

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>	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	16B. UNITED STATES OF AMERICA
(Signature of person authorized to sign)	(Signature of Contracting Officer)
15C. DATE SIGNED	16C. DATE SIGNED

1. The specifications and drawings for Invitation No. DACW64-03-B-0027, Erosion Protection, Port O'Connor to San Antonio Bay in Calhoun County, Texas, Gulf Intracoastal Waterway, Texas, advertised 3 June 2003, and for which bids are to be opened on 3 July 2003, are hereby modified as follows:

(a) Specifications.

(1) BIDDING SCHEDULE, Pages 00010-1 Through 00010-3. - The enclosed Bidding Schedule, Pages 00010-1 through 00010-3 supersedes that issued with this Invitation.

(2) Page 00100-2 of 11, PROVISION 52.1-4045, Subparagraph (f). - Delete this Subparagraph and substitute "(f) N/A."

(3) SECTION 00710, General Decision Number TX020057, HEAVY PIPELINE-ON-SHORE CONSTRUCTION Wage Rates. - Delete these Wage Rates in their entirety and substitute the enclosed new "General Decision No. TY030038, Construction Type: HEAVY HIGHWAY" wage rates therefor.

(4) Page 01100-5, Paragraph 11(a). - In the last line, change "Eighty Thousand and No/100 dollars (\$80,000)" to read "Sixty Thousand and No/100 dollars (\$60,000)."

(5) Page 01100-5, Paragraph 11(b). - In the first line, change "\$4,000,000" to read "\$3,000,000."

(6) Page 02232-1, Paragraph 3.1. - In the last line, change "mat" to "mattress.""

(7) Page 02317-1, Paragraph 1.1. - In the fifth line, delete the sentence beginning with "The actual. . . ." and substitute: "The actual layout of the baseline shall be coordinated with the Southern Area Office, based on Channel stationing."

(8) Page 02317-2, Paragraph 3.4. - In the sixth line, after the words "Adjacent area, delete the period and add "and excess excavated material shall be placed inside the Placement Area at a location to be coordinated with the Contracting Officer."

(b) Drawing.

(1) Sheets No. 9 of 11. - In TYPICAL SECTION "A," manually change the label "EARTH ANCHOR" to "EARTH ANCHOR (K-T GALVANIZING CO., INC. OR EQUAL)"

2. This amendment shall be attached to, and become a part of, the specifications.

2 Encls

1. Bd Sched, Pgs 00010-1-00010-3
2. Wage Rates (5 Pgs)

**GULF INTRACOASTAL WATERWAY,  
TEXAS, PORT O'CONNOR TO SAN  
ANTONIO BAY IN CALHOUN COUNTY,  
TEXAS, EROSION PROTECTION**

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

Item No.	Description	Estimated Quantity	Unit	Price	Estimated Amount
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**SCHEDULE NO. 1**

All work orders required by the plans and specifications will be issued from the date of award until 30 September 2003.

Bonding will be included on each Delivery Order.

0001	Geotextile	27,550	L.F.	\$ _____	\$ _____
0002	Mobilization and Demobilization (Dock to Placement Area 120A)	1	L.S.	\$ _____	\$ _____
0003	Mobilization and Demobilization (Between Placement Areas)	15	Mile	\$ _____	\$ _____
0004	Cellular Concrete Mattresses - Typical Section A	16,500	L.F.	\$ _____	\$ _____
0005	Cellular Concrete Mattresses - Typical Section C	400	L.F.	\$ _____	\$ _____
0006	Cellular Concrete Mattresses - Typical Section D	3,500	L.F.	\$ _____	\$ _____

00010-1

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0027)

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

Item No.	Description	Estimated Quantity	Unit	Price	Unit	Estimated Amount
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**SCHEDULE NO. 1 (Cont'd)**

0007	Cellular Concrete Mattresses - Typical Section E	7,150	L.F.	\$ _____		\$ _____
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**TOTAL SECTION NO. 1** \$ \_\_\_\_\_

00010-2

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0027)

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

**4 PERFORMANCE AND PAYMENT BONDS.** In accordance with the CLAUSE 52.229-25 PERFORMANCE AND PAYMENT BONDS-CONSTRUCTION, the Contractor shall submit performance and Payment Bonds within three (3) working days after receipt of the task order. No separate payment or direct payment will be made for the cost of this requirement and the work will be considered a subsidiary obligation of the Contractor.

