

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE J	PAGE OF PAGES 1   2	
2. AMENDMENT/MODIFICATION NO. Am-0001		3. EFFECTIVE DATE 9/8/16	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)	
6. ISSUED BY NAVFAC Hawaii Construction Acquisition Division (OPHA2) 400 Marshall Road JBPHH, Hawaii 96860-3139		CODE	7. ADMINISTERED BY (If other than Item 6) See Item 6		CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and Zip Code)			<input checked="" type="checkbox"/>	9A. AMENDMENT OF SOLICITATION NO. N62478-16-R-4031	
			<input type="checkbox"/>	9B. DATED (SEE ITEM 11) 22 Aug 16	
			<input type="checkbox"/>	10A. MODIFICATION OF CONTRACT/ORDER NO.	
			<input type="checkbox"/>	10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE				

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended,  is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning \_\_\_\_ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT 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) NA

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

(x)	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: FAR CLAUSE 52.243-4, CHANGES
	D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor [ ] is not, [ ] is required to sign this document and return \_\_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

N62478-16-R-4031, Design-Build/Design-Bid-Build Small Business Multiple Award Construction Contract (DB/DBB SB MACC), Various Locations, State of Hawaii

See page 2

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

1. CHANGES TO THE SOLICITATION. Attached hereto are new and revised pages to the solicitation. The revision mark "(Am-0001)" is shown on each page.

a. REVISED SECTIONS/PROVISIONS/CLAUSES/PAGES/PARAGRAPHS/ITEMS. The following are revised pages to the solicitation. Changes are indicated in **bold** print. Only the following pages/paragraphs/items changed in the following document.

Document 00110

Paragraph 2.2a, Factor 2 – Experience, (a)(2)

b. NEW PAGES/PROVISIONS/CLAUSES/PARAGRAPHS/ITEMS. The following pages are added to the solicitation.

Document 00900

Page A.1 through A.7

2. The proposal due date of September 22, 2016, 2:00 P.M., Hawaiian Standard Time, remains unchanged.

DOCUMENT 00110  
EVALUATION FACTORS FOR AWARD

DOCUMENT 00110

EVALUATION FACTORS

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- (B) – PAST PERFORMANCE QUESTIONNAIRES

## EVALUATION FACTORS

### PART I – GENERAL

#### 1.1 CONTRACT SCOPE

The work includes, but is not limited to labor, supervision, tools, materials and equipment necessary to perform new construction, repair, alteration and related demolition of existing infrastructure based on Design-Build or Design-Bid-Build (Full Plans and Specifications) for infrastructure within the State of Hawaii. Infrastructure is defined as: 1) residential building construction; 2) construction for industrial buildings and warehouses; 3) nonresidential buildings, other than industrial buildings and warehouses; 4) improvements such as utilities, landscaping, airfields and roadways; or 5) waterfront work on piers, wharves, caissons, and dry docks. The areas of consideration will include, but not be limited to, Navy, Marine Corps, Air Force and miscellaneous Federal and other facilities. Task orders will be issued for the work that may require design and construction services. In support of the Design-Build work, the Contractor shall employ the services of an architect/engineering professional experienced in the coordination of multi-disciplined architectural/engineering design efforts in all aspects of general building and new and renovation projects.

#### 1.2 PREFERENCE FOR MAKING MULTIPLE AWARDS

This acquisition is being advertised as a competitive Small Business (SB) set-aside and is a source selection procurement requiring non-cost/price, past performance and price proposals. This procurement consists of one solicitation with the intent to award multiple Indefinite Delivery/Indefinite Quantity (IDIQ) contracts. The Government intends to award a minimum of two IDIQ contracts.

#### 1.3 MAGNITUDE OF THE ACQUISITION

The total maximum dollar value of this acquisition is \$245,000,000 for all contracts over the life of the contracts or 60 months, whichever occurs first. The minimum guarantee for the base period only will be \$10,000. The minimum guarantee may be met by the issuance of a task order during the base period or option period(s). The task order minimum and maximum will be stated as \$3,000,000 to \$30,000,000 respectively.

#### 1.4 PROPOSAL EVALUATION

a. This is a Two-Phase procurement. In Phase I of the Two-Phase design-build selection procedure, the Offerors will submit and the Government will evaluate Factors 1 through 4 (see paragraph 2.2). The Government will short list a maximum of eight of the most qualified Phase I Offerors to compete for the design-build Multiple Award Construction Contracts in Phase II. Factor 1 will only be rated Acceptable or Unacceptable. If an Offeror is rated Unacceptable in Factor 1, they will not be considered for Phase II.

b. In Phase II of the Two-Phase design-build selection procedure, the short-listed offerors will submit the Factor(s) for Phase II (see paragraph 2.2). In making the best value award decision after Phase II, the government will consider the evaluated ratings for Factors 2 through 4, the factor(s) for Phase II and price.

