

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE	PAGE OF PAGES
2. AMENDMENT/MODIFICATION NUMBER		3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQUISITION NUMBER	5. PROJECT NUMBER <i>(If applicable)</i>	
6. ISSUED BY CODE		7. ADMINISTERED BY <i>(If other than Item 6)</i> CODE			
8. NAME AND ADDRESS OF CONTRACTOR <i>(Number, street, county, State and ZIP Code)</i>			<input checked="" type="checkbox"/>	9A. AMENDMENT OF SOLICITATION NUMBER	
			<input type="checkbox"/>	9B. DATED <i>(SEE ITEM 11)</i>	
			<input type="checkbox"/>	10A. MODIFICATION OF CONTRACT/ORDER NUMBER	
			<input type="checkbox"/>	10B. DATED <i>(SEE ITEM 13)</i>	
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 electronic communication 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 letter or electronic communication, provided each letter or electronic communication 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 NUMBER AS DESCRIBED IN ITEM 14.**

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: <i>(Specify authority)</i> THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NUMBER IN ITEM 10A.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES <i>(such as changes in paying office, appropriation data, etc.)</i> SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER <i>(Specify type of modification and authority)</i>

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.)*

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 <i>(Type or print)</i>		16A. NAME AND TITLE OF CONTRACTING OFFICER <i>(Type or print)</i>	
15B. CONTRACTOR/OFFEROR		16B. UNITED STATES OF AMERICA	
15C. DATE SIGNED		16C. DATE SIGNED	
<i>(Signature of person authorized to sign)</i>		<i>(Signature of Contracting Officer)</i>	

Previous edition unusable

SF 30 CONTINUATION SHEET

Herbert Hoover Dike Rehabilitation Structure Replacements S-265 (KI-2) and S-266 (KI-1) Reconstruction,
Okeechobee County, FLORIDA
Amendment 9

SUMMARY OF CHANGES

1. SPECIFICATIONS:

A. In some Volume 1 sections, asterisks appear before and after the line or lines where revisions have been made to the text, and pertain only to changes made by this amendment. In some cases, replacement clauses are attached to this amendment.

B. In Volume 2 sections, the text changes have been updated with additions noted by underlined text and deletions noted by line/cross-outs, and pertain only to changes made by this amendment. The entire section is replaced if there is any change. The Project Table of Contents and Submittal Register are replaced without underlines and cross-outs if there are changes to these documents.

Changes to Specifications:

Volume 1 of 2 – Technical Specifications:

SECTION 00100A - DELETE in its entirety Section 00100A and **REPLACE** with the attached Section 00100A

SECTION 00800 – DELETE 999.215-4001-Limitations On Substitutions For Certain Positions And/Or Subcontractors and **REPLACE** with 999.215-4001-Limitations On Substitutions For Certain Positions And/Or Subcontractors

999.215-4001-Limitations On Substitutions For Certain Positions And/Or Subcontractors

LIMITATIONS ON SUBSTITUTIONS FOR CERTAIN POSITIONS AND/OR SUBCONTRACTORS

The award decision for this contract was based, in part, on an evaluation of the personnel and/or subcontractors the Contractor included in its proposal for the positions and/or items of subcontracted work identified at the end of this paragraph. The Contractor agrees these personnel and/or subcontractors will be employed as described in its proposal and no substitutes will be employed without prior written approval of the Contracting Officer or administrative Contracting Officer. The Contractor further agrees that any proposed substitutes shall meet or exceed the qualifications of the original personnel and/or subcontractors. If the Contractor's proposal did not name a subcontractor for an identified item of work, the Contractor will not be allowed to subcontract that item of work without prior approval of the Contracting Officer or Administrative Contracting Officer. The limitations described herein shall apply to the Gate Fabricator and/or items of subcontracted work that required the Offeror to provide a letter of commitment using Attachment 2 for any subcontractor proposed under Sub-Factor 1. Prime contractor will not be allowed to substitute a subcontractor's experience for its own; unless the subcontractor will be a team member in this requirement.

(End of paragraph number 999.215-4001)

Volume 2 of 2 – Technical Specifications:

N/A – No Changes

(End of Summary of Changes)

SECTION 00100A

SOLICITATION PROVISIONS

A. ELIGIBILITY FOR CONTRACT AWARD

In accordance with the Federal Acquisition Regulation (FAR), no contract shall be entered into unless the Contracting Officer ensures that all requirements of law, executive orders, regulations, and all other applicable procedures, including clearances and approvals, have been met. This includes the FAR requirement that no award shall be made unless the Contracting Officer makes an affirmative determination of responsibility. To be determined responsible, a prospective contractor must meet the general standards in Part FAR 9 and any special standards set forth in the solicitation.