00010-3

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0027)

General Decision Number TX030038

DACW64-03-B-0027

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General Decision Number TX030038

Superseded General Decision No. TX020038

State: TEXAS

Construction Type:

HEAVY

HIGHWAY

County(ies):

ARANSAS	FRIO	LLANO
ATASCOSA	GILLESPIE	MASON
AUSTIN	GOLIAD	MATAGORDA
BANDERA	GONZALES	MAVERICK
BASTROP	JACKSON	MCMULLEN
BEE	JIM HOGG	MEDINA
BLANCO	JIM WELLS	REFUGIO
BROOKS	KARNES	STARR
BURNET	KENDALL	UVALDE
CALDWELL	KENEDY	WHARTON
CALHOUN	KERR	WILLACY
COLORADO	KLEBERG	WILSON
DE WITT	LA SALLE	ZAPATA
DIMITT	LAVACA	ZAVALA
DUVAL	LEE	
FAYETTE	LIVE OAK	

Heavy (excluding tunnels and dams and all heavy work in Matagord and Wharton Counties) and Highway Construction Projects (does not include building structures in rest area projects) and Incidenta Shore work in Aransas, Bee, Brooks, Calhoun, DeWitt, Goliad, Jackson, Jim Hogg, Jim Wells, Karnes, Kenedy, Kleberg, Lavaca, Live Oak, Refugio, Starr, Willacy and Zapata Counties.

Modification Number    Publication Date

0                    06/13/2003

COUNTY(ies):

ARANSAS	FRIO	LLANO
ATASCOSA	GILLESPIE	MASON
AUSTIN	GOLIAD	MATAGORDA
BANDERA	GONZALES	MAVERICK
BASTROP	JACKSON	MCMULLEN
BEE	JIM HOGG	MEDINA
BLANCO	JIM WELLS	REFUGIO
BROOKS	KARNES	STARR
BURNET	KENDALL	UVALDE
CALDWELL	KENEDY	WHARTON
CALHOUN	KERR	WILLACY
COLORADO	KLEBERG	WILSON
DE WITT	LA SALLE	ZAPATA
DIMMIT	LAVACA	ZAVALA
DUVAL	LEE	
FAYETTE	LIVE OAK	

SUTX2041A 03/26/1998

	Rates	Fringes
ASPHALT RAKER		7.86
ASPHALT SHOVELER		7.25
CARPENTER	9.81	
CONCRETE FINISHER-PAVING		9.41
CONCRETE FINISHER-STRUCTURES		9.10
COCONRETE RUBBER		8.02
ELECTRICIAN	13.94	
FLAGGER	5.99	
FORM BUILDER-STRUCTURES		10.05
FORM SETTER-PAVING & CURB		8.32
FORM SETTER-STRUCTURES		8.54
LABORER-COMMON	6.67	
LABORER-UTILITY	7.58	
MECHANIC	9.38	
SERVICER	8.03	
PILEDRIVER	13.75	
PIPE LAYER	7.89	
ASPHALT DISTRIBUTOR OPERATOR		8.64
ASPHALT PAVING MACHINE		9.47

(To Accompany Amendment No. 0001 to Invitation No. DACW64-03-B-0027)

BROOM OR SWEEPER OPERATOR	7.09
BULLDOZER	8.89
CONCRETE PAVING SAW	9.00
CRANE, CLAMSHELL, BACKHOE, DERRICK, DRAGLINE, SHOVEL	10.16
FOUNDATION DRILL OPERATOR TRUCK MOUNTED	12.31
FRONT END LOADER	8.20
MOTOR GRADER OPERATOR FINE GRADE	11.56
MOTOR GRADER OPERATOR	9.72
PAVEMENT MARKING MACHINE	8.12
ROLLER, STEEL WHEEL PLANT-MIX PAVEMENTS	8.48
ROLLER, STEEL WHEEL OTHER FLATWHEEL OR TAMPING	6.67
ROLLER, PNEUMATIC, SELF PROPELLED	7.04
SCRAPER	7.65
TRACTOR-PNEUMATIC	7.31
TRAVELING MIXER	7.76
REINFORCING STEEL SETTER PAVING	8.90
SPREADER BOX OPERATOR	8.38
BARRICADE SERVICER WORK ZONE	7.09
TRUCK DRIVER-SINGLE AXLE LIGHT	7.42
TRUCK DRIVER-SINGLE AXLE HEAVY	8.25
TRUCK DRIVER-TANDEM AXLE SEMI- TRAILER	7.60
TRUCK DRIVER-LOWBOY/FLOAT	10.29

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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

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In the listing above, the "SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations

indicate unions whose rates have been determined to be prevailing.

#### WAGE DETERMINATION APPEALS PROCESS

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

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

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

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

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

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

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

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

requestor considers relevant to the issue.

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

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

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

END OF GENERAL DECISION