

05

US Department of Commerce

NIST-NATL INST OF STDS & TECHN
 100 BUREAU DRIVE
 GAITHERSBURG, MD 20899-0001

ACCEPTANCE NOTIFICATION

Date
 09 NOV 2009

Your Reference Number
 MOD 03

To

CONSUMER PRODUCT SAFETY COMMISSION
 DIVISION OF PROCUREMENT SERVICES
 4330 EAST WEST HWY
 RM 517
 BETHESDA, MD 20814-9932

Agency Reference No
 CFSC-I-08-0017-003-000

Please refer to this number in future communication with this agency

The Agreement referenced above is:

Accepted
 Rejected

Estimated costs this order/modification

\$ 45,000.00

Period of Performance
 05-SEP-2008 To 31-AUG-2010

Advance Required: Yes

Fiscal Year and Amount	
2008 \$	91,000.00
2009 \$	110,000.00
2010 \$	45,000.00
Total Agreement Amount: \$ 246,000.00	

Remarks and Attachments:

THIS ORDER IS ACCEPTED IN ACCORDANCE WITH NIST STATUTORY AUTHORITY (15 USC 271-278E). THE AMOUNT STATED IS THE ESTIMATED COST. FINAL CHARGES WILL BE BASED ON ACTUAL COSTS INCURRED WHICH INCLUDE DIRECTLY RELATED EXPENSES AND APPROPRIATE CHARGES FOR INDIRECT AND ADMINISTRATIVE EXPENSES (15USC278b(e)). AS DETERMINED THROUGH THE NIST COST ACCOUNTING SYSTEM. IN THE EVENT THE ESTIMATED AMOUNT IS NOT SUFFICIENT TO COMPLETE THE WORK OR IF EXCESS FUNDS APPEAR TO BE AVAILABLE FOR RETURN, YOU WILL BE ADVISED AS EARLY AS POSSIBLE.

PLEASE ADVANCE FUND TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY WORKING CAPITAL FUND (13X4650). NIST IS AUTHORIZED TO REQUIRE AN ADVANCE TO ITS WORKING CAPITAL FUND BY 15 USC 275a.

NIST IS BILLING THRU THE IPAC SYSTEM.

ATTN: DODIE KESSLER

Customer Approval:

Name: _____

Title: _____

Date: _____

Phone: _____

NOT APPLICABLE

Performing Agency Approval:

Name: John Quick

Title: JOHN QUICK
Finance Operations Manager

Date: 11/10/09

Phone: _____

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. 0003		3. EFFECTIVE DATE 11/05/2009		4. REQUISITION/PURCHASE REQ. NO. REQ-4400-10-0001	
5. PROJECT NO. (if applicable)		6. ISSUED BY CODE FMPS		7. ADMINISTERED BY (if other than item 6) CODE FMPS	
CONSUMER PRODUCT SAFETY COMMISSION DIV OF PROCUREMENT SERVICES 4330 EAST WEST HWY ROOM 517 BETHESDA MD 20814			CONSUMER PRODUCT SAFETY COMMISSION DIV OF PROCUREMENT SERVICES 4330 EAST WEST HWY ROOM 517 BETHESDA MD 20814		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ATTN JEFFREY W GILMAN PHD 100 BUREAU DRIVE MS-8802 GAITHERSBURG MD 20899-8602			(x) 9A. AMENDMENT OF SOLICITATION NO.		
CODE 929956050 FACILITY CODE			9B. DATED (SEE ITEM 11)		
			x 10A. MODIFICATION OF CONTRACT/ORDER NO. CPSC-I-08-0017		
			10B. DATED (SEE ITEM 13) 09/11/2008		

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 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) Net Increase: \$45,000.00
10 PS EXHR 4400 31100 253A

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.
	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:
X	D. OTHER (Specify type of modification and authority) AGREEMENT BETWEEN THE PARTIES

E. IMPORTANT: Contractor is not, 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.)

DUNS Number: 929956050
Modification No. 0003 is being issued to Interagency Agreement CPSC-I-08-0017 between CPSC and the National Institute of Standards and Technology (NIST) to provide additional funding for Task B as stated in Modification No. 0002.

Additional funds in the amount of \$45,000.00 are hereby provided.

Continued ...

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 CONTRACTOR (Type or print) JOHN QUICK Finance Operations Manager		18A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Donna Hutton	
15B. CONTRACTOR/OFFEROR <i>John Quick</i> (Signature of person authorized to sign)		18B. UNITED STATES OF AMERICA <i>Donna Hutton</i> (Signature of Contracting Officer)	
15C. DATE SIGNED 11/10/09		18C. DATE SIGNED 11/04/2009	

NAME OF OFFEROR OR CONTRACTOR
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
0001	<p>Discount Terms: Net 30</p> <p>Payment: CONSUMER PRODUCT SAFETY COMMISSION DIVISION OF FINANCIAL SERVICES 4330 EAST WEST HWY ROOM 522 BETHESDA MD 20814</p> <p>FOB: Destination</p> <p>Change Item 0001 to read as follows (amount shown is the obligated amount):</p> <p>NIST SHALL PROVIDE TECHNICAL SUPPORT AND LABORATORY SERVICES FOR EVALUATING THE FLAMMABILITY OF MATTRESS SETS.</p> <p>ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.</p>	1	EA	246,000.00	45,000.00



INTERAGENCY AGREEMENT

BETWEEN THE

U.S. CONSUMER PRODUCT SAFETY COMMISSION

AND THE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

**CPSC-I-08-0017 Modification 3
(10/26/2009)**

Standard for the Flammability (Open-Flame) of Mattress Sets, 16 CFR Part 1633

V. CPSC FURNISHED MATERIALS/EQUIPMENT

CPSC will provide all test samples and staff to conduct testing for Section X, Task A, as described in CPSC-I-08-0017. NIST will provide staff for Section X, Task B.

X. SCHEDULE OF TASK COST AND PERFORMANCE

- B. Assessment of mattress tickings:** NIST will evaluate the parameters believed to have the largest impact on the fire hazard created by open flame ignition of tickings. These parameters will include the open flame burn through time, flame spread velocity, and thermal penetration. The NIST developed testing device will be used to assess these performance and attributes of approximately 60 tickings. This work is to be completed within 10 months.

Funding in the amount of \$110K has been provided using FY 2009 funds for the initial
IAG with NIST for Mattress Test Work (16 CFR Part 1633)
CPSC-I-08-0017 Modification 3

1 of 2

period of performance.

Additional funds in the amount of \$45K using FY 2010 funds will be provided.

Additional funds for this task or for completion of additional tasks may be provided as funds become available.

CPSC agrees to allow NIST to make adjustments as needed in the distribution of resources, as long as the total cost of the project is not increased and the project objectives are all met.

Funds for assessing the open-flame flammability of mattress tickings using a small-scale test method, technical/staff support, samples, and laboratory services and apparatus.	\$110,000
Additional funds to complete above task	\$45,000

XI. FUNDING

Additional funding for the period November 1, 2009 - August 31, 2010 is provided in the amount of \$45,000 with CPSC FY-2010 funds to complete Task B under Section X.

CPSC 10 PS EXHR 4400 31100 253A