

(70003568)
Design - Structures

NOV 22 1993

CELMN-CT-CC (1180-1-1q)

SE

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Contract Award Information, Contract No.
DACW29-94-C-0003

1. Name of Contractor: Boh Bros. Construction Co., Inc.

Address: 730 South Tonti Street
New Orleans, LA 70119

2. Description of Work: Lake Pontchartrain Louisiana and Vicinity,
High Level Plan London Ave. Outfall Canal, Parallel Protection,
Pumping Station No. 3 to Mirabeau Ave. Floodwall, Orleans Parish,
Louisiana.

3. Amount of Contract: \$6,684,517.80

4. Date of Contract: 15 October 93

5. Date Notice to Proceed Acknowledged: 18 November 93

6. Date Fixed for Completion: 12 May 95 (540 days)

DISTRIBUTION:
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AREA ENGINEER - New Orleans Area Ofc.
CELMN-CD-QS

Diiane K. Peco
DIANE K. PECOUL
or Chief, Construction
Service Section

CEL MN-ED-10

14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code) BOH BROS. CONSTRUCTION Co., Inc. 730 SOUTH TOWTI STREET NEW ORLEANS, LA 70119 CEC: 006947386 CAGE # 1U403		15. TELEPHONE NO. (Include area code) (504) 821-2400
CODE		18. REMITTANCE ADDRESS (Include only if different than item 14) BOH BROS. CONSTRUCTION Co., Inc. P.O. DRAWER 53266 NEW ORLEANS, LA 70153
FACILITY CODE		

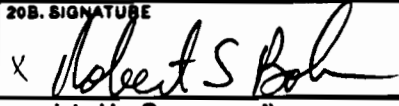
17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of this solicitation, if this offer is accepted by the Government in writing within 30 calendar days after the date offers are due. (Insert any number equal to or greater than the minimum requirement stated in item 13D. Failure to insert any number means the offeror accepts the minimum in item 13D.)

AMOUNTS ▶

18. The offeror agrees to furnish any required performance and payment bonds.

19. ACKNOWLEDGMENT OF AMENDMENTS
 (The offeror acknowledges receipt of amendments to the solicitation - give number and date of each)

AMENDMENT NO.	0001	0002	0003	0004						
DATE	8/20/93	8/24/93	9/14/93	9/17/93						

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print) ROBERT S. BOH, VICE PRESIDENT	20B. SIGNATURE 	20C. OFFER DATE 9/28/93
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AWARD (To be completed by Government)

21. ITEMS ACCEPTED: CONTRACT NO. DACW29-94-C-0003
 Bidding Schedule Items 0001 thru 0022AB

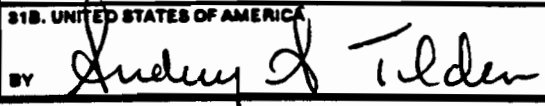
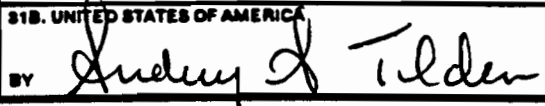
22. AMOUNT \$6,684,517.00	23. ACCOUNTING AND APPROPRIATION DATA 96x3122 284 VD "Lake Pont N.O. East Unit"
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24. SUBMIT INVOICES TO ADDRESS SHOWN IN (4 copies unless otherwise specified) ▶	ITEM 26	25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO <input type="checkbox"/> 10 U.S.C. 2304(c) () <input type="checkbox"/> 41 U.S.C. 253(c) ()
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26. ADMINISTERED BY CODE New Orleans Area Office P. O. Box 60267 Foot of Prytania Street, Rm. 186 New Orleans, LA 70160-0267	27. PAYMENT WILL BE MADE BY Disbursing Officer U.S. Army Engineer District, New Orleans P. O. Box 60267 New Orleans, LA 70160-0267
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CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE

<input type="checkbox"/> 28. NEGOTIATED AGREEMENT (Contractor is required to sign this document and return _____ copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all work, regulations identified on this form and any continuation sheets for the consideration stated in this contract. The rights and obligations of the parties to this contract shall be governed by (a) this contract award, (b) the solicitation, and (c) the clauses, representations, certifications, and specifications incorporated by reference in or attached to this contract.	<input type="checkbox"/> 29. AWARD (Contractor is not required to sign this document.) Your offer on this solicitation, is hereby accepted as to the items listed. This award summarizes the contract, which consists of (a) the Government solicitation and your offer, and (b) this contract award. No further contractual document is necessary.
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30A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN (Type or print) Audrey A. Tilden	31A. NAME OF CONTRACTING OFFICER (Type or print) Audrey A. Tilden
30B. SIGNATURE 	31B. UNITED STATES OF AMERICA BY 
30C. DATE	31C. AWARD DATE 15 Oct 1993

SOLICITATION, OFFER, AND AWARD (Construction, Alteration, or Repair)	1. SOLICITATION NO. DACW29-93-B-0080	2. TYPE OF SOLICITATION <input checked="" type="checkbox"/> SEALED BID (IFB) <input type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 07/29/93	PAGE OF PAGE: 1 / 148
	IMPORTANT - The "offer" section on the reverse must be fully completed by offeror.			

4. CONTRACT NO. DACW29-94-C-0003	5. REQUISITION/PURCHASE REQUEST NO. ED0000-3117-0034	6. PROJECT NO. DACW29-93-B-0080
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7. ISSUED BY US ARMY ENGR DIST NEW ORLEANS PO BOX 60267 NEW ORLEANS LA 70160-0267	CODE ISSUE1	8. ADDRESS OFFER TO US ARMY ENGR DIST NEW ORLEANS ATTN CELMN-CT PO BOX 60267 NEW ORLEANS LA 70160-0267
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9. FOR INFORMATION CALL:	A. NAME Molly N. Block	SC2	B. TELEPHONE NO. (include area code) (NO COLLECT CALLS) (504)862-2879
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SOLICITATION

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS (Title, identifying no., date):

11. The Contractor shall begin performance within 10 calendar days and complete it within 540 calendar days after receiving award, notice to proceed. This performance period is mandatory, negotiable. (See _____.)

12A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS? (If "YES," indicate within how many calendar days after award in item 12B.) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	12B. CALENDAR DAYS 007
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13. ADDITIONAL SOLICITATION REQUIREMENTS:

A. Sealed offers in original and 0 copies to perform the work required are due at the place specified in item 8 by 1400 (hour) local time 09/01/93 (date). If this is a sealed bid solicitation, offers must be publicly opened at that time. Sealed envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, and the date and time offers are due.

B. An offer guarantee is, is not required.

C. All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.

D. Offers providing less than 30 calendar days for Government acceptance after the date offers are due will not be considered and will be rejected.

SOLICITATION NO. DACW29-93-B-0080

BIDDING SCHEDULE

(To be attached to Bid Form)

LAKE PONTCHARTRAIN, LOUISIANA AND VICINITY, HIGH LEVEL PLAN
LONDON AVE. OUTFALL CANAL, PARALLEL PROTECTION,
PUMPING STATION NO. 3 TO MIRABEAU AVE. FLOODWALL,
ORLEANS PARISH, LOUISIANA

