

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE J	PAGE OF PAGES 1   47
2. AMENDMENT/MODIFICATION NO. 0002	3. EFFECTIVE DATE 18-Jun-2009	4. REQUISITION/PURCHASE REQ. NO. W56MES90569644		5. PROJECT NO.(If applicable)
6. ISSUED BY CONTRACTING DIVISION DETROIT DISTRICT, USAED 477 MICHIGAN AVE. DETROIT MI 48226	CODE W911XK	7. ADMINISTERED BY (If other than item 6) <b>See Item 6</b>		
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)		X	9A. AMENDMENT OF SOLICITATION NO. W911XK-09-R-0010	
		X	9B. DATED (SEE ITEM 11) 04-Jun-2009	
			10A. MOD. OF CONTRACT/ORDER NO.	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>				
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
12. ACCOUNTING AND APPROPRIATION DATA (If required)				
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>				
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.				
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).				
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:				
D. OTHER (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.				
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  W911XK-09-R-0010 Amendment 0002 VA Battle Creek Boiler Replacement Project at the VA Medical Center, Battle Creek, Michigan  This Amendment is issued to add FAR Clauses: 52.219-9, 52.219-9 Alt II, 52.219-16 and DFAR 252.217-7003. Paragraph "Quality of Work" was added to Section 00110, and Section 00120 paragraphs 1.1, 1.2, 2.1, and 2.2.1 were revised. The Government is also extending the RFI submission date from 19 June to 23 June 2009 and the Government response time from 24 June to 26 June 2009. Also, Paragraph 1.16 of Section 01 00 00 of the Specification has been revised. In addition, the wage determination has been updated to the most current determination.  No other Changes.				
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.				
15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
		TEL:	EMAIL:	
15B. CONTRACTOR/OFFEROR  _____ (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED  18-Jun-2009

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

**SUMMARY OF CHANGES**

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

CHANGES TO THE SPECIFICATION

**CHANGES TO THE SPECIFICATIONS**

**SECTION 01 00 00 GENERAL REQUIREMENTS**

**DELETE 1.16 RESIDENT ENGINEER'S FIELD OFFICE** in its entirety and **ADD Revised 1.16 RESIDENT ENGINEER'S FIELD OFFICE** as follows:

- A. The Contractor shall, where designated by the Corps of Engineers COR and VA Project Engineer and within fifteen (15) days after receipt of Notice to Proceed, provide a temporary field office, furniture, and two inch deep gravel surfaced area for use of the Corps of Engineers. Used furniture in excellent condition will be acceptable upon approval of Corps of Engineers COR.
- B. The field office shall provide not less than 720 gross square feet of floor area in one unit. Installation of the office shall meet all local codes.
- C. Provide office with two, three foot wide exterior doors, including hardware and OSHA approved platform and stairs leading to grade.
- D. Enclose the entire perimeter of the office from the floor to the ground and finish to match exterior. Provide R7 insulation and seal tight to ground with a painted 3/4 inch exterior grade plywood skirt.
- E. Exterior finishes shall be manufacturer's standards.
- F. Provide floor, wall, and roof with not less than R5 insulation.
- G. Interior finishes shall consist of resilient flooring, plywood paneling or painted wallboard on walls, and acoustical tile ceilings. Interior doors may be either painted or stained.
- H. Interior shall be subdivided with full height partitions to provide two offices, one conference room, one toilet room, and one storage room (5 feet x 3 feet). Provide each space with three foot wide door with master keyed locks.

- I. Provide 2-1/2 feet wide by 3 feet high operable windows; two in each room, except provide only one 2 foot high window in toilet room. Window openings shall be fitted with security bars to prevent any forced entry. The doors of field office shall have a hasp and padlock and also deadbolts keyed from both sides.
- J. Provide sufficient fluorescent lighting in each room to deliver 750 lux (70 foot-candles) of light at desk top height without the aid of daylight. Provide one light switch in each room.
- K. Provide one duplex receptacle in each wall of each room. If a wall is 3000 mm (10 feet) long or more, provide two receptacles for each 3000 mm (10 feet), or portion thereof, of wall.
- L. Provide one exterior light over each exterior door for automatic illumination at night.
- M. The Contractor shall provide the following:
  - 1. All necessary piping, power circuits network cabling, cat 5e or better cabling for phones (three voice lines and one data line) and computers, electrical fixtures, lighting, and other items necessary to provide a habitable structure for the purpose intended.
  - 2. Thermostatically controlled, centralized heating and air conditioning system designed to maintain the temperature between 21 and 27 degrees C (70 and 80 degrees F) with 50 percent relative humidity maintained during the air conditioning season.
  - 3. One water closet, wash basin with hot and cold potable water, mirror, toilet paper dispenser, paper towel dispenser, soap dispenser, towel bar, and two-prong coat hooks for each toilet room.
  - 4. ANSI approved wall-mounted first aid kit.
- N. Contractor shall, for the duration of the Resident Engineer's occupancy, provide the following:
  - 1. Electricity, hot and cold water, sewage removal and necessary utility services, including local and long distance telephone.
  - 2. Satisfactory conditions in and around the field office and parking area, including snow removal.
  - 3. Maintenance of gravel surfaced area, including the area for parking, in an acceptable condition for vehicle and foot traffic at all times.

4. Maintenance of utility services.
5. High-speed internet service for exclusive use by Government personnel.
6. Office supplies including but not limited to printer/facsimile paper, printer and facsimile toner and water for electric water cooler.
7. Weekly janitorial services (Disposing trash; dusting furniture; cleaning floors, windows and toilet room, etc.) and supplies (toilet paper, soap, etc.).
8. Potable water, electric power for normal office uses, including lights, heating and air conditioning.

O. The Contractor shall provide the following new items:

#### QUANTITY REQUIRED

- 1 Printer stand, 26-1/2" H x 60" W x 30" D
- 3 Office desks with side tables and computer work station
- 1 Conference table, size 4' x 8'
- 1 Plan table, size 4' x 7'
- 1 Plan table chair
- 3 Ergonomic desk chairs with arms, tilt and swivel functions
- 8 Conference chairs (armless & folding)
- 3 Arm Chairs
- 6 Lockable 5 drawer file cabinets, legal size
- 1 Drawing rack, with 12-30 inch "Plan Hold" drawing holders, freestanding
- 4 Bookshelves with a minimum of twelve feet of shelving space
- 1 New Laserjet high speed printer with capability for two-sided printing. The printer shall be accessible from throughout the office facility and shall include all necessary cabling, etc. to be fully functional
- 3 Telephones with speakerphone function, ability to handle all voice lines, and shall be interconnected to allow conference calling and within-office intercom use
- 1 Telephone answering machine with date and time feature
- 1 Plain-paper facsimile machine on a separate phone line
- 1 High speed paper copier
- 1 Electric water cooler
- 1 Metal storage cabinet, size 36" x 18" x 72", with six shelves
- 1 20 sheet, commercial duty paper shredder

- P. At the completion of all work, including the punch list, the Resident Engineer's field office and facilities shall become the property of the Contractor and Contractor shall remove same, including utility connections, from the Medical Center as directed by the Corps of Engineers COR. The site shall be restored to original condition and finished in accordance with contract requirements.
- Q. The Contractor shall furnish floor plans for approval by the Corps of Engineers COR prior to furnishing the field office.

#### SECTION 00100 - BIDDING SCHEDULE/INSTRUCTIONS TO BIDDERS

The following have been added by full text:

##### INSTRUCTIONS TO OFFERORS

## **VA – Battle Creek Boiler Plant Replacement**

### SUBMISSION REQUIREMENTS

### TABLE OF CONTENTS

SOLICITATION, OFFER, AND AWARD SF 1442 and SF 1442 BACK  
SECTION 00010 - PRICING SCHEDULE, NOTES  
SECTION 00100 - INSTRUCTIONS, CONDITIONS AND NOTICES TO OFFERORS  
SECTION 00110 - PROPOSAL PREPARATION INSTRUCTIONS TO OFFERORS  
SECTION 00120 - PROPOSAL EVALUATION AND BASIS FOR AWARD  
SECTION 00600 - REPRESENTATIONS & CERTIFICATIONS  
SECTION 00700 - CONTRACT CLAUSES  
SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

There are drawings associated with this Request for Proposal. All solicitation documents will be posted to FedBizOpps at <http://www.fbo.gov>.

All amendments will be posted to this website. It shall be the contractor's responsibility to check the website for any amendments. Offerors shall submit in their proposals all requested information specified in this Request for Proposal (RFP) solicitation. **There will be no public opening of the proposals received as a result of this solicitation.**

EXHIBIT A – Past Performance Relevancy Questionnaire (to be completed by offeror)  
EXHIBIT B – Subcontractor Information and Consent Form  
EXHIBIT C – Past Performance Reference Questionnaire (to be completed by References)  
EXHIBIT D – Proposal Volume Contents Aid

## SECTION 00010 - NOTES

### NOTES

1. Instructions for the preparation of proposals are located in Sections 00100, 00110 and 00120.

2 Reference Contract Clause 252.236-7008, CONTRACT PRICES – BIDDING SCHEDULES (DEC 1991). The term “Bidding Schedule” shall also be construed to mean “Offer Schedule” or “Schedule”. The terms “bid” and “offer”, and “bidder” and “offeror” shall be construed as having the same meaning in this solicitation and resulting contract.

## SECTION 00100 - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERERS

### 1.0 INTRODUCTION

#### 1.1 SCOPE

You are invited to submit a proposal in response to Request for Proposal (RFP) **W911XK-09-R-0010**, entitled "VA Battle Creek Boiler Plant Replacement". The U.S. Army Corps of Engineers, Detroit District, intends to conduct this acquisition by use of a Competitive Source Selection Procedure, in accordance with the provisions set forth in this RFP.

Award of a firm-fixed price construction contract is anticipated. Award will be made to the offeror submitting a proposal determined to be most advantageous to the Government. The Government may not award any contract if the resulting contract would not represent a "Best Value" to the Government using trade-off selection procedures as required by the Defense Federal Acquisition Regulation Supplement (DFARS), and guidance as prescribed by Army Source Selection Manual. It is strongly suggested that the provisions stated in the proposal be fully studied prior to assembly of the proposal.

#### 1.2 CLAUSES

1.2.1 Clauses and provisions from the Federal Acquisition Regulation (FAR) and supplements thereto are incorporated in this document by reference and in full text. Those incorporated by reference have the same force and effect as if they were given in full text.

1.3.2 Clauses and provisions in this document may not appear in consecutive order.

#### 1.3 REMOVAL OF SECTIONS AT TIME OF AWARD

Sections 00100, 00110, 00120, 00600 and all exhibits will be physically removed as a result of an award, but will be deemed to be incorporated by reference in that award.

