

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE _____ PAGE _____ OF _____ PAGES

2. AMENDMENT/MODIFICATION NO. _____ 3. EFFECTIVE DATE _____ 4. REQUISITION/PURCHASE REQ. NO. _____ 5. PROJECT NO. (If applicable) _____

6. ISSUED BY _____ CODE _____ 7. ADMINISTERED BY (If other than Item 6) _____ CODE _____

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) _____ (X) 9A. AMENDMENT OF SOLICITATION NO. _____
 9B. DATED (SEE ITEM 11) _____
 10A. MODIFICATION OF CONTRACT/ORDER NO. _____
 10B. DATED (SEE ITEM 11) _____
 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 telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required) _____

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

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

Item 14. Continued.

CHANGES TO WAGE RATES

1. Cover Page. – At the bottom of the cover, change “(IFB)” to read “(RFP)”.
2. Standard Form 1442, Item 13.A. – Change the number of required copies of sealed offers, from “0” to “3”.

NOTE: A revised SF1442, bearing the notation “ACCOMPANYING AMENDMENT 0001” is reissued with this amendment incorporating this change.

3. Wage Rates.- Replace wage rate pages 00710-1 through 00710-8 with the attached new wage rates, each page bearing the notation "ACCOMPANYING AMENDMENT NO. 0001 TO SOLICITATION NO. DACA63-03-R-0003."
4. Affirmative Action Plan. - Replace affirmative action plan page 00710-1 with the attached new page 00720- 1, bearing the notation "ACCOMPANYING AMENDMENT NO. 0001 TO SOLICITATION NO. DACA63-03-R-0003." (Note: Page number change only.)
5. Replacement Sections - Replace the following section with the accompanying new section of the same number and title, bearing the notation "ACCOMPANYING AMENDMENT NO. 0001 TO SOLICITATION NO. DACA63-03-R-0003:"

SECTION 00120 PROPOSAL SUBMISSION REQUIREMENTS

6. New Attachment to Section 00120. - Add the following accompanying new attachment, bearing the notation "ACCOMPANYING AMENDMENT NO. 0001 DACA63-03-R-0003:"

ATTACHMENT C SAMPLE SUBCONTRACTING PLAN

END OF AMENDMENT

SOLICITATION, OFFER, AND AWARD <i>(Construction, Alteration, or Repair)</i>	1. SOLICITATION NUMBER DACA63-03-R-0003	2. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 11 Dec 2002	PAGE OF PAGES
---	--	--	-------------------------------	---------------

IMPORTANT - The "offer" section on the reverse must be fully completed by the offeror.

4. CONTRACT NUMBER	5. REQUISITION/PURCHASE REQUEST NUMBER	6. PROJECT NUMBER
--------------------	--	-------------------

7. ISSUED BY U.S. ARMY ENGINEER DISTRICT, FORT WORTH POST OFFICE BOX 17300 819 TAYLOR STREET FORT WORTH, TEXAS 76102-0300	CODE	8. ADDRESS OFFER TO (SEE BLOCK 7)
---	------	--------------------------------------

9. FOR INFORMATION CALL	A. NAME Barbara J. Zimmer*	B. TELEPHONE NUMBER (Include area code) (NO COLLECT CALLS) (817) 886-1052
-------------------------	-------------------------------	--

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 number, date):

FY 03 Student Dormitory
Lackland Air Force Base
San Antonio, Texas

This is an Unrestricted Solicitation.

* barbara.j.zimmer@swf02.usace.army.mil

11. The Contractor shall begin performance within 10 calendar days and complete it within See 01000 calendar days after receiving award, notice to proceed. This performance period is mandatory, negotiable. (See See Section 01000.)

12A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE 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 10
---	------------------------------

13. ADDITIONAL SOLICITATION REQUIREMENTS:

A. Sealed offers in original and 3 copies to perform the work required are due at the place specified in Item 8 by 4:00 P.M. (hour) local time 14 Jan 03 (date). If this is a sealed bid solicitation, offers will 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 90 calendar days for Government acceptance after the date offers are due will not be considered and will be rejected.