c. The Government intends to evaluate all proposals received and award multiple contracts without conducting discussions; therefore, your initial proposal shall conform to the solicitation requirements and should contain the best offer. However, the Government reserves the right to clarify certain aspects of the

proposals, or may conduct discussions if it is deemed necessary to obtain the best value for the Government.

d. If discussions are deemed necessary to maximize the Government's ability to obtain the best value, discussions will be held with those Offerors within the competitive range. The Government may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals, considering price and technical merit.

e. Any proposal found to have a deficiency in meeting the stated solicitation requirements or performance objectives will be considered ineligible for award, unless the deficiency is corrected through discussions. Significant weakness or multiple weaknesses may impact either the individual factor rating or the overall rating for the proposal. Any proposal with a rating that is less than acceptable for a factor will require correction before being considered for award of a contract.

f. The Government reserves the right to eliminate from consideration for award any or all offers at any time prior to award of the contracts.

g. The distinction between corporate experience and past performance is corporate experience pertains to the types of work and volume of work completed by a contractor that are comparable to the types of work covered by this requirement, in terms of size, scope, and complexity. Past performance pertains to both the relevance of recent efforts and how well a contractor has performed on the contracts.

## 1.5 ENFORCEABILITY OF THE PROPOSAL

The proposals must set forth full, accurate and complete information as required by this solicitation. The Government will rely on such information in the award of the contracts. By submission of the offer, the Offeror agrees that all items proposed (e.g., key personnel, designers, subcontractors, etc.) will be utilized for the duration of the contract and any substitutions will be equal or better than as proposed and accepted for contract award and shall require prior Contracting Officer's approval.

## PART II – EVALUATION CRITERIA

### 2.1 BASIS OF AWARD

The Government intends to award multiple Indefinite Delivery Indefinite Quantity (IDIQ) type contracts to those responsible Offerors whose offers, conforming to the solicitation, are determined to be the most advantageous to the Government considering non-cost/price factors, past performance and price. The relative order of importance of the non-cost/price evaluation factors is that technical factors are equal to each other and when combined are equal importance to the performance confidence assessment (past performance). The combined non-cost/price factors are approximately equal to price. The importance of price will increase if the Offerors' non-cost/price proposals are considered essentially equal in terms of overall quality, or if price is so high as to significantly diminish the value of a non-cost/price proposal's superiority to the Government. Award may be made to other than the lowest priced Offerors or other than the highest technically rated Offerors. Business judgments and tradeoffs may be used to determine the proposals offering the best value to the Government. In determining the best value to the Government, the Government need not quantify the tradeoffs that led to the best value decision. The Government also reserves the right to cancel the solicitation if only one proposal is determined to represent the most advantageous proposal.

## 2.2 EVALUATION FACTORS

### Non-Cost/Price Evaluation Factors:

#### Phase I:

Factor 1 – Technical Approach

Factor 2 – Experience

Factor 3 – Past Performance

Factor 4 – Safety

#### Phase II:

Factor – Energy and Sustainable Design

Factor – Technical Solution

Phase II factors to be determined in Phase II.

Price for the seed project (which may or may not be awarded). Project Title: Seed project (which may or may not be awarded) will be incorporated in Phase II.

Price proposal will consist of lump sum pricing for the seed project (which may or may not be awarded). The total prices proposed will be evaluated to ensure fair and reasonable pricing.

### a. NON-COST/PRICE EVALUATION FACTORS

#### Factor 1 – Technical Approach:

##### (a) Solicitation Submittal Requirements:

The composition and management of the firms proposed as the design-build (DB) team for this contract will be evaluated in this factor.

The Offeror shall submit the following information:

(1) Provide a narrative describing the proposed primary construction firms and primary design firms for this contract and the rationale for proposing this arrangement. Provide the role, responsibilities, and contractual relationships between the various firms (see FAR Subpart 9.6). The narrative shall also include a simple organizational chart that clearly identifies the lines of authority between the entities. If the experience of an entity is being claimed in Factor 2, that entity must be named in the above narrative and organizational chart.

The technical approach narrative shall be Arial 10 font (minimum) and limited to one (1) double-sided page (or two (2) single-sided pages) including the organizational chart. The information requested in item #2 below is not included in this page limitation.

(2) In addition to the narrative, the Offeror shall submit a signed copy of their applicable joint venture agreement, partnership agreement, teaming agreement, mentor-protégé agreement, Limited Liability Company, Limited Partnership, letter of commitment for each member of the Offeror's team identified above (e.g., joint venture member, partner, team member, subcontractor, parent company, subsidiary, or other affiliated company, etc.), etc.