B. SOURCE SELECTION USING LOWEST PRICE TECHNICALLY ACCEPTABLE (LPTA)

The LPTA process is selected as appropriate for this acquisition because the best value is expected to result from selection of the lowest evaluated price proposal with acceptable non-priced proposal (Technical Acceptability). In order to permit efficient competition, the following methodology will be utilized. The Government will evaluate the proposals for technical acceptability. The lowest price technically acceptable will then be evaluated to determine fair and reasonableness in accordance with FAR 15.404-1(a). That Offeror will be selected for award.

If discussions are deemed necessary by the Contracting Officer, all proposals both price and non-priced will be evaluated for the purpose of establishing a competitive range.

C. EVALUATION FACTORS FOR AWARD

The solicitation requires the evaluation of: **Factor 1 - Technical Acceptability, and Factor 2 - Price.**

Award will be made to the offeror who submits the lowest priced proposal that is determined to be technically acceptable. To be considered technically acceptable, an Offeror's proposal must be rated "Acceptable" Factor 1 - Technical Acceptability and its sub-factors.

Magnitude of Construction: The estimated cost of this project is between U.S. \$10,000,000.00 and \$25,000,000.00.

The Primary NAICS code is 237990 with a small business size of \$36.5 million.

D. PROPOSAL REQUIREMENTS, AND FORMAT

The Government will not reimburse any costs incurred or associated with preparation and submission of any responses to this solicitation. Oral explanations or instructions to Offerors are not binding. Any information given to an Offeror which impacts the solicitation and/or offer will be given in the form of a written amendment to the solicitation. In accordance with Paragraph 999.204-4003,

Section 00100 of the Solicitation, any and all amendments to the solicitation will be distributed via

the Federal Business Opportunities website. It is the Offeror's responsibility to acknowledge any and all amendments in its proposal submission.

Offerors should not modify the terms and conditions of the solicitation in either the price or non-priced proposal or add conditions, exceptions, or qualifications to their offers. Should an Offeror include terms and conditions that conflict with the terms and conditions of the solicitation, that offer may be determined to be Unacceptable for award. Any questions related to specific terms and conditions contained within the solicitation should be submitted via Bidders Inquiry in ProjNet by no later than (NLT) the date specified in Section 00010A, Attachment A, Instructions For Technical Inquires and Questions, prior to submission of an offer. Notwithstanding the above, the Offeror must clearly describe in its proposal (Price and Non-Priced) any modifications to the contractual terms and conditions of the solicitation contained in its offer.

Offerors that include information in their proposals they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, must clearly mark their proposals in accordance with the instructions at FAR clause 52.215-1, *Instructions to Offerors- Competitive Acquisition*, paragraph (e), *Restriction on Disclosure and Use of Data*, in Section 00100 of the Solicitation.

Offerors shall place the following notification on the bottom of each page of their proposals: "SOURCE SELECTION INFORMATION – SEE FAR 2.101 AND 3.104. DO NOT DISCLOSE ANY SOURCE SELECTION INFORMATION TO ANY UNAUTHORIZED PERSON."

Use of the words "will", "shall", or "must" indicates a mandatory requirement for which failure to comply, at the time and date for submission of proposals, shall result in the Offeror's proposal being disqualified from consideration for award, unless the Government elects to established a competitive range and initiate discussions, thereby providing a means by which appropriate corrections by the Offeror(s) involved can be made. Failure to comply with pricing or non-pricing requirements that are annotated with the words "should" or "may" can result in an Unacceptable rating.

1. REQUIRED REGISTRATIONS

Failure to have an active and completed registration in **System for Award Management (SAM)**: <http://www.sam.gov/> database will determine an Offeror ineligible for award and removed from competition. An Acceptable offer with incomplete or expired registrations at the time of award may not be eligible for a contract. In such instances, the Government will award to the next Acceptable offer who is eligible for award.

Information contained within an Offeror's registration must be current and valid. The responsibility of maintaining current information contained in an Offeror's registration rests solely on the Offeror.

If an Offeror is a joint venture (JV), the JV entity must have a valid registration representing the JV as one business/firm/entity; this is applicable to SAM. The Government will not accept separate registrations and licenses for each separate entity representing the JV.

2. PROPOSAL CONTENT

The Offeror's proposal shall be submitted in hard copy, with accompanying compact disc (CD), see Paragraph 999.215-4003, Section 00100. The RFP shall provide the Government address and receipt date for proposal submittal.

Information required with an Offeror's priced and non-priced factors and sub-factors are described under Basis of Award and Evaluation Factors.

Offerors are required to submit proposals with the content specified herein. Proposals without the specified content may be determined Unacceptable and removed from the competition. The Government will not make assumptions concerning intent, capabilities, or experiences. Clear identification of proposal details shall be the sole responsibility of the Offeror. The Government reserves the right to reject incomplete proposals after initial evaluation without further consideration.

