

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>		1. CONTRACT ID CODE	PAGE OF PAGES
2. AMENDMENT/MODIFICATION NO. <b>PR-R7-08-10064/0002</b>		3. EFFECTIVE DATE <b>03/04/08</b>	4. REQUISITION/PURCHASE REQ. NO. <b>PR-R7-08-10064</b>
6. ISSUED BY <b>U.S. EPA Region VII PLMG/RFMB/AAMS 901 North 5th Street Kansas City, KS 66101</b>		7. ADMINISTERED BY (if other than Item 6) CODE <b>Not Applicable.</b>	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  <b>To All Offerors/Bidders.</b>		(✓)	9A. AMENDMENT OF SOLICITATION NO. <b>PR-R7-08-10064</b>
		✓	9B. DATED (SEE ITEM 11) <b>02/11/08</b>
			10A. MODIFICATION OF CONTRACT/ORDER NO.
			10B. DATED (SEE ITEM 13)
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 1 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  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)**

The purpose of this amendment is to provide the transcript of the pre-bid conference, provide answers to questions not captured in the pre-bid conference minutes, and to correct clauses in Section L. The bid opening remains 3/12/08 at 12:00 p.m. CST.

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	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
_____ <i>(Signature of person authorized to sign)</i>		_____ <i>(Signature of Contracting Officer)</i>	

## AMENDMENTS TO THE SOLICITATION

1. The Section L clause entitled "INSTRUCTIONS TO BIDDERS" has been modified. The text is as follows:

The vendor shall provide 2 copies of the bid. Bids shall include: resumes, Draft Project Management Plan, Draft Quality Assurance Project Plan, Draft Health & Safety Plan, a completed Section B PRICING SCHEDULE, completed Section K, and 3 client references (contracts/subcontracts may include those entered into with Federal, State and local governments, and commercial businesses) for which work of a similar nature, magnitude and complexity has been performed within the last 3 years. NOTE: Similar nature is defined to mean the performance of the removal of lead contaminated soils. **Failure to submit any of the documents listed above will deem the bidder non-responsive.**

*To obtain a copy of the Compact Disk (CD) containing sketches of the properties, please send an email request with your name and address to: [morrison.bruce@epa.gov](mailto:morrison.bruce@epa.gov).*

Client references shall include: name of contracting activity, contract number, contract title, contract type, brief description of requirement, total contract value (and portion that you performed, if applicable), period of performance, contracting officer (name, phone number, and email address), project officer/manager (name, phone number, and email address), list of subcontractors if applicable.

Resumes of personnel specified in the KEY PERSONNEL clause shall be included.

The Draft Project Management Plan (PMP) shall address the approach advocated, the resources required, construction details, the intended interface/communications processes with EPA and the public, preliminary project scheduling, and the overall management approach that will be applied to accomplish the work described in the Performance Work Statement.

The Draft Quality Assurance Project Plan (QAPP) shall be prepared in accordance with the *EPA Requirements for Quality Assurance Project Plans, EPA QA/R-5 (March 2001)*.

The Draft Health & Safety Plan shall describe the communication plan, include the phone numbers and transportation routes to the nearest hospital or urgent care center, and describe the measures the contractor and on-site employees will take to ensure a safe and accident-free work environment.

Any bid submitted with conditions for acceptance will not be considered.

All bids shall be submitted in "hard copy". No facsimile or electronic bids will be accepted.

**Bids received that do not include ALL the information requested by this clause will be considered non-responsive.**

2. The Section L clause entitled "PUBLIC BID OPENING" has been modified. The text is as follows:

EPA will conduct a Public Bid Opening at EPA Region 7, 901 N 5<sup>th</sup> Street, Kansas City, KS 66101 on March 12, 2008 at 12:00 pm (CST). Anyone wishing to attend shall report to the security guard reception desk area and present photo ID to the security guard. Those planning to attend the bid opening should check-in no later than 11:45 a.m.

SEE ATTACHED PAGES 3 AND 4 FOR ADDITIONAL INFORMATION AND ATTACHED FILE NAMED WASH-CNTY-PREBID-TRNSCRIPT

1. The nearest rock quarry is Washington County Aggregate. Does the EPA have any limitations or restrictions to using this facility as a source of driveway gravel?

Answer: EPA is not restricting the use of any quarry. EPA has provided information in section 2.5.1 of the PWS that restricts the use of gravel derived from lead-bearing geological units. Any gravel used for backfill that is found to contain lead above 400 parts per million will have to be replaced by the contractor at the contractor's expense.

2. The EPA has identified 64 properties in the solicitation, yet requires the contractor to provide pricing for up to 270 properties in optional CLINS. Understanding that these options are not guaranteed, can the contractors at least be assured that the EPA's best projection is that a minimum of 270 properties will be identified that exceed the identified action levels?

Answer: No. EPA is not providing any assurance of a projection of a minimum of 270 properties will be identified for soil replacement.

3. Please provide the bidders with how many properties are presently identified as exceeding the action levels and approximately how many still require sampling?

4. The ROD for this project has a proposed action level of 1200 mg/kg for lead. In the event the current ROD is amended or replaced by a ROD with lower action levels (e.g. 400 mg/kg), will the successful bidder for this solicitation be allowed to perform work under the new or amended ROD?

Answer: This contract is written in a manner that requires the contractor to remove lead-contaminated soil from any property designated by EPA for such action. Under this contract, EPA has the authority to designate additional yards with lead contamination at levels less than 1,200 mg/kg for soil replacement

5. Do actual soil containment cells have to be built at the repository or are free-standing piles (as shown on slides at pre bid conf.) acceptable as long as they do not exceed 2,500 yards and are segregated by ppm levels?

Answer: Free-standing stockpiles are acceptable.

6. What is the time between TCLP testing by the START team and notification to contractor of results (TAT)?

Answer: 7 days.

7. How many properties have been excavated to-date and what is the total cost for those properties?

Answer: To-date, 161 properties have been excavated at the sites by our ERRs contractor at a cost of \$ 8,328,554. This equates to a cost of \$51,730 per property.

8. How many cubic yards of soil were removed from the 161 properties already excavated?

Answer: A total of 171,590 cubic yards of soil were removed from the 161 properties. This equates to an ERRs contract cost of \$48.54 per cubic yard of soil excavated.

9. What is the cost of the amendment used?

Answer: Historically, the amendment SulfiTech has been used. It currently costs \$200 per ton.

10. Regarding the local buy incentive, it seems impossible to earn if limited to just the Washington County area. Will opening an office in Washington County count towards achieving that incentive?

Answer: Opening a local office in Washington County will not be counted towards earning that incentive. However, the 'local buy' area is expanded to include all counties adjoining Washington County. This expansion should enable a contractor to earn the incentive should effort be put forth to that end.