

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. AM-0001	3. EFFECTIVE DATE 4/20/04	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)		
6. ISSUED BY CODE		7. ADMINISTERED BY (If other than Item 6)		CODE	
US Army Engineer District, Honolulu Corps of Engineers, Bldg S-200 Fort Shafter, HI 96858-5440 Contract Specialist: Kent Tamai					

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and Zip Code)		(x)	9A. AMENDMENT OF SOLICITATION NO. W9128A-04-R-0010
		X	9B. DATED (SEE ITEM 11) 3/31/04
			10A. MODIFICATION OF CONTRACT/ORDER NO.
			10B. DATED (SEE ITEM 13)
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 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)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/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 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 is not, 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.)

Multiple Award Task Order Contract (MATOC) for Design-Build Construction Services and Design-Bid-Build Construction Services, Various Locations, Hawaii

See Page 2 of 2 Pages

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
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)	

1. CHANGES TO THE SOLICITATION. Attached hereto are new and revised pages to the solicitation. The revision mark “(AM-0001)” is shown on each page.

a. REVISED PROVISIONS/CLAUSES/PAGES.

Following are revised pages to the solicitation. Changes are indicated in **bold** print. Although the entire sections are being re-issued under AM-0001, only the following pages/paragraphs/provisions/clauses changed in these sections.

Main Table of Contents (Sections 00900 and 01000 added)

Section 00120

Page 00120-1 (Section title corrected, paragraph 1.4 – “under” deleted)

Page 00120-3 (Paragraph 2.1.3 – corrected to “Section 00700”, RFP no. corrected to “W9128A-04-R-0010”)

Page 00120-8 (Paragraph 2.4.4 – “Quality Control Representative” – minimum contract requirement changed, “Quality Control Personnel” – added)

Attachment 1 (relevant projects period changed to “April 1998 and April 2004”)

Attachment 2 Page 1 of 3 (return evaluations address changed)

Attachment 2 Page 3 of 3 (heading “Project Data Sheet” deleted)

b. REVISED PROVISIONS/CLAUSES/PAGES.

Following is the revised page to the solicitation. Changes are indicated in bold print. The entire section will not be re-issued under AM-0001.

Section 00800

Page 00800-24 (SCR S-26.22 Notice of Partnering revised)

c. NEW PAGES.

The following pages are added to the solicitation.

Section 00900 – Pages A.1 through A.3

Section 01000 – Pages 01000-1 through 01000-11

2. The proposal due date of April 30, 2004, 2:00 P.M., Hawaii Standard Time, remains unchanged.

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REQUESTFOR PROPOSAL NO. W9128A-04-R-0010

MAIN TABLE OF CONTENTS

Multiple Award Task Order Contract (MATOC) for Design-Build Construction Services and Design-Bid-Build Construction Services, Various Locations, Hawaii

Section 00010	SF 1442 and Proposal Schedule
Section 00100	Instructions, Conditions, and Notices to Bidders
Section 00120	Proposal Submission Requirements and Evaluation Factors For Full and Open Competition
Section 00600	Representations & Certifications
Section 00700	Contract Clauses
Section 00800	Special Contract Requirements
Section 00900	RESPONSES TO QUESTIONS SUBMITTED BY PLANHOLDERS
SECTION 01000	DESCRIPTION OF WORK
Technical Specifications	

Notes to Offerors:

1. The Contractor is required to COMPLETE AND RETURN a hard copy of the following sections of this solicitation: SECTION 00010 (ALL), and SECTION 00600 (ALL) and all appendices. Also follow instructions in Section 00120.
2. See Section 00700, DFARS clause 52.204-7004, Required Central Contractor Registration (CCR) regarding registration in the CCR database. Lack of registration in the CCR database will make an offeror ineligible for award.

SECTION 00120

PROPOSAL SUBMISSION REQUIREMENTS
AND EVALUATION FACTORS

1.0 GENERAL

1.1. Cost of Preparing Proposals

The Government will not reimburse any Offeror any costs incurred in the preparation and submittal of an offer in response to this solicitation.

1.2. Inquiries

Address all inquiries regarding this Request for Proposals to:

U.S. Army Engineer District, Honolulu
Attn: Mr. Kent Tamai (CEPOH-CT-C)
Building S-200
Fort Shafter, Hawaii 96858-5440
Phone No. (808) 438-9700
Fax No. (808) 438-8588
E-Mail: kent.a.tamai@usace.army.mil

1.3 Submittal of Proposals

Submit proposal packages to the US Army Corps of Engineers ("the Government") as shown in Block 8 of Standard Form 1442.

Proposals received by the Government after the date and time set for receipt of proposals will be handled in accordance with the requirements of Provision "52.215-1, Instructions to Offerors—Competitive Acquisition (Jan 2004)," subparagraph (c), found in Section 00100.

1.4 Contract Award

The Government intends to award a minimum of three contracts to Offerors whose proposals have been determined to represent the best value to the Government, non-price and price factors considered. Award will be made to the Offerors whose proposals have the best non-price evaluation and the lowest price. However, if there are no Offerors meeting both these criterias, the Government intends to implement a "Best Value" process involving a cost-technical tradeoff process. In this case, awards may be made to other than the lowest price Offeror or other than the highest non-price-rated Offeror.

1.4.1 Proposal Evaluation

Numerical scores and other point-scoring techniques will not be used in the evaluation process. Each factor or subfactor will be rated on an adjectival rating system. The Government will evaluate offers in accordance with the NON-PRICE EVALUATION FACTORS described in paragraph 2.4 of this section and the offeror's proposed total price.

Offerors are advised that the Government intends to award without discussions.

Upon completing the evaluation of all proposals, the Contracting Officer will, in accordance with the provisions of this solicitation and applicable acquisition regulations, proceed to award without discussions. However, if discussions are determined necessary, the Contracting Officer will establish a competitive range and conduct discussions only with those Offerors within the competitive range. Upon conclusion of discussions, if necessary, the Contracting Officer will request final proposal revisions from the Offerors remaining in the competitive range and may, upon receipt of final proposal revisions, proceed to award a contract without further discussions or notice.

2.0 PROPOSAL FORMAT

2.1 General

Proposals shall be submitted in three (3) separate envelopes. Proposals shall be prepared in the English language.

2.1.1 Volume I, Non-Price Proposal

One envelope shall be clearly marked, "VOLUME I, NON-PRICE PROPOSAL FOR RFP NO. W9128A-04-R-0010." It shall contain an original and six (6) copies of the items provided in response to the Non-Price Factors listed in paragraph 2.3.

Proposals shall completely address the requirements of the RFP. Elaborate format, binders, special reproduction techniques, and the like are not necessary. However, the proposal shall be neatly organized and bound.

Information presented should be organized so as to pertain to only the evaluation factor in which section the information is presented. Information pertaining to more than one evaluation factor should be repeated in the tab for each factor.

2.1.2 Volume II, Price Proposal

The second envelope shall be clearly marked, "VOLUME II, PRICE PROPOSAL FOR RFP NO. W9128A-04-R-0010." It shall contain one original and two copies of the Offeror's completed Standard Form (SF) 1442, using a printed copy of the SF 1442 included in this solicitation.

Volume II shall also include the following:

- One original and two copies of Section 00010, Price Proposal Schedule. Indicate whether or not Facilities Capital Cost of Money is included in the Offeror's costs of performing the work. Proposals that state that Facilities Capital Cost of Money is not included, or proposals that do not address Facilities Capital Cost of Money, will be deemed to have waived Facilities Capital Cost of Money.
- One original and two copies (certified as a true copy) of the Offeror's executed joint venture agreement and identify the size status for each member of the JV (if the Offeror is a joint venture).
- One original and two copies of the Offeror's completed Section 00600, Representations and Certifications, using a printed copy of Section 00600 included in this solicitation.