OFFER (Must be fully completed by offeror)

14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code) E-MAIL ADDRESS : DUNS : _____ CAGE CODE : _____ CODE _____ FACILITY CODE _____	15. TELEPHONE NUMBER (Include area code) () - ; FAX () - 16. REMITTANCE ADDRESS (Include only if different than Item 14)
--	--

17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of this solicitation, if this offer is accepted by the Government in writing within _____ calendar days after the date offers are due. (Insert any number equal or greater than the minimum requirement stated in 13D. Failure to insert any number means the offeror accepts the minimum in Item 13D.)

AMOUNTS AS SET FORTH IN THE BID SCHEDULE

18. The offeror agrees to furnish any required performance and payment bonds.

19. ACKNOWLEDGEMENT OF AMENDMENTS
 (The offeror acknowledges receipt of amendments to the solicitation - give number and date of each)

AMENDMENT NO.										
DATE										

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print)	20B. SIGNATURE	20C. OFFER DATE
--	----------------	-----------------

AWARD (To be completed by Government)

21. ITEMS ACCEPTED

22. AMOUNT	23. ACCOUNTING AND APPROPRIATION DATA
------------	---------------------------------------

24. SUBMIT INVOICES TO ADDRESS SHOWN IN ITEM (4 copies unless otherwise specified)	25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO <input type="checkbox"/> 10 U.S.C. 2304(c) () <input type="checkbox"/> 41 U.S.C. 253(c) ()
--	--

26. ADMINISTERED BY _____ CODE _____	27. PAYMENT WILL BE MADE BY _____
--------------------------------------	-----------------------------------

CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE

<input type="checkbox"/> 28. NEGOTIATED AGREEMENT (Contractor is required to sign this document and return _____ copies to the issuing office.) Contractor agrees to furnish and deliver all items or perform all work requirements identified on this form and any continuation sheets for the consideration stated in this contract. The rights and obligations of the parties to this contract shall be governed by (a) this contract award, (b) the solicitation, and (c) the clauses, representations, certifications, and specifications incorporated by reference in or attached to this contract.	<input type="checkbox"/> 29. AWARD. (Contractor is not required to sign this document.) Your offer on this solicitation is hereby accepted as to the items listed. This award consummates the contract, which consists of (a) the Government solicitation and your offer, and (b) this contract award. No further contractual document is necessary.
---	--

30A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN (Type or print)	31A. NAME OF CONTRACTING OFFICER (Type or print)
30B. SIGNATURE	31B. UNITED STATES OF AMERICA
30C. DATE	BY _____
	31C. AWARD DATE

APPLICATION OF WAGE DECISIONS

Solicitation No: **DACA63-03-R-0003**

Project: **FY03 Student Dormitory**

Location: **Lackland Air Force Base**
 Bexar County, Texas

1. Davis-Bacon Act Wage Decision TX020003, Building Construction Projects, will be applicable to the construction, alteration, painting or repair of buildings, installations within buildings, appurtenances to buildings, foundations for buildings, excavation and fill for buildings, and utilities within five feet of buildings for those construction activities performed in **Bexar County Texas**.

2. Davis-Bacon Act Wage Decision TX020043, Heavy/Highway Construction Projects, is applicable to all heavy and highway construction activities (paving and utilities incidental to building construction) and all other construction requirements not shown in Paragraph 2 above which are performed in **Bexar County Texas**.

NOTE:

- (1) PAYROLL RECORDS ARE REQUIRED, UNDER THE DAVIS-BACON ACT, TO BE SUBMITTED TO THE U.S. ARMY CORPS OF ENGINEERS FOR ALL CONSTRUCTION WORK PERFORMED.**
- (2) THE WAGE DECISIONS NUMBER APPLICABLE TO THE WORK PERFORMED IS TO BE SHOWN ON ALL THE CERTIFIED PAYROLL RECORDS SUBMITTED.**

General Decision Number TX020003

Superseded General Decision No. TX010003

State: TEXAS

**Construction Type:
BUILDING**

**County(ies):
BEXAR**

BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including 4 stories). (Use current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction).

