

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE <b>J</b>	PAGE OF PAGES <b>1   9</b>
2. AMENDMENT/MODIFICATION NO. <b>0001</b>		3. EFFECTIVE DATE <b>06-May-2004</b>	4. REQUISITION/PURCHASE REQ. NO. <b>W13G86-3329-0542</b>		5. PROJECT NO.(If applicable)
6. ISSUED BY U S ARMY ENGR DISTRICT, NEW ENGLAND 696 VIRGINIA RD CONCORD MA 01742-2751		CODE <b>W912WJ</b>	7. ADMINISTERED BY (If other than item 6) <b>See Item 6</b>		
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				<input checked="" type="checkbox"/> X	9A. AMENDMENT OF SOLICITATION NO. <b>W912WJ-04-R-0009</b>
				<input checked="" type="checkbox"/> X	9B. DATED (SEE ITEM 11) <b>13-Apr-2004</b>
					10A. MOD. OF CONTRACT/ORDER NO.
					10B. DATED (SEE ITEM 13)
CODE		FACILITY CODE			
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>					
<input checked="" type="checkbox"/> X 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"/> X is not extended.					
<p>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:</p> <p>(a) By completing Items 8 and 15, and returning <u>2</u> 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.</p>					
12. ACCOUNTING AND APPROPRIATION DATA (If required)					
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>					
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.) Amendment necessary to provide answers/clarifications to questions received and to revise various sections of the Request for Proposal.					
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		15C. DATE SIGNED	16B. UNITED STATES OF AMERICA		16C. DATE SIGNED
(Signature of person authorized to sign)			BY _____ (Signature of Contracting Officer)		06-May-2004

EXCEPTION TO SF 30  
APPROVED BY OIRM 11-84

30-105-04

STANDARD FORM 30 (Rev. 10-83)  
Prescribed by GSA  
FAR (48 CFR) 53.243

## SECTION SF 30 BLOCK 14 CONTINUATION PAGE

## SUMMARY OF CHANGES

**The following are answers/clarifications to questions received:**

**Q1. Section H, Item 17 Security Clause – Foreign Nationals (page 80)**

RFP indicates “Contractor shall submit to USACE New England Division – Contracts Branch, the names of all foreign nationals proposed for performance under this contract/task order, along with documentation to verify that he/she is legally admitted into the United States and has authority to work and/or go to school in the United States.”

Is our assumption correct that this information does not need to be submitted with our proposal, but rather after notification of contract award? If it does need to be submitted with the proposal, where should the required information be included?

**A1.** The assumption is correct. The information required in this clause does not need to be submitted until after the contract is awarded.

**Q2. Section L, Factor 4, Volume 4 – Cost, Paragraph F (page 123)**

RFP states, “F. The project pricing data will be submitted in the form of Charts 1A, 1B, and 2 (see Section J, Attachment 1, for blank charts and a sample) and the attachments called for by the charts. The project pricing data required in the cost proposal (from the prime and all subcontractors or team members whose involvement in any task order on either a cost reimbursable or fixed price basis is 10% or more) are as follows.”

Discrepancy appears in Section J, Attachment 1, Notes for Chart 1A and 1B, last sentence on page 2 states, “Charts 1A, 1B, and attachments are to be provided by each offeror for the prime and all subcontracts anticipated to participate in this contract on a cost reimbursable basis.”

Please clarify the apparent discrepancy in which team subcontractors are required to complete Chart 1B.

Should the requirement to be modified to require Chart 1B to be completed only for Team subcontractors whose involvement in the total contract will be 10 percent or more of the total effort (whether on a fixed price or cost reimbursable basis).

**A2.** Please see revised Factor 4, Cost. Paragraph F of Section M

**Q3. Factor 2, Volume 2 – Past Performance and Experience, Subfactor 2A Past Performance, Paragraph 1 (Page 118)**

The government states, "This questionnaire shall be completed by the offerors five (5) most recently completed and relevant government or private contracts or task orders at least 90% physically completed by the offeror, as a prime contractor..."