- One original and two copies of the Offeror's completed, if applicable, SF LLL, Disclosure of Lobbying Activities, using a printed copy of the SF LLL included as Appendix A in Section 00600.
- One original and two copies of the offer guarantee in the form and amount that is required by the provision entitled "Penal Sum and Form of Offer Guarantee", in Section 00100 and other pertinent provisions and clauses in this solicitation.

2.1.3 Volume III, Subcontracting Plan (Large Business Concerns)

If the Offeror is a large business concern, the Offeror shall submit a subcontracting plan in accordance with FAR 52.219-9 (See Section 00700, Appendix A for a sample).

The third envelope shall be clearly marked, "VOLUME III, SUBCONTRACTING PLAN FOR RFP NO. **W9128A-04-R-0010**." Volume III will not be evaluated or rated. Only the selected Offeror's plan will be reviewed and must be approved prior to award of the contract.

2.1.4 Table of Contents

Proposal volumes shall be tabbed. Each of the proposal volumes shall include a Table of Contents that includes the title of the subject matter discussed therein and the page number where the information can be found. The volumes shall be organized in the same order described in paragraph 2.3 of this Section. Each evaluation factor and subfactor shall be separately tabbed. Proposals that are not correctly tabbed may be considered non-responsive.

2.2 Proposal Content

Proposals shall be in a narrative format, organized and titled so that each section of the proposal follows the order and format of the factors and subfactors set forth below in paragraph 2.4, "VOLUME I, NON-PRICE PROPOSAL".

Offeror is cautioned that "parroting" of the RFP requirements with a statement of intent to perform will not be construed to indicate that the Offeror understands the problem or is capable of solving it. The inclusion of "filler" material from previous proposals or commercial applications shall be avoided unless it has a direct application to the objective of this RFP.

Offeror shall include sufficient details in the proposal, and shall present the details in the same order in which they are requested in this Section to permit the Government to promptly, completely, and accurately evaluate the proposal from both a technical and a management standpoint. The Government will not make any assumptions concerning the Offeror's intent, capabilities, facilities, or experience. Clear identification of the pertinent details shall rest solely with the Offeror.

Legibility, clarity, coherence, and contents are important. Offerors shall not submit verbatim sections of this RFP as part of their proposal. Offerors that disregard these standards unnecessarily delay the evaluation process and may be rejected by the Government after initial evaluation without receiving any further consideration.

Any information, presented in a proposal that the Offeror wants safeguarded from disclosure to other parties must be identified and labeled in accordance with the requirements of Provision "52.215-1, Instructions to Offerors—Competitive Acquisition (Jan 2004)," subparagraph (e), which is found in Section 00100 of this solicitation. The Government will endeavor to honor the restrictions against release requested by Offerors, to the extent permitted under United States law and regulations.

The proposal must set forth full, accurate, and complete information as required by this solicitation. The Government will rely on such information in the award of a contract. By submission of an offer, the Offeror agrees that all items in its proposal (minimum qualifications for key positions, targets for utilization of eligible SDB concerns, etc.) will be enforced throughout the duration of the contract and any substitutions of any item will require prior approval of the Contracting Officer.

2.3 Evaluation Factors

All proposals will be evaluated on non-price and price factors. Offerors are required to provide data addressing all stated factors. If an Offeror does not have data relating to a specific factor, it shall be clearly stated. The Contracting Officer may use discretion in reasonably applying evaluation standards where Offerors provide information to explain or justify deviation from selection criteria listed in the solicitation. Offers that do not address all factors may be considered non-responsive and may not receive further consideration.

Non-price factors have equal importance. Subfactors of Factor IV are equal in importance. Non-price factors combined are significantly more important than price.

VOLUME I - NON-PRICE PROPOSAL

Factor I, Past Experience

Factor II, Past Performance

Factor III, Management Plan

Factor IV, Small Business Program

Subfactor A - Extent of proposed Small Business participation in the performance of the proposed contract.

Subfactor B - Past performance in complying with Small Business Subcontracting Plan goals.

VOLUME II - PRICE PROPOSAL

2.4 Volume I, Non-Price Proposal

Data provided in response to the non-price technical factors described below shall be included in Volume I, "Non-Price Proposal". All references to Offeror includes all proposed joint venture partners. All contractors in a joint venture must provide evidence of a binding teaming agreement or other contractual agreement, which creates legal responsibility on the part of all contractors in the joint venture. Information provided from potential sub-

contractors (not included in the joint venture) will not be considered or evaluated.

2.4.1 Relevant Projects

Relevant projects have construction awards above \$5M and were completed between April 1998 and April 2004. Relevant projects are also those in which the offeror was the prime contractor. Relevant projects includes areas such as civil, architectural, structural, mechanical, electrical, security, communications, asbestos removal and lead abatement. Examples of relevant projects include but are not limited to military training ranges, office buildings, barracks, warehouses, housing, hangars, road work, utilities, site improvements, etc.

Single or Multiple Award task order contracts, such as Job order Contracts, Indefinite Delivery, Indefinite Quantity Contracts, Multi-trade Contracts etc. are not considered relevant projects, even if the total value of the contract is over \$5M. However, an individual task order that exceeds \$5M may be considered as a relevant project.

2.4.2 Factor I, Past Experience

Offerors shall identify a maximum of 10 relevant Design-Bid-Build projects. Offerors shall also identify a maximum of 3 relevant Design-Build projects. Provide a Project Data Sheet (Attachment 1 to this section) for each of the projects identified. All requested information shall be provided. Failure to provide any of the requested data may be cause to eliminate a project from consideration in the evaluation.

2.4.2.1 Evaluation Standards

The Government will evaluate the project data sheets provided by the offerors. If more than 10 Design-Bid-Build projects are submitted, only the first 10 Design-Bid-Build projects identified in the proposal will be reviewed. Of those 10 projects only the relevant projects will be evaluated. If more than 3 Design-Build projects are submitted, only the first 3 Design-Build projects identified in the proposal will be reviewed. Of those 3 projects only the relevant projects will be evaluated. Therefore it is important that the offeror provide the right number of relevant projects in the proposal. Projects that are not relevant will not be considered in the evaluation.

Diverse general construction experience refers to the offeror's experience in managing various types of vertical construction, utilities, site work and hazardous waste/abatement as identified below:

- Civil construction such as, grading, water lines, sewer lines, paving/repaving roadways, sidewalks, parking lots, shore protection, stream bank stabilization, and dredging.
- Architectural construction such as, painting, roofing, renovation of interiors of existing buildings, new building construction.
- Mechanical construction such as, heating, ventilation, and air conditioning (HVAC) systems and components, refrigeration systems, fire suppression systems, material transport systems, automatic box conveyor systems, incinerators, fuel lines, elevators, escalators, dumb waiters, as well as plumbing systems including water, solid and hazardous waste control.

- Electrical construction such as, power and service supplies, distribution, and utilization systems (including lighting), power generators and uninterrupted power supplies (UPS). Instrumentation work may include but is not limited to, plant management systems using direct digital technology, public address systems and fire alarm systems. Communications such as telephone and information management systems.
- Security construction such as intrusion detection and surveillance systems.
- Asbestos, lead-based paint, and petroleum-contaminated material abatement and disposal.
- Structural systems.

