

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE J	PAGE OF PAGES 1   6
2. AMENDMENT/MODIFICATION NO. 0001	3. EFFECTIVE DATE 30-Nov-2005	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO.(If applicable)	
6. ISSUED BY USACE, CONTRACTING DIVISION ATTN: CEMVN-CT, ROOM 172 7400 LEAKE AVE. NEW ORLEANS LA 70118-3651	CODE W912P8	7. ADMINISTERED BY (If other than item 6) <b>See Item 6</b>		
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)		X	9A. AMENDMENT OF SOLICITATION NO. W912P8-06-R-0059	
		X	9B. DATED (SEE ITEM 11) 29-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. 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)				
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>				
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.				
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).				
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:				
D. OTHER (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.				
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The above solicitation for Indefinite Delivery - Indefinite Quantity Emergency Contract For Earthen Clay Material to Restore Hurricane Protection Levees, Task Force Gardian, Plaquemines Parish, Louisiana is hereby amended as follows:  The Proposal due date and time has not been changed.  SEE FOLLOWING PAGES				
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.				
15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
		TEL: _____ EMAIL: _____		
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED	
_____ (Signature of person authorized to sign)		BY _____ (Signature of Contracting Officer)	30-Nov-2005	

EXCEPTION TO SF 30  
APPROVED BY OIRM 11-84

30-105-04

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

## SECTION SF 30 BLOCK 14 CONTINUATION PAGE

**The following items are applicable to this modification:**

DELETE Paragraph 3.1.2.4.4 of section 02318-4 and substitute the following:

"3.1.2.4.4 Soil Boring Logs and Report, and Laboratory Soil Classification Test Results

Proposals shall include an adequate number of soil borings and reports as required below to assure the Government that at least 50,000 cubic yards of material meeting the specifications is initially available from the contractor's material source. It should also provide a plan to assure the Government that soil borings will be taken in advance of orders for clay materials. The proposal should include, as a minimum, a plan to take soil borings in advance of additional Government orders for clay materials to assure that at least 100,000 cubic yards of material is always available for ordering. The proposals will be evaluated on a "best value" basis with this as a minimum criteria to the overall evaluation.

Soil borings of the Contractor clay material source shall be made by the Contractor to a depth of at least 5 feet below the depth of planned excavation. The borings shall be furnished by the Contractor at a spacing that will adequately define the material in the pit but in no case spaced greater than 500 feet on centers. Borings along the proposed clay material source boundary shall be located no farther than one-half of the boring spacing in the pit or 250 feet, whichever is less. Soil samples from these borings shall be classified in accordance with the Unified Soil Classification system and shall include water content determinations based on the dry weight of the representative soil samples, taken at each 2.5 feet of depth of the boring or change in strata. These representative soil samples shall be submitted to an approved independent laboratory, properly labeled and sealed in an airtight container to preserve the natural water content for laboratory determination. The resulting classification and water content determination and clay material source boring logs shall be submitted to the Contracting Officer for determination of the suitability of the material for construction use. Soil boring locations shall be shown on the layout map required by paragraph 3.1.5.3(3)."

Delete paragraph 15 of SECTION H, "SPECIAL CONTRACT REQUIREMENTS" and substitute the following:

"15. WEEKENDS, HOLIDAYS AND NIGHTS

The Contractor shall work weekends, holidays, and nights as required to meet the delivery requirements for each task order."

Delete SECTION 00130 – PROPOSAL EVALUATION CRITERIA, and substitute the the following:

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SECTION 00130-PROPOSAL EVALUATION CRITERIA

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## SECTION 00130-PROPOSAL EVALUATION CRITERIA

### 1.1 SCOPE

This is a Request for Proposal (RFP). Proposals will be evaluated by a Source Selection Evaluation Board (SSEB) comprised of representatives of the Corps of Engineers. Award will be made to that offeror, determined by the Government, who can accomplish the requirements set forth in the RFP in a timely manner most advantageous to the Government considering both cost and non-cost factors. The Government reserves the right to award this contract to other than the lowest price offeror after consideration of all factors.