It is our interpretation that the "offeror" is the Prime Contractor as a single entity rather than the Prime and Team subcontractors. Is this correct?

**A3.** It is up to the offeror to make the determination as to what past performance information should be submitted.

**Q4. Section J, Attachment 1, Chart 1B – RAC**

Chart 1B, Labor/Field Office table headers are inconsistent in column five, switching between Home Office and Field Office. Please clarify/correct.

**A4.** A revised Chart has been provided/attached as part of this amendment.

**Q5. Section J, Attachment 1 – Notes for Charts 1A and 1B, Note 8**

RFP instructs the offeror to "List the direct labor hourly rates for craft personnel shown...at a minimum craft personnel must be compensated in accordance with Davis-Bacon/Service Contract Acts criteria...and the contract shall also note actual Fringe Benefit."

To comply with these instructions, a Wage Determination No. from the Division of Wage Determinations would need to be assigned to the solicitation. Please clarify. Also, please define and qualify the Craft Labor job titles: Equipment Operator, Laborer, and Truck Driver so that a labor rate can be provided without the Wage Determination.

**A5.** Offeror shall provide wage and fringe data that is representative of similar work that offeror has performed in the region. Offeror shall provide data regarding labor job titles that is representative of staff that offeror has utilized for similar work that offeror has performed in the region. No Department of Labor Wage Determination will be provided.

**Q6. Section J, Attachment 3 – Listing of Anticipated Contract Management Procedures**

We assume that CMP No. 2, Small and Small Disadvantaged Business Subcontracting Plan, should be deleted from this listing since this is a Small Business Set-Aside. Please confirm.

**A6.** No, a formal Small business Subcontracting Plan is not required, however, CMP No. 2 will address if and how firms plan to subcontract.

**The following changes to the Request for Proposal are as follows:**

**SECTION J, LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS.**

Attachment 1 – Charts for Cost Proposal (Chart 1A, 1B, & 2) including notes.

Delete Chart 1B - Labor/Field Office previously transmitted as part of the Request for Proposal and insert the revised Chart 1B - Labor/Field Office attached in this amendment.

**SECTION H, SPECIAL CONTACTING REQUIREMENTS**

Paragraph 3, ORDERING PROCEDURES. Delete subparagraphs a through g in their entirety and replace with the following:

“ a. As the needs of the Government are determined, a decision will be made as to which of the contracts is more appropriate. The Government intends to compete task orders between the small business, 8(a) and HubZone firms and make a selection that represents the best value to the Government. The Contracting Officer will use broad discretion during this determination, and may consider the following factors:

- 1) Past performance or earlier task orders issued under the contracts;
- 2) Quality of Work
- 3) Cost Control
- 4) Safety
- 5) Specialty experience/technical capability
- 6) Prior site knowledge
- 7) Equitable distribution of work between both contracts
- 8) Available contract capacity
- 9) Other factors the Contracting Officers deems relevant.

b. Once determination is made regarding which contract, the Contracting Officer or authorized representative will notify the selected Contractor of an existing requirement through the issuance of a Request for Proposal letter (to include the scope of work and any site specific Special Contract Requirements required for submission with the Contractor's proposal documents).

c. The Contractor shall then prepare and submit his proposal for accomplishing the task. The proposal provided by the Contractor will be used to establish the Contractor's capability to perform the work and as a basis for negotiation of estimated costs and fees, as appropriate. The proposal shall provide a detailed breakdown of all items and associated costs anticipated during execution of the task order. The proposal shall be divided into Direct Cost (furnish a detailed breakdown on man-hour basis), Overhead on Direct Costs, General and Administrative Overhead on Direct Costs, Material Costs (furnish a detailed breakdown) and Travel. Where the proposal includes cost reimbursement estimated costs for procurement of materials, equipment, subcontracts or storage/treatment/disposal facilities, the Contractor shall provide at least three quotes showing sources contacted as well as prices and conditions quoted.

