

SOLICITATION, OFFER, AND AWARD (Continued)*(Construction, Alteration, or Repair)***OFFER (Must be fully completed by offeror)**14. NAME AND ADDRESS OF OFFEROR *(Include ZIP Code)*15. TELEPHONE NO. *(Include area code)*16. REMITTANCE ADDRESS *(Include only if different than Item 14)***See Item 14**

CODE

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

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)*

AMENDMENT NO.

DATE

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER *(Type or print)*

20B. SIGNATURE

20C. OFFER DATE

AWARD (To be completed by Government)

21. ITEMS ACCEPTED:

22. AMOUNT

23. ACCOUNTING AND APPROPRIATION DATA

24. SUBMIT INVOICES TO ADDRESS SHOWN IN *(4 copies unless otherwise specified)***ITEM**

25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO

 10 U.S.C. 2304(c) 41 U.S.C. 253(c)

26. ADMINISTERED BY

CODE

27. PAYMENT WILL BE MADE BY:

CODE

CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE

28. NEGOTIATED AGREEMENT *(Contractor is required to sign this document and return _____ copies to issuing office.)* 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.

29. AWARD *(Contractor is not required to sign this document.)*

Your offer on this solicitation, is hereby accepted as to the items listed. This award commutes the contract, which consists of (a) the Government solicitation and your offer, and (b) this contract award. No further contractual document is necessary.

30A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN *(Type or print)*31A. NAME OF CONTRACTING OFFICER *(Type or print)*

30B. SIGNATURE

30C. DATE

TEL:

EMAIL:

31B. UNITED STATES OF AMERICA
BY

31C. AWARD DATE

Section 00010 - Solicitation Contract Form

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	Playground Equipment in Guam Elem School FFP The contractor shall furnish playground equipment and playground tiles for school ages 5-12. Playground equipment shall be in accordance with Section 0010 herein. Performance Work Statement (PWS), drawings and pictures will be attached to the synopsis posted on FedBizOpps. FOB: Destination PURCHASE REQUEST NUMBER: HE126082563901	1	Lot		

NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002	Playground Equipment in Guam Elem School FFP The contractor shall furnish playground equipment, playground tiles and shade structure for school for ages 2-5. The playground equipment shall be in accordance with Section 0010 herein. The Performance Work Statement (PWS), drawings and pictures shall be attached to the synopsis posted on FedBizOpps. FOB: Destination PURCHASE REQUEST NUMBER: HE126082563901	1	Lot		

NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0003	Removal and Disposal FFP The contractor shall remove and dispose of existing playground equipments and tiles located at Andersen Elementary School, as shown on the drawings and pictures attached herein. Demolition and installation of new equipment shall be performed during the Summer Break to start 12 June 2009 and shall be completed no later than 30 August 2009. FOB: Destination PURCHASE REQUEST NUMBER: HE126082563901	1	Lot		

NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0004	Installation FFP The contractor shall Install the new playground equipments and tiles purchased under Contract Line Item Numbers 0001 and 0002. Installation shall be completed no later than 30 August 2009. FOB: Destination	1	Lot		

NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005	Shipping and Handling FFP Shipping and Handling cost to Andersen Elementary School in Guam for Contract Line Items 0001 and 0002. FOB: Destination	1	Lot		

NET AMT

Section 00100 - Bidding Schedule/Instructions to Bidders

INSTRUCTIONS TO OFFERORS

a. Proposals must adhere to the following instructions:

(1) These instructions are designed to ensure the submission of information essential to understanding the proposal. Offerors are cautioned to follow the detailed instructions fully and carefully, as the Government reserves the right to make award based on initial offers received.

(2) Proposals must be complete, concise, comprehensive, and presented in the manner described in this section. Elaborate art work, expensive paper, and/or expensive visual and other presentation aids are neither necessary nor desired. Excessive reliance on promotional brochures is discouraged.