Outstanding	<p>The Offeror provided at least 7 relevant Design-Bid-Build projects, 3 of which were constructed in Hawaii or contracted by an agency of the Department of Defense.</p> <p>And</p> <p>The Offeror provided 2 relevant Design-Build projects, at least 1 of which was constructed in Hawaii or contracted by an agency of the Department of Defense.</p> <p>And</p> <p>Projects identified shows the offeror has outstanding diverse general construction experience.</p>
Above Average	<p>The Offeror has provided at least 6 relevant Design-Bid-Build projects, at least 2 of which were constructed in Hawaii or contracted by an agency of the Department of Defense.</p> <p>And</p> <p>The Offeror provided at least 1 relevant Design-Build project, which was constructed in Hawaii or was contracted by an agency of the Department of Defense.</p> <p>And</p> <p>Projects identified shows the offeror has very good diverse general construction experience.</p>
Satisfactory	<p>The Offeror has provided at least 5 relevant Design-Bid-Build projects, at least 1 of which was constructed in Hawaii or contracted by an agency of the Department of Defense.</p> <p>And</p> <p>Projects identified shows the offeror has good diverse general construction experience.</p>
Marginal	<p>The Offeror has provided at least 4 relevant Design-Bid-Build projects</p> <p>And</p> <p>Projects identified shows the offeror has marginal diverse general construction experience.</p>
Unsatisfactory	<p>The projects provided by the Offeror are either not relevant or do not meet the Marginal requirements above.</p>

After the Government determines the rating (above) for each proposal, the Government will determine the relative strength of the proposals within each rating. Based on the projects submitted (up to 10 Design-Bid-Build projects and up to 3 Design-Build Projects) the Government will assign additional weight as indicated below:

- a. Additional weight will be given based upon the number of relevant projects submitted (up to 10 Design-Bid Build projects and up to 3 Design-Build projects).
- b. Additional weight will be given based upon the number of relevant projects that were contracted by an agency of the Department of Defense
- c. Additional weight will be given based upon the number of relevant projects that were constructed in Hawaii
- d. Additional weight will be given based upon the number of relevant projects that were Military Range construction projects
- e. Additional weight will be given based upon the number of relevant projects that were Army Military Range construction projects

Note: Military training range construction projects are permanent or semi-permanent facilities such as firing ranges, confidence courses, urban assault complexes and battle simulation centers. Examples of relevant military training range construction projects include but are not limited to Battle Area Complexes, Combined Arms Collective Training Facilities, Qualifications Training Ranges, Urban Assault Courses, Anti-Armor Training Range, Virtual Fighting Training Facilities, and Multi-purpose Training Ranges.

2.4.3 Factor II, Past Performance - General

Provide Past Performance Evaluation Sheets, (Attachment 2 to this section), to owners or the owner's representatives for all projects identified in Factor I, Past Experience. The Contracting Officer or his/her designated Representative shall fill out evaluations for Federal Government projects. Evaluations shall be submitted to the Point of Contact shown in subparagraph 1.2 of this section by the date and time set for receipt of proposals.

2.4.3.1 Other Evaluation Sources

In addition to the information provided above, the Government may obtain and evaluate additional past performance information from owners or owners representatives on other relevant projects completed by the offeror between April 1998 and April 2004. The Government may also obtain and evaluate existing past performance information on relevant projects completed between April 1998 and April 2004 from historical Government databases (CCAS, ACAS, etc.) or any other sources.

2.4.3.2 Evaluation Standards

Outstanding	None of the final performance ratings (including those from other evaluation sources) evaluated by the Government are less than Satisfactory and at least half are outstanding.
Above Average	None of the final performance ratings (including those from other evaluation sources) evaluated by the Government are less than Satisfactory and at least half are above average.
Satisfactory	None of the final performance ratings (including those from other evaluation sources) evaluated by the Government are less than Satisfactory.

Marginal	None of the final performance ratings (including those from other evaluation sources) evaluated by the Government are less than Marginal.
Unsatisfactory	At least one of the final performance ratings (including those from other evaluation sources) evaluated by the Government received an Unsatisfactory final performance rating.
Neutral	Offerors will not be rated favorably or unfavorably if the Offeror does not have a record of relevant past performance. However, an Offeror without a record of relevant past performance history may be considered less favorably than an Offeror with a favorable past performance history.

2.4.4 Factor III, Management Plan

1. Offerors shall identify the minimum qualifications for the key positions listed below. Do not provide resumes. Identify the minimum qualifications for each of the positions. Note: The Offeror's minimum requirements provided will be enforced throughout the life of the contract for current and future personnel occupying that position.

Key Personnel	Contract Section	Minimum Contract Requirement	Offeror's Minimum Requirement
Contract Quality Control System Manager	01451Q	5 years of experience in Quality Control on Department of Defense construction projects Employed by the Prime Contractor Completed "Construction Quality Management for Contractor's" course within the past 5 years	
Quality Control Representative	01451Q	Construction person with a minimum of 3 years experience in quality control on Department of Defense construction projects On site at all times and employed by the prime contractor	
Quality Control Personnel	01451Q	Civil - Graduate Civil Engineer with 2 year experience or technician with 5 years experience Mechanical - Graduate Mechanical Engineer with 2 years experience or person with	

		<p>5 years related experience</p> <p>Electrical - Graduate Electrical Engineer with 2 years related experience or person with 5 years related experience</p> <p>Structural - Graduate Structural Engineer with 2 years experience or person with 5 years related experience</p> <p>Architectural - Graduate Architect with 2 years experience or 5 years related experience</p> <p>Environmental - Graduate Environmental Engineer with 3 years experience</p> <p>Submittals - Submittal Clerk with 1 year experience</p> <p>Concrete, Pavements and Soils - Materials Technician with 2 years experience for the appropriate area</p> <p>Completed "Construction Quality Management for Contractor's" course within the past 5 years</p>	
Safety and Health Manager	01900Q	5 years of experience in safety on Department of Defense construction projects	
Design Quality Control Manager	01451Q	<p>Registered Professional Engineer or architect</p> <p>Verifiable engineering or architectural design experience</p>	
Military Range Consultant		<p>5 years of experience in the construction of military training ranges for the Department of Defense.</p> <p>Verifiable military range experience and expertise in:</p> <ul style="list-style-type: none"> a. Standard range layouts b. Range safety standards, including working in and around previous impact areas c. Targetry equipment interface and operations 	

		d. Army training doctrines	
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2.4.4.1 Evaluation Standards

Outstanding	The Offeror's minimum requirements exceeded the minimum contract requirements for all key positions identified above.
Above Average	The Offeror's minimum requirements met the minimum contract requirements for all key positions identified above, and exceeded the minimum contract requirements for at least two of the key positions And The Offeror's minimum requirements exceeded the minimum contract requirements for the military range consultant.
Satisfactory	The Offeror's minimum requirements met the minimum contract requirements for all key positions identified above And The Offeror's minimum requirements met the minimum contract requirements for the military range consultant.
Marginal	The Offeror's minimum requirements met the minimum contract requirements for most of the key positions identified above And The Offeror's minimum requirements met the minimum contract requirements for the military range consultant.
Unsatisfactory	The Offeror's minimum requirements did not meet the minimum contract requirements for most of the key positions identified above Or The Offeror's minimum requirements did not meet the minimum contract requirements for the military range consultant.

2.4.5 Factor IV, Small Business Program

Offerors shall submit data that demonstrate its use of Small Business Concerns for Subfactors A and B. Small Business Concerns (SB) include small disadvantaged businesses (SDB), women-owned small businesses (WOSB), HUBZone small businesses (HZ), veteran-owned small businesses (VOSB) and service disabled veteran-owned small businesses (SDVO).

2.4.5.1 Subfactor A - Extent of proposed Small Business participation in the performance of the proposed contract.

- Identify in terms of dollar value and percentage of the total proposed contract price, the extent of the work the offeror will perform as the prime contractor.
- If the offeror is submitting a proposal as a joint venture (JV), identify the size status of each member of the JV. Identify in terms of dollar value and percentage of the total proposed contract price, the extent of the work each member of the JV will perform.

