

SOLICITATION, OFFER, AND AWARD <i>(Construction, Alteration, or Repair)</i>	1. SOLICITATION NO. N69450-10-R-0766	2. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 30-Mar-2010	PAGE OF PAGES 1 OF 25
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IMPORTANT - The "offer" section on the reverse must be fully completed by offeror.

4. CONTRACT NO.	5. REQUISITION/PURCHASE REQUEST NO.	6. PROJECT NO.
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7. ISSUED BY NAVFAC SOUTHEAST IPT GULFCOAST BLDG 903, PO BOX 30 NAS JACKSONVILLE JACKSONVILLE FL 32212-0030 TEL: _____ FAX: _____	CODE N69450	8. ADDRESS OFFER TO (If Other Than Item 7) CODE See Item 7 TEL: _____ FAX: _____
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9. FOR INFORMATION CALL:	A. NAME CHRISTINE L. HOLLY	B. TELEPHONE NO. (Include area code) (NO COLLECT CALLS) 904-542-0970
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SOLICITATION

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS *(Title, identifying no., date):*

THIS SOLICITATION IS RESTRICTED TO THE IDIQ MACC HOLDERS FOR THE MS, LA, AND ROICC FT WORTH, TX AREA OF RESPONSIBILITY FOR NAVFAC SE

NAICS Code: 236220

SIZE STANDARD: \$33.5M

PROJECT MAGNITUDE: More than \$10M

TITLE: Navy Lodge Addition at NCBC Gulfport, MS

DESCRIPTION: Design/Build construction contract. The contractor will be required to design build a 50 unit two story Navy Lodge with a 102 square meter covered portal marquis. New construction will be wood frame construction with primarily brick facade, concrete spread footing foundation, wood sheathing over engineered wood I-joist floors and standing seam metal roof. Proposed site work includes development of parking to accommodate 51 vehicles, utility connections, sidewalks, and landscaping. The project also includes air conditioning, fire protection and security alarms.

AWARD: This will result in a Firm Fixed Price Task Order under one of the IDIQ MACC Contracts.

INQUIRIES: All inquiries concerning the technical aspects of the solicitation must be submitted in writing and received no later than ten (10) business days prior to closing date.

11. The Contractor shall begin performance within 15 calendar days and complete it within 485 calendar days after receiving award, notice to proceed. This performance period is mandatory, negotiable. (See _____.)

12 A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS? <i>(If "YES," indicate within how many calendar days after award in Item 12B.)</i> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	12B. CALENDAR DAYS 15
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13. ADDITIONAL SOLICITATION REQUIREMENTS:

A. Sealed offers in original and 8 copies to perform the work required are due at the place specified in Item 8 by 03:00 PM (hour) local time 30 Apr 2010 (date). If this is a sealed bid solicitation, offers must be publicly opened at that time. Sealed envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, and the date and time offers are due.

B. An offer guarantee is, is not required.

C. All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.

D. Offers providing less than 485 calendar days for Government acceptance after the date offers are due will not be considered and will be rejected.

Section 00010 - Solicitation Contract Form

ITEM NO	SUPPLIES/SERVICES	MAX QUANTITY	UNIT	UNIT PRICE	MAX AMOUNT
0001	Design Build Navy Lodge Addition FFP FOB: Destination	1	Dollars, U.S.	MAX NET AMT	

ITEM NO	SUPPLIES/SERVICES	MAX QUANTITY UNDEFINED	UNIT	UNIT PRICE	MAX AMOUNT
000101	FFP FOB: Destination			MAX NET AMT	

ITEM NO	SUPPLIES/SERVICES	MAX QUANTITY	UNIT	UNIT PRICE	MAX AMOUNT
0002		1	Dollars, U.S.		
OPTION	Concrete Masonry Unit Exterior Walls FFP FOB: Destination				

MAX
NET AMT

ITEM NO	SUPPLIES/SERVICES	MAX QUANTITY	UNIT	UNIT PRICE	MAX AMOUNT
000201		UNDEFINED			
OPTION	FFP FOB: Destination				

MAX
NET AMT

Section 00100 - Bidding Schedule/Instructions to Bidders

CONTRACT LINE ITEM NUMBERS

ITEM	DESCRIPTION	AMOUNT
(Round to nearest dollar)		
CLIN 0001 Base Bid	Base Bid for the Navy Lodge Addition IAW the RFP and specifications in part 3 Period of Performance: 485 days from award IAW FAR 52.211-12 "Liquidated Damages-Construction" Failure to complete this CLIN in the time specified will subject the offeror to pay damages in the amount of \$1,864.00 per day until the work is completed or accepted. Inspection/Acceptance: FOB Destination	\$ _____
CLIN 0002 Option	Concrete Masonry Unit Exterior Bearing Walls Period of Performance: 485 days from award. Option may be exercised up until 90 days from award. IAW FAR 52.211-12 "Liquidated Damages-Construction" Failure to complete this CLIN in the time specified will subject the offeror to pay damages in the amount of \$200.00 per day until the work is completed or accepted. Inspection/Acceptance: FOB Destination	\$ _____
TOTAL		\$ _____