#### 1.4 DISPOSITION OF UNSUCCESSFUL PROPOSALS

In compliance with FAR Subpart 4.8, the Government will retain one copy of all unsuccessful proposals. The Government will destroy extra copies of unsuccessful proposals. No destruction certificate will be provided.

#### 1.5 BONDING REQUIREMENTS

Performance and Payment bonds will be required in the amount of 100% of the contract award value. Offerors shall provide a letter from their bonding company to state that the company, upon contract award, will be bonded in that amount.

## 1.6 FORMAL COMMUNICATION, OFFEROR EXPLANATIONS

Any explanation desired by an offeror regarding the meaning or interpretation of the solicitation, for proposals, drawings, specifications, etc. must be requested in writing and with sufficient time allowed for a reply to reach offerors before the submission of their proposals. All questions and requests for information (RFIs) must be received **NOT LATER THAN** 23 June 2009 and answers will be posted not later than 26 June 2009 at the FedBizOpps website ([www.fbo.gov](http://www.fbo.gov)). Questions and RFIs may be submitted to: [LRE-Quotes@usace.army.mil](mailto:LRE-Quotes@usace.army.mil).

The Contracting Officer reserves the right to address questions received after 19 June 2009 following solicitation closing with those offerors in the competitive range should one be established. Any interpretations made will be in the form of an amendment of the solicitation, drawings, specifications, etc., and will be furnished to all prospective offerors via posting to FedBizOpps.

Acknowledgement of each amendment by the offeror must be made in the space provided on the SF 1442, or by returning a signed copy of the amendment by the time set for receipt of proposals. Explanations or instructions given in a form other than an amendment to the solicitation shall not be binding. Questions (on a non-attribution basis) and answers shall be furnished to all prospective offerors via the web site. For security reasons all potential offerors, plan rooms and printing companies are required to register in the Central Contractor's Registration (CCR), at [www.ccr.gov](http://www.ccr.gov).

## 1.7 AMENDMENTS PRIOR TO DATE SET FOR RECEIPT OF PROPOSALS

The right is reserved, as the interest of the Government may require, to revise or amend the solicitation, specifications and/or drawings, prior to and/or after the date set for receipt of proposals. Such changes, if any, will be announced by an amendment or amendments to this Request for Proposal. All information relating to this RFP, including pertinent changes/amendments and other information applicable prior to the date set for receipt of proposals will be posted on FedBizOpps. Though every effort will be made to provide email notification when a change is posted, such notification is NOT guaranteed and should not be expected. Offerors are strongly cautioned to check this site frequently and to "refresh" their web page to ensure they have the latest information.

## 1.8 HAND CARRIED PROPOSALS/INVITATIONS

Proposals can be hand carried to the USACE Detroit District located at the McNamara Federal Building, 477 Michigan Avenue, 7<sup>th</sup> Floor, Detroit, MI 48226. Hand carried proposals must be received in the Contracting Office prior to the time established for receipt of proposals. Offerors are cautioned that they will be required to enter a Federal Government building and should allow time to accomplish this. Late receipt of proposals due to facility entry delays may not be deemed excusable and the Contracting Officer may declare the proposal "late" in accordance with FAR 15.208.

## 1.9 WAGE DETERMINATION

Davis Bacon Wage Rates are applicable to this project and shall be included in the contract.

## 1.10 PROPOSAL EXPENSES AND PRE-CONTRACT COSTS

This RFP does not commit the Government to pay costs incurred in preparation and submission of initial and subsequent proposals or for other costs incurred prior to award of a formal contract.

## 1.11 DRAWINGS

There are reference drawings associated with this Request for Proposal. All solicitation documents will be posted to FedBizOpps at [www.fbo.gov](http://www.fbo.gov).

## 1.12 EXCEPTIONS

If the offeror takes exception to any of the requirements specified in this solicitation, the offeror shall clearly identify each such exception and include a complete explanation of why the exception was taken and what benefit accrues to the Government. All exceptions to the solicitation requirements (Section 00010 through 00800) and supporting rationale shall be included in an addendum to the proposal and clearly labeled "Exceptions".

An addendum is only required if the offeror takes exception to any requirement in the solicitation. (The Addendum does not have a page limitation, but shall only include information relevant to exceptions taken to the solicitation requirements.) The Government will assume an offeror takes no exceptions to any solicitation requirement if the offeror does not submit an Addendum identifying exceptions. Offerors are advised that solicitation requirements are not necessarily negotiable and such exceptions may render an offeror's proposal unacceptable and ineligible for award.

## SECTION 00110 - PROPOSAL PREPARATION INSTRUCTIONS TO OFFERERS

### 1.0 GENERAL INSTRUCTIONS

#### 1.1 PROPOSAL PREPARATION INSTRUCTIONS

1.1.1 These instructions prescribe the format of proposals, and describe the approach for the development and presentation of the proposal data. They are designed to ensure the submission of necessary information to provide for the understanding and comprehensive evaluation of proposals. Carefully review this section prior to commencing proposal preparation. All solicitation amendments must be acknowledged in accordance with Section 00100, FAR Provision 52.215-1, and Instructions to Offerors.

1.1.2 Offerors are cautioned to strictly comply with all instructions within this solicitation to ensure submission of a complete proposal. Failure to furnish a complete proposal, at the time of proposal submission, may result in the proposal being unacceptable to the Government and eliminated from consideration for award.

1.1.3 After compiling all required information, submit the information in accordance with the "Proposal Due Date Schedule" paragraph and return the original and specified number of copies to the issuing office listed in Block 8 of the SF 1442. Mark the front of the envelope/box with the following: "PROPOSAL for W911XK-09-R-0010 - DO NOT OPEN - Competitive Acquisition".

#### 1.2 PROPOSAL CONTENT

Prospective offerors shall submit the following volumes in two separate packages in accordance with instructions contained herein:

1. Volume 1, Technical Capability and Past Performance, in original and five (5) copies
2. Volume 2, Business Proposal, in original and one (1) copy

Offerors are cautioned to **carefully review** the proposal requirements for these volumes and ensure a complete proposal is submitted.

#### 1.3 PROPOSAL DUE DATE SCHEDULE

The entire proposal (Volumes 1 and 2) are due by the date and time set for the receipt of proposals shown in Block 13 of the SF 1442. Offerors are also to ensure that past performance references provide questionnaire responses to the Contracting Officer not later than the closing date.

#### 1.4 PROPOSAL FORMAT

- 1.4.1 Purpose: These instructions prescribe the format of proposals, and describe the approach for the development and presentation of the proposed data. The proposal shall include all of the information requested in the specific instructions. Failure to include all information requested may adversely affect the evaluation. A proposal that merely reiterates or promises to accomplish the requirements of the RFP will be considered unacceptable. A proposal that is orderly and sufficiently documented will be easy for the Government to understand and will enable the Government to perform a thorough and fair evaluation.
- 1.4.2 Offerors are cautioned to submit enough information to enable the evaluation committee to fully ascertain each offeror's capability to perform all of the requirements contemplated by this solicitation. All commitments made in the proposal may become a part of the resultant contract. The data submitted with each proposal should be complete and concise, but not overly elaborate. Excessive reliance on promotional brochures is discouraged.
- 1.4.3 The number for pages per volume may be varied by the offeror to suit its needs for certain identified sections; however, the total number of pages for the proposal submitted **may not exceed 75 pages**. The specific information as listed in the note below will be excluded from the total number of pages.

NOTE: The items that are excluded from the page count are the Proposal Cover; the Table of Contents; and Title or Index Page.

- 1.4.4 Each page should be numbered consecutively within each section. The page size of the offeror's proposal shall not exceed an 8-1/2 inch by 11-inch sheet of paper. Please refer to Section 00700, FAR 52.204-4 for printing/duplicating instructions.

NOTE: Double sided copies are considered as two pages. Proposals that exceed the specified page limit will have only those first pages that are within the required limits evaluated. All information appearing thereafter will not be evaluated.

- 1.4.5 Proposal type size for text documents shall not be smaller than Microsoft Word Times New Roman 10 point font; normal proportional spacing and page size shall be no larger than normal letter size paper (8 1/2" x 11"). Type size for graphics, charts, diagrams and tables, shall be of an appropriate font and size for the application, and must be clearly readable without magnification assistance to the normal eye. Text lines shall be no less than single-space. To the maximum extent practicable, proposal submission shall be double sided.
- 1.4.6 Binding: Elaborate format and binding are neither necessary nor desirable. All binders shall be capable of lying flat when opened. The cover and spine of each binder shall clearly identify the offeror's name, Volume number, RFP number, RFP title and copy number, (e.g. copy 2 of 5). The original for each volume shall

be clearly identified on the cover and the spine. All binders shall allow for easy removal and replacement of pages.

- 1.4.7 Indexing: Each binder shall contain a “Table of Contents” for that volume. The “Table of Contents” shall identify major areas, paragraphs and subparagraphs by number and title as well as by page number and volume locations. Tab indexing shall be used to identify Sections as appropriate.
- 1.4.8 Offerors may, at the discretion of the Government, be asked to provide clarifications regarding their proposals in accordance with FAR 15.306 (a). Requests for such information do not constitute discussions.
- 1.4.9 Offerors shall be held responsible for the validity of all information supplied in their proposals, including that provided by potential subcontractors. Should subsequent investigation disclose that the facts and conditions were not as stated, the proposal may be rejected.
- 1.4.10 The Contracting Officer will conduct proposal compliance reviews after closing for determination of basic proposal adequacy prior to providing the proposals to the evaluators. Failure to provide a complete proposal may result in the proposal being removed from further consideration for award. A Proposal that fails to address any of the sub-factors may be deemed incomplete and removed from further consideration for award.

## **2.0 PROPOSAL VOLUME CONTENTS**

### **2.1 VOLUME 1 - OFFEROR TECHNICAL CAPABILITY AND PAST PERFORMANCE INFORMATION**

Volume 1 is obtained for the purpose of evaluating Technical Capability and Past Performance. The Technical Capability and Past Performance information shall be divided into two sections of the Volume, Section A (Technical Capability) and Section B (Past Performance Information).

- 2.1.1 **SECTION A** of Volume 1, Technical Capability, considers the offeror’s organization, intended technical approach to executing the construction contract and the quality of the proposed equipment. Limit the plan to **clearly but concisely** describe the organizational and technical approach to project management and execution, and proposed equipment quality.