Item No.	Description	Estimated Quantity	Unit	Unit Price	Est. Amt.
0001.	Mobilization and Demobilization	Lump Sum	LS	\$ 100,000 ⁰⁰	\$ 100,000 ⁰⁰
0002.	Clearing and Grubbing	Lump Sum	LS	\$ 20,000 ⁰⁰	\$ 20,000 ⁰⁰
0003.	Selective Demolition	Lump Sum	LS	\$ 239,000 ⁰⁰	\$ 239,000 ⁰⁰
0004.	Pedestrian Bridge Demolition	Lump Sum	LS	\$ 5,000 ⁰⁰	\$ 5,000 ⁰⁰
0005.	Embankment, Semicompacted Fill	Lump Sum	LS	\$ 40,000 ⁰⁰	\$ 40,000 ⁰⁰
0006.	Structural Excavation and Backfill	Lump Sum	LS	\$ 400,000 ⁰⁰	\$ 400,000 ⁰⁰
0007.	Fertilizing and Seeding	Lump Sum	LS	\$ 10,000 ⁰⁰	\$ 10,000 ⁰⁰
0008.	Temporary Falsework for Gates	Lump Sum	LS	\$ 90,500 ⁰⁰	\$ 90,500 ⁰⁰
0009.	Piling, Steel Sheet, Type PZ-22	273,650	SF	\$ 8 ⁵⁰	\$ 2,347,917 ⁰⁰
0010.	Piling, Steel Sheet, Type PSA-23	1,110	SF	\$ 18 ⁰⁰	\$ 19,980 ⁰⁰
**	OPTION 1				
**0011.	Furnish and Deliver Piles (Prestressed Concrete)	2,020	LF	—	—
**0012.	Driving Piles (Prestressed Concrete)	2,020	LF	—	—
**	OPTION 2				
**0011.	Furnish and Deliver Piles (Steel H-Piles)	2,020	LF	\$ 16 ⁰⁰	\$ 32,320 ⁰⁰
**0012.	Driving Piles (Steel H-Piles)	2,020	LF	\$ 5 ⁰⁰	\$ 10,100 ⁰⁰
0013.	Reinforced Concrete Floodwalls	Lump Sum	LS	\$ 2,090,000 ⁰⁰	\$ 2,090,000 ⁰⁰
0014.	Utility Modifications	Lump Sum	LS	\$ 167,000 ⁰⁰	\$ 167,000 ⁰⁰

SOLICITATION NO. DACW29-93-B-0080

BIDDING SCHEDULE

(To be attached to Bid Form)

LAKE PONTCHARTRAIN, LOUISIANA AND VICINITY, HIGH LEVEL PLAN
 LONDON AVE. OUTFALL CANAL, PARALLEL PROTECTION,
 PUMPING STATION NO. 3 TO MIRABEAU AVE. FLOODWALL,
 ORLEANS PARISH, LOUISIANA

Item No.	Description	Estimated Quantity	Unit	Unit Price	Est. Amt.
0015.	Temporary Relocation Of Feeder Lines	Lump Sum	LS	\$ 400,000 ⁰⁰	\$ 400,000 ⁰⁰
0016.	Permanent Relocation Of Feeder Lines	Lump Sum	LS	\$ 400,000 ⁰⁰	\$ 400,000 ⁰⁰
0017.	Structural Steel Gates, and Miscellaneous Metals	Lump Sum	LS	\$ 70,000 ⁰⁰	\$ 70,000 ⁰⁰
0018.	Painting	Lump Sum	LS	\$ 130,000 ⁰⁰	\$ 130,000 ⁰⁰
0019.	Railroad Insurance	Lump Sum	LS	\$ 7,000 ⁰⁰	\$ 7,000 ⁰⁰
0020.	Temporary Flood Protection And Cofferdams	Lump Sum	LS	\$ 5,000 ⁰⁰	\$ 5,000 ⁰⁰
0021.	State Required Performance Bond	Lump Sum	LS	\$ 70,000 ⁰⁰	\$ 70,000 ⁰⁰
0022.	Erosion Control				
0022AA.	First 13,900	13,900	LF	\$ 2 ⁰⁰	\$ 27,800 ⁰⁰
0022AB.	All Over 13,900	1,450	LF	\$ 2 ⁰⁰	\$ 2,900 ⁰⁰
TOTAL					\$ 6,684,517 ⁰⁰

** Note: Bidders may bid on Item 0011 and 0012, Option 1 or Option 2, but not both.

Award will be made as a whole to one bidder.

NOTE: Bidders shall furnish unit prices for all items listed on schedule of bid items which require unit prices. If the bidder fails to insert a unit price in the appropriate blank for required items but does furnish an extended total or an estimated amount for such items, the Government will deem his unit price to be the quotient obtained by dividing the extended estimated amount for that line item by the quantity. IF THE BIDDER OMITTS BOTH THE UNIT PRICE AND THE EXTENDED ESTIMATED AMOUNT FOR ANY REQUIRED ITEM, HIS BID WILL BE DECLARED NON-RESPONSIVE. The quantities shown on Bid Item 0022AB are for evaluation purposes. Payment for these items will be made on the basis of actual quantities used.

VARIATIONS IN ESTIMATED QUANTITIES - SUBDIVIDED ITEMS. EFARS
12.402(100)--JUL 89. The Variations in Estimated Quantities
clause is applicable only to Items No. 0010 and 0022.

