

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 6
2. AMENDMENT/MODIFICATION NO. 000001	3. EFFECTIVE DATE 07/03/2012	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY USDA-NRCS-LOUISIANA STATE OFFICE 3737 GOVERNMENT ST. ALEXANDRIA LA 71302	CODE NRCS-LA-127217	7. ADMINISTERED BY (If other than Item 6)	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x) 9A. AMENDMENT OF SOLICITATION NO. AG-7217-S-12-0009	
		x 9B. DATED (SEE ITEM 11) 05/21/2012	
		10A. MODIFICATION 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 Offers <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> 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 <u>1</u> 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)

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

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

E. IMPORTANT: Contractor is not, is required to sign this document and return _____ copies to the issuing office.

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

The purpose of this amendment is to provide the Q&A's from the site showing as well as extending the bid submission date.

Q1. Due to the size of the back dike, limitation of equipment access to the dike and the short contract time, we request dike construction to be allowed 7 days a week for a minimum of 12 hours per day.

A1. The maximum work hours for the building of the earthen containment dike has been changed to 7 days per week 12 hours per day. The maximum work hours for the dredging operations is 7 days per week, 24 hours per day.

Continued ...

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)	
		VICKI SUPLER	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
_____ (Signature of person authorized to sign)		_____ (Signature of Contracting Officer)	

NAME OF OFFEROR OR CONTRACTOR

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>Q2. We feel that the contract time for this project is inadequate, please provide more contract time.</p> <p>A2. The performance time for this contract has been changed from 111 calendar days to 115 calendar days.</p> <p>Q3. Please confirm that the dredging payment is paid on the cut.</p> <p>A3. Yes. Per Construction Specification 21-9 Section 10(a) (33) and (34) and in accordance with Construction Specification 7.</p> <p>Q4. Please provide the contractors with the magnetometer survey.</p> <p>A4. As per FAR 52.236-4 Physical Data - this information can be requested in writing to the Contracting Officer and the information will be made available.</p> <p>Q5. For safe transport of contractor crews and NRCS personnel/inspectors back and forth from the island, we respectfully request that you allow digging the access channel to the dike/fill area.</p> <p>A5. Access channel digging will not be allowed.</p> <p>Q6. Is the contractor required to provide housing or transportation for the NRCS inspector?</p> <p>A6. No</p> <p>Q7. Is flotation access going to be allowed?</p> <p>A7. No</p> <p>Q8. Why only 10 hour work days? If so, more days will be needed to construct the dikes properly.</p> <p>A8. Please see the answer provided as part of Q1 and Q2.</p> <p>Q9. Why do we need to do a magnetometer survey of the borrow area, because they are so expensive?</p> <p>A9. The specifications indicate the contractor, Continued ...</p>				

NAME OF OFFEROR OR CONTRACTOR

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>may at his option, perform a magnetometer survey. The decision to perform the magnetometer survey is at the discretion of the contractor. All bidders can request a copy of the magnetometer survey by submitting a written request to the Contracting Officer.</p> <p>Q10. Why must the dredge start in the middle of the borrow area?</p> <p>A10. According to the soil borings taken, the quality of the material at this location is better.</p> <p>Q11. Dike template is larger at the backside of the island, how is the contractor to perform this work with no access?</p> <p>A11. A separate amendment is being developed in regards to this question.</p> <p>Q12. Where do the weir boxes go?</p> <p>A12. The location of the weir boxes will be at the discretion of the contractor. The contractor will provide this information as part of his dredge operations plan as required in Construction Specification 21.</p> <p>Q13. As per the work hours for the bucket dredge to build the containment dike, please reconsider the 6 days per week and 10 hours per day. What if we pay for more inspectors to be available for the project?</p> <p>A13. Please see response in Q1.</p> <p>Q14. Can the contractor dredge south to north or north to south?</p> <p>A14. This is up to the contractor as long as he follows the stationing order as provided for in the specification.</p> <p>Q15. Can the contractor cut deeper than -47.5' with tolerance?</p> <p>A15. No excavation will be allowed deeper than -47.5'.</p> <p>Continued ...</p>				