#### **2.1.2 Quality of Equipment**

The offeror shall include in the proposal material identification for major materials or equipment in each of the areas shown below. Provide this information in tabular form supported, if necessary to clearly identify level of proposed quality, by catalog information. Table should include manufacturer’s name, model number, length of warranty, life cycle, size/capacity (where

available), efficiency (where applicable), a narrative describing in detail how the mechanical boiler system including boilers, burners and controls will meet or exceed the minimum requirements of the solicitation, and any other notes or information selected by the offeror. The Government will evaluate and consider materials and equipment proposed by brand name and model number as a quality standard. Unless substitution of a manufacturer, brand name, or model is otherwise specifically prohibited in the contract, if the successful offeror desires to substitute manufacturers, brand names or models after award, the substituted product must meet the contract requirements and be approved by the Government as equal in function, performance, quality, value, and salient features to that initially proposed. Acceptance of the proposal is not a guarantee that the proposed products meet the contractual requirements.

- a. Boiler Equipment
  - i. Membrane wall thickness
  - ii. Front and rear furnace wall configuration
  - iii. Tube-to-drum connection
- b. Burners
- c. Stack Economizers
- d. Boiler Plant Controls

### 2.1.3 Organization and Technical Approach

Describe subcontractor and manufacturer resources and how their resources will be utilized, their roles and responsibilities and any contractual arrangements that have been established. Clearly describe any teaming or joint venture arrangements, including a clear description of each subcontractors and manufacturers roles and responsibilities on the project. The offeror shall document teaming arrangements with its subcontractors(s). A copy of the teaming or joint venture agreement(s) may be appended to the plan. Include a simple organization chart, illustrating the organization, including the proposed quality control group(s). Present a matrix of responsibilities for each subcontractor in executing the key work breakdown structure activities of the project, including construction activities for each major feature (i.e. building mechanical, electrical, utilities, demolition). Identify the subcontractors(s) chosen for the project. Describe the proposed management structure for the team, describing how the construction process will be managed and the authorities and delegations of authority within the team. Include a key personnel organization chart that clearly depicts the key positions and the names of the personnel, their firm affiliations and their job locations, their job/position title within the organization.

Describe the technical approach to construct this project. The Government is looking for ways to streamline construction, manage labor and other resource constraints in an effort to reduce costs.

Describe the team's quality control approach, corporate systems and capabilities to maintain quality control of design and construction. Describe the proposed quality control organization, including the proposed staffing plan.

2.1.4 Key Project Personnel Capabilities and Experience

The offeror shall provide a consolidated list of key personnel with name, position title and description of project responsibility for each. Indicate whether each individual has had a significant role in any of the project examples. If re-assignment of personnel is considered possible, provide alternate professionals in each assignment. Include the prime contractor's project manager and on-site general superintendent responsible for construction. For each person provide a brief resume at the end of the section. Offerors shall provide letters of commitment from all proposed key personnel not currently employed by the team members.

2.1.5 Schedule

Provide a schedule in chart format for equipment procurement, construction and equipment installation.

2.1.6 **SECTION B** of Volume 1 contains the offeror's Past Performance Information. Past Performance includes current and on-going performance. It includes the offeror's Performance Relevancy Questionnaire, Exhibit A Parts 1 and 2; and any discussion and or additional information, awards, letters, etc. concerning past performance the offeror includes. Offerors shall use the Reference Package, Exhibit C, to obtain references from past and present clients. Past Performance, which includes current on-going (present) performance, will be evaluated using the evaluation criteria set forth in Section 00120 of the solicitation. If the offeror represents the combining of two or more companies, joint venture, or formal teaming agreement for the purpose of this RFP, each company shall complete Exhibit A and obtain Exhibit C references. The Government may contact these references and may consider this information as well as information obtained from any other sources when evaluating the offeror's past performance.

2.1.7 Offerors shall discuss their performance using the Performance Relevancy Questionnaire format, Exhibit A Part 1, for a minimum of three (3), maximum of five (5) contracts. Use this form to provide information that demonstrates a history of performance on contracts that are similar in scope, complexity, and cost magnitude to this project's plans and specifications. Explain what aspects of the contract you find relevant to the proposed effort and identify how each contract ranks, in terms of relevancy, with respect to the other contracts addressed in the volume. Offerors should consider the currency and relevancy of the past performance information. To be considered, the performance must have been completed during the past five (5) years. The period begins five (5) years prior to the solicitation release date and includes current performance. Current performance may have greater impact than older performance. In determining relevancy to the solicitation requirement, offerors should consider the similarity

of methods employed, size, scope, cost magnitude, location, client type and complexity of work performed to those required for the proposed effort.

**REQUIRED:** Offerors are cautioned to complete all the questions on the Exhibit A Part 1 and Part 2. Detailed instructions are included in Exhibit A.

2.1.7.1 Offerors are encouraged to include with their proposal information any problems encountered on the identified contracts and the offeror's correction actions.

2.1.8 Offerors lacking relevant present/past performance experience may submit information regarding predecessor companies, key personnel who have relevant experience, or subcontractors that will perform major or critical aspects of the requirement if such information is relevant to this acquisition. Such information shall, as a minimum, include:

- a. Name(s) of Predecessor Company/Subcontractor and/or Key Personnel
- b. Complete Address
- c. Telephone, Fax Number and email address
- d. A brief synopsis of the experience. A resume (not included in page count) may be submitted for "Key Personnel"

2.1.8.1 Provide at least three (3) but no more than five (5) references for each Predecessor Company, Subcontractor or Key Personnel. Clearly identify the contractor/individual for whom the reference information concerns. Include "Subcontractor Information and Consent Form", Exhibit B, for subcontractors/Team Partners if not already provided.

2.1.9 Past Performance References – **REQUIRED** - Offerors shall prepare and submit to prior client(s), to include the owners of the projects listed in Exhibit A, a Reference Package (Exhibit C) (detailed instructions are included in Exhibit C). This includes correspondence explaining the requirement to obtain an independent evaluation of prior contract performance, and the Past Performance Questionnaire for use in evaluating past performance.

The preferred method of submission of Past Performance Questionnaires is via e-mail in PDF format to LRE-Quotes@usace.army.mil. Responses may also be faxed to (313) 226-2209, or mailed to the following address:

USACE Detroit District  
Contracting Office  
Attn: Mike Freestone  
477 Michigan Ave, Room 700  
Detroit, MI 48226-4523

It is suggested that offerors provide a pre-addressed stamp envelope to former clients for their convenience in submitting their Performance Questionnaire. Further, references should be instructed to send their responses so as to arrive not later than the due date of the proposal. Offerors must **not** review the Past Performance Questionnaire prior to submission. They are to be submitted by the client/evaluator directly to the Contracting Officer. Offerors should follow-up and encourage references to get the questionnaires to the Contracting Officer in a timely manner.

2.1.10 Provide the names of the subcontractor and or Teaming Partner to be utilized.

2.1.10.1 Each proposed subcontractor/Teaming Partner must also complete an Exhibit B, "Subcontractor Information and Consent Form", to be considered. Multiple subcontractors may be named for the same discipline but are limited to a maximum of 3 subcontractors per discipline. When multiple subcontractors are provided for the same discipline the evaluation will be in accordance with Section 00120. The Government may seek additional references and reserves the right to use the information provided to obtain additional references.

2.1.10.2 In assessing past performance the Government shall also consider the past performance of the offeror's key personnel, Project Manager, Quality Control Manager and Site Superintendent, as it relates to previous projects. In the event the intended key personnel does not have demonstrated past performance in the project(s) submitted in the Exhibit As, additional information is required. Each key personnel without prior past performance history submitted shall complete an Exhibit B, "Subcontractor/Teaming Partner/Key Personnel Information and Consent Form". The Government may seek additional references and reserves the right to use the information provided to obtain additional references. Failure to provide this information may result in the proposal being deemed incomplete and not considered for award.

2.1.11 Offerors are advised that the Government may use all data provided by the offeror in this volume and data obtained from other sources, to include but not limited to Government-wide databases, in the development of performance confidence assessments. Past performance information on contracts not listed by the offeror, or that of planned subcontractors, may also be evaluated. The Government may contact references other than those identified by the offeror and information received may be used in the evaluation of the offeror's past performance. While the Government may elect to consider data obtained from other sources, the burden of providing current accurate and complete past performance information rests with the offeror.

## 2.2 VOLUME 2 - PRICE/COST INFORMATION

- 2.2.1 Offerors shall provide all price/cost information necessary to provide a meaningful basis for Government's analysis and evaluation of price/cost for the project set forth in Section 00100 of this solicitation. The Government is not, and does not intend on, requesting certified cost or pricing data. Offerors may be required during the evaluation process to provide sufficient price/cost information that will enable the Government to perform an evaluation in accordance with Section 00100. If an offeror proposes an unusually low price, the offeror should also provide rationale to justify the price. Detailed requirements follow:
- 2.2.1.1 Offer and Section 00100 – Complete in its entirety the “Offeror” portion of the Standard Form (SF) 1442. An official having the authority to contractually bind your company must sign the SF 1442 in accordance with FAR 4.102. One copy of the SF 1442 is required to have an original signature.
- 2.2.1.2 Section 00100 – Insert the price/cost associated with the schedule line items.
- 2.2.1.3 Representations and Certifications - Section 00600 - insert the required certifications and representations.
- 2.2.1.4 Include an introductory page to include points of contact, authorized negotiators, contact phone, facsimile numbers, and email addresses.
- 2.2.1.5 Joint Venture Requirements - Parties wishing to propose as a joint venture must submit an executed copy of the joint venture agreement. The joint venture agreement shall be executed in accordance with FAR 4.102. Each joint venture partner shall submit evidence satisfactory to the Contracting Officer that its Board of Directors has approved its participation in the joint venture and by an instrument of similarly binding character in the case of an unincorporated entity. Offerors are reminded that to obtain an award, the awardee, including any joint venture, must be registered in the Central Contractor Registration (CCR) database.

## SECTION 00120 - PROPOSAL EVALUATION AND BASIS FOR AWARD

### 1.0 GENERAL INFORMATION

- 1.1 The solicitation will result in the award of one firm-fixed price construction contract. Award will be made to the offeror submitting a proposal determined to be most advantageous to the Government. The Government may not award any contract if the resulting contract would not represent a "Best Value" to the Government using trade-off selection procedures.

The Best Value is the most advantageous offer, price and other factors considered, and consistent with the Government's stated importance of evaluation criteria. This may result in award being made to a higher-rated, higher-priced offeror where the Contracting Officer determines that the past/present performance of the higher-priced offeror outweighs the cost difference. To arrive at a Best Value decision, the Source Selection Authority will integrate the evaluation of technical capability, past performance and price. While the Government and the Source Selection Authority will strive for maximum objectivity, the evaluation process, by its nature, is subjective and therefore, professional judgment is implicit throughout the entire evaluation process. A proposal receiving a "High Risk" rating is unawardable and may be removed from further consideration for award.

