

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES	
			J	1	43
2. AMENDMENT/MODIFICATION NO. 0003	3. EFFECTIVE DATE 02-Mar-2010	4. REQUISITION/PURCHASE REQ. NO. AIRBORNE		5. PROJECT NO.(If applicable)	
6. ISSUED BY CODE AFGHANISTAN DISTRICT NORTH (AEN) US ARMY CORPS OF ENGINEERS OPERATION ENDURING FREEDOM APO AE 09356		7. ADMINISTERED BY (If other than item 6) CODE See Item 6			
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)			X	9A. AMENDMENT OF SOLICITATION NO. W5J9JE-10-R-0030	
			X	9B. DATED (SEE ITEM 11) 02-Feb-2010	
				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.)					
W5J9JE-10-R-0030 Amendment 0003 - RLBs for FOB Airbone. 1. The purpose of this amendment is to correct Amendments 0001 and 0002, replace Sections 0110, 0120 and 01040, and to incorporate questions and answers. 2. Sections 00110 and 00120 incorporated into this amendment hereby replace these same Sections in the solicitation. 3. Section 01040 is hereby incorporated into this amendment and replaces the same Section in the solicitation. 4. All questions must be received no later than 5 March 2010. 5. Proposal due date is extended to 10 March 2010 at 3:00 PM Afghanistan time. No proposals will be accepted after this time. 6. The following Questions and Answers are hereby incorporated into this amendment.					
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)		02-Mar-2010	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

(End of Summary of Changes)

The following items are applicable to this modification:

Contractor Questions and Answers

1. There is in section 00110 proposal preparations: approximately 225 RLB units and associated shower and latrine cells but according to the drawing include of toilet shower rooms it is 582 RLB units

Answer: Drawings are clearly labeled as being concept only. Information on the scope of the solicitation is provided in the specifications.

2. 1-in reference to solicitation (W5J9JE-10-R0030) RFP and attached drawings show that the RLBs are going to be formed and stacked in two storey buildings, in such a case the setup, installation and its associated works include Installation and formation of Stairways, Landings Corridors, Hand railings and other required structures, therefore we request you kindly confirm If it's the GFE (Government Furnished Equipments or materials) or it's the Contractor's responsibility to procure, supply, design and install the mentioned features. However the CORIMEC Company's specifications (attached to the RFP) for mentioned Product states they produce the named features, but it will be better to confirm if the mentioned features are GFE.

Answer: The stairs and landings are to be designed and constructed by the contractor. All materials, labor, and equipment necessary to complete this feature of work are the contractor's responsibility. They are not GFE.

3. Section 00110, Part 3 states that a Preproposal Conference will be scheduled for this project, the location, time and date will be provided in a separate correspondence. As of today (February 16, 2010), no information has been provided yet. Further delay about this matter may cause to not have enough time for bid package preparation. Please consider.

Answer: The proposal due date has been extended to 10 March 2010. Site visit instructions were posted on the AED and ASFI websites

4. As per technical proposal requirements, construction schedule is not a part of the proposal package. Please confirm.

Answer: The proposal schedule must be completed and is part of the price proposal

5. Sheet Reference Number (SFN) RLB-C-101 refers SFN GS-M-102. Please check the availability and applicability of this drawing.

Answer: Drawings are concept only. This will be a design-build contract. The final design is solely the KTR's responsibility.

6. Any provision for Generator Shed Building is required such as concrete pad or aggregate surface?

Answer: Generator shed building not required for this contract. Therefore, no pad required.

7. As per concept drawings, Booster Pump Building contains from CMU walls, concrete slab and metal roofing. Shall we offer a PEB with concrete slab instead?

Answer: As this will be a D-B contract, KTR can propose construction any method that meets the Technical Requirements.

8. Section 01010, Part 4.6 requires outdoor benches and gathering areas in between buildings. Any quantity, type or related information you could provide will be highly appreciated.

Answer: This requirement is dependent on the KTR's proposal of #of RLB units/building and arrangement of buildings. No further information can be provided.

9. Section 01015, Part 4.10.1.15 requires benches

Answer: Benches and paper towel dispensers are not GFE.

10. There are some conflicts between the schedule of drawings (SOD) and the sheet titles (ST) like followings;

- SOD indicates that RLB-E-103 is *conduit side elevation* whereas the ST indicates it as *RLB exterior lighting details*.
- SOD indicates that RLB-E-104 is *power distribution layout elevation* whereas the ST indicates it as *cable tray details*.
- SOD indicates that RLB-E-105 is *conduit layout plan* whereas the ST indicates it as *Cable tray details*.
- SOD indicates that RLB-E-106 is *conduit support details* whereas the ST indicates it as *cable tray details*.

Answer: Drawings provided are concept only. The sheets identified by KTR have been removed from the set to avoid confusion, as the features removed are not part of this scope of work. Disregard schedule of drawings. Individual sheet titles are correct. Exterior site lighting is not a part of the scope of work for this RFP. Cable trays and conduit/cable trays supports are a part of the scope of work for this project.

11. Please provide the general details of the existing site power generation & distribution system to be organized according to the requirements of RFP.

Answer: Details of existing site power generation & distribution system are non-existent. The contractor should design the distribution system for the RLB's as if the RLB site is stand-alone. Provide a fusible disconnecting means that will serve as a single-point service entrance for the RLB site. Existing system voltage/frequency is 208Y/120V, 60Hz. Connection of existing distribution system (or possibly stand-

alone diesel generators) to contractor-provided service disconnect will be by others.

12. It seems that there is a discrepancy about the cross sections of the power cables which runs to the RLB buildings. If these units are typical the power consumption is same for each units so why is the cross section has been indicated as 4 – 50 mm² , 1 – 10 mm² G , 1 – 63 mm² C for the Building #1 and 2 whereas the other ones are 4 – 120 mm² , 1 – 16 mm² G , 1 – 100 mm² C?

Answer: Although the power consumption for each unit is typical, power cables may have been increased in size to reduce voltage drop. These power cables are shown on conceptual drawings that are for information only; the contractor is responsible for a complete, code compliant design.

13. Please clarify that what is the 1 – 63 mm² C means? Does it mean a conduit in size of 63 mm inside or outside diameter?

Answer: This should read 1-63mmC. 63mmC is the metric designator for 2 1/2" trade size conduit in the U.S. Nominal internal diameter of this size conduit is 66.9mm. The contractor is responsible for sizing conduit based on NEC fill tables (or European equivalent. If contractor chooses to use an equivalent code, the requirements of Section 1015 8.3.1 shall be met)

14. Please indicate the basic features (with international codes) of all requested power cables.

Answer: Per Section 1015 para 8.3.1 all electrical material shall be in compliance with the requirements of UL standards. Applicable standards for low voltage cable are UL44 and UL83. If contractor desires to use international products that are compliant with international standards, the contractor must prove equivalence (to UL44 or UL83) and must provide the government with a full copy of the standard.

15. Paragraph 4.10.1.16 explains the methodology of the future communication system piping but it's not clear enough. Please provide a drawing which shows the details of the related execution.

Answer: Design of interior communication infrastructure (conduit and boxes only, no communications cabling) and detail drawings are the responsibility of the contractor. Section 1015 para 4.10.1.16 explains in detail what is required for communications, including junction box size, conduit size, and flexible conduit length.

16. Section 00110, Part 3 states that a Preproposal Conference will be scheduled for this project, the location, time and date will be provided in a separate correspondence. As of today (February 16, 2010), no information has been provided yet. Further delay about this matter may cause to not have enough time for bid package preparation. Please consider.

Answer: Proposal due date has been extended per solicitation amendment. Site visit details have also been published in an amendment.

17. As per technical proposal requirements, construction schedule is not a part of the proposal package. Please confirm.

Answer: Yes, the schedule must be completed and submitted with the price proposal per Section 00010 instructions.

18. Sheet Reference Number (SFN) RLB-C-101 refers SFN GS-M-102. Please check the availability and applicability of this drawing.

Answer: Drawings are concept only. This will be a design-build contract. The final design is solely the KTR's responsibility.

19. Any provision for Generator Shed Building is required such as concrete pad or aggregate surface?

Answer: Generator shed building not required for this contract. Therefore, no pad required.

20. As per concept drawings, Booster Pump Building contains from CMU walls, concrete slab and metal roofing. Shall we offer a PEB with concrete slab instead?

Answer: As this will be a D-B contract, KTR can propose construction any method that meets the Technical Requirements.

21. Section 01010, Part 4.6 requires outdoor benches and gathering areas in between buildings. Any quantity, type or related information you could provide will be highly appreciated.

Answer: This requirement is dependent on the KTR's proposal of #of RLB units/building and arrangement of buildings. No further information can be provided.

22. Section 01015, Part 4.10.1.15 requires benches and paper towel dispensers in Shower Container Units. Are these GFE or not?

Answer: Benches and paper towel dispensers are not GFE.

23. In Scope of work in section 4.5.2 BUNKERS mentioned about Bunkers but the number of Bunkers is not clear; please clarify the number of Bunkers.

Answer: Actual number of bunkers is determined by KTR as part of the design. Concept drawings in Appendix A provide a total of 98 bunkers for 1100 personnel. Concept design provided will sustain at least 11 personnel per bunker. $450/11 = 41$ bunkers.

24. In Scope of work in section 4.5.1 Texas Barriers but the length Barriers or number of Barriers is not clear; please clarify the number or length of Texas

Answer: Actual number of Texas Barriers is determined by KTR as part of the design. Concept drawings in Appendix A provide approximately 1226 linear meters of barrier for 1100 personnel. Averaging 1.1 lin

25. In Scope of work in section 4.6 ROAD NETWORK, mentioned but the length of Road is not clear, please clarify the number or length of Road

Answer: Actual length of road to be provided by KTR shall be determined as part of the design. Concept drawings in Appendix A provide approximately 485 linear

meters of road for 1100 personnel. $485/1100 = 0.441$ linear meters/person. $0.441*450 = 200$ linear meters.

