for Preparedness and Response



Contract Modifications

By: Brendan Miller



A Short Introduction to Contracting



“Because only one thing counts in this life
– get them to sign on the line which is
dotted.”

-Alec Baldwin, “Glengarry Glen Ross”

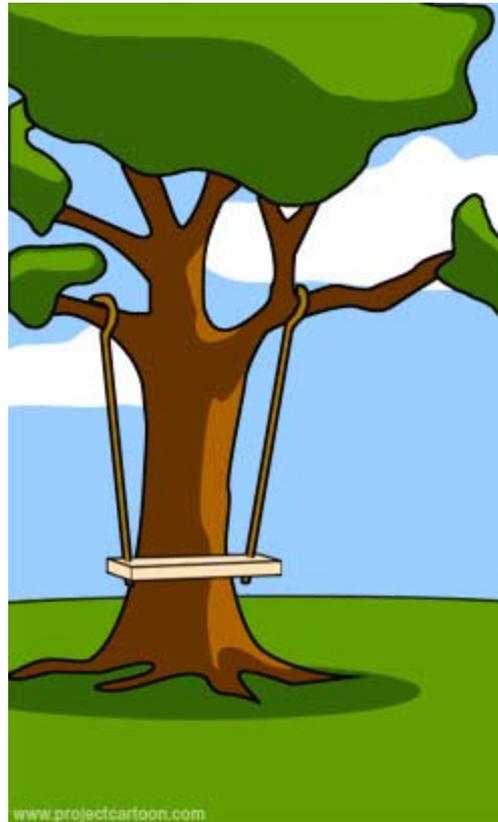
Establish the Requirement



How the Government described it.

Solicit the Requirement

How industry understood it.

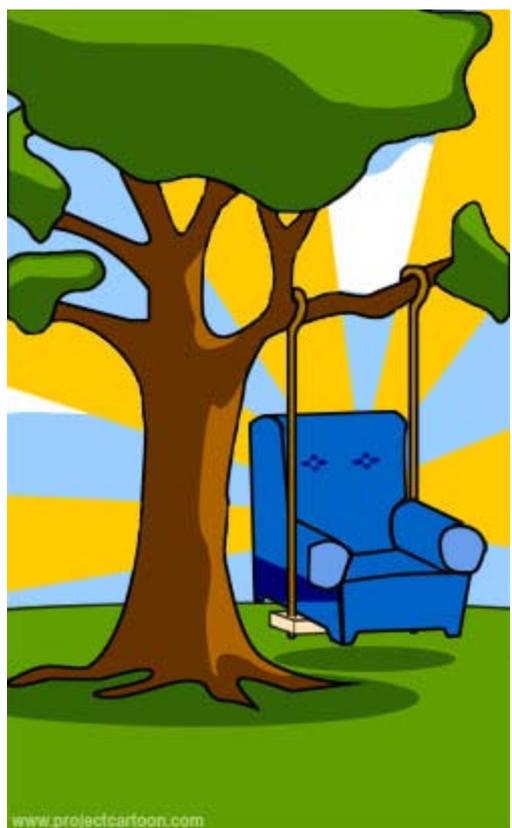


Review the Proposals

What the winning contractor proposed.



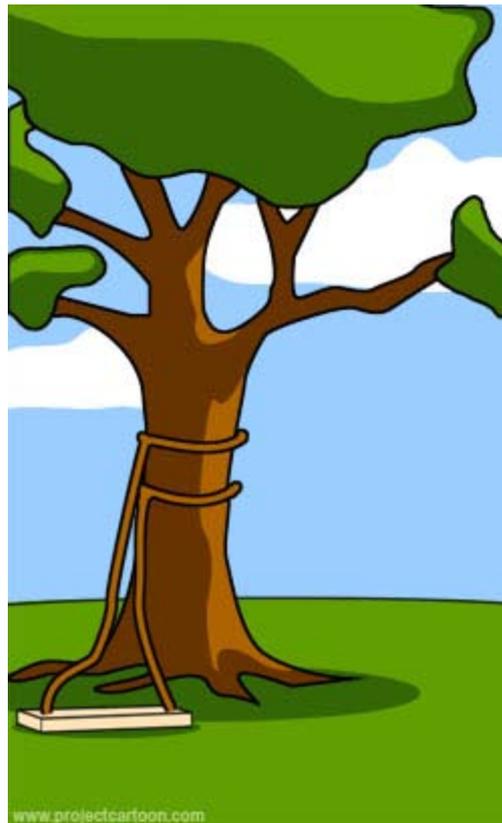
Make Award



What the government thought it was getting.