- 1.2 The source selection process will be conducted in accordance with FAR Part 15.3, Source Selection procedures. Offers will be evaluated using the criteria listed in "Evaluation Factors for Award". Noncompliance with the RFP requirements may raise serious questions regarding an offeror's technical capability past performance and/or cost performance and may be grounds to eliminate the proposal from consideration for contract award. Failure to include all information requested may adversely affect the evaluation. A proposal that merely reiterates or promises to accomplish the requirements of the RFP will be considered unacceptable. A proposal that is orderly and sufficiently documented will be easy for the Government to understand and will enable the Government to perform a thorough and fair evaluation.
- 1.3 The Contracting Officer will conduct proposal compliance review after closing for determination of basic proposal adequacy prior to providing the proposals to the evaluators. Failure to provide a complete proposal, both volumes, may result in the proposal being removed from further consideration for award. A Proposal that fails to address any of the past performance factors detailed on Exhibit A or provide pricing of all the line items may be deemed incomplete and removed from further consideration for award.
- 1.4 Offerors **must** ensure that no pricing information is displayed in any volume except the Business Proposal.
- 1.5 Offerors are advised that the technical evaluation and rating of proposals will be conducted in strict confidence in that technical/quality proposals are reviewed and rated

without knowledge of the price offered. The number and identities of offerors are not revealed to anyone who is not involved in the evaluation and award process or to other offerors. Proposals will be evaluated based on the factors described herein, and the basis of award is the Best Value determination.

1.6 The evaluation process essentially consists of four parts: proposal compliance review and responsibility determination, technical/past performance evaluation, price evaluation and cost/technical trade-off analysis.

1.6.1 Proposal Compliance Review: This is an initial review to ensure that all required forms and certifications are complete and that required volumes of the proposal were received.

1.6.2 Technical/Past Performance Evaluation: The SSEB will evaluate and rate those proposals passing the compliance review. Proposals will be evaluated against the RFP requirements. Technical and Past Performance criteria will be rated using an adjectival based system.

1.6.3 Price Evaluation: The SSEB will evaluate price proposals independent of the technical/past performance evaluation. The SSEB will not have access to price information until completion of the technical/past performance evaluation.

1.6.4 Cost/Technical Trade-off Analysis: After all above evaluations are complete, the Source Selection Authority (SSA) will compare the relative advantages and disadvantages of technical proposals and compare prices. The SSA will then consider all factors to select the proposal offering the most advantage to the Government.

1.7 The Government reserves the right to reject any or all offers if such action is in the Government's best interest.

1.8 ENFORCEABILITY OF PROPOSAL: The proposal must set forth full, accurate and complete information as required by this solicitation. The Government will rely on such information in the award of a contract. By submission of the offer, the offeror agrees that all items proposed (if applicable e.g., key personnel, subcontractors, etc.) will be utilized for the duration of the contract and any substitutions will require prior Contracting Officer's approval.

## **2.0 EVALUATION FACTORS FOR AWARD**

2.1 General: The relative importance of the evaluation factors that will affect the contract award are as follows: Technical Capability and Past Performance are of equal importance, and, when combined, are significantly greater than Price. The evaluation process is as follows:

### **2.2 Technical Capability Evaluation**

The Technical Capability evaluation will consider such things as an offeror's technical approach, proposed schedule, qualifications, and other considerations as described in the sub-factors, elements and other considerations.

There are four (4) sub-factors in the Technical Capability evaluation, as follows:

- a. Quality of Equipment
- b. Organization and Technical Approach
- c. Key Project Personnel Capabilities and Experience
- d. Schedule

The sub-factors are listed in descending order of importance. Evaluation will be at the **factor** level (i.e., a rating will be given only for Technical Capability as a whole). The elements that may be considered under each sub factor are described below:

#### 2.2.1 Quality of Equipment

In order to evaluate and rate the quality of the materials being proposed, including any material or equipment warranties exceeding the requirements stated in the RFP, the offeror shall include in the proposal material identification for major materials or equipment in each of the areas shown below. Provide this information in tabular form supported, if necessary to clearly identify level of proposed quality, by catalog information. Table should include manufacturer's name, model number, length of warranty, life cycle, size/capacity (where available), efficiency (where applicable), a narrative describing in detail how the mechanical boiler system including boilers, burners and controls will meet or exceed the minimum requirements of the solicitation, and any other notes or information selected by the offeror. The Government will evaluate and consider materials and equipment proposed by brand name and model number as a quality standard. Unless substitution of a manufacturer, brand name, or model is otherwise specifically prohibited in the contract, if the successful offeror desires to substitute manufacturers, brand names or models after award, the substituted product must meet the contract requirements and be approved by the Government as equal in function, performance, quality, value, and salient features to that initially proposed. Acceptance of the proposal is not a guarantee that the proposed products meet the contractual requirements.

- a Boiler Equipment
  - i. Membrane wall thickness
  - ii. Front and rear furnance wall configuration
  - iii. Tube-to-drum connection
- b Burners
- c Stack Economizers
- d. Boiler Plant Controls

#### 2.2.2 Organization and Technical Approach

The Government will evaluate the strengths, weaknesses and any deficiencies in the organization and technical approach.

**Organization:** The Government will evaluate the clarity and strength of the overall organization, the structure and staffing to execute the entire scope of work. The offeror is required to select and commit to subcontractors and manufacturers to achieve an “acceptable” rating.

**Technical Approach for Construction:** The Government places a higher value on an offer that provides proposed methods to streamline construction, manage labor and other resource constraints in a effort to reduce costs and support an aggressive schedule.

**Quality Control:** The Government will evaluate the offeror’s capabilities and understanding of the contractually required quality control processes for construction. The Government will evaluate the adequacy of the staffing plan to cover all required tasks and responsibilities.

### 2.2.3 Key Project Personnel Capabilities and Experience

Subfactors to be considered under Key Project Personnel Capabilities and Experience of equal importance:

- (1) Overall Project Manager
- (2) Project Superintendent
- (3) Project Manager – Mechanical Subcontractor
- (4) Project Manager – Boiler Plant Controls Subcontractor

The Government will evaluate the required information to identify and demonstrate that the proposed key personnel meet minimum qualifications necessary, which includes previous satisfactory experience in similar type work both in scope and content, to manage, and to perform construction. Performance of key personnel proposed for this project may be taken into account when it comes to the attention of the Government. The offeror shall demonstrate that it has the necessary experience and qualified personnel within its organization to effectively manage, control, construction operations, and subcontractors and administer an effective quality control program. This shall be achievable with other projected on-going work. Additional consideration will be given to the offeror’s past design build experience and the experience and qualifications of subcontractors and manufacturers

The minimum experience requirements for the project manager is at least 5 years construction and construction management experience. The minimum experience requirements for the superintendent is at least 5 years experience as superintendent, managing multiple trades and subcontractors. If alternates are proposed for key positions, the evaluation rating will consider the lesser qualified or experienced person, if there is a difference.

#### 2.2.4 Schedule

Schedules that demonstrate a clear understanding of the work and an ability to coordinate resources to ensure successful pursuit of the work will be considered to meet the RFP requirements. Schedules that do not demonstrate a clear understanding of the work, or that do not demonstrate a capability to coordinate resources will be considered to not meet the RFP requirements.

Overall, a rating of “Outstanding”, “Good”, “Acceptable”, “Marginal”, or “Unacceptable” will be assigned to the Technical Capability factor as follows:

ADJECTIVAL	COLOR	DEFINITION
Outstanding	Blue	A proposal that satisfies all of the Government’s requirements with extensive detail to indicate feasibility of the approach and shows a thorough understanding of the problems and offers numerous significant strengths, which are not offset by weaknesses, with an overall low degree of risk in meeting the Government’s requirements.
Good	Green	A proposal that satisfies all of the Government’s requirements with adequate detail to indicate feasibility of the approach and shows an understanding of the problems and offers some significant strengths or numerous minor strengths, which are not offset by weaknesses, with an overall low to moderate degree of risk in meeting the Government’s requirements.
Acceptable	Yellow	A proposal that satisfies all of the Government’s requirements with minimal detail to indicate feasibility of the approach and shows a minimal understanding of the problems, with an overall moderate to high degree of risk in meeting the Government’s requirements.
Marginal	Orange	A proposal that satisfies all of the Government’s requirements with minimum detail to indicate feasibility of approach and shows a minimal understanding of the problem with an overall high degree of risk in meeting the Government’s requirement.
Susceptible to Being Made Acceptable	Pink	An approach which, as initially proposed, cannot be rated Marginal because of a minor error(s), omission(s) or deficiency(ies) which is capable of being corrected without a major rewrite or revision of the proposal. <b>NOTE:</b> A Susceptible rating cannot be a final rating. The final rating will either increase to a rating of Marginal or better or decrease to Unacceptable.
Unacceptable	Red	A proposal that contains a major error(s), omission(s) or deficiency(ies) that indicates a lack of understanding of the problems or an approach that cannot be expected to meet requirements or involves a very high risk; and none of these conditions can be corrected without a major rewrite or revision of the proposal.

### 2.3 Past Performance Evaluation

2.3.1 The Past Performance evaluation will consider such things as an offeror’s business practices, customer relationship, ability to successfully perform as proposed and other considerations as described in Performance sub-factors, elements and other considerations.

Past Performance includes current/on-going (present) performance. **The evaluation will also consider the past performance of subcontractors.** Based on the evaluation results, the evaluator will assign one of four confidence ratings as defined below. An offeror with no Past Performance may receive a rating based on the evaluation of its predecessor companies, key personnel, and/or subcontractors. These ratings may have the same weight as the ratings of the proposing company. If such information is not applicable (i.e., the offeror does not have a predecessor company, key personnel or subcontractors with relevant experience), the offeror shall be evaluated as “Unknown Risk”. However, the proposal of an offeror with no relevant Past Performance history, while rated “Unknown Risk” in Past Performance, may not represent the most advantageous proposal to the Government and thus, may be an unsuccessful proposal when compared to the proposal of other offerors.

2.3.2 In assessing performance confidence, the evaluator may:

- a. evaluate present and past performance information through the use of questionnaires completed by the offeror’s references;
- b. use data independently obtained from other Government or commercial sources, to include but not limited to Government databases;
- c. rely upon personal business experience with the offeror;
- d. the information provided in the offeror’s Past Performance Relevancy Questionnaire;
- e. consider any information the offeror submits which explains any problems encountered on the identified contractor and the offeror’s corrective actions.

The Government reserves the rights to obtain and evaluate past performance information from any source it deems appropriate.

2.3.3 The evaluation may take into account Past Performance information regarding predecessor companies, key personnel who have relevant experience, or subcontractors that will perform major or critical aspects of the requirement when such information is relevant to this acquisition. The evaluation will also consider information provided relative to corrective actions taken to resolve problems on past or existing, contracts.