Modification Number	Publication Date
0	03/01/2002
1	03/29/2002
2	04/05/2002
3	06/07/2002
4	10/04/2002
5	12/13/2002

COUNTY(ies):
BEXAR

ASBE0087A 01/01/2002	Rates	Fringes
ASBESTOS/INSULATORS WORKERS (Includes application of all insulating materials, protective coverings, coatings, and finishings to all types of mechanical systems.)	18.83	5.72

BRTX0001D 11/01/1999	Rates	Fringes
BRICKLAYERS	16.05	3.05

* ELEC0060A 12/02/2002	Rates	Fringes
ELECTRICIANS (Including pulling and installing cable through conduit for low voltage)	20.05	2.95+12%
CABLE SPLICERS	20.30	2.95+12%

ELEV0081A 08/11/2001	Rates	Fringes
ELEVATOR CONSTRUCTORS: MECHANIC	22.365	7.455+A

FOOTNOTE; A = UNDER 5 YEARS EMPLOYMENT, 6% BHR; OVER 5 YEARS EMPLOYMENT, 8% BHR. PAID HOLIDAYS : New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day and Christmas Day.

ENGI0450A 04/01/1994		
	Rates	Fringes
POWER EQUIPMENT OPERATORS:		
Cranes	12.95	3.30
IRON0066A 06/01/2002		
	Rates	Fringes
IRONWORKERS (Excluding metal building erectors)		
Structural	15.85	4.65
MARB0002B 05/01/2000		
	Rates	Fringes
TILE SETTERS	13.79	3.09
PLUM0142A 07/01/2001		
	Rates	Fringes
PLUMBERS & PIPEFITTERS (Including HVAC WORK)	23.14	5.04
SFTX0669A 04/01/2002		
	Rates	Fringes
SPRINKLER FITTERS	23.87	6.55
SHEE0067A 04/01/2001		
	Rates	Fringes
SHEET METAL WORKERS (Including HVAC Duct Work)	21.31	6.14
SUTX1052A 11/01/1988		
	Rates	Fringes
ACOUSTICAL CEILING INSTALLERS	12.26	
CARPENTERS (Excluding Acoustical Ceiling Installer & Drywall Hanger	10.64	
CEMENT MASONS	11.46	
DRYWALL HANGERS	11.88	
GLAZIERS	10.78	1.40

IRONWORKERS (Excluding Metal Building Assemblers):

REINFORCING	10.19	3.57
LABORERS:		
Unskilled	7.06	
Mason Tenders	8.36	1.78
Mortar Mixers	8.99	
PLASTERER'S TENDERS	8.68	
LATHERS	15.25	
PAINTERS (Excluding Tapers/Finishers)	8.01	
PLASTERERS	15.25	
POWER EQUIPMENT OPERATORS		
Front End Loader	7.36	
ROOFERS:		
Roofers	8.14	
Kettlemen	8.85	
Waterproofers	6.88	
SHEET METAL WORKERS:		
Other Work	11.62	
TAPERS/FINISHERS	7.99	
TRUCK DRIVERS	7.10	

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 that 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, D. C. 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, D. C. 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, D. C. 20210

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

END OF GENERAL DECISION

General Decision Number TX020043

Superseded General Decision No. TX010043

State: TEXAS

Construction Type:

**HEAVY
HIGHWAY**

County(ies):

BELL	CORYELL	TRAVIS
BEXAR	GUADALUPE	WILLIAMSON
BRAZOS	HAYS	
COMAL	MCLENNAN	

Heavy (excluding tunnels and dams) and **Highway** Construction Projects (does not include building structures in rest area projects). *NOT TO BE USED FOR WORK ON SEWAGE OR WATER TREATMENT PLANTS OR LIFT/PUMP STATIONS IN BELL, CORYELL, McLENNAN AND WILLIAMSON COUNTIES.

Modification Number	Publication Date
0	03/01/2002

COUNTY(ies):

BELL	CORYELL	TRAVIS
BEXAR	GUADALUPE	WILLIAMSON
BRAZOS	HAYS	
COMAL	MCLENNAN	

SUTX2042A 03/26/1998

	Rates	Fringes
AIR TOOL OPERATOR	8.08	
ASPHALT HEATER OPERATOR	11.00	
ASPHALT RAKER	8.00	
ASPHALT SHOVELER	7.97	
BATCHING PLANT WEIGHER	11.00	
CARPENTER	10.80	
CONCRETE FINISHER-PAVING	9.57	
CONCRETE FINISHER-STRUCTURES	8.83	
CONCRETE RUBBER	8.52	
ELECTRICIAN	16.25	
FLAGGER	6.86	
FORM BUILDER-STRUCTURES	8.77	
FORM LINER-PAVING & CURB	8.00	
FORM SETTER-PAVING & CURB	8.68	
FORM SETTER-STRUCTURES	8.73	
LABORER-COMMON	7.12	
LABORER-UTILITY	7.99	
MECHANIC	12.15	
OILER	11.40	
SERVICER	8.44	
PAINTER-STRUCTURES	10.00	
PIPE LAYER	8.27	