(3) Offerors may, at the discretion of the Government, be asked to provide more information and clarification regarding their proposals. The Government may make a final determination as to whether an offer is acceptable or unacceptable solely on the basis of the proposals as submitted, without requesting any further information. However, if it is deemed necessary the Government may, at its sole discretion, request additional information clarifying or supplementing, but not substantially changing any proposal as submitted.

b. This will be Lowest Priced, Technically Acceptable (LPTA) source selection procurement in accordance with FAR 15.

c. Proposals shall be submitted in the following format:

(1) Price, Technical and Past Performance volumes shall be easily separable for review purpose.

(2) As appropriate, a table of contents shall be at the front of each volume and major sections identified by titled tabs or divider pages.

(3) Pages shall be 8.5 inches X 11 inches, except for foldouts used for charts, tables, or diagrams. Each side counts as one page.

d. Submission of proposal.

(1) Proposal must be submitted in the prescribed format and contain sufficient details to enable thorough evaluation and sound conclusion(s) as to the technical and management competence of offerors and their ability to perform the required contract services. Proposals shall be precise, factual, complete, and describe in sufficient detail the proposed method(s) of accomplishing tasks set forth in the Performance Work Statement.

(2) Offerors are required to submit proposals in response to this solicitation in the following principal element and copy:

Volume I - Written Technical Proposals:
4 copies (Original + 3 Copies) and one electronic copy
Page Limit: 50 pages

Volume II - Past Performance: 4 copies (Original + 3 Copies) and
one electronic copy

Volume III - Price Proposal

Pages submitted in excess of the stated limitations will be removed and not reviewed by the evaluation team. Title pages, Tab divider pages and Table of contents are exempt from above stated page limits. Foldouts count as one page.

(3) Offerors shall be prepared to have personnel in Guam or be available telephonically with all supporting data necessary to support/clarify the proposal within 24 hours after notification by the Contracting Officer. Times and dates for discussions with each individual entity will be confirmed in writing. The offeror is required to be ready to respond by email or facsimile to Clarification Requests and Discussion Questions within 24 hours.

(4) Submission of Proposals from Outside Okinawa, Japan:

(i) Use of Commercial, Overnight or Express Package Services - Offerors are notified that proposals coming to Okinawa, Japan through commercial package services outside the U.S. Postal System may have to clear local customs before being released to Department of Defense Schools Procurement. This can result in delays of up to five (5) days or more. Offers received at DoDDS Pacific after the date and time set for receipt will be considered late. Notification that the offeror's proposal is at the package delivery service prior to the closing of the solicitation is not considered receipt by the Government.

Offeror's proposal package should be sent to the following mailing address:

**Torii Station
DODDS Pacific Director's Office
Attn: Procurement Division, Ms. Susan Phillips
Sobe, Yomitan-Son, Building 290
Okinawa, Japan 904-0304**

Offerors should identify the Solicitation Number on the package.

(ii) Late Proposal - Notwithstanding any other provisions of this solicitation, proposals received after the exact date and time specified herein for receipt of proposals are late and shall not be considered for award, unless Government mishandling at the installation was the proximate cause of the proposal being late. Late proposals sent by registered, certified, express or any

other mail service shall not be considered for award in the absence of Government mishandling at the installation.

e. DETAILED INSTRUCTIONS FOR PREPARATION OF PROPOSAL

SUBMITTAL REQUIREMENTS

(a) Volume I

Management Approach – The offeror’s response to this factor will be evaluated to determine if the offeror’s approach to delivery of playground equipment; removal and disposal of existing tiles and playground equipment; installation of new playground equipment and tiles; offeror’s use of subcontractor(s); if any, and the offeror’s warranty terms are acceptable to the Government.

Technical Expertise – The offeror’s response to this factor will be evaluated to determine if the offeror has the requisite past and/or current experience with the same or similar requirement to successfully perform this contract.

(b) Volume II – **Past Performance**

(1) Content listing of the Past Performance information: The Contractor shall provide the following information:

- (a) Contract number
- (b) Total dollar value
- (c) Contract award date
- (d) Procuring agency
- (e) Title of contract
- (f) Government program manager (name, address, and telephone number)
- (g) Description of program/product (including discussion as to its relevancy to this acquisition)
- (h) PCO and ACO (name, address, e-mail address and telephone number)
- (i) Period of performance
- (j) Type of contract
- (k) A synopsis of the relevant performance, segregated by areas, which occurred under each contract. As a minimum, the following areas should be addressed: Technical and Management experiences for offeror and for any proposed division, subcontractor or teaming contractor, and management staff or technical staff.