2.3.4 In accordance with FAR 15.306(a)(2), if award will be made without conducting discussions, offerors may be given the opportunity to clarify certain aspects of their proposals, e.g., the relevance of an offeror’s past performance information and adverse past performance information to which the offeror has not previously had an opportunity to respond or to resolve minor clerical errors.

2.3.5 Current, Relevant, Trends: Evaluators will consider the performance information for currency, relevancy as well as trends in the performance while conducting its evaluation.

2.3.5.1 “Current” means performance occurring within the last five (5) years for the period beginning five years prior to the solicitation release date. Within this period, performance occurring later in the period may have greater significance than work occurring earlier in the period.

2.3.5.2 In assessing relevancy, the Government may evaluate an offeror’s references for similarity of the construction methods, e.g. hospital work, sterile environments, etc. Trends in performance will be considered.

The following apply to weighting relevancy considering all the elements listed above:

**VERY RELEVANT** - Past/present performance efforts may have involved the magnitude of effort and complexities, which are essentially what this solicitation requires.

**RELEVANT** - Past/present performance efforts may have involved less magnitude of effort and complexities, including some of what this solicitation requires.

**SEMI-RELEVANT** - Past/present performance efforts may have involved much less magnitude of effort and complexities, including some of what this solicitation requires.

**NOT RELEVANT** - Past/present performance efforts may have involved none or significantly less magnitude of effort and complexities than what this solicitation requires.

Offerors who otherwise have satisfactory performance on previous construction projects, may be rated “neutral” if those projects are not considered relevant to the proposed acquisition and relevancy cannot be obtained through key personnel and/or subcontractors. Projects that are not current will not be considered in the evaluation. **Relevancy may affect an offeror’s overall Past Performance rating.**

2.3.6 Past Performance Sub-factors. There are five (5) sub-factors, as follows:

- a. Management Effectiveness
- b. Quality Control
- c. Timely Performance
- d. Compliance with Safety Standards
- e. Compliance with Federal laws and regulations

The sub-factors are listed in descending order of importance. Evaluation will be at the **factor** level (i.e., a rating will be given only for Past Performance as a whole).

2.3.7 The elements that may be considered under each sub factor are described below:

2.3.7.1 **Management Effectiveness** may consider such things as:

- a. General Business Practices, including, but not limited to: contractor provided experienced managers, and supervisors with the ability needed to meet contract requirements; hired experienced subcontractors; paid subcontractors/suppliers in a timely manner; the contractor cooperated to resolve problems, attending meetings (as applicable) and maintained communication to assure satisfactory resolution.
- b. Pricing, including, but not limited to: submitting proposals that accurately represent the work required; the contractor's supporting price/cost information for modifications are accurate, complete and reasonable (not over inflated or under estimated); provided well-substantiated pricing data for change orders.
- c. Site Management/Superintendent, including, but not limited to: site manager ensured compliance to contract requirements & safety regulations; site manager acted promptly to resolve problems and ensure work quality; site manager had sufficient authority to make decisions or take actions during project performance; site manager consistently present on site when work was performed.

2.3.7.2 **Quality Control (QC)** may consider such things as: quality of workmanship; adequacy of the contractor QC; identification/correction of deficient work in a timely manner; suggested solutions and displayed initiative to implement solutions; adequacy of materials; use of specified materials; adequacy of submittals and adequacy of "as-builts".

2.3.7.3 **Timely Performance** may consider such things as: Met established progress schedule; timely submission of updated and revised progress schedules; resolved delays in an expeditious manner; identification/correction of deficient work in a timely manner; provided submittals in a timely manner; completed all contract work prior to requesting final inspection; timely completion of punch-list items; left no major discrepancies; timely submission of close out documents, i.e., "as builts", "red lines"; provided timely and satisfactory response to warranty issues after project completion.

- 2.3.7.4 **Compliance with Safety Standards** may consider such things as the adequacy of implementation of a safety plan, and an acceptable safety history.
- 2.3.7.5 **Compliance with Federal Laws and Regulations** may consider such things as compliance with labor laws and regulations with specific attention to the Davis-Bacon Act, including, but not limited to: submitted payrolls in a timely manner; payrolls were complete and correct; compliance with drug-free workplace requirements; compliance with Executive Order 13101- Use of Recovered Material (Affirmative Procurement)/compliance with Executive Order 13423 – Strengthening Federal Environmental, Energy, and Transportation Management; compliance with environmental regulations.
- 2.3.8 Other Past Performance Considerations: Evaluators may also consider the following issues when evaluating an offeror’s Past Performance. These issues may help provide additional guidance in deciding a descriptive performance confidence assessment (e.g., “Low Risk” or “Moderate Risk”) for a specific offeror if there is a question as to which adjective is most appropriate.
- a. Effectiveness of value engineering change proposals on prior Government contracts (impact on reducing cost or schedule, increasing efficiency or improving quality).
  - b. Professional/Industry Awards.
  - c. Letters of appreciation, recognition or commendation, etc., received on behalf of a customer may be submitted. The Government will consider up to five (5) such documents.
  - d. Unique skills and accomplishments.
  - e. Assessment of liquidated damages (frequency, circumstances, severity of problem, etc.).
  - f. Experience with LEED. Offeror may describe design-build experience on other type projects.
  - g. Contractor Desirability: Based on the contractor's overall performance, how willingly a customer would re-hire the offeror.
- 2.3.9 Overall, a rating of “Outstanding”, “Good”, “Adequate”, “Marginal”, “Poor”, or “Unknown” will be assigned to the Performance Risk Factor as follows:

Outstanding	<b>Essentially no doubt</b> exists that the offeror will successfully perform the required effort based on their performance record. Performance met or exceeded contract requirements. Quality was excellent. If minor problems were identified, contractor took satisfactory corrective action to resolve where appropriate. Performance was current and very relevant to relevant. High probability of success with overall <b>very low degree of risk</b> in meeting the Government's requirements.
Good	<b>Little doubt</b> exists that the offeror will successfully perform the required effort based on their performance record. Performance met contract requirements. Quality was good. If minor problems were identified, contractor took corrective action to resolve where appropriate. Performance was current and very relevant to relevant. Good probability of success with overall <b>low degree of risk</b> in meeting the Government's requirements.
Adequate	<b>Some doubt</b> exists that the offeror will successfully perform the required effort based on their performance record. Performance met most contract requirements. Quality was adequate. Problems were identified however; contractor usually took adequate corrective action. Performance was current and very relevant to semi-relevant. Good probability of success with an <b>average degree of risk</b> in meeting the Government's requirements.
Marginal	<b>Significant doubt</b> exists that the offeror will successfully perform the required effort based on their performance record. Performance met some or did not meet some contractual requirements. There were problems, some of a somewhat serious nature. Contractor's corrective action was sometimes marginally effective to ineffective. Performance was current and very relevant to semi-relevant. Probability of success is questionable with a <b>high degree of risk</b> in meeting the Government's requirements.
Poor	It is <b>extremely doubtful</b> that the offeror will successfully perform the required effort based on their performance record. Performance met some or did not meet some contractual requirements. There were problems, some of a somewhat serious to serious nature. Contractor's corrective action was sometimes marginally effective to ineffective. Performance was current and very relevant to semi-relevant. Probability of success is questionable with an <b>unacceptably high degree of risk</b> in meeting the Government's requirements.
Unknown	The offeror has <b>little/no relevant past performance</b> upon which to base a meaningful performance risk prediction. No current and/or relevant performance record is identifiable upon which to base a meaningful performance risk prediction. A search was unable to identify any relevant Past Performance information for the offeror or key team members/subcontractors or their key personnel. This is neither a negative or positive assessment.

## 2.4 PRICE EVALUATION:

### 2.4.1 General:

2.4.1.1 The purpose of the price/cost evaluation is to determine whether an offeror's proposed prices/costs for the project are reasonable and realistic in relation to the solicitation requirements and demonstrates an offeror's understanding of the proposal requirements. Price is not rated. The Government reserves the right to obtain additional information concerning the price (cost) as necessary to obtain a better understanding of the price proposed. No proposal revisions will be allowed under these conditions.

Request for such information is for clarification purposes only. This does not constitute and shall not be construed as discussions.

2.4.1.2 The Government will conduct a price analysis of each Offeror's proposal to determine whether or not each proposal complies with the stated criteria of fairness and reasonableness. Those proposals evaluated as not satisfying all of the price/cost criteria may be eliminated from further consideration unless the Contracting Officer determines:

2.4.1.2.1 A minor clerical error has occurred, then the offeror may be given an opportunity to correct the minor error within the constraints of the "clarifications" process or

2.4.1.2.2 The Contracting Officer determines discussions are required.

2.4.2 In the event the Government does not award a contract pursuant to this solicitation within 90 calendar days after receipt of proposals, an award will be made without discussions and the following will apply: "The Government reserves the right to allow offerors to make an adjustment in their price proposals to allow pricing adjustments caused by fluctuating construction material market conditions. The Contracting Officer will notify offerors, normally by electronic mail (e-mail) of a common closing date for receipt of the adjusted price proposals. No additional proposal revisions will be allowed under these conditions. This does not constitute and shall not be construed as discussions."

2.4.3 Reasonableness of an Offeror's proposal is evaluated through price analysis techniques as described in FAR Subpart 15.305(a)(1) and (4). For a price to be reasonable, it must represent a price that provides value to the Government when consideration is given to prices in the market, the functional capabilities of the offeror, and the Government's estimate.

2.4.4 Price analysis considers not only the total price, including options, but also the prices for the individual line items to ensure they are not unbalanced. Unbalanced pricing exists when the price of one or more contract line items is significantly over or understated as indicated by the application of cost or price analysis techniques. The contracting officer with concurrence of the SSA may reject the offer if they determine that this poses an unacceptable risk to the Government. For more information on unbalanced pricing see FAR Subpart 15.404-1.

2.4.5 Discounts: Prompt payment discounts will not be considered in the evaluation of offers. However, any offered discount will form part of the award, and will be taken if payment is made within the discount period indicated in the offer by the offeror. As an alternative to offering a prompt payment discount in conjunction with the offer, offerors awarded contracts may include prompt payment discounts on individual invoices.

### 3.0 AWARD and DEBRIEFINGS

- 3.1 **Award.** A written award or acceptance of offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall be deemed to result in a binding contract without further action by either party.
- 3.2 **Debriefings.** Offerors excluded from the competitive range or otherwise excluded from the competition before award may submit a written request for a debriefing to the Contracting Officer in accordance with FAR 15.505. After award, unsuccessful offerors may submit a written request for a debriefing to the Contracting Officer in accordance with FAR 15.506. Written requests for debriefing will not be accepted by facsimile or e-mail.

