

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			I. CONTRACT ID CODE	PAGE OF PAGES
2. AMENDMENT/MODIFICATION NO. 0005		3. EFFECTIVE DATE 25-Feb-2004	4. REQUISITION/PURCHASE REQ. NO. W25PHS-4008-6171	5. PROJECT NO.(If applicable)
6. ISSUED BY US ARMY ENGINEER DISTRICT, PHILADELPHIA CONTRACTING DIVISION WANAMAKER BUILDING 100 PENN SQUARE EAST PHILADELPHIA PA 19107-3390	CODE W912BU	7. ADMINISTERED BY (If other than item 6) See Item 6		
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)		X	9A. AMENDMENT OF SOLICITATION NO. W912BU-04-R-0010	
		X	9B. DATED (SEE ITEM 11) 23-Jan-2004	
			10A. MOD. OF CONTRACT/ORDER NO.	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended.				
Offer 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 <u>1</u> 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) CHEMICAL ANALYTICAL LABORATORY SERVICES FOR ENVIRONMENTAL SAMPLE ANALYSIS				
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 <input type="checkbox"/> is not, <input type="checkbox"/> 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 DATE AND TIME SET FOR RECEIPT OF PROPOSALS REMAINS UNCHANGED. The above numbered solicitation is amended as follows: a. Pages 144 through 149 of Section L are deleted in their entirety. Substitute therefore with the attached pages numbered 144 through 149, annotated Amendment 0005. b. Section M is deleted in its entirety. Substitute therefore with the attached Section M (page 151 of 151), annotated Amendment 0005. All other information remains the same. Offerors should acknowledge this amendment by one of the methods listed in Block 11, above. Failure to acknowledge an amendment may be cause for rejection of an offer.				
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)		
		TEL:	EMAIL:	
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)		25-Feb-2004

SECTION L REPRESENTATIONS AND INSTRUCTIONS

L-1. GENERAL REQUIREMENTS

Offerors shall submit four (4) copies each of the technical and price proposals.

Price information shall be displayed in the price proposal only and shall not be included anywhere else within the proposal.

Offerors are advised that each proposal submitted must be complete and shall be organized to address the specific elements or topics required. This is necessary to facilitate and expedite an effective review.

Offerors that submit proposals that are not complete, may or may not be given the opportunity to submit any additional material, and may be considered non-responsive. As a minimum, the information required in this section shall be included in each proposal submitted. Additional data, which would serve to clarify the proposal, should also be submitted. Any other information deemed necessary by the Contracting Officer for a clear understanding of the proposal shall be furnished if requested.

Offerors' shall submit their technical proposals as part of their signed RFP package. The proposals will be reviewed for completeness and evaluated on their merits against the evaluation factors listed below. The technical factors are listed in descending order of importance. The subfactors within each factor will be of equal importance. Although price is a factor for evaluation, technical factors are more important. The technical evaluation shall therefore carry greater weight than the price evaluation when determining the best value to the Government. Offerors shall address the following factors in sufficient detail:

A. Technical Factors:

(1) Technical Capability – will consist of the following:

- Provide a list of detection/reporting limits for test parameters included in the scope as well as Method Detection Limit studies for VOCs.
- Provide resumes for Project Manager and Quality Manager, as well as at least three personnel that will report to the PM. These reporting personnel positions should be selected from those that will be performing the majority of the analytical work, which is expected to consist mostly of SW-846 test methods.

(2) Past Performance – provide a list of projects to show capability to handle multiple projects valued between \$10K and \$60K issued simultaneously that have been

successfully completed within the last two years including a point of contact, telephone number, and dollar value for each job listed and any other contracts similar in size and scope to this procurement

(3) Management Approach – will consist of the following:

- Provide data results in electronic format directly from Laboratory Information Management System (LIMS)
- Provide USACE internet access to analytical results
- Provide same day courier services such as delivery and pickup of supplies and samples at USACE work sites using inexpensive means
- Provide Quality Assurance Manual
- Ability of the laboratory to retain all analytical data for 5 years following analysis date.

(4) Subcontracting Efforts

B. Price Factors:

- (1) Price Reasonableness
- (2) Price Realism

Each of the technical evaluation factors are discussed below in further detail.

(1) **Technical Capability** - Technical capability will consist of two components, each described below.

a. Reporting and Detection Limits and Method Detection Limit Studies

The offeror's analytical laboratory must provide reporting and detection limits for the analytical parameters to be used in this contract as part of the proposal. The detection and reporting limits should be consistent with the best currently available technology and instrumentation in the industry using the test methods. If lower detection limits are available for certain parameters by using extra sample volume (for example using 25-mL purge sample rather than 5-mL purge sample for aqueous VOCs), or other adjustment, this should be noted. USACE typically uses federal and state regulations from states where USACE Philadelphia District typically performs work in, such as NJ, PA, and DE. Depending on the project, one or more of the following types of federal or state criteria listed below are employed:

- Federal/state drinking water standards
- Groundwater and surface water quality standards
- TCLP criteria
- Residential or non-residential soil cleanup standards
- Sediment quality standards

Applicable regulatory criteria vary depending on the task order. USACE typically will supply these criteria in the task order scope and require that the reporting/detection limits are capable of meeting these applicable criteria.