##### (b) Basis of Evaluation:

The assessment of the Offeror's technical approach will be used as a means to evaluate the organizational structure and teaming relationships proposed by the Offeror. This factor will be rated on an Acceptable or Unacceptable basis.

Factor 2 – Experience:

(a) Solicitation Submittal Requirements:

The Offeror shall submit the following information:

(1) Construction Experience:

Submit a maximum of five (5) recent relevant construction projects in which the Offeror was the Prime Contractor that best demonstrates the Offeror's relevant experience on recent relevant projects that are similar in size, scope, and complexity to the RFP. Out of the maximum of five (5) construction projects, at least 2 projects shall be new construction and 1 project shall be repair/alteration or related demolition of existing infrastructure. For purposes of this evaluation, a recent relevant project is defined as new construction and/or repair, alteration and related demolition of existing infrastructure completed within the past five years of the proposal issue date for this RFP. Infrastructure is defined as: 1) residential building construction; 2) construction for industrial buildings and warehouses; 3) nonresidential buildings, other than industrial buildings and warehouses; 4) improvements such as utilities, landscaping, airfields and roadways; or 5) waterfront work on piers, wharves, caissons, and dry docks. "New Construction" is defined as construction that provides for new or expanded facilities or infrastructure. New construction does not include repair and/or modernization of an existing facility nor does it include replacement or upgrade to an existing infrastructure. Also, the Offeror must have been a Prime Contractor for the projects and each project shall be \$8,000,000.00 or more in dollar value and be completed within the past five (5) years 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 (Attachment A) is MANDATORY and SHALL be used to submit project information. If the same project is being used to demonstrate construction and design experience, submit separate Project Data Sheets for construction and design. Except as specifically requested, the Government will not consider information submitted in addition to this form. Do not alter the Construction & Design Experience Project Data Sheet (Attachment A) with the exception of expanding the individual blocks on this form; however, total length for each project data sheet shall not exceed one (1) double-sided page (or two (2) single-sided pages) and shall be Arial 10 font (minimum).

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). In addition, the description should also address any sustainable features for the project, including specific descriptions of those features. Provide applicable documentation on projects that were validated and/or certified through U.S. Green Building Council (USGBC) or the equivalent organization or process. The validation or certification documentation will not be included in the page limitation of the Construction & Design Experience Project Data Sheet (Attachment A).

If the Offeror is a Joint Venture (JV) or a participant of Small Business Administration (SBA) Mentor-Protégé Program, recent relevant project experience should be submitted for projects completed by the Joint Venture entity or SBA Mentor-Protégé. If the JV or SBA Mentor-Protégé does not have shared experience, recent relevant projects shall be submitted for each JV member or for the Mentor and Protégé. Offerors who fail to submit experience for all JV members or Mentor and Protégé may be rated lower. 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 is not exactly as stated on the SF1442), the proposal shall clearly demonstrate that the affiliate/subsidiary/parent firm will have involvement in the performance of the contract.

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. The Offer must provide a letter of commitment and an explanation of the involvement that the subcontractor will have in performance of this contract.

## (2) Design Experience

Submit a maximum of five (5) recent relevant design projects for the designer of record (Lead A-E that coordinates, facilitates and stamps the overall project) that best demonstrates design experience on recent relevant projects that are similar in size, scope, and complexity to the RFP. For purposes of this evaluation, a recent relevant project is defined as design of new and/or repair and alteration of existing infrastructure. Infrastructure is defined as: 1) residential building construction; 2) construction for industrial buildings and warehouses; 3) nonresidential buildings, other than industrial buildings and warehouses; 4) improvements such as utilities, landscaping, airfields and roadways; or 5) waterfront work on piers, wharves, caissons, and dry docks. "New Construction" is defined as construction that provides for new or expanded facilities or infrastructure. New construction does not include repair and/or modernization of an existing facility nor does it include replacement or upgrade to an existing infrastructure. A-E design experience is on construction projects valued at \$8,000,000.00 or more. All recent relevant project designs shall be completed within the past five (5) years of the date of issuance of this RFP.

For design-build projects, the design portion of the contract shall have been completed within the past five (5) years of the date of issuance of this RFP.

A project is defined as a complete design effort performed under a single task order or contract/subcontract. 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 (Attachment A) is MANDATORY and SHALL be used to submit project information. If the same project is being used to demonstrate construction and design experience, submit separate Project Data Sheets for construction and design. Except as specifically requested, the Government will not consider information submitted in addition to this form. Do not alter the Construction & Design Experience Project Data Sheet (Attachment A) with the exception of expanding the individual blocks on this form; however, total length for each project data sheet shall not exceed one (1) double-sided page (or two (2) single-sided pages) and shall be Arial 10 font (minimum).

