



US Army Corps  
of Engineers  
Baltimore District

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# **SOLICITATION FOR**

# **PHASE I – EXPANSION OF THE NATIONAL DEFENSE UNIVERSITY**

**FORT McNAIR  
WASHINGTON, DC**

**INVITATION NO. DACA31-03-R-0030**

**DATE 13 MAY 2003**

**THIS PROCUREMENT IS A UNRESTRICTED TWO-STEP PROCUREMENT**

**SUBMITTAL OF PROPOSALS - OFFERORS ARE TO FOLLOW THE PROPOSAL SUBMITTAL INSTRUCTION TO INCLUDE THE FOLLOWING DOCUMENTS:**

- (1) SECTION 00010 - STANDARD FORM 1442**
- (2) SECTION 00600 - REPRESENTATIONS AND CERTIFICATIONS**
- (3) Technical Qualification Proposal**



**SOLICITATION, OFFER, AND AWARD (Continued)**

*(Construction, Alteration, or Repair)*

**OFFER (Must be fully completed by offeror)**

14. NAME AND ADDRESS OF OFFEROR <i>(Include ZIP Code)</i>		15. TELEPHONE NO. <i>(Include area code)</i>
CODE		16. REMITTANCE ADDRESS <i>(Include only if different than Item 14)</i>  <b>See Item 14</b>
FACILITY CODE		

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

AMOUNTS	SEE SCHEDULE OF PRICES
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18. The offeror agrees to furnish any required performance and payment bonds.

**19. ACKNOWLEDGMENT OF AMENDMENTS**

*(The offeror acknowledges receipt of amendments to the solicitation -- give number and date of each)*

<b>AMENDMENT NO.</b>										
<b>DATE</b>										

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER <i>(Type or print)</i>	20B. SIGNATURE	20C. OFFER DATE
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**AWARD (To be completed by Government)**

21. ITEMS ACCEPTED:

22. AMOUNT	23. ACCOUNTING AND APPROPRIATION DATA
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24. SUBMIT INVOICES TO ADDRESS SHOWN IN <i>(4 copies unless otherwise specified)</i>	<b>ITEM</b>	25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO <input type="checkbox"/> 10 U.S.C. 2304(c) <input type="checkbox"/> 41 U.S.C. 253(c)
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26. ADMINISTERED BY	CODE	27. PAYMENT WILL BE MADE BY:	CODE
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**CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE**

<input type="checkbox"/> 28. NEGOTIATED AGREEMENT <i>(Contractor is required to sign this document and return _____ copies to issuing office.)</i> Contractor agrees to furnish and deliver all items or perform all work, requisitions identified on this form and any continuation sheets for the consideration stated in this contract. The rights and obligations of the parties to this contract shall be governed by (a) this contract award, (b) the solicitation, and (c) the clauses, representations, certifications, and specifications or incorporated by reference in or attached to this contract.	<input type="checkbox"/> 29. AWARD <i>(Contractor is not required to sign this document.)</i> Your offer on this solicitation, is hereby accepted as to the items listed. This award consummates the contract, which consists of (a) the Government solicitation and your offer, and (b) this contract award. No further contractual document is necessary.
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30A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN <i>(Type or print)</i>	31A. NAME OF CONTRACTING OFFICER <i>(Type or print)</i>		
30B. SIGNATURE	30C. DATE	TEL:	EMAIL:
		31B. UNITED STATES OF AMERICA BY	31C. AWARD DATE

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### **NOTES TO OFFERORS**

This advertisement is a Request For Proposal (RFP) that requires separate technical and design/price proposals, which are to be submitted in separate phases. The evaluation of the proposals will consist of two (2) Phases. Competitive technical qualification proposals submitted in Phase I will be evaluated based on the technical qualification evaluation criteria set forth in the solicitation package.

#### **PHASE I**

Under this phase interested offerors will be required to ONLY submit the following:

- a. detailed information as requested on the evaluation factors listed in Section 00100 of the solicitation
- b. SF 1442 – Solicitation Offer and Award Form
- c. Section 00600 – Representations & Certification, to include the SF LLL

The technical proposals shall not include prices or pricing information. Offerors should submit technical proposals that are acceptable without additional explanation of information. The Government may make a final determination regarding an offeror's technical qualification proposal acceptability solely on the basis of the proposal as submitted.

The Government may proceed with the second phase without requesting further information from any offeror, however the Government may request additional information from offerors of proposals that it considers reasonably susceptible of being made acceptable and may discuss proposals with their offerors.

A "Notice of Unacceptability" will be forward to offerors upon completion of the Phase I evaluation whose technical qualification proposals were determined to be unacceptable.

#### **PHASE II**

In Phase II, only those offerors whose technical qualification proposals are determined to be acceptable will be allowed to submit design/price proposals. Only those successful offerors from Phase I will be provided the design specifications information for this project through an amendment to the solicitation.

The evaluation in Phase II will be of the offeror's nominal design submittal and price proposal. The price proposal must be based on the offeror's own technical proposal and design.

A new date will be established for receipt of design/price proposals, which will include submitting the Section 00010, Bid Schedule, Bid Bond and a Subcontracting Plan if the offeror is a large business.

Large business firms that are selected to continue onto Phase II are required to submit a subcontracting plan at the time for receipt of their price proposals. The following subcontracting dollar goals pertain only to the dollar value of the contract that is subcontracted:

- 60% of the subcontracted dollar value shall be for small businesses, of that 60%;
- a. 20% shall be for Small Disadvantaged Businesses (SDB)
  - b. 10% shall be for Women Owned Small Businesses (WOSB)
  - c. 3% shall be for HUB Zone Small Businesses
  - d. 3% shall be for Veteran Owned Small Businesses
  - e. 3% shall be for Service Disabled Veteran Owned Small Businesses

Description of Proposed Construction:

**BACKGROUND:**

This project is required to provide an adequate academic facility to accommodate the consolidation of various functional elements of National Defense University that are currently located at sites other than Marshall Hall and to provide space to accommodate the projected growth in the University's missions. Without an adequate facility, the University's reliance on the use of off-post, leased facilities to satisfy the space shortfalls will escalate. An economic analysis of possible alternatives to solve the space deficiencies indicates that new construction is the most cost-effective solution. Currently, NDU is headquartered in Marshall Hall, Building Number 62, at Fort McNair, which also serves as the main university campus. With the increasing importance and complexity of the National Defense University mission, the institution's space requirements have outgrown Marshall Hall's capabilities. Although a modern facility which was constructed in 1991, Marshall Hall can only provide approximately 58% of the total space required. Consequently, several functional elements of the University are currently located in separate on-post buildings while others occupy off-post, GSA leased facilities, some of which are located remote to the main campus. The on-post supplementary facilities currently utilized do not provide the necessary space to adequately accommodate the activities housed therein. Work areas, offices and conference areas are cramped, lack proper heating and cooling and are in general inadequate for continued use. Off-post facilities are costly to lease. Most of these leases will expire in 2006. Future program growth at the University will require the use of even more leased space in the absence of new construction.

