

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE J	PAGE OF PAGES 1 7
2. AMENDMENT/MODIFICATION NO. 0001	3. EFFECTIVE DATE 09-Sep-2004	4. REQUISITION/PURCHASE REQ. NO. W56MES-3204-1802	5. PROJECT NO.(If applicable)	
6. ISSUED BY CONTRACTING DIVISION DETROIT DISTRICT, USAED, 477 MICHIGAN AVE DETROIT MI 48226	CODE W911XK	7. ADMINISTERED BY (If other than item 6) See Item 6		
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)		X	9A. AMENDMENT OF SOLICITATION NO. W911XK-04-R-0008	
		X	9B. DATED (SEE ITEM 11) 18-Aug-2004	
			10A. MOD. OF CONTRACT/ORDER NO.	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended.				
Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</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.				
12. ACCOUNTING AND APPROPRIATION DATA (If required)				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.				
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.				
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).				
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:				
D. OTHER (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.				
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The hour and date for receipt of offers has been extended to 2 PM, 21 September 2004.				
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.				
15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
		TEL: _____ EMAIL: _____		
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)	16C. DATE SIGNED 09-Sep-2004	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

AMENDMENT 1!

The line items have been changed to be used for informational purposes only. Do not fill in the line items. A separate price proposal shall be submitted.

The plans and specifications for the Carp River and St. Marys River Sea Lamprey projects have been revised. Accordingly the price proposals on these projects will be used for two purposes:

1. As an evaluation factor for the IDIQ contract.
2. As the basis for issuing delivery orders to one or more contractors that have been awarded an IDIQ contract.

Proposal instructions were changed, **2.4 Submission Format TAB F** and Evaluation factor **3.3 FACTOR 3 PRICE**.

FAR Clause 52.219-19 was added to SECTION 00600. FAR Clause 52.216-22(d) was filled in as shown below.

SECTION 00010 - SOLICITATION CONTRACT FORM

The required response date/time has changed from 17-Sep-2004 02:00 PM to 21-Sep-2004 02:00 PM.

CLIN 0001

The CLIN description has changed from CARP LAKE RIVER SECTION 7 to IDIQ CONSTRUCTION (Base Year) NTE \$1M.

CLIN 0002

The CLIN description has changed from ST. MARYS RIVER SEA LAMPREY TRAP to IDIQ Construction (First Option) NTE \$1M.

CLIN 0003 is added as follows:

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0003	IDIQ Construction (Second Option) FFP NTE \$1M	1	Lump Sum		

NET AMT

FOB: Destination

INSPECTION AND ACCEPTANCE

The following Acceptance/Inspection Schedule was added for CLIN 0003:

INSPECT AT	INSPECT BY	ACCEPT AT	ACCEPT BY
N/A	N/A	N/A	Government

The following have been modified:

EVALUATION

PROPOSAL SUBMISSION INSTRUCTIONS, CONDITIONS, NOTICE TO OFFERORS, BASIS OF AWARD, AND LOCAL INSTRUCTIONS Indefinite Delivery Indefinite Quantity (IDIQ), Construction Contracts, TRADE-OFF

1. PROPOSAL OVERVIEW. This Request for Proposal (RFP) solicits proposals for two or more Indefinite Delivery Indefinite Quantity (IDIQ) Construction Contracts for Sea Lamprey Traps, Environmental and Related Projects. The expected price range of individual task orders is expected to be between \$100,000.00 to \$250,000.00. Note, some projects may be considerably higher. The Source Selection plan establishes evaluation procedure for the technical and price evaluation of proposals and establishes the Best Value Decision Process using the Trade-Off Process (See Federal Acquisition Regulation 15.101-1). The proposal shall describe the capability of the Offeror to perform any resulting contract. The proposal should be prepared simply and economically, providing a straightforward and concise description of capabilities to satisfactorily perform the contract. The proposal should be practical, legible, clear, and coherent. Multiple Award Contracts are expected to be issued. The contracts will have a base year and two option years. Successful offerors receiving an IDIQ contract will compete for individual task orders. Individual task orders will be awarded on the basis of ability to do the work and price.

1.1 Proposal Submissions and the Trade-Off Process. This process permits tradeoffs among cost or price and non-cost factors and allows the Government to accept other than the lowest priced proposal. Offerors submit their past performance, capability and price information for review and consideration by the Government. Relative weights among technical factors are provided in paragraph 5 Evaluation Factors and Weights. Price will be a factor in establishing the competitive range prior to discussions (if held) and in making the final best value determination for awards.

2. PROPOSAL SUBMISSION INSTRUCTIONS

2.1 Who May Submit. HUB ZONE CONTRACTORS

2.2 Submission Deadline. Proposals shall be received no later than the time and date specified in Block 13 of Standard Form 1442.

2.3 General Requirements.

2.3.1 In order to effectively and equitably evaluate a proposal, the Contracting Officer should receive information that is clear and sufficiently detailed but not wordy.