ASPHALT DISTRIBUTOR OPERATOR	9.70
ASPHALT PAVING MACHINE	9.26
BROOM OR SWEEPER OPERATOR	7.12
BULLDOZER	9.28
CONCRETE CURING MACHINE	7.79
CONCRETE FINISHING MACHINE	11.00
CONCRETE PAVING SAW	9.79
SLIPFORM MACHINE OPERATOR	11.15
CRANE, CLAMSHELL, BACKHOE, DERRICK, DRAGLINE, SHOVEL	10.12
FOUNDATION DRILL OPERATOR TRUCK MOUNTED	15.00
FRONT END LOADER	8.86
HOIST - DOUBLE DRUM & LESS	10.81
MIXER	7.12
MIXER - CONCRETE PAVING	11.00
MOTOR GRADER FINE GRADE	12.37
MOTOR GRADER	11.14
PAVEMENT MARKING MACHINE	8.31
PLANER OPERATOR	15.75
ROLLER, STEEL WHEEL PLANT-MIX PAVEMENTS	7.73
ROLLER, STEEL WHEEL OTHER FLATWHEEL OR TAMPING	7.33
ROLLER, PNEUMATIC, SELF PROPELLED	7.17
SCRAPERS	8.38
TRACTOR-CRAWLER TYPE	9.40
TRAVELING MIXER	7.92
TRENCHING MACHINE, HEAVY	9.92
WAGON-DRILL/BORING MACHINE	8.00
REINFORCING STEEL SETTER PAVING	14.50
REINFORCING STEEL SETTER STRUCTURES	10.61
STEEL WORKER-STRUCTURAL	11.73
SPREADER BOX OPERATOR	8.55
WORK ZONE BARRICADE	8.29
SIGN INSTALLER	7.97
TRUCK DRIVER-SINGLE AXLE LIGHT	8.32
TRUCK DRIVER-SINGLE AXLE HEAVY	7.954
TRUCK DRIVER-TANDEM AXLE SEMI- TRAILER	8.02
TRUCK DRIVER-LOWBOY/FLOAT	10.12
WELDER	11.02

 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)(v)).

In the listing above, the "SU" designation means that rates listed under that 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, D. C. 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, D. C. 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, D. C. 20210

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

END OF GENERAL DECISION

SAN ANTONIO, TX, SMSA AREA

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY FOR CONSTRUCTION (APR 1984) (FAR 52.222-23D) (DEVIATION)

(a) The offeror's attention is called to the Equal Opportunity clause and the Affirmative Action Compliance Requirements for Construction clause of this solicitation.

(b) The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

<u>Goals for minority participation for each trade</u>	<u>Goals for female participation for each trade</u>
47.8%	6.9%

These goals are applicable to all the Contractor's construction work performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, the Contractor shall apply the goals established for the geographical area where the work is actually performed. Goals are published periodically in the Federal Register in notice form, and these notices may be obtained from any Office of Federal Contract Compliance Programs Office.

(c) The Contractor's compliance with Executive Order 11246, as amended, and the regulations in 41 CFR 60-4 shall be based on (1) its implementation of the Equal Opportunity clause, (2) specific affirmative action obligations required by the clause entitled "Affirmative Action Compliance Requirements for Construction," and (3) its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade. The Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor, or from project to project, for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, Executive Order 11246, as amended, and the regulations in 41 CFR 60-4. Compliance with the goals will be measured against the total work hours performed.

(d) The Contractor shall provide written notification to the Deputy Assistant Secretary for Federal Contract Compliance Programs, within 10 working days following award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the--

- (1) Name, address, and telephone number of the subcontractor;
- (2) Employer's identification number of the subcontractor;
- (3) Estimated dollar amount of the subcontract;
- (4) Estimated starting and completion dates of the subcontract; and
- (5) Geographic area in which the subcontract is to be performed.