**PROJECT SCOPE:**

In general, the new 216,000 SF facility requirements will be a design-build nominal criteria Request for Proposal (RFP), as defined by the latest U.S. Army Corps of Engineers Technical Instructions, TI 800-03. The new facility is to support the National Defense University, and construct new vehicular access control point with gate. Functional areas of the new facility include administrative offices, classrooms, student carrels, breakout rooms, storage, reception areas, student lounges, mess halls, kitchens; a conference center with 600 person auditorium; lobbies, latrines, janitor's closets, mechanical space and SCIFs. Provide building information systems; install intrusion detection and energy monitoring and control systems. Supporting facilities include electrical service, security lighting, fire protection, communications, water, sewer, gas, storm drainage; asphalt parking, sidewalks, curbs and gutters; AT/FP measures; and site preparation, security fencing, landscaping and other site improvements. Demolish existing pavement and selected utilities traversing the proposed site. Heat from self-contained, gas fired boilers. Air condition via a chilled water system from two new freestanding chillers. Air conditioning is estimated at 650 tons. Comprehensive interior design services are required. Special exterior architectural treatment is required for historic district architectural compatibility. AT/FP protective measures include Mylar film on windows, concrete bollard's, and concrete planters. Access for persons with disability will be provided.

## **PROPOSAL SUBMITTAL INSTRUCTIONS**

### **1.0. GENERAL REQUIREMENTS**

1.1. This is a “Best Value” two-phase design build solicitation for Design and Construction Services of the Marshall Hall Addition at Ft. McNair, Washington, D.C. An award will be made to the offeror whose proposal is determined to be the best value to the Government considering both price and technical factors. The contract description and overall performance requirements for this contract are included in this RFP package. The design and construction criteria for this project will be included in the Phase II RFP package to be furnished by an amendment. The solicitation criteria rely predominately upon industry standards and performance oriented requirements, where allowable, to afford the offeror a degree of design flexibility while meeting specific project requirements. The successful Contractor must design and construct a complete and usable facility, as described in the RFP documents provided during Phase II, and issued by amendment.

1.2. In Phase I of the solicitation process, offerors submit a “Qualifications” proposal only, without extensive design information and without a price proposal. The full Quality/Technical Proposal (technical-design and performance capability) is submitted in Phase II, after the initial short list of the most highly qualified firms has been established. The “short list” will be limited to a maximum of five offerors. During Phase I, the Government will only evaluate the relative capabilities, and past performance of the competing firms.

1.3. Submit your proposal to the Corps of Engineers at the address shown in Block 8 of Standard Form 1442. The Government must receive your proposal no later than the time and date specified in Block 13 of Standard Form 1442 or in subsequent Phase I amendments, if any.

1.4. Instructions for preparation and organization of Phase I proposals are summarized below.

1.4.1. PHASE I PROPOSALS (TECHNICAL APPROACH AND PERFORMANCE CAPABILITY). Submit information in Phase I proposal, which address the following areas (1) Past Experience and Performance of the Offeror’s Team, (2) Qualifications of the Project Team:

1.4.2. PHASE II PROPOSALS. To be issued by Amendment. Do not submit this information in Phase I.

### **2.0. WHO MAY SUBMIT IN PHASE I**

2.1. Firms formally organized as Design-Build entities, design firms and construction contractors that have associated specifically for this project, or any other interested parties may submit proposals. In the latter case, the association may be a joint venture or a subcontractor. For the purposes of this solicitation, no distinction will be made between formally organized design-build entities and project-specific design-build associations. Both will be referred to as the design-build offeror (or simply “offeror”) or the design-build contractor (or simply “contractor”) after award of a contract.

2.2. Any legally organized offeror may submit a proposal, provided that the offeror or offeror’s subcontractor has, on its permanent staff, professional architects and engineers, registered in the appropriate technical disciplines as specified in DESIGN CONTRACT CLAUSE, Requirements for Registration of Designers. All designs must be under the direct supervision of appropriately licensed professionals.

### **3.0. PROPOSAL SUBMISSION REQUIREMENTS, PHASE I**

3.1. Offerors shall organize their Proposal as described and outlined below. The contractors name, RFP number, and date shall be affixed to the outside of the binder. The binder shall have a table of contents. The submission of false or misleading information may be grounds for disqualification of the proposal. The proposals shall be in an 8-1/2” x 11” format as a single document. Pages may be submitted in either single sided or double-sided pages (double-sided pages count as two pages). Minimum acceptable type is 11 Point with a minimum of one inch margins all around. The total number of pages for Tabs 2 and 3 shall not exceed 100. The data required in Tab

1 is not counted in the overall 100-page requirement. The contractor may distribute the use of pages for Tabs 2 and 3 at their discretion. The contractor shall provide one original and three copies of the proposal. The information in each Tab shall be as follows.

TAB 1	a. SF 1442 (Solicitation, Offer and Award)
	b. Certificate of Corporate Principal
TAB 2	Specialized Experience and Past Performance of Offeror's Team
TAB 3	Qualifications of the Project Team

### 3.2. 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.

### 4.0. SUBMISSION REQUIREMENTS - PHASE I

The Technical Proposal will consist of all information and material submitted or provided in writing for evaluation in response to the Technical Evaluation Factors and criteria specified below. The technical evaluation factors are of approximately equal weight.

#### 4.1. PAST EXPERIENCE AND PERFORMANCE OF THE OFFEROR'S TEAM

The Design-Build Offeror shall demonstrate their experience on completed and ongoing projects. The experience will be submitted for the construction contractor and the designer even if the experiences are separate in the following format:

- a. Provide general information on all University Classroom, Conference Center, highly technical audio-visual, teleconferencing, high-end interactive auditorium facilities, and similar type design-build and design-bid-build projects with a construction value in excess of \$30 million completed in the past five years. Experience must indicate the general scope of work of the project and the firm's role in the project (prime contractor or designer, subcontractor, or as joint venture). Provide detailed information on no less than five and no more than ten design/build type projects, current (100% design complete and at least 50% of construction complete at time of submission) or completed in the last seven years that best demonstrates the Offeror's experience with the design/build process. Three of the submitted projects shall document the proposed designer's experience. Provide this information on the Prime Contractor's Experience sheets, or on fact sheets with this information.
- b. Provide the offeror's assigned performance evaluation for each of the supplied projects above. Projects for which formal evaluations are unavailable shall provide utilize the provided Past Performance Customer Questionnaire for projects without formal performance evaluations. Formal performance evaluations are those that are similar to the Corps of Engineers Construction Performance Evaluation Form DD2626. The offeror shall provide an explanation if the performance is less than satisfactory. Where applicable, explain facts related to any partial or completely terminated project and disclose any projects with an assessment of liquidated damages for failure in meeting the contractually required completion date. The Government reserves the right to verify previous performance by reviewing the Corps of Engineers Construction Contractor or Architect-Engineers-Appraisal Support System (CCASS/ACASS), or to interview owners or references.
- c. For the above projects, identify the Designer of Record, the Project Architect, Civil Engineer, Mechanical Engineer, Electrical Engineer, Project Manager, (on-site vs. corporate level) On-Site (field) Construction Superintendent, and the Engineer or Manager responsible for on-site quality control.

#### 4.2. QUALIFICATIONS OF THE PROJECT TEAM

This factor consists of the Offeror's Design-Build Organization, specific personnel, specialized experience, and quality control. Organize the submitted material sequentially under tabs, to facilitate evaluation. The offeror will submit this information in the form of a narrative and an organization chart.

