

| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | 1. CONTRACT ID CODE | PAGE OF PAGES |
|--|----------------------------------|--|--|---|
| | | | J | 1 5 |
| 2. AMENDMENT/MODIFICATION NO. 0006 | 3. EFFECTIVE DATE 11-May-2004 | 4. REQUISITION/PURCHASE REQ. NO. W33SJG-1240-4385 | | 5. PROJECT NO.(If applicable) |
| 6. ISSUED BY US ARMY ENGINEER DISTRICT SAVANNAH ATTN: CT-P/EDWINA FRAYALL 100 WEST OGLETHORPE AVE SAVANNAH GA 31401-3640 | CODE ESF | 7. ADMINISTERED BY (If other than item 6) See Item 6 | | CODE |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) | | | X | 9A. AMENDMENT OF SOLICITATION NO. W912HN-04-R-0020 |
| | | | X | 9B. DATED (SEE ITEM 11) 10-Feb-2004 |
| | | | | 10A. MOD. OF CONTRACT/ORDER NO. |
| | | | | 10B. DATED (SEE ITEM 13) |
| CODE | FACILITY CODE | | | |
| 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS | | | | |
| <input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended. | | | | |
| Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <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 ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified. | | | | |
| 12. ACCOUNTING AND APPROPRIATION DATA (If required) | | | | |
| 13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14. | | | | |
| A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. | | | | |
| B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B). | | | | |
| C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: | | | | |
| D. OTHER (Specify type of modification and authority) | | | | |
| E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office. | | | | |
| 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) SEE ATTACHED | | | | |
| Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect. | | | | |
| 15A. NAME AND TITLE OF SIGNER (Type or print) | | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) | |
| | | | TEL: _____ EMAIL: _____ | |
| 15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA | | 16C. DATE SIGNED |
| _____ (Signature of person authorized to sign) | | BY _____ (Signature of Contracting Officer) | | 11-May-2004 |

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

Solicitation Number W912HN-04-R-0020, Disposal Area 13A/B Erosion Control – Savannah Harbor, is hereby amended as follows:

A. CONTRACT CHANGES:

Block 11 – The contract completion days has been revised from 180 to 420 calendar days after receiving award.

The Bid Opening Date of 13 May 2004, identified in Block 13A of Standard Form 1442, is hereby extended to 25 May 2004.

Section 00010 – Bid Schedule, has been revised as follows:

Bid Items 0002 to 0006AB have been revised and replaced by Bid Items 0002 to 0007CB

Bid Items 0007AA and 0007AB have been deleted.

Bid Items 0012 to 0013DB have been added.

Replace with the revised Section 00010.

Section 00100, Instructions, Conditions & Notice to Offerors, has been revised as follows:

Paragraph 3.4 FACTOR 4: CONSTRUCTION DURATION – 180 days has been revised to 420 days.

52.211-5000 EVALUATION OF SUBDIVIDED ITEMS – Added Items 0012 and 0013 to list of Item Nos.

52.222-23 NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY FOR CONSTRUCTION

Paragraph (5)(e) is revised to define the “covered area” as Jasper County, South Carolina.

Section 00700 – Contract Clauses

52.211-5001 VARIATIONS IN ESTIMATEED QUANTITIES, SUBDIVIDED ITEMS

First sentence – Items 0012 and 0013 have been added to Items Nos.

(b) Items 0012 and 0013 have been added to Items Nos.

(c) Items 0012 and 0013 have been added to Items Nos. and sub-item Item Nos.

52.217-7 OPTION FOR INCREASED QUANTITY –SEPARATELY PRICED LINE ITEM (MAR 1989) is hereby added and made a part hereof.

252.232-7007 LIMITATION OF GOVERNMENT’S OBLIGATION

(a) Revised 0011AB to 13DB

Section 00800 – Special Contract Requirements

52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK

First paragraph, part (c) revised 180 calendar days to 420 calendar days

52.0007-4802 PHYSICAL DATA

(3)(d) Location. Revised "Diposal" to "Disposal"

B. TECHNICAL SPECIFICATION CHANGES:

The revised sections listed below (Revised by Amendment No. 0006) are hereby added to and made a part of the solicitation. Revised or added information is underlined and deleted information is struck out. Revisions can be located in the appropriate volume of specifications by searching for an asterisk and amendment number (i.e., *1).

Revised Sections

Table of Contents

02102

02220

02221

02999

C. CONTRACT DRAWINGS:

Sheets 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 38, 39, 40, 41, 42, 43, 44, 45, and 46 with Revision 1 dated 23 April 2004 and Sheets 10A, 17A, 47, and 48 dated 23 April 2004 are hereby added to and made a part of the contract drawings. Sheet 14 is hereby deleted in its entirety.

