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USACE / NAVFAC / AFCEA / NASA UFGS-00 22 13 (August 2008)  
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Preparing Activity: NAVFAC ATLANTIC Replacing without change  
UFGS-00 22 13 (January 2007)

UNIFIED FACILITIES GUIDE SPECIFICATIONS

Use for NAVFAC ATLANTIC projects only

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### SECTION 00 22 13

#### SUPPLEMENTARY INSTRUCTIONS TO BIDDERS 08/08

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NOTE: This guide specification consists of requirements for special bidding instructions associated with bids for items such as unit prices, additive items, and option items, required for use in all projects. Do not edit the paragraphs except to fill in the blanks where specific project information is required. If project is a lump sum bid with no special bid items or bid instructions, do not include this section.

Comments, suggestions and recommended changes for this guide specification are welcome and should be submitted as a Criteria Change Request (CCR).

Brackets are used in the text to indicate designer choices or locations where text must be supplied by the designer.

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## PART 1 GENERAL

### 1.1 BID ITEM

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NOTE: Include sufficient additive or option items to ensure that an award can be made within the funds available. Base Bid is Bid Item 0001. In accordance with NAVFAC P-68, up to four additive items may be used. Use of more than four additive items requires Contracting Officer approval. Use of option items must be approved by the Supervisory Contracting Officer of the advertising office. Requirements for work to be done under any additive or option item shall be composed such that the work in the options and additives is clearly specified not to be included under the base bid. Work under any additive or option item should not depend upon another additive or option item for its function and utility. Interfaces between any additive or option item and the base bid shall be clearly specified in the bid notes. Do not indicate additive or option

items on drawings except when work under an additive or option item cannot be adequately and clearly described in the specification, and then only with the approval of, the Head of the Specifications Branch of the Engineering and Design Division, NAVFAC ATLANTIC. Additive items must be listed in order of priority and should be prepared in such a manner that any item may be skipped if it causes the total to exceed the funds available. Order of option items is not critical. If additive or option items are NOT mutually exclusive, a bid note must be included to that effect.

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NOTE: Additive items and option items may not be mixed in the same solicitation. Evaluate the prospective benefits of each and choose the one most applicable.

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The bid item shall be lump sum price for the following items:

0001. Price includes the following:

0001A. Price for the entire work, complete in accordance with the drawings and specifications, but excluding work described in Bid Item [0001B,] [0001C,] [0002] [and] [0003].

[0001B. Price for foundation piling complete in accordance with drawings and specifications and in accordance with the following schedule:

ITEM	UNIT	UNIT PRICE	NO. UNITS	EXTENSION
Piling	Linear feet	\$ _____	_____	\$ _____

] [0001C. Price for pile load test, complete in accordance with the drawings and specifications and in accordance with the following schedule:

ITEM	UNIT	UNIT PRICE	NO. UNITS	EXTENSION
Pile Load Test	Each	\$ _____	_____	\$ _____

] [

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NOTE: Include the following line items for projects in the Azores. Unit prices are based on a pre-negotiated contract and should not be adjusted.

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0001D. Price for Government furnished shipping from the United States to the Azores and from the Azores to the United States complete in accordance with specifications and the following schedule:

ITEM	UNIT	UNIT PRICE	NO. UNITS	EXTENSION
Government	Container	\$5600.00	_____	\$ _____

ITEM	UNIT	UNIT PRICE	NO. UNITS	EXTENSION
shipping				

0001E. Price for Government packaging of Contractor material in shipping containers for shipment from the United States to the Azores complete in accordance with specifications and the following schedule:

ITEM	UNIT	UNIT PRICE	NO. UNITS	EXTENSION
Containerizing by FISC	Measurement Ton (MTON)	\$48.00		\$

] [0002 Additive Item No. 1 - Price includes the following:

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NOTE: Use this paragraph when an additive bid item  
is required.  
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Price for adding work in connection with [\_\_\_\_\_] complete in accordance with drawings and specifications.

] [0003 Additive Item No. 2 - Price includes the following:

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NOTE: Use this paragraph when more than one  
additive bid item is required. Add additional  
paragraphs if more additive items are required.  
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Price for adding work in connection with [\_\_\_\_\_] complete in accordance with drawings and specifications.

] [0004 Option Item No. 1 - Price includes the following:

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NOTE: Use this paragraph when an option item is  
required.  
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Price for providing all work in connection with [\_\_\_\_\_] , complete in accordance with the drawings and specifications.

] [0005 Option Item No. 2 - Price includes the following:

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NOTE: Use this paragraph when more than one option  
item is required. Add additional paragraphs if more  
option items are required.  
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Price for providing all work in connection with [\_\_\_\_\_] , complete in accordance with the drawings and specifications.

] 1.2 BID NOTES

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NOTE: Use the following paragraph for projects with unit price items. Delete the first sentence if option items are used.