Submit a page similar to this as the first page in both your Technical and Price proposal. This will not count against any stipulated Page Count.

Have all Amendment been acknowledged YES NO

Has Bid Bond been submitted: YES NO

Has hard copy of ORCA Reps & Certs been submitted YES NO

NAME OF CONTRACTOR: _____

STREET ADDRESS: _____

COUNTY: _____

CITY, STATE, AND _____

ZIP CODE: (ZIP + 4) _____

DUNS NUMBER _____

CAGE CODE _____

TAXPAYER ID NUMBER _____

NAME OF PERSON AUTHORIZED
TO SIGN PROPOSAL: _____

NAME OF PERSON TO CONTACT
FOR AMENDMENTS / QUESTIONS _____

PHONE NUMBER: _____

EMAIL: _____

Proposal Acceptance Period: 120 calendar days. Price offers will include the Offer Sheet and a letter of bondability on the Surety's letterhead stating the offeror has the bonding capacity available for this project. Performance and payment bonds are required within 15 days after contract award.

Mail or deliver proposals to:

NAVFAC SE IPT GC
Attn: Chris McLaughlin
Bldg 903
Naval Air Station Jacksonville, FL 32212

Price proposals may be submitted in the same box as the

Price Proposal shall address:

Provide one (1) original and one (1) copy of the solicitation pricing requirements identified below.

(1) Pricing Submittal Requirements:

- (i) Completed SF1442
- (ii) Acknowledgment of all amendments
- (iii) SF 24 Bid Bond
- (iv) Hard copy of ORCA printout
- (v) Completed Pricing Sheet
- (vi) Technical Factor 5 Small Business Utilization

(2) Basis of Evaluation: The Government will evaluate price based on the total price. Analysis will be performed by one or more of the following techniques to ensure a fair and reasonable price:

- (i) Comparison of proposed prices received in response to the RFP.
- (ii) Comparison of proposed prices with the IGCE.
- (iii) Comparison of proposed prices with available historical information.
- (iv) Comparison of market survey results.

Technical Proposal shall address:

Note to Offeror: The Offeror's response to Factors that require the submission of project narratives and/or resumes shall be based on the following relevancy definition:

Relevant projects include those that demonstrate the capability to design and construct multi-story Bachelor Enlisted Quarters, Bachelor Officer Quarters and/or Hotels with a construction value of approximately \$5M or greater. Projects must have been completed by the offeror within the last five years.

Provide one (1) original, eight (8) copies, and one (1) electronic copy (CD) of the solicitation submittal requirements identified below. Entire proposal (excluding Conceptual Drawings) shall not exceed 75 pages in length (front side only) utilizing a minimum Arial Font of 12 for Factors 1-5.

(1) Factor 1 – Past Performance:

The Government will evaluate the offeror's Past Performance as follows: a) does the offeror have prior past performance on relevant projects required to be submitted in the Submittal Requirements below; and b) how well did the offeror perform on these projects. Therefore, the offeror must include client or third party documentation as part of their proposal demonstrating how well they performed on relevant projects that are required to be submitted below.

(a) Submittal Requirements:

Submit Past Performance Narratives including awards, customer letters of commendation, or customer performance evaluations for a minimum of one (1) to a maximum of five (5) construction projects that the offeror completed and served as prime contractor that best demonstrate past performance on relevant projects. Note: Do NOT submit narratives of more than two (2) pages in length per project; only the first two (2) pages will be evaluated if more than two (2) pages are submitted. The two (2) page limitation does not include item 8 below. The offeror must provide the information requested below for past performance evaluation or affirmatively state that it possesses no relevant past performance:

1. Project title and location
2. Client Point of Contact (name and telephone number)
3. Brief description of the project, including type of facility and size (SF)
4. Type of contract (design, design/build, or construction)
5. Nature of firm's responsibility (design, construction, or both, and prime or sub)
6. Completion date
7. Final contract value and reason if greater than 10% of contract award amount
8. Awards, customer letters of commendation, or customer performance evaluations.