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). In addition, the description should also address any sustainable features for the project, including specific descriptions of those features. Provide applicable documentation on projects that were validated and/or certified through U.S. Green Building Council (USGBC) or the equivalent organization or process. The validation or certification documentation will not be included in the page limitation of the Construction & Design Experience Project Data Sheet (Attachment A). Also, the description should address features detailing how the work was completed in accordance with the "Secretary of the Interior's Standards for the Treatment of Historic Properties."

If an Offeror is utilizing experience information of affiliates/subsidiaries/parent/LLC/LTD member companies (name is not exactly as stated on the SF1442), the proposal shall clearly demonstrate that the affiliate/subsidiary/parent firm will have involvement in the performance of the contract.

The Offeror may utilize experience of a design subcontractor to demonstrate design experience under this evaluation factor. **The Offer must provide a supporting joint venture agreement, partnership agreement, teaming agreement, or letter of commitment and an explanation of the involvement for the design subcontractor.**

(b) Basis of Evaluation:

The basis of evaluation will include the Offeror's demonstrated experience and depth of experience in performing recent relevant construction and design projects \$8,000,000.00 or more in dollar value. The assessment of the Offeror's recent relevant experience will be used as a means of evaluating the capability of the Offeror to successfully meet the requirements of the RFP. The Government will only review the first five (5) recent relevant projects from the prime contractor and the first five (5) recent relevant projects from the designer of record. Any projects submitted in excess of the first five (5) for Construction Experience and five (5) for Design Experience will not be considered.

Recent relevant projects where the Offeror and the proposed design firm(s) have previously worked together may be considered more favorably than those that have not worked together.

Recent relevant projects that demonstrate design-build experience may be considered more favorably than those that do not have design-build experience.

Recent relevant projects that demonstrate experience with sustainable features may be considered more favorably than those that do not demonstrate experience with sustainable features.

Recent relevant projects where the Offeror performed major or critical aspects of the project may be considered more favorably than major or critical aspects of the project performed by a subcontractor or design subcontractor.

Recent relevant projects that the JV entity completed may be considered more favorably than those projects that were completed by only one of the JV entity.

Recent relevant projects that demonstrate a variety of the five (5) aforementioned types of infrastructure experience will be considered more favorably.

Factor 3 – Past Performance:

(a) Solicitation Submittal Requirements:

If a completed Construction Contractor Appraisal Support System (CCASS)/Contractor Performance Assessment Report (CPAR) evaluation is available, it shall be submitted with the proposal for each project included in factor 2 for construction experience. If a completed AE Contractor Appraisal Support System (ACASS)/CPAR evaluation is available, it shall be submitted with the proposal for each project included in factor 2 for design experience. If there is not a completed CCASS/CPAR or ACASS/CPAR evaluation then Past Performance Questionnaires (Attachment B) shall be submitted for each project included in Factor 2 for both Construction Experience and Design Experience. Evidence of customer satisfaction shall be from the owner and/or their representative responsible for the construction contract administration of construction projects or design administration of design projects. For construction contractors, it shall not be from the designer on a design build project nor shall it be from a prime construction contractor for a subcontractor. For design firms, it shall not be from the construction contractor on a design build project nor shall it be from prime consultant to a subconsultant or from a subconsultant to a prime consultant. The Offeror shall provide completed Past Performance Questionnaires (PPQ) in the proposal. Offerors shall not incorporate by reference into their proposal PPQs previously submitted for other RFPs. However, previously completed PPQs in full text submitted for other RFPs will be accepted. All previously completed PPQs shall include all information requested in Attachment B , NAVFAC/USACE Past Performance Questionnaire (Form PPQ-0) located the end of Document 00110. This does not preclude the Government from utilizing previously submitted PPQ information in the past performance evaluation.

Offerors may provide any information on problems encountered and the corrective actions taken on projects submitted under Factor 2 – Experience. Offerors may also address any adverse past performance issues. Explanations shall be Arial 10 font (minimum) and shall not exceed two (2) double-sided pages (or four (4) single-sided pages) in total.

The Government reserves the right to contact references for verification or additional information. The Government's inability to contact any of the Offeror's references or the references unwillingness to provide the information requested may affect the Government's evaluation of this factor.

Performance award or additional information submitted will not be considered.

(b) Basis of Evaluation:

This evaluation focuses on how well the Offeror performed on the recent relevant projects submitted under Factor 2 – Experience and past performance on other projects currently documented in known sources. In addition to the above, the Government reserves the right to obtain information for use in the evaluation of past performance from any and all sources including sources outside of the Government. Other sources may include, but are not limited to, past performance information retrieved through the Past Performance Information Retrieval System (PIIRS) using all CAGE/DUNS numbers of Contractors who are part of a partnership or joint venture identified in the Offeror's proposal, inquiries of owner representative(s), Federal Awardee Performance and Integrity Information System (FAPIS), Electronic Subcontract Reporting System (eSRS), and any other known sources not provided by the Offeror.