- Identify in terms of dollar value and percentage of the total proposed contract price, the work to be subcontracted to SB, SDB, WOSB, HZ, VOSB, SDVO concerns, and if applicable, historically black colleges or universities/minority institutions (HBCU/MI).
- Identify in terms of dollar value and percentage of the proposed subcontract price, the work to be performed by SB, SDB, WOSB, HZ, VOSB, SDVO concerns, and if applicable, (HBCU/MI).
- Provide a list of SB, SDB, WOSB, HZ, VOSB, SDVO concerns, and if applicable, (HBCU/MI) which the offeror proposes to use as a subcontractor if awarded a contract under this solicitation. The listing shall include the name, address, telephone number, and type of work each concern is anticipated to perform.

2.4.5.1.1 Evaluation Standards

Outstanding	Offeror's proposal shows extensive effort and commitment to utilize small business concerns for this project. All USACE subcontracting goals are exceeded. Specific SB, SDB, WOSB, HZ, VOSB, SDVO concerns, and if applicable, (HBCU/MI) to be utilized are identified.
Above Average	All USACE subcontracting goals are met and some exceeded. Specific SB, SDB, WOSB, HZ, VOSB, SDVO concerns, and if applicable, (HBCU/MI) to be utilized are identified.
Satisfactory	All USACE subcontracting goals are met. Specific SB, SDB, WOSB, HZ, VOSB, SDVO concerns, and if applicable, (HBCU/MI) to be utilized are identified. [Small Business concerns will be given at least a satisfactory rating.]
Marginal	Some USACE subcontracting goals are not met. Listing of subcontractors does not contain specific SB's.
Unsatisfactory	Most USACE subcontracting goals are not met. No listing of small businesses to be utilized is provided.

[NOTE: The USACE Small Business Subcontracting Goals for fiscal year 2004 are: 58% to SB, 10% to SDB, 10% to WOSB, 3% to HZ, 3% to VOSB, and 3% to SDVO. These are percentages of the total subcontracted amount.]

2.4.5.2 Subfactor B - Past performance in complying with Small Business Subcontracting Plan goals.

- Provide SF 294's, "Subcontracting Report for Individual Contracts" for projects of similar scope and magnitude. Where subcontracting goals were not met, provide adequate justification why.
- Provide information on awards received for outstanding support of the small business program.
- Provide information on any existing or prior mentor-protégé agreements.

2.4.5.2.1 Evaluation Standards

Outstanding	All goals were exceeded or satisfactory justification provided. The Offeror has received awards for outstanding
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	support of the small business program, and the Offeror is or has participated in mentor-protégé agreements or other outreach.
Above Average	All goals were met or exceeded or satisfactory justification provided. The Offeror has received award(s) for outstanding support of the small business program, or the Offeror is or has participated in mentor-protégé agreements or other outreach.
Satisfactory	All subcontracting goals were met or a satisfactory justification provided. Small business concerns will be given at least a satisfactory rating.
Marginal	Not all goals were met and no satisfactory justification provided.
Unsatisfactory	No goals were met and no satisfactory justification provided.
Neutral	Except in the case of small business offerors, offerors will not be rated favorably or unfavorably if the offeror does not have a record of relevant past performance in complying with small business subcontracting goals.

2.5 Volume II, Price Proposal

The Government will compare the price to the Independent Government Estimate (IGE) and the price of other offerors to determine reasonableness and affordability.

2.5.1 Price Evaluation

Data provided in response to price shall be included in Volume II, "Price Proposal".

2.5.1.1 General

Offerors shall submit the cost data identified below that they are proposing to use in the development of all cost estimates that this contract may require. The proposed cost data, if awarded a contract, shall be used for the life of the contract, subject to review and resubmittal at the discretion of the Contracting Officer. Offerors shall indicate the start date of their fiscal accounting period. All cost data will be reviewed at least annually, generally coinciding with this accounting period. Adjustments to the cost data, based on current documentation, may be considered subject to approval of the Contracting Officer.

Offerors are reminded that the cost factors included in this proposal will be contractually binding and are cautioned not to "low ball" any of the numbers in its proposal and estimate in order to come out with a low total cost. If awarded one of the contracts, the factors shown in this proposal will be used in all future task orders.

2.5.1.2 Workmen's Comp Insurance

Offerors shall submit premium statement(s) from their insurance company(ies) identifying all workmen's compensation insurance in effect at the time of this solicitation. Successful offerors will be required to maintain current premium statement(s) on file with the Contracting Officer throughout the life of the contract.

2.5.1.3 Performance and Payment Bond

Offerors shall submit a statement from their surety defining the bond rate(s) in effect at the time of this solicitation. Successful offerors will be required to maintain current bond rates on file with the Contracting Officer throughout the life of the contract.

2.5.1.4 Home Office Overhead

Offerors shall submit their proposed home office overhead rate, including all data and calculations used in arriving at that rate. Home office overhead components shall comply with FAR Part 31.

2.5.1.5 Contract Management Fixed Costs

Offerors shall submit their proposed fixed cost elements (based on work days) relating to the management of the contract, i.e. Project Manager, CQCSM, Contract Safety Officer. These costs shall be complete, including labor, labor burden, fringe benefits, travel and transportation. Provide the daily (work day) rate and annual rate and a breakdown of all cost elements proposed for each of the key personnel proposed in Section 00010, Item No. 4.

2.5.1.6 Field Office Management Fixed Costs

Offerors shall submit their proposed fixed cost elements (based on work days) relating to the management of task orders, i.e. Project Engineer, Project Superintendent, QCR, Site Safety representative. These costs shall be complete, including labor, labor burden, fringe benefits, travel and transportation. Provide the daily (work day) rate and annual rate and a breakdown of all cost elements proposed for each of the field office management key personnel proposed in Section 00010, Item No. 5.

2.5.1.7 Determination of Relative Price

As a measure of relative price, the Government will apply the following formula to the cost factors submitted in Section 00010. (Offerors shall ensure the data in Section 00010 is complete and accurate. Failure to provide the requested data in Section 00010 in the requested format may be cause for a determination of non-responsiveness.) Offerors shall not compute Total Price. The Government will perform this calculation during its evaluation. The resultant number/total price will be used to compare the cost of doing business among all Offerors.

$$\begin{aligned} & \{ \text{Contract management cost} * \\ & \quad + (\text{Field office management cost} *) \} \\ & \times \frac{(1 + \text{Home Office Overhead rate} *)}{1} \\ & = \text{Total Price} \end{aligned}$$

* from Section 00010, Proposal Summary

2.6 Proposal Revisions

If discussions are held and the Contracting Officer requests proposal revisions, all revisions shall be submitted as page replacements with revised text readily identifiable, e.g. boldface print or underlining. Proposal replacement pages shall be clearly marked "REVISED", shall show the date of revision, shall be submitted in the appropriate number of copies (e.g., if six copies of the original page was required, then six copies of the revised page will also be required), and shall be of a different color than the original pages they are to replace.

PROJECT DATA SHEET

The data provided on this sheet will provide supporting information for the Offeror's Experience (Factor I). Use this form to document relevant projects that have been completed between **April 1998 and April 2004**.