(e) As used in this Notice, and in any contract resulting from this solicitation, the "covered area" is: the City of San Antonio, TX, and the Counties of **Bexar**, Comal, and Guadalupe.

ACCOMPANYING AMENDMENT NO. 0001 TO SOLICITATION NO. DACA63-03-R-0003

**SECTION 00120
PROPOSAL SUBMISSION REQUIREMENTS**

1.0 **PROPOSAL.** Offerors shall strictly adhere to the requirements as set forth in this section when preparing the proposal to be submitted in response to this request for proposal (RFP).

2.0 **PROPOSAL FORMAT.**

2.1 Proposal shall be submitted in **Original plus (3) copies of the following:**

- Solicitation, Offer, and Award (SF 1442)
- Bidding Schedule (Section 00010)
- Bid Bond (Section 0500, SF 24)
- Representations and Certifications (Section 0600)
- List of the clients offeror has requested to submit a Contractor Performance Report
- Subcontracting Plan (applies to Large Businesses only). All large businesses shall submit a subcontracting plan with their proposal. The plan shall be prepared in accordance with FAR 52.219-9. Failure to submit an acceptable subcontracting plan may make an offeror ineligible for award of the contract. The submission of the subcontracting plan is in no way advantageous to large businesses over any small business in the evaluation process. A sample subcontracting plan and scoring checklist are included in this amendment. See Section 00100, paragraph entitled "Subcontracting Plan Floors" for additional information on the Fort Worth District subcontracting floors.

--- **ALL** Offerors (regardless of size) shall submit a SDB Utilization Plan, to include the following information:

- Identification of each SDB concern proposed and the **type** work each is to perform.
- Targets expressed in dollars and percentages representing each SDB concern's participation of the **total** contract value.
- **Total** target value of **all** SDB participation, expressed in dollars and percentages of the **total contract value**. (NOT "Subcontract Total")

The offeror is put on notice that any targets represented in a submitted proposal will be incorporated into and become a part of any resulting contract.

NOTE: All proposed SDB concerns must be certified by the Small Business Administration and listed in the online database PRO-Net. SDB concerns may register in PRO-Net on the Internet at the following address: <http://pronet.sba.gov>.

--- Preaward Survey Information. Offerors shall submit all preaward survey information with their proposal.

NOTE: Offerors shall notify their bank/suppliers that the Corps of Engineers may contact them, and shall authorize the bank/suppliers to release the following information regarding the Offeror's account. If a written authorization is required by their bank, Offerors shall provide that

DACA63-03-R-0003
03 Student Dormitory
Lackland, AFB

00120-1

ACCOMPANYING AMENDMENT NO. 0001 TO SOLICITATION NO. DACA63-03-R-0003

authorization with their proposal.

- Name and telephone number of bank's point of contact
- Number of years business has been conducted with each bank
- Types of open accounts (checking, loans, etc.)
- Balance of current accounts (the banks will provide a "range of figures" for this information, such as, medium five-figures range)
- Means by which loans are secured and if paid as agreed
- Point of contact and telephone number of three (3) different suppliers
- Listing of current workload

2.1.1 The envelope shall be clearly marked "RFP No. DACA63-03-R-0003."

3.0 CONTRACTOR PERFORMANCE REPORT INFORMATION, AND EXPERIENCE.

3.1 Contractor Performance Reports: Offeror shall provide information pertaining to no less than three (3) or no more than five (5) active/completed (within the last 5 years) Federal, State and local Government, and/or private contracts performed by the Offeror that are **similar in nature to the requirements in the RFP currently being evaluated**. No more than one contractor performance report form per project will be evaluated. Offerors shall provide the survey forms (Attachment B) at the end of this section (4 pages) directly to the clients the offeror desires to use as references. To be considered, the contractor performance report forms must be **completed by the client and mailed or faxed by the client directly to the Contract Specialist, Barbara Zimmer, fax 817/886-6407 to arrive by 4:00 p.m. Central Time on the date established for receipt of proposal. !!! Contractor Performance Reports submitted directly by the offeror will not be considered. !!!**

3.1.1 The offeror is to submit with his offer, the name, phone number, fax number, and e-mail address of each individual/client the offeror has requested to complete a Contractor Performance Report.

3.2 Experience: Construction Contract Appraisal Support System (CCASS) reports will be retrieved by the Government and made part of the past performance evaluation. Past performance evaluation will **not** be limited to CCASS reports, Dun & Bradstreet reports, or the Contractor Performance Reports.