26. In Scope of work in section 4.2 WATER SYSTEM is there need for water well or we should connect to the existing water supply system.

Answer: Drilling, testing, and developing a well is not part of this SOW. KTR to provide water storage tanks, chlorination unit, booster pumps, hydro-pneumatic tanks, and underground water distribution (from tanks to RLB erected buildings and shower latrine units). Assume no connection to well or existing water supply; assume water will be trucked in to fill KTR designed and constructed water storage tanks.

27. In Scope of work in section 1.0 GENERAL mentioned and erection of Government Furnished (RLB) container modules and related support facilities

Answer: All RLBs, shower and latrine units are Government Furnished Equipment (GFE). The contractor is responsible for moving the units to the building site and assembling/constructing the units.

28. The number of RLB is not clear; please clear the number of All RLB

Answer: The number of RLB units is one half the number of personnel; i.e. $450/2 = 225$ RLB units.

29. How critical or mandatory is it for the contractor or his subcontractors to have completed a project in Logar Province for submitting a proposal?

30. **Answer: The requirement for a project to be in a certain place is being deleted by amendment.**

31. I am writing this letter in regards with solicitation: W5J9JE-10-R-0030, Y--Relocatable Building (RLB's) for FOB Airborne, Afghanistan. Would like to clarify one thing. Is offeror the one that will be purchasing the container modules with appropriate fittings (from the company named in solicitation) or those containers will be provided and offeror will have to prepare site and assemble them?

Answer: The answer to the question below is that the RLB units as well as the shower and latrine units, plus all RLB unit connectors are Government Furnished Equipment (GFE), see the first sentence in the first paragraph of Section 01010 below.

SECTION 01010 - SCOPE OF WORK

1.0 GENERAL

The project consists of the design, construction, and erection of Government Furnished Re-Locatable Building (RLB) container modules and related support facilities

The contractor is responsible for site preparation, utility lines, and movement of the GFE to the building foundations and assembly of the GFE RLB units, showers, and latrines.

In this specific solicitation, the buildings are two story, so the contractor will need to design and construct stairways and balconies. These elements are not Government Furnished Equipment (GFE).

32. Would like to clarify one thing. Is offeror the one that will be purchasing the container modules with appropriate fittings (from the company named in solicitation) or those containers will be provided and offeror will have to prepare site and assemble them? Your answer would greatly help with preparing most accurate price proposal.

Answer: : The RLB units as well as the shower and latrine units, plus all RLB unit connectors are Government Furnished Equipment (GFE), see the first sentence in the first paragraph of Section 01010 below.

33. There is in section 00110 proposal preparations : approximately 225 RLB units and associated shower and latrine cells but according to the drawing include of toilet shower rooms it is 582 RLB units

Answer: Drawings are clearly labeled as being concept only. Information on the scope of the solicitation is provided in the specifications.

34. Q2 for both projects The size of one unit is the same size of 20ft container so supply of container is also belong to sub contractors or the government will supply containers

Answer: There will be no conex containers provided. The project is to assemble and erect RLB units which are GFE. There will be NO allowance for substitution of housing, shower, and latrine units.

35. For both projects

Can we design the one building like a hall and local partition between every unit.

Answer: KTR shall follow the “concept design” provided.

36. For both projects

Please give some information about the following unit price the what do you mean by this cost

0008J RLBs, Decks and	1 LS	xxx	\$ _____	Associated Work
0008K Misc. Site Development	1 LS	xxx	\$ _____	Items

Answer: KTR shall determine cost breakdown and populate provided line items as deemed appropriate.

37. For both projects As the result of Estimation Department of my Company The estimated magnitude of this effort is over 5 million please review the estimation or the concept drawings

Answer: KTR shall determine their cost and provide bid accordingly.

38. Project solicitation

W5J9JE-10-R-0030. Has the roof truss but there is no roof truss in project solicitation
W5J9JE-10-R-0031. Please give information that is there roof trusses in project
W5J9JE-10-R-0031

Answer: Provide a bid based on the elements of the RFP, based on the sections within each RFP.

SECTION 00110
RLB HOUSING: DESIGN-BUILD
LOWEST-PRICED, TECHNICALLY ACCEPTABLE

INSTRUCTIONS, CONDITIONS, AND NOTICES TO BIDDERS

1. DEFINITION

This solicitation is for a firm fixed price type contract used to acquire design-build construction of Relocatable Housing (RLB) for FOB Airborne, involving approximately 388 RLB units and associated shower and latrine cells; (see furnished drawings and specifications) to be located at Wardak Province, Afghanistan. The RLB, shower and latrine units are Government Furnished Equipment (GFE).

This work includes, but is not limited to, management, planning, design, material, labor, and equipment, to design and build all utilities, vehicular access, buildings, force protection measures, site security, UXO Clearance activities (an Optional item), and other features as referenced herein.

When the word 'Offeror' is encountered throughout this Section 00110, it is intended to mean a company seeking to do business with the Government that submits a proposal in response to this solicitation.

A proposal is documentation prepared by the Offeror and submitted to the Government for evaluation purposes in response to this solicitation.

When the word 'Government' is encountered throughout this Section 00110, it is intended to mean U.S. Army Corps of Engineers Afghanistan District-North (AED-N).

Proposals for this solicitation will be accepted until the date and time indicated on Standard Form 1442. Perspective Offerors should submit inquiries related to this solicitation only in writing by letter or e-mail to:

U.S. Army Corps of Engineers (USACE)
Afghanistan Engineer District-North (AED-N)
Qalaa House, Attention: Contracting Officer
Kabul, Afghanistan
E-MAIL ADDRESS: Kenneth.Carleton@usace.army.mil

Please include the solicitation number, and project title with your questions. Written inquiries must be received by this office not later than 4 calendar days prior to the date set for receipt of offers. TELEPHONE INQUIRIES WILL NOT BE ACCEPTED.

Oral explanations or instructions are not binding. Any information given to an Offeror which impacts the solicitation and/or offer will be given in the form of a written amendment to the solicitation.

As this is a competitive negotiation acquisition, there is no public bid opening and no information will be given out as to the number of Offerors or the results of the competition until all awards are made.

2. DIRECTIONS FOR SUBMITTING PROPOSALS

Offers must be in sealed envelopes/packages, marked and addressed as follows:

MARK PACKAGES:

Solicitation No. W5J9JE-10-R-0030

PROJECT: RLB FOB Airborne

Offer Closing Date: 10 MARCH 2010

Offer Closing Time: 3:00 p.m. (LOCAL KABUL TIME)

ADDRESS PACKAGES TO:

U.S. Army Corps of Engineers (USACE)
Afghanistan Engineer District-North (AED-N)
Qalaa House, Attention: Kenneth R. Carleton
Kabul, Afghanistan

Special Instructions Pertaining to Hand Carried Offers: Hand-carried offers must be delivered to the USACE AED offices, Qalaa House, Kabul, Afghanistan. Offers who desire to hand-deliver their offers must give properly marked package(s) to the guard at the entrance gate to Qalaa House Compound no later than the time specified above (hand receipts provided upon request).

3. PREPROPOSAL CONFERENCE / SITE VISIT

A Pre-proposal Conference was held on 24 February 2010 at 10:00 AM (see Amendment 0001). Offerors must be familiar with the solicitation, attachments, and appendixes. Cell phones, cameras, and Radios are not allowed, and will be held at the gate until after the visit is completed.

IMPORTANT NOTES. (1) Remarks and explanations addressed during the conference shall not qualify or alter the terms and conditions of the solicitation. (2) The terms and conditions of the solicitation remain unchanged unless the solicitation is formally amended in writing.

4. ELECTRONIC OFFERS

FAXED PROPOSALS, MODIFICATIONS THERETO, OR CANCELLATIONS WILL NOT BE ACCEPTED. However, offers may be withdrawn in writing by letter or e-mail. Any written

notice to withdraw an offer sent to this office must be received in the office designated in the Request for Proposal (RFP) for receipt of offers not later than the exact date and time set for receipt of proposals.

5. PROPOSALS SHALL BE SUBMITTED IN THE FOLLOWING FORMAT:

Proposal Package	Original	Copies
VOLUME 1 – Technical Proposal	1	3
FACTOR 1 –Experience		
FACTOR 2 – Resources		
A. Key Personnel		
B. Capacity		
FACTOR 3 - Management and Performance Management		
A. Management Plan		
B. Capacity Development		
C. Prompt Payment		
D. DBA		
E. Performance of Work by the Contractor		
FACTOR 4 – Security		
FACTOR 5 – Past Performance		
 VOLUME 2– Price Proposal and Administrative Submission	 1	 1
FACTOR 6 – Price Proposal		
SF1442, Solicitation offer and award		
Representation and Certifications, Section 00600		
All Amendments (SF1442)		
Offeror’s e-mail address and cell phone number (request 2 email addresses, if possible)		
Name, Address, DUNS, CAGE and TAX Identification Number of the Contractor		
submitting the proposal (If you do not currently have a DUNS number, please note this in your documentation).		

b. Failure to submit these documents may result in rejection of the proposal. The Government will not make assumptions concerning intent, capabilities, or experience. Clear identification of proposal details shall be the sole responsibility of the Offeror. The Government will reject incomplete proposals after initial evaluation without further consideration. Therefore the proposal shall meet the following basic requirements:

6. PROPOSAL SUBMISSION REQUIREMENTS AND INSTRUCTIONS

a. REQUIREMENT FOR SEPARATE PRICE AND TECHNICAL PROPOSALS.

(1) The Proposal shall be typed and submitted in English, and easy to read.