The following have been deleted:

INSTRUCTION TO OFFERORS

#### SECTION 00700 - CONTRACT CLAUSES

The following have been added by reference:

52.219-9	Small Business Subcontracting Plan	APR 2008
52.219-9 Alt II	Small Business Subcontracting Plan (Apr 2008) Alternate II	OCT 2001
52.219-16	Liquidated Damages-Subcontracting Plan	JAN 1999
252.219-7003	Small Business Subcontracting Plan (DOD Contracts)	APR 2007

#### SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

The following have been added by full text:

WAGE RATE DETERMINATION

General Decision Number: MI080069 06/05/2009 MI69

Superseded General Decision Number: MI20070069

State: Michigan

Construction Types: Building and Heavy

County: Calhoun County in Michigan.

**BUILDING CONSTRUCTION PROJECTS** (does not include residential construction consisting of single family homes and apartments)

up to and including 4 stories); HEAVY CONSTRUCTION PROJECTS  
 (does not include airport or bridge construction projects, or  
 sewer or water line work if it is incidental to a highway  
 construction project)

Modification Number	Publication Date
0	02/08/2008
1	02/15/2008
2	03/21/2008
3	04/04/2008
4	05/02/2008
5	06/06/2008
6	06/13/2008
7	07/11/2008
8	07/25/2008
9	08/08/2008
10	08/15/2008
11	08/22/2008
12	10/17/2008
13	10/31/2008
14	11/07/2008
15	11/28/2008
16	12/05/2008
17	12/12/2008
18	01/16/2009
19	01/23/2009
20	02/20/2009
21	04/03/2009
22	05/01/2009
23	06/05/2009

ASBE0047-002 07/01/2008

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR.....	\$ 27.97	14.81

BOIL0169-002 07/01/2008

	Rates	Fringes
BOILERMAKER.....	\$ 31.953	20.869

BRMI0010-021 08/01/2008

	Rates	Fringes
Bricklayer, Caulker, Cleaner, Pointer & Stonemason.....	\$ 26.81	12.26
Cement Mason and plasterer.....	\$ 20.75	7.48
FINISHER.....	\$ 20.75	7.48
Terrazzo setter.....	\$ 24.30	8.00
TILE SETTER.....	\$ 22.23	8.57

FOOTNOTE:

Paid Holiday: Fourth of July, if the worker was employed by the contractor in any period of seven working days before said holiday within the current calendar year.

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 \* CARP0100-005 06/01/2008

	Rates	Fringes
CARPENTER		
INCLUDING DRYWALL HANGER....	\$ 26.55	11.05
PILEDRIVER.....	\$ 22.29	11.11
SOFT FLOOR LAYER.....	\$ 18.31	8.95

FOOTNOTES:

Work on materials treated with creosote, or those which are wet with "Wood Life" material (fresh cuts of lumber which have been treated with "Wood Life" are not to be considered as wet materials): \$0.25 per hour additional.

Work on any swing scaffold: \$0.15 per hour additional.

Work on chimneys or towers over thirty (30) feet in height: \$0.50 per hour additional.

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 CARP1045-011 06/01/2008

	Rates	Fringes
LATHER.....	\$ 22.45	12.00

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 CARP1102-001 06/01/2008

	Rates	Fringes
MILLWRIGHT.....	\$ 28.35	27.02

FOOTNOTES:

Work on heights over open areas and over fifty (50) ft. high: \$.50 per hour additional.

Welding: \$.50 per hour additional.

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 ELEC0445-002 06/01/2004

	Rates	Fringes
ELECTRICIAN.....	\$ 26.49	3%+11.83

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 ELEC0876-004 06/02/2008

	Rates	Fringes
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Line Construction: cable splicer.....	\$ 33.85	4.75+23.75%
Line Construction: light equipment operator/ground person/truck driver/ground pe winch, A-frame, diggers when used for distribution line truck and used for distribution work. Distribution truck driver, 5th wheel type trucks, bucket trucks, ladder trucks and all live boom trucks, all equipment 85 hp or under.....	\$ 21.42	4.75+23.75%
Line Construction: line technician.....	\$ 32.51	4.75+23.75%
Line Construction: operator/ground person digger, tractor and setting rig with tracks or rough terrain vehicle, large bombardier, backhoe over 85 hp, hydraulic crane 10 ton or over.....	\$ 24.45	4.75+23.75%
Line Construction: truck driver/ground person trucks with winch or boom or dump, other than distribution work.....	\$ 20.39	4.75+23.75%

FOOTNOTE:

Operators of 5/8 yd. rated capacity backhoe or over, and operators of 25 ton, rated capacity, crane or over, and operators of heavy duty tension or pulling machinery on 345 KV and above, shall receive the line technician rate of pay.

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ELEV0085-004 01/01/2009

	Rates	Fringes
ELEVATOR MECHANIC.....	\$ 41.50	18.285

FOOTNOTE:

Vacation Pay: 8% with 5 or more years of service, 6% for 6 months to 5 years service.

Paid Holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Friday after, and Christmas Day.

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ENGI0324-008 10/01/2008

ALCONA, ALGER, ALLEGAN, ALPENA, ANTRIM, ARENAC, BARAGA, BARRY, BAY, BENZIE, BERRIEN, BRANCH, CALHOUN, CASS, CHARLEVOIX, CHEBOYGAN, CHIPPEWA, CLARE, CLINTON, CRAWFORD, DELTA, DICKINSON, EATON, EMMET, GENESEE, GLADWIN, GOGEBIC, GRAND TRAVERSE, GRATIOT, HILLSDALE, HOUGHTON, HURON, INGHAM, IONIA, IOSCO, IRON, ISABELLA, JACKSON, KALAMAZOO, KALKASKA, KENT, KEWEENAW, LAKE, LAPEER, LEELANAU, LENAWEЕ, LIVINGSTON, LUCE, MACKINAC, MACOMB, MANISTEE, MARQUETTE, MASON, MECOSTA, MENOMINEE, MIDLAND, MISSAUKEE, MONTCALM, MONTMORENCY, MONROE, MUSKEGON, NEWAYGO, OAKLAND, OCEANA, OGEMAW, ONTONAGON, OSCEOLA, OSCODA, OTSEGO, OTTAWA, PRESQUE ISLE, ROSCOMMON, SAGINAW, ST. CLARE, ST. JOSEPH, SANILAC, SCHOOLCRAFT, SHIAWASSEE, TUSCOLA, VAN BUREN, WASHTENAW, WAYNE AND WEXFORD COUNTIES

Rates Fringes

POWER EQUIPMENT OPERATOR

(Sewer Relining)

GROUP 1.....	\$ 27.82	11.35
GROUP 2.....	\$ 26.29	11.35

SEWER RELINING CLASSIFICATIONS

GROUP 1: Operation of audio-visual closed circuit TV system, including remote in-ground cutter and other equipment used in connection with the CCTV system

GROUP 2: Operation of hot water heaters and circulation systems, water jetters and vacuum and mechanical debris removal systems

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 ENGI0324-023 05/01/2008

Rates Fringes

POWER EQUIPMENT OPERATOR

(Steel Erection)

GROUP 1.....	\$ 28.74	16.75
GROUP 2.....	\$ 28.49	16.75
GROUP 3.....	\$ 27.99	16.75
GROUP 4.....	\$ 22.89	16.75
GROUP 5.....	\$ 21.24	16.75
GROUP 6.....	\$ 18.64	16.75

FOOTNOTES:

Crane operator with main boom and jib 300' or longer: \$1.50 additional to the group 1 rate.

Crane operator with main boom and jib 400' or longer: \$3.00 additional to the group 1 rate.

Swing Boom Truck Operator over 12 tons \$.50/hour

Hydraulic Crane Operator 75 tons and under \$.75/hour

Hydraulic Crane Operator over 75 tons \$1.00/hour

Lattice Boom Crane Operator-\$1.50/hour

PAID HOLIDAYS: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Crane operator with main boom & jib 400', 300', or 220' or longer. Tower crane operator with CCO certification for combined length of mast and boom 220' or longer.

GROUP 2: Crane operator, with main boom & jib 140' or longer, Tower cranes (Operators without CCO certification, or less than 220' length), Gantry crane, Whirley derrick (Employees operating Tower Cranes shall be paid the crane operator rate determined by the combined length of mast and boom over 220 feet move to (Group 1) provided the operator has a Tower Crane CCO certification)

GROUP 3: Regular equipment operator, crane, dozer, loader, hoist, straddle wagon, mechanic, grader and hydro excavators

GROUP 4: Air tugger (single drum), material hoist, pump 6" or over, elevators (when operated by an Operating Engineer) and brock Concrete Breaker

GROUP 5: Air compressor, welder, generators, conveyors

GROUP 6: Oiler and fire tender

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ENGI0325-008 05/01/2008

Rates      Fringes

POWER EQUIPMENT OPERATOR

GROUP 1.....	\$ 28.39	16.75
GROUP 2.....	\$ 28.14	16.75
GROUP 3.....	\$ 27.64	16.75
GROUP 4.....	\$ 22.54	16.75
GROUP 5.....	\$ 21.94	16.75
GROUP 6.....	\$ 19.49	16.75
GROUP 7.....	\$ 17.84	16.75

FOOTNOTES:

Certified Crane Operator Premiums:

- a) Swing Boom Truck Operator over 12 tons-\$1.50 per hour
- b) Hydraulic Crane Operator 75 tons and under-.75 per hour
- c) Hydraulic Crane Operator over 75 tons-\$1.00 per hour
- d) Lattice Boom Crane Operator-\$1.50 per hour

Crane operator with main boom and jib 300' or longer: \$1.50 per hour above the group 1 rate.

Crane operator with main boom and jib 400' or longer: \$3.00

per hour above the group 1 rate.

PAID HOLIDAYS: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Crane operator with main boom and jib 400', 300', or 220' or longer. Tower crane operator with CCO certification for combined length of mast and boom 220' or longer

GROUP 2: Crane operator with main boom and jib 140' or longer, tower cranes (Operators without CCO certification, or less than 220' length), gantry crane, whirley derrick

GROUP 3: Regular equipment operator; crane, stiff leg derrick, scraper, dozer, grader, front end loader, hoist, job mechanic, concrete pump truck, hydro excavators

GROUP 4: Air tugger (single drum), material hoist, boiler operator, sweeping machine, winch truck, Bobcat and similar equipment, fork truck (over 20 ft. lift), elevators( when operated by an operating engineer

GROUP 5: Pump, 6 in. or over; Well points, freeze systems, boom truck (non-swinging); end dumps and laser/power screed; concrete wire saw (20 h.p. and over), brock concrete breaker

GROUP 6: Air compressor, welder, generator, conveyor, pump under 6", grease person and fork truck (20 ft. lifting capacity or less when working on masonry work)

GROUP 7: Oiler, fire tender and heater operator

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ENGI0326-001 05/01/2008

Rates      Fringes

POWER EQUIPMENT OPERATOR (Gas Distribution and Duct Installation Work)

GROUP 1.....	\$ 25.07	16.75
GROUP 2-A.....	\$ 24.97	16.75
GROUP 2-B.....	\$ 24.75	16.75
GROUP 3.....	\$ 23.97	16.75
GROUP 4.....	\$ 23.47	16.75

SCOPE OF WORK:

The construction, installation, treating and reconditioning of pipelines transporting gas vapors within cities, towns, subdivisions, suburban areas, or within private property boundaries, up to and including private meter settings of private industrial, governmental or other premises, more commonly referred to as "distribution work," starting from

the first metering station, connection, similar or related facility, of the main or cross country pipeline and including duct installation.