d. The time set for the receipt of proposal for each Task Order will be identified in each Request for Proposal letter.

e. Upon receipt of the Contractor's proposal, the Government will review the proposal documents for adequacy and completeness. The Government will then negotiate with the Contractor the proposed effort, price, any necessary site specific Special Contract Requirements, estimated costs and fees, and the performance time required for the individual Task order.

f. Task orders will then be issued by the Contracting Officer using a DD Form 1155. Each Task order will include the following information as a minimum:

- Date of task order.
- Contract number and task order number.
- Task order estimated cost and fees.
- Task or performance requirements.
- Accounting and appropriation data.
- Scope of work.
- Any other pertinent information.

g. The task order will be signed by both contracting parties.

h. The Contracting Officer may at any time, prior to award of the task order, determine that it is not in the best interest of the Government to issue said order to the Contractor. No liability (except the guaranteed minimum amount identified in Section B of this solicitation, Offer and Award document) will accrue to the Government without issuance of a Task order.”

## **SECTION L, INSTRUCTIONS, CONDITIONS AND NOTICES TO OFFERORS.**

1) FACTOR 1. VOLUME 1 – BUSINESS/NAAGEMENT/TECHNICAL APPROACH. Sub Factor 1A Business/Management Approach Element 1A(1). The following Sub Element has been added:

“Sub Element 1A(1)c Small Business Participation

Describe your approach to utilizing small business team members/subcontractors so that socioeconomic categories are represented. It is important that all contractual arrangements include small, small disadvantaged, women-owned small, and HUBZone business participation to the maximum extent. The goal of the Government is to enhance the development of small, small disadvantaged, women-owned small, and HUBZone business regardless of the type of organizational approach.”

2) FACTOR 3. VOLUME 3 – OPERATIONAL MANAGEMENT PLAN. Delete Factor 3 including all subfactors and replace with the following:

**“FACTOR 3**

**VOLUME 3 - OPERATIONAL MANAGEMENT PLAN**

**Subfactor 3A Management Information System (MIS)**

MIS requirements are specified in Section H of this solicitation. The offeror shall include the following information in the proposal:

- Description of the MIS capabilities regarding planning and scheduling, cost estimating, budgeting and accounting reports, technical and regulatory reports, submittals and other relevant data.
- The offeror's experience in operating the MIS.
- Describe how the offeror will integrate the cost accounting and labor system of major subcontractors/team members if cost reimbursement contracting is anticipated.
- Describe plans for providing the Corps with electronic access to MIS data.
- Describe the specific mechanisms and relationships that will be utilized to track productivity on a real-time basis.
- Describe the capability of the MIS to simultaneously track multiple task orders.
- Describe how cost control, including tracking subcontractor costs, on both fixed price and cost reimbursement subcontracts is achieved.
- Name and description of software, name of company that produce and provides updates for the software, and the hardware compatibility of the software.

**Sub factor 3B Small, Small Disadvantaged, Women-Owned and HUBZone Small Business Utilization**

It is important that all proposed teaming arrangements include Small, Small Disadvantaged, Women-Owned, and HUBZone Small Business participation to the maximum extent. The proposed small and disadvantaged firms must be qualified in their own right or be incorporated into the teaming arrangement in a manner to assure positive and long-term training for the firm(s) included. The goal of the government is to enhance the development of small and disadvantaged firms regardless of the type of teaming arrangement. The proposal should indicate the exact nature and extent of small and disadvantaged business in the teaming arrangement.

- (1) Discuss small business relationship i.e., Joint Venture Member, prime subcontractor, prime second tier subcontractor, etc. to the offeror.
- (2) Discuss the hazardous waste remediation related work elements that will be provided by small business team members/subcontractors under the contract.
- (3) Discuss any on the job training programs the offeror plans to implement to enhance the development of participating small businesses.

- (4) Describe any proposed actions to be taken for identifying further subcontracting opportunities with small business during the term of this contract.
- (5) The name of the individual employed by the offeror who will administer the offeror's small business program and a description of the duties of the individual.