- a. Variation from the estimated quantity in the actual work performed under any second or subsequent sub-item or elimination of all work under such a second or subsequent sub-item will not be the basis for an adjustment in contract unit price.
- b. Where the actual quantity of work performed for Item Nos. 00102AB and 0022AB is less than 85% of the quantity of the first sub-item listed under such items, the Contractor will be paid at the contract unit price for that sub-item for the actual quantity of work performed and, in addition, an equitable adjustment in contract price shall be made in accordance with the clause FAR 52.212-11, "Variations in Estimated Quantities".
- c. If the quantity of work performed under Item Nos. 0010AB and 0022AB exceeds 115% or is less than 85% of the total estimated quantity of the sub-items under that item, and/or if the quantity of work performed under the second sub-item or any subsequent sub-item under Items Nos. NONE exceeds 115% or is less than 85% of the estimated quantity of any such sub-item, and if such variation causes an increase or a decrease in the time required for performance of this contract the contract completion time will be adjusted in accordance with the clause FAR 52.212-11, "Variations in Estimated Quantities".

**SECTION K
REPRESENTATIONS, CERTIFICATIONS AND
OTHER STATEMENTS OF OFFERORS**

K.1

DEFINITION OF SMALL BUSINESS CONCERN.

A. EXPLANATION OF TERM. "Small business concern" means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria and size standards in 13 CFR 121.(FAR 19-101)

B. SIZE STANDARDS FOR CONSTRUCTION AND SPECIAL TRADES.

1. CONSTRUCTION. A concern is small if its average annual receipts for its preceding 3 fiscal years did not exceed \$17 million. However, if 75 percent or more of the work (in terms of dollar value) called for by the contract is classified in one of the industries, subindustries, or classes of products listed in this paragraph, the concern is small if its average annual receipts for its preceding 3 fiscal years did not exceed the size standard for that industry, subindustry, or class of products. (See Division C, "Contract Construction", of the SIC Manual.)

2. DREDGING. A concern is small if (1) its average annual receipts for its preceding 3 fiscal years did not exceed \$13.5 million, and (2) at least 40 percent of the yardage in the contract's plans and specifications is dredged with equipment owned by the concern or obtained from another small business dredging concern. (FAR 19.102-1)

K.2

DEBARRED OR SUSPENDED BIDDERS.

By entering into this contract, the Contractor certifies that neither he nor any person or firm who has an interest in the Contractor's firm is a person ineligible to be awarded Government contracts by virtue of being suspended or debarred in accordance with FAR subpart 9.4.

K.3

NONDOMESTIC CONSTRUCTION MATERIALS

As required by the contract clause entitled "BUY AMERICAN ACT - CONSTRUCTION MATERIALS (APR 1984)", the following is a list of items of Nondomestic Construction Materials the bidder proposes to use, showing quantity, unit price, and intended use of each item:

Item	Quantity	Unit Price	Intended Use
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K.4

CONTRACTOR ESTABLISHMENT CODE (AUG 1989)(52.204-4)

In the block with its name and address, the offeror should supply the Contractor Establishment Code applicable to that name and address, if known, to the offeror. The number should be preceded by "CEC:" Offerors should take care to report the correct CEC and not a similar number assigned to the Offeror in a different system.

The CEC is a 9-digit code assigned to a contractor establishment that contracts with a federal executive agency. The CEC system is a contractor identification coding system which is currently the Dun and Bradstreet Data Universal Numbering System (DUNS). The CEC system is distinct from the Federal Taxpayer Identification Number (TIN) system.

The Government will obtain a Contractor Establishment Code for any awardee that does not have or does not know its CEC.

K.5

REQUIREMENT FOR CERTIFICATE OF PROCUREMENT INTEGRITY (NOV 1990)

(a) Definitions. The definitions at FAR 3.104-4 are hereby incorporated in this provision.

