

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE J	PAGE OF PAGES 1   9
2. AMENDMENT/MODIFICATION NO. 0002	3. EFFECTIVE DATE 22-Mar-2016	4. REQUISITION/PURCHASE REQ. NO. ACQR3898725		5. PROJECT NO.(If applicable)
6. ISSUED BY NAVFAC SOUTHWEST DESERT IPT CODE ROPDA 1220 PACIFIC HWY SAN DIEGO CA 92132-5190	CODE N62473	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. N62473-16-R-4602	
		X	9B. DATED (SEE ITEM 11) 31-Jan-2016	
			10A. MOD. OF CONTRACT/ORDER NO.	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
12. ACCOUNTING AND APPROPRIATION DATA (If required)				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.				
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.				
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).				
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:				
D. OTHER (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.				
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  N62473-16-R-4602 (P 378 F-35C HANGAR MODERNIZATION AND ADDITION, NAS LEMOORE, CALIFORNIA)  SEE CONTINUATION PAGE 2				
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  22-Mar-2016

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

**SUMMARY OF CHANGES**

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by reference:

52.219-9

Small Business Subcontracting Plan

OCT 2015

The following have been added by full text:

AMENDMENT 0002

**AMENDMENT 0002 – DATED 22 MARCH 2016**

**Contract:** N62473-16-R-4602  
**CS/Phone:** Christopher Rosario 619-532-4569  
**Solicitation Date:** 31 January 2016  
**Subject:** P 378 F-35C HANGAR MODERNIZATION AND ADDITION, NAS LEMOORE, CALIFORNIA

This is an amendment to subject solicitation:

A. Revised Factor 1, Experience, is provided below:

**FACTOR 1: EXPERIENCE**

a. Proposal Submission Requirements:

Submit **Exhibit “A”** (Construction Experience Project Data Sheet) under **Tab “1.”**

Submit a minimum of **two (2)** and maximum of five (5) relevant construction projects for the Offeror that best demonstrates your experience as a prime contractor on projects that are similar in size, scope, and complexity to the RFP.

For purposes of this evaluation, relevant projects are further defined as New construction / renovation of aircraft maintenance hangars, airport buildings (i.e. shops, administrative spaces), and high bay industrial-type facilities with a construction cost of **\$20,000,000** or greater.

In addition, **all** submitted projects shall demonstrate at least two of the following to be considered relevant:

- High bay construction
- Renovation/addition to an existing occupied facility
- Construction of temporary facilities

- Phased construction.

Exhibit “A” must clearly address how the project meets the above requirements.

Projects submitted for the Offeror shall be 100% complete (see definition) within the past **ten (10) years** of the date of issuance of this RFP, and 100% complete as of the date of issuance of this RFP.

A project is defined as a construction project performed under a single task order or contract. For multiple award and indefinite delivery/indefinite quantity type contracts, the contract as a whole shall not be submitted as a project; rather Offerors shall submit the work performed under a task order as a project.

The attached Construction & Design Experience Project Data Sheet (Exhibit “A”) is MANDATORY and SHALL be used to submit project information. Except as specifically requested, the Government will not consider information submitted in addition to this form. Individual blocks on this form may be expanded; however, total length for each project data sheet shall not exceed one (1) double-sided page (or two (2) single-sided pages).

For all submitted projects, the description of the project shall clearly describe the scope of work performed and the relevancy to the project requirements of this RFP (i.e.: unique features, area, construction methods).

If the Offeror is a Joint Venture (JV), relevant project experience shall be submitted for projects completed by the Joint Venture entity. If the Joint Venture does not have shared experience, at least one relevant project shall be submitted for each of the Joint Venture members. Offerors who fail to submit experience for all Joint Venture members shall be rated Unacceptable. Offerors are still limited to a total of five (5) projects combined.