The Government reserves the right to contact references for verification or additional information. The Government's inability to contact any of the offeror's references or the references unwillingness to provide the information requested may affect the Government's evaluation of this factor. In addition to the above, the Government may review any other sources of information for evaluating past performance. Other sources may include, but are not limited to, past performance information retrieved through the Past Performance Information Retrieval System (PPIRS) using all CAGE/DUNS numbers of team members (partnership, joint venture, teaming arrangement, or parent company/subsidiary/affiliate) identified in the offeror's proposal, inquiries of owner representative(s), and any other known sources not provided by the offeror. Offerors may provide any information on problems encountered on projects submitted for past performance and the offeror's corrective actions.

(b) Basis of Evaluation:

This factor focuses on how well the offeror performed on relevant projects required to be submitted by this Factor. The Government will evaluate the quality of the offeror's past performance based on awards, customer letters of commendation, or customer performance evaluations for the one (1) to five (5) relevant projects required to be submitted under this Factor. This evaluation is separate and distinct from the Contracting Officer's responsibility determination. The assessment of the offeror's past performance will be used as a means of evaluating the capability of the offeror to successfully meet the requirements of the RFP. The Government reserves the right to obtain information for use in the evaluation of past performance from any and all sources including sources outside of the Government.

The degree to which past performance evaluations and all other past performance information reviewed by the Government (e.g., PPIRS, performance questionnaires, performance recognition documents, and information obtained for any other source) reflect a trend of satisfactory performance will be determined considering:

- A pattern of successful completion of projects;
- A pattern of deliverables that are timely and of good quality;
- A pattern of cooperativeness and teamwork with the Government at all levels; and
- Projects which are identical to, similar to, or related to the task at hand.

Offerors lacking relevant past performance history will not be evaluated favorably or unfavorably in past performance. However, the proposal of an offeror with no relevant past performance history, while rated "No Rating" in past performance, may not represent the most advantageous proposal to the Government.

(2) Factor 2 – Technical Solution:

(a) Submittal Requirements:

Conceptual Drawings: Provide conceptual floor plans, elevations, site plans, building perspective view, and space tabulations tables, which adequately illustrate the proposed construction, and integrates with the surrounding area and existing base facilities design or architectural theme.

(b) Basis of Evaluation:

The Government will evaluate the Conceptual Drawings considering the extent to which the offeror demonstrates a clear understanding of the architectural and engineering requirements of the project. The Government will evaluate the effectiveness of the design-build team's technical solution that will give the Government a high level of confidence that the work will be performed in accordance with the technical requirements of the RFP. For the conceptual site plan, the Government will only evaluate building orientation, roadways, parking, walkways, fire department access, and ATRP standoff distance compliance.

(3) Factor 3 – Sustainable Design:

The project shall be designed and constructed to be LEED Silver Certified by the US Green Buildings Council (USGBC) and also comply with the requirements of the Energy Policy Act (EPA) of 2005. Provide the following information, which describes how the project will meet or exceed the following sustainable design contract requirements:

(a) Submittal Requirements:

EPA 2005 Energy Efficiency Narrative: Using the guidance outlined in Part 3 of this RFP, provide a detailed narrative to describe the proposed solution, which shall meet or exceed the goal of a 30% energy budget reduction using the ASHRAE Std 90.1-2004, Appendix G, Performance Rating Method, excluding receptacle and process loads. Provide your proposed energy budget reduction. Provide the assumptions the offeror will use to obtain a high-performance building, which will comply with the EPA 2005 goal. Describe the offeror's proposed building with regards to fenestration U-values and solar heat gain coefficients (SHGC), wall and roof insulation values; HVAC equipment and systems descriptions and water heating equipment systems and descriptions. If the offeror cannot achieve the 30% reduction because it is not life cycle cost effective, the offeror shall state what percent energy budget reduction will be life cycle cost effective.

Whole Building Energy Simulation: Provide a Whole Building Energy Simulation summary following the procedure outlined in LEED EAc1 (Version 3.0) – Optimize Energy Performance, Option 1 – Whole Building Energy Simulation, except utilize the “Baseline Building Performance Rating” shown in the RFP, Part 6, to demonstrate the percentage improvement in the “Proposed Building Performance Rating”. Utilize the energy rates included in the RFP, Part 6. The default process energy cost is 25% of the total energy cost for the baseline building.

LEED Scorecard and Narrative: Provide a LEED scorecard indicating proposed credits and a brief LEED summary narrative outlining the offeror's approach and strategy for meeting each LEED prerequisite and credit.

