

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. Contract ID Code _____ Page 1 of Pages 8

2. Amendment/Modification No. M016
 3. Effective Date Feb 9, 2009
 4. Requisition/Purchase Req. No. NTIA4700-9-07078
 5. Project No. (if applicable) _____

6. Issued By Code AJF60012
 U.S. DEPARTMENT OF COMMERCE/NOAA
 OFA/EXT CLIENTS ACQUISITION MGT D /OFA6
 1305 EAST-WEST HWY., 7TH FLOOR
 SILVER SPRING, MD 20910
 PAULINE JAFFE 301-713-0838 178
 7. Administered By (if other than item 6) Code
 SEE BLOCK 6

8. Name and Address of Contractor (No., Street, County, and Zip Code)
 INTERNATIONAL BUSINESS MACHINES Vendor ID: 00000832
 6710 ROCKLEDGE DRIVE DUNS: 835130485
 BETHESDA MD 208171834 CAGE: 3BXY7
 (X) 9A. Amendment of Solicitation No.
 9B. Date (See Item 11)
 X 10A. Modification of Contract/Order No. DG1335-07-CQ-0054
 10B. Date (See Item 13) Aug 15, 2007

Code _____ Facility Code _____

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 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)
 See Schedule \$ US 0.00

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACT/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 fourth 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) Mutual Agreement of the Parties
 E. IMPORTANT: Contractor is not, is required to sign this document and return 3 copies to the issuing office.

14. Description of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The above numbered contract is hereby modified to change the Consumer Responsiveness requirements under SLIN 0002AC titled Coupon Distribution and Consumer Responsiveness requirements under SLIN 0003AA titled Coupon Distribution.

As a result of this change, Contract Attachment J.5 IV-Service Level Standards (Table 3A-2) dated August 1, 2007 is hereby deleted in its entirety and replaced with the attached Service Level Standards (Table 3A-2), dated February 2, 2009.

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) MARYANNE MANZI, CONTRACTS MANAGER
 16A. Name and title of Contracting Officer (Type or Print) LINDA D. BRAINARD Contracting Officer 301-713-0820 131
 Linda.D.Brainard@noaa.gov
 15B. Contractor/Officer 15C. Date Signed 2-17-09 16B. United States of America
 16C. Date Signed 2/20/2009
 (Signature of person authorized to sign) (Signature of Contracting Officer)

There is no increase in the amount of the contract as a result of this modification.

SCHEDULE

Item No.	Supplies/Services	Quantity	Unit	Unit Price	Amount

The Service Level Standards listed the contract at Section J.5 IV, (Table 3A-2) dated August 1, 2007 is deleted in its entirety, and replaced with the following Service Level Standards dated February 2, 2009.

SECTION J
LIST OF ATTACHMENTS

J.5 IV - Service Level Stds. February 2, 2009

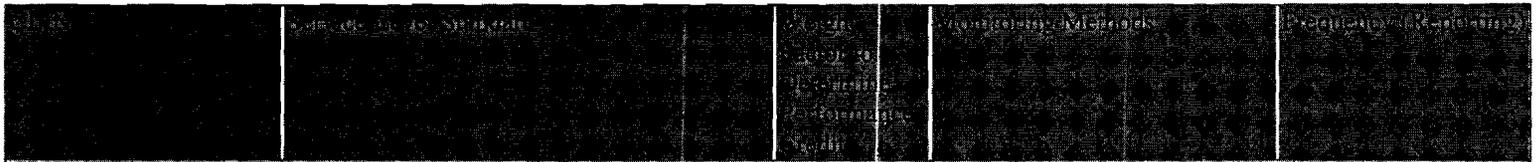
Table 3A-2: Service Level Standards

SLIN	Service Level Standard	Weight	Monitoring Method	Reporting Period
CLIN 0001 Startup and OCD Period				
SLIN0001AB Coupon Distribution	IBM's OCD will include an end-to-end test of the system for a limited number of coupon distribution transactions.	100%	Each coupon distributed is successfully reflected in the Dashboard.	NA
SLIN0001AC Coupon Redemption and Payment	IBM's OCD will include an end-to-end test of the system for a limited number of coupon redemption transactions.	100%	Each coupon redeemed is successfully reflected in the Dashboard.	NA
CLIN 0002 Operational Phase				
SLIN0002AA Consumer Education	Partner support at kick-off: Three partners supporting the campaign by the national kick-off event.	20%	A signed Letter of Agreement from the partnering organizations.	One time occurrence timed to the national launch of the campaign.
SLIN0002AA Consumer Education	Partner support at mid-point: An additional three partners supporting the campaign at the operational phase mid-point.	20%	A signed Letter of Agreement from the partnering organizations.	One time occurrence at the half way between national launch date and February 17, 2009.
SLIN0002AA Consumer Education	Media impressions: Two million media impressions per quarter.	40%	Weekly media log including estimated impressions based on information from Factiva media database, VMS and other independent media monitoring services as necessary.	Quarterly beginning at time of national launch event.
SLIN0002AA Consumer Education	Content of media stories: Web site and/or phone number in 25 percent of media coverage	20%	Weekly media monitoring based on information from Factiva media database, VMS and other independent media monitoring services as necessary.	Quarterly beginning at time of national launch event.
SLIN0002AC Coupon Distribution	Adherence to Live Support Hours of Operation: Consumer Service Center will be operational 99.5 % of all planned hours of operations (24x7) within a calendar month, with the exception of scheduled downtime and pre-approved downtime for maintenance activities.	10%	Hours of Operation are measured as any time that a Customer Service Representative is tracked in the telephony technology as logged in to the telephones. Call Center Suite Reporter Pro generates reports indicating telephony usage on a real-time and historical basis.	Monthly
SLIN0002AC Coupon Distribution	Consumer Responsiveness: 100% of calls will be answered by the IVR in less than 20 seconds.	10%	Call Center Suite Reporter Pro generates reports indicating telephony usage	Monthly