NAME OF OFFEROR OR CONTRACTOR

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>Q16. Will the Government consider requiring all contractors to perform magnetometer surveys due to the expense of the survey?</p> <p>A16. Please see the answer provided as part of Q4.</p> <p>Q17. What is the anticipated Notice to Proceed date?</p> <p>A17. September 1, 2012</p> <p>Q18. Will the contractor be allowed to anchor or spud just outside the project work limits or will the work limits be strictly adhered to?</p> <p>A18. The contractor must adhere strictly to the work limits identified and no anchoring or spudding will be allowed outside this area.</p> <p>Q19. Considering no spudding or anchoring can occur outside the borrow area, this will necessitate many short, inefficient dredge cuts that would have be to designed to dredge the entire primary borrow area to the dimensions shown on the drawings. When is the primary borrow area considered cleared so that dredging in the secondary part of the borrow area can begin? Are we to estimate these inefficiencies?</p> <p>A19. The primary borrow area will be considered clear once the contractor has provided the "After Dredge" surveys which provides the information to indicate the borrow area has been completed in accordance with the plans and specifications. It is the contractor's decision as to how best to accomplish the dredging of this area.</p> <p>Q20. Construction Specification 8 - Mobilization and Demobilization, Paragraph 3, Payment states: "Payment will be made as the work proceeds, after presentation of paid invoices or documentation of direct costs by the contractor showing specific mobilization and demobilization costs...." Are we to understand that indirect costs or capitalized equipment costs incurred during mobilization will not be paid for until completion of the project?</p> <p>A20. That is correct. Only direct costs will be Continued ...</p>				

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	<p>reimbursed.</p> <p>Q21. Under the Special Provisions, Page 44, Number 8, it indicates there is an access route. "The access route shall be on the northeast corner of the project area and shall occur from open water on the bayside of the island as shown on the construction drawings. At no time shall equipment be used on Raccoon Island outside of the work limits. See Sheet 2 of the construction drawings for the access route and work limits." Will we be able to use a bucket dredge to dredge access to the dredge area, within the pipeline corridor/access route alignment right of way (ROW) for the containment dike construction?</p> <p>A21. No access dredging will be allowed. The note in the Special Provisions simply identifies the location of the access channel and refers the contractor to the appropriate Drawing Sheet wherein the access corridor is illustrated.</p> <p>Q22. Are there any requirements for determining the turbidity limits on the effluent as part of a separate Water Quality Certificate from the Louisiana Department of Environmental Quality?</p> <p>A22. No, Turbidity testing will not be required nor will a separate Water Quality Certificate need to be acquired by the contractor.</p> <p>The following pages are hereby changed:</p> <ol style="list-style-type: none"> 1. Remove Pages 5, 12 and 13 of the Solicitation Packet and replace with Pages 5A1, 12A1 and 13A1 in their entirety. 2. Remove Schedule B and replace with Schedule B, Amendment #1. 3. The performance time is hereby changed from 111 calendar days to 115 calendar days. 4. FAR 52.236-1 Performance of Work by the Contractor is hereby changed from 30% to 40%. 5. AGAR 452.236-75 Maximum Workweek-Construction Schedule is hereby changed as follows: The maximum workweek that will be approved for the earthen containment dike construction period is Continued ... 				

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
AG-7217-S-12-0009/000001

PAGE OF
6 6

NAME OF OFFEROR OR CONTRACTOR

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>seven (7) days per week twelve (12) hours per day. The maximum workweek that will be approved for the dredging operation is seven (7) days per week twenty-four (24) hours per day.</p> <p>6. The bid submission date is hereby extended from July 9, 2012 to July 23, 2012 at 2:00 p.m.</p> <p>All other terms and conditions of the solicitation remain unchanged and in full force and effect.</p>				

**TE-48 RACCOON ISLAND MARSH CREATION
PHASE B
BID SCHEDULE**

Schedule of Items

Item No.	Work	Spec No.	Quantity	Unit	Unit Price	Amount
1	Mobilization and Demobilization	8	1	Job	L.S.	\$
2	Construction Surveys	7	1	Job	L.S.	\$
3	Excavation, Marsh Creation Dredging	21	640,000	CY	\$	\$
4	Earthfill, Containment Dike	23	1	Job	L.S.	\$
5	Staff Gauge Units	93	28	EA	\$	\$
6	Contractor Quality Control	94	1	Job	L.S.	\$

Total Bid \$

Section F - Deliveries or Performance

52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

<http://www.arnet.gov/far/>

I. FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1) CLAUSES

NUMBER	TITLE	DATE
52.211-18	Variation in Estimated Quantity	(APR 1984)
52.242-14	Suspension of Work	(APR 1984)

52.211-10 Commencement, Prosecution, and Completion of Work. (APR 1984)

The Contractor shall be required to (a) commence work under this contract within 20 calendar days after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than 115 calendar days after the contractor receives the notice to proceed. The time stated for completion shall include final cleanup of the premises.