2.3.2 Number of Copies. Offerors shall submit one (1) written proposal.

2.4 Submission Format.

TAB A – SF 1442, completed and signed by an authorized person from the company or team

TAB B – Section 00010 – Supplies or Services and Price/Costs Schedule

TAB C – Section 00600 – Representations and Certifications

TAB D – Bid Bond shall be submitted based on the two projects in the solicitation.

TAB F – Technical Proposal and price proposal

3 Evaluation Factors

FACTOR 1: CONSTRUCTION PAST PERFORMANCE

FACTOR 2: ABILITY TO PERFORM THE WORK

FACTOR 3: PRICE

3.1 FACTOR 1: CONSTRUCTION PAST PERFORMANCE Offerors shall be evaluated on construction projects completed in the last three years. Information presented in the Offeror's submittal, together with information from other sources available to the Government will comprise the input for evaluation of this factor.

The following elements will be evaluated:

Quality of Construction

Timeliness of Performance

Customer Satisfaction

3.1.1 Offeror's Submission Requirements.

3.1.1.1 Past Performance Information Sheets. Offerors shall complete and provide Past Performance Information on no more than 3 projects, preferably completed. The examples should be similar to the projects in the solicitation. For each project submitted, offerors are encouraged to attach supporting documentation. For Corps of Engineer contracts, provide a copy of the signed CCASS (Construction Contract Administration Support System) evaluation issued at the completion of the project. For non-Corps of Engineer contracts, provide a brief description of the project and any relevant information about how well the project was constructed, whether it was completed on time and was the customer pleased with the results.

3.1.1.2 Other Sources. The Government may contact sources other than those provided by the Offeror for information with respect to past performance. These other sources may include, but are not limited to, CCASS, telephone interviews with organizations familiar with the Offeror's performance, and Government personnel with personal knowledge of the Offeror's performance capability.

3.1.1.3 New Companies. For new companies entering the marketplace (without relevant projects and experience), the quality of the past performance of their key management personnel will serve as the basis of the past performance evaluation. Explain how well key personnel performed their duties on prior projects, listing their past accomplishments.

3.1.2 Evaluation. The Government will evaluate the Offeror's responsiveness to the solicitation regarding past performance using the sources identified above. New Companies shall be evaluated on the basis of past performance of their key personnel. The Government will evaluate past performance based on the elements listed below:

Quality of Construction. Based on all information available, the Government will assess the quality of the construction undertaken and the standards of workmanship exhibited by the Offeror.

Timeliness of Performance. The Government will evaluate all information available with respect to the Offeror completing past projects within the scheduled completion times.

Customer Satisfaction. The Government will evaluate all information available with respect to the Offeror's past customer satisfaction, cooperation with customers, and interaction on past projects. Copies of awards and letters of appreciation/commendation may be submitted.

3.2 FACTOR 2: ABILITY

Offerors shall be evaluated on the Offeror's specialized experience in the construction of similar construction projects and the contractor's available resources needed to be successful in completing task orders. Specify equipment, unique skills, financial status, bonding capacity and capability to mobilize in the Great Lakes Region

3.2.1 Offeror's Submission Requirements. Offerors should submit project information of no more than three completed or in progress construction projects. The examples should be similar to this solicitation in project type and scope. Offerors shall list available equipment, qualifications of key personnel and any other information indicating that the offeror will be able to complete task orders under an IDIQ contract.

3.2 Evaluation. The Government will review projects provided by the Offeror to rate any specialized experience with similar projects. Examples of construction projects should closely resemble the scope, size, and complexity of the project identified in this solicitation. The Government will place a higher value on experience with similar projects executed with the Corps of Engineers or other DoD Components. The Government will review the contractor's available equipment, staff, financial condition and bonding capacity to be satisfied that the contractor has the ability to do the work

3.3 FACTOR: PRICE. The Government will evaluate the Offeror's price proposals on the two projects, CARP RIVER AND ST. MARYS SEA LAMPREY TRAPS. The contractor shall submit a brief price break down which will be used for evaluation purposes to determine whether the contractor will submit fair and reasonable prices for task orders which will be issued against any IDIQ contract.

4. Weight among technical factors (listed in descending order of importance):

FACTOR 1: CONSTRUCTION PAST PERFORMANCE: This factor is more important than Price

FACTOR 2: This factor is equal in importance to past performance and somewhat more important than price.

FACTOR 3: This factor is less important than the other factors.

5. RESTRICTIONS. Failure to submit all the data in the format indicated in this solicitation may be cause for determining a proposal incomplete and not sufficient to be evaluated. therefore will not be considered for evaluation.

