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Geoffrey A. Mack  
Acting Administrative Officer

### AMENDMENT NO. 04 (A04)

**A04 ISSUE DATE:** May 30, 2023  
**TO:** ALL PROSPECTIVE OFFERORS  
**IN REGARD TO:** RFP# DCSC-23-GSA-97  
OMB Circular A-123 Services  
**RFP CLOSE DATE:** Friday, June 2, 2023 by 2:00p EST

The above-mentioned solicitation is hereby amended as follows:

1. The close/submission date has been extended from Thursday, 06/01/2023 to Friday, 06/02/2023 by 2:00p EST
2. PLEASE NOTE: All proposal submissions MUST be submitted via email to Katrina J. Cypress at [katrina.cypress@dccsystem.gov](mailto:katrina.cypress@dccsystem.gov) and Grace Alao at [grace.alao@dccsystem.gov](mailto:grace.alao@dccsystem.gov)
3. See the attached Clarification Questions & Answers (Q&A) document

**\*\*ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED**

This amendment will be sent to only those offerors who received a copy of the solicitation. This amendment will also be posted on the District of Columbia Courts website. Offerors shall sign below and attach a signed copy of this amendment to each offer to be submitted to the Courts in response to the above-mentioned solicitation. Offers shall be emailed in accordance with the instructions provided in the original solicitation documents. This amendment, together with your offer must be received by the District of Columbia Courts no later than the date and time specified for offer submission. Revisions or price changes occasioned by this amendment must be received by the Courts no later than the date and time set for offer submission. Failure to acknowledge receipt of this amendment may be cause for rejection of any offer(s) submitted in response to the above-mentioned solicitation.

*Darlene D. Reynolds*

Darlene D. Reynolds, Contracting Officer

**This amendment is acknowledged and is considered a part of the above-mentioned solicitation.**

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title of Authorized Representative

\_\_\_\_\_  
Name of Firm

**Clarification Q1:**

I am reaching out to seek your guidance regarding the requirement of the Past Performance Evaluation (PPE) Form (Attachment J.8) for the "RFQ DCSC-23-GSA-97 - OMB Circular A-123 Services" opportunity. Our team encountered a challenge where our prime contractors are hesitant to provide the PPE due to their own interest in pursuing the same opportunity.

The situation poses a significant obstacle for small businesses like ours who are genuinely interested in participating in this opportunity but find it difficult to fulfill the requirement of providing three Past Performance Evaluation Form as mandated. While we acknowledge the importance of past performance in evaluating proposals, this restriction places small businesses at a disadvantage in the competitive bidding process.

**Clarification A1:**

1. DC Courts will allow the prospective offeror(s) to submit their proposal and provide any other past performance evaluations received, outside their current contractors.
2. DC Courts will allow prospective offeror(s) to describe their situation in writing and noting which company they served as a subcontractor. This document should be included with the PPE documentation.
3. DC Courts will allow the proposed offeror(s) who has served as a subcontractor to provide documentation that they are a small business, whether minority-owned, disadvantaged, female-owned, etc. This document should be included with the PPE documentation.
4. Lastly, the proposed offerors(s) MUST indicate there is no guarantee or implied notice that businesses that fall in this category will receive preferential points or consideration.

Furthermore, this process is being utilized to allow more inclusivity and diversity in soliciting potential contractors for this project solely.

The proposed offeror(s) should also consult their legal consultants for further consultation.

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**FOR YOUR SITUATIONAL AWARENESS (FYSA):**

*The U.S. Small Business Administration (SBA) recently promulgated [a final rule](#) addressing past performance ratings for small business joint venture members and small business first-tier subcontractors. The rule, went into effect on August 22, 2022, is an addendum to the implementation of requirements of the National Defense Authorization Act for Fiscal Year 2021 (2021 NDAA). The new rule should make it simpler for small businesses to get past performance credit for relevant work they performed as part of any joint venture or as first-tier subcontractors under certain contracts.*

*Specifically, in the situation of prime contracts with subcontracting plans, prime contractors will be required to provide past performance ratings, upon request, to first-tier subcontractors, as long as the first-tier subcontractor requests the ratings no later than 30 calendar days after the completion of the prime contractor's contract with the Government.*