If an Offeror is utilizing experience information of affiliates/subsidiaries/parent/LLC/LTD member companies (name and DUNS number is not exactly as stated on the SF1442), the proposal shall clearly demonstrate that the affiliate/subsidiary/parent firm will have meaningful involvement in the performance of this contract in order for the past performance information of the affiliate/subsidiary/parent/LLC/LTD member companies commit to the performance of this contract. In particular, the proposal will clearly state the specific commitments of resources of the affiliate/subsidiary/parent/LLC/LTD member that will be located at the worksites and company offices in the city/area of the project. The proposal shall also describe specific roles of the affiliate/subsidiary/parent/LLC/LTD member companies in terms of the work it will either self-perform or manage of behalf of the Offeror in performance of the contract. Any projects submitted in excess of five (5) will not be considered.

The Offeror may utilize experience of a subcontractor that will perform major or “critical aspects” of the requirement to demonstrate construction experience under this evaluation factor. For the purposes of this solicitation, only structural construction of high bay facilities and construction of airfield pavement are defined as “critical aspects”. The proposal must provide a letter of

commitment and an explanation of the meaningful involvement that the subcontractor will have in performance of this contract.

b. Basis of Evaluation:

The requirement for acceptability will be based upon the Offeror's demonstrated experience and depth of experience in performing relevant construction projects submitted by the Offeror. The offeror shall provide a minimum of **two (2)** and a maximum of five (5) projects in its proposal, with at least **two (2)** projects that meet relevancy requirements.

B. The following information is provided in response to RFIs:

**Question 1:** The RFP requires that the contractor show experience on a minimum of 3 contracts within the past 5 years that include the construction or renovation of aircraft maintenance hangars, airport buildings, or high bay industrial-type facilities with a construction value of \$25,000,000 or greater. Due to the narrow scope of allowable past relevant projects and in order to provide the Government with the highest level of competition, we request that past performance be extended to projects completed within the last 7 years.

**Answer 1:** Evaluation factor is hereby amended.

**Question 2:** The RFP requires that the contractor show experience on a minimum of 3 contracts within the past 5 years that include the construction or renovation of aircraft maintenance hangars, airport buildings, or high bay industrial-type facilities with a construction value of \$25,000,000 or greater. Due to the narrow scope of allowable past relevant projects and in order to provide the Government with the highest level of competition, we request that past performance be extended to projects completed with a construction cost of \$20,000,000 or greater.

**Answer 2:** See response to RFI # 1

**Question 3:** Section 00100, Technical Factors, states that relevant projects need to be complete within the past five years of the date of issuance of the RFP. Due to the slowing in government construction in the last 8 years, there have been very few projects within the stated parameters of this RFP issued in the last five years. In order to increase competition for your project, please reconsider the five year requirement and replace with a 10 year requirement. This would allow firms with multiple projects past the five year requirement, who are infinitely qualified to participate in this effort, to do so.

**Answer 3:** See response to RFI # 1

**Question 4:** Factor 1: Experience

Projects submitted for the Offeror shall be 100% complete within the past five (5) years of the date of issuance of this RFP, and 100% complete as of the date of issuance of this RFP.

Due to that

Requesting the Government to

- Extend the past experience to include projects that have been completed in the last ten (10) years March (2006)
- Include projects that are substantially complete (70% or more)

The parameters outlined in the solicitation are severely limiting the field of competition for this project. The design and construction duration for a facility of this scope, magnitude and complexity is approximately 2 – 2.5 years. Therefore limiting relevant projects to be 100% complete within the past five years is unnecessarily excluding qualified Offerors.

**Answer 4:** See response to RFI # 1

**Question 5:** The subject RFP, Factor 1: Experience submission requirements are defined in part as relevant projects with a construction cost of \$25,000,000 or greater and 100% complete within the past five (5) years.

Due to slower than typical economic activity in the past 5 years, and due to fewer and smaller projects released in the various Navy MACC programs, very few projects were available for contractors to bid and/or build that meet the strict criteria of this RFP. A likely unfavorable condition of very limited contractor competition may result based on the Navy's currently prohibitive requirements for this project.

Please consider expanding the experience factor to include relevant projects with construction cost of \$19,000,000 or greater and 100% complete with the past seven (7) years.