4.2.1. NARRATIVES - Identify and describe your proposed organization to manage and execute the design and the construction, training, and warranty support.

a. Construction Organization: This project is a high end conferencing and educational facility as described in the statement of work. The offeror will provide its qualifications to construct such a facility through specific examples of previous satisfactorily completed work and organizational structure. The discussion will address the process of customer input during the design phase. The narrative will state why your construction firm is uniquely qualified to undertake this project.

b. Design Organization: This project is a high-end conferencing and educational facility as described in the statement of work. The offeror will provide its qualifications to design such a facility through specific examples of previous satisfactorily completed work. The discussion will illustrate experience with National Capital Planning Commission and the Commission of Fine Arts. The narrative will state why your design firm is uniquely qualified to undertake this project.

c. Onsite Design-Construct Management Team: Describe the onsite design-construct management team's responsibilities and staff organization. The description of the personnel will describe the duties of each staff member.

d. Project Team Organization: Describe in narrative form, how the project team will be structured. Describe the principal firms involved and their responsibilities. Identify the design-build team contractual members and personnel. The personnel shall include the Project Architect, Civil Engineer, Mechanical Engineer, Electrical Engineer, Design Project Manager, Construction Project Manager. The offeror shall submit an "Availability of Key Personnel" statement that indicates each individual's current assignment and the offeror's plan to ensure that the named personnel will be used on this project. The qualifications of the personnel will be provided on the attached "Personnel" sheet. Identify the construction portion the offeror intends to self perform and the items customarily subcontracted. Similarly, the offeror will identify the areas they intend to design through consultants and their experience.

e. Quality Management Control System: The offeror will describe how they intend to manage quality through the design development and construction of the project. Discuss quality management methods proposed throughout the design and construction process.

4.2.2. ORGANIZATION CHART: The proposed organizational chart should identify the members or entities of the organization and show the lines of authority and communication of all members of the design and construction entities.

## 5.0. PHASE I, EVALUATION CRITERIA

**All the Evaluation Factors listed are of equal importance.**

### 5.1. PAST EXPERIENCE AND PERFORMANCE OF THE OFFEROR'S TEAM

The offeror will demonstrate the past performance and specialized experience of the team (firm-level data) to complete a design/build contract. This section may be in any format.

Construction Team Past Performance Evaluation: Favorable consideration will be given for projects that are relevant in terms of cost, scope or complexity and demonstrate a performance level above satisfactory. Favorable consideration will be given for previous Government and/or Corps of Engineers work with a performance level above satisfactory.

Design Team Past Performance Evaluation: Favorable consideration will be given for projects that are relevant in terms of cost, scope or complexity and demonstrate a performance level above satisfactory. Favorable consideration will be given for previous Government and/or Corps of Engineers work with a performance level above satisfactory. Favorable consideration will be given for experience with NCPC and/or CFA

Design Build Team Past Performance Evaluation: Favorable consideration will be given for projects that are relevant in terms of cost, scope or complexity and a familiarity with design-build processes and demonstrate a performance level above satisfactory. Favorable consideration will be given for previous Government and/or Corps of Engineers work with a performance level above satisfactory.

An offeror, either the construction contractor or the designer, with no past performance relevant to specific major features of this solicitation must so state. The offeror, in this case, will be scored neutral for this Factor.

## 5.2. QUALIFICATIONS OF THE PROJECT TEAM

The offeror will demonstrate the capacity to perform and have technical competence in the construction of projects similar to this project in terms of cost, scope or complexity.

The offeror will demonstrate the capacity to perform and have technical competence in the design of projects similar to this project in terms of cost, scope or complexity.

Favorable consideration will be given to offerors who show an extensive design and/or construction capability in high-end conferencing and educational centers. Additional consideration will be given for design-build teams who as a previous design-build team show an extensive design and/or construction capability of projects similar to this project in terms of cost, scope or complexity.

Favorable consideration will be given to design-build teams with successful NCPC and/or CFA approvals without extensive resubmittals.

Favorable consideration will be given for project committed team personnel who have completed similar projects at a level higher than satisfactory.

Favorable consideration will be given in Quality Control for the thoroughness of the Quality Management Plan for both the design and construction processes and products.

Favorable consideration will be given for Organization Charts that demonstrate a team approach to the design and construction.



**PRIME CONTRACTOR EXPERIENCE**

Company Name\_\_\_\_\_

Name of Project/Location\_\_\_\_\_

General Scope of Project and Relevance to this Project\_\_\_\_\_

Owner of the Project\_\_\_\_\_

(Note: If Government Contract, give Contract No. and Contracting Office)

Owner's P.O.C. to include Name, Address and Phone\_\_\_\_\_

(Note: If Government Contract, give name of Contracting Officer)

Role (prime, joint venture, subcontractor) and work your company self-performed on this contract, and number of years in this role\_\_\_\_\_

Construction Contract Completion Date\_\_\_\_\_

Construction Contract Value at Award\_\_\_\_\_

Construction Contract Value at Completion\_\_\_\_\_

Extent and type of work you subcontracted out by Percentage\_\_\_\_\_

Original Contract Duration\_\_\_\_\_

Final Contract Duration\_\_\_\_\_

Customer Satisfaction: (Attach awards, letters of appreciation or other honoraria if received)\_\_\_\_\_

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Lost time Accidents and Safety Rating\_\_\_\_\_

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Success in Commissioning Electrical, Mechanical and LAN Systems\_\_\_\_\_

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Overall Rating for Quality Control and Timeliness of Completion\_\_\_\_\_

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**PAST PERFORMANCE QUESTIONNAIRE  
FOR  
SOLICITATION DACA31-03-R-0030**

The offeror listed is being considered in a Source Selection by the U.S. Army Corps of Engineers, Baltimore District. This is a request for Past Performance information on a project the offeror has identified as being relevant to this solicitation. This information will be used in the evaluation of the offeror's performance of that project. The following information, once submitted, will be treated as confidential and will not be released. This information will only be used to evaluate this offeror for this solicitation. If the relevant project was a Corps of Engineers or U.S. Navy project, submit the SF1420 Evaluation in lieu of this form.

Information may be typed or legibly handwritten in ink.

Please include evaluation of the performance of the contract based solely on which they are liable. Please do not let factors beyond the control of the contractor that resulted in performance delays or other problems bias this evaluation of their performance.

**Past Project Information:**

Contractor:
Project Title and Location:

**Evaluator:**

Owner's Name: _____
Name: _____ Date: _____
Phone No: _____ Fax No. _____
Address: _____
Position held of function in relation to project: _____
Signature of Evaluator: _____

The following is a definition of the rating system used:

**Exceptional:** Performance meets contractual requirements and exceeds many to the Government's benefit. The contractual performance of the element or sub-element being assessed was accomplished with few minor problems for which corrective actions taken by the contractor were highly effective.

**Very Good:** Performance meets contractual requirements and exceeds some to the Government's benefit. The contractual performance of the element or sub-element being assessed was accomplished with some minor problems for which corrective actions taken by the contractor were effective.

**Satisfactory:** Performance meets contractual requirements. The contractual performance of the element or sub-element contains some minor problems for which corrective actions taken by the contractor appear or were satisfactory.

**Marginal:** Performance does not meet some contractual requirements. The contractual performance of the element or sub-element being assessed reflects a serious problem for which the contractor has not yet identified correction actions. The contractor's proposed actions appear only marginally effective or were not fully implemented.

**Unsatisfactory:** Performance does not meet most contractual requirements and recovery is not likely in a timely manner. The contractual performance of the element or sub-element contains serious problem(s) for which the contractor's corrective actions appear or were effective.

Ratings: In completing this questionnaire, please circle a letter corresponding to your rating, or NA if you are unable to provide an evaluation for any area:

E = Exceptional, VG = Very Good, S = Satisfactory, M = Marginal, U = Unsatisfactory

Please provide clear and concise narrative explanations (both positive and negative) for your answers. This is especially important for any rating above or below satisfactory.

