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|--|----------------------------------|--|---|------------------------|
| <b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>  |                                  |  | 1. CONTRACT ID CODE                                   | PAGE OF PAGES<br>1   9 |
| 2. AMENDMENT/MODIFICATION NO.<br>0006  | 3. EFFECTIVE DATE<br>12-Dec-2005 | 4. REQUISITION/PURCHASE REQ. NO.                               | 5. PROJECT NO.(If applicable)                         |                        |
| 6. ISSUED BY<br>USACE, CONTRACTING RFO<br>1ST FLOOR<br>1900 NORTH LOBDELL BLVD<br>BATON ROUGE LA 70806   | CODE<br>W912P8                   | 7. ADMINISTERED BY (If other than item 6)<br><b>See Item 6</b> |   |                        |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)  |                                  | X  | 9A. AMENDMENT OF SOLICITATION NO.<br>W912P8-06-R-0053 |                        |
|  |                                  | X  | 9B. DATED (SEE ITEM 11)<br>26-Nov-2005                |                        |
|  |                                  |  | 10A. MOD. OF CONTRACT/ORDER NO.                       |                        |
|  |                                  |  | 10B. DATED (SEE ITEM 13)                              |                        |
| CODE   | FACILITY CODE                    |  |   |                        |
| <b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>   |                                  |  |   |                        |
| <input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended.<br>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:<br>(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;<br>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)  |                                  |  |   |                        |
| <b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.<br/>IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>  |                                  |  |   |                        |
| A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.   |                                  |  |   |                        |
| B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).  |                                  |  |   |                        |
| C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:   |                                  |  |   |                        |
| D. OTHER (Specify type of modification and authority)  |                                  |  |   |                        |
| E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.  |                                  |  |   |                        |
| 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)<br>Solicitation W912P8-06-R-0053, for General Construction projects for the State of Louisiana is hereby amended as follows:<br><br>A. Section 00100, "Bidding Schedule/Instruction to Bidders", Factor 4 - Cost/Price, provides additional clarification and instructions in submission of the proposed G&A and Profit Rates within Volume 2 Cost/Price.<br><br>B. There is no sample Task Order within the Solicitation.<br><br>C. All other terms and conditions remain unchanged.  |                                  |  |   |                        |
| Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.   |                                  |  |   |                        |
| 15A. NAME AND TITLE OF SIGNER (Type or print)  |                                  | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)     |   |                        |
|  |                                  | TEL:   | EMAIL:  |                        |
| 15B. CONTRACTOR/OFFEROR  | 15C. DATE SIGNED                 | 16B. UNITED STATES OF AMERICA                                  |   | 16C. DATE SIGNED       |
| _____<br>(Signature of person authorized to sign)  |                                  | BY _____<br>(Signature of Contracting Officer)                 |   | 13-Dec-2005            |

## SECTION SF 30 BLOCK 14 CONTINUATION PAGE

**SUMMARY OF CHANGES**

## SECTION 00100 - BIDDING SCHEDULE/INSTRUCTIONS TO BIDDERS

The following have been modified:

SECTION 00100**INSTRUCTION TO OFFERORS****EVALUATION FOR AWARD****1. EVALUATION CRITERIA & RATINGS**

a. Proposals received will be evaluated on the basis of representation of the evaluation elements listed below. Offeror's shall submit proposals conforming to the format described in Section 00100 - Schedule / Instructions to Offerors. Proposals shall conform to all terms and conditions contained within the RFP. Proposals which do not conform to all requirements stated in the RFP may be rejected without further evaluation or deliberation.

b. Basis for Award. Subject to the provisions contained herein, award will be made to up to three (3) offerors who are deemed responsible in accordance with the Federal Acquisition Regulation (FAR), conforms to the solicitation requirements, and whose proposal judged by an overall assessment of the evaluation criteria and other considerations specified in this solicitation, represents the Best Value (Cost Technical Trade-offs) to the Government. It is the Government's intent to award without discussions; however, in accordance with FAR 15.306, should discussions become necessary, the Government reserves the right to hold them. If this occurs, a competitive range may be determined and Offerors notified in accordance with FAR 15.503. The competitive range may be limited for purposes of efficiency in accordance with FAR 15.306 (c)(2). Offerors are urged to reflect their best possible terms, to include cost related elements, since less than the best potential price(s) could result in exclusion of the proposal from further consideration. The Government reserves the right to award to other than the lowest proposed price; however, the degree of importance of cost/price related elements as a factor will become greater as the proposals approach equality. The greater the equality of proposals, the more important cost/price shall become in selecting the Best Value to the Government. Unrealistically high or low proposed costs/prices may be grounds for eliminating a proposal from the competitive range based upon assessment that the offeror does not understand the requirement or the offeror has made an unrealistic proposal.