OFFEROR'S Name: _____

If Offeror is in a Joint Venture, identify which contractor in the Joint Venture completed the project:

Owner's / Owner's Representative's Name:

Phone Number:

Title:

Fax Number:

Address:

E-Mail Address:

Contract No:

Contract Title:

Location:

Type of Contract: (Design-Bid-Build or Design-Build)

Contract Description:

Award Date:

Completion Date:

Award Amount:

Percentage of Contract Performed by the Offeror:

Type/scope of work performed by the Offeror:

Type/scope of work performed by Subcontractors

PAST PERFORMANCE EVALUATION SHEET

The contractor identified below has been requested to obtain performance evaluations on this construction project. The United States Army Corps of Engineers, Honolulu District is conducting an assessment of their past performance and would appreciate it if you could provide an evaluation of their performance. Please return the evaluation to: **US Army Engineer District, Honolulu, Attn: CEPOH-CT-C (Tamai), Bldg 230, Ft Shafter, HI 96858-5440, tel: (808) 438-9700, fax: (808) 438-8588, e-mail: kent.tamai@usace.army.mil.**

Contractor's Name: _____

Owner's / Owner's Representative's Name:

Phone Number:

Address:

Fax Number:

E-Mail Address:

Contract No:

Contract Title:

Location:

Type of Contract (Design-Bid-Build or Design-Build)

Contract Description:

Award Date:

Completion Date:

Award Amount:

Percentage of Contract Performed by Offeror:

Type/scope of work performed by the Offeror:

Type/scope of work performed by Subcontractors

1. Please evaluate the **timeliness** of contractor's work:

Outstanding Very Good Satisfactory Marginal Unsatisfactory

Comments: _____

2. Please evaluate the **quality** of the contractor's work:

Outstanding Very Good Satisfactory Marginal Unsatisfactory

Comments: _____

3. Please evaluate the **cooperativeness** of the contractor:

Outstanding Very Good Satisfactory Marginal Unsatisfactory

Comments: _____

4. If you had another construction project in the future, would you use this contractor again?

Definitely Probably With Reservations Probably Not Definitely Not

Comments: _____

5. How would you rate the overall performance of the contractor?

Outstanding Very Good Satisfactory Marginal Unsatisfactory

Comments: _____

Please list any awards, citations, or certificates presented to the contractor for this project. Also identify any deficiencies, problems, or issues that you had with this contractor.

_____ Date of Evaluation: _____

Evaluator (Print & Sign)

(c) "The contractor's own organization" means those individuals who are employed and paid by the contractor, whether full or part time. If a joint venture or partnership, members (and their paid employees) of the joint venture or partners are considered part of "the contractor's own organization." If a corporation, wholly-owned subsidiary elements of the corporation and their paid employees, are considered part of "the contractor's own organization." Any individual who is employed or paid, even on an occasional basis by an entity other than the contractor (such as a subcontractor), or any subcontractor or supplier to the contractor, is not considered part of "the contractor's own organization."

[End of Statement]

S-36.21 AVAILABILITY AND USE OF UTILITY SERVICES (MAR 2004)

(a) The Government shall make all reasonably required amounts of utilities available to the Contractor from existing outlets and supplies, as specified in the contract. Unless otherwise provided in the contract, the amount of each utility service consumed shall be charged to or paid for by the Contractor at prevailing rates charged to the Government or, where the utility is produced by the Government, at reasonable rates determined by the Contracting Officer. The Contractor shall carefully conserve any utilities furnished without charge.

(b) The Contractor, at its expense and in a workmanlike manner satisfactory to the Contracting Officer, shall install and maintain all necessary temporary connections and distribution lines, and all meters required to measure the amount of each utility used for the purpose of determining charges. Before final acceptance of the work by the Government, the Contractor shall remove all the temporary connections, distribution lines, meters, and associated paraphernalia.

(c) Schedule of utilities available from the Government without charge: to be identified in each task order.

[End of Statement]

S-36.22 NOTICE OF PARTNERING (April 2004)

(As applicable, in accordance with individual task orders)

The Government intends to encourage the foundation of a cohesive partnering arrangement with the contractor and its subcontractors. This partnering arrangement will be structured to draw on the strengths of each organization to identify and achieve reciprocal goals. The objectives are effective and efficient contract performance intended to achieve completion within budget, on schedule, and in accordance with contract plans and specifications. This partnering arrangement will be bilateral in membership. To implement this partnering initiative, it is anticipated that within 60-days of Notice to Proceed, the contractor and Government management teams to include on-site and off-site management will attend a 1-day partnering development seminar/team building workshop. Any costs associated with this initial partnering workshop, or any other follow-on sessions if necessary, excluding salaries, travel, lodging, and food for Government personnel, shall be borne by the contractor. The facilitator for the workshop shall be an objective and neutral third party participant, skilled in team building and group dynamics, who has no vested interest in the decisions reached by the group. Up to 20 Government personnel will attend this workshop. The partnering workshop will be held in Hawaii.

[End of Statement]

SECTION 00900
RESPONSES TO QUESTIONS
SUBMITTED BY PLANHOLDERS
FOR
RFP NO. W9128A-04-R-0010

Q1. From Cheryl Toth, Cooling Tower Depot, Inc., e-mail dated 3/17/04:

Would be interested if there is any cooling tower work. We are a one stop shop for new and existing cooling towers. How would I receive the list of holders/bidders so that we could bid the cooling tower work with them? Would you be the contact? Could you point me in the right direction?

A1. This RFP is for a multiple award firm fixed price indefinite delivery indefinite quantity contract. The Government cannot confirm if cooling tower work will be required on any of the task orders at this time. Information on contract awards will be posted on the Honolulu District's website and synopsisized in the FedBizOpps.

Q2. From Paul Vierling, Hawaii Geophysical Services, e-mail dated 4/7/04:

Our company provides subsurface locating services with most recent state of the art ground penetrating radar equipment available. We are HUBZSB and a qualified small business. Our services include locating buried utilities, metal pipes, storage tanks made of various materials. We can locate concrete, transite, clay, plastic, double contaminant fiberglass and tanks, or HDPE pipe and tanks scanning structural concrete to a depth of 18". We locate conduits, pipes, rebar, mesh, tension cables and voids PRIOR to sawcutting or coring concrete. We want you to know everything that is down there before you put a shovel in the earth. How might we pursue sub contract opportunities for the above project?

A2. Information on contract awards will be posted on the Honolulu District's website and synopsisized in the FedBizOpps.

Q3. From Andrew Hyatt, Environmental Compliance Equipment, e-mail dated 4/5/04:

Are there any requirements for waste or water wash treatment at this building? If so I would like to find out who I may contact to provide my contact date to for equipment to treat this waste water.

A3. The RFP is for a multiple award firm fixed price indefinite delivery indefinite quantity contract. The Government cannot confirm if waste or wash water treatment will be required on any of the task orders at this time. Information on contract awards will be posted on the Honolulu District's website and synopsisized in the FedBizOpps.

Q4. From Tony Diaz, Parsons, e-mail dated 3/31/04:

Parsons intends to submit a proposal as a prime, with a strong slate of local construction companies as subcontractors. Will our proposal receive full credit for projects of one of our exclusive subcontractors (not in a JV or LLP relationship) if we choose to show one of those as our relevant projects in the experience section of the proposal volume I?

A4. No. As indicated in Section 00120, paragraph 2.4.1 relevant projects are those in which the offeror was the prime contractor.

Q5. From Tony Diaz, Parsons, e-mail dated 3/31/04:

What is the official definition of "Design-Bid-Build" and "Design-Build"? I did not see these definitions in the solicitation.

A5. Design-Build is defined as combining design and construction in a single contract with one contractor and where the design is performed by licensed architects and/or engineers. For the purposes of this RFP, Design-Build will also include task orders on indefinite delivery contracts that have workplan requirements and where the incidental design is performed by licensed Architects and/or Engineers. Design-Bid-Build is defined as the traditional delivery method where design and construction are sequential and contracted for separately with two contracts. For the purposes of this RFP, Design-Bid-Build also includes task orders on indefinite delivery contracts that do not require designs or those that have workplan requirements but the incidental design is not performed by licensed Architects and/or Engineers.