The Government will consider the currency and relevance of the information, the source of the information, context of the data, and general trends in the Contractor's performance. This evaluation is separate and distinct from the Contracting Officer's responsibility determination. The assessment of the Offeror's past performance will be used as a means of evaluating the Offeror's probability to successfully meet the requirements of the RFP.

Offerors lacking recent relevant past performance history will not be evaluated favorably or unfavorably in past performance and will receive an Unknown Confidence rating.

## Factor 4 – Safety

### (a) Submittal Requirements:

The Offeror shall submit the following information: (For a partnership or joint venture, the following submittal requirements are required for each Contractor who is part of the partnership or joint venture; however, only one safety narrative is required. EMR and DART Rates shall not be submitted for subcontractors.)

#### (1) Experience Modification Rate (EMR):

For the three (3) previous complete calendar years 2013, 2014 and 2015, submit your EMR (which compares your company's annual losses in insurance claims against its policy premiums over a three (3) year period). If you have no EMR, affirmatively state so and explain why. Any extenuating circumstances that affected the EMR and upward or downward trends shall be addressed as part of this element. Lower EMRs will be given greater weight in the evaluation.

#### (2) OSHA Days Away from Work, Restricted Duty, or Job Transfer (DART) Rate:

For the three (3) previous complete calendar years, 2013, 2014 and 2015, submit your OSHA Days Away from Work, Restricted Duty, or Job Transfer (DART) Rate, as defined by the U.S. Department of Labor, Occupational Safety and Health Administration. If you cannot submit an OSHA DART Rate, affirmatively state so, and explain why. Any extenuating circumstances that affected the OSHA DART Rate data and upward or downward trends shall be addressed as part of this element. Lower OSHA DART Rates will be given greater weight in the evaluation.

#### (3) Technical Approach for Safety:

Describe the plan that the Offeror will implement to evaluate safety performance of potential subcontractors, as a part of the selection process for all levels of subcontractors. Also, describe any innovative methods that the Offeror will employ to ensure and monitor safe work practices at all subcontractor levels. The Safety narrative shall be Arial 10 font (minimum) and limited to two (2) single-sided pages or one (1) double-sided page.

### (b) Basis of Evaluation:

The Government is seeking to determine that the Offeror has consistently demonstrated a commitment to safety and that the Offeror plans to properly manage and implement safety procedures for itself and its subcontractors. The Government will evaluate the Offeror's overall safety record, the Offeror's plan to select and monitor subcontractors, and any innovative safety methods that the Offeror plans to implement for this procurement. The Government's sources of information for evaluating safety may include, but are not limited to, OSHA, NAVFAC's Enterprise Safety Applications Management System (ESAMS), and other related databases. While the Government may elect to consider data from other sources, the burden of providing detailed, current, accurate and complete safety information regarding these submittal requirements rests with the Offeror. The evaluation will collectively consider the following:

- Experience Modification Rate (EMR)
- OSHA Days Away from Work, Restricted Duty, or Job Transfer (DART) Rate
- Offeror Technical Approach to Safety

- Other sources of information available to the Government

(1) Experience Modification Rate (EMR):

The Government will evaluate the EMR to determine if the Offeror has demonstrated a history of safe work practices taking into account any upward or downward trends and extenuating circumstances that impact the rating. Lower EMRs will be given greater weight in the evaluation.

(2) OSHA Days Away from Work, Restricted Duty, or Job Transfer (DART) Rate:

The Government will evaluate the OSHA DART Rate to determine if the Offeror has demonstrated a history of safe work practices taking into account any upward or downward trends and extenuating circumstances that impact the rates. Lower OSHA DART Rates will be given greater weight in the evaluation.

(3) Technical Approach to Safety:

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

Factor – Energy and Sustainable Design

Details will be provided in Phase II, if applicable.

Factor – Technical Solution

Details will be provided in Phase II, if applicable.

b. PRICE EVALUATION

PRICE PROPOSAL FOR THE SEED PROJECT (WHICH MAY OR MAY NOT BE AWARDED) -  
Project Title: Seed project will be incorporated in Phase II.

PROPOSAL SUBMISSION REQUIREMENTS:

With regards to price, Offerors shall complete the Proposal Schedule line item for the seed project (which may or may not be awarded).

BASIS OF EVALUATION

The price proposal for the seed project (which may or may not be awarded) will be evaluated to determine the reasonableness of the Offeror's proposal. One or more of the following techniques will be used to ensure a fair and reasonable price:

- Comparison of proposed prices received in response to the solicitation.
- Comparison of proposed prices with the independent Government estimate.
- Comparison of proposed prices with available historical information.

Obtain information reports from Defense Contract Audit Agency (DCAA) or other outside agencies as required.