### 1.2 SOURCE SELECTION USING THE TRADE-OFF PROCESS

The Government will select the offer that represents the best value to the Government by using the trade-off process described in FAR Part 15. This process permits tradeoffs between price and technical merit/quality and allows the Government to accept other than the lowest priced offer. The award decision will be based on a comparative assessment of proposals against all source selection criteria in the solicitation.

### 1.3 RELATIVE IMPORTANCE OF PRICE TO THE TECHNICAL EVALUATION FACTORS

All non-cost (i.e., technical) evaluation factors are more significant than price. The Government is concerned with striking the most advantageous balance between Technical Merit (i.e., quality) and cost to the Government (i.e., price). Where competing technical proposals are determined to be substantially equal price could become the controlling factor.

### 1.4. TECHNICAL/QUALITY EVALUATION

The Government will evaluate each of the non-cost factors and rate the proposals. Non-cost factors are not all equal in importance. The following terminology is used to describe the relative importance of each non-cost factor:

- (1) MORE SIGNIFICANT. This factor is of greater value than other factors. It is approximately twice as much as the next valued factor.
- (2) LESS SIGNIFICANT. This factor is approximately one-half (1/2) the value of the factor rated ahead of it.
- (3) COMPARATIVELY EQUAL. The value is nearly the same as another factor; any difference is slight and unimportant.

## 1.5 EVALUATION FACTORS

### 1.5.1 NON-COST FACTORS

The non-cost factors are listed in descending order of relative importance. Factors 1, 2 and 3 are comparatively equal and are more significant when compared to factor 4.

#### 1.5.1.1 Factor 1 - Quality of Earthen Clay Materials Offered.

Offerors will be evaluated on the quality of clay materials offered using the evidence provided by the offeror and other sources for the prime and all subcontractors. The Government reserves the right to check any or all cited references to verify supplied information.

#### 1.5.1.2 Factor 2 - Availability, Timeliness and Delivery Capability.

The offeror shall provide plans and methodology to be used in accomplishing the delivery of earthen clay materials to include a detailed delivery capability plan (e.g., the type and quantity of labor and equipment that will be used and its availability and capability, etc.).

The contractor shall state in his proposal:

1) His maximum time for initial deliveries of clay materials to each delivery area upon receipt of a task order.

2) His sustained delivery rate per day (cubic yards per day) for each delivery area specified (if delivering to a single delivery area).

3) His sustained delivery rate to each of 2, 3 or 4 delivery areas simultaneously.

4) Environmental Clearances. A critical part of the availability factor is meeting the criteria for environmental clearances of borrow areas as specified in section 02318.

#### 1.5.1.3 Factor 3 - Past Performance.

Offerors will be evaluated on the quality of similar work performed in the last TEN (10) YEARS using the evidence provided by the offeror and other sources for the prime and all subcontractors. Projects that are similar in scope, complexity and magnitude will provide better proof of the Offeror's capabilities. The Government reserves the right to check any or all cited references to verify supplied information and to assess owner satisfaction. The Government may also use other tools to gather information regarding an Offeror's qualifications and past performance. The offeror should provide information on any problems encountered on the identified contracts and the

corrective actions taken. Offerors with no relevant performance history will receive a neutral rating in this factor.

1.5.1.4 Factor 4 - Small/Small Disadvantage Participation.

1.5.2 COST FACTOR

Factor 5 - Price.

1.6 RFP SUBMITTALS

1.6.1 Proposal Submission.

Offeror's submitting proposals for this project should limit submissions to data essential for evaluation of proposals so that a minimum of time and monies will have been expended in preparing information required herein. However, in order to be effectively and equitably evaluated, the proposals must include information sufficiently detailed to clearly describe the Offeror's ability to provide quality earthen clay materials on-time to meet the Government's demands to successfully complete levee restoration work.

1.6.2 Environmental Requirements

Offerors shall submit the environmental compliance documentation required in section 02318 as part of their proposals. The Government will review this documentation during evaluation of the contractor proposals. The Government reserves the right to reject any and all proposals which include borrow sources that have not received all required permits and clearances.