Q6. From Tony Diaz, Parsons, e-mail dated 3/31/04:

Does an offeror have the option of submitting as a "Design-Bid-Build" Contractor or a "Design-Build" Contractor or must the offeror submit as both? For example, must the contractor show both Design-Bid-Build and Design-Build experience in order to be evaluated?

A6. The Offeror can submit up to 3 relevant Design-Build projects and up to 10 relevant Design-Bid-Build projects. Paragraph 2.4 in Section 00120 identifies how the Government intends to evaluate the proposals.

Q7. From Bob Dewitz, HSI Electric Inc., American Electric Co. LLC, e-mail dated 3/22/04:

We do design build in the electrical field. Do you anticipate any work that would be primarily electrical in nature? If so, we would be interested in submitting a proposal.

A7. There could be a possibility for design-build projects in the electrical field. However, there also could be design-build and design-bid-build possibilities in other fields. Paragraph 2.4 in Section 00120 identifies how the Government intends to evaluate the proposals.

Q8. From Golbie Kamarei, LYZ, Inc., e-mail dated 4/8/04:

Regarding Volume I, Factor III: Management Plan: Would you like ONLY the Offeror's general minimum personnel qualifications or ALSO the specific names, qualifications, and experience of the individuals filling these positions (presented in a narrative rather than in resume format)?

A8. The Government will evaluate proposals based on the Offeror's minimum requirements. As stated, in paragraph 2.4.4 of Section 00120, the minimum requirements provided will be enforced throughout the life of the contract for current and future personnel occupying that position. Therefore, please provide the minimum requirements that you are willing to commit to for the positions identified. Do not provide resumes of current personnel.

Q9. From Alex Alexander, e-mail dated 3/18/04:

I am inquiring regarding the MATOC solicitation, is this for major general contractors, we are a sub contractor who has supplied and installed solid surface material for shower surrounds and vanities and countertops for BEQ P-593,594 and soon to be 467 all at Pearl Harbor also we will be doing the large project at Kaneohe MCBH.

A9. This is an unrestricted Request for Proposal for a multiple award firm fixed price indefinite delivery indefinite quantity contract. Proposal submission requirements and evaluation factors are identified in Section 00120 of the Request for Proposal.

Q10. From Golbie Kamarei, LYZ, Inc., e-mail dated 4/8/04:

Regarding 00100 - Page 2. What is the difference between the DX and DO ratings?

A10. DX rated orders take preference over DO rated orders. As stated in Provision 52.211-14 in Section 00100, rating will be specified in individual task orders. Additional information about the Defense Priorities and

Allocations System Program (DPAS) can be viewed at:

<http://www.bxa.doc.gov/DefenseIndustrialBasePrograms/OSIES/DPAS/Default.htm>

SECTION 01000

DESCRIPTION OF WORK

PART 1 GENERAL

1.1 REFERENCES

The publications listed below form a part of this specification to the extent referenced. The publications are referred to in the text by basic designation only.

American National Standards Institute (ANSI):

ANSI C2 National Electric Safety Code

American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE):

Handbooks Handbooks Refrigeration Fundamentals
HVAC System and Equipment
HVAC Applications

Standards Ventilation for Acceptable Indoor Air
Quality

Code of Federal Regulations (CFR)

29 CFR 1910 Occupational Safety and Health Standards
- General Construction

29 CFR 1926 Occupational Safety and Health Standards
- Construction Industry

Department of the Army, Corps of Engineers Manual (EM)

EM 385-1-1 Safety and Health Requirements Manual

Department of the Army, Corps of Engineers Regulation (ER):

ER 25-345-1 Military Publications System Operation
and Maintenance Documentation

Department of the Army Regulation (AR)

AR 385-40 Accident Reporting Standards

Department of the Army Technical Manuals (TM)

TM 5-810-1 Mechanical Design, Heating, Ventilating,
and Air Conditioning

TM 5-810-4 Compressed Air

TM 5-810-5 Plumbing

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(AM-0001)

TM 5-811-1	Electric Power Supply and Distribution
TM 5-811-2	Electric Design, Interior Electrical System
TM 5-811-14	Coordinated Power systems Protection
TM 5-815-3	Heating, Ventilation, and Air Conditioning (HVAC)

Military Handbooks (MIL-HDBK):

MIL-HDBK-1008C	Fire Protection for Facilities Engineering, Design, and Construction
MIL-HDBK-1190	Facility Planning and Design Guide

National Institute of Technology and Standards

Handbook 135	Life Cycle Cost Analysis
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National Fire Protection Association, Inc. (NFPA):

NFPA 70	National Electric Code
NFPA 80	Doors and Windows
NFPA 101	Safety to Life from Fire in Building and Structures

Building Codes (52.9101 - 4000 TM)

American Institute of Steel Construction (AISC)

American Concrete Institute (ACI)

Uniform Building Code (UBC)

Uniform Plumbing Code (UPC)

Uniform Mechanical Code (UMC)

Occupational Safety and Health Administration (OSHA)

29 CFR 1910, Publication V2206	OSHA General Industry Safety and Health Standards
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29 CFR 1926	OSHA Construction Industry Standards.
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One source of these regulations is OSHA Publication 2207, which includes a combination of both Parts 1910 and 1926 as they relate to construction safety and health. Contact the Superintendent of Documents, U.S. Government Printing

1.2 GENERAL REQUIREMENTS

As described in other sections of this contract, the Government intends to award a minimum of three contracts to small or large businesses. All references to "contract" in this section shall mean one of the multiple award contracts awarded to a successful Offeror.

The contract will involve general construction, which may include, but are not limited to, civil, architectural, mechanical, electrical, security, correction of safety concerns, asbestos and lead abatement, structural, and military range construction.

- Civil construction such as, grading, water lines, sewer lines, paving/repaving roadways, sidewalks, parking lots, shore protection, stream bank stabilization, and dredging.
- Architectural construction such as, painting, roofing, renovation of interiors of existing buildings, new building construction.
- Mechanical construction such as, heating, ventilation, and air conditioning (HVAC) systems and components, refrigeration systems, fire suppression systems, material transport systems, automatic box conveyor systems, incinerators, fuel lines, elevators, escalators, dumb waiters, as well as plumbing systems including water, solid and hazardous waste control.
- Electrical construction such as, power and service supplies, distribution, and utilization systems (including lighting), power generators and uninterrupted power supplies (UPS). Instrumentation work may include but is not limited to, plant management systems using direct digital technology, and fire alarm systems. Communications such as telephone and information management systems.
- Security construction such as, intrusion detection and surveillance systems.
- Asbestos, lead-based paint, and petroleum-contaminated material abatement and disposal.
- Structural systems.
- Military training range construction such as firing ranges, confidence courses, urban assault complexes and battle simulation centers. Examples of military training range construction projects include but are not limited to Battle Area Complexes, Combined Arms Collective Training Facilities, Qualifications Training Ranges, Urban Assault Courses, Anti-Armor Training Range, Virtual Fighting Training Facilities, and Multi-purpose Training Ranges.

This objective will be achieved through the issuance of task orders under

the terms of the contract.

1.3 DEFINITIONS

- Site Survey: An inspection of a facility to evaluate areas that need work.
- Site Survey Report: Documentation of the findings and recommendations resulting from the site survey and investigation of the proposed project.
- Feasibility Study: A study undertaken to determine the cost effectiveness of the proposed work.
- Proposal: Response to a Request for Proposal. A proposal may consist of conceptual plans and specifications for performance of the requested scope and/or costs to perform the requested scope.
- Construction: Execution of a set of plans, details, and specifications resulting in the repair or minor construction of a facility.
- Task Order: A task order issued to perform work that includes design and/or construction and may include other types of work associated with the work such as feasibility studies.