Please rate and provide any supporting information for the following: (Use additional sheets as needed)

<p>1. The contractor's overall corporate management, integrity, reasonableness and cooperative conduct.</p> <p>Rating: E __, VG __, S __, M __, U __, N/A __</p> <p>Comments:</p>
<p>2. The relationship between contractor and owner's team.</p> <p>Rating: E __, VG __, S __, M __, U __, N/A __</p> <p>Comments:</p>
<p>3. The contractor's on-site management and coordination of subcontractors.</p> <p>Rating: E __, VG __, S __, M __, U __, N/A __</p> <p>Comments:</p>

<p>4. The contractor's quality control (CQC) system.</p> <p>Rating: E ____, VG ____, S ____, M ____, U ____, N/A ____ Comments:</p>
<p>5. The contractor's performance on delivery of quality work.</p> <p>Rating: E ____, VG ____, S ____, M ____, U ____, N/A ____ Comments:</p>
<p>6. The contractor's ability to meet the performance schedule.</p> <p>Rating: E ____, VG ____, S ____, M ____, U ____, N/A ____ Comments:</p>
<p>7. What did the contractor do to improve schedule problems – if applicable</p> <p>Rating: E ____, VG ____, S ____, M ____, U ____, N/A ____ Comments:</p>
<p>8. The contractor's ability to provide the required work at a reasonable total price.</p> <p>Rating: E ____, VG ____, S ____, M ____, U ____, N/A ____ Comments:</p>
<p>9. The contractor's compliance with labor standards – if applicable.</p> <p>Rating: E ____, VG ____, S ____, M ____, U ____, N/A ____ Comments:</p>

10. The contractor's compliance with safety standards and/or number of incidents.

Rating: E \_\_\_\_, VG \_\_\_\_, S \_\_\_\_, M \_\_\_\_, U \_\_\_\_, N/A \_\_\_\_

Comments:

11. Did the contractor receive any of the following: Cure Notices; Show Cause; Letters of Reprimand; Suspension of Payments; or Termination? If Yes, please explain.

12. Would you award another contract to this contractor? In no, please state reasons for not recommending this contractor for additional work.

13. Customer satisfaction with end product.

14. Has the contractor been provide an opportunity to discuss any negative performance ratings? If so, what are the results?

15. OVERALL RATING:

Rating: E \_\_\_\_, VG \_\_\_\_, S \_\_\_\_, M \_\_\_\_, U \_\_\_\_, N/A \_\_\_\_

Comments:

Any Additional Comments:

## Section 00100 - Bidding Schedule/Instructions to Bidders

## CLAUSES INCORPORATED BY FULL TEXT

## 52.204-6 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (JUN 99)

(a) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "DUNS" followed by the DUNS number that identifies the offeror's name and address exactly as stated in the offer.

(b) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one. A DUNS number will be provided immediately by telephone at no charge to the offeror. For information on obtaining a DUNS number, the offeror, if located within the United States, should call Dun and Bradstreet at 1-800-333-0505. The offeror should be prepared to provide the following information:

- (1) Company name.
- (2) Company address.
- (3) Company telephone number.
- (4) Line of business.
- (5) Chief executive officer/key manager.
- (6) Date the company was started.
- (7) Number of people employed by the company.
- (8) Company affiliation.

(c) Offerors located outside the United States may obtain the location and phone number of the local Dun and Bradstreet Information Services office from the Internet Home Page at <http://www.customerservice@dnb.com>. If an offeror is unable to locate a local service center, it may send an e-mail to Dun and Bradstreet at [globalinfo@mail.dnb.com](mailto:globalinfo@mail.dnb.com).

(End of provision)

## 52.216-1 TYPE OF CONTRACT (APR 1984)

The Government contemplates award of a Firm-Fixed-Price Design Build contract resulting from this solicitation.

(End of clause)

## 52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions 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. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its

quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

<http://farsite.hill.af.mil/>

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

<http://www.dtic.mil/dfars>

or by contacting Terri Quick by email at [theresa.s.quick@nab02.usace.army.mil](mailto:theresa.s.quick@nab02.usace.army.mil)

(End of provision

#### 252.204-7004 REQUIRED CENTRAL CONTRACTOR REGISTRATION (NOV 2001)

(a) Definitions.

As used in this clause--

(1) Central Contractor Registration (CCR) database means the primary DoD repository for contractor information required for the conduct of business with DoD.

(2) Data Universal Numbering System (DUNS) number means the 9-digit number assigned by Dun and Bradstreet Information Services to identify unique business entities.

(3) Data Universal Numbering System +4 (DUNS+4) number means the DUNS number assigned by Dun and Bradstreet plus a 4-digit suffix that may be assigned by a parent (controlling) business concern. This 4-digit suffix may be assigned at the discretion of the parent business concern for such purposes as identifying subunits or affiliates of the parent business concern.

(4) Registered in the CCR database means that all mandatory information, including the DUNS number or the DUNS+4 number, if applicable, and the corresponding Commercial and Government Entity (CAGE) code, is in the CCR database; the DUNS number and the CAGE code have been validated; and all edits have been successfully completed.

(b)(1) By submission of an offer, the offeror acknowledges the requirement that a prospective awardee must be registered in the CCR database prior to award, during performance, and through final payment of any contract resulting from this solicitation, except for awards to foreign vendors for work to be performed outside the United States.

(2) The offeror shall provide its DUNS or, if applicable, its DUNS+4 number with its offer, which will be used by the Contracting Officer to verify that the offeror is registered in the CCR database.

(3) Lack of registration in the CCR database will make an offeror ineligible for award.

(4) DoD has established a goal of registering an applicant in the CCR database within 48 hours after receipt of a complete and accurate application via the Internet. However, registration of an applicant submitting an application through a method other than the Internet may take up to 30 days. Therefore, offerors that are not registered should consider applying for registration immediately upon receipt of this solicitation.

(c) The Contractor is responsible for the accuracy and completeness of the data within the CCR, and for any liability resulting from the Government's reliance on inaccurate or incomplete data. To remain registered in the CCR database after the initial registration, the Contractor is required to confirm on an annual basis that its information in the CCR database is accurate and complete.

(d) Offerors and contractors may obtain information on registration and annual confirmation requirements by calling 1-888-227-2423, or via the Internet at <http://www.ccr.gov>.

(End of clause)

#### INFORMATIONAL TEXT - 00100

#### EVIDENCE OF AUTHORITY TO SIGN PROPOSALS

Evidence of the authority of individuals signing proposals to submit firm proposals on behalf of the offeror is required except where the offer is signed, and shows that it is so signed, by: The President, Vice-President, or Secretary of Incorporated bidders; a partner in case of partnership; the owner in the case of sole proprietorships. Failure to submit with the bid satisfactory evidence of authority of all other persons may be cause for rejection of bid as an invalid or non-responsive bid.

End of Text  
(CENAB-OC APR 1984)  
(FAR 4.102)  
(was 52.204-4008)

#### INQUIRIES

Prospective bidders may submit inquiries relating to the solicitation by writing:

The Baltimore District Corps of Engineers  
Contracting Division  
ATTN: Contracts Branch (T. Quick)  
P. O. Box 1715  
Baltimore, Maryland 21203-1715

(giving project name, location and project number), or by calling the following numbers (COLLECT CALLS WILL NOT BE ACCEPTED).