**POWER EQUIPMENT - GAS DISTRIBUTION CLASSIFICATIONS**

GROUP 1: Mechanic, crane (over 1/2 yd. capacity), backhoe (over 1/2 yd. capacity), grader (Caterpillar 12 equivalent or larger)

GROUP 2-A: Trencher(except service), backhoe (1/2 yd. capacity or less)

GROUP 2-B: Crane (1/2 yd. capacity or less), compressor (2 or more), dozer (D-4 equivalent or larger), endloader (1 yd. capacity or larger), pump (1 or 2 six-inch or larger), side boom (D-4 equivalent or larger)

GROUP 3: Backfiller, boom truck (powered), concrete saw (20 hp or larger), dozer (less than D-4 equivalent), endloader (under 1 yd. capacity), farm tractor (with attachments), pump (2-4 under six-inch capacity), side boom tractor (less than D-4 equivalent), tamper (self-propelled), trencher service and grader(maintenance)

GROUP 4: Oiler, grease person, hydrostatic testing operator

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ENGI0326-002 09/01/2008

Rates Fringes

**POWER EQUIPMENT OPERATOR**

(Underground Construction)

GROUP 1.....	\$ 27.47	16.80
GROUP 2.....	\$ 22.58	16.80
GROUP 3.....	\$ 22.08	16.80
GROUP 4.....	\$ 21.80	16.80

**POWER EQUIPMENT OPERATOR CLASSIFICATIONS**

GROUP 1: Backfiller tamper; Backhoe; Batch plant operator (concrete); Clamshell; Concrete paver (2 drums or larger); Conveyor loader (Euclid type); Crane (crawler, truck type or pile driving); Dozer; Dragline; Elevating grader; Endloader; Gradall (and similar type machine); Grader; Mechanic; Power shovel; Roller (asphalt); Scraper (self-propelled or tractor drawn); Side boom tractor (type D-4 or equivalent and larger); Slip form paver; Slope paver; Trencher (over 8 ft. digging capacity); Well drilling rig; Concrete pump with boom operator; Hydro Excavator

GROUP 2: Boom truck (power swing type boom); Crusher; Hoist; Pump (1 or more-6-in. discharge or larger-gas or diesel-powered or powered by generator of 300 amperes or

more-inclusive of generator); Side boom tractor (smaller than type D-4 or equivalent); Tractor (pneu-tired, other than backhoe or front end loader); Trencher (8-ft. digging capacity and smaller); Vac Truck.

GROUP 3: Air compressors (600 cfm or larger); Air compressors (2 or more-less than 600 cfm); Boom truck (non-swinging, non-powered type boom); Concrete breaker (self-propelled or truck mounted-includes compressor); Concrete paver (1 drum-1/2 yd. or larger); Elevator (other than passenger); Maintenance person; Pump (2 or more-4-in. up to 6-in. discharge-gas or diesel powered-excluding submersible pumps); Pumpcrete machine (and similar equipment); Wagon drill (multiple); Welding machine or generator (2 or more-300 amp.or larger-gas or diesel powered)

GROUP 4: Boiler; Concrete saw (40 hp or over); Curing machine (self-propelled); Farm tractor (with attachment); Finishing machine (concrete); Fire person; Hydraulic pipe pushing machine; Mulching equipment; Oiler; Pumps (2 or more up to 4-in. discharge, if used 3 hours or more a day, gas or diesel powered - excluding submersible pumps); Roller (other than asphalt); Stump remover; Trencher (service); Vibrating compaction equipment, self-propelled (6 ft. wide or over); End dump operato; rSweeper (Wayne type and similar equipment); Water Wagon and Extend-a boom forklift

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 ENGI0326-003 10/01/2008

Rates      Fringes

Power equipment operators -  
 hazardous waste removal:

LEVEL A:

Crane operator with boom  
 and jib 140' or longer.....\$ 32.67      16.75

Crane operator with boom  
 or jib 220' or longer.....\$ 32.97      16.75

Group 1.....\$ 30.02      16.75

Group 2.....\$ 25.62      16.75

regular crane operator,  
 job mechanic, dragline  
 operator, boom truck  
 operator, concrete pump  
 operator and power shovel  
 operator.....\$ 30.99      16.75

LEVEL B AND C:

Crane Operator with boom  
 or jib 140' or longer.....\$ 31.61      16.75

Crane operator with boom  
 or jib 220' or longer.....\$ 31.93      16.75

Group 1.....\$ 29.07      16.75

Group 2.....\$ 24.68      16.75

Regular crane operator,  
 job mechanic, dragline

operator, boom truck  
operator, concrete pump  
with boom operator and  
power shovel operator.....\$ 30.04      16.75

LEVEL D WHEN CAPPING

LANDFILL:

Crane operator with boom  
and jib 140' or longer.....\$ 30.17      16.75  
Crane operator with boom  
and jib 220' or longer.....\$ 30.47      16.75  
Group 2.....\$ 23.13      16.75

Regular crane operator,  
job mechanic, dragline  
operator, boom truck  
operator, concrete pump  
with boom operator and  
power shovel operator.....\$ 28.49      16.75

LEVEL D WHEN CAPPING

LANDFILL

Group 1.....\$ 27.52      16.75

LEVEL D:

Crane operator with boom  
and jib 140' or longer.....\$ 30.42      16.75  
Crane operator with boom  
and jig 220' or longer.....\$ 30.72      16.75  
Group 1.....\$ 27.77      16.75  
Group 2.....\$ 23.38      16.75

Regular crane operator,  
job mechanic, dragline  
operator, boom truck  
operator, concrete pump  
operator with boom  
operator and power shovel  
operator.....\$ 28.74      16.75

HAZARDOUS WASTE REMOVAL CLASSIFICATIONS

GROUP 1: Backhoe, batch plant operator, clamshell, concrete breaker when attached to hoe, concrete cleaning decontamination machine operator, concrete pump, concrete paver, crusher, dozer, elevating grader, endloader, farm tractor (90 h.p. and higher), gradall, grader, heavy equipment robotics operator, loader, pug mill, pumpcrete machines, pump trucks, roller, scraper (self-propelled or tractor drawn), side boom tractor, slip form paver, slope paver, trencher, ultra high pressure waterjet cutting tool system operator, vactors, vacuum blasting machine operator, vertical lifting hoist, vibrating compaction equipment (self-propelled), well drilling rig and hydro excavator

GROUP 2: Air compressor, concrete breaker when not attached to hoe, elevator, end dumps, equipment decontamination operator, farm tractor (less than 90 h.p.), forklift, generator, heater, mulcher, pigs (portable reagent storage tanks), power screens, pumps (water), stationary compressed

air plant, sweeper, welding machine and water wagon

Regular Crane Operators rate shall include Mechanics, Crane Operators, Dragline Operators, Boom Truck Operators, Power Shovel Operators and Concrete Pumps with booms.

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IRON0025-014 04/01/2008

	Rates	Fringes
IRONWORKER (Pre-engineered metal building).....	\$ 21.35	20.27

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IRON0340-002 01/01/2008

	Rates	Fringes
IRONWORKER Reinforcing & structural....	\$ 24.00	14.00

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LABO0005-001 10/01/2008

	Rates	Fringes
Laborers - hazardous waste abatement: Level A, B and C.....	\$ 20.57	9.88
Work performed in conjunction with site preparation not requiring the use of personal protective equipment; Also, Level D.....	\$ 19.57	9.88

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LABO0259-002 08/01/2008

	Rates	Fringes
Asbestos Laborer Includes removing and disposing of all insulation materials from walls, ceilings, floors, columns, and all other non-mechanical surfaces; and removal of insulating materials from mechanical systems that are to be demolished; loading/unloading of bagged and tagged materials at the disposal site (includes lead paint abatement clean-up).....	\$ 24.53	9.45

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LABO0259-007 09/01/2008

	Rates	Fringes
Laborers - tunnel, shaft and caisson:		
GROUP 1.....	\$ 22.32	9.80
GROUP 2.....	\$ 22.41	9.80
GROUP 3.....	\$ 22.51	9.80
GROUP 4.....	\$ 22.67	9.80
GROUP 5.....	\$ 22.93	9.80
GROUP 6.....	\$ 23.24	9.80
GROUP 7.....	\$ 15.51	9.80

**SCOPE OF WORK:**

Tunnel, shaft and caisson work of every type and description and all operations incidental thereto, including, but not limited to, shafts and tunnels for sewers, water, subways, transportation, diversion, sewerage, caverns, shelters, aquifers, reservoirs, missile silos and steel sheeting for underground construction.

**TUNNEL LABORER CLASSIFICATIONS**

GROUP 1: Tunnel, shaft and caisson laborer, dump, shanty, hog house tender, testing (on gas), watchman

GROUP 2: Manhole, headwall, catch basin builder, bricklayer tender, mortar, material mixer, fence erector and guard rail builder

GROUP 3: Air tool operator (jackhammer, bush hammer and grinder), first bottom, second bottom, cage tender, car pusher, carrier, concrete, concrete form, concrete repair, cement invert laborer, cement finisher, concrete shoveler, conveyor, floor, gasoline and electric tool operator, gunite, grout operator, welder, heading dinky person, inside lock tender, pea gravel operator, pump person, outside lock tender, scaffold, top signal person, switch person, track, tugger, utility person, vibrator, winch operator, pipe jacking, wagon drill and air track operator and concrete saw operator (under 40 h.p.)

GROUP 4: Tunnel, shaft and caisson mucker, bracer, liner plate, long haul dinky driver and well point

GROUP 5: Tunnel, shaft and caisson miner, drill runner, key board operator, power knife operator, reinforced steel or mesh (e.g. wire mesh, steel mats, dowel bars, etc.)

GROUP 6: Dynamite and powder

GROUP 7: Restoration laborer, seeding, sodding, planting, cutting, mulching and top soil grading; and the restoration of property such as replacing mailboxes, wood chips,

planter boxes, flagstones, etc.