**Answer 5:** See response to RFI # 1

**Question 6:** The subject RFP, Factor 1: Experience defines in part, relevant projects as New construction/renovation of aircraft maintenance hangars, airport buildings (i.e. shops, administrative spaces), and high bay industrial type facilities.

For purposes of this evaluation, please confirm that construction projects (i.e. shops, administrative spaces) located on US Air Force, Marine, or Naval air installations, are acceptable to meet the relevancy requirement of airport buildings stated above.

**Answer 6:** Confirmed. Refer to amended factor.

**Question 7:** In regards to past performance, can you clarify how the calculation is performed. Specifically, would any project that is completed in 2011 qualify (if the requirement is that a project must be complete within 5 years of the date of issuance of the RFP) or is it necessary to calculate the from the exact day and month. For example the Lemoore RFP has a issuance date of January 31, 2016; would a project completed on January 10, 2011 qualify?

**Answer 7:** Projects evaluated will not be considered for past performance purposes that have a contract completion date older than March 28, 2010.

**Question 8:** Section 05 12 00 throughout discusses tension-control bolts with splined ends (twist-off bolts). Sheet S-1.00, Structural Steel Note 12.E states direct tension indicating (DTI) washers are to be used. Are twist-off bolts allowed?

**Answer 8:** At the contractor's option, provide twist-off bolts or DTI's.

**Question 9:** Ref. 20/S-9.10; A complete joint penetration (CJP) weld is shown at the angle brace intersection. Some locations show single angles, some double angles. We do not see how a CJP weld can be provided here. Should this not be an all-around fillet weld or bolted connection? Please advise.

**Answer 9:** Detail 20/S-9.10 only applies at the single angle bracing shown on 28/S-9.09. The two angles are to be in the same plane and the horizontal leg of one should be coped to allow the CJP welding as shown.

**Question 10:** Section 05 12 00, 1.3 requires an AISC Advanced Certified Steel Erector (ACSE) on this project. Is the erector required to be certified at the time of bid submittal?

**Answer 10:** Yes

**Question 11:** My question has to do with the Data/Communication section – There is a call out for tight-buffered fiber. Will this project need new communication data cable and hardware?

**Answer 11:** Project will require new communication data cable and hardware and is covered in Telecommunications 2700 specifications and Telecommunications drawings.

**Question 12:** Page 8 requests the completion of the Representation and Certifications. Please clarify on which page of the RFP this is provided on.

**Answer 12:** For information and to complete the electronic Representations and Certifications, see the Systems for Award Management (SAM) website at <http://www.sam.gov> (refer to page 9, section 7)

**Question 13:** How many copies of the Technical Proposal are required to be submitted?

**Answer 13:** See SF 1442, page 1, block 13.

**Question 14:** Page 9 of the RFP request the submission of the Surety Form however a surety form was not provided with the RFP. Please clarify.

**Answer 14:** Page 9, section 6 titled "Surety Form," is no longer a requirement for the solicitation.

**Question 15:** Page 9 requests Offerors to submit FAR Clause 52.20-7 with paragraph (b) completed to report whether or not they have current federal contracts and grants with a total value greater than \$10,000,000 and Offerors shall submit DFARS Clause 252.209.799 with paragraph (b) completed to report whether or not they have any un[paid Federal tax liability or were convicted of a felony criminal violation under a Federal law within the preceding 24 months. Please clarify where the offeror is to include this information.

**Answer 15:** FAR Clause 52.209-7 and DFARS Clause 252.209-7999 is incorporated into the solicitation.

**Question 16:** A Small Business Subcontracting Plan was included with the RFP however no mention of the Small Business Subcontracting Plan is within the Proposal Submittal Requirements. Please clarify.

**Answer 16:** FAR Clause 52.219-9 is incorporated into the solicitation.

**Question 17:** The current bid date, for the above referenced project, of March 28, 2016 is the day after Easter. Vacations through the holiday is affecting our resources and the resources of some of our key subcontractors. We request that the bid date be extended to April 13, 2016 in order that we may provide the government with the best proposal possible.