A price that is found to be either unreasonably high or unrealistically low in relation to the proposed work may be indicative of an inherent lack of understanding of the solicitation requirements and may result in the overall proposal not being considered for award.

The importance of price will increase if the Offerors' non-cost/price proposals are considered essentially equal in terms of overall quality, or if price is so high as to significantly diminish the value of a non-cost/price proposal's superiority to the Government. Award will be made to the responsible Offeror(s) whose offer conforms to the solicitation and represents the best value to the Government, price and non-price factors considered.

Any inconsistency whether real or apparent, between proposed performance and price must be clearly explained in the price proposal. For example, if unique and innovative approaches are the basis for an apparently unbalanced/inconsistently price proposal, the nature of these approaches and their impact on price must be completely documented. The burden of proof of price realism rests solely with the Offeror.

DOCUMENT 00900  
RESPONSES TO QUESTIONS  
SUBMITTED BY PLANHOLDERS  
FOR  
RFP NO. N62478-16-R-4031

Q1. Document 00110, 2.2 Evaluation Factors, Factor 4 - Safety: Please clarify if the two pages for the (3) Technical Approach for Safety narrative exclude (1) Experience Modification Rate (EMR) and (2) OSHA Days Away from Work, Restricted Duty, or Job Transfer (DART) Rate.

A1. The 2 page limitation is only for the Technical Approach for Safety. See Document 00110, Paragraph 2.2a, Factor 4 - Safety.

Q2. References: Document 00110, Section 1.3 Magnitude of the Acquisition and Section 2.2 Evaluation Factors, Factor 2 - Experience, (a) (1) Construction Experience.

Under Document 00110, 2.2 Evaluation Factors, Factor 2 - Experience, (a) (1) Construction Experience, the last sentence of the first paragraph states: *"Also, the Offeror must have been a Prime Contractor for the projects and each project shall be \$8,000,000.00 or more in dollar value and be completed within the past five (5) years of the date of issuance of this RFP."*

Given that the task order minimum and maximum range as stated in Document 00110, Section 1.3 is between \$3,000,000 and \$30,000,000, can the minimum project dollar value be revised to \$3,000,000 versus \$8,000,000? With the downturn in the economy over the past eight years, there has been limited opportunity for small businesses to win projects where the dollar value exceeded \$8,000,000. Revising the minimum project dollar value to \$3,000,000 will match the minimum task order value and will provide small businesses with more projects to submit under the Factor 2 - Experience section of the RFP.

A2. Upon due consideration of the purpose of this Small Business Multiple Award Construction Contract, the Government requests that Offerors comply with the stated dollar value of \$8M.

Q3. Given the minimal 5-year period allowed for completed projects under the Factor 2 - Experience section, can the projects submitted be a minimum 90 % completed within the last five (5) years of the date of issuance of this RFP versus 100% completed? As mentioned above, with the downturn in the economy over the past eight years, there has been limited opportunity for small businesses to win projects. In addition, several of our significant projects have been delayed by the agencies' directives due to funding and/or environmental permit issues. This has severely impacted our ability to complete these projects in a timely manner. Revising the Factor 2 - Experience section to allow projects to be a minimum 90 % completed within the last five (5) years will provide small businesses with more projects to submit under the Factor 2 - Experience section of the RFP.

A3. Please comply with, Document 00110, Paragraph 2.2a, Factor 2 - Experience, (a)(1).

Q4. Evaluation Factors, Part I - General, paragraph 1.3 Magnitude of the Acquisition states, "The task order minimum and maximum will be stated as \$3,000,000 to \$30,000,000 respectively." Factor 2 - Experience states to submit a maximum of five recent relevant projects for both Design and Construction Experience with a minimum construction value of \$8,000,000. We respectfully request that the minimum construction value be lowered to match the minimum task order value of \$3,000,000.

A4. See response A2.

Q5. Factor 2 - Experience (a) (1) Construction Experience states all submitting projects need to be minimum \$8 MM or higher. However, for small business firm (avg. \$36.5 mil), \$8 MM project is not typical performing size. Can this requirement be lowered to \$3 MM minimum? or minimum one project to be \$8 MM?

A5. See response A2.

Q6. Will NAVFAC please consider Construction Experience to include projects in excess of \$3M, instead of \$8M, because the task orders range between \$3-30M?

A6. See response A2.

Q7. Will NAVFAC please consider projects going back 7 years instead of 5 years as acceptable?

A7. Please comply with Document 00110, Paragraph 2.2a, Factor 2 - Experience.

Q8. Section 00100, page 24 of 32, 252.215-7009, Proposal Adequacy Checklist: Much of this checklist does not appear to be applicable to the Phase I proposal and this deliverable is not listed in the outline on page 1 of 32. Please confirm that this checklist is not required for the Phase I proposal.

