

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
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2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY CODE	7. ADMINISTERED BY (If other than Item 6) CODE
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
		10A. MODIFICATION OF CONTRACT/ORDER NO.
		10B. DATED (SEE ITEM 11)
CODE		FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended, is not extended. Offers 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 _____ 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 your 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 ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	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 is not, 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.)

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)
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)	16C. DATE SIGNED

1. The specifications and drawings for Invitation No. DACW64-03-B-0014, Dredging, Texas City Channel in Galveston County, Texas, Texas City, Texas, advertised 16 June 2003 and for which bids are scheduled to be opened on 17 July 2003, are hereby modified as follows:

(a) . Specifications.

1. BIDDING SCHEDULE, Pages 00010-1 Through 00010-4 - The enclosed Bid Schedule, Pages 00010-1 through 00010-4 supersedes that issued with this Invitation.

2. Page 00700,-73 of 94, CONTRACT CLAUSE FAR 52.243-5, CHANGES AND CHANGED CONDITIONS (APR 1984). - Delete this Clause in its entirety.

3. Page 00700-94 of 94, CONTRACT CLAUSE FAR 52.217-4, OPTION FOR INCREASED QUANTITY - SEPARATELY PRICED LINE ITEM (MAR 1999). - At the end of this Section, insert the following new Clause:

“52.217-7 OPTION FOR INCREASED QUANTITY - SEPARATELY PRICED LINE ITEM (MAR 1989). The Government may require the delivery of the numbered line item, identified in the Schedule as an option item, in the quantity and at the price stated in the Schedule. The Government will exercise either Option No. 1 or Option No. 2 at the time of award. Option No. 3 may be exercised within 30 days after acknowledgement of Notice to Proceed. Delivery of added items shall continue at the same rate that like items are called for under the contract, unless the parties otherwise agree.”

4. Page 00800-4, Paragraph 6. - In the third line, change “ninety (90)” to “forty (40).”

5. Page 01100-1, Paragraph 1 - In the fifth line, change “110” to “75.,” In the eleventh line, change “60” to “70.” Also, delete the last sentence and substitute the following: “If Option No. 3 is awarded, 1 day will be added to this contract for each 10,000 cubic yards of dredged material removed.”

6. Page 02482-3, Paragraph 1.3(1) - Delete this Item and substitute the following

“(1) Sections 4, 5, 6, 7, 8 and Option No. 3, if awarded shall be dredged first. The placement of the dredged material from these reaches shall be placed as specified and completed no later than 4 September 2003.”

7. Page 02482-4, Subparagraph 1.9.1 - Delete this Subparagraph and substitute the following:

“1.9.1 Material. The material to be removed to restore the depths within the limits specified in the Paragraph: SCOPE OF WORK above is composed of shoals that have accumulated over a period of time; however, some virgin material may be encountered in the allowable overdepth or side slope dredging with the exception of Docks 11, 12, 40 and 41 of Option No 3. Virgin material along with the maintenance may be expected in dredging Docks 11, 12, 40 and 41. Bidders are expected to examine the worksite and the records of previous dredging which are available in the Northern Area Office, in the Galveston District Office, and after investigation decide for themselves the character of the materials. The Northern Area Office does not have records of previous dredging for the work included in Option No. 3.”

8. Page 02482-7, Subparagraph 3.1.3 - Delete this Subparagraph and substitute the following:

“3.1.3 Estimated Quantities. Within the limit of available funds, the Contractor will be required to excavate the entire quantity of material necessary to complete the work specified in the Paragraph: SCOPE OF WORK above, be it more or less than the amounts estimated above. The required depth template shall be cleared with no exceptions for both Schedule No. 1 and Option No. 3. A penalty equal to the unit price will be assessed for material left behind within the required depth template. The work is to be done in accordance with this contract and at the contract price or prices subject to the provisions of NON-REGULATED SPECIAL CONTRACT REQUIREMENTS CLAUSE entitled VARIATIONS IN ESTIMATED QUANTITIES - DREDGING.”

9. Page 02482-11, Subparagraph 3.3.2.4 - In the last row of the Table, in the second line, delete “(Insert Permit Nos. for these private slips)” and substitute “Permit No. 17599 (03).”

(b). Drawings.

Sheet Nos. 11A of 34 Through 11C of 34 - The enclosed new Sheet Nos. 11A of 34 through 11C of 34 supersede those issued with this Invitation.