Procurement of Plans, Specifications and Prospective Bidders Lists is performed through ASFI. Contractors are to first attempt to obtain the documents through the Baltimore District Electronic Bid Set Web Page <https://ebs.nab.usace.army.mil>. If contractors experience technical problems with the web page the can call: (Bidders Lists will not be read over the phone) 410-962-2708

Technical Questions relating to Plans and Specifications: MUST BE IN WRITING. Refer to Paragraph entitled, Explanation to Prospective Bidders. Facsimile (FAX) questions may be transmitted using the following number: 410-962-2776

Bid Results or Copy of Abstract of Bids is performed through the EBS web page. Contractors are to first attempt to obtain the documents through the Baltimore District Electronic Bid Set Web Page <https://ebs.nab.usace.army.mil>. If contractors experience technical problems with the web page the can call: (Bids of Apparent three (3) low bidders only will be given) 410-962-2708

End of Text

(was 52.214-4012)

## DELIVERY OF PROPOSALS

Proposals may be delivered in person to:

U.S. Army Corps of Engineers - Baltimore District  
Contracting Division, ATTN: CENAB-CT-C (T. Quick)  
Room 7000  
10 South Howard Street  
Baltimore, Maryland 21201

End of Text  
(CENAB-CT JUL 1993)  
(FAR 14.302)  
(was 52.214-4024)

## COMPETITIVE RANGE DETERMINATION

The Contracting Officer shall establish a competitive range comprised of the most highly rated proposals, unless the range is further reduced for purposes of efficiency. After evaluating all proposals, the contracting officer may determine that the number of the most highly rated proposals, which might otherwise be included in the competitive range, exceeds the number at which an efficient competition can be conducted.

End of Text  
(CENAB-CT – MAY 00)  
(FAR 15.306)  
(was 52.215-4051)

## DISCUSSIONS

Any oral or written communication between the Government and an offeror, (Other than communications conducted for the purpose of minor clarification) whether or not initiated by the Government, that (a) involves information essential for determining the acceptability of a proposal, or (b) provides the offeror an opportunity to revise or modify its proposal will be considered discussions. Such inquiries and resulting clarification, furnished by the offeror, shall be considered part of its proposal.

End of Text  
(CENAB-CT FEB 93)  
(FAR 15.601)  
(was 52.215-4060)

## SERVICE OF PROTEST

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

(For hand delivered protests) –  
U.S. Army Engineer District, Baltimore

ATTN: District Counsel/CENAB-OC  
Room 6420, City Crescent Building  
10 South Howard Street  
Baltimore, Maryland 21201

(For mailed protests) –  
U.S. Army Engineer District, Baltimore  
ATTN: CENAB-OC  
P.O. Box 1715  
Baltimore, Maryland 21203-1715

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

End of Text  
(CENAB-CT APR 97)  
(FAR 52.233-2)  
(was 52.233-4041)

MAGNITUDE OF CONSTRUCTION PROJECT

The estimated value of the proposed work is between \$25,000,000.00 and \$100,000,000.00.

End of Text  
(CENAB-CT MAY 1992)  
(FAR 36.204)  
(was 52.236-4030)



DEPARTMENT OF THE ARMY  
BALTIMORE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1715  
BALTIMORE, MARYLAND 21203-1715

CENAB-CT

June 5, 2002

MEMORANDUM FOR ALL CONTRACTORS

SUBJECT: Central Contractor Registration (CCR)

1. Reference memorandum, CEDB, dated June 26, 1997, subject: Central Contractor Registration.
2. The purpose of this memorandum is to advise all contractors that your company must be registered in the CCR or you will not be awarded a Federal contract.
3. The Debt Collection Improvement Act of 1996, requires Federal agencies to have the Taxpayer Identification Number (TIN) for every contractor and to pay every contractor through electronic funds transfer. The CCR registration was also created to be the single source of contractor data for the entire DoD, to avoid administrative duplication and allow contractors to take responsibility for the accuracy of their own business information supplying it through a single registration.
4. CCR allows Federal Government contractors to provide basic information, capabilities, and financial information one time to the government. This requirement applies to all solicitations and awards. The only exemptions will be for purchases made with the Government wide commercial purchase card, contracting offices located outside the U.S., classified contracts, and contracts executed to support contingency or emergency operations.
5. The Department of Defense (DoD) has implemented the capability for contractors to register in the CCR through the World Wide Web. For information regarding CCR registration, the CCR Web site may be accessed at <http://www.ccr.gov/index.cfm>. Other information regarding registration can be obtained through CCR Assistance Center (CCRAC) at 1-888-227-2423. A paper form for registration may be obtained from the DoD Electronic Commerce Information Center at 1-800-334-3414. (Note: Companies that do not wish to conduct electronic commerce with the Federal Government at this time can reduce the amount of information they must provide by answering "no" to the question "Are you Electronic Data Interchange capable?")
6. Effective immediately, the use of DUNS+4 numbers to identify vendors is limited to identifying different CCR records for the same vendor at the same physical location. For example a vendor could have two records for themselves at the same physical location to identify two separate bank accounts.
  - Vendors wishing to register their subsidiaries and other entities, should ensure that each additional location obtains a separate DUNS number from Dun & Bradstreet. Dun & Bradstreet can be contacted at 1-800-333-0505.
  - Vendors that are currently registered in CCR using a DUNS+4 number for reasons other than mentioned above will be contacted by a CCR Team designated to assist in the change. Until at time, all registrations using the DUNS+4 are considered active and complete. The DUNS+4 vendors require no action until they receive instruction from the designated CCR Team.
7. This memorandum supersedes CENAB-CT memorandum, dated 1 January 2002, Subject: Central Contractor Registration (CCR).

*James J. Rich*  
JAMES J. RICH, PhD.  
Chief, Contracting Division

## Section 00600 - Representations &amp; Certifications

## CLAUSES INCORPORATED BY FULL TEXT

## 52.203-11 CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (APR 1991)

(a) The definitions and prohibitions contained in the clause, at FAR 52.203-12, Limitation on Payments to Influence Certain Federal Transactions, included in this solicitation, are hereby incorporated by reference in paragraph (b) of this Certification.

(b) The offeror, by signing its offer, hereby certifies to the best of his or her knowledge and belief that on or after December 23, 1989,--

(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement;

(2) If any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) have been paid, or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with this solicitation, the offeror shall complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities, to the Contracting Officer; and

(3) He or she will include the language of this certification in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.

(c) Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Code. Any person who makes an expenditure prohibited under this provision, shall be subject to a civil penalty of not less than \$10,000, and not more than \$100,000, for each such failure.

(End of provision)

## 52.204-3 TAXPAYER IDENTIFICATION (OCT 1998)

(a) Definitions.

“Common parent,” as used in this provision, means that corporate entity that owns or controls an affiliated group of corporations that files its Federal income tax returns on a consolidated basis, and of which the offeror is a member.

“Taxpayer Identification Number (TIN),” as used in this provision, means the number required by the Internal Revenue Service (IRS) to be used by the offeror in reporting income tax and other returns. The TIN may be either a Social Security Number or an Employer Identification Number.

(b) All offerors must submit the information required in paragraphs (d) through (f) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the IRS. If the resulting contract is subject to the payment reporting requirements described in Federal Acquisition Regulation (FAR) 4.904, the failure or refusal by the

offeror to furnish the information may result in a 31 percent reduction of payments otherwise due under the contract.

(c) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(d) Taxpayer Identification Number (TIN).

TIN: \_\_\_\_\_

TIN has been applied for.

TIN is not required because:

Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;

Offeror is an agency or instrumentality of a foreign government;

Offeror is an agency or instrumentality of the Federal Government.

(e) Type of organization.

Sole proprietorship;

Partnership;

Corporate entity (not tax-exempt);

Corporate entity (tax-exempt);

Government entity (Federal, State, or local);

Foreign government;

International organization per 26 CFR 1.6049-4;

Other \_\_\_\_\_

(f) Common parent.

Offeror is not owned or controlled by a common parent as defined in paragraph (a) of this provision.

