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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | 1. CONTRACT ID CODE J | PAGE OF PAGES 1 5 |
| 2. AMENDMENT/MODIFICATION NO. 0001 | 3. EFFECTIVE DATE 04-AUG-2000 | 4. REQUISITION/PURCHASE REQ. NO. W25PHS-0133-4711 | 5. PROJECT NO. (If applicable) | |
| 6. ISSUED BY USACE, PHILADELPHIA (CENAP-CT-C) POC: DAVID DILKS WANAMAKER BUILDING 100 PENN SQUARE EAST | CODE DACW61 | 7. ADMINISTERED BY (If other than Item 6) See Item 6 | | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) | | | (√) | 9A. AMENDMENT OF SOLICITATION NO. DACW61-00-B-0028 |
| | | | × | 9B. DATED (SEE ITEM 11) 18-JUL-2000 |
| | | | | 10A. MODIFICATION OF CONTRACTS/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 _____ 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)

Maintenance Dredging, Sta. 162+308 to Sta. 250+440 Inland Waterway, Delaware River to Chesapeake Bay, DE and MD

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

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| (√) | 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.)

Please indicate receipt of this Amendment on Standard Form 1442 (Solicitation, Offer, and Award) as Amendment Number 0001. Failure to acknowledge all Amendments may be a cause for rejection of the bid.

THIS AMENDMENT DOES NOT EXTEND THE 17 AUGUST 2000 BID OPENING DATE.

(Continued on next page.)

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.

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| 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 |
| _____ (Signature of person authorized to sign) | | BY _____ (Signature of Contracting Officer) | |

14. DESCRIPTION OF AMENDMENT

a. GENERAL:

All pages included in this amendment but not referred to below have been included for the purpose of providing the opposite sides of the amended sheets.

b. SPECIFICATIONS:

- (1) Please make the following Pen and Ink change to Standard Form 1442 (Solicitation, Offer, and Award) in block 10: add "AT 11:00 AM" after "BID OPENING DATE: 17 AUGUST 2000."
- (2) SECTION 00600: Please delete page 00600-10 and substitute new page 00600-10, annotated Amendment No. 0001 and attached hereto.

c. DRAWINGS:

- (1) Please make the following Pen and Ink change to Drawing No. 58670, Sheet 1 of 8: Add the Title Block information shown, annotated Amendment No.0001 and attached hereto.
- d. Please indicate receipt of this amendment on Standard Form 1442 (SOLICITATION,OFFER AND AWARD) as Amendment No.0001. Failure to acknowledge all amendments may be cause for rejection of the bid.

The offeror represents that --

(a) It has, has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation;

(b) It has, has not, filed all required compliance reports; and

(c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

(End of provision)

52.222-23 NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY FOR CONSTRUCTION (FEB 1999)

(a) The offeror's attention is called to the Equal Opportunity clause and the Affirmative Action Compliance Requirements for Construction clause of this solicitation.

(b) The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

| Goals for minority participation for each trade | Goals for female participation for each trade |
|---|---|
| 12.3% | 6.9% |

These goals are applicable to all the Contractor's construction work performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, the Contractor shall apply the goals established for the geographical area where the work is actually performed. Goals are published periodically in the Federal Register in notice form, and these notices may be obtained from any Office of Federal Contract Compliance Programs office.

(c) The Contractor's compliance with Executive Order 11246, as amended, and the regulations in 41 CFR 60-4 shall be based on (1) its implementation of the Equal Opportunity clause, (2) specific affirmative action obligations required by the clause entitled "Affirmative Action Compliance Requirements for Construction," and (3) its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade. The Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor, or from project to project, for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, Executive Order 11246, as amended, and the regulations in 41 CFR 60-4. Compliance with the goals will be

measured against the total work hours performed.

(d) The Contractor shall provide written notification to the Deputy Assistant Secretary for Federal Contract Compliance, U.S. Department of Labor, within 10 working days following award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the --

- (1) Name, address, and telephone number of the subcontractor;
- (2) Employer's identification number of the subcontractor;
- (3) Estimated dollar amount of the subcontract;
- (4) Estimated starting and completion dates of the subcontract; and
- (5) Geographical area in which the subcontract is to be performed.

*** (e) As used in this Notice, and in any contract resulting from this solicitation, the "covered area" is SMSA 9160, Wilmington, DE-NJ-MD.**

52.223-13 CERTIFICATION OF TOXIC CHEMICAL RELEASE REPORTING (OCT 1996)

(a) Submission of this certification is a prerequisite for making or entering into this contract imposed by Executive Order 12969, August 8, 1995.

(b) By signing this offer, the offeror certifies that--

(1) As the owner or operator of facilities that will be used in the performance of this contract that are subject to the filing and reporting requirements described in section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11023) and section 6607 of the Pollution Prevention Act of 1990 (PPA) (42 U.S.C. 13106), the offeror will file and continue to file for such facilities for the life of the contract the Toxic Chemical Release Inventory Form (Form R) as described in sections 313(a) and (g) of EPCRA and section 6607 of PPA; or

(2) None of its owned or operated facilities to be used in the performance of this contract is subject to the Form R filing and reporting requirements because each such facility is exempt for at least one of the following reasons: (Check each block that is applicable.)

(i) The facility does not manufacture, process or otherwise use any toxic chemicals listed under section 313(c) of EPCRA, 42 U.S.C. 11023(c);

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| INLAND WATERWAY DELAWARE RIVER TO CHESAPEAKE BAY, DEL. & MD. MAINTENANCE DREDGING STA. 169+664 TO STA. 250+440 GENERAL PLAN & LIST OF DRAWINGS | U.S. ARMY ENGINEER DISTRICT, PHILADELPHIA CORPS OF ENGINEERS PHILADELPHIA, PENNSYLVANIA | Designed by: MJC Own by: C&Y Cld by: Reviewed by: JJB Chief, C & S Section Submitted by: JJC Chief, Design Branch Date: 18 JULY 2000 Design file no. IFB DACW61-00-B-0028 File name: 00000028-01 Plot date: Plot scale: 1:1 |
| SHEET REFERENCE NUMBER: 58670 SHEET 1 OF 8 | | |

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|  U.S. Army Corps of Engineers Philadelphia District | |
| U.S. ARMY ENGINEER DISTRICT, PHILADELPHIA CORPS OF ENGINEERS PHILADELPHIA, PENNSYLVANIA | Designed by: MJC Own by: C&Y Cld by: Reviewed by: JJB Chief, C & S Section Submitted by: JJC Chief, Design Branch Date: 18 JULY 2000 Design file no. IFB DACW61-00-B-0028 File name: 00000028-01 Plot date: Plot scale: 1:1 |
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