D. CLARIFICATIONS TO CONTRACTOR PRE-BID QUESTIONS/ANSWERS:

On 11 March 2004 OP-NN and CT-P hosted a pre bid site visit / conference at the five sites identified for the Erosion Control of Disposal Areas 13A/13B Savannah Georgia and Jasper, County South Carolina. The reason for the site visit / conference was to answer questions that prospective contractors may have concerning the 13A/13B Bank Erosion Project.

1. Question: How much clearing, haul road construction, and ramp construction can the contractor do to access the project sites from the land side of the project?

Answer: The contractor may clear areas for haul roads, ramps, and stockpile areas for material and rock. The contractor may also construct haul roads, and ramps from the existing dike roads and ramps to access the project sites. After the contract has been completed, all haul roads, ramps, stockpile areas and other temporary construction areas must be restored to the pre-construction condition. Refer to Section 02221, para. 3.3.5

2. Question: Can the contractor cut into the dike?

Answer: No

3. Question: Can fabric be used under the haul roads?

Answer: Yes, at the contractors option but it is not required

4. Question: How deep are the signal wires going from underdrain station to underdrain station and do we have any drawings showing how deep they are?

Answer: Approximately 2', The contractor must locate signal wires prior to the start of construction. Any damage done to the signal wires by the contractor will be repaired by the contractor. This includes the reprogramming of the underdrain stations if affected.

5. Question: What will happen if the contractor is impacted by Homeland Security (Coast Guard) while the LNG tankers are loading or unloading at the Elba Island Terminal?

Answer: The contractor shall comply with all Coast Guard regulations, rules and directives.

6. Question: Can the contractor be paid for material from the borrow site instead of in place?

Answer: No. Refer to section 02221, page 2, para. 1.5, sub-para. h. Also refer to section 02221, page 8, para. 3.8.1.

7. Question: The specs in the contract call for a registered land surveyor from South Carolina, can the surveyor be a Georgia State Certified Surveyor?

Answer: No. Refer to section 02221, page 6, para. 3.6.1, sub-para b.

8. Question: Wave action can take out fill or planted marsh - what is the contractor's recourse?

Answer: Refer to section 02923, page 4, para. 3.2 Maintenance, sub-para 3.2.1, "Warranty of Construction", FAR 52.246-21.

9. Question: Can the contract duration be extended to 24 months instead of 420 days?

Answer: Contract duration to be 420 days

10. Question: Can the contractor use something equivalent to granite?

Answer: No. Refer to section 02999, page 2, para. 2.1.2.

11. Question: How much rain can the dike roads take before they become unpassable?

Answer: Unknown

12. Question: a. Can the contractor place the rock in water. b. Does the contractor have to dewater the area so the toe elevation can be verified?

Answer: a. Yes, the contractor may place the rock in water see section 02999, page 3, para. 3.2, Stone Placement. b. No, the contractor does not have to dewater the area to verify the elevation of the stone or to place it.

13. Question: How far down is the toe elevation below the low tide elevation?

Answer: Varies, see Plates X-01 through X-29B.

14. Question: Can Disposal Area 14B be included as an alternate borrow site for material?

Answer: Yes, it is included in this amendment. Section 02221, para. 2.1.1, first sentence refers to Plates D-04 and D-04A

15. Question: Specification section 02999 Stone Construction, paragraph 5.2.4 Surveys and Deficiencies, states that at the completion of the project the contracting officer will perform a survey to determine final pay quantities. However, subsidence and erosion could adversely affect the contours of the completed work in a very short period of time after the work is completed. Could the Corps stipulate that the as-builts for final payment be made on an

on-going basis as soon as a section of work is completed?

Answer: Yes. As each separate area identified (1A, 1B, etc.) is completed final surveys for payment can be completed.

16. Question: Specification section 02923 Marsh Planting, Section 3.2 Maintenance, paragraph 3.2.1 states that during the one year maintenance period the contractor will be responsible for the plants and repairing all washouts and eroded areas.

Will the Corps allow for a certain attrition rate with the plants or do they require 100% live plants at the end of the one-year warranty period?

Answer: We require 100% live plants spaced at 18 in. at the end of one year in accordance with our contract specifications.

17. Question: Specification section 02221 Earthwork, Section 3.6 Surveying, paragraph 3.6.1b states that a SC Licensed Professional Land Surveyor shall be on-site while field survey work is performed. Is it necessary that the Licensed Surveyor be on-site if he has a crew working for him under his direction?

Can this Surveyor be licensed in Georgia and not South Carolina?

Answer: Section 02221, para 3.6.1b has been modified as follows:

All Contractor furnished surveying shall be accomplished by qualified personnel under the direct supervision of a South Carolina State licensed professional land surveyor. Personnel performing surveys in the field shall receive directions and instructions only from the licensed professional land surveyor. All survey data submitted by the Contractor for information, payment, and/or acceptance shall be certified and stamped by the professional land surveyor.

No. The work is in South Carolina. We will not attempt to circumvent South Carolina state law(s).