(2) Each Offeror must submit both a Price Proposal and a Technical Proposal. The Price Proposal and the Technical Proposal must be submitted as separate volumes. **DO NOT MIX CONTENTS OF VOLUME 1 AND VOLUME 2 IN THE SAME BINDER.** The outside of each separate volume must be clearly marked to indicate its contents; and the identity of the Offeror. Additionally, clearly identify the “original” cost/price proposal and the “original” technical proposal on the outside cover.

(3) Both the Price Proposal and the Technical Proposal must be received by the closing date and time set for receipt of proposals.

(4) No dollar amounts from the Price Proposal are to be included in the Technical Proposal.

(5) All information intended to be evaluated as part of the Technical Proposal must be submitted as part of the Technical Proposal. Do not cross-reference similar material in the Price Proposal, or vice versa. Also, do not include links to websites in lieu of incorporating information into your proposal.

(6) Do not include exceptions to the terms and conditions of the solicitation in either the technical or price proposal. Should the offer include any standard company terms and conditions that conflict with the terms and conditions of the solicitation, the offer may be determined "unacceptable" and thus ineligible for award. Should the Offeror have any questions related to specific terms and conditions, these should be resolved prior to submission of the offer. Notwithstanding the above, the Offeror must clearly describe in the Proposal Cover Sheet submitted with the Price Proposal any exceptions to the contractual and/or technical terms and conditions of the solicitation contained in the Offer.

(7) Failure to submit required documents or failing to complete them properly will result in rejection of the offer without further evaluation. Therefore, Offerors are urged to follow instructions and speak with the Contracting Officer if instructions are not understood.

b. DISCUSSIONS. The Government **does not** intend to enter into discussions with Offerors prior to determining those contractors within the competitive range, in accordance with FAR 52.215-1, Instructions to Offerors—Competitive Acquisitions.

c. GENERAL INSTRUCTIONS.

(1) Submit only the hard-copy paper documents and the electronic files specifically authorized and/or required elsewhere in this section. Do not submit excess information, to include audio-visual materials, electronic media, etc.

(2) Use only 8 ½ by 11 inch paper or A4 paper for hard copy submissions, unless another paper size is specifically authorized elsewhere in this section for a particular submission. Do not use fold-outs (e.g., 11” x 14” or 11” x 17” sheets) unless specifically authorized in this section for a particular submission. Do not use a font size smaller than 10, an unusual font style such as

script, or condensed print for any submission. All page margins must be at least 1 inch wide, but may include headers and footers.

(3) The preferred method for assembling your proposals is to use three-ring binders; however, the use of pressboard or other report covers with compression or other type fasteners is acceptable. Do not use spring clamps or exceed the recommended capacity of the fastener or binder. Do not use plastic multi-hole/spiral binding systems, heat binding systems, or other systems which do not facilitate the ready insertion of additional pages. Do not include loose papers.

(4) "Confidential" projects cannot be submitted to demonstrate capability unless all of the information required for evaluation as specified herein can be provided to the Government as part of the Offeror's technical proposal. Offerors that include in their proposals information they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, must be clearly marked in accordance with the instructions at FAR 52.215-1, "Instructions to Offerors—Competitive Acquisition", paragraph (e), "Restriction on disclosure and use of data".

(5) In the case of an Offeror that is part of a large, multi-segmented business concern, provide information directly pertaining to the specific segment of the business concern (i.e., the division, group, unit, etc.) that will perform work under the prospective contract.

(6) For submissions with page limitations, the pages will be counted as follows: One side of the paper is one page; information on both the back and front of one sheet of paper will be counted as two pages. Where authorized, fold-out pages (11" x 14" or 11" x 17") will count as one page. Pages furnished for organizational purposes only, such as a "Table of Contents" or divider tabs, are not included in the page limitation.

7. JOINT VENTURES

A company that is part of a Joint Venture must submit a legally binding joint venture agreement. The Government will not evaluate the capability of any contractors that are not included in the Joint Venture agreement. Joint Ventures must include a copy of the legal joint venture signed by an authorized officer from each of the firms comprising the Joint Venture with the chief executive of each entity identified and must be translated into English, if the original agreement is in a language other than English.

If submitting a proposal as a Joint Venture, the experience, past performance, and management approach of each of the Joint Venture Partners can be submitted for the Joint Venture Entity. The experience for each Joint Venture Partner will be considered the experience of the Joint Venture entity. Joint ventures shall submit the following additional documentation regarding their business entities:

- a. A copy of their Joint Venture agreement in English.
- b. A detailed statement outlining the following in terms of percentages, where appropriate.

- (1) The relationship of the joint venture parties in terms of business ownership, capital contribution, and profit distribution or loss sharing.
- (2) The management approach of the joint venture in terms of who will conduct, direct, supervise and control the project and have custody and control of the assets of the joint venture and perform the duties necessary to complete the work.
- (3) The structure of the joint venture and decision-ranking responsibilities of the joint venture parties in terms of who will control the manner and method of performance of the work.
- (4) Identification of the key personnel having authority to legally bind the joint venture to subcontracts and state who will provide or contract for the labor and materials for the joint venture.
- (5) Identification of the party maintaining the joint venture bank accounts for the payment of all expenses and the deposits of all receipts, keep the books and records, and pay applicable taxes for the joint venture.
- (6) Identification of the party furnishing the facilities, such as office supplies and telephone service.
- (7) Identification of party having overall control of the joint venture.

Other sections of the proposal shall identify, where appropriate, whether key personnel are employees of the individual joint venture parties and identify the party, or hired as employees of the joint venture.

If one of the joint venture parties possesses relevant experience and/or past performance, the experience and/or past performance of that firm will be considered as the experience and/or past performance of the joint venture.

A complete and legally binding document with all the information required under this section titled "Joint Ventures" shall be included.

SUBCONTRACTORS

If an Offeror wishes to be credited with a subcontractor or supplier, i.e. a firm that is not the prime contractor or part of the joint venture, a letter of commitment signed by the subcontractor and the prime contractor must be submitted. The commitment letter must be submitted even if the firm is in some way related to a joint venture partner (for example, the subcontractor is subsidiary of a joint venture partner, or a subsidiary of a firm to which the joint venture partner is also a subsidiary). If an Offeror submits projects demonstrating experience by a subcontractor, a subsidiary, or a supplier, as opposed to the prime or one of the joint venture partners, the Offeror **MUST** submit a signed letter of commitment from the contractor who performed and completed the work. If a letter of commitment is not submitted, the experience will not be considered.

Letters of Commitment shall be included in Volume I, Factor 1, Experience. Letters of Commitments will not be counted toward page limitation.

8. SPECIFIC INSTRUCTIONS FOR THE PRICE PROPOSAL

(1) Number of Sets of the Price Proposal. Submit the ORIGINAL and ONE additional hard copy of the Price Proposal.

(2) Size Restrictions and Page Limits. Use only 8 ½” x 11” or A4 pages. There are no page limits set for the price proposal. However, limit your response to information required by this solicitation. Excess information will not be considered in the Government’s evaluation.

(3) Format and Contents of the Price Proposal and List of Tabs. The Price Proposal shall be appropriately labeled as such and shall be organized as indicated in the following chart.

TAB	CONTENTS OF THE PRICE PROPOSAL
#1	The Proposal Cover Sheet
#2	The SF 1442 and Acknowledgement of Amendments (Signed)
#3	Section 00010, Pricing Schedule
#4	Representations, Certifications, and Other Statements of Offerors
#5	JV Agreement, if applicable.

(4) Detailed Submission Instructions for the Price Proposal

TAB 1: The proposal cover sheet is required by FAR 52.215-1(2) (c) (i)-(v) and must be submitted by all Offerors. This provision, titled “Instructions to Offerors—Competitive Acquisition,” and the format for the proposal cover sheet are furnished elsewhere in this section.

TAB 2: The SF 1442, Solicitation, Offer, and Award is to be completed by all Offerors and duly executed with an original signature by an official authorized to bind the company in accordance with FAR 4.102. Any and all amendments must be acknowledged by all Offerors in accordance with the instructions on the Standard Form 30, Amendment of Solicitation.

TAB 3: Section 00010 is to be completed in its entirety by all Offerors. See Sections 00010 with attached notes, for further instructions.

TAB 4: All Offerors must have electronically completed the annual representations and certifications on the “Online Representations and Certifications Application” (ORCA) website or respond with the completed representations / certifications found in the solicitation. Offerors are responsible for ensuring that these on-line Representations and Certifications are updated as necessary to reflect changes, but at least annually to ensure that they are kept current, accurate and complete. If the ORCA is not completed the Offeror must complete and return the “Representations, Certifications, and Other Statements of Offerors” included in the solicitation. If the Offeror is a Joint Venture, all participants must separately complete both the ORCA Representations and Certifications.

TAB 5: If the Offeror is a Joint Venture (JV), include a copy of the JV Agreement. If a JV Agreement has not yet been finalized/approved, indicate its status. JV Agreements must clearly indicate the percentages of the JV participants, in particular the percent of the controlling party, and a clear delineation of responsibilities and authorities between the JV parties.

9. SPECIFIC INSTRUCTIONS FOR THE TECHNICAL PROPOSAL

(1) Number of Sets of the Technical Proposal. Submit the ORIGINAL and THREE (3) additional sets of the written Technical Proposal, with each set separately packaged.

(2) Format and Contents of the Technical Proposal and List of Tabs. The original and all copies of the technical proposal will be appropriately labeled as such. Each set shall be organized using the tabs specified in the following chart. Note: The main tabs directly correlate to the evaluation factors identified in Section 00120.