A8. The DFARS Clause 252.215-7009 does not apply to the basic Small Business Multiple Award Construction Contract (SB MACC), but may apply to future task orders against the SB MACC.

Q9. Section 00100, page 1 of 32, paragraph 1.1.a and Section 00110, page 5 of 12, Factor 1 - Technical Approach differ on where JV agreements, teaming agreements, etc. are to be located within the Phase I binder. Please clarify where in the proposal the Government wishes for this information to be presented.

A9. Please refer to RFP, Document 00110, Paragraph 2.2a, Factor 1 - Technical Approach and Document 00100, Paragraphs 1.1a and 1.4.

Q10. Section 00110, page 6 of 12, Factor 2 - Experience: Would the Government please consider allowing an optional 1 page introduction for this factor prior to the Attachment A Data Sheets?

A10. See response A7.

Q11. Section 00110, pages 6 and 7 of 12, Factor 2 - Experience: The requirement for both construction and design experience is for projects with a construction cost of \$8,000,000 or greater. Based on the procurement being 100% small business set-aside and that the task order range minimum is \$3,000,000, would the Government please consider lowering the dollar value for relevant similar projects to \$3,000,000 or more?

A11. See response A2.

Q12. Section 00110, page 10 of 12, Factor 4 - Safety: Are the EMR and DART data included in the 2 page limit for this factor?

A12. See response A1.

Q13. 2.2 Evaluation Factors; Factor 1 Technical Approach (a)(1) requires a written narrative not to exceed two (2) pages, describing the composition and management of the firms proposed as the design build (DB) team for this contract." Please confirm that the two-page limit is specifically for the TECHNICAL APPROACH NARRATIVE and that an organizational chart DOES NOT impact the page limitation?

A13. Please comply with Document 00110, Paragraph 2.2a, Factor 1 - Technical Approach, a(1), 2<sup>nd</sup> paragraph.

Q14. Is it acceptable to propose an Alternate Lead Design Firm, in addition to the proposed Lead Design Firm, for the purpose of establishing an acceptable lead design firm, in the event that a conflict of interest or work load capacity issue arises, at the time of a Task Order solicitation?

A14. No.

Q15. If proposing as a formal Joint Venture, and the Joint Venture has recently proposed on a different solicitation, is it permissible to submit the previous JV Agreement that includes reference to this specific solicitation by Addendum or Amendment to the original JV Agreement or does the agency prefer to see a completely separate JV Agreement for this solicitation?

A15. Please submit a separate JV agreement for this solicitation.

Q16. Will the Proposal Adequacy Checklist, which begins on page 24 of 32 within Document Section 00100, Instructions to Offerors, be required to be submitted with the Phase I or Phase II RFP response submission?

A16. See response A8.

Q17. Since the task order minimum under this proposed contract is \$3.0 million, and the maximum task order amount is \$30.0 million, will the Government consider changing the minimum dollar value of the required

project experience and past performance from \$8.0 million to \$6.0 million?

A17. See response A2.

Q18. In the RFP Document Section 00100, Instructions to Offerors, paragraph 1.3, Pre-award Survey Responsibility Determination, subparagraph "c", it states that because newly-formed entities (e.g. limited liability companies ("LLC's"), limited partnerships ("LTD's") and newly-created corporate subsidiaries) ordinarily have no record or an insufficient record of relevant experience, past performance, and financial capability to support a responsibility determination, the offeror may rely on the resources of the LLC member, parent, limited partner, or other entities related to the offeror for responsibility purposes where the offer submits a guaranty from the entity providing the resources. However, in the RFP Document Section 00110, Evaluation Factors, Factor 2, Subparagraph 1, Construction Experience, no reference at all is made to the LLC/LTD being a newly formed entity. It just states, "If an Offeror is utilizing experience information of affiliates/subsidiaries/parent/LLC/LTD member companies (name is not exactly as stated on the SF1442), the proposal shall clearly demonstrate that the affiliate/subsidiary/parent firm will have involvement in the performance of the contract." Our question is as follows: Does the LLC /LTD (Prime Offeror) need to be a newly formed entity, in order to submit the experience of its affiliates/subsidiaries/parent member companies?

A18. No. Please comply with Document 00110, Paragraph 2.2a, Factor 2 - Experience and Document 00100, Paragraphs 1.1a and b.

Q19. Is a bid bond or letter stating bonding capacity required with offeror's phase 1 proposals? If so, where in the proposal shall it be placed?

A19. No, a bid guarantee is not required for Phase I.

Q20. Under Item 8, if offeror is not teaming or joint venturing, can we provide a statement to that affect under Item 8?

A20. Yes.

Q21. Should offerors include the Proposal Adequacy Check in the Phase 1 Proposals? If so, where in the proposal shall is be placed?

A21. See response A8.