FIRMS LACKING RELEVANT PAST PERFORMANCE HISTORY WILL NOT BE EVALUATED FAVORABLY OR UNFAVORABLY ON PAST PERFORMANCE.

ACCOMPANYING AMENDMENT NO. 0001 TO SOLICITATION NO. DACA63-03-R-0003

3.3 Similar Experience with Another Firm.

If the Offeror's employees have the same or similar experience as is required by this solicitation, but that experience was obtained while working for a different firm than the one with whom they are currently employed, Offeror may also submit that experience for the Government's review and evaluation. Past Performance Survey shall show the name of the current employee (Offeror), the name of the individual with the prior experience, and the name of the firm where the experience was obtained.

(END OF SECTION 00120)

ATTACHED at end of this section:

- A. Client Authorization Letter (1 page)
- B. Contractor Performance Report Form (4 pages)
- C. Sample Subcontracting Plan
- D. AFARS Appendix DD

**SMALL BUSINESS CONCERN, VETERAN-OWNED, SMALL DISADVANTAGED
BUSINESS CONCERNS, WOMEN-OWNED SMALL BUSINESS CONCERNS,
AMERICAN VETERAN-OWNED SMALL BUSINESS, HISTORICALLY BLACK
COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS, AND HUBZone
SMALL BUSINESS CONCERN
SUBCONTRACTING PLAN**

DATE: _____

CONTRACTOR: _____

ADDRESS: _____

SOLICITATION/CONTRACT NUMBER: _____

DESCRIPTION: _____

Our firm has established a Policy to afford Small Business concerns, Small Disadvantaged Business concerns, Women-Owned Small Business concerns, Historically Black Colleges and Universities/Minority Institutions, and HUBZone Small Business concerns, opportunities to participate in all contracts with the Department of Defense or any other entities both public and private. In most instances HBCU/MI are not applicable to construction contracts, but will be included through out this plan with the intent to involve them whenever possible. The following, together with any attachments, is hereby submitted as a Subcontracting Plan to satisfy the applicable requirements of Public Law 99-661, Section 1207 and Public Law 100-180, Section 806.

1. The total estimated dollar value of all planned subcontracting (to all types of business concerns) under this contract for the Base Bid and all Options is \$_____.

(a) **BASE BID ONLY:** The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) and dollar amounts are applicable to the contract cited above or to the contract awarded under the solicitation cited.

(i) Small Business concerns (SB): _____% or \$_____ of total planned subcontracting dollars under this contract will be awarded to subcontractors who are SB.

(ii) Small Disadvantaged Business concerns (SDB): _____% or \$_____ of total planned subcontracting dollars under this contract will be awarded to subcontractors who are small concerns owned and controlled by socially and economically disadvantaged individuals and appear on the Small Business Administration's Procurement and Marketing and Access Network (PRO-Net). (<http://pro-net.sba.gov>) This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

1
ATTACHMENT C

ACCOMPANYING AMENDMENT
NO. 0001
DACA63-03-R-0003

(iii) Women-Owned Small Business concerns (WOSB): _____% or \$_____ of total planned subcontracting dollars under this contract will be awarded to subcontractors who are WOSB. This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

(iv) Historically Black Colleges and Universities/Minority Institutions (HBCU/MI): _____% or \$_____ of total planned subcontracting dollars under this contract will go to HBCU's who are an institution determined by the Secretary of Education to meet the requirements of 34 CFR 608.2, the term also includes any nonprofit research institution that was an integral part of such a college or university before November 14, 1986; or MI's who are an institution of higher education meeting the requirements of Section 1046(3) of the Higher Education Act of 1965 (20 U.S.C. 1135d-5(3)) which, includes a Hispanic-serving institution of higher education as defined in Section 316(b)(1) of the Act (20 U.S.C. 1059c(b)(1)). This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

(v) HUBZone Small Business concerns: _____% or \$_____ of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns located in a historically underutilized business zone which is an area located within one or more qualified census tracts, qualified non-metropolitan counties, or lands within the external boundaries of an Indian reservation and appear on the Small Business Administration's Procurement and Marketing and Access Network (PRO-Net). (<http://pro-net.sba.gov>) This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

The following principal products and/or services will be subcontracted under the Base Bid of this contract, and the distribution among SB, SDB, WOSB, HBCU/MI, and HUBZone SB is as follows:

Subcontractor Name	Product/Service	SB	SDB	WOSB	HBCU/MI	HUB Zone

[Attach additional sheets if necessary]

(b) **OPTION 1 ONLY:** *(You must include a separate goal for each option)* The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) and

dollar amounts are applicable to the contract cited above or to the contract awarded under the solicitation cited.