**Answer 17:** See Amendment 0002, section F.

C. Department of Labor Wage Determination has been changed to General Decision Number: CA160029 03/18/2016 CA29

D. The Beneficial Occupancy Date (BOD) is required no later than 8/31/17.

E. Revised specifications and drawings are provided titled "P-378 AMENDMENT 1 Drawings, P-378\_Amendment 01 Specifications, and P-378\_Amendment 01 Summary."

F. The proposal due date has changed from 2:00 PM, local San Diego time, on 28 March 2016 to **2:00 PM, local San Diego time, on 05 April 2016.**

Note:

1. The offeror must acknowledge receipt of all amendments on the offer schedule.
2. All other paragraphs, provisions, and conditions to this proposed task order remain unchanged.

52.209-7 INFORMATION REGARDING RESPONSIBILITY MATTERS (JULY 2013)

(a) Definitions. As used in this provision--

Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative Proceedings, Civilian Board of Contract Appeals Proceedings, and Armed Services Board of Contract Appeals Proceedings). This includes administrative proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include agency actions such as contract audits, site visits, corrective plans, or inspection of deliverables.

Federal contracts and grants with total value greater than \$10,000,000 means--

- (1) The total value of all current, active contracts and grants, including all priced options; and
- (2) The total value of all current, active orders including all priced options under indefinite-delivery, indefinite-quantity, 8(a), or requirements contracts (including task and delivery and multiple-award Schedules).

Principal means an officer, director, owner, partner, or a person having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a division or business segment; and similar positions).

(b) The offeror ( ) has ( ) does not have current active Federal contracts and grants with total value greater than \$10,000,000.

(c) If the offeror checked "has" in paragraph (b) of this provision, the offeror represents, by submission of this offer, that the information it has entered in the Federal Awardee Performance and Integrity Information System (FAPIS) is current, accurate, and complete as of the date of submission of this offer with regard to the following information:

(1) Whether the offeror, and/or any of its principals, has or has not, within the last five years, in connection with the award to or performance by the offeror of a Federal contract or grant, been the subject of a proceeding, at the Federal or State level that resulted in any of the following dispositions:

(i) In a criminal proceeding, a conviction.

(ii) In a civil proceeding, a finding of fault and liability that results in the payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more.

(iii) In an administrative proceeding, a finding of fault and liability that results in--

(A) The payment of a monetary fine or penalty of \$5,000 or more; or

(B) The payment of a reimbursement, restitution, or damages in excess of \$100,000.

(iv) In a criminal, civil, or administrative proceeding, a disposition of the matter by consent or compromise with an acknowledgment of fault by the Contractor if the proceeding could have led to any of the outcomes specified in paragraphs (c)(1)(i), (c)(1)(ii), or (c)(1)(iii) of this provision.

(2) If the offeror has been involved in the last five years in any of the occurrences listed in (c)(1) of this provision, whether the offeror has provided the requested information with regard to each occurrence.

(d) The offeror shall post the information in paragraphs (c)(1)(i) through (c)(1)(iv) of this provision in FAPIIS as required through maintaining an active registration in the System for Award Management database via <https://www.acquisition.gov> (see 52.204-7).

(End of provision)

252.209-7999 REPRESENTATION BY CORPORATIONS REGARDING AN UNPAID DELINQUENT TAX LIABILITY OR A FELONY CONVICTION UNDER ANY FEDERAL LAW (DEVIATION 2012-O0004) (JAN 2012)

(a) In accordance with sections 8124 and 8125 of Division A of the Consolidated Appropriations Act, 2012,(Pub. L. 112-74) none of the funds made available by that Act may be used to enter into a contract with any corporation that—

(1) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

(2) Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this action is not necessary to protect the interests of the Government.

(b) The Offeror represents that—

(1) It is [ \_\_\_\_ ] is not [ \_\_\_\_ ] a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability,

(2) It is [ \_\_\_\_ ] is not [ \_\_\_\_ ] a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

(End of provision)

(End of Summary of Changes)