The proposal shall be divided into volumes as indicated below. Each set of volumes shall be submitted and sealed separately. Each volume shall be marked with the Offeror's name, the solicitation number, the volume number and stamped with "Original" or "Copy." Each respective original or copy shall be separately bound or placed in a three-ring binder. See Attachment 6 – Proposal Format.

All proposals shall contain the evaluation requirements stated herein and every binder shall also contain: Table of Contents, List of Tables (if required), List of Figures (if required), List of Appendixes, and Name/Address/Telephone Number/e-mail address of the Offeror. Proposal clarity, organization, and cross-referencing are mandatory. No material (information not physically part of proposal) shall be incorporated by reference. The Offeror shall submit in the proposal the requested information specified herein.

Offerors shall verify that the information for all forms submitted are current, correct, and complete, including names of points of contact, email addresses, and telephone numbers.

The Government will not evaluate any material that exceeds the page limits specified within each evaluation factor. Elaborately prepared proposals are not required, and any material in excess of what is requested, such as corporate marketing information, will not be considered. Failing to submit or completely fill out attachments properly may result in rejection of the offer without further evaluation. Therefore, Offerors are urged to follow instructions and raise questions through inquiries if instructions are not understood. Do not include references to material or information not found within its respective volumes. Information submitted in the wrong volumes could lead to an Offeror's proposal being determined Unacceptable if materially incomplete in any aspect.

Written proposals are due no later than what is stated in Block 13 of the SF1442 to the address specified in Block 7 of the SF 1442.

- a. **VOLUME ONE (Factor 1) – Technical Acceptability. (1 Original, 5 Copies):** Responses to Each Sub-Factor shall be organized shall be organized in Volume 1. **Do not include pricing information in Volume One.**NOTE: Page Limitations Not to Exceed 150 Pages.
- b. **VOLUME TWO (Factor 2) – Price (1 Original 1 Copy) Offerors shall verify**

that the information for all forms submitted are current, correct, and complete, including names of points of contact, email addresses, and telephone numbers.

All proposals shall contain the evaluation requirements stated herein and every binder shall also contain: Table of Contents, List of Tables (if required), List of Figures (if required), List of Appendixes, and Name/Address/Telephone Number/e-mail address of the Offeror. Proposal clarity, organization, and cross-referencing are mandatory. No material (information not part of proposal) shall be incorporated by reference. The offeror shall submit in the proposal the requested information specified herein.

Offerors shall verify that the information for all forms submitted are current, correct, and complete, including names of points of contact, email addresses, and telephone numbers

The Government will not evaluate any material that exceeds the page limits specified within each evaluation factor. Elaborately prepared proposals are not required, and any material in excess of what is requested, such as corporate marketing information, will not be considered. Failing to submit or completely fill out attachments properly may result in rejection of the offer without further evaluation. Therefore, Offerors are urged to follow instructions and raise questions through inquiries if instructions are not understood. Do not include references to material or information not found within its respective volumes. Information submitted in the wrong volumes could lead to an Offeror's proposal being determined Unacceptable if materially incomplete in any aspect.

Written proposals are due no later than what is stated in Block 13 of the SF1442 to the addresses specified in Block 7 of the SF 1442:

Claurice M. Dingle
Contract Specialist
Claurice.M.Dingle@usace.army.mil

E. DEBRIEFING OF UNSUCCESSFUL OFFERORS

The Contracting Officer will ensure Offerors are debriefed, if requested, in accordance with FAR Subparts 15.5.

F. BASIS OF AWARD

Subject to the provisions contained herein, award will be made to one (1) Offeror who is deemed responsible in accordance with the FAR; who conforms to the solicitation requirements; provides the lowest evaluated price and whose proposal, judged by an overall assessment of the evaluation criteria and other considerations specified in this solicitation, meets the technically acceptable standard for the non-price factors. Prices will be evaluated to determine fair and reasonableness in accordance with FAR 15.404-1(a).

To be considered acceptable (non-priced factors), no non-priced factors/sub-factors in the proposal may be rated as "unacceptable". **The failure of a proposal to meet all of the requirements under any non-priced factor/sub-factor will result in an unacceptable rating and precluded from award.**

The LPTA process is selected as appropriate for this acquisition because the best value is expected to result from selection of the lowest evaluated price proposal with acceptable non-priced proposal (Technical and Past Performance). In order to permit efficient competition, the following methodology will be utilized. The Government will evaluate the proposals for technical and past performance acceptability. The lowest price technically acceptable proposal with acceptable past performance will then be evaluated to determine fair and reasonable in accordance with FAR 15.404-1(a). That Offeror will be selected for award.

The Government intends to award a contract without discussions, but reserves the right to hold discussions if the Government determines that to do so would be in its best interests. If discussions are deemed necessary by the Source Selection Authority/Contracting Officer, all proposals will be evaluated for the purpose of establishing a competitive range.

Joint Ventures: A joint venture is defined as a legal business entity formed between two or more companies to undertake the performance activities of a contract together.