c. Proposals determined to be Unsatisfactory will be eliminated from further consideration.

d. The following adjectival ratings are listed and defined below:

**EXCEPTIONAL** - is defined as any proposal that can be awarded "as submitted" and contains no deficiencies and/or weaknesses. The proposal meets or more often exceeds the Government's minimum objectives/requirements and demonstrates an exceptional understanding of the overall objectives/requirements. The Government is confident that the offeror can successfully perform the anticipated construction services. The proposal provides little to low risk and a high probability of success.

Risk Level - Very Low

**VERY GOOD** - any proposal that can be awarded “as submitted” and contains no deficiencies and/or weaknesses. The proposal meets or sometimes exceeds the Government’s minimum objectives/requirements and demonstrates a clear understanding of the objectives and requirements. Significant strengths exist with possible points of clarification present (which would not effect successful performance), and in certain instances, the proposal could have contained more detail. The proposal provides for low risk and a good probability of success.

Risk Level - Low

**MARGINAL** - is defined as any proposal that can not be awarded “as submitted” and contains significant deficiencies and/or weaknesses. The proposal fails to meet some of the minimum objectives/requirements, and demonstrates that the contractor does not fully understand the overall objectives/requirements, and substantial improvement is necessary. The proposal may be correctable only with a significant re-write of the proposal. The proposal provides for a low probability of success.

Risk Level - High

**UNSATISFACTORY** - is defined as any proposal that can not be awarded “as submitted” and contains major deficiencies and/or weaknesses that prohibit successful contract performance and could only become eligible for award if it were substantially revised. The proposal fails to meet the minimum objectives/requirements, and demonstrates that the contractor does not understand the objectives/requirements. The government has no confidence that the offeror can successfully perform the anticipated construction services.

Risk Level - Very High

**NEUTRAL** - No record of relevant Past Performance or for whom information on Past Performance is not available. In this case, the offeror may not be evaluated favorably or unfavorably on Past Performance. This rating applies to the Past Performance Factor **ONLY**.

e. This acquisition will be conducted IAW FAR 15. The acquisition will be awarded through the competitive negotiation process using the Best Value method of Source Selection. Awards will be made to the responsible offerors who provide the best value to the Government, price and other factors considered. This will be determined by evaluation of the offeror’s proposal based on criteria set forth in Section 00100 of the Solicitation. The proposed contracts are anticipated as Indefinite Delivery Indefinite Quantity (IDIQ) with the capability to issue, negotiated, and award Task Orders on a Firm Fixed price basis, via competitive competition among the awardees. This Section describes the evaluation process and methods by which selection(s) will be made for this solicitation.

f. Evaluation Factors. IAW WITH far 15.304, the following primary factors and significant subfactors will be considered in evaluating the non-cost aspects of the proposals.

Proposals will be evaluated on four (4) factors:

- a. Capacity & Capability
- b. Past Performance
- c. Management Plan
- d. \* Cost/Price

\* - The Cost/Price aspects of the proposal will be evaluated for completeness and reasonableness. See further explanation below (Factor 4 - Cost/Price).

Factors to be Evaluated. The proposals will be evaluated on four (4) evaluation factors. The Capacity & Capability Factor is slightly more important than Past Performance. Past Performance is slightly more important than the Management Plan. When combined, the Capacity & Capability and Past Performance are more important than the Management Plan. When combined, Factors 1, 2, 3 are significantly more important than Cost or Price.

**FACTOR 1 - CAPACITY & CAPABILITY**

Subfactor A. Demonstrated capacity and capability to procure, construct, assemble, and mobilize the necessary facilities, materials, equipment, labor, and subcontracts from local businesses, firms, and subcontractors as well as other resources as necessary to the required project sites.