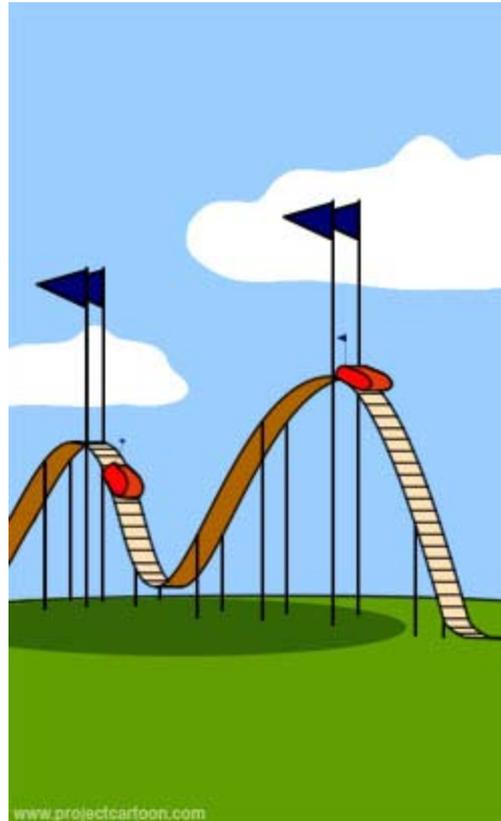
Administer the Contract

What the contractor delivered.



Pay the Invoice

What the contractor billed.



The Requirement



What the government wanted.



What is a Contract Modification



A contract modification is a written change in the terms of the contract.

Must be within the original scope of the contract.

Depending on what is being modified, modifications can be either Unilateral or Bilateral (FAR 43.103)

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT					1. CONTRACT ID CODE	PAGE	OF	PAGES
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (if applicable)		
6. ISSUED BY				CODE		7. ADMINISTERED BY (if other than Item 6)		
				CODE				
8. NAME AND ADDRESS OF CONTRACTOR (No. , street, county, State and ZIP Code)						<input checked="" type="checkbox"/> 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								
<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 THE 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. BY 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 <input type="checkbox"/> is not, <input type="checkbox"/> 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/contact subject matter where feasible)								
<small>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.</small>								
15A. NAME AND TITLE OF SIGNER (Type or print)						16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
15B. CONTRACTOR/OFFEROR			15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
(Signature of person authorized to sign)					(Signature of Contracting Officer)			
<small>NEN 7540-01-152 8070 Previous editions obsolete</small>						<small>STANDARD FORM 30 (REV. 10-83) Prescribed by GSA, FPMR (48 CFR) 101-11.6</small>		



Modification types



Unilateral

- Signed only by the Contracting Officer

Purpose

- To make admin. changes to the contract
- To issue a change order
- To make changes authorized by other clauses (eg: Exercising an option)
- To issue termination notices

Bilateral

- Signed by Contractor and Contracting Officer

Purpose

- Make negotiated equitable adjustment resulting from issuing change order
- Definitize Letter Contracts
- Reflect other agreements of the parties modifying the terms of the contract



Roles in Modifications



CO

Authority to negotiate and sign the modification for the change in terms to the contract for the Government.

COR

Authority to recommend a change in the terms of the contract to CO. Will technically evaluate proposal submission for modification from the contractor.

Contractor

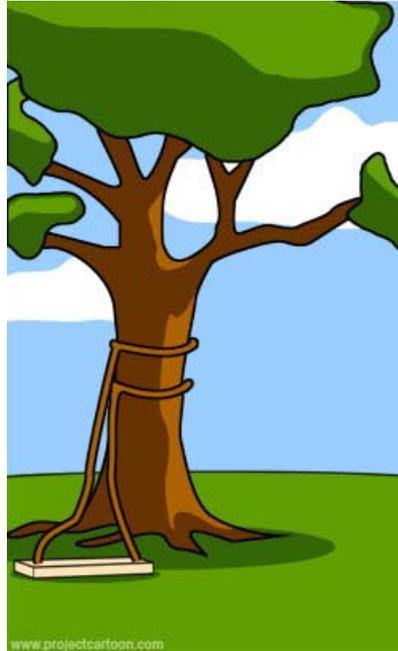
Shall inform CO when they have been instructed to perform work outside the contract scope. Also responsible for submitting proposals for contract modifications.

Why issue a modification?

To prevent turning:



into



and
costing