Offerors proposing as joint ventures shall provide evidence that the joint venture as a legal entity has been duly formed. Joint ventures shall include a copy of the legal joint venture agreement signed by an authorized officer from each of the firms comprising the joint venture, with the chief executive of each entity identified. The Government will not evaluate the capability of any firms that are not included in the joint venture agreement.

If submitting a proposal as a joint venture, the experience of each of the joint venture partners can be submitted for the joint venture entity. The experience of either joint venture partner will be considered the experience of the joint venture entity. Page and project form limits apply to the joint venture as a whole, i.e., a submission limitation of three (3) projects under the experience factor is not an allowance of three (3) projects for each of the joint venture partners. Prospective Offerors that submit proposals may not change their joint venture firms, if selected for award.

Subcontractors: If any portion of the work provided under Factor 1 is subcontracted, clearly identify that work as such and provide the required experience of that subcontractor as it relates to work the subcontractor will be performing for this requirement. In accordance with the non-substitution clause in Section 00800, Paragraph 999.215-4001, Limitations on Substitutions for Certain Positions and/or Subcontractors, provide a letter of commitment using **Attachment 2** for any subcontractor proposed to be used. Prime contractor will not be allowed to substitute a subcontractor's experience for its own; unless the subcontractor will be a team member in this requirement.

G. DEFINITIONS:

Joint Venture: If submitting a proposal as a joint venture, the experience of each of the joint venture partners can be submitted for the joint venture entity. The experience of either joint venture partner will be considered the experience of the joint venture entity.

A major subcontractor is defined as any subcontractor that has been identified under Factor 1. Additionally, a major subcontractor can be identified as one that is crucial for the successful completion of the project.

A letter of commitment is defined as a letter from a major subcontractor on official Company

letterhead (1) addressed to the prime contractor, (2) identifying the work they intend to perform, and (3) stating that they are willing to be bound to perform the identified work if the prime receives this contract. Failure to provide a letter of commitment from a proposed major subcontractor will cause any non-priced factor to be rated Unacceptable, if applicable.

H. EVALUATION FACTORS

FACTORS AND SUB-FACTORS TO BE EVALUATED

1. Factor 1 – Technical Acceptability

a. Sub-Factor 1 – Demonstrated Experience

A Sub-Element A-Cofferdam System Experience

B. Sub-Element B-Dewatering System Experience

C. Sub-Element C-Construction of Gated Hydraulic Control Structure Experience

D.Sub-Element D-Permanent Earthen Dam Experience

b. Sub-Factor 2 – Past Performance

2. Factor 2 – Price: The Price factor is not rated. It is evaluated for reasonableness.

FACTOR SUBMISSION REQUIREMENTS AND EVALUATION METHODS

FACTOR 1 – TECHNICAL ACCEPTABILITY

In responding to this factor, the objective should be to instill confidence that the offeror has the knowledge and experience required to meet or exceed the terms and conditions of the specifications and the ability to successfully complete the project within the required timeframe, as defined in specification Section 01 11 00, Summary of Work.

Offerors must receive an overall rating of Acceptable for ALL Sub-Factors and Sub-Elements to receive an overall proposal rating of Technically Acceptable.

SUB-FACTOR 1 – DEMONSTRATED EXPERIENCE

Submission Requirements

Provide two (2) examples of completed construction projects or close to complete projects for sub-elements A, B and D; provide three (3) examples of completed hydraulic control structure construction projects or close to complete projects for Sub-Element C. It is not necessary that all sub-factors and/or sub-elements below be performed on the same project. A project may be utilized for multiple sub-elements as long as the project meets the criteria for that sub-element.

The projects submitted under Sub-Factor 1 Demonstrated Experience must have a corresponding submission under Sub-Factor 2 Past Performance. In addition, projects submitted under Sub-Factor 1, Demonstrated Experience must be a complete project or a close to complete project.

A complete project is defined as work performed under a “project” that was physically completed within the last (10) years preceding the date of this solicitation and has been accepted by the customer.

A close to complete project is defined as work performed under a “project” that is over 75% physically complete and the cutoff wall and/or embankment work has been accepted by the customer.

SUB-ELEMENT A – Successfully install a cofferdam system, with a minimum 10 foot head differential, maintained across the structure, from the head water to the tail water (or dewatered water level), immediately adjacent to or within a labeled body of water.

- *The cofferdam systems must be earthen cofferdam systems.*
- *Clearly state the type of cofferdam system used to retain body of water.*
- *Clearly state the head differential maintained by each cofferdam system.*

SUB-ELEMENT B – Successfully install, operate, and maintain a dewatering system, with a minimum head differential of 10 feet maintained during dewatering operations, immediately adjacent to or within a labeled body of water.