(c) Volume III – Price Proposal

Pricing Information - A detailed price proposal is required in accordance with FAR 15.403-3(a)(1) for the reason of price reasonableness and to facilitate analysis.

EVALUATION OF TECHNICAL PROPOSALS

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforms to the solicitation and whose offer represents the best value to the Government using a lowest price technically acceptable source selection process in accordance with FAR 15.101-2. Award will be made on the basis of the lowest evaluated price of proposal meeting or exceeding the technical acceptability standards. Technical acceptability, which included past performance, will be based on an offeror submitting a proposal that demonstrates the offeror's ability to comply with all of the requirements listed in the Performance Work Statement (PWS).

(b) Proposals that do not conform to the requirements of the solicitation may be rejected without further evaluation, deliberation, or discussion. Proposals will be evaluated for technical acceptability based on the acceptability standards below:

(1) Acceptable: Offeror demonstrated a thorough understanding of the requirements, nature and scope of the work, and/or proposed a satisfactory approach or procedure. Offeror demonstrated the ability to successfully perform the technical elements/requirements set forth in the solicitation, and/or the offeror does not have an unsatisfactory Past Performance history.

(2) Unacceptable: Offeror did not demonstrate a thorough understanding of the requirements, nature and scope of the work, and/or proposed an unsatisfactory approach or procedures. Offeror did not demonstrate the ability to successfully perform the technical elements/requirements set forth in the solicitation, and/or offeror does not have a satisfactory Past Performance history.

(c) The Government will take the unit prices multiplied by the quantities shown in Section 00010 - Schedule of Supplies/Services of the solicitation to come up with the lowest evaluated price. Proposed prices will still need to be evaluated for price reasonableness and cost realism.

(d) In accordance with FAR 15.306, the Government intends to evaluate proposals and award a contract without discussions. Therefore, each initial offer should contain the offeror's best terms from a price and technical standpoint. The Government reserves the right to conduct discussion if determined necessary by the Contracting Officer.

CLAUSES INCORPORATED BY REFERENCE

52.236-28

Preparation of Proposals--Construction

OCT 1997

CLAUSES INCORPORATED BY FULL TEXT

52.211-6 BRAND NAME OR EQUAL (AUG 1999)

(a) If an item in this solicitation is identified as “brand name or equal,” the purchase description reflects the characteristics and level of quality that will satisfy the Government’s needs. The salient physical, functional, or performance characteristics that “equal” products must meet are specified in the solicitation.

(b) To be considered for award, offers of “equal” products, including “equal” products of the brand name manufacturer, must--

(1) Meet the salient physical, functional, or performance characteristic specified in this solicitation;

(2) Clearly identify the item by--

(i) Brand name, if any; and

(ii) Make or model number;

(3) Include descriptive literature such as illustrations, drawings, or a clear reference to previously furnished descriptive data or information available to the Contracting Officer; and

(4) Clearly describe any modifications the offeror plans to make in a product to make it conform to the solicitation requirements. Mark any descriptive material to clearly show the modifications.

(c) The Contracting Officer will evaluate “equal” products on the basis of information furnished by the offeror or identified in the offer and reasonably available to the Contracting Officer. The Contracting Officer is not responsible for locating or obtaining any information not identified in the offer.

(d) Unless the offeror clearly indicates in its offer that the product being offered is an “equal” product, the offeror shall provide the brand name product referenced in the solicitation.