TAB	CONTENTS OF THE TECHNICAL PROPOSAL
Factor #1	EXPERIENCE
Factor #2	RESOURCES A. Key Personnel B. Capacity
Factor #3	MANAGEMENT AND PERFORMANCE A. Management Plan B. Capacity Development C. Prompt Payment D. DBA E. Performance of Work by the Contractor

Factor #4	SECURITY
Factor #5	PAST PERFORMANCE

(3) Page Limitations. See paragraphs 6.d.(2) and 6.d.(6) above for format and page count instructions. The following page limitations are established for each factor described above:

- Factor #1, Experience – Limited to 5 pages (maximum of 5 forms) **Letters of Commitment with subcontractors will NOT count against your page limitation.**
- Factor #2, Resources– Limited to 1 page for each resume provided and 3 pages to discuss Capacity
- Factor #3, Management and Performance – 10 page limitation **Letters of Commitment with subcontractors will NOT count against your page limitation.**
- Factor #4, Security – Limited to 2 pages
- Factor #5, Past Performance – Limited to 6 pages (maximum of 6 forms)

Pages submitted which exceed limitations listed above will not be evaluated. Tables of content, proposal cover letters, and tabs between proposal information do not count toward any page limitations in the proposal.

10. PROPOSAL FORMAT - VOLUME I

Submission Requirements: The Proposal must contain no more than 5 projects as outlined by Attachment Experience Overview Sheet, representing the Contractor’s experience performing work required on this solicitation.

- (i) **TAB 1: FACTOR 1, EXPERIENCE:** Demonstrate the experience of the Offeror and/or the proposed team, including sub-contractors, on projects that are the same or similar to that described in the solicitation for site-adapt, design-build construction work. The Contractor shall complete a minimum of two (2), but no more than five (5), “Experience Information” forms, attached at the end of this section, in response to this factor. All blocks must be filled in and all data must be accurate, current, and complete. At least two (2) of the projects submitted must be the same or similar to the site adapt, design build solicitation. Similar projects are permanent vertical construction projects that include design, and utilities development. At least one (1) of the projects provided must be valued at over \$1,00,000.00 and must have been underway with at least 50% completed, or completed within the last 5 years, and of the two (2) similar projects.

If any of the information required by the Experience Information Form is not included in the form then the offeror will be considered non-responsive and evaluated as unacceptable.

(ii) **TAB 2: FACTOR 2, RESOURCES:**

A. **Subfactor 1 - KEY PERSONNEL:** The Offeror must provide resume data for the following key personnel:

Project Manager for Design
Project Manager for Construction
Safety Officer
Quality Control Manager
Project Scheduler
Senior Electrical Engineer
Senior Mechanical Engineer
Senior Civil Engineer
Construction Superintendent.

Resume information to be provided shall be limited to no more than one (1) page per person and shall include the following information as a minimum:

- Name and title
- Project assignment
- Name of firm with which associated
- Years experience with this firm and with other firms
- Education degree(s), year, specialization, institution if applicable
- Active professional registration, year first registered, if applicable
- Other experience and qualifications relevant to same/similar work required under this contract

The following key personnel must have degrees in the required disciplines:

- Project Managers – Architectural or Engineering Degree in any discipline
- Senior Electrical Engineer – Electrical Engineering Degree
- Senior Mechanical Engineer – Mechanical Engineering Degree
- Senior Civil Engineer – Civil Engineering Degree
- Project Scheduler – Degree in any engineering discipline or four year Construction Management degree

ALL key personnel shall have a minimum of three (3) years of professional experience in their field. For example, a Civil Engineer must have a degree in Civil Engineering and a minimum of three (3) years of professional civil engineering experience.

B. Subfactor 2 - CAPACITY: The offeror shall demonstrate his/her ability to take on this additional project to include management resources, equipment (owned or rented), and financial capability to fully execute the project. The contractor shall also demonstrate that if the project schedule slips how additional resources (management, labor, and equipment) could be provided in a timely manner to ensure completion in accordance with the performance period.

(iii) **TAB 3: FACTOR 3, MANAGEMENT AND PERFORMANCE:**

A. Subfactor 1: MANAGEMENT PLAN: Describe in detail your proposed plan for managing all phases of this project throughout construction execution to completion and project turnover, ensuring you maintain schedule in accordance with the specified performance period. Provide a list of your major subcontractors and the features of work each will accomplish and whether or not you have previously teamed with your firm. Provide a letter of commitment from each subcontractor indicating their availability and intent to perform work on this project and the labor, equipment, and resources they will bring to the project. Provide a Management Organizational Flow Chart, which includes Project Management, Construction, Contractor Quality Control (CQC), and Safety showing lines of authority and responsibilities for each position indicated. Describe your plan to control time during construction of the project and proposed methods to regain schedule should it slip. Discuss how subcontractors will be integrated into the project and how they will be controlled (as it relates to timely completion and quality of work). Provide a general discussion of the project Quality Control Plan (QCP), which specifically addresses how quality will be assured on this project.

B. Subfactor 2: CAPACITY DEVELOPMENT: The offeror shall provide an Afghan Capacity Development Plan. This plan must demonstrate how the offeror will promote the education and skills development of Afghan citizens. The offeror must also submit a copy of the form found at the end of this section entitled “Afghan Capacity Development”.. Specifically, the plan must address the following elements, as a minimum. The term “offeror” here includes subcontractors, if applicable.

- How the offeror will recruit, hire, train and maintain a staff of skilled Afghan workers for construction trades including, but not limited to: equipment operators, masons, reinforcing steel workers, concrete finishers, laboratory technicians, painters, and carpenters.
- How the offeror will recruit, hire, train and maintain a staff of Afghan journeymen, including but not limited to electricians and plumbers.
- How the offeror will recruit and hire educated Afghans or educate Afghan citizens so that they can assume construction engineering and management positions. These positions will include, but are not limited to safety and health officers, quality control managers, schedulers, cost estimators, construction superintendents, and project managers.

- How the offeror plans to interface with the technical and trade schools in the province where the project is being built to maximize the use of graduates from the schools and provide opportunities for the students and graduates of the schools to get on-the-job training and experience.
- The name and resume for an Afghan Capacity Development Manager, whose responsibility it will be to manage the capacity development efforts.

C. Subfactor 3: PROMPT PAYMENT: The Offeror must demonstrate how they plan to enforce the prompt payment requirements in accordance with Technical Specification Section 01060 Special Contract Requirements paragraph 2.8 Prompt Payment of Subcontractors.

D. Subfactor 4: DEFENSE BASE ACT (DBA) INSURANCE: The offeror must provide a detailed narrative demonstrating how they intend to meet the DBA Insurance requirements in accordance with Technical Specification Section 01060 Special Contract Requirements paragraph 2.11.

E. Subfactor 5: PERFORMANCE OF WORK BY THE CONTRACTOR: The offeror must demonstrate how they will achieve the stated percentage of work in accordance with Contract Clause 52.236-1 Performance of Work by the Contractor (Apr 1984).

(iv) **TAB 4: FACTOR 4, SECURITY PLAN:** The Offeror must provide a summary draft Security Plan specific to the geographic area of the project location. The plan must discuss how the specific requirements documented in Technical Specification Section 01040 Titled: Security will be met. The plan must specifically address your plan to hire, train, and arm the security force; and a description of your employee vetting/screening process. You must provide either a letter of commitment from a licensed Private Security Contractor (PSC) or make note of your intention to request to self-perform security functions. (Letter of commitment will not count against the page limitation)

(v) **TAB 5: FACTOR 5, PAST PERFORMANCE:** For past performance, the offeror must provide a list of all projects currently underway and letters of recommendation, commendations, and/or awards on projects, which demonstrate construction experience. In addition, "Past Performance" forms, attached at the end of this section, must be submitted in response to this factor. All blocks must be filled in and all data must be accurate, current, and complete. A minimum of three (3), but no more than five (5), references must be on projects at least 50% underway, or completed within the last five (5) years. Space is provided in Past Performance form for Data Universal Numbering System (DUNS). DUNS number must be provided if and when contractor has obtained number and it is available.

11. PROPOSAL FORMAT - VOLUME II PRICE PROPOSAL

Submission Requirements: The following Administrative requirement shall be submitted at the same time as the submission of the Technical Proposal (Volume 1).

Information to be provided in Volume II:

- a. Completed Bidding Schedule, containing the Contractor determined Prices.
- b. SF1442, Solicitation offer and award
- c. Representation and Certifications, Section 00600
- d. All Amendments (SF1442)
- e. Offeror's e-mail address and cell phone number (Submit 2 email addresses if possible)
- f. Name, Address, DUNS, CAGE and TAX Identification Number of the Contractor submitting the proposal (If you do not currently have a DUNS number, please note this in your documentation).

FACTOR 6 – PRICE

Contractor's prices shall contain all costs, in addition to those contained in the Bidding Schedule that is part of this solicitation. Prices shall represent costs (indirect and direct costs) including profit. The Contractor's prices shall contain all Contractor's costs inclusive of profit, all overhead (to include office and field overhead), labor burden, insurance, adjustments to listed prices, general and administrative expenses, subcontractor mark-up, mobilization and demobilization, and all other costs including, but not limited to, compliance with environmental laws, permits, preparation of reports, correspondence and documentation required by law or these specifications, tax laws, protection and/or moving of government property and engineering services. (Engineering services include those services that are incidental to construction, and completing submittals for construction work.) The prices shall also include costs necessary to interface with Government representatives, and coordination with occupants and other contractors as necessary. For more information see the Summary of Work.