(b) Certifications. As required in paragraph (c) of this provision, the officer or employee responsible for this offer shall execute the following certification:

CERTIFICATE OF PROCUREMENT INTEGRITY

(1) I, ROBERT S. BOH, as the officer or employee responsible for the preparation of this offer and hereby certify that, to the best of my knowledge and belief, with the exception of any information described in this certificate, I have no information concerning a violation or possible violation of subsection 27(a), (b), or (f) of the Office of Federal Procurement Policy Act, as amended (41.U.S.C. 423), (hereinafter referred to as "the Act"), as implemented in the FAR, occurring during the conduct of this procurement.

(2) As required by subsection 27(e)(1)(B) of the Act, I further

certify that, to the best of my knowledge and belief, each officer, employee, agent, representative, and consultant of BOH BROS. CONSTRUCTION Co., Inc. personally and substantially in the preparation or submission of this offer has certified that he or she is familiar with, and will comply with, the requirements of subsection 27(a) of the Act, as implemented in the FAR, and will report immediately to me any information concerning a violation or possible violation of subsections 27 (a), (b), (d), or (f) of the Act, as implemented in the FAR, pertaining to this procurement.

(3) Violations or possible violations: NONE
(Continue on plain bond paper if necessary and label Certificate of Procurement Integrity (Continuation Sheet), ENTER NONE IF NONE EXIST)

(4) I agree that, if awarded a contract under this solicitation, the certifications required by subsection 27(e)(1)(B) of the Act shall be maintained in accordance with paragraph (f) of this provision.

Robert S. Boh 9/28/93
(Signature of the officer or employee responsible for the offer & date)

ROBERT S. BOH, VICE PRESIDENT 9/28/93
(Typed name of the officer or employee responsible for the offer)

+Subsections 27 (a), (b), and (d) are effective on December 1, 1990.
Subsection 27(f) is effective on June 1, 1991.

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

(End of certification)

(c)(1) For procurement using sealed bidding procedures, the signed certifications shall be submitted by each bidder with the bid submission except for procurements using two-step sealed bidding procedure (see subpart 14.5). For those procurements, the certifications shall be submitted with submission of the step two sealed bids. A certificate is not required for indefinite delivery contracts (see Subpart 16.5) unless the total estimated value of all orders eventually to be placed under the contract is expected to exceed

\$100,000.

(2) For contracts and contract modifications which include options, a certificate is required when the aggregate value of the contract or contract modification and all options (see 3.104-4(e)) exceeds \$100,000.

(3) Failure of a bidder to submit the signed certificate with its bid shall render the bid nonresponsive.

(d) Pursuant to FAR 3.104-9(d), the Offeror may be requested to execute additional certifications at the request of the Government. Failure of an Offeror to submit the additional certifications shall cause its offer to be rejected.

(e) A certification containing a disclosure of a violation or possible violation will not necessarily result in the withholding of award under this solicitation. However, the Government, after evaluation of the disclosure, may cancel this procurement or take any other appropriate actions in the interests of the Government, such as disqualification of the Offeror.

(f) In making the certification in paragraph (2) of the certificate, the officer or employee of the competing contractor responsible for the offer may rely upon a one-time certification from each individual required to submit a certification to the competing contractor, supplemented by periodic training. These certifications shall be obtained at the earliest possible date after an individual required to certify begins employment or association with the contractor. If a contractor decides to rely on a certification executed prior to the suspension of section 27 (i.e., prior to December 1, 1989), the Contractor shall ensure that an individual who has so certified is notified that section 27 has been reinstated. These certifications shall be maintained by the Contractor for 6 years from the date a certifying employee's employment with the company ends or, for an agent, representative, or consultant, 6 years from the date such individual ceases to act on behalf of the Contractor.

(g) Certifications under paragraphs (b) and (d) of this provision are material representations of fact upon which reliance will be placed in awarding a contract.

(End of provision)

SUBCONTRACTING PLAN REVIEW & APPROVAL

Contract No. DACW29-94-C-0003

Solicitation No. DACW29-93-B-0080

The attached Contractor's subcontracting plan is in compliance with FAR Subpart 19.7 and DFAR 219.7 "Subcontracting with Small Business and Small Disadvantaged Business Concerns."

I. Plan Reviewed By: Allen Burns 7 Oct 93
PCR Date
Small Business Administration

II. Recommend Approval By: [Signature] 7 Oct 93
K. J. Enclade Date
SADBU

III. Plan Approved By: [Signature] 10/15/93
Contracting Officer Date