The laboratory must also submit the most recent method detection limit (MDL) studies for VOCs using SW-846 8260B.

b. Personnel Resumes

Project Manager

Laboratory Project Managers (PMs) are responsible for preparing the requirements for the project, maintaining the lab schedule, ensuring that technical requirements are met by the laboratory, and advising internal personnel and customers of variances. The PM will provide technical guidance and necessary laboratory related information to the lab personnel and to the client, and provide peer review of the final document to ensure accuracy of the information and data. These individuals shall have a minimum of a Bachelor's degree in chemistry or any related scientific/engineering discipline. A minimum of three years of laboratory project management experience shall be required.

Quality Manager

The Quality Manager (or Quality Assurance Manager or similar) will be responsible for overseeing the QA aspects of the data and serve as the focal point for QA/QC. This individual shall have a minimum of a Bachelor's degree in chemistry or any related scientific/engineering discipline. A minimum of three years of laboratory experience, including at least one year of applied experience with QA principles and practices in an analytical laboratory, shall be required.

In addition to resumes for the above personnel, the Contractor shall submit resumes for at least three personnel that will report to the PM. These reporting personnel positions should be selected from those that will be performing the majority of the analytical work, which is expected to consist mostly of SW-846 test methods.

(2) Past Performance

Each offeror's past performance will be evaluated to determine how well it satisfied its customers. Previous USACE experience is preferred; however, this is not necessary. USACE will contact one or more of each bidder's customers and others to determine whether the bidder meets schedule requirements; produces high-quality data; performs corrective actions to the customer's satisfaction; conforms to the terms and conditions of the contract; and is committed to customer satisfaction. Offerors shall provide a list of projects to show capability to handle multiple projects valued between \$10K and \$60K issued simultaneously that have been successfully completed within the last two years including a point of contact, telephone number, and dollar value for each job listed and any other contracts similar in size and scope to this procurement. At least two references should be included.

(3) Management Approach – Management Approach will consist of 5 components, each described below.

a. Availability of Results from Laboratory Information Management System. The offeror's selected laboratory must indicate whether it is capable of providing data results in electronic format directly from a Laboratory Information Management System (LIMS) as opposed to manual manipulation. A list will be provided as part of the proposal that lists parameters for which data results can be generated from the LIMS, as well as parameters for which data results cannot be generated from the LIMS (i.e., manual manipulation is required). The selected laboratory must indicate whether it is capable of using a Laboratory Information Management System (LIMS) to track the status of samples throughout the entire operation sequence of sample handling, analysis, and reporting by the lab. Specifically, the lab should provide a description of how the LIMS is used to control the following major functions:

- Sample receipt and login
- Sample scheduling
- Data acquisition
- Data processing and data approval
- QC data processing
- Final reporting
- Electronic deliverables

The selected lab should also include a discussion of the extent of human manipulation required in each of the above functions, and indicate whether it is capable of providing data results in electronic format directly from the LIMS. If there are any parameters that require manual manipulation, the offeror must identify which functions are impacted.

b. Internet Access-See Note

The capability of providing access to data electronically via Internet is preferred. The offeror should provide a summary description and information regarding any Internet access capabilities that are available to USACE. Specific items include:

- Sample status information
- Access to chain of custody forms
- Timely access to analytical results
- Access to historical data
- Generation of analytical reports
- Generation of electronic deliverables

c. Same-day Courier Services-See Note

The ability of the offerors' laboratory to provide timely (same day) courier services such as delivery or pickup of supplies and samples in the vicinity of the laboratory is desirable. The analytical laboratory should indicate whether this service is provided, what the distance or mileage limits are and how much prior notification is required to use this service. This service would be useful in providing an addition shipping alternative to USACE and the analytical laboratory.

NOTE: Although 'preferred', these factors are not mandatory. Offeror's proposals who address these factors will have them considered a 'plus' or strength of their proposal.

d. Quality Assurance Manual

The offerors' analytical laboratory must provide a Quality Assurance (QA) Manual. This document may also be called a Quality Manual, Quality Systems Manual, Quality Management Manual, or similar. The document shall be in accordance with the National Environmental Laboratory Accreditation Conference (NELAC) Quality Systems requirements.