6. PROPOSAL EVALUATION.

Each member of the Government evaluation team will independently consider all information provided in the proposal. Once individual analyses are completed, the team will meet and determine a rating for each of the evaluation factors by consensus decision. The evaluation team will document strengths (e.g., advantages), weaknesses (e.g., disadvantages), and other comments (e.g., deficiency and/or clarification) to support the rating for each factor, as well as the overall rating. Documentation and comments are required for all ratings. Based on the preceding evaluation of each rated area, including consideration of the price proposal, the evaluator will make a preliminary determination of acceptability for each proposal. This determination will be based on the following criteria:

- a. "Acceptable" – The proposal contains no deficiencies and it conforms completely with the solicitation requirements (this does not necessarily eliminate the need for discussion of its weaknesses).
- b. "Marginally Acceptable" – The proposal can reasonably be expected to be made acceptable by moderate changes in areas where the proposal is deficient.
- c. "Unacceptable" – The proposal could not reasonably be expected to become "acceptable" without major, extensive changes and revisions. Unless the rationale clearly supports the determination of unacceptability, the determination shall be "marginally acceptable."

The above determinations will be made and documented under Consensus Summary Sheets. The final overall rating, along with ratings on individual factors, will be provided to the Contracting Officer for the best value decision.

7. BASIS FOR AWARD

Proposals must meet the criteria stated in the RFP in order to be eligible for award, to include responsiveness, technical acceptability and responsibility. The Government reserves the right to accept other than the lowest priced offer. The right is also reserved to reject any and all offers. Any award price must be determined to be fair and reasonable. Offerors should include their best technical and price terms in their initial offer and not to automatically assume that they will have an opportunity to participate in discussions or be asked to submit a revised offer. The Government may make award of a conforming proposal without discussions, if deemed to be in the best interests of the Government. The Government may award a contracts without discussions based on initial proposals received. Therefore, the proposals shall contain the offeror's best terms from a cost and technical standpoint. However, the Government reserves the right to conduct discussions in accordance with FAR 52.215-1. Should discussions be necessary after evaluations, the Government will establish a competitive range of the offerors that are the most highly rated.

MULTIPLE AWARD CONTRACTS ARE CONTEMPLATED. SUCCESSFUL OFFERORS WHICH ARE AWARDED A CONTRACT WILL COMPETE FOR INDIVIDUAL TASK ORDERS, INCLUDING THE PROJECTS SPECIFIED IN THIS SOLICITATION, BASED ON ABILITY TO PERFORM THE WORK AND PRICE. AWARD OF A TASK ORDER MAY BE MADE WITH OR WITHOUT DISCUSSIONS.

SECTION 00600 - REPRESENTATIONS & CERTIFICATIONS

The following have been added by full text:

52.219-19 SMALL BUSINESS CONCERN REPRESENTATION FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM (OCT 2000)

(a) Definition.

"Emerging small business" as used in this solicitation, means a small business concern whose size is no greater than 50 percent of the numerical size standard applicable to the North American Industry Classification System (NAICS) code assigned to a contracting opportunity.

(b) [Complete only if the Offeror has represented itself under the provision at 52.219-1 as a small business concern under the size standards of this solicitation.] The Offeror [] is, [] is not an emerging small business.

(c) (Complete only if the Offeror is a small business or an emerging small business, indicating its size range.)

Offeror's number of employees for the past 12 months (check this column if size standard stated in solicitation is expressed in terms of number of employees) or Offeror's average annual gross revenue for the last 3 fiscal years (check this column if size standard stated in solicitation is expressed in terms of annual receipts). (Check one of the following.)

No. of Employees Avg. Annual Gross Revenues

___ 50 or fewer ___ \$1 million or less

___ 51 - 100 ___ \$1,000,001 - \$2 million

___ 101 - 250 ___ \$2,000,001 - \$3.5 million

___ 251 - 500 ___ \$3,500,001 - \$5 million

___ 501 - 750 ___ \$5,000,001 - \$10 million

___ 751 - 1,000 ___ \$10,000,001 - \$17 million

___ Over 1,000 ___ Over \$17 million

(End of provision)

SECTION 00700 - CONTRACT CLAUSES

The following have been modified:

52.216-22 INDEFINITE QUANTITY. (OCT 1995)

(a) This is an indefinite-quantity contract for the supplies or services specified, and effective for the period stated, in the Schedule. The quantities of supplies and services specified in the Schedule are estimates only and are not purchased by this contract.

(b) Delivery or performance shall be made only as authorized by orders issued in accordance with the Ordering clause. The Contractor shall furnish to the Government, when and if ordered, the supplies or services specified in the Schedule up to and including the quantity designated in the Schedule as the "maximum". The Government shall order at least the quantity of supplies or services designated in the Schedule as the "minimum".

(c) Except for any limitations on quantities in the Order Limitations clause or in the Schedule, there is no limit on the number of orders that may be issued. The Government may issue orders requiring delivery to multiple destinations or performance at multiple locations.

(d) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractor's and Government's rights and obligations with respect to that order to the same extent as if the order were completed during the contract's effective period; provided, that the Contractor shall not be required to make any deliveries under this contract after 30 September 2007

(End of clause)

(End of Summary of Changes)