

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES
			J	1   7
2. AMENDMENT/MODIFICATION NO. 0001	3. EFFECTIVE DATE 05-Jan-2006	4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO.(If applicable)
6. ISSUED BY USACE, CONTRACTING RFO 1ST FLOOR 1900 NORTH LOBDELL BLVD BATON ROUGE LA 70806	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-0071	
		X	9B. DATED (SEE ITEM 11) 21-Dec-2005	
			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 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 _____ 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.) PROJECT: IDIQ MODULAR BUILDINGS IN LOUISIANA. See continuation 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)	05-Jan-2006	



SECTION L - INSTRUCTIONS, CONDITIONS AND NOTICES TO BIDDERS

The following have been modified:

INSTRUCTIONS TO OFFERORS

**SECTION L  
INSTRUCTIONS, CONDITIONS AND  
NOTICES TO OFFERORS OR QUOTERS**

**PREPARATION OF PROPOSALS**

L.5. WRITTEN PROPOSAL CONTENT :

Dated changed from 17 January 2006 to 19 January 2006.

A letter authorizing that source to provide past performance information to the USACE LA-RFO, 1900 N. Lobdell Blvd, Baton Rouge, Louisiana 70806. Send to the Attention of Annie Tucker, Room 119, or e-mail Annie.J.Tucker@mvm02.usace.army.mil A copy of each of these "authorization for release/consent letters" shall be included in the offeror's proposal to allow the Government to discuss the response with the offeror. Completed past performance questionnaires must be received at USACE LA-RFO, 1900 N. Lobdell Blvd, Baton Rouge, Louisiana 70806. Send to the Attention of Annie Tucker, Room 119, or e-mail Annie.J.Tucker@mvm02.usace.army.mil at by COB 19 January 2006.

SECTION M - EVALUATION FACTORS FOR AWARD

The following have been modified:

EVALUATION FACTORS FOR AWARD

1. PAST PERFORMANCE (PART 1)

Revised from 10 contracts to 5 contracts.

a. Identify five (5) contracts, (including Federal, State, and local government and private) for efforts similar to this requirement under performance or completed within the last five years ranging in dollar value from \$10,000.00 to \$10,000,000.00. If you have less than 5 contracts you may still propose. Offerors with less than 5 contracts will receive less credit. Separate contracts must be listed. Task Orders listed under the same contract will be counted as one contract. Provide information on problems encountered on the identified contracts and the corrective actions taken in bullet format. Submit Key supervisory personnel and managers with a letter of commitment to perform. The government will use management information provided to assess management effectiveness in: 1) Management of Multiple Sites; 2) Project Management; 3) Project Engineering and 4) Management in Disaster Areas.

QUESTIONS AND ANSWERS

#	Question	Answer
1	Is the sample task order supposed to be part of my proposal?	Section B:  B.3. Offerors are required to complete Schedule B based on the Sample Task Order in Section J. The Government will use the proposed pricing to determine price reasonableness.
2	What does the maximum quantity of 90,000,000 represent?	Section B:  B1.b. The maximum obligation amount for all task orders issued under this requirement shall not exceed \$90,000,000.00. This amount encompasses ALL contracts, regardless of the number of awardees,