(i) Small Business concerns (SB): _____% or \$_____ of total planned subcontracting dollars under this contract will be awarded to subcontractors who are SB.

(ii) Small Disadvantaged Business concerns (SDB): _____% or \$_____ of total planned subcontracting dollars under this contract will awarded to subcontractors who are small concerns owned and controlled by socially and economically disadvantaged individuals and appear on the Small Business Administration’s Procurement and Marketing and Access Network (PRO-Net). (<http://pro-net.sba.gov>) This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

(iii) Women-Owned Small Business concerns (WOSB): _____% or \$_____ of total planned subcontracting dollars under this contract will be awarded to subcontractors who are WOSB. This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

(iv) Historically Black Colleges and Universities/Minority Institutions (HBCU/MI): _____% or \$_____ of total planned subcontracting dollars under this contract will go to HBCU’s who are an institution determined by the Secretary of Education to meet the requirements of 34 CFR 608.2, the term also includes any nonprofit research institution that was an integral part of such a college or university before November 14, 1986; or MI’s who are an institution of higher education meeting the requirements of Section 1046(3) of the Higher Education Act of 1965 (20 U.S.C. 1135d-5(3)) which, includes a Hispanic-serving institution of higher education as defined in Section 316(b)(1) of the Act (20 U.S.C. 1059c(b)(1)). This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

(v) HUBZone Small Business concerns: _____% or \$_____ of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns located in a historically underutilized business zone which is an area located within one or more qualified census tracts, qualified non-metropolitan counties, or lands within the external boundaries of an Indian reservation and appear on the Small Business Administration’s Procurement and Marketing and Access Network (PRO-Net). (<http://pro-net.sba.gov>) This percentage is included in the percentage shown under 1.(a)(i) above, as a subset.

The following principal products and/or services will be subcontracted under Option 1 of this contract, and the distribution among SB, SDB, WOSB, HBCU/MI, and HUBZone SB is as follows:

Subcontractor Name	Product/Service	SB	SDB	WOSB	HBCU/MI	HUB Zone

[Attach additional sheets if necessary]

(c) The following method was used in developing subcontract goals (i.e., statement explaining how the product and service areas to be subcontracted were established, how the areas to be subcontracted to SB, SDB, WOSB, HBCU/MI, and HUBZone SB were determined, and how SB, SDB, WOSB, HBCU/MI, and HUBZone SB capabilities were determined, to include identification of source lists utilized in making that determination).

(d) Indirect and over head costs have have not been included in the goals specified in l(a) and l(b).

(e) If “have” is checked, explain the method used in determining the proportionate share of indirect and overhead Cost to be allocated as subcontracts to SB, SDB, WOSB, HBCU/MI, and HUBZone SB.

2. The following individual will administer the subcontracting program:

Name: _____
 Title: _____
 Telephone: _____
 Fax: _____

This individual’s specific duties, as they relate to the firm’s subcontracting program are as follows:

General overall responsibility for this company's Small Business Program, the development, preparation and execution of individual subcontracting plans and for monitoring performance relative to contractual subcontracting requirements contained in this plan, including but not limited to:

(a) Developing and maintaining bidders lists of SB, SDB, WOSB, HBCU/MI, and HUBZone SB from all possible sources.

(b) Ensuring that procurement packages are structured to permit SB, SDB, WOSB, HBCU/MI, and HUBZone SB to participate to the maximum extent possible.

(c) Assuring inclusion of SB, SDB, WOSB, HBCU/MI, and HUBZone SB in all solicitations for products or services, which they are capable of providing.

(d) Reviewing solicitations to remove statements, clauses, etc., which may tend to restrict or prohibit SB, SDB, WOSB, HBCU/MI, and HUBZone SB participation.

(e) Ensuring periodic rotation of potential subcontractors on bidders' lists.