### **Sub factor 3C Acquisition Management Plan**

#### **Element 3C(1) Purchasing System**

Discuss your purchasing system and the procedures for the acquisition and control of equipment, supplies, material, and labor resources. Discuss how you assure that equipment, supplies, material, and labor resources will be available when they are required. Discuss how competition and best value will be achieved. Discuss Government approval of your Purchasing System and if approved, by which agency and contract.

#### **Element 3C(2) Management of Subcontracts**

Describe your plan for managing subcontracts and explain how these activities will be integrated and coordinated with other remediation activities including those performed by your own forces. For the purposes of this section, subcontracts include all procurement activities to be accomplished by the offeror in support of this contract. Indicate your ability through description of past performance on Government contracts to schedule and conduct required procurement in accordance with Government policies and procedures.

### **Sub factor 3D Overall Management Plan**

The offeror shall provide a management plan for this contract that will indicate how the work will be controlled. The offeror shall describe the program management organization proposed. The organization description shall include any planning, recruiting, and staffing requirements for this project as well as the project management procedures that shall be applied to ensure successful completion of site-specific work requirements. The offeror shall describe the responsibilities and authorities granted to key personnel in the organization including, but not limited to, project managers, regulatory specialists, and project field superintendents.

3) FACTOR 4. VOLUME 4 – COST. Paragraph F. The second sentence is deleted in its entirety and replaced with the following:

“The project pricing data required in the cost proposal (from the prime and all subcontractors or team members whose involvement on either a cost reimbursable or fixed price basis is 10% or more of total contract) are as follows:”

## **SECTION M, EVALUATION FACTORS FOR AWARD**

Paragraph 5, EVALUATION FACTORS. Delete this paragraph in its entirety and replace in its entirety.

**“5. EVALUATION FACTORS**

Evaluation factors are listed below. All factors will be evaluated on the completeness, conciseness, and relevance of information provided. These factors are listed in descending order of importance, with cost being less important than technical. The closer the final technical evaluations are to one another, the greater will be the importance of cost realism factors in making the award determination.

**FACTOR 1 - BUSINESS / MANAGEMENT / TECHNICAL APPROACH (Volume 1)**

**Sub factor 1A: Business / Management Approach**

- (1) Organizational Approach**
  - a. Team Member Roles
  - b. Management Team
  - c. Small Business Participation
- (2) Managing Resources**
  - a. Staffing Plan
  - b. Technical Expertise
  - c. Equipment/Materials
  - d. Responsiveness

**Sub factor 1B: Remedial Action Capabilities**

- (1) Remedial Action Capabilities**
- (2) Health and Safety**
- (3) Chemical Data Acquisition/Management**

**FACTOR 2 - PAST PERFORMANCE AND EXPERIENCE (Volume 2)**

**Sub factor 2A: Past Performance**

- Quality of Product/Service
- Timeliness of Performance
- Cost Control
- Business Practices
- Customer Satisfaction
- Key Personnel
- Utilization and Management of Subcontractors/Team Members
- Safety

**Sub factor 2B: Personnel Experience**

- (1) Contract Management Personnel**
- (2) Project Management Staff**
- (3) Project Staff**
- (4) Technical Support Staff**

**Sub factor 2C: Company Experience**

- (1) Government Contracting Experience**
- (2) Complexity of Projects**

Sub factor 2D: Experience With Regulators

**FACTOR 3 - OPERATIONAL MANAGEMENT PLAN (Volume 3)**

Sub factor 3A: Management Information System

Subfactor 3B: Small, Small Disadvantaged, Women-Owned and HUBZone Small  
Business Utilization

Sub factor 3C: Acquisition Management Plan

(1) Purchasing System

(2) Management of Subcontracts

Sub factor 3D: Overall Management Plan

**FACTOR 4 - COST (Volume 4)''**

**ATTACHMENT**

**Chart 1B**

(End of Summary of Changes)