		and includes any options that may be exercised.
3	If leasing modular buildings will the Government provide the duration of the lease? Also, if the buildings are leased, can the local entity using the buildings and/or the government, be listed as a lessee, as the duration for the building(s) use are not known as this time?	Yes, when applicable. Terms for leased buildings may be defined to include lessee as part of the task order.
4	What is the number of cubicles to be provided for office space?	The number of cubicles will be provided under an individual project. It is not relevant to your proposal.
5	Is there a requirement for bonds	No.
6	Which completion date do the liquidated damages apply to?	The liquidated damages apply the completion date in each task order, not the period of performance for the main IDIQ contract.
7	The sample task requests furniture. Is furniture a requirement of this solicitation?	No. Furniture is not a requirement of this solicitation. Furniture requirements may be listed in individual task order Statements of Work for informational purposes only. The purpose of the furniture list is so that the Contractor knows what items have to fit into the modular building.
8	Do the bathrooms, kitchens, etc have to meet ADA requirements?	Yes. The modular buildings are to meet ADA requirements.
9	When are the past performance questionnaires due?	Thursday, 19 Jan 06
10	Are the modular units commercial or residential?	Both types of units may be required.
11	What size units are required?	Many different sizes may be required. Square footage requirements will be provided with each individual request for task order proposal.
12	Is there a preference on the manufacturer?	No.
13	Reference Section C, II, 10 Portable Building Installation Anchor and Strapping (page 7 of 47). The RFP states portable buildings shall be in accordance with all applicable Federal, State, and local codes. Our experience indicates that at times these codes have conflicts. If this occurs, will the USACE provide additional clarification indicating what codes would govern for a specific delivery order?	Yes
14	Reference H.1 Preference for Local Firms in Major Disaster Areas (page 15 of 47). Since this preference is not in the evaluation criteria, could the USACE clarify how the "preference for small business" will be used in the selection of a prime contractor? For instance, will a prime contractor be	Section M, Subfactor 4 of Technical Factor: Location of Management or Field Office site is an evaluation Factor.

	penalized in the evaluation of proposals if it is not in the local area, even if it uses local subcontractors to execute the work?	
15	Section I, Clause 52.211-11 Liquidated Damages—Supplies, Services, or Research and Development (Sep 2000). The RFP specifies liquidated damages of \$2,425.00 per day. Would the USACE consider specifying a task specific value of liquidated damages that would consider the size of task, complexity or work and schedule considerations?	The daily amount of \$2,425.00 is not subject to change.
16	Section L, Paragraph L.5, b, Part 1 (page 36 of 47). The RFP specifies a minimum of 5 contracts for similar efforts be provided. Section M, Paragraph 1 indicates 10 contracts. Should Section M indicate 5 contracts to be consistent with Section L?	Yes
17	Section L, Paragraph L.5, b, Part 1 (page 36 of 47) states that Task Orders listed under the same contract will be counted as one contract. Our firm has a Basic Ordering Agreement with terms and clauses that apply to future contracts (FAR 16.703). We are requesting the USACE confirm that separate contracts issued under the BOA can be used as separate past performance examples.	The BOA(s) listed should be from separate projects/contracts.
18	Section L, Paragraph L.5, Part 3 Price Proposal and Profit (page 38 of 47). The USACE requests a single profit rate for all delivery orders. Would the USACE consider allowing the contractors to determine profit on a task by task basis using a weighted guideline approach that considers the project factors such as complexity, risk, duration, and percent subcontracted, etc?	The profit you propose for evaluation purposes should be based on the sample tasks in Section J. The three IDIQ FFP Contracts awarded will be provided a fair opportunity to compete for task orders exceeding \$100K.
19	Is there a need of portable shower trailers?	No
20	Section J provides examples of several sample task orders. However, the instructions in Section L and the Evaluation Criteria of Section M do not mention either submission or evaluation of these sample problems. Please clarify if these are to be completed and where in the proposal you want them submitted.	Section B:  B.3. Offerors are required to complete Schedule B based on the Sample Task Order in Section J. The Government will use the proposed pricing to determine price reasonableness.
21	Please clarify requirements in Para L.5 b1, page 36 of 47 and Section M, Para 1.a, page 44 of 47, with reference to “Submit Key Supervisory personnel and managers with a letter of commitment to perform”. This is the Past Performance Section of the proposal.	Yes
22	Page 45 of 47, Sample Experience Reference Sheet and page 46 of 47, Sample Identification of Skills. On both forms under the instruction box, last item requires each item provided on this sheet to be explained on a REFERENCE & FACTS INFORMATION SHEET. Attachment 3 is entitled Reference Information Sheet. Please confirm that Attachment 3 is the	Yes, Facts Information Sheet