52.211-12 Liquidated Damages - Construction. (SEP 2000)

(a) If the Contractor fails to complete the work within the time specified in the contract, the Contractor shall pay liquidated damages to the Government in the amount of \$900 for each calendar day of delay until the work is completed or accepted.

(b) If the Government terminates the Contractor's right to proceed, liquidated damages will continue to accrue until the work is completed. These liquidated damages are in addition to excess costs of repurchase under the Termination clause.

52.236-1 Performance of Work By the Contractor (APR 1984)

The Contractor shall perform on the site, and with its own organization, work equivalent to at least 40 percent of the total amount of work to be performed under the contract. This percentage may be reduced by a supplemental agreement to this contract if, during performing the work, the Contractor requests a reduction and the Contracting Officer determines that the reduction would be to the advantage of the Government.

LADDERS AND SCAFFOLDING:

6.1 LADDERS. OSHA 1926, Subpart L - Section 450. Ladders shall be used as work platforms only when use of small hand tools or handling of light material is involved. No work requiring lifting of heavy materials or substantial exertion shall be done from ladders.

6.2 SCAFFOLDING. OSHA 1926, Subpart L - Section 451. Scaffolds, platforms or temporary floors shall be provided for all work except that which can be done safely from the ground or similar footing.

6.3 SAFETY BELTS, LIFELINE, AND LANYARDS. OSHA 1926, Subpart E, Section 104. Lifelines, safety belts and lanyards independently attached or attended, shall be used when performing such work as the following when the requirements of 6.1 or 6.2 above cannot be met.

- (a) Work on stored material in hoppers, bins, silos, tanks, or other confined spaces.
- (b) Work on hazardous slopes, structural steel, or poles; erection or dismantling of safety nets, tying reinforcing bars; and work from Boatswain's chairs, swinging scaffolds, or other unguarded locations at elevations greater than 6 feet.
- (c) Work on skips and platforms used in shafts by crews when the skip or cage does not block the opening to within 1 foot of the sides of the shaft, unless cages are provided.

AGAR 452.215-73 Postaward Conference. (NOV 1996)

A post award conference with the successful offeror is required. It will be scheduled within 10 days after the date of contract award.

AGAR 452.236-73 Archaeological or Historic Sites. (FEB 1988)

If a previously unidentified archaeological or historic site(s) is encountered, the Contractor shall discontinue work in the general area of the site(s) and notify the Contracting Officer immediately.

AGAR 452.236-74 Control of Erosion, Sedimentation, and Pollution (NOV 1996)

(a) Operations shall be scheduled and conducted to minimize erosion of soils and to prevent silting and muddying of streams, rivers, irrigation systems, and impoundments (lakes, reservoirs, etc.).

(b) Pollutants such as fuels, lubricants, bitumens, raw sewage, and other harmful materials shall not be discharged on the ground; into or nearby rivers, streams, or impoundments; or into natural or man-made channels. Wash water or waste from concrete or aggregate operations shall not be allowed to enter live streams prior to treatment by filtration, settling, or other means sufficient to reduce the sediment content to not more than that of the stream into which it is discharged.

(c) Mechanized equipment shall not be operated in flowing streams without written approval by the Contracting Officer.

AGAR 452.236-75 Maximum Workweek - Construction Schedule. (NOV 1996)

Immediately after receipt of a written request from the Contracting Officer, the Contractor must submit the following in writing for approval:

- (a) A schedule as required by FAR clause 52.236-15, Schedules for Construction Contracts, and
- (b) The hours (including the daily starting and stopping times) and days of the week the Contractor proposes to carry out the work.

The maximum workweek that will be approved for the building of the containment dikes is seven (7) days a week, 12 hours per day and during the dredging operation is seven (7) days a week, 24 hours per day.

AGAR 452.236-76 Samples and Certificates. (FEB 1988)

When required by the specifications or the Contracting Officer, samples, certificates, and test data shall be submitted after award of the contract, prepaid, in time for proper action by the Contracting Officer or his/her designated representative. Certificates and test data shall be submitted in triplicate to show compliance with materials and construction specified in the contract performance requirements.

Samples shall be submitted in duplicate by the Contractor, except as otherwise specified, to show compliance with the contract requirements. Materials or equipment for which samples, certifications or test data are required shall not be used in the work until approved in writing by the Contracting Officer.