2 Encls

1. Bd Sched, Pgs 0001-1 thru 00010-5
2. Sht Nos. 11A of 34 thru 11C of 34

File 8381S
**TEXAS CITY, TEXAS,
TEXAS CITY CHANNEL
IN GALVESTON COUNTY,
TEXAS, DREDGING**

INVITATION NO. DACW64-03-B-0014

**BIDDING SCHEDULE
(TO BE ATTACHED TO STANDARD FORM 1442)**

<u>Item No.</u>	<u>Description</u>	<u>Estimated Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Estimated Amount</u>
<u>SCHEDULE NO. 1</u>					
0001	Mobilization and Demobilization	1	L.S.	\$ _____	\$ _____
0002	Dredging	1,157,000	C.Y.	\$ _____	\$ _____
0003	Pipelines	1	L.S.	\$ _____	\$ _____
TOTAL SCHEDULE NO. 1					\$ _____

00010-1

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0014)

INVITATION NO. DACW64-03-B-0014

BIDDING SCHEDULE (CONT'D)
(TO BE ATTACHED TO STANDARD FORM 1442)

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
<u>OPTION NO. 1</u>					
0004	Cell B Ditching and Earthwork	1	L.S.	\$ _____	\$ _____
TOTAL OPTION NO. 1					\$ _____
TOTAL SCHEDULE NO. 1 AND OPTION NO. 1					\$ _____

00010-2

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0014)

INVITATION NO. DACW64-03-B-0014

BIDDING SCHEDULE (CONT'D)
(TO BE ATTACHED TO STANDARD FORM 1442)

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
<u>OPTION NO. 2</u>					
0005	Cell A Levees	1	L.S.	\$_____	\$_____
0006	Cell A Drop-out Structure	1	L.S.	\$_____	\$_____
TOTAL OPTION NO. 2					\$_____
TOTAL SCHEDULE NO. 1 AND OPTION NOS. 1 AND 2					\$_____

00010-3

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0014)

**BIDDING SCHEDULE (CONT'D)
(TO BE ATTACHED TO STANDARD FORM 1442)**

Item No.	Description	Estimated Quantity	Unit	Unit Price	Estimated Amount
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OPTION NO. 3

0007	Dredging-Docks Nos. 11, 12, 40, 41, and Sterling Dock No. 1	1	L.S.	\$_____	\$_____
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TOTAL OPTION NO. 3 \$_____

**TOTAL SCHEDULE NO. 1 AND
OPTION NOS. 1, 2, AND 3** \$_____

THE GOVERNMENT WILL EXERCISE EITHER OPTION NO. 1 OR OPTION NO. 2 AT THE TIME OF AWARD. OPTION NO. 3 WILL BE EXERCISED WITHIN 30 DAYS AFTER ACKNOWLEDGEMENT OF NOTICE TO PROCEED.

00010-4

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0014)

BIDDING SCHEDULE (Cont'd)
(TO BE ATTACHED TO STANDARD FORM 1442)

1. ARITHMETIC DISCREPANCIES (JAN 1997) (EFARS 52.214-5000).

(a) For the purpose of initial evaluation of bids, the following will be utilized in resolving arithmetic discrepancies found on the face of bidding schedule as submitted by the bidder:

- (1) Obviously misplaced decimal points will be corrected;
- (2) Discrepancy between unit price and extended price, the unit price will govern;
- (3) Apparent errors in extension of unit prices will be corrected;
- (4) Apparent errors in addition of lump-sum and extended prices will be corrected.

(b) For the purpose of bid evaluation, the Government will proceed on the assumption that the bidder intends his bid to be evaluated on the basis of the unit prices, the totals arrived at by resolution of arithmetic discrepancies as provided above and the bid will be so reflected on the abstract of bids.

(c) These correction procedures shall not be used to resolve any ambiguity concerning which bid is low.

2. MODIFICATIONS (CESWG). If a modification to a bid based on unit prices is submitted, which provides for a lump sum adjustment to the total estimated cost, the application of the lump sum adjustment of each unit price in the bid schedule must be stated. If it is not stated, the bidder agrees that the lump sum adjustment shall be applied on a pro rata basis to every unit price in the bid schedule.

3. EVALUATION OF OPTIONS (JUL 1990)(FAR 52.217-5). Except when it is determined in accordance with FAR 17.2006(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the options.

4. SALES TAX EXEMPTION (CESWG). If you intend seeking a sales tax exemption on this contract, please contact the Comptroller of Public Accounts at 1 800-252-5555.

00010-5

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0014)