Subfactor B. Demonstrated capacity and capability to provide all skilled personnel in the following required areas of expertise:

1. Home Office Management of multiple construction sites
2. Architect-Engineering services to support incidental design which adheres to local, State, and federal construction and safety requirements
3. On-Site Project Management
4. General Construction
5. Project Engineering
6. Quality Control
7. Safety

Subfactor C. Demonstrated capacity and capability to begin project construction within fourteen (14) calendar days of issuance of a Task Order and or the issuance of the Notice to Proceed (NTP), whichever is defined in the individual Task Order.

**FACTOR 2 - PAST PERFORMANCE**

Subfactor A. Past Performance on past and or on-going contracts of similar or like magnitude projects (to include Federal, State, Local Government and Commercial/Private).

*NOTE: IAW 15.305(a)(2)(iv), Offerors without a record of relevant Past Performance of similar and or like magnitude, or for whom information on past performance is not available, the offeror will be rated as Neutral.*

**FACTOR 3 - MANAGEMENT PLAN**

Subfactor A. Describe the overall approach and methodology of the Management Plan to execute the construction and installation of permanent and portable/temporary buildings and other miscellaneous construction activities. The Management Plan shall also address and include all elements pertaining to the prime and subcontractors. The Management Plan shall address and include the following elements:

1. Quality Control (QC)
2. Complete and comprehensive understanding of all contract requirements
3. Key Personnel (letter of commitment to perform is mandatory)
4. Complete Organizational Chart and Plan to include Management, Supervisors, Field Personnel, and Subcontractors.
5. Regular and emergency operation of equipment supplied
6. Contract Numbers, names and locations of subcontractors
7. Warranty providers for all labor, materials, and equipment

**FACTOR 4 - COST/PRICE**

a. An evaluation will be performed on the proposed General & Administrative (G&A) costs, Profit, and Financial Responsibility. The proposed evaluation will not be assigned an adjectival rating, yet they will be evaluated for completeness and reasonableness. The following elaborates on terms mentioned above:

1. Subfactor A. Completeness. To be complete, the offeror must provide all data that is requested and necessary to evaluate both the G&A and Profit. The Government will assess the extent to which the proposed items comply with the content and format requirements set forth in this solicitation.

2. Subfactor B. Reasonableness. The offeror's proposed items will be evaluated to determine if any are unreasonably high or low in relation to the anticipated work under the contract and as well as with current industry standards.

3. Subfactor C. Financial Responsibility. IAW FAR 9.104, the offeror must show that they have the financial resources to perform the contract, or the ability to obtain them.

b. General & Administrative (G&A)

Submit the following for the evaluation of the G&A rate:

1. Proposed G&A Rate
2. Offeror's actual G&A Rate Year-to-date, through October 2005. Provide last two (2) accounting year's G&A rates. State how rate was derived and identify the G&A Pool costs and the Allocation Base (Ensure the calculation includes potential award dollars).
3. Any budgeted or forecasted financial data to assist in substantiating the rate.
4. List of General Ledger Accounts.
5. Most recent Defense Contract Audit Agency (DCAA) audits, to include the cognizant DCAA Field Audit Office (if applicable).

c. Profit

Submit the following for the evaluation of the proposed Profit rate:

1. Proposed Profit Rate

d. Financial Responsibility

1. Comparative analysis for the last three (3) years of financial statements (including Balance sheets, Income Statement, Statement of Retained Earnings, Statement of Cash Flow, and notes to the Financial Statement).
2. Statement that the offeror is current with all its Government financial obligations, such as local, state, and federal taxes).
3. Statement regarding offeror's turnover ratio for its Accounts Payable liabilities.

## **2. EVALUATION PROCEDURES**

- a. Proposed Contract Type: Indefinite-Quantity contract with Firm Fixed Priced Task Orders.
- b. Source Selection Process: Best-Value / Trade-off Process
- c. All proposals will be evaluated by a team of Government personnel to determine the extent to which each offeror demonstrates a clear understanding of the requirements of the RFP. The offeror shall

submit a proposal that completely addresses **all** evaluation areas, specifically identifying how each evaluation requirement will be satisfied. The evaluation team will rate each proposal strictly in accordance with its content and will not assume that performance will include areas not specified in the offeror's written proposal.