Name and TIN of common parent:

Name \_\_\_\_\_

TIN \_\_\_\_\_

(End of provision)

## 52.204-5 WOMEN-OWNED BUSINESS (OTHER THAN SMALL BUSINESS) (MAY 1999)

(a) Definition. Women-owned business concern, as used in this provision, means a concern that is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of its stock is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

(b) Representation. [Complete only if the offeror is a women-owned business concern and has not represented itself as a small business concern in paragraph (b)(1) of FAR 52.219-1, Small Business Program Representations, of this solicitation.] The offeror represents that it ( ) is a women-owned business concern.

(End of provision)

## 52.209-5 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT, AND OTHER RESPONSIBILITY MATTERS (DEC 2001)

(a)(1) The Offeror certifies, to the best of its knowledge and belief, that--

(i) The Offeror and/or any of its Principals--

(A) Are ( ) are not ( ) presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) Have ( ) have not ( ), within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(C) Are ( ) are not ( ) presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in subdivision (a)(1)(i)(B) of this provision.

(ii) The Offeror has ( ) has not ( ), within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

(2) "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

THIS CERTIFICATION CONCERNS A MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES AND THE MAKING OF A FALSE, FICTITIOUS, OR FRAUDULENT CERTIFICATION MAY RENDER THE MAKER SUBJECT TO PROSECUTION UNDER SECTION 1001, TITLE 18, UNITED STATES CODE.

(b) The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(c) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a

determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Offeror nonresponsible.

(d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

(End of provision)

#### 52.219-1 SMALL BUSINESS PROGRAM REPRESENTATIONS (APR 2002)

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is ( ) (insert NAICS code).

(2) The small business size standard is ( ) (insert size standard).

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b) Representations. (1) The offeror represents as part of its offer that it ( ) is, ( ) is not a small business concern.

(2) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents, for general statistical purposes, that it ( ) is, ( ) is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a women-owned small business concern.

(4) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a veteran-owned small business concern.

(5) (Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(4) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a service-disabled veteran-owned small business concern.

(6) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents, as part of its offer, that--

(i) It ( ) is, ( ) is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126; and

(ii) It ( ) is, ( ) is not a joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (b)(6)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. (The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: \_\_\_\_\_.) Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

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

Service-disabled veteran-owned small business concern--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern," means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

Veteran-owned small business concern means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned small business concern," means a small business concern --

(1) That is at least 51 percent owned by one or more women; in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

(d) Notice.

(1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.

(2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, or women-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall--

(i) Be punished by imposition of fine, imprisonment, or both;

- (ii) Be subject to administrative remedies, including suspension and debarment; and
- (iii) Be ineligible for participation in programs conducted under the authority of the Act.

(End of provision)

**52.219-19 SMALL BUSINESS CONCERN REPRESENTATION FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM (OCT 2000)**

(a) Definition.

"Emerging small business" as used in this solicitation, means a small business concern whose size is no greater than 50 percent of the numerical size standard applicable to the North American Industry Classification System (NAICS) code assigned to a contracting opportunity.

(b) [Complete only if the Offeror has represented itself under the provision at 52.219-1 as a small business concern under the size standards of this solicitation.] The Offeror [ ] is, [ ] is not an emerging small business.

(c) (Complete only if the Offeror is a small business or an emerging small business, indicating its size range.)

Offeror's number of employees for the past 12 months (check this column if size standard stated in solicitation is expressed in terms of number of employees) or Offeror's average annual gross revenue for the last 3 fiscal years (check this column if size standard stated in solicitation is expressed in terms of annual receipts). (Check one of the following.)

No. of Employees	Avg. Annual Gross Revenues
<input type="checkbox"/> 50 or fewer	<input type="checkbox"/> \$1 million or less
<input type="checkbox"/> 51 - 100	<input type="checkbox"/> \$1,000,001 - \$2 million
<input type="checkbox"/> 101 - 250	<input type="checkbox"/> \$2,000,001 - \$3.5 million
<input type="checkbox"/> 251 - 500	<input type="checkbox"/> \$3,500,001 - \$5 million
<input type="checkbox"/> 501 - 750	<input type="checkbox"/> \$5,000,001 - \$10 million
<input type="checkbox"/> 751 - 1,000	<input type="checkbox"/> \$10,000,001 - \$17 million
<input type="checkbox"/> Over 1,000	<input type="checkbox"/> Over \$17 million

(End of provision)

**52.219-21 SMALL BUSINESS SIZE REPRESENTATION FOR TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM (MAY 1999)**

(Complete only if the Offeror has represented itself under the provision at 52.219-1 as a small business concern under the size standards of this solicitation.)

Offeror's number of employees for the past 12 months (check this column if size standard stated in solicitation is expressed in terms of number of employees) or Offeror's average annual gross revenue for the last 3 fiscal years (check this column if size standard stated in solicitation is expressed in terms of annual receipts). (Check one of the

following.)

No. of Employees    Avg. Annual Gross Revenues

- \_\_\_ 50 or fewer    \_\_\_ \$1 million or less
- \_\_\_ 51 - 100       \_\_\_ \$1,000,001 - \$2 million
- \_\_\_ 101 - 250      \_\_\_ \$2,000,001 - \$3.5 million
- \_\_\_ 251 - 500      \_\_\_ \$3,500,001 - \$5 million
- \_\_\_ 501 - 750      \_\_\_ \$5,000,001 - \$10 million
- \_\_\_ 751 - 1,000    \_\_\_ \$10,000,001 - \$17 million
- \_\_\_ 17 million

(End of provision)

52.219-22    SMALL DISADVANTAGED BUSINESS STATUS (OCT 1999)

(a) General. This provision is used to assess an offeror's small disadvantaged business status for the purpose of obtaining a benefit on this solicitation. Status as a small business and status as a small disadvantaged business for general statistical purposes is covered by the provision at FAR 52.219-1, Small Business Program Representation.

(b) Representations.

(1) General. The offeror represents, as part of its offer, that it is a small business under the size standard applicable to this acquisition; and either--

\_\_\_ (i) It has received certification by the Small Business Administration as a small disadvantaged business concern consistent with 13 CFR 124, Subpart B; and

(A) No material change in disadvantaged ownership and control has occurred since its certification;

(B) Where the concern is owned by one or more disadvantaged individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(C) It is identified, on the date of this representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration(PRO0Net); or

\_\_\_ (ii) It has submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(2)\_\_\_ For Joint Ventures. The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements at 13 CFR 124.1002(f) and that the representation in paragraph (b)(1) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. [The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: \_\_\_\_\_.]

(c) Penalties and Remedies. Anyone who misrepresents any aspects of the disadvantaged status of a concern for the purposes of securing a contract or subcontract shall:

- (1) Be punished by imposition of a fine, imprisonment, or both;
- (2) Be subject to administrative remedies, including suspension and debarment; and
- (3) Be ineligible for participation in programs conducted under the authority of the Small Business Act.

(End of provision)

#### 52.222-22 PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FEB 1999)

The offeror represents that --

- (a) ( ) It has, ( ) has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation;
- (b) ( ) It has, ( ) has not, filed all required compliance reports; and
- (c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

(End of provision)

#### 252.204-7001 COMMERCIAL AND GOVERNMENT ENTITY (CAGE) CODE REPORTING (AUG 1999)

- (a) The offeror is requested to enter its CAGE code on its offer in the block with its name and address. The CAGE code entered must be for that name and address. Enter "CAGE" before the number.
- (b) If the offeror does not have a CAGE code, it may ask the Contracting Officer to request one from the Defense Logistics Information Service (DLIS). The Contracting Officer will--
  - (1) Ask the Contractor to complete section B of a DD Form 2051, Request for Assignment of a Commercial and Government Entity (CAGE) Code;
  - (2) Complete section A and forward the form to DLIS; and
  - (3) Notify the Contractor of its assigned CAGE code.
- (c) Do not delay submission of the offer pending receipt of a CAGE code.