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- [a. Award will be made on the total sum of Bid Item 0001A and the sum of the extensions under Bid Item[s] 0001B, [0001C,] [0001D, 0001E]. For Bid Item[s] 0001B, [0001C,] [0001D, 0001E], bidders shall enter unit prices and/or extended totals in spaces provided. If there is a difference between a unit price and the extended total, the unit price will be held to be the intended bid and the total recomputed accordingly. If a bidder provides a total but fails to enter a unit price, the total divided by the specified quantity will be held to be the intended unit price.]

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NOTE: Use the following paragraph if Section 02 65 00 UNDERGROUND STORAGE TANK REMOVAL is included in the project, and tank removal is the primary part of the project.

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- [b. After bid opening, but prior to award, the apparent low bidder shall submit data for Contractor experience in accordance with Section 02 65 00 UNDERGROUND STORAGE TANK REMOVAL paragraph entitled "Qualification (Contractor Experience).]

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NOTE: Use the following notes if option items are used.

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- [c. The Government reserves the unilateral right to award the Option(s) to the contractor at the bid price within [\_\_\_\_\_] calendar days after the contract award.
- d. Evaluation of Options (JUL 1990). Except when it is determined in accordance with FAR 17.206 (b) not to be in the Government's best interest, the Government will evaluate offers for award purposes by adding the price for the Option(s) to the total price for the Bid Item 0001. Evaluation of options will not obligate the Government to exercise the Option(s). (FAR 52.217-5).
- e. The Government may reject an offer as nonresponsive if it is materially unbalanced as to prices for the basic requirement and the option quantities. An offer is unbalanced when it is based on prices significantly less than cost for some work and prices which are significantly overstated for other work.]

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NOTE: Use the following notes for projects in the Azores.

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- [f. Bidders shall submit their bid in Euros with the exception of line items associated with Government shipping and packaging which are to remain in U.S. Dollar. Contract award and payment will be made in Euros.

- g. For evaluation of bid, prices will be converted to U.S. Dollars using the following factor: 0.8785 Euros = 1 U.S. Dollar
- h. The Contractor shall include all costs for shipping and packaging in the base bid amount with the exclusion of any shipping and packaging done by the Government.
- i. If the Contractor chooses to utilize Government furnished shipping and/or packaging, the Contractor shall enter the information required in the above line items. These line item prices will be paid for by the Government and will be utilized in the evaluation of the low bidder. If the contractor's actual quantities for Government furnished shipping and/or packaging exceed the above line items, such excess cost will be deducted from the contract award amount as specified in Section 00 73 03 SUPPLEMENTARY CONDITIONS FOR AZORES PROJECTS. If the contractor chooses not to utilize Government furnished shipping and/or packaging, the contractor shall enter "Not Applicable" in the above applicable bid line items.
- j. 1 Measurement Ton (MTON) = 40 cubic feet
- k. History has shown that the average billable volume for a 40 ft. container is 59.0 MTON. There is a weight restriction of 50,000 lbs. per container, which includes tare weight of the container.
- l. Bids will be accepted only from United States of America Contractors and Portuguese Contractors. In accordance with the 1984 Technical Agreement in implementation of the Defense Agreement of September 6, 1951 between the Government of Portugal and the Government of the United States, the Contractor shall fulfill his manpower requirements using Portuguese nationals to the maximum extent feasible. Manpower requirements include Contractor and subcontractors.
- m. Portuguese Contractor: For purposes of this contract, a Portuguese Contractor shall be a firm (contracting entity or corporation) incorporated in Portugal and shall comply with the following:
  - (1) The principal place of business and corporate headquarters shall be in Portugal.
  - (2) The firm shall have paid applicable taxes in Portugal for a minimum of 2 years.
  - (3) The highest ranking officer of the firm shall be a Portuguese citizen, and, in addition, the firm shall employ Portuguese citizens or residents in other key management positions, including individuals in charge of work under the contract.
  - (4) More than 60 percent of ownership interest in the firm shall be by Portuguese citizens or by Portuguese firms in which more than 60 percent of ownership interest is by Portuguese citizens.
  - (5) Under Article 17 of Portuguese Decree Law 40623 of May 30, 1956, a Contractor already doing business in Portugal continuously for more than 5 years before the 1956 law was enacted can be considered a Portuguese company without any restriction.
- n. U.S. Contractor: To qualify as a U.S. Contractor, the firm (or if a joint venture, members of the joint venture) shall be incorporated in

the United States, and shall comply with the following:

- (1) The principal place of business and corporate headquarters shall be in the United States.
  - (2) The firm shall have paid corporate franchise and employment taxes in the United States for a minimum of 2 years. The firm shall have filed state and federal income tax declarations for a minimum of 2 corporate years and paid any applicable taxes determined to be due as a result of such filing.
  - (3) The firm shall employ U.S. citizens in key management positions.
- o. Joint Ventures: Joint ventures will be permitted provided that members of the joint venture meet the specified requirements for either a U.S. Contractor or a Portuguese Contractor.]

#### PART 2 PRODUCTS

Not used.

#### PART 3 EXECUTION

Not used.

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