(f) Ensuring that the bid proposal review board documents its reasons for rejecting low bids submitted by SB, SDB, WOSB, HBCU/MI, and HUBZone SB.

(g) Ensuring the establishment and maintenance of records of solicitations and subcontract award activity.

(h) Attending or arranging for attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.

(i) Conducting or arranging for conduct of motivational training for purchasing personnel pursuant to the intent of Public Laws 99-661 and 100-180.

(j) Monitoring attainment of proposed goals.

(k) Preparing and submitting periodic subcontracting reports required.

(l) Coordinating contractor's activities during the conduct of compliance reviews by Federal Agencies.

(m) Coordinating the conduct of contractor's activities involving its SB, SDB, WOSB, HBCU/MI, and HUBZone SB subcontracting program.

(n) Additions to (or deletions from) the duties specified above are as follows:

3. The following efforts will be taken to assure that SB, SDB, WOSB, HBCU/MI, and HUBZone SB will have an equitable opportunity to compete for subcontracts:

(a) Outreach efforts will be made as follows:

- (i) Contacts with minority and small business trade associations
- (ii) Contacts with business development organizations
- (iii) Attendance at small and minority business procurement conferences
- (iv) Sources will be requested from SBA's PRO-Net system.

(b) The following internal efforts will be made to guide and encourage buyers:

- (i) Workshops, seminars and training programs will be conducted
- (ii) Activities will be monitored to evaluate compliance with this subcontracting plan.

(c) SB, SDB, WOSB, HBCU/MI, and HUBZone SB source lists, guides and other data identifying SB, SDB, WOSB, HBCU/MI, and HUBZone SB will be maintained and utilized by buyers in soliciting subcontracts.

(d) Additions to (or deletions from) the above listed efforts are as follows:

4. The contractor agrees that the clause entitled Utilization of Small, HUBZone Small, Small Disadvantaged, and Women-Owned Small Business concerns will be included in all subcontracts, which offer further subcontracting opportunities, and all subcontractors except small business concerns who receive subcontracts in excess of \$500,000 (\$1,000,000 for construction of any public facility) will be required to adopt and comply with a subcontracting plan similar to this one. Such plans will be reviewed by comparing them with the provisions of Public Law 95-507, and assuring that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage goals shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of potential SB, SDB, WOSB, HBCU/MI, and HUBZone SB contractors, and prior experience. Once approved and implemented, plans will be monitored through the submission of periodic reports, and/or, as time

and availability of funds permit, periodic visits to subcontractors facilities to review applicable records and subcontracting program progress.

5. The contractor agrees to submit such periodic reports and cooperate in any studies or surveys as may be required by the contracting agency or the Small business Administration in order to determine the extent of compliance by the bidder with the subcontracting plan and with the clause entitled Utilization of Small, HUBZone Small, Small Disadvantaged, and Women Owned Small Business concerns, contained in the contract.

6. The contractor agrees that he will maintain at least the following types of records to document compliance with this subcontracting plan:

(a) SB, SDB, WOSB, HBCU/MI, and HUBZone SB lists, guides and other data identifying SB, SDB, WOSB, HBCU/MI, and HUBZone SB vendors.

(b) Organizations contacted for SB, SDB, WOSB, HBCU/MI, and HUBZone SB sources.

(c) On a contract-by-contract basis, records on all subcontract solicitations over \$100,000, indicating on each solicitation (1) whether SBs were solicited, and if not, why not; (2) whether SDBs were solicited, and if not, who not; (3) whether WOSBs were solicited, and if not, why not; (4) whether HBCU/MI concerns were solicited and if not, why not; (5) whether HUBZone SBs were solicited and if not, why not; and (6) reasons for the failure of solicited SB, SDB, WOSB, HBCU/MI, and HUBZone SBs to receive the subcontract award.

(d) Records to support other outreach efforts: Contacts with Minority and Small Business Trade Associations, etc. Attendance at small and minority business procurement conferences and trade fairs.

(e) Records to support internal activities to guide and encourage buyers: Workshops, seminars, training programs, etc. Monitoring activities to evaluate compliance.

(f) On a contract-by-contract basis, records to support subcontract award data to include name and address or subcontractor.

(g) Records to be maintained in addition to the above are as follows:

Signed: _____
Typed Name: _____
Title: _____
Date: _____