(b) Basis of Evaluation:

The Government will evaluate the offeror's response to the Sustainable Design Factor considering energy savings and reduction or elimination of negative environmental impacts in the following areas:

- The Government will evaluate the offeror's proposed energy budget reduction relative to EPA 2005 energy efficiency goals, including evaluation of assumptions.

- The Government will evaluate the Whole Building Energy Simulation to determine the validity of the design assumptions, thoroughness of the Energy Simulation, and the percent improvement above the Government's "Baseline Building Performance Rating". The Government may calculate the Net Present Value of the savings to make a best value determination.
- The Government will evaluate the Scorecard and Narrative to validate the offeror's approach and strategy in meeting LEED Prerequisites and Credits to achieving LEED Silver Certification or better. The Government will consider LEED Credits that improve energy efficiency and reduce environmental impacts as more advantageous.

(4) Factor 4 – Safety:

(a) Submittal Requirements:

The Offeror shall submit the following information (for a partnership or joint venture, the following submittal requirements are required for each contractor who is part of the partnership or joint venture):

Experience Modification Rate (EMR):

Submit this year's EMR (which compares your company's annual losses in insurance claims against its policy premiums over a three-year period). If you have no EMR, affirmatively state so, and explain why.

OSHA Form 300A, OSHA Incidence Rate, and OSHA DART Rate (including subcontractors): . For the current year and previous two complete years, submit one OSHA Form 300A which collectively represents and summarizes (for all CONUS projects only) job site work-related injuries and illnesses for both the prime contractor (Offeror) and subcontractors (with more than 10 employees) on those ongoing and past projects. For this same time period, submit one summary OSHA Total Recordable Cases Incidence Rate and one summary Days Away from Work, Job Transfer, or Restriction (DART) Rate calculated from the applicable data on the summary OSHA Form 300A and from the total hours worked by the Offeror and subcontractor employees. If the Offeror is unable to provide any of the OSHA required information for the Offeror, subcontractors or prior projects, explain why.

Subcontractor Selection and Safety Narrative: For the upcoming project(s), provide a plan that the Offeror will implement to evaluate the safety performance of potential subcontractors, as a part of the selection process for all levels of subcontractors. Also, describe any innovative methods that the Offeror will employ to ensure and monitor safe work practices are executed during construction at all subcontractor levels. Limit your Subcontractor Selection and Safety Narrative to two pages.

(b) Basis of Evaluation:

The Government is seeking to determine whether the Offeror has consistently demonstrated a commitment to safety and plans to properly manage and implement subcontractor safety on the upcoming project. The Government will evaluate the information required to be submitted above regarding the Offeror's overall safety record, the Offeror's plan to select and monitor safe subcontractors, and innovative methods that the Offeror plans to implement for the upcoming project to ensure a safe working environment for subcontractors at all levels.

The Government's sources of information for evaluating safety may include, but are not limited to, OSHA, Facilities Accidents and Incidents Rates (FAIR), and other related databases. While the Government may elect to consider data from other sources, the burden of providing detailed, current, accurate and complete safety information regarding these submittal requirements rests with the Offeror. The evaluation will consider the first three items below and may consider the fourth item below:

- Experience Modification Rate (EMR)
- OSHA Form 300A , Total Recordable Incidence Rate, and DART Rate
- Subcontractor Selection and Safety Narrative
- Other sources of information available to the Government

Offeror’s safety record will be evaluated against the following standards:

Experience Modification Rating (EMR):

Excellent	Less than 0.6
Good	From 0.6 to less than 0.8
Satisfactory	From 0.8 to 1.0
Marginal	Greater than 1.0 to 1.1
Poor	Greater than 1.1

OSHA Form 300A , Total Recordable Incidence Rate, and DART Rate:

The Government will evaluate the OSHA Form 300A, OSHA Total Recordable Cases Incidence Rate, and DART Rate to determine if the Offeror and the Offeror’s prior subcontractors (with more than 10 employees) have a history of safe work practices. The Offerors Total Recordable Incidence Rate and DART Rate will be evaluated against the following standards:

<u>Rating</u>	<u>Incidence Rate</u>	<u>DART Rate</u>
Excellent	Less than 3.0	Less Than 1.0
Good	From 3.0 to 3.99	From 1.0 to 1.99
Satisfactory	From 4.0 to 5.19	From 2.0 to 2.99
Marginal	From 5.2 to 5.99	From 3.0 to 4.0
Poor	Greater than 6.0	Greater than 4.0

Subcontractor Selection and Safety Narrative:

The Government will evaluate the narrative to determine the degree to which subcontractor safety performance will be considered in the selection of all levels of subcontractors on the upcoming project. The Government will also evaluate the narrative to determine the degree to which innovations are being proposed that may enhance safety on the upcoming project. Those Offerors whose plans demonstrate a commitment to hire subcontractors with a culture of safety and who propose innovative methods to enhance a safe working environment may be rated higher.