(End of provision)

#### 252.209-7001 DISCLOSURE OF OWNERSHIP OR CONTROL BY THE GOVERNMENT OF A TERRORIST COUNTRY (MAR 1998)

- (a) "Definitions."

As used in this provision --

(a) "Government of a terrorist country" includes the state and the government of a terrorist country, as well as any political subdivision, agency, or instrumentality thereof.

(2) "Terrorist country" means a country determined by the Secretary of State, under section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(i)(A)), to be a country the government of which has repeatedly provided support for such acts of international terrorism. As of the date of this provision, terrorist countries include: Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria.

(3) "Significant interest" means --

(i) Ownership of or beneficial interest in 5 percent or more of the firm's or subsidiary's securities. Beneficial interest includes holding 5 percent or more of any class of the firm's securities in "nominee shares," "street names," or some other method of holding securities that does not disclose the beneficial owner;

(ii) Holding a management position in the firm, such as a director or officer;

(iii) Ability to control or influence the election, appointment, or tenure of directors or officers in the firm;

(iv) Ownership of 10 percent or more of the assets of a firm such as equipment, buildings, real estate, or other tangible assets of the firm; or

(v) Holding 50 percent or more of the indebtedness of a firm.

(b) "Prohibition on award."

In accordance with 10 U.S.C. 2327, no contract may be awarded to a firm or a subsidiary of a firm if the government of a terrorist country has a significant interest in the firm or subsidiary or, in the case of a subsidiary, the firm that owns the subsidiary, unless a waiver is granted by the Secretary of Defense.

(c) "Disclosure."

If the government of a terrorist country has a significant interest in the Offeror or a subsidiary of the Offeror, the Offeror shall disclose such interest in an attachment to its offer. If the Offeror is a subsidiary, it shall also disclose any significant interest the government of a terrorist country has in any firm that owns or controls the subsidiary. The disclosure shall include --

(1) Identification of each government holding a significant interest; and

(2) A description of the significant interest held by each government.

(End of provision)

#### 252.209-7002 DISCLOSURE OF OWNERSHIP OR CONTROL BY A FOREIGN GOVERNMENT (SEP 1994)

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

(1) "Entity controlled by a foreign government" means--

(i) Any domestic or foreign organization or corporation that is effectively owned or controlled by a foreign government; or

(ii) Any individual acting on behalf of a foreign government.

(2) "Effectively owned or controlled" means that a foreign government or any entity controlled by a foreign government has the power, either directly or indirectly, whether exercised or exercisable, to control or influence the election or appointment of the Offeror's officers, directors, partners, regents, trustees, or a majority of the Offeror's board of directors by means, e.g., ownership, contract, or operation of law.

(3) "Foreign government" means any governing body organized and existing under the laws of any country other than the United States and its possessions and trust territories and any agent or instrumentality of that government.

(4) "Proscribed information" means--

(i) Top Secret information;

(ii) Communications Security (COMSEC) information, except classified keys used to operate secure telephone unites (STU IIIs);

(iii) Restricted Data as defined in the U.S. Atomic Energy Act of 1954, as amended;

(iv) Special Access Program (SAP) information; or

(v) Sensitive Compartmental Information (SCI).

(b) Prohibition on award. No contract under a national security program may be awarded to a company owned by an entity controlled by a foreign government if that company requires access to proscribed information to perform the contract, unless the Secretary of Defense or designee has waived application of 10 U.S.C.2536(a).

(c) Disclosure.

The Offeror shall disclose any interest a foreign government has in the Offeror when that interest constitutes control by a foreign government as defined in this provision. If the Offeror is a subsidiary, it shall also disclose any reportable interest a foreign government has in any entity that owns or controls the subsidiary, including reportable interest concerning the Offeror's immediate parent, intermediate parents, and the ultimate parent. Use separate paper as needed, and provide the information in the following format:

Offeror's Point of Contact for Questions about Disclosure

(Name and Phone Number with Country Code, City Code and Area Code, as applicable)

Name and Address of Offeror

Name and Address of Entity

Description of Interest, Controlled by a Foreign  
Ownership Percentage, and

Government Identification of Foreign Government

(End of provision)

INFORMATION TEXT - 00600

STANDARD FORM LLL, DISCLOSURE OF LOBBYING ACTIVITIES LOCATION

The Standard Form LLL "Disclosure of Lobbying Activities" and Instructions for Completion of SF LLL, Disclosure of Lobbying Activities is located behind Section 00600.

End of Text  
(CENAB-CT/APR 97)  
(FAR 3)

(was 52.203-4153)

CERTIFICATE OF CORPORATE AUTHORITY

(This Certificate shall be submitted as part of the bid/proposal or signed contract if the bidder/offeror is a corporation.)

CERTIFICATE

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the corporation named as offeror therein, that \_\_\_\_\_, who signed this proposal on behalf of the offeror, was then \_\_\_\_\_ of said corporation; that said proposal was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

By: \_\_\_\_\_ (Corporate Seal)  
(Signature)

\_\_\_\_\_  
(Typed Name of Corporation)

NOTE: A CORPORATE OFFICER OTHER THAN THE OFFICER SIGNING THE BID/PROPOSAL MUST FILL OUT AND SIGN THIS FORM.

End of Text  
(was 52.204-4005)

DIRECT DEPOSIT AUTHORIZATION FORM – EROC (2) E1

I hereby authorized U.S. Army Corps of Engineers, hereinafter called USACE, to initiate direct deposit credit entries to my (our) account indicated below and the financial institution name below, hereinafter called DEPOSITORY, to credit the same to such account. This authority is to remain in full force and effect until USACE has received written notification from me (or either of us) of its termination in such time and in such manner as to afford USACE and DEPOSITORY a reasonable opportunity to act on it.

(1) ( ) ADD – Deposit my payment to the account shown ( ) CHANGE financial information ( ) Cancel my participation in EFT

Name of Company or Individual (EXACTLY AS SHOWN ON CONTRACT OR BILLING INVOICED—DO NOT USE COMMAS OR PERIODS.

(3) [Empty box for Name of Company or Individual]

Address (ACTUAL PHYSICAL LOCATION) Post Office Box Number (If any)

(4) [Empty box for Address] (6a) [Empty boxes for Post Office Box Number]

City State 9-Digit Zip Code

(5) [Empty boxes for City, State, and Zip Code]

Mailing Address, if Different than 4

(6b) [Empty box for Mailing Address]

Daytime Phone: Area Code + Number Contract Number (Optional—if more than one, please list on a separate sheet of paper & attach to form)

(7) [Empty boxes for Daytime Phone and Contract Number]

PLEASE ASK YOUR FINANCIAL INSTITUTION FOR YOUR EXACT DEPOSITOR ACCOUNT NUMBER AND FINANCIAL INSTITUTION ROUTING NUMBER (Some Banks Require Dashes or Other Symbols in Their Account Numbers)

TYPE OF DEPOSITOR ACCOUNT (Mark One) [ ] (8) Checking [ ] (9) Savings

DEPOSITOR ACCOUNT NUMBER (10) [Empty boxes for Depositor Account Number]

Name of Financial Institution

(11) [Empty box for Name of Financial Institution]

Address of Bank (Actual Physical Location) Post Office Box Number

(12) [Empty box for Address of Bank] [Empty boxes for Post Office Box Number]

City State 9-Digit Zip Code

(13) [Empty boxes for City, State, and Zip Code]

The Financial Institution Routing Number is Nine Numeric Digits Long and Contains No Dashes

BANK ROUTING NUMBER (14) [Empty boxes for Bank Routing Number]

Depositor Account Title (15) [Empty box for Depositor Account Title]

Contractor Tax Identification Number for Businesses (16) Employee Social Security Number [Empty boxes for Contractor Tax ID and SSN]

SIGNATURE: (17) \_\_\_\_\_ DATE: (18) \_\_\_\_/\_\_\_\_/\_\_\_\_

**EFT IS HERE!!!**  
**NOTICE TO ALL VENDORS AND TRAVELERS**

Electronic Funds Transfer (EFT) will be available for all COE payments made by the USACE Finance Center (UFC) (effective 1 May 1999) to comply with Public Law 104-134.