Q22. Clause 252.215-7009 Proposal Adequacy Checklist (Jan 2014) states "The Offeror shall complete the following checklist, providing location of the requested information, or an explanation of why the requested information is not provided. In preparation of the Offeror's checklist, offerors may elect to have their subcontractors use the same or similar checklist as appropriate."

The items within the checklist relate to Phase II submission requirements (costing information and certified pricing information).

Shall this list provided with our Phase I or Phase II submission, or both?

And if required within Phase I submission, where shall we include this Checklist within the proposal?

A22. See response A8.

Q23. RFP Section 00110, Factor 2, Submission Requirements states "The Offeror must have been a Prime Contractor for the projects and each project shall be \$8,000,000 or more in dollar value".

The same section goes on to state "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."

If utilizing key subcontractor experience to qualify, does the key subcontractor need to have been the prime contractor on the experience example?

If utilizing key subcontractor experience, how will the government evaluate the project value? For instance, does the example as a whole need to be greater than \$8-M, or does the subcontracted amount that the subcontractor performed need to be \$8-M?

A23. See response A3.

Q24. Reference(s): Document 00110, Section 2.2 Evaluation Factors, Factor 2 - Experience, (a) (1) Construction Experience.

Question :

*Under Document 00110, 2.2 Evaluation Factors, Factor 2 - Experience, (a) (1) Construction Experience, the last paragraph states: "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. The Offer must provide a letter of commitment and an explanation of the involvement that the subcontractor will have in performance of this contract."*

Please confirm where the letter of commitment and the explanation of the involvement that the subcontractor will have in performance of this contract should be placed in the Phase 1 Technical Proposal binder. Should these documents be placed behind the tab for Factor 2 - Experience or should they be included under the last tab of the binder which includes copies of executed teaming agreements, Joint Venture agreements, etc.

A24. See response A3.

Q25. Reference(s): Document 00110, Section 2.2 Evaluation Factors, Factor 2 - Experience, (a) (2) Design Experience.

Question:

*Under Document 00110, 2.2 Evaluation Factors, Factor 2 - Experience, (a) (2) Design Experience, the last paragraph states: "The Offeror may utilize experience of a design subcontractor to demonstrate design experience under this evaluation factor. The Offer must provide a supporting joint venture agreement, partnership agreement, teaming*

*agreement, or letter of commitment and an explanation of the involvement for the design subcontractor."*

Please confirm where the supporting joint venture agreement, partnership agreement, teaming agreement, or letter of commitment and the explanation of the involvement for the design subcontractor should be placed in the Phase 1 Technical Proposal binder. Should these documents be placed behind the tab for Factor 2 - Experience or should they be included under the last tab of the binder which includes copies of executed teaming agreements, Joint Venture agreements, etc.

A25. See Am-0001, Document 00110, Paragraph 2.2a, Factor 2 - Experience, (a)(2).

Q26. Reference(s): Document 00100, FAR Clauses

Question:

Given that the Government contemplates award of firm fixed price construction contracts under this solicitation and that this solicitation is a competitive acquisition (reference 52.215-1), there are several FAR clauses included in Document 00100 that do not seem to apply for this type of construction contract, but rather they are applicable to contracts for commercial items. Please confirm whether or not the following FAR clauses apply to this solicitation and resulting contract.

52.215-16 FACILITIES CAPITAL COST OF MONEY

52.215-20 REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION OTHER THAN CERTIFIED COST OR PRICING DATA (OCT 2010)

52.215-22 LIMITATIONS ON PASS-THROUGH CHARGES—IDENTIFICATION OF SUBCONTRACT EFFORT (OCT 2009)

252.215-7009 PROPOSAL ADEQUACY CHECKLIST (JAN 2014)

A26. The above clauses do not apply to the basic Small Business Multiple Award Construction Contract (SB MACC), but may apply to future task orders against the SB MACC.

Q27. Factor 2, Experience, (1) Construction Experience: Would the government consider extending the project completion requirement of 5 years to 6 years?

A27. See response A7.

Q28. Factor 2, Experience, (1) Construction Experience: Would the government accept "waterfront" experience from a subcontractor and not a Prime Contractor. Many marine projects are completed by qualified marine sub-contractors working under a Prime Contractor. The requirement states, "the Offeror must have been a Prime Contractor for the projects", limits many qualified marine subcontractors from partnering with a Small Business to satisfy item 5 Waterfront work.

A28. See response A3.

Q29. Factor 2, Experience, (1) Construction Experience: Can one project satisfy (2) "recent relevant construction projects" requirements? In other words, a project that included both (item 1) residential building construction and (item 4) improvements such as utilities... satisfy those two requirements in one "Attachment A"?

A29. Please refer to Document 00110, Paragraph 2.2a, Factor 2 - Experience (a) and (b).