COST/PRICE PROPOSAL EVALUATION. An initial price analysis will be conducted on the offeror's prices using techniques pursuant to FAR 15.404-1(b) and in accordance with the solicitation. An evaluation for acceptability will be performed on each proposal in accordance with FAR 15.101-2(b). The Government will evaluate proposals as follows. First, the Government price evaluators will conduct a price analysis of overall prices and then perform a realism analysis for the purpose of measuring each offeror's understanding of the requirements and to assess the risk inherent in an offeror's proposal. Total prices submitted by the offeror that are determined to be more than 25% above or below the Independent Government Estimate and more than 25% above or below the average of all the price proposals received in response to the solicitation will be considered to be unreasonably high or unrealistically low and will not be considered for award. Second, the Government price evaluators will determine which of the proposals meeting the price reasonableness and realism analysis and rank them by total proposal price. Third, the Government price evaluators will select the ten lowest priced proposals meeting the price reasonableness and realism analysis and send those ten complete proposals without price to the Source Selection Evaluation Board. The technical (non-pricing) volume(s) of each of these ten proposals will be given to the Technical Evaluators for review, without identification of the prices or any rank order of prices. The Technical Evaluation Team will review these ten proposals for technical acceptability. If any Offerors are determined to be technically acceptable from this group, the Offeror with the lowest

price technically acceptable proposal will be awarded the contract. If, on the other hand, no proposals are found to be technically acceptable within this first group of ten proposals, then the process described above will be conducted again, as many times as necessary, until such time as the Government identifies a technically acceptable proposal(s).

12. Proposal Cover Sheet

<p style="text-align: center;">PROPOSAL COVER SHEET</p> <ol style="list-style-type: none">1. Solicitation Number:2. The name, address, and telephone and cell phone numbers of the Offeror (and electronic address if available):3. A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item. Statement to include any exceptions in technical or cost/price proposal or exceptions inherent in Offeror's standard terms and conditions.4. Names, titles, and telephone and cell phone numbers (and electronic addresses if available) of persons authorized to negotiate on the Offeror's behalf with the Government in connection with this solicitation:5. Name, title, and <u>signature</u> of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.
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13. SOURCE SELECTION USING THE LOWEST-PRICED, TECHNICALLY ACCEPTABLE PROCESS. An evaluation for acceptability will be performed on each proposal in accordance with FAR 15.101-2(b). The proposal that provides the lowest price and is otherwise technically acceptable in all factors will be selected for award. To be considered technically acceptable, no technical factor in the proposal may be determined to be unacceptable. The failure of a proposal to meet any of the factors will result in a technically unacceptable rating and preclude award. See also Section 00120.

For Capacity Development the contractor will submit the following table as part of the bid proposal, with empty cells (column 2) filled in and with the signature block completed by an executive officer in the company who has legal authority to make the commitments.

Skilled workers include, but are not limited to: equipment operators, masons, reinforcing steel workers concrete finishers, laboratory technicians, painters, and carpenters. These skilled workers must be graduates of construction trade schools in Afghanistan and preferably in the province where the project is being built.

Journeyman include, but are not limited to, electricians, and plumbers. These journeymen must be graduates of technical schools in Afghanistan and preferably in the province where the project is being built.

During project execution, the appropriate diplomas for skilled workers and journeymen will be provided to the U.S. Government upon request.

Afghan Capacity Development		
Position	Minimum Percentage of Workforce to be Afghan	Minimum Allowable Value to be Used in Column 2.
Skilled Trades		50
Journeyman		35
<p>The undersigned confirms that the offeror (to include subcontractors) will meet or exceed the minimum percentages of Afghan employees, as listed in Column 2 above. The performance of the Afghan Capacity Development Manager will be evaluated based on his or her ability to meet or exceed the commitment for employing Afghans.</p> <p>Signature _____</p> <p>Printed Name _____</p> <p>Title _____</p>		

Attached is a checklist for the convenience of the offeror. It is intended to assist in preparation of proposals. These are areas which should be addressed in a proper and complete proposal, but are not all inclusive. This checklist does NOT need to be returned, but is provided for information only.

Contractor Check List for information only

FACTORS	MAKE SURE THE FOLLOWING ITEMS ARE INCLUDED OR ADDRESSED IN THE PROPOSAL	YES/NO (if NO contractor will not be considered technically acceptable)
FACTOR 1: EXPERIENCE		
	One (1) Project at least \$1,000,000.00 completed or underway in the last 5 years?	
	Construction projects must show Design, Vertical Construction and Utilities Development	
FACTOR 2: RESOURCES	Clearly show education, Experience and required degree	
	List of all equipment (owned or rented)	
	Explain Financial Capability	
FACTOR 3: MANAGEMENT AND PERFORMANCE	List of Subcontractors with letters of commitment from each tell what portion of work the sub contractor will be performing	
	Provide Organization Flow Chart reflecting ALL Key Personnel	
	Provide Afghan Capacity Development Plan	
	Include resume for the Afghan Capacity Development Manager	
	Return Afghan Capacity Development Form Completely filled out	
	Skill Trade minimum 50% Afghan Journeymen minimum 35% Afghan	
	Address both how you plan to file a claim and your plan to make sure the family receives the funds	
FACTOR 4: SECURITY	Letter of commitment from the security subcontractor	
FACTOR 5: PAST PERFORMANCE	List of ALL ongoing Projects	
	All Letters of Recommendation, commendation and/or awards on all projects	

	submitted for construction experience	
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Have you assembled your proposal in the manner outlined by Section 00110?

Have you acknowledged all amendments?

Have you included One (1) original and Three (3) copies of Volume 1 – Technical Proposal?
(Each copy must be in a separate binder)

Have you included One (1) original and One (1) copy of Volume 2 – Price Proposal and
Administrative Submission?

DO NOT MIX CONTENTS OF VOLUME 1 AND 2 IN THE SAME BINDER.

SECTION 00120
ANP: SITE-ADAPT DESIGN-BUILD
LOWEST-PRICED, TECHNICALLY ACCEPTABLE (LPTA)

PROPOSAL EVALUATION AND CONTRACT AWARD

1. ELIGIBILITY FOR CONTRACT AWARD. In accordance with the FAR, no contract shall be entered into unless the contracting officer ensures that all requirements of law, executive orders, regulations, and all other applicable procedures, including clearances and approvals, have been met. This includes the FAR requirement that no award shall be made unless the contracting officer makes an affirmative determination of responsibility. To be determined responsible, a prospective contractor must meet the general standards in FAR Part 9 and any special standards set forth in the solicitation.

2. SOURCE SELECTION USING THE LOWEST-PRICED, TECHNICALLY ACCEPTABLE PROCESS. An evaluation for acceptability will be performed on each proposal in accordance with FAR 15.101-2(b). The proposal that provides the lowest price within 25% above or below the Independent Government Estimate and within 25% above or below the average of all of the offers received and is otherwise technically acceptable in all factors and subfactors will be selected for award. To be considered technically acceptable, no technical factor or subfactor in the proposal may be determined to be unacceptable. The failure of a proposal to meet any of the factors or subfactors will result in a technically unacceptable rating and preclude award.

The Government will evaluate proposals as follows. First, the Government price evaluators will conduct a price analysis of overall prices and then perform a realism analysis for the purpose of measuring each offeror's understanding of the requirements and to assess the risk inherent in an offeror's proposal. Total prices submitted by the offeror that are determined to be more than 25% above or below the Independent Government Estimate and more than 25% above or below the average of all the price proposals received in response to the solicitation will be considered to be unreasonably high or unrealistically low and will not be considered for award. Second, the Government price evaluators will determine which of the proposals meeting the price reasonableness and realism analysis and rank them by total proposal price. Third, the Government price evaluators will select the ten lowest priced proposals meeting the price reasonableness and realism analysis and send those ten complete proposals without price to the Source Selection Evaluation Board. The technical (non-pricing) volume(s) of each of these ten proposals will be given to the Technical Evaluators for review, without identification of the prices or any rank order of prices. The Technical Evaluation Team will review these ten proposals for technical acceptability. If any Offerors are determined to be technically acceptable from this group, the Offeror with the lowest price technically acceptable proposal will be awarded the contract. If, on the other hand, no proposals are found to be technically acceptable within this first group of ten proposals, then the process described above will be conducted again, as many times as necessary, until such time as the Government identifies a technically acceptable proposal(s).

3. BASIS OF AWARD. Award will be made on the basis of the lowest evaluated price of proposals meeting or exceeding the acceptability standards for non-cost factors. Tradeoffs are not permitted. Proposals are evaluated for acceptability but not ranked using non-cost/price factors.

4. EVALUATION OF THE PRICE PROPOSALS

a. Price will be evaluated and considered but will not be scored or combined with other aspects of the proposal evaluation. The proposed prices will be analyzed for reasonableness. They will also be analyzed to determine whether they are realistic for the work to be performed, reflect a clear understanding of the requirements, and are consistent with the information provided by the Offeror. Additionally, all offers will be analyzed for unbalanced pricing.

b. The otherwise technically-acceptable, lowest-priced offeror may be required to confirm its price on a Contract Line Item (CLIN), element, or total price basis, and/or provide additional information in support of their price, prior to contract award at the Government's request and discretion.

c. Other Award Factors: The Contracting Officer shall consider several factors in the selection process which are important, but not quantified, such as:

(1) Agreement by the offeror to all general and special contract provisions and clauses.
(2) Determination of responsibility of the contractor by the Contracting Officer in accordance with the provisions of the Federal Acquisition Regulation, Part 9.1. In order to be determined responsible, a prospective contractor must:

(a) Have adequate financial resources to perform the contract or the ability to obtain them.

(b) Be able to comply with the required or proposed delivery or performance schedule taking into consideration all existing commercial and Governmental business commitments.;

(c) Have a satisfactory performance record.

(d) Have a satisfactory record of integrity and business ethics.

(e) Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them.

(f) Have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them.

(g) Be otherwise qualified and eligible to receive an award under applicable laws and regulations.

5. EVALUATION OF THE TECHNICAL PROPOSAL. The Technical Proposal will be evaluated based on the following evaluation criteria:

A. FACTOR 1: EXPERIENCE: The Government will review the project experience of the offeror, including subcontractors, on projects provided in response to Section 00110, Factor 1. Offerors must meet all of the following standards to receive a "GO" or acceptable rating on this factor:

- Offeror shall complete a minimum of two (2), but no more than five (5), "Experience

Information” forms attached at the end of this section for projects that have been successfully completed or are near a successful completion, in response to this factor. All blocks must be filled in and all data must be accurate, current, and complete. At least two (2) of the projects submitted must be the same or similar to the site adapt, design build solicitation. Similar projects are permanent vertical construction projects, which include design, and utilities development.