d. The source selection authority (SSA) will select a contractor that represents the Best Value to the Government. The SSA will determine which proposal(s) are the best technical proposal(s) after review of the technical evaluation by the Source Selection Evaluation Board (SSEB) on the non-price factors in the Request for Proposal. If the highest evaluated technical proposal(s) would provide for the lowest costs when the proposed G&A and Profit are considered, the SSA will determine that those proposals are the Best Value to the government. If the highest evaluated technical proposal(s) are not the least price, the SSA, with applicable technical assistance, will make paired comparisons between proposals to determine if the price and other pertinent factors, using the tradeoff process described in FAR 15.101 and FAR 15.3, is the Best Value to the government. The trade-off process permits trade-offs among price and non-price factors and allows the Government to consider award to other than the offeror with the lowest price or other than the offeror with the highest evaluated proposal based on non-price considerations. The Government reserves the right to make award to other than the lowest priced offeror(s), price and other factors considered. The decision will involve a comparison of the combination of non-price strengths, weaknesses, risks and price offered in each proposal and judgment as to which provides the best combination. The SSA will document the decision as to why the selected source(s) represents the best value to the Government.

### **3. INSTRUCTIONS AND PROCEDURES FOR PROPOSAL SUBMISSION**

#### **a. General Information**

1. The source selection process will be conducted utilizing informal source selection procedures. Offers will be evaluated using the criteria under Section 00100 - Bidding Schedule/Instructions to Bidders. Noncompliance with the RFP requirements will raise serious doubts/questions regarding an offeror's technical and/or cost performance and understanding and may be grounds to eliminate the proposal from further consideration.
2. The Offer. The offer, inclusive of the documentation specified within the Solicitation, will constitute the offeror's acceptance of the terms and conditions of the RFP, and IAW Section 01000, Description/Specification/Work Statement.
3. These instructions prescribe the format for the proposal and describe the approach for the development and presentation of proposal data.
4. It is the Government's intention to award without discussions. Offerors are encouraged to present their best Technical and Cost Proposals in their initial proposal submission.
5. The Contractor shall number each page in both Volumes in order to eliminate any confusion.
6. If the offeror finds it necessary to take exceptions/assumptions to any of the requirements specified in this solicitation, each exception/assumption shall be delineated in the appropriate volume along with a complete explanation of why the exception was taken/assumption made. In the event the offeror takes no exception to the stated requirements, a statement to this effect shall be included in the subject volume. All exceptions to the solicitation requirements and supporting rationale shall be identified as such and consolidated into an overview section of the subject volume. An overview section is only required if the offeror takes exception to any requirement in the

solicitation.

7. Written documentation. Offerors are advised to review FAR provision 52.215-1 entitled "Instructions to Offerors-Competitive Acquisition" which contains rules governing untimely submission of proposals. All written documentation will be used to evaluate the offer. Offerors shall submit the following written documentation no later than the specified date and time to the locations specified herein. Any information not specifically requested will not be evaluated or used in any way. All written documentation shall be submitted in the appropriate volume.
8. Offers shall consist of two volumes:

**VOLUME 1 – TECHNICAL** - (to include Capacity & Capability (Factor 1); Past Performance (Factor 2) ; and the Management Plan (Factor 3))

**VOLUME 2 – COST/PRICE** (Factor 4).

9. Proposal Format. Proposals shall be submitted in the aforementioned volumes. The construction of each volume should not require extensive searching by the Evaluators to locate and evaluate any items or area. Electronic copies for the Pricing volume shall be submitted on 3 ½" size diskettes or on CD-ROM using either Microsoft Word and/or Excel. The Cost Disks/CD's shall not be submitted in "read only" format and no worksheets shall be hidden. Electronic copies for the Technical Volume shall be submitted on either 3 ½" size diskettes or on CD-ROM using Microsoft Word, Excel and/or PowerPoint as applicable. All disks shall be virus free. Copies of each volume shall be submitted in accordance with the chart below. Any "communications" resulting in changes to the proposal may require the submittal of replacement Disks/CD's. Proposal submission requirements are as follows:

| Volume | Title        | # of Hard Copies | # of Disk/CD |
|--------|--------------|------------------|--------------|
| 1      | TECHNICAL    | 3                | 1            |
| 2      | COST / PRICE | 3                | 1            |

**b. Volume 1 - Technical**

1. Volume 1 shall be separated into three (3) main sections.
  - a) Capacity & Capability; b) Past Performance; and c) Management Plan.

In order that the Technical Proposal be evaluated strictly on the merits of the material submitted, **NO COST/PRICE INFORMATION** is to be included in Volume 1.