- *The dewatering systems must include pre-drainage, defined as dewatering prior to excavation (To include but not limited to: deep wells, well point systems and/or ejectors).*
- *Clearly state the type of dewatering system used.*
- *Clearly state the head differential maintained by each system submitted.*
- *Clearly describe the geology in which each dewater system was installed.*

SUB-ELEMENT C – Successful construction of gated concrete hydraulic control structures (i.e. water control structure such as a pump station, spillway, outlet works, or culvert) with water control gates with a minimum 10 foot hydraulic head differential maintained across the structure.

- *The submitted experiences must be for a completed hydraulic control structure including reinforced concrete, hydraulic steel structures (gates) and controls.*
- *The submitted experiences must include fabrication of hydraulic steel structures (steel water control gates) and controls.*
- *Each demonstrated experience shall include a minimum gated hydraulic opening of 49 square feet per opening.*
- *Clearly state the operating head differential (headwater minus tailwater) across the gate.*
- *Provide at least one experience involving placement and instrumentation of mass structural concrete.*

SUB-ELEMENT D – Successful construction of permanent earthen dam or new (non-modified) permanent levee embankments (water retaining structure) at least 15 feet in height, as measured from the toe of the constructed embankment to the embankment crest.

The Project Information Sheet at Attachment 1 must be utilized to provide project information in response to Sub-Element A, B, C, and D. The offeror shall ensure that all information required by the Project Information Sheet is provided and all descriptions and explanations are in great detail to provide the technical evaluation team with a clear understanding of the work completed and how it is similar to this project.

The technical evaluation team will evaluate each of the projects submitted to determine if they are similar to this project and whether or not these projects demonstrate that the offeror has the knowledge and experience required to meet or exceed the terms and conditions of the specifications, and the ability to successfully accomplish and complete the project within the required timeframe, as defined in specification Section 01 11 00, Summary of Work.

All of the offeror provided projects must have been completed in the last ten (10) years for Sub- Element A, B, C, and D as described above and demonstrate that the offeror has the knowledge and experience required to meet or exceed the terms and conditions of the specifications, and the ability to successfully complete the project within the required timeframe to be determined to meet the minimum requirements of the solicitation.

Offerors must receive a demonstrated experience rating of Acceptable for all submitted demonstrated experiences to receive an overall rating of Acceptable for this sub-factor.

NOTE 1: Do not submit more than two (2) projects for sub-elements A,B and D or more than three (3) projects for sub-elements C as no additional consideration or evaluation will be given for the submission of more than two (2) projects on sub-elements A,B and D and three (3) sub-elements C and only two (2) projects for sub-elements A, B and D and three (3) projects for sub-element C will be evaluated.

NOTE 2: If any portion of the work provided as demonstrated experience was subcontracted, clearly identify that work as it relates to this project. This Subcontractor is also required to be identified as the subcontractor performing this effort as such and provide the required experience of that subcontractor as it relates to work the subcontractor is performing on this project.

NOTE 3: Any demonstrated experience (to include subcontractors) provided for consideration in this sub-factor shall also have a corresponding submission in the Past Performance Factor. If Past Performance information is not provided for a demonstrated experience, that demonstrated experience will not be evaluated.

NOTE 4: For Sub-Element C, offerors are required to submit two (2) projects that include: completed hydraulic control structure including reinforced concrete, hydraulic steel structures (gates) and controls, experiences with fabrication of hydraulic steel structures (steel water control gates) and controls, demonstrated experiences with a minimum gated hydraulic opening of 49 square feet per opening and operating head differential of 10 feet (headwater minus tailwater) across the gate. In addition, offerors are required to submit one (1) experience involving placement and instrumentation of mass structural concrete.

Ratings for this sub-factor are defined below:

Acceptable - Proposal clearly meets the minimum requirements of the solicitation.

Unacceptable - Proposal does not clearly meet the minimum requirements of the solicitation.

Sub-Factor 2 – Past Performance

The projects submitted for Past Performance must have a corresponding submission under Sub-Factor 1 Demonstrated Experience.

The past performance evaluation is an assessment of the offeror's probability of meeting the minimum past performance solicitation requirements. This assessment is based on the offeror's record of relevant and recent past performances that pertain to the solicitation requirements. There are two aspects to the past performance evaluation.

The first aspect of the past performance evaluation is to evaluate whether the offeror's present/past performance is relevant or not relevant to the effort to be acquired. If a demonstrated experience submitted in Sub-Factor 1 is determined to be Acceptable, it will also be determined to be relevant and recent in this sub-factor.

The second aspect of the past performance evaluation is to determine how well the contractor performed a demonstrated experience submitted in Sub-Factor 1. This will be determined by utilizing the NAVFAC/USACE Past Performance Questionnaire at Attachment 2, CCASS records or official performance evaluation from a non-federal entity. The offeror must receive a past performance rating of Satisfactory or better to be considered technically acceptable.

A Satisfactory Rating is defined in the NAVFAC/USACE Past Performance Questionnaire.