- At least one (1) project must be valued at over \$750,000.00 and must have been underway at least 50% completed, or completed within the last 5 years.

Failure to meet all of the requirements under this factor will result in a “NO GO” or unacceptable rating and possible elimination from further consideration for contract award.

B. FACTOR 2: RESOURCES: The Government will review the resumes provided in response to Section 00110, Factor 2. Offerors must meet all of the following standards to receive a “GO” or acceptable rating on this factor.

Subfactor 1 - KEY PERSONNEL:

The offeror must submit resumes for the following key personnel:

Project Manager for Design
Project Manager for Construction
Safety Officer,
Quality Control Manager,
Project Scheduler
Senior Civil Engineer,
Senior Electrical Engineer,
Senior Mechanical Engineer
Construction Superintendent.

All resumes must include the following information and not exceed one page.

The following key personnel must have degrees in the required disciplines:

- Project Manager – Architectural or Engineering Degree in any discipline
- Senior Electrical Engineer – Electrical Engineering Degree
- Senior Mechanical Engineering – Mechanical Engineering Degree
- Senior Civil Engineer – Civil Engineering Degree
- Project Scheduler – Degree in any Engineering discipline or 4 year Construction Management degree

ALL key personnel shall have a minimum of three (3) years of professional experience in that field. For example, a Civil Engineer must have a degree in Civil Engineering and 3 years of professional civil engineering experience.

Failure to meet all of the requirements under this subfactor will result in a “NO GO” or unacceptable rating and elimination from further consideration for contract award.

Subfactor 2 - CAPACITY: The Government will review the description of capacity the contractor is able to bring to bear in executing the solicitation requirements provided in response to Section 00110, Factor 2. Offerors must demonstrate they have ability, equipment, financial capacity and management resources to successfully complete the project on time within the prescribed performance period to receive a “GO” or acceptable rating for this subfactor.

C. FACTOR 3- MANAGEMENT AND PERFORMANCE:

Subfactor 1 – MANAGEMENT PLAN: The Government will review the offeror’s proposed plan for managing all phases of the project verifying his intent to complete the project on schedule. The offeror must provide a list of its major subcontractors (if any) and the specific work each will accomplish. The contractor must state whether or not he has previously teamed with a specific subcontractor and they successfully completed the work on time. If subcontractors are listed the contractor must provide a letter of commitment from each subcontractor indicating their availability and intent to perform work on the project. The offeror must provide a Management Organizational Flow Chart, which includes detailed information concerning Project Management, Construction, CQC, and Safety. The chart must clearly indicate lines of authority and responsibilities for each of the positions indicated. The offeror must describe his plan to control time during construction to meet the project completion date and specify methods to be used in an effort to regain schedule should it slip. The contractor must discuss how subcontractors will be integrated into the project and how they will be controlled (as it relates to timely completion and quality of work). The offeror must provide a general discussion of his project Quality Control Plan (QCP), specifically addressing how quality will be assured on the project. All elements must be included in the plan in order to receive a “Go” or acceptable rating for this subfactor.

Subfactor 2 – CAPACITY DEVELOPMENT: The Government will review the offeror’s proposed plan to see determine if it demonstrates how the offeror will promote the education and skills development of Afghan citizens. Specifically, the plant must demonstrate the following:

- How the offeror will recruit, hire, train and maintain a staff of skilled Afghan workers for construction trades including, but not limited to: equipment operators, masons, reinforcing steel workers, concrete finishers, laboratory technicians, painters, and carpenters.
- How the contractor will recruit, hire, train and maintain a staff of Afghan journeymen, including but not limited to electricians and plumbers.
- How the offeror will recruit and hire educated Afghans or educate Afghans citizens so that they can assume construction engineering and management positions. These positions will include, but are not limited to safety and health officers, quality control

managers, schedulers, cost estimators, construction superintendents, and project managers.

- The name and resume for an Afghan Capacity Development Manager whose responsibility it will be to manage the capacity development efforts. The person's position within the company organizational chart must be shown.

Offerors must demonstrate that they have an achievable plan to achieve all of the requirements listed above to receive a "GO" or acceptable rating for this subfactor.

Subfactor 3 – PROMPT PAYMENT: The government will review the offeror's description of how they will ensure the prompt payment of all subcontractors, suppliers, and their employees in accordance with local Afghan laws and the requirements specified in Technical Specification Section 01060 Special Contract Requirements paragraph 2.8 Prompt Payment of Subcontractors. Offerors must demonstrate how they will meet their payment responsibility as a prime contractor and ensure all subcontractors, suppliers, and all employees are promptly paid in a timely manner to receive a "GO" or acceptable rating for this subfactor.

Subfactor 4 - DEFENSE BASE ACT (DBA) INSURANCE: The government will review offeror's description of how they will properly submit a claim, to include necessary actions / preparations to gather contact information for the injured / deceased family, and both the notification and follow up processes to facilitate replacing the lost income of the worker. The government will also review the proposed process for immediate and required follow-on reports being submitted in a timely manner to the appropriate individuals in accordance with the DBA Insurance requirements specified in Technical Specification Section 01060 Special Contract Requirements paragraph 2.11. The offer's process must demonstrate how the requirements will be met to receive a "GO" or acceptable rating for this subfactor.

Subfactor 5 - PERFORMANCE OF WORK BY THE CONTRACTOR: The government will review the offeror's description of how they will achieve the stated percentage of work in accordance with the contract clause, by either self performing specific features of work, providing materials to be incorporated in the works, providing a list of owned equipment to be charged against the project to meet the percentage identified in Contract Clause 52.236-1 Performance of Work by the Contractor (Apr 1984). The offeror must demonstrate how the required percentage of work will be met to receive a "GO" or acceptable rating for this subfactor.

(iv) **TAB 4: FACTOR 4, SECURITY PLAN:** The Offeror must provide a summary draft Security Plan specific to the geographic area of the project location. The plan must discuss how the specific requirements documented in Technical Specification Section 01040 Titled: Security will be met. The plan must specifically address your plan to hire, train, and arm the security force; and a description of your employee vetting/screening process. You must provide either a letter of commitment from a licensed Private Security Contractor (PSC) or make note of your intention to request to self-perform security functions. (Letter of commitment will not count against the page limitation)

E. FACTOR 5: PAST PERFORMANCE: For past performance, government will review the offeror's letters of recommendation, commendations and/or awards on projects to see that they demonstrate successful construction experience. The government will also review the "Past Performance" forms required to be submitted in response to this factor to ensure that all blocks are filled in and all data is accurate, current, and complete, a minimum of three (3), but no more than five (5), references are on projects at least 50% underway, or completed within the last five (5) years.

The Contractor Performance Assessment Reporting System (to include ACASS, CCASS, and CPARS) will be utilized to validate past performance ratings on Department of Defense contracts, as well as any other past performance information source the Government deems necessary to evaluate a contractor's past performance.

The US Army Corps of Engineers, Afghanistan Engineer District-North, maintains final evaluations of Offeror's performance in the Resident Management System (RMS), hard copies in contract files, and previous past performance evaluations conducted by the Government. Any and all of this information may be used when evaluating past performance of Offerors if it is determined to be recent and relevant by the Contracting Officer.

The Government may use the list of projects under way, and other information, to contact references provided as part of Factor 1 – Experience, or any other sources, for information regarding the offeror's past performance on projects and for the purposes of assessing and verifying the scope of the work performed. **Offerors should provide accurate, current, and complete contact information for references provided in the past performance worksheet.**

Failure to meet all the requirements under this factor will result in a "NO GO" or unacceptable rating. Offerors with no past performance information will receive a "NEUTRAL" rating for this factor.

6. GENERAL TECHNICAL CRITERIA

- a. Material omission(s) may cause the technical proposal to be rejected as unacceptable.
- b. Proposals which are generic, vague, or lacking in detail may be considered unacceptable. The offeror's failure to include information that the Government has indicated should be included may result in the proposal being found deficient if inadequate detail is provided.
- c. The Government cannot make award based on a deficient offer. Therefore, receipt of a "NO GO" determination of acceptability for any factor or subfactor will make the offer ineligible for award, unless the Government elects to enter into discussions with that Offeror and all deficiencies are remedied in a revised proposal.

SECTION 01040 **SECURITY**

1.0 SPECIFIC CONTRACT SECURITY ASSESSMENT

The Government has determined that there is a Moderate Risk associated with the security environment in which this work is to be performed. This rating takes into consideration the geographic location of the work, including the Government's institutional knowledge of the recent history of this area as it relates to security, and the nature of the work to be performed under this contract. The Government is entitled to assume that the contractor possesses the degree of knowledge that is "standard" to experienced contractors in this industry and location, and that the contractor will gain other relevant information that is reasonably available about the contract to be performed. The Government is further entitled to assume that the contractor understands its abilities as they relate to the work to be performed under the contract.

2.0 GENERAL BACKGROUND

Operations in Afghanistan require Armed Contractors (ACs) and Private Security Companies (PSCs) to fulfill a variety of important security functions for the Department of Defense (DOD), Department of State (DOS), and other entities operating in the Combined Joint Operations Area – Afghanistan (CJOA-A). Included in these ACs and PSCs are traditional private security companies, the Afghan security guards, and DOD contractors who are armed for personal protection. Traditional PSCs perform convoy escort, static security, and personal security details (PSDs). Afghan security guards (ASGs) provide local static security to Forward Operating Bases (FOBs), Company Operating Bases (COPs), and other infrastructure with local Afghan companies. DOD contractors may be armed either as a function of the service they provide or their operating location. These AC/PSCs are not combatants; they execute services to protect personnel, supplies and equipment, and fixed facilities. Weapons employed by AC/PSCs are for purely defensive purposes only. This section is in accordance with the "USCENTCOM Policy and Delegation of Authority for Personal Protection and Contract Security Service Arming of DOD Civilian Personnel and Contractors for Iraq and Afghanistan", 7 November 2006.