PART 2 PRODUCTS (Not Applicable)

PART 3 EXECUTION

3.1 GENERAL

- a. The work ordered through this contract will be for general construction and/or general design-build construction on real property within the jurisdictional execution authority of the Corps of Engineers, U.S. Army Engineer District, Honolulu in the State of Hawaii.
- b. Each contract will be issued for a base period of 24 consecutive months from date of award, with provision for an additional 3 option periods, 12 consecutive months each. The combined total value of all task orders in all contracts issued will not exceed \$175 million. The award of an option period to any contractor is at the sole discretion of the Government.
- c. Issuance of a task order will constitute the Notice to Proceed (NTP) if sufficient bonding is available. If sufficient bonding is not available, NTP will be issued upon receipt of acceptable bonds. The task order performance period starts on the date the order is signed by the Contracting Officer/Ordering Officer or issuance of the NTP. Work on a task order shall commence immediately upon receipt of the signed task order or NTP.
- d. Upon receipt of a task order NTP, the Contractor shall provide, all labor, materials, supplies, parts (to include system components), supervision, equipment, and related services, (except when specified as Government furnished), to perform all work in strict accordance with the terms, conditions, special contract requirements, specifications, drawings, attachments, and exhibits contained in the contract and task order or

incorporated by reference. The scope of this contract covers a broad range of design and/or construction work. The Contractor may be asked to meet milestones as required by the installation. Work will vary from site to site and may require extensive knowledge of the functional operation relating to the efficient use of the facility's equipment and support systems, and building structures. Some facilities may need to remain in full operation during the task order work. Where possible, the Contractor shall minimize all interference with the daily operations of Government personnel and facilities.

e. The Contractor shall be familiar with, and all proposed work shall conform to, all applicable building and life safety codes (see paragraph REFERENCES). The Contractor shall be cognizant of any changes in the codes that impact the proposed work on the facility.

f. The Contractor's work and responsibility shall include all Contractor planning, programming, administration, and management necessary to provide all construction-related work (i.e. maintenance, repair, and/or construction) and other services as specified. The Contractor shall conduct all work in strict accordance with the contract and all applicable Federal, State, and local laws, regulations, codes, or directives. The Contractor shall provide related services such as preparing and submitting required reports, performing administrative work, and submitting necessary information as specified in this contract and within each task order. The Contractor shall ensure that all work performed meets the specified scope of work and any specifications or documents included with the individual task order.

g. The Contractor will be provided with a scope of work detailing the task(s) to be accomplished. The detail provided will vary from a general statement of what is required to complete design documents (drawings and specifications), depending on the method (Design-bid-build or Design-build), complexity and scope of the project. The Contractor will be required to use the information provided by the Government to prepare and submit a complete proposal reflecting the required task(s) to accomplish the provided scope of work, regardless of how much information is provided by the Government. Proposals may be requested requiring cost, time, and/or designs for the work. The submitted proposal shall be complete, to include all requested submittals and all cost factors, such as the labor, materials, equipment, and other costs, direct and indirect, necessary for performing the work required.

h. The Government will review all proposals and determine which contractor will be issued the work based on the proposal(s) received. The Government's objective is to issue task orders without negotiations. However, negotiations may be conducted if the Government determines it is necessary.

i. Upon issuance of a task order, the Contractor shall complete all work and services in accordance with the milestones established for each task order. Submittal dates, when applicable, will be included in the task order. Types and numbers of submittals, and dates and places for review meetings will also be stated in the task order.

3.2 MANAGEMENT ORGANIZATION

3.2.1 General

The Contractor shall maintain the management staff at full strength at all times in accordance with the qualifications and experience identified in the contract and the contractor's proposal for the contract (whichever is most stringent).

3.2.2 Organizational Changes

All changes to the qualifications and experience requirements identified in the contract or the contractor's proposal for the contract shall be submitted to the Contracting Officer for approval prior to implementation.

3.3 CONTRACTOR RESPONSIBILITY

3.3.1 General

Upon issuance of a task order, the Contractor shall provide all labor, tools, equipment, transportation, materials, and supervision to safely and efficiently perform the work described in the task order.

3.3.2 Task Order Execution

The Contractor shall be responsible for all work necessary to complete the task ordered.

3.3.3 Codes and Standards

All task orders completed in this contract shall be performed in accordance with the latest edition of all applicable federal, state, and local laws and regulations, whichever is most stringent.

3.3.4 Internal Controls

The Contractor shall maintain an internal control system for identification, preparation, reproduction, distribution, and maintenance of all documentation, schedules and information necessary for its internal management of the individual task orders and the total contract.

3.3.5 Presentations and Meetings

The Contractor shall be responsible for attending all meetings required by contract and those required by each task order.

3.3.6 Permits

The Contractor shall be responsible for identifying and obtaining all required permits from all Federal, State, local, or installation agencies prior to the start of work.

3.3.7 Cooperation/Coordination with Installation Staff

The Contractor may be required to provide a briefing to the installation staff prior to starting work. The briefing will provide the scope of work of the task order and a schedule for completing the work. While the Contractor is onsite and construction is underway, weekly coordination meetings may be required with the installation's points of contact. The purpose of these meetings will be to anticipate and schedule all operations where mutual effort by both groups is required.

3.4 CONTRACTOR SELECTION

3.4.1 General

Work will be issued in the form of Task Orders using DD Form 1155, Order for Supplies or Services. The specific tasks to be performed will be identified in the task order documents. The Contracting Officer or Ordering Officer shall have the right to modify the requirements and performance periods of tasks in the task order. All task order submittals and end products are the property of the US Government. The Contracting Officer will be the final determining authority on the issuance of task orders.

3.4.2 Fixed Price Task Orders

3.4.2.1 General

In accordance with the solicitation provisions, each Contractor shall be afforded a fair opportunity to be considered for each task order unless one of the conditions identified in Special Contract Requirements, S-25, Award of Task Orders Under Multiple Award Contracts, subparagraph d applies.

3.4.2.2 Limited Competition Procedure

To facilitate the consistent and timely award of task orders, the following procedures will be used to the maximum extent practicable:

a) The Government will prepare and issue a request for proposal (RFP) for the proposed task order. RFP's may be written or oral. The RFP will describe the proposed Task Order work and will identify a cut-off date/time before which the proposals must be submitted to the Contracting Officer. Upon receipt of an RFP, Contractors must submit a proposal. Each Contractor shall submit four complete copies of its proposal within a single sealed envelope. The Contractor shall identify on the outside of the envelope that the envelope contains the Contractor's proposal for the particular task order identified in the RFP.

b) All proposals will remain in the sealed envelopes until the date and time specified in the RFP. The Government will open all envelopes on the specified date and time. The Government will evaluate the proposals submitted by all the Contractors using the evaluation factors identified in paragraph 3.4.2.3 below.

c) The Government's objective is to issue task orders without negotiations. The Task Order will be issued to the selected Contractor and a letter sent to the non-selected Contractors informing them of the selection.

d) If issuance of a Task Order cannot be made without conducting discussions or negotiations, the Government will schedule discussions/negotiations with the Contractor(s) determined to be in the competitive range. At the conclusion of these sessions, the Contractor(s) will be instructed to provide revised proposals by a specified date and time. The revised proposals will be submitted and processed/evaluated as described in paragraphs a through c above. If the task order can be issued without further discussions or negotiations, the task order will be issued to the selected Contractor and a letter sent to the non-selected Contractors informing them of the selection.

e) If requested, the non-selected Contractors will be given an opportunity for a debriefing, at which time the reasons for non-selection will be reviewed.