(5) Factor 5 – Small Business Utilization:

NOTE: Due to potential pricing information contained under this factor, submit Technical Factor 5 as part of your pricing proposal

Definitions:

As used in this Factor, “Small Business Subcategory Firms” refers to Historically Underutilized Business Zone (HUBZone), Small Disadvantaged Business (SDB), Women-Owned Small Business (WOSB), Veteran-Owned Small Business (VOSB), Service Disabled VOSB (SDVOSB), and Historically Black College and University or Minority Institution (HBCU/MI) firms.

(a) Submittal Requirements:

Large Business offerors shall:

1. Provide copies of SF294 “Subcontracting Report for Individual Contracts”, or Individual Subcontract Reports (ISR) from the electronic Subcontract Reporting System (eSRS) on relevant projects submitted under Factor 1 (Offeror Corporate Experience). If unavailable, provide other available documentation showing utilization of Small Businesses in performance of these projects, including assigned goals. Include the dollar value and percentage of

work subcontracted to Large Business (LB), SB and SB subcategory firms. Provide an explanation for any goals which were not met. If documentation is not submitted, explain why.

2. Provide performance evaluation ratings obtained on implementation of subcontracting plans, if available, on all contracts submitted under Factor 1 (Offeror Corporate Experience). If evaluations are not available, state the reason.

3. Submit a subcontracting plan for this project which shall include the total value (including all option periods), and the dollar value and percent of the total subcontracted effort to be awarded to LB, SB, and each Small Business Subcategory. List the type of services to be subcontracted. If firm commitments to subcontract exist, list the subcontractors by name. If the proposed subcontracting goals are less than the NAVFAC subcontracting goals, provide supporting rationale.

4. NOTE: The Naval Facilities Engineering Command has established subcontracting goals for the subcontracted effort to small businesses. The goals for this procurement are: SB – 65.65%; HUBZone – 1.37%; SDB – 16.27%; WOSB – 14.53%; VOSB – 3.0%; and SDVOSB – 3.0%. The stated goals are minimums and are applied to the total subcontracted effort.

Small Business offerors shall:

1. Provide the total dollar value and the dollar value percentage of work (of total contract value) subcontracted to LB, SB, and SB subcategory firms for each contract referenced in Factor 1. If subcontracting was not used on submitted contracts, provide an explanation as to why.

2. For this project, identify, in terms of dollar value and percentage of total proposed cost, the extent of work you will perform as the prime contractor. State the extent of work, including type and percentages, you plan to subcontract to LB, HUBZone, SB, SDB, WOSB, VOSB, SDVOSB firms, and if applicable, HBCU/MI. Small business offerors should not submit subcontracting plans.

Formal Teaming Arrangements shall:

1. If submitting an offer under a Formal Teaming Arrangement (such as a partnership, joint venture, or other affiliation) identify the nature of the affiliation. For each contractor who is part of the Formal Teaming Arrangement, state whether the member is a LB, HUBZone, SB, SDB, 8(a), WOSB, VOSB, SDVOSB or HBCU/MI firm. Include the percentage of work and dollar value each member will perform.

2. Provide the information required in paragraph A. or B. of this section as appropriate, based on whether the team has certified as large or small.

(b) Basis of Evaluation:

Large Business - The Government will evaluate the extent to which the offeror demonstrates satisfactory past performance in utilizing SB and SB category firms. For the proposed subcontracting plan, the Government will evaluate the extent to which the proposed plan includes positive efforts and commitments to subcontract with HUBZone, SB, SDB, WOSB, VOSB, SDVOSB firms, and if applicable HBCU/MIs. Your proposed goals will be evaluated against NAVFAC goals. More credit given for goals that significantly exceed NAVFAC goals, less credit will be given for goals that do not meet NAVFAC goals.

Small Business - The Government will evaluate the extent to which the offeror demonstrates satisfactory past performance in utilizing HUBZone, SB, SDB, WOSB, VOSB, SDVOSB firms, and if applicable, HBCU/MI. If subcontracting is proposed for the current contract, the Government will evaluate the extent to which the offeror proposes to subcontract with HUBZone, SB, SDB, WOSB, VOSB, SDVOSB firms, and if applicable, HBCU/MIs.