	only form and I'm not missing a FACTS INFORMATION SHEET.	
23	The Sample Task Order (Section J) indicates that the Contractor must provide a detailed breakout for the modular units, transportation and site preparation. However, Section L, does not indicate that the Sample Task is a requirement for the Proposal. Can you please clarify the need to complete the Sample Task and submit it as part of the Proposal Submittal.	Section B:  B.3. Offerors are required to complete Schedule B based on the Sample Task Order in Section J. The Government will use the proposed pricing to determine price reasonableness. Offerors should submit a detailed breakout for the modular units, transportation and site preparation based on the Lump Sum provided in Schedule B under CLIN 0001 for Sample Task Orders in Section J. Also see paragraph L.3.
24	Will the contractor require a State of Louisiana contractor license	Yes, a contractor must obtain a license to operate in the State of Louisiana and I believe that applies to Prime as well as Sub Contractors
25	Would "Sprung Instant Structures " meet the requirement for Modular Buildings?	Yes, the Sprung Instant Structures would be acceptable assuming they meet all applicable federal, state and local building codes.
26	Would system built (factory manufactured) panelized housing and structures meet the requirement?	Panelized housing/structures do not meet the temporary building requirements. These products appear to be a more "efficient" type of permanent construction, but not what FEMA would consider for temporary buildings.
27	Are you considering modular buildings that provide more protection than a standard "double-wide trailer"?	The requirement is not based on the protection that a "standard double-wide trailer" affords. The emphasis is on the temporary nature of the need and the timeliness with which it can be delivered. So long as buildings/systems can meet the applicable federal, state and local codes, have a temporary or "portable" nature and are cost competitive with similar products, then they are acceptable.
28	Would fabric structures meet the solicitation requirements?	Fabric structures of a temporary nature, meeting all applicable federal, state and local building codes and be cost competitive should meet the requirements.
29	Past Performance Section L requires 5 contracts, Past Performance Section M requires 10 contracts	Five Contracts is correct for both Sections L and M.
30	Are Modular units commercial or	Commercial

	residential	
31	Sizes?	Sizes will vary.
32	Brand Name Preference	None

The deadline for offeror questions regarding the solicitation is: Monday, 9 Jan 06. The questions must be e-mailed to Annie Tucker at [Annie.J.Tucker@mvm02.usace.army.mil](mailto:Annie.J.Tucker@mvm02.usace.army.mil) Specify Solicitation W912P8-06-R-0071 Questions in the subject line.

**SUMMARY OF CHANGES**

## SECTION SF 30 BLOCK 14 CONTINUATION PAGE

**SUMMARY OF CHANGES**

## SECTION F - DELIVERIES OR PERFORMANCE

The following have been deleted:

52.211-8	Time of Delivery	JUN 1997
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## SECTION I - CONTRACT CLAUSES

The following have been added by reference:

52.232-25	Prompt Payment	OCT 2003
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52.217-8 OPTION TO EXTEND SERVICES (NOV 1999)

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within thirty (30) calendar days before the contract expires.

(End of clause)

52.217-9 OPTION TO EXTEND THE TERM OF THE CONTRACT (MAR 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within 30 days ; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 30 before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed 60 months.

(End of clause)

The following have been deleted:

52.219-8	Utilization of Small Business Concerns	MAY 2004
52.219-9	Small Business Subcontracting Plan	JUL 2005
52.219-16	Liquidated Damages-Subcontracting Plan	JAN 1999
52.222-7	Withholding of Funds	FEB 1988
52.222-8	Payrolls and Basic Records	FEB 1988
52.222-9	Apprentices and Trainees	JUL 2005
52.222-10	Compliance with Copeland Act Requirements	FEB 1988
52.222-11	Subcontracts (Labor Standards)	JUL 2005
52.225-9	Buy American Act--Construction Materials	JAN 2005
252.232-7007	Limitation Of Governments Obligation	AUG 1993

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		B1.b. The maximum obligation amount for all task orders issued under this requirement shall not exceed \$90,000,000.00. This amount encompasses ALL contracts, regardless of the number of awardees, and includes any options that may be exercised.
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13	Reference Section C, II, 10 Portable Building Installation	Yes

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31	Sizes?	Sizes will vary.
32	Brand Name Preference	None

The deadline for offeror questions regarding the solicitation is: Friday, 6 Jan 06. The questions must be e-mailed to Annie Tucker at [Annie.J.Tucker@mvm02.usace.army.mil](mailto:Annie.J.Tucker@mvm02.usace.army.mil) Specify Solicitation W912P8-06-R-0071 Questions in the subject line.