The QA Manual shall contain:

- 1) a quality policy statement, including objectives and commitments, by top management;
- 2) the organization and management structure of the laboratory, its place in any parent organization and relevant organizational charts;
- 3) the relationship between management, technical operations, support services and the quality system;
- 4) procedures to ensure that all records required under this contract are retained, as well as procedures for control and maintenance of documentation through a document control system which ensures that all standard operating procedures (SOPs), manuals, or documents clearly indicate the time period during which the procedure or document was in force;
- 5) job descriptions of key staff and reference to the job descriptions of other staff;
- 6) identification of the laboratory's approved signatories; at a minimum, the title page of the 6) identification of the laboratory's approved signatories; at a minimum, the title page of the QA Manual must have the signed and dated concurrence , (with appropriate titles) of all responsible parties including the QA manager(s),

technical director(s), and the agent who is in charge of all laboratory activities such as the laboratory director or laboratory manager;

- 7) the laboratory's procedures for achieving traceability of measurements;
- 8) a list of all test methods under which the laboratory performs its accredited testing;
- 9) mechanisms for ensuring that the laboratory reviews all new work to ensure that it has the appropriate facilities and resources before commencing such work;
- 10) reference to the calibration and/or verification test procedures used;
- 11) procedures for handling submitted samples;
- 12) reference to the major equipment and reference measurement standards used as well as the facilities and services used by the laboratory in conducting tests;
- 13) reference to procedures for calibration, verification and maintenance of equipment;
- 14) reference to verification practices which may include interlaboratory comparisons, proficiency testing programs, use of reference materials and internal quality control schemes;
- 15) procedures to be followed for feedback and corrective action whenever testing discrepancies are detected, or departures from documented policies and procedures occur;
- 16) the laboratory management arrangements for exceptionally permitting departures from documented policies and procedures or from standard specifications;
- 17) procedures for dealing with complaints;
- 18) procedures for protecting confidentiality (including national security concerns), and proprietary rights;
- 19) procedures for audits and data review;
- 20) processes/procedures for establishing that personnel are adequately experienced in the duties they are expected to carry out and are receiving any needed training;
- 21) reference to procedures for reporting analytical results; and,
- 22) a Table of Contents, and applicable lists of references and glossaries, and appendices.

e. Retention of Results for 5 Years

Sample analyses for which the comprehensive data package is specified may potentially require external data validation by a third party for up to 5 years following date of analyses. The offeror's analytical laboratory must retain all analytical data for a period of 5 years following date of analysis. If external data validation is potentially required for any samples analyzed during this 5-year period, USACE will specify the comprehensive (fully data validatable) data package in the task order. The analytical laboratory must have the capability of retaining all analytical and supporting data for a minimum period of five years following the date of analysis.

(4) Subcontracting Efforts

Large business offerors shall submit a subcontracting plan as part of their proposal package in accordance with Contract Clauses 52.219-8,52.219-9 and AFARS 5119.704.

L-2. SUBCONTRACTING PLAN

Large business offerors shall submit a subcontracting plan as part of their proposal package in accordance with Contract Clauses 52.219-8,52.219-9 and AFARS 5119.704. Please refer to the reference form attached in Section J of this solicitation.

Subcontracting Plan Floors for Large Businesses are as follows:

Small Business 57.2%

Small Disadvantaged Business 10.0%

Women-Owned Small Business 10.0%

HUBZone Small Business 3.0%

Service Disabled Veteran-Owned Small Business 3.0%

L-3. PRICE EVALUATION CRITERIA

The price evaluation criteria for award is "Price Reasonableness and Realism". The competitiveness of the offeror's price proposal will be evaluated taking into consideration the

SECTION M

EVALUATION FACTORS FOR AWARD

The Government intends to award a contract on the basis of “Best Value.” The Government will award a contract resulting from this solicitation to the responsible Offeror whose proposal, conforming to the solicitation, will be most advantageous to the Government. Only one award will be made.

The proposals will be reviewed for completeness against the content requirements outlined in Section L, and evaluated against the evaluation factors listed below:

Technical Factors:

Technical Capability
Past Performance
Management Approach
Subcontracting

Price Factor:

Price Reasonableness
Price Realism

The technical factors, as a whole, are more important than price, however, price remains a significant factor in determining “Best Value.”

Further discussion of these factors, format and specific topics to be addressed in the proposal, are listed and described in Section L, “Instructions, Conditions, and Notices to Offerors,” which contains the specific proposal submittal requirements pursuant to this Solicitation. Offerors are advised that each proposal submitted shall be complete and in the format required, with information organized as specified in Section L.

Furthermore, each Proposal shall be compatible with Section C- Description /Specification.

All Proposals will be reviewed initially for Proposal submittal compliance and for compliance with the requirements of the technical specifications in Section “C.”

The Government may award a contract on the basis of initial proposals received without discussions; therefore, each initial proposal should contain the Offeror’s best terms.

The Government reserves the right to award the contract to the Offeror whose proposal is not the lowest in price.