CLAUSES INCORPORATED BY FULL TEXT

52.228-1 BID GUARANTEE (SEP 1996)

- (a) Failure to furnish a bid guarantee in the proper form and amount, by the time set for opening of bids, may be cause for rejection of the bid.
- (b) The bidder shall furnish a bid guarantee in the form of a firm commitment, e.g., bid bond supported by good and sufficient surety or sureties acceptable to the Government, postal money order, certified check, cashier's check, irrevocable letter of credit, or, under Treasury Department regulations, certain bonds or notes of the United States. The Contracting Officer will return bid guarantees, other than bid bonds, (1) to unsuccessful bidders as soon as practicable after the opening of bids, and (2) to the successful bidder upon execution of contractual documents and bonds (including any necessary coinsurance or reinsurance agreements), as required by the bid as accepted.-
- (c) The amount of the bid guarantee shall be 20% percent of the bid price or \$3,000,000, whichever is less.-
- (d) If the successful bidder, upon acceptance of its bid by the Government within the period specified for acceptance, fails to execute all contractual documents or furnish executed bond(s) within 10 days after receipt of the forms by the bidder, the Contracting Officer may terminate the contract for default.-
- (e) In the event the contract is terminated for default, the bidder is liable for any cost of acquiring the work that exceeds the amount of its bid, and the bid guarantee is available to offset the difference.

(End of clause)

52.236-27 SITE VISIT (CONSTRUCTION) (FEB 1995) – ALTERNATE I (FEB 1995)

- (a) The clauses at 52.236-2, Differing Site Conditions, and 52.236-3, Site Investigations and Conditions Affecting the Work, will be included in any contract awarded as a result of this solicitation. Accordingly, offerors or quoters are urged and expected to inspect the site where the work will be performed.
- (b) An organized site visit has been scheduled for--

Thursday April 15, 2010 9:00 AM

Please contact:

jerry.l.davis@navy.mil to schedule access to base and direction where to meet.

(End of provision)

52.236-28 PREPARATION OF PROPOSALS--CONSTRUCTION (OCT 1997)

- (a) Proposals must be (1) submitted on the forms furnished by the Government or on copies of those forms, and (2) manually signed. The person signing a proposal must initial each erasure or change appearing on any proposal form.
- (b) The proposal form may require offerors to submit proposed prices for one or more items on various bases,

including--

(1) Lump sum price;

(2) Alternate prices;

(3) Units of construction; or

(4) Any combination of paragraphs (b)(1) through (b)(3) of this provision.

(c) If the solicitation requires submission of a proposal on all items, failure to do so may result in the proposal being rejected without further consideration. If a proposal on all items is not required, offerors should insert the words "no proposal" in the space provided for any item on which no price is submitted.

(d) Alternate proposals will not be considered unless this solicitation authorizes their submission.

(End of provision)

Section 00600 - Representations & Certifications

CLAUSES INCORPORATED BY FULL TEXT

252.204-7007 ANNUAL REPRESENTATIONS AND CERTIFICATIONS (52.204-8) ALTERNATE A

Submit with your pricing proposal a hard copy of your Online Representations and Certifications Application (ORCA)

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is 236220.

(2) The small business size standard is \$33.5M.

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b)(1) If the clause at 52.204-7, Central Contractor Registration, is included in this solicitation, paragraph (c) of this provision applies.

(2) If the clause at 52.204-7 is not included in this solicitation, and the offeror is currently registered in CCR, and has completed the ORCA electronically, the offeror may choose to use paragraph (b) of this provision instead of completing the corresponding individual representations and certifications in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

Paragraph (c) applies.

Paragraph (c) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

(c) The offeror has completed the annual representations and certifications electronically via the Online Representations and Certifications Application (ORCA) Web site at <https://orca.bpn.gov/>.

After reviewing the ORCA database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer, and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified below [offeror to insert changes, identifying change by clause number, title, date]. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR/DFARS clause No.	Title	Date	Change

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on ORCA.

(End of Provision)

“In writing or written” means any worded or numbered expression which can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

“Proposal modification” is a change made to a proposal before the solicitation's closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

“Proposal revision” is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

“Time”, if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) Amendments to solicitations. If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) Submission, modification, revision, and withdrawal of proposals. (1) Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

(2) The first page of the proposal must show--

(i) The solicitation number;

(ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);

(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;

(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror's behalf with the Government in connection with this solicitation; and

(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

(3) Submission, modification, or revision, of proposals.

