

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES	
			J	1	3
2. AMENDMENT/MODIFICATION NO. 0001	3. EFFECTIVE DATE 08-Oct-2004	4. REQUISITION/PURCHASE REQ. NO. W13G86-4201-0136		5. PROJECT NO.(If applicable)	
6. ISSUED BY U S ARMY ENGR DISTRICT, NEW ENGLAND 696 VIRGINIA RD CONCORD MA 01742-2751	CODE W912WJ	7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)			X	9A. AMENDMENT OF SOLICITATION NO. W912WJ-04-B-0014	
			X	9B. DATED (SEE ITEM 11) 17-Sep-2004	
				10A. MOD. OF CONTRACT/ORDER NO.	
				10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE		11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS		
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer 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)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
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:					
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/contract subject matter where feasible.) This amendment is issued to revise various specifications sections and to provide answers/clarifications to questions received.)					
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)		
			TEL: _____ EMAIL: _____		
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 08-Oct-2004	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

AMENDMENT OF SOLICITATION W912WJ-04-B-0014

1.1 CHANGES TO SOLICITATION OFFER AND AWARD

Bidding Schedule: See the "Note" at the bottom of the schedule. Delete the reference "(EFAR 12.212-5001)" and insert "(EFAR 52.211-5001)" in its place.

1.2 CHANGES TO SPECIFICATIONS

1) Section 00800. Delete Article 1.9 and insert the following in its place:

"1.9 VARIATIONS IN ESTIMATED QUANTITIES — SUBDIVIDED ITEMS (MAR 1995) — EFARS 52.211-5001

This variation in estimated quantities clause is applicable only to Item Numbers 0002, 0003, and 0004

(a) Variation from the estimated quantity in the actual work performed under any second or subsequent sub-item or elimination of all work under such a second or subsequent sub-item will not be the basis for an adjustment in contract unit price.

(b) Where the actual quantity of work performed for Item Numbers 0002, 0003, and 0004 is less than 85% of the quantity of the first sub-item listed under such item, the contractor will be paid at the contract unit price for that sub-item for the actual quantity of work performed and, in addition, an equitable adjustment shall be made in accordance with the clause FAR 52.211-18, Variation in Estimated Quantities.

(c) If the actual quantity of work performed under Item Numbers 0002, 0003, and 0004 exceeds 115% or is less than 85% of the total estimated quantity of the sub-item under that item and/or if the quantity of the work performed under the second sub-item or any subsequent sub-item under Item Numbers 0002, 0003, and 0004 exceeds 115% or is less than 85% of the estimated quantity of any such sub-item, and if such variation causes an increase or a decrease in the time required for performance of this contract the contract completion time will be adjusted in accordance with the clause FAR 52.211-18, Variation in Estimated Quantities."

2) Section 02325, DREDGING. a) Article 1.4, SUBMITTALS. Delete the submittal requirement for Inspection of Disposal in its entirety.

b) Article 1.11, INSPECTION OF DISPOSAL. Delete this Article in its entirety.

c) Article 3.1.3. Delete the second sentence and insert the following in its place: "The anticipated maximum distance the dredged material will have to be transported should not exceed 7,200 feet."

The following are clarifications/answers to questions received:

1. Has the government identified a staging area that could be used by the contractor to park, store equipment, launch equipment, establish a field office for the contractor, and establish a field office for the contracting officer?

A site will be determined at the pre-construction conference prior to commencing work.

2. Do liquidated damages apply to periods where the contractor is shut down due to permit conditions?

All permit conditions are in the contract documents and are therefore enforceable. If the contractor is not in compliance with the contract and is shut down, liquidated damages may apply when the time period allowed for completion of the contract is over. However, if the contractor were shut down due to permit conditions that arise out of his control, then liquidated damages would not apply.

3. Does the time for completion apply to periods where the contractor is shut down due to permit conditions?

Permit conditions are in the contract documents. If the contractor violates the conditions and is shut down, no additional time will be added to the contract. However, if the contractor were shut down due to permit conditions that arise out of his control, then additional time would be permitted within the boundaries of permit conditions.

4. If the notice to proceed is not issued on time for the contractor to complete the work between the September 1st through March 1st permit window- the contractor will have to demobilize and return to the job site the following fall. Will the contractor be entitled to a second mobilization/demobilization payment if he/she must remobilize due to no fault of his or her own?

(See also questions 2&3). By submitting a bid, the offeror accepts and agrees to perform the work within the prosecution period specified in the contract, including the work to be performed within the permit window.

END OF AMENDMENT NO. 0001