If you are interested in payment via EFT, complete the form on the back of this notice to sign up for Direct Deposit and return to F&A, RMO. If you are unsure of routing or account numbers, consult with your financial institution to fill out the bottom portion of the form. Once EFT is established, instead of receiving checks, you will have payments directly deposited into your checking or savings account. Avoid mail delays sometimes encountered with Treasury Checks and a possible six weeks delay for replacement of lost checks by signing up for EFT.

MAIL COMPLETED FORM TO:

**USACE BALTIMORE DISTRICT**  
**ATTN: F&A (Jody Svehla)**  
**P.O. Box 1715**  
**Baltimore, MD 21203-1715**

**Mark the front of the envelope “Do not open in the Mailroom.”**

Listed below are the instructions for completing form UFC-DISB-4.

1. Vendors and/or travelers should indicate that this is a new Direct Deposit to be set up.
2. Indicate EROC Code for Baltimore (automatically done), E1.
3. Include the Name or Company as it appears on the invoice. If the contract was written to Bill and Betty Smith, the bill and Direct Deposit form should include both names not Bill Smith. (Travelers please print your name).
4. This address should be the physical address of the business. (Travelers this is normally your home address).
5. The city and state that match the physical address.
6. The mailing address should include any and all Remit to/payment addresses that are different from the physical address. (If more space is needed, include an attachment page with all addresses listed). This is VERY IMPORTANT since we load the routing and bank account numbers on each payment address.
7. Include daytime phone number in case there are questions concerning the completed form.
8. Check if the depositor account number furnished is a checking account.
9. Check if the depositor account number furnished is a savings account.
10. Include financial institution account number, one number in each slot. This number can be found on the front of the check.
11. Physical address of the financial institution.
12. City and state, include zip code.
13. City and state, including zip code.
14. The routing number for the financial institution. It is located on the face of the check. This is always a nine digit NUMBER. Enter one number in each space.
15. Depositor account title is the name registered with the bank on the bank account.
16. For businesses include the IRS tax ID number. For individuals, use the social security number.
17. Businesses should have a signature of an officer of the company. Individuals should sign. If the Direct Deposit form/contract is written in the name of Bill and Betty Smith, both individuals should sign.
18. Date of the authorization.

**Point of Contact for questions is Jo-Ann Evans, commercial phone, 410-962-4073.**



## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filling the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number, grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payments.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for the collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES  
CONTINUATION SHEET**

Approved by OMB  
0348-0046

Reporting Entity: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

**DISCLOSURE OF LOBBYING ACTIVITIES  
CONTINUATION SHEET**

Approved by OMB  
0348-0046

Reporting Entity: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

Section 00700 - Contract Clauses

CLAUSES INCORPORATED BY REFERENCE

52.202-1 Alt I	Definitions (Dec 2001) --Alternate I	MAY 2001
52.203-3	Gratuities	APR 1984
52.203-5	Covenant Against Contingent Fees	APR 1984
52.203-7	Anti-Kickback Procedures	JUL 1995
52.204-4	Printed or Copied Double-Sided on Recycled Paper	AUG 2000
52.219-25	Small Disadvantaged Business Participation Program-- Disadvantaged Status and Reporting	OCT 1999
52.225-13	Restrictions on Certain Foreign Purchases	JUL 2000
52.232-33	Payment by Electronic Funds Transfer--Central Contractor Registration	MAY 1999
52.253-1	Computer Generated Forms	JAN 1991
252.225-7031	Secondary Arab Boycott Of Israel	JUN 1992

CLAUSES INCORPORATED BY FULL TEXT

52.211-15 DEFENSE PRIORITY AND ALLOCATION REQUIREMENTS (SEP 1990)

This is a rated order certified for national defense use, and the Contractor shall follow all the requirements of the Defense Priorities and Allocations System regulation (15 CFR 700).

(End of clause)

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://farsite.hill.af.mil/>

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

<http://www.dtic.mil/dfars>

or by contacting Terri Quick by email at [theresa.s.quick@nab02.usace.army.mil](mailto:theresa.s.quick@nab02.usace.army.mil)

(End of clause)

INFORMATION TEXT - 00700

SECURITY LANGUAGE FOR AN UNCLASSIFIED CONTRACTS

All Contractor employees (U.S. citizens and Non- U.S. citizens) working under this contract (*to include grants, cooperative agreements and task orders*) who require access to Automated Information Systems (AIS), (stand alone

computers, network computers/systems, e-mail) shall, at a minimum, be designated into an ADP-III position (non-sensitive) in accordance with DoD 5220-22-R, Industrial Security Regulation. The investigative requirements for an ADP-III position are a favorable National Agency Check (NAC), SF-85P, Public Trust Position. The contractor shall have each applicable employee complete a SF-85P and submit to the (insert the name and address of the Division/ District) Security Officer within three (3) working days after award of any contract or task order, and shall be submitted prior to the individual being permitted access to an AIS. Contractors that have a commercial or government entity (CAGE) Code and Facility Security Clearance through the Defense Security Service shall process the NACs and forward visit requests/results of NAC to the (insert the name and address of the Division/ District) Security Officer. For those contractors that do not have a CAGE Code or Facility Security Clearance, the (insert the name and address of the Division/ District) Security Office will process the investigation in coordination with the Contractor and contract employees.

In accordance with Engineering Regulation, ER 380-1-18, Section 4, foreign nationals who work on Corps of Engineers' contracts or task orders shall be approved by the HQ, USACE Foreign Disclosure Officer or higher before beginning work on the contract/task order. This regulation includes subcontractor employees. (NOTE: exceptions to the above requirement include foreign nationals who perform janitorial and/or ground maintenance services.) The contractor shall submit to the Division/District Contract Office, the names of all foreign nationals proposed for performance under this contract/task order, along with documentation to verify that he/she was legally admitted into the United States and has authority to work and/or go to school in the US. Such documentation may include a US passport, Certificate of US citizenship (INS Form N-560 or N-561), Certificate of Naturalization (INS Form N-550 or N-570), foreign passport with I-551 stamp or attached INS Form I-94 indicating employment authorization, Alien Registration Receipt Card with photograph (INS Form I-151 or I-551), Temporary Resident Card (INS Form I-688), Employment Authorization Card (INS Form I-688A), Reentry Permit (INS Form I-327), Refugee Travel Document (INS Form I-571), Employment Authorization Document issued by the INS which contains a photograph (INS Form I-688B).

Note: Classified contracts require the issuance of a DD Form 254 (Department of Defense Contract Security Classification Specification).

(Feb 03)