(End of provision)

Section 00700 - Contract Clauses

CLAUSES INCORPORATED BY REFERENCE

52.202-1	Definitions	JUL 2004
52.219-8	Utilization of Small Business Concerns	MAY 2004
52.219-14	Limitations On Subcontracting	DEC 1996
52.203-3	Gratuities	APR 1984
52.203-5	Covenant Against Contingent Fees	APR 1984
52.203-6	Restrictions On Subcontractor Sales To The Government	SEP 2006
52.203-7	Anti-Kickback Procedures	JUL 1995
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity	JAN 1997
52.203-10	Price Or Fee Adjustment For Illegal Or Improper Activity	JAN 1997
52.203-12	Limitation On Payments To Influence Certain Federal Transactions	SEP 2007
52.204-4	Printed or Copied Double-Sided on Recycled Paper	AUG 2000
52.209-6	Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment	SEP 2006
52.211-1	Availability of Specifications Listed in the GSA Index of Federal Specifications, Standards and Commercial Item Descriptions, FPMR Part 101-29	AUG 1998
52.211-12	Liquidated Damages--Construction	SEP 2000
52.219-6	Notice Of Total Small Business Set-Aside	JUN 2003
52.222-13	Compliance with Davis-Bacon and Related Act Regulations.	FEB 1988
52.222-50	Combating Trafficking in Persons	AUG 2007
52.232-23	Assignment Of Claims	JAN 1986
52.232-27	Prompt Payment for Construction Contracts	OCT 2008
52.236-2	Differing Site Conditions	APR 1984
52.236-3	Site Investigation and Conditions Affecting the Work	APR 1984
52.236-5	Material and Workmanship	APR 1984
52.236-6	Superintendence by the Contractor	APR 1984
52.236-7	Permits and Responsibilities	NOV 1991
52.236-8	Other Contracts	APR 1984
52.236-9	Protection of Existing Vegetation, Structures, Equipment, Utilities, and Improvements	APR 1984
52.236-10	Operations and Storage Areas	APR 1984
52.236-12	Cleaning Up	APR 1984
52.236-13	Accident Prevention	NOV 1991
52.236-14	Availability and Use of Utility Services	APR 1984
52.236-15	Schedules for Construction Contracts	APR 1984
52.236-17	Layout of Work	APR 1984
52.236-21	Specifications and Drawings for Construction	FEB 1997
52.236-26	Preconstruction Conference	FEB 1995
52.236-27	Site Visit (Construction)	FEB 1995
52.242-14	Suspension of Work	APR 1984
52.242-15	Stop-Work Order	AUG 1989
52.242-17	Government Delay Of Work	APR 1984
52.243-4	Changes	JUN 2007
52.246-12	Inspection of Construction	AUG 1996
52.246-13	Inspection--Dismantling, Demolition, or Removal of Improvements	AUG 1996

52.247-34	F.O.B. Destination	NOV 1991
52.249-2 Alt I	Termination for Convenience of the Government (Fixed-Price) (May 2004) - Alternate I	SEP 1996
52.249-3	Termination for Convenience of the Government (Dismantling, Demolition, or Removal of Improvements)	MAY 2004
52.249-10	Default (Fixed-Price Construction)	APR 1984
52.249-14	Excusable Delays	APR 1984
252.247-7023	Transportation of Supplies by Sea	MAY 2002

WAGE DETERMINATION

General Decision Number: GU080001 02/08/2008 GU1

Superseded General Decision Number: GU20070002

State: Guam

Construction Types: Building, Heavy, Highway and Residential

County: Guam Statewide.

Modification Number	Publication Date
0	02/08/2008

* SUGU2006-001 05/18/2006

	Rates	Fringes
Bricklayer.....	\$ 11.75	
Carpenter.....	\$ 11.70	
Cement mason.....	\$ 11.34	
Electrician.....	\$ 14.07	
Heavy Equipment Mechanic.....	\$ 14.14	
Heavy Equipment Operator.....	\$ 13.32	
Ironworker.....	\$ 10.38	
Laborer.....	\$ 8.50	
Painter.....	\$ 14.60	
Pipefitters.....	\$ 16.80	
Plasterer.....	\$ 9.95	
Plumber.....	\$ 14.31	
Refrigeration Mechanic.....	\$ 16.24	

Roofer.....\$ 10.96

Sheetmetal Worker.....\$ 14.11

Truck Driver.....\$ 13.80

Welder.....\$ 15.97

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.
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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

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In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

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WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the

response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7).

Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