Once relevancy has been determined and past performance ratings have been verified, a rating of Acceptable or Unacceptable will be assigned based on the results. Offeror's must receive a Past Performance rating of Acceptable for ALL submitted demonstrated experiences to receive and overall rating of Acceptable for this sub-factor.

Ratings for this sub-factor are defined below:

Acceptable - Based on the offeror's performance record, the Government has a reasonable expectation that the offeror will successfully perform the required effort, (i.e. the offeror received a rating of Acceptable in Sub-Factor 1 and received a rating of Satisfactory or better from an offeror provided POC) or the offeror's performance record is unknown.

Unacceptable - Based on the offeror's performance record, the Government has no reasonable expectation that the offeror will be able to successfully perform the required effort. (i.e. the offeror DID NOT receive a rating of Acceptable in Sub-Factor 1 or the offeror DID NOT receive a rating of Satisfactory or better from an offeror provided POC).

Note: If an offeror's provided NAVFAC/USACE Past Performance Questionnaires cannot be verifiable with the POC, the offeror may not be evaluated favorably or unfavorably on past

performance (see FAR 15.305 (a)(2)(iv)). Therefore, the offeror shall be determined to have unknown past performance. In the context of acceptability/unacceptability, “unknown” shall be considered “acceptable.”

FACTOR 2 – PRICE

Submission Requirements

The Offeror’s volume for this factor shall be fully completed. Offeror completeness addresses the extent to which the elements of the price proposal are consistent with the requirements of the RFP.

This volume will also include price and price related information:

- a.* Standard Form 1442 (Solicitation, Offer and Award) and Section 00010A (Line Items and Pricing Schedule) Include the completed Standard Form 1442 for the RFP, along with the completed Pricing Schedule. The total cost for the construction will be considered for evaluation, including all options and alternates (if applicable).
- b.* Section 00101, Representations, Certifications, and Other Statements of Offerors.
- c.* In accordance with FAR Clause 52.228-1, Bid Guarantee (Original bid guarantee).
- d.* Attachment 4, Proposal Data Sheet.
- e.* Attachment 5, Determination of Responsibility.

Evaluation Method:

Price is not rated. It will be evaluated for fairness and reasonableness through the use of a price analysis in accordance with FAR 15.404-1(b). The price analysis will also check for the appearance of unbalanced line item prices.

Additionally, Offerors’ price proposals may be evaluated for price realism to determine if there are proposals that are unrealistically low in terms of overall price or reflective of an inherent lack of management and/or technical competence or comprehension of the requirements. Therefore, Offerors are advised that their business decision to submit a low-priced proposal can be considered in assessing their understanding or the risk associated with their proposal.

Prices will be reviewed for minor or clerical errors. If necessary, Offerors will be afforded an opportunity to resolve any such errors. Any exchange with Offerors under this subparagraph shall be for the purpose of clarification (FAR 15.306(a)) and shall not constitute negotiations as defined at FAR 15.306(d). In the event of discrepancy between a unit price and the extended amount, the unit price shall be controlling.

ATTACHMENTS

Attachment 1 – Demonstrated Experience

Attachment 2 – Letter of Commitment from Key

Subcontractor Attachment 3 – NAVFAC/USACE Past Performance Questionnaire

Attachment 4 - Proposal Data Sheet

Attachment 5 - Determination of Responsibility

Attachment 6 – Proposal Format

ATTACHMENT 1
DEMONSTRATED EXPERIENCE

Provide the following information to show examples of projects your company and/or its team members (IE: major subcontractors) constructed within the last ten (10) years indicating experience with projects of similar type and scope. Use one form per project. NOTE: Use additional pages as necessary to provide the information requested.

Type of Project Represented

Your Firm's Name

Project Name and Contract Number, Location of Project and Conditions, Owner, General Scope.

Describe how this project is relevant and similar to the elements of the solicited (Kissimmee River Restoration Project C-37 Embankment Armoring). Use additional pages as necessary to provide this information, and to address all required elements of the sub-element/sub-factors.

Your Role (Prime, Joint Venture, or Subcontractor, etc.) and Work Your Company Self-Performed: Construction Cost:

Extent and Type of Work You Subcontracted Out

Dates Construction: Began _____ Completed _____

Your Performance Evaluation by Owner and Awards and Recognitions (if any)

Were You Terminated or Assessed Liquidated Damages? (If either is "Yes", attach an Explanation) Owner's Point of Contact for Reference (Name and Company)

Current Telephone Number and email address of Owner Reference

Any unusual conditions/requirements

Problems encountered and corrective action taken to successfully complete the project

ATTACHMENT 2

**LETTER OF COMMITMENT OF KEY SUBCONTRACTOR
(USE SUBCONTRACTOR'S COMPANY LETTERHEAD)**

TO: Name of Offeror

SUBJECT: Letter of Commitment for Proposed Contract for _____

Dear Sir or Madam:

I hereby make the unequivocal commitment that, in the event of an award of a contract to (Fill in name of Offeror), that (insert name of subcontractor firm) will fulfill the duties of (state role on a project)

Sincerely, (Authorized Subcontractor Official)

Date: _____

ATTACHMENT 3

NAVFAC/USACE PAST PERFORMANCE QUESTIONNAIRE

CONTRACT INFORMATION

1. Contractor Information

Firm Name:

CAGE Code:

Address:

DUNs Number:

Phone Number:

Email Address:

Point of Contact:

Contact Phone Number:

2. Work Performed as: Prime Contractor Sub Contractor Joint Venture Other (Explain)

Percent of project work performed:

If subcontractor, who was the prime (Name/Phone #):

3. Contract Information

Contract Number:

Delivery/Task Order Number (if applicable):

Contract Type: Firm Fixed Price Cost Reimbursement Other (Please specify):

Contract Title:

Contract Location:

Award Date (mm/dd/yy):

Contract Completion Date (mm/dd/yy):

Actual Completion Date (mm/dd/yy):

Explain Differences:

Original Contract Price (Award Amount):

Final Contract Price (to include all modifications, if applicable):

Explain Differences:

4. Project Description:

Complexity of Work High Med Routine

How is this project relevant to project of submission? (Please provide details such as similar equipment, requirements, conditions, etc.)

CLIENT INFORMATION (Client to complete Blocks 5-8)

5. Client Information

Name:

Title:

Phone Number:

Email Address:

6. Describe the client's role in the project:

7. Date Questionnaire was completed (mm/dd/yy):

8. Client's Signature:

**PLEASE PROVIDE THE ADJECTIVE RATING WHICH BEST REFLECTS
YOUR EVALUATION OF THE CONTRACTOR'S PERFORMANCE.**

1. QUALITY:	
a) Quality of technical data/report preparation efforts	E VG S M U N
b) Ability to meet quality standards specified for technical performance	E VG S M U N
c) Timeliness/effectiveness of contract problem resolution without extensive customer guidance	E VG S M U N
d) Adequacy/effectiveness of quality control program and adherence to contract quality assurance requirements (without adverse effect on performance)	E VG S M U N
2. SCHEDULE/TIMELINESS OF PERFORMANCE:	
a) Compliance with contract delivery/completion schedules including any significant intermediate milestones. <i>(If liquidated damages were assessed or the schedule was not met, please address below)</i>	E VG S M U N
b) Rate the contractor's use of available resources to accomplish tasks identified in the contract	E VG S M U N
3. CUSTOMER SATISFACTION:	
a) To what extent were the end users satisfied with the project?	E VG S M U N
b) Contractor was reasonable and cooperative in dealing with your staff (including the ability to successfully resolve disagreements/disputes; responsiveness to administrative reports, businesslike and communication)	E VG S M U N
c) To what extent was the contractor cooperative, businesslike, and concerned with the interests of the customer?	E VG S M U N
d) Overall customer satisfaction	E VG S M U N
4. MANAGEMENT/ PERSONNEL/ LABOR	
a) Effectiveness of on-site management, including management of subcontractors, suppliers, materials, and/or labor force?	E VG S M U N
b) Ability to hire, apply, and retain a qualified workforce to this effort	E VG S M U N
c) Government Property Control	E VG S M U N
d) Knowledge/expertise demonstrated by contractor personnel	E VG S M U N
e) Utilization of Small Business concerns	E VG S M U N
f) Ability to simultaneously manage multiple projects with multiple disciplines	E VG S M U N
g) Ability to assimilate and incorporate changes in requirements and/or priority, including planning, execution and response to Government changes	E VG S M U N
h) Effectiveness of overall management (including ability to effectively lead, manage and control the program)	E VG S M U N
5. COST/FINANCIAL MANAGEMENT	
a) Ability to meet the terms and conditions within the contractually agreed price(s)?	E VG S M U N

b) Contractor proposed innovative alternative methods/processes that reduced cost, improved maintainability or other factors that benefited the client	E	VG	S	M	U	N
c) If this is/was a Government cost type contract, please rate the Contractor's timeliness and accuracy in submitting monthly invoices with appropriate back-up documentation, monthly status reports/budget variance reports, compliance with established budgets and avoidance of significant and/or unexplained variances (under runs or overruns)	E	VG	S	M	U	N
d) Is the Contractor's accounting system adequate for management and tracking of costs? <i>If no, please explain in Remarks section.</i>	Yes			No		
e) If this is/was a Government contract, has/was this contract been partially or completely terminated for default or convenience or are there any pending terminations? <i>Indicate if show cause or cure notices were issued, or any default action in comment section below.</i>	Yes			No		
f) Have there been any indications that the contractor has had any financial problems? <i>If yes, please explain below.</i>	Yes			No		
6. SAFETY/SECURITY						
a) To what extent was the contractor able to maintain an environment of safety, adhere to its approved safety plan, and respond to safety issues? (Includes: following the users rules, regulations, and requirements regarding housekeeping, safety, correction of noted deficiencies, etc.)	E	VG	S	M	U	N
b) Contractor complied with all security requirements for the project and personnel security requirements.	E	VG	S	M	U	N
7. GENERAL						
a) Ability to successfully respond to emergency and/or surge situations (including notifying COR, PM or Contracting Officer in a timely manner regarding urgent contractual issues).	E	VG	S	M	U	N
b) Compliance with contractual terms/provisions (<i>explain if specific issues</i>)	E	VG	S	M	U	N
c) Would you hire or work with this firm again? (<i>If no, please explain below</i>)	Yes			No		
d) In summary, provide an overall rating for the work performed by this contractor.	E	VG	S	M	U	N