The intent of these contracted services is to "free" joint forces to conduct military operations and other inherently governmental functions. As the CJOA-A experiences both building of combat power as well as the parallel civilian uplift effort, the reliance on contracted services to include AC/PSCs is likely to increase. AC/PSC services are necessary to secure installations and other infrastructure, conduct movement support for sustainment, train Afghan Forces to proficiency, and transport key personnel throughout the CJOA-A. The terms armed contractor, private security company, or contractor personnel, includes all personnel directly employed by the contractor at any tier of contract or subcontract. This section applies to all armed contractors providing service on DOD contracts.

3.0 GOVERNMENT REPRESENTATIVES

USACE will have a hierarchical security organization that disseminates essential security information and provides consistent and comprehensive use of security information. The USACE Area OIC/NCOIC will serve as the Area Office Security Officer and the Resident OIC/NCOIC will serve as the Security Officer at each Resident Office. When required the Area Office will request security plan review support from the Anti-Terrorism/Force Protection (AT/FP) expertise in the District Joint Operations Center (JOC). The Contractor may request this support from the Area/Resident Office OIC.

3.1 SECURITY PLAN

The Security Officers will review and approve all current and future contractor security plans prior to submittal approval by the authorized representative of the contracting officer. The Security Officer shall ensure that all contractor security plans are in accordance with the contract requirements. The security plans shall address movement of contractor labor, material, and equipment including contractor notification requirements to Government Security Officers who will in-turn inform Task Force Commanders and other Coalition Forces. The Security Officers will lead the quality assurance program to ensure contractors are executing their approved security plans. The Government will not allow the Contractor to start work without an approved security plan.

3.2 SECURITY COORDINATION

Contractor will be required to assign a Security Manager to coordinate construction site security with the Area and Resident Office Security Officer(s) who will coordinate with the Task Force or Provincial Reconstruction Team (PRT) Commanders. Afghan or Coalition Forces may be available, under certain circumstances, to assist the contractor on a case by case basis. The Government also expects the Contractor to coordinate with local Afghan Forces to the greatest extent possible. Coordination does NOT include nor imply making payments of any nature whatsoever to the local ANA/ANP or Local/Provincial Government Officials for permission or protection to construct the project. The contractor will immediately inform the Government if asked to make any such payments, and the Government will provide further direction to the contractor. Corruption will not be tolerated at any level, under any circumstances. Conducting business in this manner will be grounds for termination of the contract.

3.3 CLAIM FOR SECURITY DELAYS

Following a threat or an attack on a USACE contractor or a contractor claim for security delays, the Security Officer will validate the incident and assess the incident's impact to the contract period of performance. Within 30 days of the incident, if the contractor submits a request for an extension of time, the Government ACO will assess the incident's impact to the construction schedule and as necessary issue a contract modification for additional non-compensable time.

3.4 SECURITY RATING

Each contract/task order will be assigned a rating by the Government Security Officer (see paragraph 1.0). This rating will determine the level of approval for the security plan. Assistance from the District's JOC AT/FP expertise may be required to assess the rating. Ratings and approval levels are below:

- a. Extremely High Risk: District Commander
- b. High Risk: Deputy CDR, Chief of E&C, Area OIC, or J3 OIC
- c. Moderate Risk: Chief of Construction, Area OIC/NCOIC, or Area Engineer
- d. Low Risk: Resident OIC/NCIOC, Resident Engineer

3.5 GOVERNMENT PROVIDED SECURITY

Any U.S. Government provided security/escort services will be in accordance with DFAR 252.225-7040 CONTRACTOR PERSONNEL AUTHORIZED TO ACCOMPANY U.S. ARMED FORCES DEPLOYED OUTSIDE THE UNITED STATES (JUN 2006).

4.0 SITE SECURITY FOR PROJECTS OUTSIDE OF ACTIVE COALITION FORCE BASES

The contractor shall develop a site security plan and program (IAW Security Plan Section) to provide 24 hr/7 days a week security for the project throughout the performance of the Contract. There will be armed guards manning project watch towers, the main entry gate, and roving patrols of the compound, adjacent hills, and observation posts at all times. Tower guards will maintain perimeter security to include thwarting any attempted theft, vandalism, or attacks. Roving guards will patrol vehicle staging areas making sure unauthorized personnel are not present, and prevent damage or sabotage of grounds and/or equipment. Roving patrols will also check nearby hills to prevent snipers or any other terrorist activity that might threaten the site. Facility security shall include access control to limit entry to unauthorized personnel, conduct vehicle and personnel bomb searches, report suspicious persons, question persons as required, and respond to calls for security support and assistance. The Contractor shall employ culturally appropriate means of searching personnel. Local governments, ANA/ANP units, and Coalition Forces should be coordinated with to support the large scale security of the site to the greatest extent possible; however, the contractor is ultimately responsible for providing security. Coordination does NOT include nor imply making payments of any nature whatsoever to the local ANA/ANP or Local/Provincial Government Officials for permission or protection to construct the project. The contractor will immediately inform the Government if asked to make any such payments, and the Government will provide further direction to the contractor. Corruption will not be tolerated at any level, under any circumstances. Conducting business in this manner will be grounds for termination of the contract. The contractor is expected to perform all required actions to protect the construction site compound from theft and vandalism and personnel from physical harm. These measures are strictly for the protection and defense of

the on-site people and property; contractors are not authorized to conduct any type of offensive operations. For security of road construction, transportation of supplies, and equipment convoys, see the appropriate section below.

4.1 SITE SECURITY FOR PROJECTS ON-BASE

The Contractor shall provide general perimeter force protection security for developing the site. Security may include but is not limited to temporary fences and private security guards. Perimeter security shall prevent unauthorized site access and provide site protection to the contractor's work force and the Government personnel for the duration of the project. Many bases in Afghanistan have multiple contractors and local Afghan security forces working on them; it is the responsibility of the Contractor to ensure the 24/7 protection of the construction site from vandalism and theft. If the security situation request measures more than the general provision specified by the Contractor, the contractor shall inform the Government immediately. The Contractor has the ultimate responsibility for all security measures. These measures are strictly for the protection and defense of the on-site people and property; Contractors are not authorized to conduct offensive operations.

4.2 SECURITY FOR ROAD PROJECTS, TRANSPORTATION, & CONVOYS

Road construction projects will maintain at least two armed traffic control points (TCPs) at 300 meters in both directions of the road, or at a distance that terrain dictates. TCP guards will thoroughly inspect vehicles, entering the compound for explosives, contraband, and unauthorized personnel. TCP guards will also check for proper identification and conduct physical searches of personnel entering and leaving the site. They will report suspicious persons, question persons as required, and respond to calls for security support assistance. The TCP must have controlling barricades to slow traffic in both directions, but not to block the road completely. The Contractor shall employ culturally appropriate means of searching personnel. The TCP must have a vehicle ready for immediate evacuation or pursuit of AAF trying to access the construction site.

4.2.1 MOVEMENT OF PROJECT EQUIPMENT AND SUPPLIES

The Contractor will inform the Government Security Officer no later than 72 hours before any movement of project equipment and supplies outside of any Coalition Force bases in the CJOA-A. Both the Government and the Contractor must be aware of information security, using face-to-face meetings, courier mail, or other secure means of communication to discuss movements. All contractor convoys will have a minimum of two armed security details in the front and rear of the convoy. Convoys longer than three vehicles will also have a center armed security detail. The minimum security detail is a vehicle(s) with two armed security personnel, each with AK-47 or equivalent weapons. While the aforementioned is a minimum requirement, the Contractor shall have an armed security detail commiserate with the threat of the route. The threat of attack in Afghanistan is very real, and Contractors must be prepared for violent ambushes from Anti-Afghanistan Forces (AAF). Redundant communication equipment is highly recommended using cell phone, satellite phone, or other Contractor/Government supplied communication/tracking equipment.

4.2.2 SECURITY DETAIL

The project site will also have a security detail on either side of the on-site construction. These details must be able to protect and defend from nearby buildings, hilltops, and concealed terrain while still providing immediate on-site security to the construction equipment and personnel.

4.2.3 REQUIRED TRAINING

The Government recommends the contractor employ personnel that are trained in finding mines and improvised explosive devices along the construction route. Contractor personnel are prohibited from getting close, touching, or handling any explosive devices or unexploded ordinance found. The Contractor will report the location of any of these devices to the Government Security Officer or local Afghan Forces immediately for disposal/removal.

5.0 SECURITY PLAN

During the Preconstruction Conference, the Contractor will receive the Government's Alignment, Movement, & Security Plan (AMSP). The AMSP will have at a minimum:

- e. An estimated threat assessment of the project area and major supply routes.
- f. The contact information for the USACE Security Officers, engineering/construction representatives, local Coalition Forces, and local Afghan Forces near the project site.
- g. General emergency procedures and critical information required for Coalition/Afghan Force security assistance.
- h. The estimated number of quality assurance (QA) site visits by the Government on a weekly/monthly basis.
- i. Any special security requirements directed by the Coalition Force Commanders in the area.

5.1 ESTIMATED THREAT ASSESSMENT

The contractor is expected to develop a site security plan to cover a range of security operations from low to high threat. Included in this plan will be the capability for a surge of manpower and equipment required during high threat conditions. The contractor is expected to notify all on-site personnel of increased threats and protective action to take.

5.2 SECURITY PLAN REQUIREMENTS

The security plan introduction must contain the following information at a minimum: MOI license number, AISA licensed (Yes/No), armed contractor & subcontractor company names, contract number/title, contracting agency (USACE-AED), type of work, number/type of weapons authorized, POC for company with contact details, Government Contracting Officer

and COR with contact details, number of security personnel by type (U.S., Afghan, Other), company's country of registration/origin.