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LABO0334-010 07/01/2008

	Rates	Fringes
Landscape Laborer		
GROUP 1.....	\$ 18.63	5.80
GROUP 2.....	\$ 14.43	5.80

LANDSCAPE LABORER CLASSIFICATIONS

GROUP 1: Landscape specialist, including air, gas and diesel equipment operator and lawn sprinkler installer

GROUP 2: Landscape laborer: small power tool operator, material mover, truck driver and lawn sprinkler installer tender

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LABO0334-023 09/01/2008

	Rates	Fringes
Laborers - open cut:		
GROUP 1.....	\$ 19.17	9.80
GROUP 2.....	\$ 19.30	9.80
GROUP 3.....	\$ 19.41	9.80
GROUP 4.....	\$ 19.48	9.80
GROUP 5.....	\$ 19.60	9.80
GROUP 6.....	\$ 16.82	9.80
GROUP 7.....	\$ 15.16	9.80

SCOPE OF WORK:

Open cut construction work shall be construed to mean work which requires the excavation of earth including industrial, commercial and residential building site excavation and preparation, land balancing, demolition and removal of concrete and underground appurtuces, grading, paving, sewers, utilities and improvements; retention, oxidation, flocculation and irrigation facilities, and also including but not limited to underground piping, conduits, steel sheeting for underground construction, and all work incidental thereto, and general excavation.

Open cut construction work shall also be construed to mean waterfront work, piers, docks, seawalls, breakwalls, marinas and all incidental work. Open cut construction work shall not include any structural modifications, alterations, additions and repairs to buildings, or highway work, including roads, streets, bridge construction and parking lots or steel erection work and excavation for the building itself and back filling inside of and within 5 ft. of the building and foundations, footings and piers for the building. Open cut construction work shall not include any

work covered under Tunnel, Shaft and Caisson work.

**OPEN CUT LABORER CLASSIFICATIONS**

GROUP 1: Construction laborer

GROUP 2: Mortar and material mixer, concrete form person, signal person, well point person, manhole, headwall and catch basin builder, guard rail builder, headwall, seawall, breakwall, dock builder and fence erector

GROUP 3: Air, gasoline and electric tool operator, vibrator operator, driller, pump person, tar kettle operator, bracer, rodder, reinforced steel or mesh person (e.g. wire mesh, steel mats, dowel bars, etc.), welder, pipe jacking & boring person, wagon drill and air track operator and concrete saw operator (under 40 h.p.), windlass and tugger person and directional boring person, cement finisher

GROUP 4: Trench or excavating grade person

GROUP 5: Pipe layer (including crock, metal pipe, multi-plate or other conduits)

GROUP 6: Grouting person, audio-visual television operations and all other operations in connection with closed circuit television inspection, pipe cleaning and pipe relining work, instalation and repair of water service pipe and appurtenances

GROUP 7: Restoration laborer, seeding, sodding, planting, cutting, mulching and top soil grading; and the restoration of property such as replacing mailboxes, wood chips, planter boxes, flagstones, etc.

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LABO0355-017 06/01/2008

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 18.55	9.35
GROUP 2.....	\$ 18.80	9.35
GROUP 3.....	\$ 19.30	9.35

**LABORER CLASSIFICATIONS**

GROUP 1: General laborer; also, work on pumps, well wheels, air, electric or gasoline tools, motor-driven buggies; laborers working on swing scaffolds; carpenter tender; cement finisher tender; heater tender, fire watch and flagperson

GROUP 2: Jackhammer operator, crocklayer and caisson worker in buildings

GROUP 3: Top person on chimneys or towers over thirty (30')  
ft. in height, material mixer, operator of portable mixer,  
plasterer tender, mason tender, demolition burner

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LABO1076-006 04/01/2009

ALCONA, ALGER, ALLEGAN, ALPENA, ANTRIM, ARENAC, BARAGA, BARRY,  
BAY, BENZIE, BERRIEN, BRANCH, CALHOUN, CASS, CHARLEVOIX,  
CHEBOYGAN, CHIPPEWA, CLARE, CLINTON, CRAWFORD, DELTA,  
DICKINSON, EATON, EMMET, GENESEE, GLADWIN, GOGEBIC, GRAND  
TRAVERSE, GRATIOT, HILLSDALE, HOUGHTON, HURON, INGHAM, IONIA,  
IOSCO, IRON, ISABELLA, JACKSON, KALAMAZOO, KALKASKA, KENT,  
KEWEENAW, LAKE, LAPEER, LEELANAU, LENAWE, LIVINGSTON, LUCE,  
MACKINAC, MACOMB, MANISTEE, MARQUETTE, MASON, MECOSTA,  
MENOMINEE, MIDLAND, MISSAUKEE, MONTCALM, MONTMORENCY, MONROE,  
MUSKEGON, NEWAYGO, OAKLAND, OCEANA, OGEMAW, ONTONAGON, OSCEOLA,  
OSCODA, OTSEGO, OTTAWA, PRESQUE ISLE, ROSCOMMON, SAGINAW, ST.  
CLARE, ST. JOSEPH, SANILAC, SCHOOLCRAFT, SHIAWASSEE, TUSCOLA,  
VAN BUREN, WASHTENAW, WAYNE AND WEXFORD COUNTIES

Rates      Fringes

LABORER (Distribution rates)

Telephone Work (Zone 1)....\$ 17.79	10.95
Telephone Work (Zone 2)....\$ 16.41	10.95
Telephone Work: (Zone 3)....\$ 12.49	10.95
Telephone Work: (Zone 4)....\$ 12.86	10.95
Telephone Work: (Zone 5)....\$ 12.16	10.95
Zone 1: All other work.....\$ 17.79	10.95
Zone 2: All other work.....\$ 16.41	10.95
Zone 3: All other work.....\$ 14.69	10.95
Zone 4: All other work.....\$ 14.06	10.95
Zone 5: All other work.....\$ 14.06	10.95

SCOPE OF WORK:

Construction, installation, treating and reconditioning of  
distribution pipelines transporting coal, oil, gas, or  
other similar materials, vapors or liquids, including  
portions of such pipelines within private property  
boundaries, up to and including the meter settings on  
residential, commercial, industrial, institutional, private  
and public structures. All work covering pumping stations  
and tank farms not covered under another rate. Distribution  
work also includes all other distribution lines for public  
utilities except sewer, water and cable television, but  
including telephone lines and duct.

Duct Work Pay: \$.40 per hour above the base pay rate.

Zones:

Zone 1-Macomb,Oakland and Wayne

Zone 2-Monroe and Washtenaw  
 Zone 3-Bay, Genesee, Lapeer, Midland, Saginaw, Sanilac,  
 Shiawassee and St. Clair  
 Zone 4-Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic,  
 Houghton, Iron, Keweenaw, Luce, Mackinaw, Marquette,  
 Menominee, Ontonagon and Schoolcraft  
 Zone 5-Remaining counties in Michigan

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 PAIN0312-004 08/01/2008

Rates Fringes

PAINTER

Brush and roller; sign painting.....	\$ 20.55	10.50
Spray and sandblast.....	\$ 21.75	10.50

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 PAIN0312-010 01/01/2008

Rates Fringes

GLAZIER.....	\$ 24.39	6.93
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 PLAS0016-011 06/01/2008

Rates Fringes

CEMENT MASON/CONCRETE FINISHER...	\$ 22.73	10.50
PLASTERER.....	\$ 21.91	9.95

FOOTNOTES:

Swing stage: \$0.50 per hour additional.

Gun machine operator: \$0.50 per hour additional.

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 PLUM0190-006 05/01/2008

Rates Fringes

Gas Distribution Pipeline

Welding in conjunction with gas distribution pipeline work.....	\$ 27.63	15.64
All other work.....	\$ 20.26	9.90

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 PLUM0333-018 06/01/2008

Rates Fringes

PLUMBER/PIPEFITTER.....	\$ 32.33	16.89
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 ROOF0070-002 06/01/2008

Rates Fringes

ROOFER

Slater.....\$ 24.48      11.01

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SFMI0669-001 04/01/2008

ALCONA, ALGER, ALLEGAN, ALPENA, ANTRIM, ARENAC, BARAGA, BARRY,  
BAY, BENZIE, BERRIEN, BRANCH, CALHOUN, CASS, CHARLEVOIX,  
CHEBOYGAN, CHIPPEWA, CLARE, CLINTON, CRAWFORD, DELTA,  
DICKINSON, EATON, EMMET, GENESEE, GLADWIN, GOGEBIC, GRAND  
TRAVERSE, GRATIOT, HILLSDALE, HOUGHTON, HURON, INGHAM, IONIA,  
IOSCO, IRON, ISABELLA, JACKSON, KALAMAZOO, KALKASKA, KENT,  
KEWEENAW, LAKE, LAPEER, LEELANAU, LENAWEE, LIVINGSTON, LUCE,  
MACKINAC, MACOMB, MANISTEE, MARQUETTE, MASON, MECOSTA,  
MENOMINEE, MIDLAND, MISSAUKEE, MONTCALM, MONTMORENCY, MONROE,  
MUSKEGON, NEWAYGO, OAKLAND, OCEANA, OGEMAW, ONTONAGON, OSCEOLA,  
OSCODA, OTSEGO, OTTAWA, PRESQUE ISLE, ROSCOMMON, SAGINAW, ST.  
CLARE, ST. JOSEPH, SANILAC, SCHOOLCRAFT, SHIAWASSEE, TUSCOLA,  
VAN BUREN, WASHTENAW, WAYNE AND WEXFORD COUNTIES

Rates      Fringes

SPRINKLER FITTER.....\$ 31.46      14.30

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SHEE0007-001 05/01/2008

Rates      Fringes

SHEET METAL WORKER.....\$ 26.58      17.63

FOOTNOTE:

All other work:

Paid Holidays: New Year's Day, Memorial Day,  
Independence Day, Labor Day, Thanksgiving Day and Christmas  
Day, provided the worker has been in the employment of the  
contractor for at least 60 calendar days and worked the day  
preceding and the day following the holiday, unless ill or  
excused due to continued illness or injury that commenced  
not more than 30 days preceding the holiday, or due to  
lay-off by the contractor commencing not more than 14 days  
preceding the holiday.

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TEAM0007-001 06/01/2002

Rates      Fringes

TRUCK DRIVER

Euclids, double bottoms  
and lowboys.....\$ 23.045      .50 + a.  
Trucks 8 cu. yds. & over...\$ 22.895      .50 + a.  
Trucks under 8 cu. yds.....\$ 22.795      .50 + a.

FOOTNOTE:

a. \$265.90 per week.

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WELDERS - Receive rate prescribed for craft performing  
operation to which welding is incidental.  
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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  
(29CFR 5.5 (a) (1) (ii)).

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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.  
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#### 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.

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END OF GENERAL DECISION

The following have been deleted:  
WAGE DETERMINATION

(End of Summary of Changes)