END OF QUESTIONNAIRE

ATTACHMENT 4
PROPOSAL DATA SHEET

Solicitation W912EP-17-R-0014

Name of Firm:

Address:

Phone:

E-mail:

DUNS # (used for accessing the Contractor Performance Assessment Reporting System (CPARS). Also provide any other assigned number that identifies the member firm(s) Construction Contractor Appraisal Support System CCASS/CPARS databases. If a separate DUNS has been created for a joint venture (J-V) it must also be submitted. If the firm is a joint venture, list the individual firms and briefly describe the nature of the association. Provide DUNS for each.

Provide DUNS for any firm identified as a major subcontractor for which demonstrated experience has been submitted under Factor 1. Also, list the firm and briefly describe the nature of the association.

Firm 1:

Firm 2:

Firm 3:

Nature of Association:

AUTHORIZED NEGOTIATORS. FAR 52.215-11

The Offeror represents that the following persons are authorized to negotiate on its behalf with the Government in connection with this Request for Proposals (RFP).

[List names, titles, and telephone number of the authorized negotiator.]

Name of Person Authorized to Negotiate:

Negotiator's Address:

Negotiator's Telephone:

Negotiator's E-mail:

ATTACHMENT 5

DETERMINATION OF RESPONSIBILITY

The following information is provided to assist the contracting officer in determining whether or not the proposed contractor meets the general standards of responsibility enumerated at FAR 9.104-1, DFARS 209.104-1, and FAR 9.104-1 General Standards. To be determined responsible, a prospective contractor must --

(a) HAVE ADEQUATE FINANCIAL RESOURCES TO PERFORM THE CONTRACT, OR THE ABILITY TO OBTAIN THEM (SEE 9.104-3(b))

Banking References

Provide letters from the banking references to confirm this information.

*1st bank's name: _____
Telephone #: _____
Address: _____
Person: _____
Title: _____
Length of time with bank: _____
Credit Rating: _____
Number/type of accounts: _____
Amount in each account (# of figures): _____
Credit line: _____ Secured/Unsecured
Outstanding loans: _____ Secured/Unsecured
Comments:

*2nd bank's name: _____
Telephone #: _____
Address: _____
Person: _____
Title: _____
Length of time with bank: _____
Credit Rating: _____
Number/type of accounts: _____
Amount in each account (# of figures): _____
Credit line: _____ Secured/Unsecured
Outstanding loans: _____ Secured/Unsecured
Comments:

*** Provide letters from the banking references to confirm this information.

(b) HAVE A SATISFACTORY RECORD OF INTEGRITY AND BUSINESS ETHICS

Trade References

*1st company: _____
Telephone #: _____
Address: _____
Name: _____

Title: _____
Length of time with company: _____
Credit line: _____
Average monthly business: _____
High credit: _____
Payment history: _____
Takes discounts: _____
Comments: _____

*2nd Company: _____
Telephone #: _____
Address: _____
Name: _____
Title: _____
Length of time with company: _____
Credit line: _____
Average monthly business: _____
High credit: _____
Payment history: _____
Takes discounts: _____
Comments: _____

Workman's Compensation Experience Modification Rate (EMR):

2014: _____ 2015: _____ 2016: _____

ATTACHMENT 6

PROPOSAL FORMAT

PROPOSAL IN RESPONSE TO SOLICITATION NO:

W912EP-17-R-0014

OFFEROR'S NAME: [Offeror enter] OFFEROR'S

ADDRESS: [Offeror enter]

OFFEROR'S POINT OF CONTACT (POC): [Offeror enter]

POC's TELEPHONE: [Offeror enter] POC's FAX:

[Offeror enter]

POC's EMAIL: [Offeror enter]

THIS OFFER IS SUBMITTED IN SEPARATE VOLUMES AS FOLLOWS: [Offeror
check each applicable item and enter NA for non-applicable items.]

____ Volume One (Technical Acceptability) is submitted in 1 Original and 5 Copies. There is no pricing information in this package.

____ Volume Two (Price) is submitted in 1 Original and 1 Copy.