(i) Offerors are responsible for submitting proposals, and any modifications, or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.

(ii)(A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is “late” and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and--

(1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.

(4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.

(5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.

(6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

(7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.

(8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.

(d) Offer expiration date. Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).

(e) Restriction on disclosure and use of data. Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall--

(1) Mark the title page with the following legend: This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed--in whole or in part--for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of--or in connection with-- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent

provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]; and

(2) Mark each sheet of data it wishes to restrict with the following legend: Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.

(f) Contract award. (1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government's interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals.

(5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.

(6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government's best interest to do so.

(7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

(9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(11) If a post-award debriefing is given to requesting offerors, the Government shall disclose the following information, if applicable:

(i) The agency's evaluation of the significant weak or deficient factors in the debriefed offeror's offer.

(ii) The overall evaluated cost or price and technical rating of the successful and the debriefed offeror and past performance information on the debriefed offeror.

(iii) The overall ranking of all offerors, when any ranking was developed by the agency during source selection.

(iv) A summary of the rationale for award.

(v) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

(vi) Reasonable responses to relevant questions posed by the debriefed offeror as to whether source-selection procedures set forth in the solicitation, applicable regulations, and other applicable authorities were followed by the agency.

(End of provision)

52.216-1 TYPE OF CONTRACT (APR 1984)

The Government contemplates award of a Firm Fixed Price contract resulting from this solicitation.

(End of provision)

52.236-1 PERFORMANCE OF WORK BY THE CONTRACTOR (APR 1984)

The Contractor shall perform on the site, and with its own organization, work equivalent to at least 15 percent of the total amount of work to be performed under the contract. This percentage may be reduced by a supplemental agreement to this contract if, during performing the work, the Contractor requests a reduction and the Contracting Officer determines that the reduction would be to the advantage of the Government.

(End of clause)

FAC 5252.228-9305 NOTICE OF BONDING REQUIREMENTS (DEC 2000)

(a) Within 15 days after receipt of award, the bidder/offeror to whom the award is made shall furnish the following bond(s) each with satisfactory security:

A Performance Bond (Standard Form 25). The performance bond shall be in a penal sum equal to 100% percent of the contract price.

A Payment Bond (Standard Form 25A). The payment bond shall be in a penal sum equal to 100% of the contract price.

(b) Any surety company holding a certificate of authority from the Secretary of Treasury as an acceptable Surety on Federal bonds will be accepted. Individual sureties will be permitted as prescribed in FAR 28.203 and FAC 5252.228-9300. Alternative types of security in lieu of furnishing sureties on performance and/or payment bonds will be permitted as prescribed in FAR 28.204, and will be held for at least one year after the completion of the contract. Additional bond security may be required as prescribed in FAR 52.228-2. Bonds shall be accompanied by a document authenticating the agent's authority to sign bonds for the surety company.

(c) The contract time for purposes of fixing the completion date, default, and liquidated damages shall begin to run 485 days from the date of award, regardless of when performance and payment bonds or deposits in lieu of surety are executed.

5252.232-9301 INVOICING PROCEDURES ELECTRONIC (FEB 2009)

(a) In accordance with DFARS Clause 252.232-7003 titled "Electronic Submission of Payment Requests", this contract/order requires use of the DoD Wide Area Workflow (WAWF) system for the submission of invoices. This web-based system, located at <https://wawf.eb.mil>, provides the technology for Government contractors and authorized Department of Defense (DoD) personnel to generate, capture and process receipt and payment-related documentation in a paperless environment. Invoices rendered under this contract shall be submitted electronically through WAWF. Submission of hard copy DD250/invoices will no longer be accepted for payment.

(b) It is recommended that the person in your company designated as the Central Contractor Registration (CCR) Electronic Business Point of Contact (EBPOC), and anyone responsible for the submission of invoices, use the online training system for WAWF at <http://wawftraining.com>. The Vendor, Group Administrator (GAM), and sections marked with an asterisk in the training system should be reviewed. Vendor Quick Reference Guides also are available at <http://acquisition.navy.mil/navyaos/content/view/full/3521/>. The most useful guides are "Getting Started for Vendors" and "WAWF Vendor Guide".

(c) Within ten (10) days after award, the designated CCR EBPOC is responsible for activating the company's CAGE code in WAWF by calling 1-866-618-5988. Once the company's CAGE code is activated, the CCR EBPOC must self-register under the company's CAGE code on WAWF and follow the instructions for a group administrator. After the company is set-up on WAWF, any additional persons responsible for submitting invoices must self-register under the company's CAGE code at <https://wawf.eb.mil>.