			on a real-time and historical basis..	
SLIN0002AC Coupon Distribution	Coupon Distribution: 98% of coupon requests will be fulfilled within 10 business days (between coupon request and coupon issuance), remainder will be fulfilled within 15 business days.	10%	Consumer Service database tracks the total volume of coupons requested and issued. Monthly metrics report will include the distribution of time for coupons issued.	Monthly
SLIN0002AC Coupon Distribution	Coupon Contingency Alert: Provide NTIA an immediate, official notice that requires client receipt and signature when the Program's Total Coupon Funding Spent, calculated as the total value of issued, unexpired coupons plus the total value of all redeemed coupons, is equal to or greater than 80 % of the \$890 Million defined contingency threshold. Once the threshold is reached, NTIA receives daily coupon value reports.	10%	Consumer Service database tracks the total volume of coupons issued and not expired and the volume of coupons redeemed. The NTIA Dashboard will monitor and report on the total value of redeemed, issued and unexpired coupons in the coupon funds management Dashboard report.	One-time occurrence. Any month where this alert is not applicable, IBM will receive full credit.
SLIN0002AC Coupon Distribution	Consumer Coupon Validation: 100 % of all consumer coupon requests are reviewed against NTIA program rules for household eligibility.	20%	Coupon validation is measured monthly by auditing a subset (typically 3%) of the coupon transactions. The IBM Team has not met this SLA for the month if any of the audited coupons do not meet the validation requirements.	Monthly
SLIN0002AC	Coupon Mailing and Activation: 99.8 % of validated coupon requests by eligible households are mailed to the correct U.S. consumer household.	20%	USPS postage paperwork confirms mailing counts and addresses, providing independent validation of activated coupons mailed.	Monthly
SLIN0002AC Coupon Distribution	Consumer Information Website Availability: Consumer website is available and functioning for public access 99.5 % of the 24 hours and 7 days of operation excluding regularly scheduled downtime and pre-approved downtime for maintenance activities.	10%	Actual uptime and expected uptime measured in minutes on a monthly basis measured using Web Watch Bot. Located outside IBM's network, this machine queries websites at predetermined intervals to test availability. Expected formula: Number of minutes in the reporting period – (regularly scheduled downtime + pre-approved downtime)/ Total possible operating minutes	Monthly
SLIN0002AC Coupon Distribution	Voice response unit availability: Interactive voice response unit is functioning and available for public access 99.5 % of the time, excluding regularly scheduled downtime and pre-approved maintenance activities.	10%	Actual uptime and expected uptime measured in minutes on a monthly basis measured and reported using Call Center Suite Reporter Pro. Expected formula: (Number of minutes in the reporting period	Monthly

			Measurement Method	Frequency/Reporting
			– (regularly scheduled downtime + pre-approved downtime)/Total possible operating minutes	
SLIN0002AC	TOTAL	100%		
SLIN0002AD Coupon Redemption and Payment	Retailer Certification : 100 % of coupons are redeemed by certified retailers only	20%	Monthly report will provide the count of redeemed coupons by certified retailer; the total of this will be compared with the total number of coupons redeemed. Any coupons authorized and reimbursed by non-certified retailers will result in this penalty being enacted.	Monthly
SLIN0002AD Coupon Redemption and Payment	Coupon Redemption Authorization Rate: The payment authorization engine will respond to 99% of all authorization requests within 3 seconds. The standard is consistent with credit card authorization standards. If the authorization request is unsuccessful, the retailer simply tries again.	20%	The Payment Authorization engine processes all coupon redemption authorizations and provides approval or denial within 3 seconds. This information is captured and reported by the Payment Authorization Engine.	Monthly
SLIN0002AD Coupon Redemption and Payment	Coupon Redemption Validation: 100 % of coupons are validated against NTIA program business rules before requesting settlement from the Treasury.	30%	Audit analysts will assess a sample of redeemed coupons to conduct a post-settlement audit to confirm that each coupon was redeemed at a valid retailer, is an actual valid coupon, is redeemed for the \$40 value, and has a valid SKU number. The IBM Team has not met this SLA for the month if any of the audited redeemed coupons do not meet the validation requirements.	Monthly
SLIN0002AD Coupon Redemption and Payment	Retailer Payment Processing Time: 99 % of retailer payment transactions that successfully pass the automated post-settlement audit will be sent to the Treasury for payment in 2 business days. The remainder will be processed within 5 business days.	20%	Coupon Redemption database records date when retailers request settlement, the date of authorization, and when the transaction is sent to the Treasury for settlement.	Monthly
SLIN0002AD Coupon Redemption and Payment	Authorization Unit Availability: Coupon authorization engine is functioning and available 99.5 % of the time (24x7) excluding regularly scheduled downtime and pre-approved maintenance activities.	10%	Actual uptime and expected uptime measured in minutes on a monthly basis measured using the Payment Authorization technology. Expected uptime formula: (Number of minutes in the reporting period – (regularly scheduled downtime + pre-approved downtime))/Total	Monthly

				possible operating minutes	
SLIN0002AD	TOTAL		100%		



CLIN 0003 Contingent Plan				
SLIN0003AA Coupon Distribution	Same as SLIN0002AC.	Same as SLIN0002A C	Same as SLIN0002AC	Same as SLIN0002AC
SLIN0003AA	TOTAL	100%		
SLIN0003AB Coupon Redemption and Retailer Payment	Same as SLIN0002AD	Same as SLIN0002A D	Same as SLIN0002AD	Same as SLIN0002AD
SLIN0003AB	TOTAL	100%		