3.4.2.3 Evaluation Factors

The Government will consider one or more of the following factors when evaluating contractor's proposals for each task order. The Government might also identify other factors that are specific to an individual task order. The Government will identify all factors and relative weight of the factors in the RFP for each task order.

- a) The Contractor's proposed task order price;
- b) The Contractor's proposed performance schedule for the task order;
- c) Impact to ongoing contract work when the new task order is incorporated into the Contractor's schedule;
- d) The Contractor's demonstrated understanding of the proposed task order work;
- e) The Contractor's past performance under the contract for all completed task orders; the Contractor's past performance on similar or related task orders completed under the contract; and the Contractor's current performance on similar or related task orders issued under the contract; and
- f) The existence of ongoing or scheduled work by a Contractor in the location where the task order will be performed.

3.4.2.4 Proposal Submittal Requirements

At a minimum, the following will be required on each task order submission:

- a) Provide the total task order price, a breakdown of the price, and any optional or additive line items identified in the RFP. The proposed prices will be compared to each other as well as to the Government's Estimate for the task order.
- b) Proposals must contain a resource-loaded CPM (critical path method) schedule prepared in accordance with Specification Section 01320, "Project Schedule." The contractor's CPM schedule will be used to validate the contractor's proposed performance duration for the task order. The submitted CPM schedule will be reviewed by the Government to evaluate the reasonableness of the Contractor's proposed task order duration and will serve as an additional indicator of the Contractor's understanding of the proposed task order work. The schedule shall include an assumed date of issue for the Task Order (normally within thirty (30) calendar days after the proposal submission cut-off date), include all significant features of the work, and result in a complete task order performance duration that can be used regardless of the exact date the task order is issued.
- c) In addition to the CPM schedule for the specific task order, the Contractor shall also provide a separate resource-loaded CPM schedule that reflects all ongoing contract task order work that reflects how the

Contractor proposes to incorporate the new task order with the ongoing task orders. The Government prefers that new task order work be accomplished with the ongoing contract work without delaying the completion of any of the ongoing, previously established task orders. However, if any ongoing task orders must be delayed as a result of incorporating the new task order into the schedule, the Contractor shall specifically identify the task orders that will be affected, the resulting delays, and the costs associated with those delays so that the affected task order schedules and the contract schedule can be modified appropriately should the Contractor be issued the work.

d) The schedules submitted by the Contractor will be used by the Government to evaluate the reasonableness of the Contractor's proposed task order schedule and duration, the impact of incorporating the new task order work into the ongoing contract schedule, and to confirm the Contractor's understanding of the proposed task order.

3.4.2.4.1 Profit Determination

The required method for calculating profit on all task orders and modifications on this contract will be the EFARS 15.9 "Alternate Structured Approach to Weighted Guidelines Method." A sample worksheet is included at the end of this section as Attachment 1. Include a copy of the completed worksheet with all task order and modification proposals.

3.4.2.5 Notification of Non-Selection

Within seventy-two (72) hours of issuing the task order, the Contracting Officer will send written notification to the non-selected Contractors of the selection. The non-selected Contractors will be afforded an opportunity for a debriefing if a written request is submitted to the Contracting Officer within seventy-two (72) hours after receiving the notice of non-selection. If the non-selected Contractors do not submit a written debriefing request within this timeframe, no debriefing will be conducted.

3.4.2.6 Non-Selection Debriefing

If the non-selected Contractors request a debriefing within seventy-two (72) hours after receiving the notice of non-selection, a debriefing will be scheduled. During the subsequent debriefing, the Government's reasons for non-selection for that specific task order will be reviewed with the non-selected Contractor(s). The purpose of the debriefing is not to change the Government's selection for that task order, but instead is intended to allow the contractor to identify and improve any identifiable weak areas in its proposal for subsequent task orders. Non-selection for award of any given task order shall not be subject to the Contract Disputes Act of 1978

3.4.2.7 Task Order Issue

The selected contractor will be issued a fixed-price, lump sum task order. The task order documents will identify the performance requirements, including any milestones and the required final completion date.

3.4.2.8 Notice to Proceed

The task order performance period starts on the date the order is signed by the Contracting Officer/Ordering Officer or receipt of NTP (if sufficient

bonding is not available). Work on a task order shall commence immediately upon receipt of the signed task order or NTP.

3.5 ENVIRONMENTAL PROTECTION

All work shall be performed in accordance with Section 01430, Environmental Protection.

3.5.1 Smoking Policy

There will be no smoking within any Government facilities. However, if approved by the facility manager, a smoking area may be designated a minimum of 50 feet away from the facility and all material storage areas.

3.6 ASBESTOS AND/OR LEAD-BASED PAINT ABATEMENT (REMOVAL OR ENCAPSULATION)

When work is in areas suspected of containing asbestos, OSHA Standard 29 CFR 1910.1001 shall apply. OSHA Standard 29 CFR 1926.1101 requires that asbestos be presumed to be present in all facilities constructed before 1980. Under this standard, where insulating or surfacing materials cannot be identified not to be or not to contain asbestos, they will be assumed to be or contain asbestos and appropriate safety procedures shall be taken. The contractor shall, when tasked to do so in the task order, undertake the sampling and testing required to make this determination as well as carry out the resultant abatement. The provisions of OSHA Standard 29 CFR 1926.22 shall apply to the handling of lead-based paint. The Contractor shall identify and abate lead-based paint when required to do so by the task order.

3.7 SITE SECURITY

The contractor is responsible for ensuring security at the worksite. The contractor shall maintain the site and all other contractor-controlled areas in such a manner as to minimize the risk of theft, vandalism, injury, or accident. The contractor shall comply with all Base security regulations.

3.8 PUBLIC AFFAIRS

The contractor shall not disclose any data generated or reviewed under this contract to any parties outside the contract. All requests for information concerning site conditions shall be referred to the Contracting Officer or Ordering Officer for comment.

END OF SECTION 01000

EFARS 15.9 "Alternate Structured Approach to Weighted Guidelines Method"

PROJECT TITLE:

CONTRACT No.:

TASK ORDER No.:

PROFIT FOR:

ESTIMATED BY:

FACTOR (a)	RATE (b)	WEIGHT (c)	VALUE (b x c)
1. Degree of Risk	20		
Very low		0.030	
Mod low		0.050	
Average		0.075	
Mod high		0.110	
High		0.120	
2. Relative Difficulty of Work	15		
Very simple		0.030	
Simple		0.040	
Average		0.075	
Complex		0.110	
Very complex		0.120	
3. Size of Job	15		
< \$100,000		0.120	
0.1 - 1.0 million		0.110	
1.0 - 2.0 million		0.100	
2.0 - 2.5 million		0.090	
2.5 - 3.5 million		0.080	
3.5 - 4.0 million		0.070	
4.0 - 4.5 million		0.060	
4.5 - 5.0 million		0.050	
5.0 - 10.0		0.040	
> 10 million		0.030	
4. Periods of Performance	15		
Short (< 30 days)		0.030	
Mod short		0.050	
Average		0.080	
Mod long		0.100	
Long (> 2 years)		0.120	
5. Contractor's Investment	5		
None		0.030	
Little		0.050	
Average		0.070	
Mod high		0.090	
High		0.120	
6. Assistance by Government	5		
None		0.120	
Small		0.090	
Moderate		0.070	
Mod large		0.050	
Large		0.030	
7. Subcontracting	25		
0%		0.120	
0% - 20%		0.100	
20% - 40%		0.080	
40% - 60%		0.050	
60% - 80%		0.030	
		TOTAL PROFIT	