5.3 PERSONNEL

The plan shall contain the names, photos, and tazkira numbers of security personnel, those personnel with access to weapons/ammo and those persons who will be handling or transporting explosives. As part of the security plan, the contractor shall continually submit the coordinates of the contractor's base camps, quarries, and current work locations. The Contractor shall submit, prior to the commencement of construction, a plan for security protection, with a list of the chain of command, or a letter of commitment from a licensed security contractor. Perimeter security shall prevent unauthorized site access and provide safety protection to the Contractor work force and government personnel for the duration of the project. The Contractor is solely responsible for security however local police shall be coordinated with regarding security to the greatest extent possible. Coordination does NOT include nor imply making payments of any nature whatsoever to the local ANA/ANP or Local/Provincial Government Officials for permission or protection to construct the project. The contractor will immediately inform the Government if asked to make any such payments, and the Government will provide further direction to the contractor. Corruption will not be tolerated at any level, under any circumstances. Conducting business in this way will be grounds for termination of the contract. Additionally, our new contracts are going to require that ALL security personnel are to be registered biometrically.

5.4 FORCE PROTECTION CONDITION LEVELS

The contractor will use at least four force protection condition levels (Extremely High, High, Moderate, Low) with corresponding levels and codes for on-site threat postures (uniforms, weapons, and vehicle movements). The contractor will use road movement safety restriction codes (Green, Amber, Red, or Black) for frequently traveled roads in the vicinity of project site. Force protection conditions and vehicle route status will be publicized to the site population. As a guideline, here are the Coalition Force route status codes:

- a. Green – Route Open; no restrictions
- b. Amber – Route Open; only mission essential travel allowed on this route; the Government Security Officer must approve all Contractor movements.
- c. Red – Route Open; requires Commander's approval for travel. Forces are required to use armored vehicles; all non-essential ground site visits suspended.
- d. Black – Route Closed to Coalition Forces except for emergency travel.

5.5 COORDINATION WITH LOCAL POLICE

The contractor will establish a threat assessment group with local police to determine local area threats and adjust force protection conditions as required. The contractor must use language

assistants/interpreters if there is a language difference between the armed security personnel, the contractor project manager, and other on-site personnel.

5.6 SECURITY PLAN SUBMITTAL REQUIREMENTS

Contractors will submit security plans in accordance with contract Section 01335 – Submittal Procedures for Projects.

6.0 ARMING LICENSE

Contractor personnel who are armed will be properly authorized to carry arms in Afghanistan by registering and obtaining a license to carry arms from the Afghanistan Ministry of the Interior through USFOR-A. Armed contractor personnel must be properly trained and qualified on each weapon they will be authorized to use. Exceptions to proceed without a valid MOI license may be granted in rare cases at the sole discretion of the Government. Failure to obtain this license is grounds for contract termination. All armed contractors must carry a copy of their Letter of Authorization (LOA) and their MOI license at all times. U.S. and Coalition Forces have the right to ask for this documentation at any time.

7.0 LOCAL HIRE VETTING PROGRAM

The Contractor shall maintain a local hire vetting program for all local hires required under performance of this contract, to include background checks. The Contractor will conduct interviews and review employment application information for their candidates, with results of the interview and information reviews provided to the USACE security representative for appropriate action. The Contractor will be available to accept reports of threats and intimidations, and forward these to the appropriate Government agency for resolution. The Contractor will demonstrate an awareness of cultural nuances (i.e. tribal relationships, etc.) and employ culturally sensitive measures when conducting interviews. The U.S. Government will enter all AC/PSC personnel into the nation-wide Biometrics network to verify Contractor vetting.

8.0 COMMUNICATION

The contractor will operate a 24/7 security operations center with communication capability to each guard on duty and the ability to notify all on-site personnel of increased threats and protective actions to take. *The operations center will also have the capability of 24/7 communication with the local Coalition, ANA, or ANP security forces.* The Contractor shall have communication with the District JOC at all times for rapid emergency response; the Government Security Officer will give the Contractor the JOC contact information. Communication can be via cell phone, email, satellite phones, VHF, HF, CODAN, text, or other communication technologies compatible with the Government's capabilities. The Contractor

will provide the Government with their contact information (names, numbers, frequencies, email addresses, transponder IDs, etc.) for the site encompassing all available communication means.

9.0 CONTRACTOR PROVIDED EQUIPMENT

The contractor will provide the operational security equipment including but not limited to weapons, radios, uniforms, vehicles, vehicle fuel, phones, and other equipment as proposed by the contractor to provide complete site security.

10.0 TRAINING

The contractor will develop a training plan for each aspect of the security operations to ensure all employees receive initial and quarterly training to maintain certification, proficiency, and safety. Records of the training is an inspectable item for the COR and Security Officer. The Contractor will ensure all security personnel are trained on the required COMISAF/USFOR-A Tactical Directive, ROE/RUF, escalation of force (EOF), withdrawal/clear drills, proportionality, target discrimination, positive ID, Law of War, small unit tactics training, and general convoy drills like vehicle recovery. This training will also include but not limited to weapons qualification, vehicle operations, IED, site security, traffic/entry control points, and safety. The contractor shall provide a sufficient number of trained personnel to meet the required security level for the project beginning on the date of mobilization.

11.0 KEY CONTROL

The contractor shall establish and implement methods in writing to ensure that all keys issued by the Contractor are not lost or misplaced and are not used by unauthorized persons. The contractor shall develop procedures covering key control that will be included in their quality control system (See Section 01451). The project managers will keep a master log of all keys and provide a copy to the contracting officer's representative (COR) for verification. If a key is lost or stolen, the Contractor shall pay to have all impacted locks changed/rekeyed immediately.

12.0 SAFETY BARRICADES

Barricades shall be required whenever safe public access to paved areas such as roads, parking areas, or sidewalks is prevented by construction activities or as otherwise necessary to ensure the safety of both pedestrian and vehicular traffic. Barricades shall be securely placed, clearly visible with adequate illumination to provide sufficient visual warning of the hazard during both day and night. Travel to and from the project site shall be restricted to a route approved by the Government site supervisor. As the situation dictates, one security guard will be posted at each safety barricade.

13.0 RESPONSIBILITY FOR PHYSICAL SECURITY

Prior to mobilization, the Contractor shall submit his proposed means of providing project physical security to prevent unauthorized access to equipment, facilities, materials and documents, and to safeguard them against sabotage, damage, and theft. The Contractor shall be responsible for physical security of all materials, supplies, and equipment of every description, including property which may be Government-furnished or owned, for all areas occupied jointly by the Contractor and the Government, as well as for all work performed. Security may include but is not limited to fence and private security guards. The Contractor shall provide perimeter force protection security for the developing site. The plan shall address in detail the contractors proposed procedures, and organization necessary to produce and maintain effective security within the contract limits twenty-four (24) hours a day seven (7) days a week. This document shall be referred to as part of the security plan submittal.

14.0 CRITICAL INFORMATION TO REPORT

The Government is responsible for the management and oversight of DOD Contracted AC/PSCs delivering services throughout the CJOA-A. Given the impact of either contractor misbehavior or catastrophic attacks against contractors, it is critical that information regarding AC/PSC incidents is communicated quickly and accurately to the Government for purposes of management, fact-finding, and mitigation where necessary. The Government must receive the information addressed below. The Contractor will report any of these information requirements immediately to the Government site supervisor:

- a. AC/PSC Escalation of Force to include the use of weapons resulting in the death or injury of an Afghan citizen, coalition, or U.S. service member, other government official, or contractor.
- b. AC/PSC accidents, traffic, or otherwise, resulting in the death or injury of an Afghan citizen, coalition, or U.S. service member, governmental official, or contractor.
- c. Attacks against AC/PSC activities by Anti-Afghan Forces resulting in the death or injury of an Afghan citizen, coalition or US service member, governmental official, or contractor.
- d. Reports of "lost convoys." These are AC/PSC escort or independent activities which have lost contact with their companies.
- e. AC/PSC Escalation of Force, accidents, or other activities that result in significant damage to Afghan or USG vehicles, materials or facilities.
- f. Anti-Afghan Force actions including small arms fires (SAF), RPG fire, indirect fire (IDF), improvised explosive devices (IEDs), and/or complex attacks against AC/PSC activities.
- g. Contractor accidental or negligent discharge of a weapon.

15.0 REOCCURRING REPORTS.

Every month the Contractor will report the following to the designated contract Security Officer:

- a. The number, type, and general description of every weapons discharge by the Contractor or any tier of subcontractor on the project.
- b. The name of the Contractor's security manager and the total number of armed personnel working on the project.
- c. The total number by type/caliber of all weapons employed on the project.
- d. The serial numbers and license plates of all armored vehicles used for the project.
- e. The type of transponder/tracking system used for any moving equipment used for the project.
- f. Any changes made to security personnel (new hires, employees who quit or were let go, transfers, etc.).

16.0 CONTRACTOR SECURITY PERSONNEL REQUIREMENTS

The Contractor shall submit the names of all employees who will be working in security positions prior to their performance of any such work on this contract. All security personnel will be subject to Biometrics (retinal scan) testing by representatives of the Contracting Officer, at any time during performance of work on the contract. The names of security personnel and the Biometrics testing results will be vetted with the Afghanistan government, International Security Assistance Forces (ISAF), or U.S. Forces-Afghanistan to determine if any of the proposed security personnel are on the list of enemy combatants compiled by these sources. If the Contractor is notified by the Contracting Officer that such security personnel are on any of these lists of enemy combatants, such employees must be immediately removed from work on this contract. Repeated incidents of hiring security personnel on any of the lists of enemy combatants will be grounds for terminating the contract for default.

-END OF SECTION