2. This volume shall be organized as follows and contain the identified information. The Technical volume shall:
  - a. Be in written format prepared, at a minimum, in a form consistent with the

Description/Specification /Work Statement Technical Contract Requirements (Section 01000), and the evaluation criteria for award set forth in the solicitation.

b. Be prepared in an orderly format and in sufficient detail to enable the Government to make a thorough evaluation of the contractor's technical competence and ability to comply with the anticipated contract task requirements specified in the SOW. The offeror shall address, as specifically as possible, the actual methodology for accomplishing the SOW.

c. Be specific, detailed, and complete, to demonstrate a thorough understanding of the requirements for the accomplishment of the effort and provide a corresponding plan to fulfill those requirements in the most effective and efficient manner possible. Statements that the offeror, understands, can, or will comply with the SOW (including referenced publications, technical data, etc.); statements paraphrasing the SOW or parts thereof and phrases such as "standard procedures will be employed" or "well known techniques will be used," etc., may be considered unacceptable.

3. **Capacity & Capability.** The offeror shall address all aspects of capacity and capability, to include subcontractors, to perform all anticipated work requirements. The written narrative shall fully and completely address how all functions will be accomplished in the required areas of expertise (i.e. items 1-7).
4. **Past Performance.** Offerors are reminded that both independent data and data provided by offerors in their proposals may be used by the Government to evaluate offeror past performance. Since the Government may not necessarily interview all of the sources provided by the offerors, it is incumbent upon the offeror to explain the relevance of the data provided. The Government does not assume the duty to search for data to cure problems it finds in proposals. The burden of providing thorough and complete past performance information remains with the offerors. Proposals that do not contain the information requested by this paragraph, risk rejection or a less than acceptable performance rating. In the case of an offeror without any relevant past performance history, past performance will be evaluated as "neutral." Each offeror shall submit, at a minimum, the following past performance information:
  - a. Documentation outlining relevant past performance, as prime or major subcontractor, as it directly relates to the work being procured under this solicitation. The offeror **SHALL NOT** go back any farther than 36 months for the submitted data.
  - b. The past performance submitted shall be of the same or similar in nature, size, and complexity. Non-Government contracts may be used if Government contracts are not available.
  - c. The documentation shall be submitted in the following format:
    1. Contract Number, Award Date and Contract type
    2. Cost/Price - original awarded **AND** final (or projected final, if contract is current)
    3. Delivery Schedule - original **AND** final (or projected final, if the contract is current)
    4. Address and telephone number for the Government (or commercial) procuring Contracting activity **AND** contract administrative activity (if applicable)

5. Name, telephone number, fax number and e-mail address for the following:

a. Procuring Contracting Officer (PCO)

b. Administrative Contracting Officer (ACO)

c. Government or commercial contracting activity Technical Representative/COR

d. Rationale on how it was determined that the work performed previously was the same or similar in nature, size, and complexity to the work specified by this solicitation.

e. The offeror shall identify and explain any Cure Notices or Show Cause letters received on each contract and a description of any corrective action by the offeror or proposed subcontractor. This information shall also address all Terminations for Default (T4D).

f. The information outlined above shall be provided for each proposed subcontractor who will perform a significant portion of the effort.

g. Offerors shall include in their proposal the written consent of these proposed significant subcontractors to allow the Government to discuss the subcontractor's past performance evaluation with the offeror during any discussions.

5. **Management Plan.** The methodology shall provide the intended management concept, to include subcontractor usage and control for the contract. The methodology shall address the authority vested in each level of management, to include subcontractor relationship/control. The methodology shall fully and completely address how all major functions will be accomplished (i.e. items 1-7). An organization chart depicting authority, supervision, and coordination supported by the narrative is required.

**c. VOLUME 2 – COST/PRICE**

1. Volume 2 shall be separated into three (3) main sections

a) General & Administrative; b) Profit; and c) Financial Responsibility.

2. The Offeror shall provide all data requested to make the assessments of Completeness, Reasonableness, and Financial Responsibility concerning the Cost/Price elements set forth in the Solicitation. The Pricing Volume shall:

a. be prepared in the format and order of sequence, consistent with the information as contained in Section 00100, Bidding Schedule/Instructions to Bidders, FACTOR 4 - Cost/Price.

(End of Summary of Changes)