(d) The contractor shall use the following document type, DODAAC codes with corresponding extensions, and inspection and acceptance locations when submitting invoices in WAWF:

Initial Document Creation requires the following:	
Contract Number	TBD
Delivery Order Number	TBD
Cage Code/Ext	TBD
Pay DoDAAC	TBD
Document Type	Navy Construction
On the WAWF "Header Tab" the following is required:	
Issue Date	30 MAR 2010
Issue By DoDAAC	N69450
Admin By DoDAAC	N69439
Inspect By DoDAAC/Ext	N69439
Ship To Code/Ext or Service Acceptor	N69439
Ship From Code/Ext	"LEAVE BLANK"
LPO DoDACC	N69439
Once Submitted, select "Send More Email Notifications"	
Inspector Email Address	Dave Carpenter (228) 871-3168
Accountable Official Email Address	Brenda Benny brenda.benny@navy.mil
Operations Assistant (OA) Email Address	Lynne Herrera lynne.herrera.ctr@navy.mil
Activity Fund Administrator email Address	"not applicable"

The NAVFAC WAWF point of contact for this contract is Brenda Benny and can be reached at brenda.benny@navy.mil

Note: Supporting documentation must be attached. File names cannot contain spaces or special characters, except underscore “_” which is an acceptable character. There is NO maximum to the number of files that can be attached to an invoice, however EACH file is limited to a maximum file size UNDER 2 megabytes.

(e) Before closing out of an invoice session in WAWF, but after submitting the document(s), you will be prompted to “Send More Email Notifications.” Select "Send More Email Notification" and add additional email addresses noted above in the first email address blocks. This additional notification to the Government is important to ensure that the specific acceptor/receiver is aware the invoice documents have been submitted into WAWF.

(f) If you have any questions regarding WAWF, please contact the WAWF helpdesk at 866-618-5988 or the NAVFAC WAWF point of contact identified above in section (d).

Section 00800 - Special Contract Requirements

WAGE DETERMINATION

General Decision Number: MS100162 03/12/2010 MS162

Superseded General Decision Number: MS20080162

State: Mississippi

Construction Type: Building

County: Harrison County in Mississippi.

BUILDING CONSTRUCTION PROJECTS (Does not include Residential construction consisting of single family homes and apartments up to and including 4 stories)

Modification Number Publication Date
 0 03/12/2010

* ELEC0903-002 12/01/2009	Rates	Fringes
Electrician (including the low voltage wiring for and installation of temperature controls for HVAC systems)	\$ 23.20	6.79
IRON0058-009 06/01/2009	Rates	Fringes
IRONWORKER, Structural and Ornamental (Excluding Metal Building Assembly/Erection)	\$ 19.70	7.17
PLUM0568-001 05/01/2009	Rates	Fringes
PLUMBER (including HVAC pipe)	\$ 22.75	7.52
SHEE0214-008 08/01/2008	Rates	Fringes
SHEET METAL WORKER (including HVAC Duct)	\$ 20.72	7.83
SUMS2008-046 07/07/2008	Rates	Fringes
BRICKLAYER	\$ 22.00	0.02
CARPENTER, Including Acoustical Ceiling, Cabinet Installation, Drywall Hanging and Form Work	\$ 13.41	0.00
CEMENT MASON/CONCRETE FINISHER	\$ 10.91	0.00
GLAZIER	\$ 10.00	0.00

IRONWORKER, Structural (Metal Building Assembly) Erection Only	\$11.90	0.00
LABORER: Common or General	\$ 8.64	0.00
LABORER: Mason Tender – Brick	\$ 10.00	0.00
OPERATOR: Blade/Grader, Including Finishing	\$ 12.50	1.57
OPERATOR: Backhoe	\$ 15.58	1.62
OPERATOR: Bulldozer	\$ 13.50	0.00
OPERATOR: Crane	\$ 16.73	0.92
OPERATOR: Excavator	\$ 11.33	0.00
OPERATOR: Forklift	\$ 11.75	1.61
OPERATOR: Trackhoe	\$ 14.50	0.00
PAINTER: Brush, Roller and Spray	\$ 12.75	0.00
PIPEFITTER, Excluding HVAC Pipe Installation	\$ 21.83	0.00
ROOFER	\$ 14.50	0.00
TRUCK DRIVER	\$ 11.00	0.00

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for

summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal Process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, Project description, area practice material, etc.) that the requestor Considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION