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PART I—THE SCHEDULE

SECTION B-SUPPLIES OR SERVICES AND PRICES/COSTS

**MIDWIN NTP FENCE CONSTRUCTION
WILMINGTON, IL**

B-1 SCHEDULE OF ITEMS:

Line Item No.	Description	Unit	Estimated Quantity	Price Per Unit	Total Price
2	Labor to construct five wire- barbed wire -fence in accordance with the specifications/drawings in the RFQ.	Linear Foot	2,270	\$_____	\$_____
1a	Single panel horizontal braces constructed in accordance with the specifications/drawings in the RFQ.	Ea	9	\$_____	\$_____
1b	Double panel horizontal braces constructed in accordance with the specifications/drawings in the RFQ.	Each pair	4	\$_____	\$_____
1c	20 foot gates consisting of 2, 10-foot long tubular steel cattle gates furnished and installed in accordance with the specifications/drawings in the RFQ.	Ea	2	\$_____	\$_____
1d	12 foot gates consisting of 2, 6-foot long tubular steel cattle gates furnished and installed in accordance with the specifications/drawings in the RFQ.	Ea	1	\$_____	\$_____
	Total Bid – Unit Price Prevails			GRAND TOTAL	\$_____

Contractor Acceptance Statement: By signing the offer, the Contractor agrees to all terms, conditions, and provisions that are included in the solicitation and agrees to furnish any awarded items at the price set in the schedule unless otherwise excepted as follows:

Non Discrimination Statement

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means of communication of program information (Braille, large print audiotape, etc.) should contact USDA's TARGET Center at (202)720-2600 (voice and TDD). To file a complaint, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800)795-3272 (voice) or (202)720-6382(TDD). USDA is an equal opportunity provider and employer.

SECTION C--DESCRIPTION/SPECIFICATIONS/STATEMENT OF WORK

AGAR 452.211-73 Attachments to Statement of Work/Specifications (FEB 1988)

The attachments to the Statement of Work/Specifications listed in Section J are hereby made part of this solicitation and any resultant contract.

C-1 PRICE RANGE

The Government's estimate is less than \$25,000.00.

C-2 LOCATION OF WORK

Tract 8: The two segments to be fenced are each approximately 360 feet in length. This consists of two fences which across a utility right-of-way to prevent cattle from getting into a drainage ditch. The fences will connect up to a chain link fence at the west end and an existing barb wire fence at the east end. Two 20' gates will be installed to allow utility company access. An estimated 8 single braces are needed, at the ends and at the gates. The exact location of the fence and gates will be marked in the field.

Tract 210: This fence will be installed to keep cattle out of a small depression and wetland. The rectangular area is approximately 1,540 feet in length. One 12' gate will be installed. It's estimated that 4 double braces at corners will be necessary and one single brace to tie the gate into one corner. The exact location of the fence and gates will be marked in the field.

C-3 DESCRIPTION OF WORK

Work includes all materials, labor, transportation, equipment, supervision, and incidentals to construct the required fence.

1. Steel t-posts, 6 ½ ft. long must be in the ground a minimum of 18 inches. If rock is hit, a hole must be drilled and the post driven into the ground as far as possible, or until it is solid. The t-posts shall be rated at 1.33 pounds per lineal foot in accordance with ASTM A702.
2. Posts shall be spaced no farther than 16 feet from each other.
3. Corner posts shall be approximately 8 inches in diameter and 8 feet long treated round posts and shall be set at a maximum depth of 42 inches.
4. Barb wire shall be galvanized 12 ½ gauge barbed wire, with 4 points, five strands high.
5. Smooth wire shall be galvanized 12 ½ gauge high-tensile wire.

6. Wire shall be attached to steel posts by use of manufactured clips or by two turns of 14 gauge or heavier galvanized wire.
7. Staples should be driven diagonally with the wood grain and at a slight downward angle to avoid splitting the post and loosening the staples. Space should be left between the staple and post to permit movement of wire.
8. Smooth wire will have permanent in-line strainers as needed and splices shall be by mechanical connectors.
9. The Forest Service will flag the location of the fence line.
10. Horizontal braces shall not be located any further than 1,000 feet from each other, or as needed for turns, gates, or in locations agreed upon by the contractor and Forest Service COR or inspector. Where uneven terrain or bend in the line requires additional bracing with either single or double panel braces, they shall be placed as needed with permission of the COR. Double panel braces shall be located at all gates and corners where the fence makes significant turns. The cross brace should be at least 8 feet in length. A tension member composed of two complete loops of number 9-gauge wire shall be used. The tension wire shall extend from a point approximately 6 inches below the top of the brace post to near the ground level of the post being braced.
11. The fence is to be constructed in as straight a line as possible.
12. Galvanized staples shall be 1 ¾ inch long.
13. Proposed fence lines will intersect pipelines within Tract 8. It will be the Contractor's responsibility to arrange for location services prior to construction of fence in these areas. The Contractor will also notify the Forest Service when location services are to be accomplished. Contractor is also responsible to meet any requirements by the pipeline companies.

GATE SPECIFICATIONS: Includes the following: materials, labor, transportation, equipment, supervision, and incidentals to furnish and install the required gates:

1. Cattle gates shall be 2 inch heavy steel tubing, 16 gauge, with 6 full length horizontal tubes that are welded to the frame. Cattle gates 10 feet in length shall also have at least one vertical support. Cattle gates shall be equipped with 2 heavy duty adjustable hinges, and a catch chain.

GENERAL SPECIFICATIONS:

Work under this contract will not be performed when ground or access road conditions would result in damage to access roads or to the natural resources. If precipitation makes the ground wet enough to cause rutting, then work will be temporarily suspended or the contractor can bring in machinery with a lighter ground pounds per square inch, for example a PSI of less than 4.0 that won't cause ruts. Soil ruts deeper than 2 inches or covering more than 10% of the designated work area must be avoided or mitigated by the contractor.

Prior to starting work the FS will inspect the contractor's equipment (heavy equipment or off-road equipment) to be sure that it meets fire and safety

requirements. All equipment must be steam cleaned or run through a car wash prior to coming on site to remove any invasive plant species seeds. Compressed air cleaning may be an adequate cleaning method, but must be approved by the COR. COR or designated Inspectors will inspect equipment upon being brought onto Midewin for the first time, or subsequent returns if the equipment is taken off site and returned.

Any spill of fuel or hydraulic fluid greater than one (1) pint must be immediately reported to the COR or PM. Contractor personnel must have training to ensure they are qualified to identify such releases and are competent to provide proper cleanup and reporting. All spilled materials and impacted soils will be removed and properly disposed as necessary.

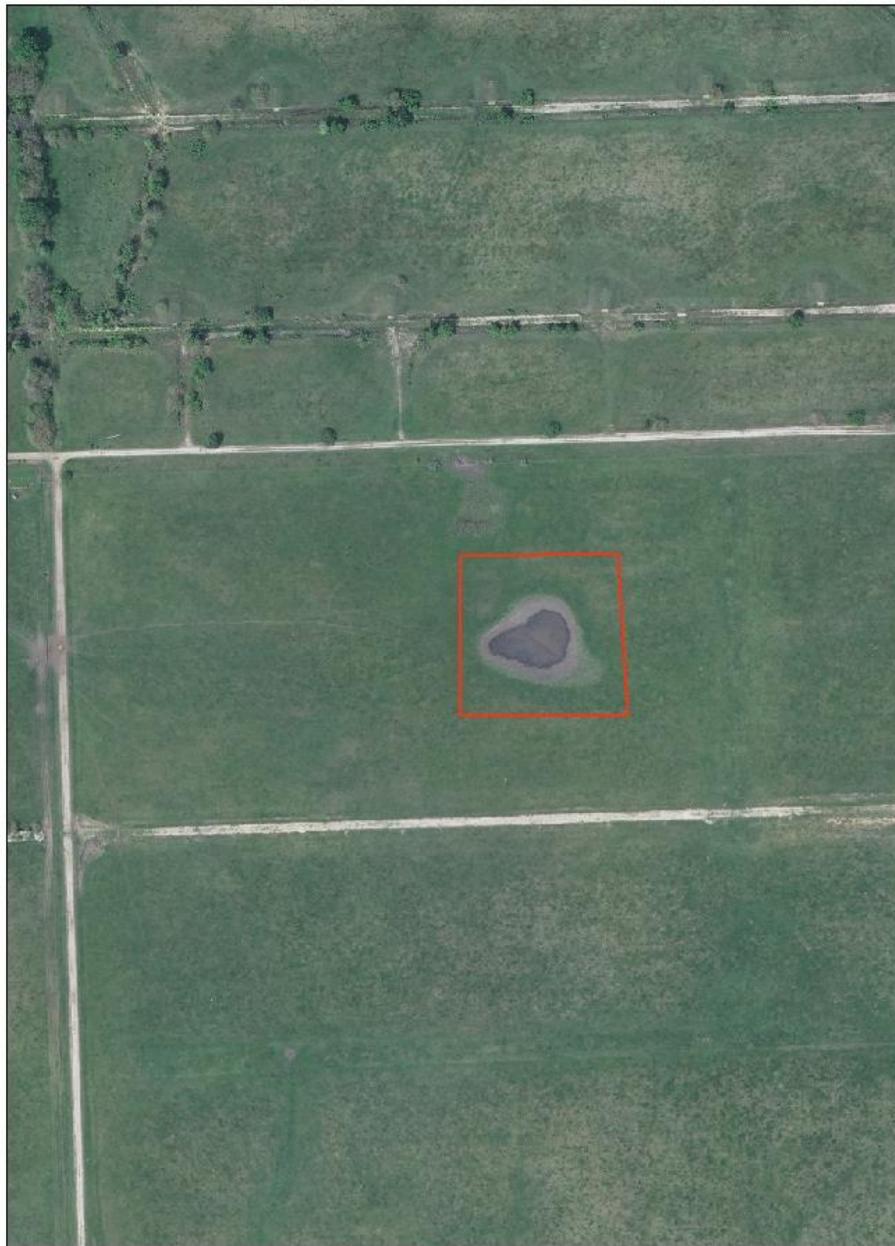
Sensitive areas, cultural resource sites, wetland, species habitat and native vegetation may exist within the project area. These areas will be marked by Midewin staff as needed and avoided by the contractor or performed only with an appropriate Midewin staff member on site. There are high quality wetland areas through portions of the project areas, see descriptions below for more detailed information. These areas will be delineated with wetland delineation flags where needed. Travel through these areas is prohibited unless the ground is frozen or dry enough to allow travel without causing resource damage. The COR will determine if the wetlands are dry or frozen enough to allow access across them

Operating areas, equipment ingress and egress lanes for equipment will be approved by the COR in advance of work in each area.

Wet weather conditions may preclude the use of vehicles or ATVs on portions of the tract or possibly the entire tract at certain times. The COR, with consultation of the Prairie ecologist and hydrologist will determine if conditions warrant cessation of vehicular traffic.



Easement Fence



Pond Fence

SECTION D--PACKAGING AND MARKING

(For this solicitation, there are NO clauses in this Section)

SECTION E--INSPECTION AND ACCEPTANCE

E-1 FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1) CLAUSES

52.252-2 Clauses Incorporated by Reference. (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es): www.arnet.gov/far/

52.246-1 Contractor Inspection Requirements. (APR 1984)

52.246-12 Inspection of Construction. (APR 1996)

E-2 INSPECTION

The Contracting Officer's Representative (COR) and/or designated inspectors shall make periodic inspections while work is in progress to assure work is proceeding satisfactorily. The Contractor is encouraged to observe the inspection.

Unsatisfactory work will be identified and discussed between the COR and the Contractor. If the inspection reveals that the work is not meeting contract specifications, the COR may notify the contractor in writing with a Notice of Noncompliance.

E-3 ACCEPTANCE

This project will be considered satisfactorily completed when all specifications are met and work completed has been approved by the COR. This includes cleanup of the existing fencing materials from the work site and any gathering location.

E-4 MEASUREMENT

The quantity of new fence constructed as specified herein will be measured by the lineal foot of wire fence constructed and is approximately 2,270 linear feet long. Measurement shall be by the use of a Forest Service calibrated measuring wheel.

SECTION F--DELIVERIES OR PERFORMANCE

52.211-10 Commencement, Prosecution, and Completion of Work. (APR 1984)

The Contractor shall be required to (a) commence work under this contract within **10 calendar days** after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than **60 calendar days**. The time stated for completion shall include final cleanup of the premises.

52.242-14 Suspension of Work. (APR 1984)

52.252-2 Clauses Incorporated by Reference. (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es): www.arnet.gov/far/

SECTION G--CONTRACT ADMINISTRATION DATA

G-1 DESIGNATION OF CONTRACTING OFFICER'S REPRESENTATIVE

The Contracting Officer will designate a Contracting Officer's Representative (COR) at the time of contract award.

The COR is responsible for administering the performance of work under this contract. In no event, however, will any understanding, agreement, modification, change order, or other matter deviating from the terms of this contract be effective or binding upon the Government unless formalized by proper contractual documents executed by the Contracting Officer prior to completion of the contract.

The Contracting Officer should be informed as soon as possible of any actions or inactions by the Contractor or the Government which will change the required deliver or completion times stated in the contract, and the contract will be modified accordingly. (This does not apply to individual task assignments which were issued by the COR provided they do not affect the delivery schedule or performance period stated in the contract).

On all matters that pertain to the contract terms the Contractor must communicate with the Contracting Officer. Whenever, in the opinion of the Contractor, the COR requests effort outside the scope of the contract, the Contractor should so advise the COR. If the COR persists and there still exists a disagreement as to proper contractual coverage, the Contracting Officer should be notified immediately, preferably in writing if time permits. Proceeding with work without proper contractual coverage could result in nonpayment or necessitate submittal of a contract claim.

G-2 452.215-73 POSTAWARD CONFERENCE. (NOV 1996)

A post award conference with the successful offeror is required. It will be scheduled within 10 days after the date of contract award. The conference will be held at: Midewin National Tallgrass Prairie Supervisor's Office, 30239 S State Route 53, Wilmington, IL 60481.

G-3 PAYMENT

Payment will be made at the awarded bid item price for satisfactorily completed work. Partial payment may be authorized by the Contracting Officer.

This contract incorporates the Davis Bacon Wage Rates. **Weekly payrolls are mandatory and must be turned into the Contracting Officer Representative for review and approval.** Invoices will not be processed until acceptable payrolls have been received.

Invoices must follow the standard invoicing format and must include the Contract No., Invoice No, Invoice Date, Name and address of contractor, description of work by line item number and dollar amount due and be sent either hard copy or electronically via email or fax to the Contracting Officer. A copy may be given to the COR.

Send Invoices to:

Deborah Bates
USDA Forest Service
Midewin Natl Tallgrass Prairie
30239 S State Route 53
Wilmington, IL 60481
Email: dbates@fs.fed.us
Fax: 815-423-6376
Questions, call: 815-423-6370 ext 201

SECTION H--SPECIAL CONTRACT REQUIREMENTS

H-1 FIRE PREVENTION AND CONTROL

- (a) **Tools and Equipment:** The Contractor shall furnish and maintain in a serviceable condition and be readily available to employees while in the project area:
1. one shovel, size O or larger, for each employee working in the project area.
 2. one two and one-half pound or larger dry chemical or four pound or larger carbon dioxide type fire extinguisher for each yarder, loader, jammer, chipper, crawler tractor, skidder, hauling truck, portable welder, or comparable type equipment with each unit.
 3. One dry chemical fire extinguisher, 8 ounce or larger, for each power saw, soil auger, portable pump, or like powered equipment. The fire extinguisher must be with the operator of the equipment.
 4. Refueling of the equipment shall be done in an area cleared and void of flammable materials. Power saws shall be moved from the spot of refueling before starting.
- (b) **Fire Prevention:** The Contractor shall immediately notify the Government of any fires sighted on or in the vicinity of the work site. The Contractor may be held liable for all damages and for all costs incurred by the Government for labor, subsistence, equipment, supplies, and transportation deemed necessary to control or suppress a fire set or caused by the Contractor or the Contractor's agents or employees.

Fire orders/moratoriums: Any fire order issued during the contract will become a requirement of the contract.

Gas and Oil Use and Storage: Gasoline will be stored and transported only in metal containers with tight caps or seals. Gas and oil drum storage areas will be cleared (with prior approval by COR) of all flammable material for a distance of 50 feet around the drums. Storage areas will be posted with "No Smoking" signs. Oil filters, oil cans, oily rags, etc., will be removed from the project area and discarded in proper waste disposal receptacles or sites.

Open Fires: In accordance with State and local regulations.

Pursuant to 36 CFR 261.50a the following is prohibited on each National Forest or National Grasslands:

Operating or using any internal or external combustion engine on any timber, brush or grass covered land, including trails traversing such land, without a spark arrester, maintained in effective working order, meeting either (i) Department of Agriculture, Forest Service Standard 5100-1a; or (ii) the 80 percent efficiency level determined according to the appropriate Society of Automotive Engineers (SAE) recommended Practices J335 and J350.

Violation of this regulation and the general prohibitions of 36 CFR 261.3 to .20 is punishable by a fine of not more than \$500 or imprisonment for not more than 6 months or both.

Smoking: Smoking is prohibited while operating tractors or open-type vehicles, or while walking or working in an area with flammable fuels.

Welding: All flammable materials will be cleared for a minimum distance of 10 feet around any welding operation. Fire extinguishers and fire tools are required as shown in Section H-1(a).

H-2 WASHING EQUIPMENT – WEEDS

To help stop the spread of weeds, this work will require the contractor to wash his equipment, off the Forest Service property, prior to bringing it on the job site and each time it is removed and returned to the job site. The equipment shall be washed with a pressure washer that is capable of producing enough water force to thoroughly remove all organic and mineral debris, including excess grease from the machinery.

H-3 SAFETY PLAN

- (a) The Contractor shall provide a copy of their Safety Plan at the pre-work meeting.
- (b) The Safety Plan should be available to all employees and subcontractors working on the contract.
- (c) The Safety Plan should cover at a minimum:
 - i. Safety briefings covering the area working in, equipment being used, and any special considerations for the work under the contract.
 - ii. Personal Protective Equipment required for the work under the contract.
 - iii. Appropriate OSHA requirements for the type of work under the contract.
 - iv. Weather considerations for the time of year of the contract.
 - v. Communication issues and locations of the nearest medical facilities to the job site.
 - vi. Emergency numbers to contact if an accident happens.

PART II--CONTRACT CLAUSES
SECTION I—CONTRACT CLAUSES

- 52.204-7 Central Contractor Registration. (FEB 2012)**
- 52.211-18 Variation in Estimated Quantity. (APR 1984)**
- 52.215-8 Order of Precedence - Uniform Contract Format. (OCT 1997)**
- 52.219-6 Notice of Total Small Business Set-Aside. (NOV 2011)**
- 52.222-6 Davis-Bacon Act. (JUL 2005)**
- 52.222-7 Withholding of Funds. (FEB 1988)**
- 52.222-8 Payrolls and Basic Records. (JUN 2010)**
- 52.222-9 Apprentices and Trainees. (JUL 2005)**
- 52.222-10 Compliance with Copeland Act Requirements. (FEB 1988)**
- 52.222-11 Subcontracts (Labor Standards). (JUL 2005)**
- 52.222-12 Contract Termination - Debarment. (FEB 1988)**
- 52.222-13 Compliance with Davis-Bacon and Related Act Regulations. (FEB 1988)**
- 52.222-14 Disputes Concerning Labor Standards. (FEB 1988)**
- 52.222-15 Certification of Eligibility. (FEB 1988)**
- 52.222-20 Walsh-Healey Public Contracts Act. (OCT 2010)**
- 52.222-21 Prohibition of Segregated Facilities. (FEB 1999)**
- 52.222-26 Equal Opportunity. (MAR 2007)**
- 52.222-27 Affirmative Action Compliance Requirements for Construction. (FEB 1999)**
- 52.222-36 Affirmative Action for Workers with Disabilities. (OCT 2010)**
- 52.222-37 Employment Reports on Veterans. (SEP 2010)**
- 52.222-50 Combating Trafficking in Persons. (FEB 2009)**
- 52.223-5 Pollution Prevention and Right-to-Know Information. (MAY 2011)**
- 52.223-6 Drug-Free Workplace. (MAY 2001)**
- 52.223-15 Energy Efficiency in Energy-Consuming Products. (DEC 2007)**
- 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving. (AUG 2011)**

52.225-9 Buy American Act - Construction Materials. (SEP 2010)

(a) *Definitions.* As used in this clause -

"Commercially available off-the-shelf (COTS) item"--

(1) Means any item of supply (including construction material) that is --

(i) A commercial item (as defined in paragraph (1) of the definition at FAR 2.101);

(ii) Sold in substantial quantities in the commercial marketplace; and

(iii) Offered to the Government, under a contract or subcontract at any tier, without modification, in the same form in which it is sold in the commercial marketplace; and

(2) Does not include bulk cargo, as defined in section 3 of the Shipping Act of 1984 (46 U.S.C. App. 1702), such as agricultural products and petroleum products.

"Component" means an article, material, or supply incorporated directly into a construction material.

"Construction material" means an article, material, or supply brought to the construction site by the Contractor or a subcontractor for incorporation into the building or work. The term also includes an item brought to the site preassembled from articles, materials, or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site. Materials purchased directly by the Government are supplies, not construction material.

"Cost of components" means -

(1) For components purchased by the Contractor, the acquisition cost, including transportation costs to the place of incorporation into the construction material (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or

(2) For components manufactured by the Contractor, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (1) of this definition, plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the construction material.

"Domestic construction material" means --

(1) An unmanufactured construction material mined or produced in the United States;

(2) A construction material manufactured in the United States, if--

(i) The cost of its components mined, produced, or manufactured in the United States exceeds 50 percent of the cost of all its components. Components of foreign origin of the same class or kind for which nonavailability determinations have been made are treated as domestic; or

(ii) The construction material is a COTS item.

"Foreign construction material" means a construction material other than a domestic construction material.

"United States" means the 50 States, the District of Columbia, and outlying areas.

(b) Domestic preference. (1) This clause implements the Buy American Act (41 U.S.C. 10a-10d) by providing a preference for domestic construction material. In accordance with 41 U.S.C. 431, the component test of the Buy American Act is waived for construction material that is a COTS item (See FAR 12.505(a)(2)). The Contractor shall use only domestic construction material in performing this contract, except as provided in paragraphs (b)(2) and (b)(3) of this clause.

(2) This requirement does not apply to information technology that is a commercial item or to the construction materials or components listed by the Government as follows:

None

(3) The Contracting Officer may add other foreign construction material to the list in paragraph (b)(2) of this clause if the Government determines that -

(i) The cost of domestic construction material would be unreasonable. The cost of a particular domestic construction material subject to the requirements of the Buy American Act is unreasonable when the cost of such material exceeds the cost of foreign material by more than 6 percent;

(ii) The application of the restriction of the Buy American Act to a particular construction material would be impracticable or inconsistent with the public interest; or

(iii) The construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality.

(c) *Request for determination of inapplicability of the Buy American Act.* (1)(i) Any Contractor request to use foreign construction material in accordance with paragraph (b)(3) of this clause shall include adequate information for Government evaluation of the request, including -

(A) A description of the foreign and domestic construction materials;

(B) Unit of measure;

(C) Quantity;

(D) Price;

(E) Time of delivery or availability;

(F) Location of the construction project;

(G) Name and address of the proposed supplier; and

(H) A detailed justification of the reason for use of foreign construction materials cited in accordance with paragraph (b)(3) of this clause.

(ii) A request based on unreasonable cost shall include a reasonable survey of the market and a completed price comparison table in the format in paragraph

(d) of this clause.

(iii) The price of construction material shall include all delivery costs to the construction site and any applicable duty (whether or not a duty-free certificate may be issued).

(iv) Any Contractor request for a determination submitted after contract award shall explain why the Contractor could not reasonably foresee the need for such determination and could not have requested the determination before contract award. If the Contractor does not submit a satisfactory explanation, the Contracting Officer need not make a determination.

(2) If the Government determines after contract award that an exception to the Buy American Act applies and the Contracting Officer and the Contractor negotiate adequate consideration, the Contracting Officer will modify the contract to allow use of the foreign construction material. However, when the basis for the exception is the unreasonable price of a domestic construction material, adequate consideration is not less than the differential established in paragraph (b)(3)(i) of this clause.

(3) Unless the Government determines that an exception to the Buy American Act applies, use of foreign construction material is noncompliant with the Buy American Act or Balance of Payments Program.

(d) *Data*. To permit evaluation of requests under paragraph (c) of this clause based on unreasonable cost, the Contractor shall include the following information and any applicable supporting data based on the survey of suppliers:

Foreign and Domestic Construction Materials Price Comparison

Construction Material Description Unit of Measure Quantity Price (Dollars)*

Item 1:

Foreign construction material _____
 Domestic construction material _____

Item 2:

Foreign construction material _____
 Domestic construction material _____

List name, address, telephone number, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.

Include other applicable supporting information.

* Include all delivery costs to the construction site and any applicable duty (whether or not a duty-free entry certificate is issued).

52.225-13 Restrictions on Certain Foreign Purchases. (JUN 2008)

52.232-5 Payments under Fixed-Price Construction Contracts. (SEP 2002)

52.232-23 Assignment of Claims. (JAN 1986)

52.232-27 Prompt Payment For Construction Contracts. (OCT 2008)

52.232-33 Payment by Electronic Funds Transfer - Central Contractor Registration. (OCT 2003)

52.233-1 Disputes. (JUL 2002)

52.233-3 Protest after Award. (AUG 1996)

52.233-4 Applicable Law for Breach of Contract Claim. (OCT 2004)

52.236-1 Performance of Work by the Contractor. (APR 1984)

The Contractor shall perform on the site, and with its own organization, work equivalent to at least fifty (50) percent percent of the total amount of work to be performed under the contract. This percentage may be reduced by a supplemental agreement to this contract if, during performing the work, the Contractor requests a reduction and the Contracting Officer determines that the reduction would be to the advantage of the Government.

(End of clause)

52.236-2 Differing Site Conditions. (APR 1984)

52.236-3 Site Investigation and Conditions Affecting the Work. (APR 1984)

52.236-5 Material and Workmanship. (APR 1984)

52.236-7 Permits and Responsibilities. (NOV 1991)

52.236-8 Other Contracts. (APR 1984)

52.236-9 Protection of Existing Vegetation, Structures, Equipment, Utilities, and Improvements. (APR 1984)

52.236-10 Operations and Storage Areas. (APR 1984)

52.236-11 Use and Possession Prior to Completion. (APR 1984)

52.236-12 Cleaning Up. (APR 1984)

52.236-13 Accident Prevention. (NOV 1991)

52.236-15 Schedules for Construction Contracts. (APR 1984)

52.236-26 Preconstruction Conference. (FEB 1995)

52.243-5 Changes and Changed Conditions. (APR 1984)

52.244-6 Subcontracts for Commercial Items. (DEC 2010)

(a) Definitions. As used in this clause--

"Commercial item" has the meaning contained in Federal Acquisition Regulation 2.101, Definitions.

"Subcontract" includes a transfer of commercial items between divisions, subsidiaries, or affiliates of the Contractor or subcontractor at any tier.

(b) To the maximum extent practicable, the Contractor shall incorporate, and require its subcontractors at all tiers to incorporate, commercial items or non-developmental items as components of items to be supplied under this contract.

(c)(1) The Contractor shall insert the following clauses in subcontracts for commercial items:

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (APR 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)), if the subcontract exceeds \$5,000,000 and has a performance period of more than 120 days. In altering this clause to identify the appropriate parties, all disclosures of violation of the civil False Claims Act or of Federal criminal law shall be directed to the agency Office of the Inspector General, with a copy to the Contracting Officer.

(ii) 52.203-15, Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (JUN 2010) (Section 1553 of Pub. L. 111-5), if the subcontract is funded under the Recovery Act.

(iii) 52.219-8, Utilization of Small Business Concerns (DEC 2010) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$650,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(iv) 52.222-26, Equal Opportunity (MAR 2007) (E.O. 11246).

(v) 52.222-35, Equal Opportunity for Veterans (SEP 2010) (38 U.S.C. 4212(a)).

(vi) 52.222-36, Affirmative Action for Workers with Disabilities (OCT 2010) (29 U.S.C. 793).

(vii) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496), if flow down is required in accordance with paragraph (f) of FAR clause 52.222-40.

(viii) 52.222-50, Combating Trafficking in Persons (FEB 2009) (22 U.S.C. 7104(g)).

(ix) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (FEB 2006) (46 U.S.C. App. 1241 and 10 U.S.C. 2631), if flow down is required in accordance with paragraph (d) of FAR clause 52.247-64.

(2) While not required, the Contractor may flow down to subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(d) The Contractor shall include the terms of this clause, including this paragraph (d), in subcontracts awarded under this contract.

(End of clause)

52.245-1 Government Property. (APR 2012)

52.246-21 Warranty of Construction. (MAR 1994)

52.249-1 Termination for Convenience of the Government (Fixed-Price) (Short Form). (APR 1984)

52.249-10 Default (Fixed-Price Construction). (APR 1984)

52.253-1 Computer Generated Forms. (JAN 1991)

452.236-71 Prohibition Against the Use of Lead-Based Paint. (NOV 1996)

452.236-72 Use of Premises. (NOV 1996)

452.236-74 Control of Erosion, Sedimentation, and Pollution. (NOV 1996)

452.236-76 Samples and Certificates. (FEB 1988)

PART III

SECTION J -- LIST OF DOCUMENTS, EXHIBITS, AND OTHER ATTACHMENTS

Maps	Section C
Wage Grade Determination	Section J
Safety Plan Certification	Section K-2
Government Employee Certification	Section K-3
Experience & Past Performance Quest.	Section M

General Decision Number: IL120008 05/04/2012 IL8

Superseded General Decision Number: IL20100008

State: Illinois

Construction Types: Building and Residential

Counties: Du Page, Grundy, Kane, Kendall, Lake, McHenry and Will Counties in Illinois.

BUILDING AND RESIDENTIAL PROJECTS (does not include landscape projects).

Modification Number	Publication Date
0	01/06/2012
1	01/13/2012
2	02/03/2012
3	03/02/2012
4	04/06/2012
5	05/04/2012

ASBE0017-005 06/01/2011

	Rates	Fringes
ASBESTOS WORKER/INSULATOR includes the application of all insulating materials, protective coverings, coatings, and finishes to all types of mechanical systems.....	\$ 43.80	23.40
Fire Stop Technician.....	\$ 35.04	22.20
HAZARDOUS MATERIAL HANDLER includes preparation, wetting, stripping, removal, scrapping vacuuming, bagging and disposing of all insulation materials from mechanical systems, whether they contain asbestos or not.....	\$ 32.85	22.20

* BOIL0001-003 01/01/2012

DU PAGE, GRUNDY, KANE, KENDALL, LAKE, MCHENRY, AND WILL COUNTIES

Rates Fringes

BOILERMAKER.....\$ 41.38 23.90

BRIL0014-001 06/01/2011

DU PAGE, GRUNDY, LAKE, and WILL COUNTIES

Rates Fringes

BRICKLAYER.....\$ 39.78 20.80

BRIL0021-002 06/01/2010

Rates Fringes

MARBLE SETTER.....\$ 39.03 19.90

BRIL0021-008 06/01/2011

Rates Fringes

TERRAZZO WORKER/SETTER.....\$ 39.01 19.11

TILE FINISHER.....\$ 33.60 15.22

TILE SETTER.....\$ 40.49 16.93

BRIL0021-010 06/01/2009

Rates Fringes

MARBLE FINISHER.....\$ 29.10 19.90

BRIL0027-002 06/01/2011

KANE, KENDALL, and MCHENRY COUNTIES

Rates Fringes

BRICKLAYER.....\$ 39.78 20.80

CARP0555-004 12/01/2010

Residential

DU PAGE and LAKE COUNTIES

Rates Fringes

CARPENTER.....\$ 33.37 22.12

CARP0555-005 07/01/2010

BUILDING

DUPAGE and LAKE COUNTIES

Rates Fringes

CARPENTER.....\$ 40.77 22.12

CARP0555-006 07/01/2010

WILL COUNTY

BUILDING

	Rates	Fringes
Carpenter; Millwright; Piledrivemen.....	\$ 40.77	24.44

CARP0555-007 12/01/2010

WILL COUNTY

RESIDENTIAL

	Rates	Fringes
CARPENTER.....	\$ 33.37	22.12

CARP0555-009 07/01/2010

KANE, KENDALL, AND McHENRY COUNTIES

BUILDING

	Rates	Fringes
CARPENTER Carpenter, Floor Layer, Lather, Millwright, and Piledriver.....	\$ 40.77	22.13

CARP0555-010 12/01/2010

KANE, KENDALL, and McHENRY COUNTIES

RESIDENTIAL

	Rates	Fringes
CARPENTER.....	\$ 33.37	22.12

CARP0555-012 12/01/2010

GRUNDY COUNTY

	Rates	Fringes
CARPENTER Carpenter, Millwright, Piledriver, and Soft Floor Layer.....	\$ 40.77	22.13
Residential.....	\$ 33.37	22.12

ELEC0009-002 05/29/2011

WILL COUNTY

	Rates	Fringes
Line Construction		
Groundman.....	\$ 32.64	19.76
Lineman and Equipment		
Operator.....	\$ 41.85	25.36

ELEC0117-002 11/29/2010

KANE (Northern Half) and McHENRY COUNTIES

	Rates	Fringes
ELECTRICIAN		
Building.....	\$ 43.08	23.51
Residential.....	\$ 41.40	21.30

ELEC0117-003 05/30/2011

KANE (Northern Half), and McHENRY COUNTIES

	Rates	Fringes
ELECTRICIAN		
ELECTRICAL TECHNICIAN.....	\$ 35.77	21.89

Work includes the installation, maintenance and removal of telecommunication facilities (voice, sound, data and video), telephone, security, fire alarm systems that are a component of a multiplex system and share a common cable, and data inside wire, interconnect, terminal equipment, central office, PABX and equipment, micro waves, V-SAT, bypass, CATV, WAN, (wide area networks), LAN (Local area networks), and ISDN (integrated system digital network).The work shall cover the pulling of wire in raceways, but not the installation of raceways.

ELEC0150-002 05/31/2011

LAKE COUNTY

	Rates	Fringes
ELECTRICIAN		
Building & Residential.....	\$ 39.15	26.27

ELEC0150-003 05/31/2011

LAKE COUNTY

	Rates	Fringes
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ELECTRICIAN

ELECTRICAL TECHNICIAN.....\$ 34.65 22.01

Work includes the installation, maintenance and removal of telecommunication facilities (voice, sound, data and video), telephone, security, fire alarm systems that are a component of a multiplex system and share a common cable, and data inside wire, interconnect, terminal equipment, central office, PABX and equipment, micro waves, V-SAT, bypass, CATV, WAN, (wide area networks), LAN (Local area networks), and ISDN (integrated system digital network).The work shall cover the pulling of wire in raceways, but not the installation of raceways.

 ELEC0176-003 06/01/2011

Grundy and Will Counties

	Rates	Fringes
ELECTRICIAN		
Residential.....	\$ 37.50	14.81

 ELEC0176-008 06/01/2011

GRUNDY and WILL COUNTIES

	Rates	Fringes
ELECTRICIAN		
Building.....	\$ 39.50	29.95

 ELEC0176-015 06/01/2011

GRUNDY and WILL COUNTIES

	Rates	Fringes
ELECTRICIAN		
ELECTRICAL TECHNICIAN.....	\$ 32.40	22.37

Work includes the installation, maintenance and removal of telecommunication facilities (voice, sound, data and video), telephone, security, fire alarm systems that are a component of a multiplex system and share a common cable, and data inside wire, interconnect, terminal equipment, central office, PABX and equipment, micro waves, V-SAT, bypass, CATV, WAN, (wide area networks), LAN (Local area networks), and ISDN (integrated system digital network).The work shall cover the pulling of wire in raceways, but not the installation of raceways.

 ELEC0461-002 08/30/2010

KANE (Southern Half) AND KENDALL COUNTIES

	Rates	Fringes
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ELECTRICIAN

Building.....	\$ 43.37	22.12
Residential.....	\$ 41.34	21.36

ELEC0461-005 05/30/2011

KANE (Southern Half), AND KENDALL COUNTIES

	Rates	Fringes
ELECTRICIAN		
ELECTRICAL TECHNICIAN.....	\$ 35.28	58.54%

Work includes the installation, maintenance and removal of telecommunication facilities (voice, sound, data and video), telephone, security, fire alarm systems that are a component of a multiplex system and share a common cable, and data inside wire, interconnect, terminal equipment, central office, PABX and equipment, micro waves, V-SAT, bypass, CATV, WAN, (wide area networks), LAN (Local area networks), and ISDN (integrated system digital network).The work shall cover the pulling of wire in raceways, but not the installation of raceways.

* ELEC0701-002 08/29/2011

DUPAGE COUNTY

	Rates	Fringes
ELECTRICIAN		
Building.....	\$ 36.20	30.58
Residential.....	\$ 35.25	27.43

ELEC0701-003 05/30/2011

DU PAGE COUNTY

	Rates	Fringes
ELECTRICIAN		
ELECTRICAL TECHNICIAN.....	\$ 32.65	24.72

Work includes the installation, maintenance and removal of telecommunication facilities (voice, sound, data and video), telephone, security, fire alarm systems that are a component of a multiplex system and share a common cable, and data inside wire, interconnect, terminal equipment, central office, PABX and equipment, micro waves, V-SAT, bypass, CATV, WAN, (wide area networks), LAN (Local area networks), and ISDN (integrated system digital network).The work shall cover the pulling of wire in raceways, but not the installation of raceways.

ELEV0002-001 01/01/2012

DU PAGE, GRUNDY, KANE, KENDALL, LAKE, and WILL COUNTIES

	Rates	Fringes
ELEVATOR MECHANIC.....	\$ 48.56	23.535+a+b

FOOTNOTES:

A. PAID HOLIDAYS: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day after Thanksgiving Day; Veterans' Day and Christmas Day.

B. Employer contributes 8% of regular hourly rate as vacation pay credit for employee who has worked in business more than 5 years, and 6% for employee who has worked in business less than 5 years.

ELEV0132-004 01/01/2012

McHENRY COUNTY

	Rates	Fringes
ELEVATOR MECHANIC.....	\$ 44.94	23.535+a+b

FOOTNOTES:

A . Eight paid holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day after Thanksgiving; Veterans' Day and Christmas Day.

B. Employer contributes 8% of regular hourly rate as vacation pay credit for employee who has worked in business more than 5 yrs, and 6% for employee who has worked in business less than 5 yrs.

* ENGI0150-026 06/01/2011

BUILDING and RESIDENTIAL

	Rates	Fringes
OPERATOR: Power Equipment		
GROUP 1.....	\$ 45.10	27.10
GROUP 2.....	\$ 43.80	27.10
GROUP 3.....	\$ 41.25	27.10
GROUP 4.....	\$ 39.50	27.10

POWER EQUIPMENT OPERATORS CLASSIFICATIONS

GROUP 1: Mechanic; Asphalt Plant*; Asphalt Spreader; Autograde*; Backhoes with Caisson attachment*; Batch Plant*; Benoto (Requires two Engineers); Boiler and Throttle Valve; Caisson Rigs*; Central Redi-Mix Plant*; Combination Backhoe Front Endloader Machine; Compressor and Throttle Valve; Concrete Breaker (Truck Mounted)*; Concrete Conveyor; Concrete Conveyor, Truck Mounted; Concrete Paver over 27E

cu. ft.*; Concrete Paver 27E cu ft and Under*; Concrete Placer*; Concrete Placing Boom; Concrete Pump (Truck Mounted); Concrete Tower; Cranes*; Cranes, Hammerhead*; Cranes, (GCI and similar type Requires two operators only); Creter Crane; Crusher, Stone, etc; Derricks; Derricks, Traveling*; Formless Curb and Gutter Machine*; Grader, Elevating; Grouting Machines; Highlift Shovels or Front Endloader 2 1/4 yd. and over; Hoists, Elevators, Outside Type Rack and pinion and similar Machines; Hoists, One, Two, and Three Drum; Hoists, Two Tugger One Floor; Hydraulic Backhoes*; Hydraulic Boom Trucks; Hydraulic Vac (and similar equipment); Locomotives; Motor Patrol*; Pile Drivers and Skid Rig*; Post Hole Digger; Pre- Stress Machine; Pump Cretes Dual Ram(Requiring frequent Lubrication and Water); Pump Cretes; Squeeze Cretes-Screw Type Pumps Gypsum Bulker and Pump; Raised and Blind Hole Drill*; Roto Mill Grinder (36" and Over)*; Roto Mill Grinder (Less Than 36")*; Scoops-Tractor Drawn; Slip-Form Paver*; Straddle Buggies; Tournapull; Tractor with Boom, and Side Boom; and Trenching Machines*.

GROUP 2: Bobcat (over 3/4 cu yd); Boilers; Brick Forklift; Broom, Power Propelled; Bulldozers; Concrete Mixer (Two Bag and over); Conveyor, Portable; Forklift Trucks; Greaser Engineer; Highlift Shovels or Front End loaders under 2 1/4 cu yd; Aotomatic Hoists, Hoists, Inside Elevators; Hoists, Sewer Dragging Machine; Hoists, Tugger Single Drum; Laser Screed; Rock Drill (Self-Propelled); Rock Drill (Truck Mounted)*; Rollers; Steam Generators; Tractors; Tractor Drawn Vibratory Roller (Receives an additional \$.50 per hour); Winch Trucks with "A" Frame.

GROUP 3: Air Compressor-Small 250 and Under (1 to 5 not to exceed a total of 300 ft); Air Compressor-Large over 250; Combination-Small Equipment Operator; Generator- Small 50 kw and under; Generator-Large over 50 kw; Heaters, Mechanical; Hoists, Inside Elevators (Remodeling or Renovatin work); Hydrualic Power Units (Pile Driving, Extracting, and Drilling); Low Boys; Pumps Over 3" (1 To 3 not to exceed a total of 300 ft); Pumps, Well Points; Welding Machines (2 through 5); Winches, 4 Small Electric Drill Winches; Bobcat (up to and including 3/4 cu yd)

GROUP 4 - Bobcats and/or other Skid Steer Loaders; Brick Forklifts; Oilers *-Requires Oiler

 IRON0001-014 06/01/2011

DU PAGE (Eastern 1/4), LAKE, AND MCHENRY (Hebron, Woodstock, and East thereof) COUNTIES

	Rates	Fringes
IRONWORKER		
Sheeter.....	\$ 41.00	32.94
Structural and Reinforcing..	\$ 40.75	32.94

 IRON0063-003 06/01/2011

LAKE, DUPAGE (Eastern 1/4) and McHENRY (HEBRON, WOODSTOCK & EAST THEREOF) COUNTIES

	Rates	Fringes
IRONWORKER, ORNAMENTAL.....	\$ 40.20	28.78

 IRON0063-004 06/01/2011

LAKE, DUPAGE (Eastern 1/4), and McHENRY (HEBRON, WOODSTOCK & EAST THEREOF) COUNTIES

	Rates	Fringes
IRONWORKER Fence Erector.....	\$ 32.66	21.35

 IRON0136-002 07/01/2011

LAKE, DUPAGE (Eastern 1/4) and McHENRY (HEBRON, WOODSTOCK & East thereof) COUNTIES

	Rates	Fringes
IRONWORKER Machinery Movers; Riggers; Machinery Erectors.....	\$ 35.44	27.67
Master Riggers.....	\$ 37.94	27.67

 IRON0393-002 06/01/2011

DUPAGE (REMAINDER), KANE, KENDALL (NORTHERN PART), and McHENRY (SOUTHEAST 1/4) COUNTIES

	Rates	Fringes
IRONWORKER.....	\$ 44.95	26.98

 IRON0444-002 06/01/2011

DUPAGE (ARGONNE & VIC), GRUNDY, KENDALL (Southern Part), and WILL COUNTIES

	Rates	Fringes
IRONWORKER.....	\$ 39.00	29.36

 IRON0498-006 06/01/2011

McHENRY COUNTY (Northwest Part)

	Rates	Fringes
IRONWORKER.....	\$ 35.00	28.54

LABO0002-003 06/01/2011		

DU PAGE COUNTY

	Rates	Fringes
LABORER		
GROUP 1.....	\$ 35.20	21.45
GROUP 2.....	\$ 35.20	21.45
GROUP 3.....	\$ 35.275	21.45
GROUP 4.....	\$ 35.30	21.45
GROUP 5.....	\$ 35.35	21.45
GROUP 6.....	\$ 35.40	21.45
GROUP 7.....	\$ 34.425	21.45
GROUP 8.....	\$ 35.475	21.45
GROUP 9.....	\$ 35.55	21.45
GROUP 10.....	\$ 35.65	21.45
GROUP 11.....	\$ 35.475	21.45
GROUP 12.....	\$ 36.20	21.45

LABORER CLASSIFICATIONS

GROUP 1: Building laborers, Plasterer tenders, Pumps for Dewatering & other Unclassified Laborers

GROUP 2: Fireproofing and fire shop laborers

GROUP 3: Cement gun laborers and hose

GROUP 4: Chimney over 40 feet; Scaffold laborers; Weldman-wreckers Burners

GROUP 5: Cement gun nozzle (gunite) laborers; Windlass and capstan person

GROUP 6: Stone derrickmen and handlers

GROUP 7: Jackhammermen, Power driven concrete saws and other power equipment

GROUP 8: Firebrick & boiler laborers

GROUP 9: Chimney on fire brick; Caisson Diggers; Well Point system men

GROUP 10: Boiler setter plastic laborers

GROUP 11: Jackhammermen on fire brick work only

GROUP 12: Dosimeter (any device) monitoring nuclear exposure); Asbestos abatement laborers; Toxic and Hazardous

waste removal laborers

LABO0075-001 06/01/2011

GRUNDY AND WILL COUNTIES

	Rates	Fringes
LABORER		
GROUP 1.....	\$ 35.20	21.45
GROUP 2.....	\$ 35.30	21.45
GROUP 3.....	\$ 35.40	21.45
GROUP 4.....	\$ 35.45	21.45
GROUP 5.....	\$ 35.70	21.45
GROUP 6.....	\$ 36.05	21.45
GROUP 7.....	\$ 36.20	21.45

LABORER CLASSIFICATIONS

GROUP 1 - Mortar mixers, handling asphalt shingles; Scaffolds; Sewer and trench work (ground level down to 8 feet); Catch basin and manhole diggers, mesh handling on road work; Cement and mineral filler handler; Concrete puddlers; Batch dumpers (cement & asphalt); Vibrator operators; Sand and stone wheelers to mixer Handlers); Concrete wheelers; Airtamping hammermen; Concrete & paving breakers; Rock drillers/Jackhammermen; Chipping hammermen 1-Bag mixer; Asphalt laborer; Chain and power saws; Pit men; Fencing laborers; Mason tenders (mortar and brick wheeler); Kettlemen & tarmen, tank cleaners; Scaffold and staging laborers; Pot Firemen (tarmen); Heaters tender for any purpose; Water pumps (portable water pumps shall be tended by laborers if the employer determines tending is required); Rip rap; Handling of slab steel road forms in any manner, except road form setting, setting center strips, Contraction and expansion joints (road work); Unloading and handling of lumber, brick, transite materials, cast iron water pipe, reinforced concrete rods, sewer and drain tile, railroad tiles and all other creosoted materials; paving blocks and concrete forms; Handling of insulation of any type; all work involving the unloading of materials, fixtures, or furnishing, whether crated or uncrated; all mortar and composition mixers of sewer work; track laborers; Chimney and silo laborers working at a height of 1 to 48 feet; All laborers working on swinging suspended, or any type or make of scaffolding 1 to 48 feet; All laborers working inside a sphere or any type or make of tank; Working inside a sphere or any type or make of tank from bottom to a height of 48 feet; Form strippers (any type); Mechanical or motorized buggies, for concrete or masons employers; Use of skid steer loads or any other machinery which replaces the wheelbarrow or buggy; Handling multiple concrete duct or any other type of pipe used in public utility work unless otherwise specified herein; Snapping of wall ties and removal of rods; drilling of anchor bolt holes; Concrete or asphalt clipper type saws and self-propelled saws; Shoulder and grade laborers; All

hydraulic electric and air or any other type of tools;
Grouting and caulking; Cleaning lumber, Nail pulling, Deck
hand; Dredgehand; Shore laborer; Bankmen on Floating Plant;
Tool and material checkers; Signalmen and Flagmen on all
construction work; Cleaning of debris; Removal of trees;
Concrete curing, temporary concrete protection regardless
of manner or materials used; Laborers on Apsco; Janitorial;
Wrecking and demolition laborers

GROUP 2 - Sewer and drain pipe layers and multiple concrete
duct or any other type of pipe used, on public utility work
(ground level to 8 feet); Pumpcrete pipe handlers

GROUP 3 - Asphalt rakers; Hod carriers; Plasterer laborers;
Gunnite laborers, Slab for setters on roads, highways,
streets, airport runaways, and radii (any type of form)
stringline men for all aforementioned work; Wagon and tower
drillers on land and floating plant used on dredging;
Asphalt gunners and plug men (undercoating on road work);
Mortar pump laborers; Plaster pump laborers

GROUP 4 - Tunnel miners, and all laborers inside tunnel; Air
blow pipemen; Torchmen (burners); Mortaring men on sewer
and drain pipe (the applying of mortar and composition
mixes); All bottom men on sewer work-all sewer and drain
pipelayers-multiple concrete duct or any other type of pipe
used on public utility work-8 feet or more below ground
level, and all other sewer and trench laborers 8 feet or
more below ground level regardless of excavation area; All
labor work inside cofferdam; Use of a 10 foot or more drill
steel for hand held drills; Caisson laborers ground level
down 15 feet; All air tools 8 feet or more below ground
level; All laborers working on swinging-suspended or any
type or make of scaffolds, 48 feet to 100 feet; All chimney
and silo laborers working at a height of 48 to 100 feet;
All tamping hammers over 150 lbs.; All laborers working
inside of a sphere or any type or make of tank at a height
of 48 feet to 100 feet; all hydraulic, electric and air
tools or any other type 8 feet or more below ground level;
Vibrators-any type-8 feet or more below ground level

GROUP 5 - Gunnite nozzle men; Caisson laborers and all
tamping hammers from 150 lbs and over; from 15 feet below
ground level down to 50 feet; and all laborers working
inside of a sphere or any type of tank for every additional
50 feet or part thereof above 100 feet in height

GROUP 6 - All underground cavern laborers; Caisson laborers
50 feet or more below ground level; Laborers working under
radio active conditions (suiting up); Blasting men
(Powdermen)

GROUP 7 - Dosimeter (any device) used for monitoring nuclear
exposure; Asbestos abatement worker; Toxic and hazardous
waste removal laborer; and chimney and silo laborers for
every additional 50 feet or any part thereof above 100 feet
high

LABO0149-001 06/01/2011

KANE, KENDALL, AND McHENRY COUNTIES

	Rates	Fringes
LABORER		
GROUP 1.....	\$ 35.20	21.45
GROUP 2.....	\$ 35.30	21.45
GROUP 3.....	\$ 35.35	21.45
GROUP 4.....	\$ 35.20	21.45
GROUP 5.....	\$ 35.45	21.45
GROUP 6.....	\$ 35.55	21.45
GROUP 7.....	\$ 35.70	21.45
GROUP 8.....	\$ 36.20	21.45

LABORER CLASSIFICATIONS

GROUP 1 Common Laborer

GROUP 2 Power Vibrator

GROUP 3 Torchman (demolition only), Mortarmen

GROUP 4 Power Tamper

GROUP 5 Jackhammer & Airspade; Chainsaw, Swinging Stage and
Boatswain Chair; Cement Gun Nozzleman; Hod Carrier;
Plasterer Tender, and Tunnel Man

GROUP 6 Tile Layers; Bottom Men

GROUP 7 Caisson Laborers; Dynamiters

GROUP 8 Asbestos abatement laborers, Toxic and hazardous
waste removal laborers, Dosimeter (any device) monitoring
nuclear exposure

LABO0152-001 06/01/2011

LAKE COUNTY

	Rates	Fringes
LABORER		
GROUP 1.....	\$ 35.20	21.45
GROUP 2.....	\$ 35.275	21.45
GROUP 3.....	\$ 35.30	21.45
GROUP 4.....	\$ 35.35	21.45
GROUP 5.....	\$ 35.40	21.45
GROUP 6.....	\$ 35.425	21.45
GROUP 7.....	\$ 35.525	21.45
GROUP 8.....	\$ 35.55	21.45
GROUP 9.....	\$ 35.35	21.45
GROUP 10.....	\$ 35.65	21.45
GROUP 11.....	\$ 36.20	21.45

LABORER CLASSIFICATIONS

GROUP 1: Building laborers; Plasterer tenders, General laborers (wrecking and demolition); Fireproofing and fire shop laborers

GROUP 2: Cement gun laborers and hose

GROUP 3: Chimney over 40 feet; Scaffold laborers; Wall men or wreckers

GROUP 4: Cement Gun nozzle (gunite) laborers

GROUP 5: Stone derrickmen and handlers

GROUP 6: Jackhammermen (tamperers & vibrators); Power driven concrete saws

GROUP 7: Firebrick & boiler laborer setters

GROUP 8: Chimney laborers (on fire brick); Caisson Diggers; Well Point system men

GROUP 9: Windlass and capstan persons

GROUP 10: Boiler setter plastic laborers

GROUP 11: Dosimeter (any device) monitoring nuclear exposure; Asbestos abatement laborers; Toxic and hazardous waste removal laborers

PAIN0014-002 06/01/2011

GRUNDY, LAKE, and WILL COUNTIES

	Rates	Fringes
PAINTER		
Brush, Decorator, and Paperhanger.....	\$ 38.00	21.62

PAIN0027-003 06/01/2010

	Rates	Fringes
GLAZIER.....	\$ 38.00	24.62

PAIN0030-001 05/01/2011

DUPAGE, KANE, KENDALL, AND MCHENRY COUNTIES

	Rates	Fringes
PAINTER		
Brush, Drywall Taper/Finisher, Sandblaster, and Spray.....	\$ 40.18	18.40

PLAS0005-003 07/01/2011		
GRUNDY and WILL COUNTIES		
	Rates	Fringes
PLASTERER.....	\$ 39.25	21.84

PLAS0005-006 07/01/2011		
DU PAGE COUNTY		
	Rates	Fringes
PLASTERER.....	\$ 39.25	21.84

PLAS0011-008 06/01/2011		
DE KALB, KANE, KENDALL, AND McHENRY COUNTIES		
	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 41.55	22.01

PLAS0011-012 08/01/2010		
GRUNDY AND WILL COUNTIES		
	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 41.00	21.03

PLAS0011-014 06/01/2011		
LAKE COUNTY		
	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 40.30	23.28
PLASTERER.....	\$ 38.69	23.43

PLAS0803-002 08/01/2010		
DUPAGE COUNTY		
	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 38.00	24.03

PLUM0093-001 06/01/2011		
LAKE and McHENRY COUNTIES		
	Rates	Fringes
PLUMBER.....	\$ 44.50	25.25

 PLUM0130-002 06/01/2011

DUPAGE (Argonne National Laboratories and Fermi National Laboratory), GRUNDY & WILL COUNTIES

	Rates	Fringes
PLUMBER.....	\$ 44.75	21.53

 PLUM0501-001 01/01/2012

DUPAGE (excluding Argonne National Laboratory and Fermi National Laboratory), KANE, and KENDALL (except the Mich-Wis Pumping Station in Milbrook, Silicas and Plant and Village of Newark, excludes Yorkville) COUNTIES

	Rates	Fringes
PLUMBER/PIPEFITTER.....	\$ 41.00	27.10

 PLUM0597-001 06/01/2011

DUPAGE (Argonne National Laboratories, and Fermi National Laboratory), GRUNDY, LAKE, MCHENRY & WILL COUNTIES

	Rates	Fringes
PIPEFITTER.....	\$ 44.05	24.13

 * ROOF0011-004 12/01/2011

DUPAGE, KANE, KENDALL, LAKE, MCHENRY, and WILL COUNTIES

	Rates	Fringes
ROOFER.....	\$ 37.65	16.65

 ROOF0011-009 06/01/2010

	Rates	Fringes
ROOFER.....	\$ 29.56	14.75

 SFIL0281-002 01/01/2012

DUPAGE, KANE, KENDALL, LAKE, MCHENRY, and WILL COUNTIES

	Rates	Fringes
SPRINKLER FITTER.....	\$ 47.80	18.50

 SHEE0073-003 06/01/2011

LAKE COUNTY

	Rates	Fringes
Sheet metal worker.....	\$ 40.56	27.23

SHEE0073-004 06/01/2011		

LAKE COUNTY

	Rates	Fringes
Sheet Metal Worker ALUMINUM GUTTER WORK.....	\$ 27.63	27.23

SHEE0265-001 06/01/2011		

DU PAGE, GRUNDY, KANE, KENDALL, McHENRY, and WILL COUNTIES

	Rates	Fringes
SHEET METAL WORKER.....	\$ 41.66	23.95

* TEAM0179-001 06/01/2011		

GRUNDY, KENDALL, and WILL COUNTIES

	Rates	Fringes
TRUCK DRIVER		
2 or 3 Axle Trucks.....	\$ 35.65	7.25+a
4 Axle Trucks.....	\$ 35.80	7.25+a
5 Axle Trucks.....	\$ 36.00	7.25+a
6 Axle Trucks.....	\$ 36.20	7.25+a
All Lowboy Trucks.....	\$ 37.20	7.25+a

FOOTNOTE: a. \$229.80 per week.

FOOTNOTE: An additional \$.20 per axle shall be paid for all vehicles with more than six (6) axles.

CLASSIFICATIONS:

Group 1 - Frame Truck when used for transportation purposes; Air Compressor and Welding Machines, including those pulled by cars, pick-up trucks and tractors; Ambulances; Articulated Dumps; Batch Gate Lockers; Batch Hopperman; Car and Truck Washers; Carry Alls; Forl Lifts and Hoisters; Helpers; Mechanics Helpers and Greasers; Oil Distributors, two-man operation; Pavement Breakers; Pole Trailer, up to 40 feet; Pothole Repair Trucks; Power Mower Tractors; Quick Change Barrier; Self-Propelled Chip Spreader; Shipping and Receiving Clerks and Checkers; Skipman; Slurry Trucks, two-man operation; Slurry Trucks, Conveyor Operated - 2 or 3 man operation; Teamsters; Unskilled Dumpmen; Warehousemen and Dockmen; Truck Drivers hauling warning lights, barricades, and portable toilets on the job site

Group 2 - Dispatcher; Dump Crets and Adgetators under 7 yards; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment under 16 cubic yards; Mixer Trucks under 7 yards; Ready-Mix Plant Hopper Operator; Winch Trucks, 2 Axles

Group 3 - Dump Crets and Adgetators, 7 yards and over; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment over 16 cubic yards; Explosives and/or Fission Material Trucks; Mixer Trucks 7 yards or over; Mobile Cranes while in transit; Oil Distributors, one-man operation; Pole Trailer, over 40 feet; Pole and Expandable Trailers hauling material over 50 feet long; Slurry Trucks, one-man operation; Winch Trucks, 3 axles or more; Mechanic - *Truck Welder and *Truck Painter*These classifications shall only apply in areas where and when it has been a past area practice; Asphalt Plant Operators in areas where it has been past practice

Group 4 - Dual-purpose vehicels, such as mounted crane tucks with hoist and accessories; Foreman; Master Mechanic; Self-loading equipment like P.B. and trucks with scoops on the front

 * TEAM0301-001 06/01/2011

LAKE AND MCHENRY COUNTIES

	Rates	Fringes
TRUCK DRIVER		
2-3 AXLES.....	\$ 35.85	.15+a
4 AXLES.....	\$ 36.00	.15+a
5 AXLES.....	\$ 36.20	.15+a
6 AXLES.....	\$ 36.40	.15+a

FOOTNOTE: a. \$288.00 per week health and welfare
 \$240.00 per week pension

An additional \$.20 per axle shall be paid for all vehicles with more than six (6) axles.

Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

900 straight time hours or more in 1 calendar year for the same employer shall receive 1 week paid vacation; 3 years - 2 weeks paid vacation; 10 years - 3 weeks paid vacation; 20 years - 4 weeks paid vacation.

CLASSIFICATIONS:

Group 1 - Frame Truck when used for transportation purposes; Air Compressor and Welding Machines, including those pulled

by cars, pick-up trucks and tractors; Ambulances; Articulated Dumps; Batch Gate Lockers; Batch Hopperman; Car and Truck Washers; Carry Alls; Forl Lifts and Hoisters; Helpers; Mechanics Helpers and Greasers; Oil Distributors, two-man operation; Pavement Breakers; Pole Trailer, up to 40 feet; Pothole Repair Trucks; Power Mower Tractors; Quick Change Barrier; Self-Propelled Chip Spreader; Shipping and Receiving Clerks and Checkers; Skipman; Slurry Trucks, two-man operation; Slurry Trucks, Conveyor Operated - 2 or 3 man operation; Teamsters; Unskilled Dumpmen; Warehousemen and Dockmen; Truck Drivers hauling warning lights, barricades, and portable toilets on the job site

Group 2 - Dispatcher; Dump Crets and Adgetators under 7 yards; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment under 16 cubic yards; Mixer Trucks under 7 yards; Ready-Mix Plant Hopper Operator; Winch Trucks, 2 Axles

Group 3 - Dump Crets and Adgetators, 7 yards and over; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment over 16 cubic yards; Explosives and/or Fission Material Trucks; Mixer Trucks 7 yards or over; Mobile Cranes while in transit; Oil Distributors, one-man operation; Pole Trailer, over 40 feet; Pole and Expandable Trailers hauling material over 50 feet long; Slurry Trucks, one-man operation; Winch Trucks, 3 axles or more; Mechanic - *Truck Welder and *Truck Painter*These classifications shall only apply in areas where and when it has been a past area practice; Asphalt Plant Operators in areas where it has been past practice

Group 4 - Dual-purpose vehicels, such as mounted crane tucks with hoist and accessories; Foreman; Master Mechanic; Self-loading equipment like P.B. and trucks with scoops on the front

 * TEAM0673-003 06/01/2008

DU PAGE and KANE COUNTIES

	Rates	Fringes
TRUCK DRIVER		
2-3 AXLES.....	\$ 32.55	.15+a
4 AXLES.....	\$ 32.70	.15+a
5 AXLES.....	\$ 32.90	.15+a
6 AXLES.....	\$ 33.10	.15+a

FOOTNOTE: a. \$434.00 per week.

An additional \$.20 per axle shall be paid for all vehicles with more than six (6) axles.

Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

900 straight time hours or more in 1 calendar year for the same employer shall receive 1 week paid vacation; 3 years - 2 weeks paid vacation; 10 years - 3 weeks paid vacation; 20 years - 4 weeks paid vacation.

CLASSIFICATIONS:

Group 1 - Frame Truck when used for transportation purposes; Air Compressor and Welding Machines, including those pulled by cars, pick-up trucks and tractors; Ambulances; Articulated Dumps; Batch Gate Lockers; Batch Hopperman; Car and Truck Washers; Carry Alls; Forl Lifts and Hoisters; Helpers; Mechanics Helpers and Greasers; Oil Distributors, two-man operation; Pavement Breakers; Pole Trailer, up to 40 feet; Pothole Repair Trucks; Power Mower Tractors; Quick Change Barrier; Self-Propelled Chip Spreader; Shipping and Receiving Clerks and Checkers; Skipman; Slurry Trucks, two-man operation; Slurry Trucks, Conveyor Operated - 2 or 3 man operation; Teamsters; Unskilled Dumpmen; Warehousemen and Dockmen; Truck Drivers hauling warning lights, barricades, and portable toilets on the job site

Group 2 - Dispatcher; Dump Crets and Adgetators under 7 yards; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment under 16 cubic yards; Mixer Trucks under 7 yards; Ready-Mix Plant Hopper Operator; Winch Trucks, 2 Axles

Group 3 - Dump Crets and Adgetators, 7 yards and over; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment over 16 cubic yards; Explosives and/or Fission Material Trucks; Mixer Trucks 7 yards or over; Mobile Cranes while in transit; Oil Distributors, one-man operation; Pole Trailer, over 40 feet; Pole and Expandable Trailers hauling material over 50 feet long; Slurry Trucks, one-man operation; Winch Trucks, 3 axles or more; Mechanic - *Truck Welder and *Truck Painter*These classifications shall only apply in areas where and when it has been a past area practice; Asphalt Plant Operators in areas where it has been past practice

Group 4 - Dual-purpose vehicels, such as mounted crane tucks with hoist and accessories; Foreman; Master Mechanic; Self-loading equipment like P.B. and trucks with scoops on the front

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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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 (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is union or non-union.

Union Identifiers

An identifier enclosed in dotted lines beginning with characters other than "SU" denotes that the union classification and rate have found to be prevailing for that classification. Example: PLUM0198-005 07/01/2011. The first four letters, PLUM, indicate the international union and the four-digit number, 0198, that follows indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2011, following these characters is the effective date of the most current negotiated rate/collective bargaining agreement which would be July 1, 2011 in the above example.

Union prevailing wage rates will be updated to reflect any changes in the collective bargaining agreements governing the rate.

Non-Union Identifiers

Classifications listed under an "SU" identifier were derived from survey data by computing average rates and are not union rates; however, the data used in computing these rates may include both union and non-union data. Example: SULA2004-007 5/13/2010. SU indicates the rates are not union rates, LA indicates the State of Louisiana; 2004 is the year of the survey; and 007 is an internal number used in producing the wage determination. A 1993 or later date, 5/13/2010, indicates the classifications and rates under that identifier were issued as a General Wage Determination on that date.

Survey wage rates will remain in effect and will not change until a new survey is conducted.

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, DC 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, DC 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, DC 20210

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

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END OF GENERAL DECISION

PART IV—REPRESENTATIONS AND INSTRUCTIONS

SECTION K--REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS OF OFFERORS OR RESPONDENTS

K-1 52.204-8 Annual Representations and Certifications. (MAY 2012)

(a) (1) The North American Industry Classification System (NAICS) code for this acquisition is **238990**.

(2) The small business size standard is **\$14 mil.**

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is **500 employees**.

(b) (1) If the clause at 52.204-7, Central Contractor Registration, is included in this solicitation, paragraph (d) of this provision applies.

(2) If the clause at 52.204-7 is not included in this solicitation, and the offeror is currently registered in CCR, and has completed the ORCA electronically, the offeror may choose to use paragraph (d) of this provision instead of completing the corresponding individual representations and certifications in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

(i) Paragraph (d) applies.

(ii) Paragraph (d) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

(c)(1) The following representations or certifications in ORCA are applicable to this solicitation as indicated:

(i) 52.203-2, Certificate of Independent Price Determination. This provision applies to solicitations when a firm-fixed-price contract or fixed-price contract with economic price adjustment is contemplated, unless--

(A) The acquisition is to be made under the simplified acquisition procedures in Part 13;

(B) The solicitation is a request for technical proposals under two-step sealed bidding procedures; or

(C) The solicitation is for utility services for which rates are set by law or regulation.

(ii) 52.203-11, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. This provision applies to solicitations expected to exceed \$150,000.

(iii) 52.204-3, Taxpayer Identification. This provision applies to solicitations that do not include the clause at 52.204-7, Central Contractor Registration.

(iv) 52.204-5, Women-Owned Business (Other Than Small Business). This provision applies to solicitations that--

(A) Are not set aside for small business concerns;

(B) Exceed the simplified acquisition threshold; and

(C) Are for contracts that will be performed in the United States or its outlying areas.

(v) 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations-Representation. This provision applies to solicitations using funds appropriated in fiscal years 2008, 2009, 2010, or 2012.

(vi) 52.209-5, Certification Regarding Responsibility Matters. This provision applies to solicitations where the contract value is expected to exceed the simplified acquisition threshold.

(vii) 52.214-14, Place of Performance--Sealed Bidding. This provision applies to invitations for bids except those in which the place of performance is specified by the Government.

(viii) 52.215-6, Place of Performance. This provision applies to solicitations unless the place of performance is specified by the Government.

(ix) 52.219-1, Small Business Program Representations (Basic & Alternate I). This provision applies to solicitations when the contract will be performed in the United States or its outlying areas.

(A) The basic provision applies when the solicitations are issued by other than DoD, NASA, and the Coast Guard.

(B) The provision with its Alternate I applies to solicitations issued by DoD, NASA, or the Coast Guard.

(x) 52.219-2, Equal Low Bids. This provision applies to solicitations when contracting by sealed bidding and the contract will be performed in the United States or its outlying areas.

(xi) 52.222-22, Previous Contracts and Compliance Reports. This provision applies to solicitations that include the clause at 52.222-26, Equal Opportunity.

(xii) 52.222-25, Affirmative Action Compliance. This provision applies to solicitations, other than those for construction, when the solicitation includes the clause at 52.222-26, Equal Opportunity.

(xiii) 52.222-38, Compliance with Veterans' Employment Reporting Requirements. This provision applies to solicitations when it is anticipated the contract award will exceed the simplified acquisition threshold and the contract is not for acquisition of commercial items.

(xiv) 52.223-1, Biobased Product Certification. This provision applies to

solicitations that require the delivery or specify the use of USDA-designated items; or include the clause at 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.

(xv) 52.223-4, Recovered Material Certification. This provision applies to solicitations that are for, or specify the use of, EPA-designated items.

(xvi) 52.225-2, Buy American Act Certificate. This provision applies to solicitations containing the clause at 52.225-1.

(xvii) 52.225-4, Buy American Act--Free Trade Agreements--Israeli Trade Act Certificate. (Basic, Alternates I, II, and III) This provision applies to solicitations containing the clause at 52.225-3.

(A) If the acquisition value is less than \$25,000, the basic provision applies.

(B) If the acquisition value is \$25,000 or more but is less than \$50,000, the provision with its Alternate I applies.

(C) If the acquisition value is \$50,000 or more but is less than \$77,494, the provision with its Alternate II applies.

(D) If the acquisition value is \$77,494 or more but is less than \$100,000, the provision with its Alternate III applies.

(xviii) 52.225-6, Trade Agreements Certificate. This provision applies to solicitations containing the clause at 52.225-5.

(xix) 52.225-20, Prohibition on Conducting Restricted Business Operations in Sudan--Certification. This provision applies to all solicitations.

(xx) 52.225-25, Prohibition on Contracting with Entities Engaging in Sanctioned Activities Relating to Iran--Representation and Certification. This provision applies to all solicitations.

(xxi) 52.226-2, Historically Black College or University and Minority Institution Representation. This provision applies to--

(A) Solicitations for research, studies, supplies, or services of the type normally acquired from higher educational institutions; and

(B) For DoD, NASA, and Coast Guard acquisitions, solicitations that contain the clause at 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns.

(2) The following certifications are applicable as indicated by the Contracting Officer:

(Contracting Officer check as appropriate.)

[](i) 52.219-22, Small Disadvantaged Business Status.

[](A) Basic.

[](B) Alternate I.

(ii) 52.222-18, Certification Regarding Knowledge of Child Labor for Listed End Products.

(iii) 52.222-48, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment Certification.

(iv) 52.222-52 Exemption from Application of the Service Contract Act to Contracts for Certain Services--Certification.

(v) 52.223-9, with its Alternate I, Estimate of Percentage of Recovered Material Content for EPA -Designated Products (Alternate I only).

(vi) 52.227-6, Royalty Information.

(A) Basic.

(B) Alternate I.

(vii) 52.227-15, Representation of Limited Rights Data and Restricted Computer Software.

(d) The offeror has completed the annual representations and certifications electronically via the Online Representations and Certifications Application (ORCA) website accessed through <https://www.acquisition.gov>. After reviewing the ORCA database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically that apply to this solicitation as indicated in paragraph (c) of this provision have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified below (offeror to insert changes, identifying change by clause number, title, date). These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

 FAR Clause Title Date Change

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on ORCA.

452.219-70 Size Standard and NAICS Code Information. (SEP 2001)

The North American Industrial Classification System Code(s) and business size standard(s) describing the products and/or services to be acquired under this solicitation are listed below:

Contract line item(s): 2

Contract line item(s): 1

- **NAICS Code 238990 fence install**

- **NAICS Code 332618 fence supply**

- **Size Standard \$14.0 MIL**

- **Size Standard 500 employees**

K-2 CONTRACTOR SAFETY PLAN CERTIFICATION

- (d) The Contractor shall have a Safety Plan in place. A copy shall be provided prior to pre-work meeting for approval. The Safety Plan should be available to all employees and subcontractors working on the contract.
- (e) The Safety Plan should cover at a minimum:
 - i. Safety briefings covering the area working in, equipment being used, and any special considerations for the work under the contract.
 - ii. Personal Protective Equipment required for the work under the contract.
 - iii. Appropriate OSHA requirements for the type of work under the contract.
 - iv. Weather considerations for the time of year of the contract.
 - v. Communication issues and locations of the nearest medical facilities to the job site.
 - vi. Name and point of contact information of supervisor responsible for enforcing the Safety Plan.
 - vii. Name, position title and point of contact of company executive responsible for approving the Safety Plan.
 - viii. Specific contingency plans for emergencies such as medical, fire hazardous material spills and any other contract assessed hazard prevention and abatement requirement needs that apply to this project. Include emergency phone numbers to contact if an accident happens including hospital, ambulance, sheriff, Midewin NTP SO.

(contractor name) I, _____ certify that I have a Safety Plan in place and certify that it will be strictly enforced.

Signature _____

Title: _____

Date: _____

K-3 GOVERNMENT EMPLOYEES, FORMER USDA EMPLOYEES, AND USDA RETIREES CERTIFICATION:

The following Certification is to be submitted with the quote.

The offeror/quoter represents and certifies that—

- (a) The firm/individual ___ is, or ___ is not a current Federal Government employee.
- (b) The firm _____ is or _____ is not substantially owned or controlled by a Government employee or retiree. (FAR Part 3.6)
- (c) The firm/individual ___ is or ___ is not a former USDA EMPLOYEE.
- (d) The firm/individual ___ is or _____ is not a retired USDA EMPLOYEE.
If retired, give date of retirement _____.
- (e) The firm/individual _____ is or _____ is not related to a current Forest Service employee on any Forest Service units within Region 9.

If so, list employee's name and location: _____.

I, on behalf of said Company, certify the above information is factual.

Signature

Date

Printed Name

Title

SECTION L--INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS OR RESPONDENTS

L-1 FAR 52.215-1 Instructions to Offerors - Competitive Acquisition. (JAN 2004)

Addendum to 52.215-1

215-1.1 – General Instructions

Proposals shall conform to the instructions provided in this section. Proposals shall be neat, clearly and concisely written, indexed and logically assembled. The intent of your proposal is to communicate why you should be selected. Therefore, ensure you address (answer) each instruction element. Failure to properly respond may eliminate you from the competition.

215-1.1.1 Prospective Offerors shall concurrently submit:

(a) Volume I - Technical Proposal – One original

Experience questionnaire should be included with your proposal or alternate format that provides all information requested.

(b) Volume II –Price Proposal – One original

Do not include your technical proposal in with your price proposal. Include in your price proposal:

- (i) Completed and Signed SF18
- (ii) The schedule of items with extensions completed
- (iii) Completed Section K

215-1.1.2

All proposals must be complete, self-sufficient, and respond directly to the requirements of this solicitation. Any commitments made in the proposal shall become a part of the resultant contract. Apparent inconsistencies between promised performance and statement of work shall be fully explained. Any significant inconsistency, if unexplained, raises a fundamental issue of the offeror's understanding of the statement of work and/or ability to perform the contract. This may be a basis for rejection of the proposal. In no case shall words like "we will comply with the requirements of the contract," or equivalent statements, be acceptable to meet the requirements of this solicitation. **Failure to comply with these instructions may result in the offeror's proposal being found non-responsive.**

215-1.1.3

Offeror's are cautioned that the government intends to award a contract without discussions; thus, initial proposal should represent the best possible effort.

215-1.1.4

Submitted materials should be fully responsive to and consistent with the requirements of the solicitation and the evaluation criteria listed in Section M. The format of the proposal shall be:

- (a)** Pages shall be 8 ½ x 11. Typing fonts should be no small than 12 pitch in a font that is easily readable such as Times, Times New Roman, or Arial.
- (b)** A single staple in the upper left hand corner is permissible – do not bind nor place proposal in a folder. Elaborate format, color representations, and bindings are not desirable.
- (c)** Proposal pages should be numbered.

215-1.1.5

Incorporation of proposal in award if selected: If a contractor's proposal is accepted and an award is made, portions of the proposal may be incorporated into the contract.

215-1.1.6

Restriction on disclosure and use of data: Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes shall mark the title page with the following legend: "This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed, in whole or in part for any purpose other than to include in contract award." Or any other restriction desired.

215-1.1.7

Disposition of Proposals: The original copy of the technical and cost proposal will be retained with the contract file. All copies of technical proposals will be destroyed after completion of technical evaluations.

AGRICULTURE ACQUISITION REGULATIONS (48 CFR Chapter 4) CLAUSES

452.204-70 Inquiries (FEB 1988)

L-2 FAR52.215-5 Facsimile Proposals. (OCT 1997)

(a) *Definition.* "Facsimile proposal," as used in this provision, means a proposal, revision or modification of a proposal, or withdrawal of a proposal that is transmitted to and received by the Government via facsimile machine.

(b) Offerors may submit facsimile proposals as responses to this solicitation. Facsimile proposals are subject to the same rules as paper proposals.

(c) The telephone number of receiving facsimile equipment is:

815-423-6376

ATTN: Deborah Bates

ph #: 815-423-2119.

(d) If any portion of a facsimile proposal received by the Contracting Officer is unreadable to the degree that conformance to the essential requirements of the solicitation cannot be ascertained from the document -

(1) The Contracting Officer immediately shall notify the offeror and permit the offeror to resubmit the proposal;

(2) The method and time for resubmission shall be prescribed by the Contracting Officer after consultation with the offeror; and

(3) The resubmission shall be considered as if it were received at the date and time of the original unreadable submission for the purpose of determining timeliness, provided the offeror complies with the time and format requirements for resubmission prescribed by the Contracting Officer.

(e) The Government reserves the right to make award solely on the facsimile proposal. However, if requested to do so by the Contracting Officer, the apparently successful offeror promptly shall submit the complete original signed proposal.

L-3 52.216-1 Type of Contract. (APR 1984)

The Government contemplates award of a firm-fixed price contract resulting from this solicitation.

L-4 52.222-5 Davis-Bacon Act--Secondary Site of the Work. (JUL 2005)

(a)(1) The offeror shall notify the Government if the offeror intends to perform work at any secondary site of the work, as defined in paragraph (a)(1)(ii) of the FAR clause at 52.222-6, Davis-Bacon Act, of this solicitation.

(2) If the offeror is unsure if a planned work site satisfies the criteria for a secondary site of the work, the offeror shall request a determination from the Contracting Officer.

(b)(1) If the wage determination provided by the Government for work at the primary site of the work is not applicable to the secondary site of the work, the offeror shall request a wage determination from the Contracting Officer.

(2) The due date for receipt of offers will not be extended as a result of an offeror's request for a wage determination for a secondary site of the work.

L-5 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: 5.3%

Goals for Female Participation for Each Trade: 7%

These goals are applicable to all of 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 Will County, IL.

L-6 52.225-10 Notice of Buy American Act Requirement - Construction Materials. (FEB 2009)

(a) Definitions. "Commercially available off-the-shelf (COTS) item," "construction material," "domestic construction material," and "foreign construction material," as used in this provision, are defined in the clause of this solicitation entitled "Buy American Act--Construction Materials" (Federal Acquisition Regulation (FAR) clause 52.225-9).

(b) *Requests for determinations of inapplicability.* An offeror requesting a determination regarding the inapplicability of the Buy American Act should submit the request to the Contracting Officer in time to allow a determination before submission of offers. The offeror shall include the information and applicable supporting data required by paragraphs (c) and (d) of the clause at FAR 52.225-9 in the request. If an offeror has not requested a determination regarding the inapplicability of the Buy American Act before submitting its offer, or has not received a response to a previous request, the offeror shall include the information and supporting data in the offer.

(c) *Evaluation of offers.* (1) The Government will evaluate an offer requesting exception to the requirements of the Buy American Act, based on claimed unreasonable cost of domestic construction material, by adding to the offered price the appropriate percentage of the cost of such foreign construction material, as specified in paragraph (b)(3)(i) of the clause at FAR 52.225-9.

(2) If evaluation results in a tie between an offeror that requested the substitution of foreign construction material based on unreasonable cost and an offeror that did not request an exception, the Contracting Officer will award to the offeror that did not request an exception based on unreasonable cost.

(d) *Alternate offers.* (1) When an offer includes foreign construction material not listed by the Government in this solicitation in paragraph (b)(2) of the clause at FAR 52.225-9, the offeror also may submit an alternate offer based on use of equivalent domestic construction material.

(2) If an alternate offer is submitted, the offeror shall submit a separate Standard Form 1442 for the alternate offer, and a separate price comparison table prepared in accordance with paragraphs (c) and (d) of the clause at FAR 52.225-9 for the offer that is based on the use of any foreign construction material for which the Government has not yet determined an exception applies.

(3) If the Government determines that a particular exception requested in accordance with paragraph (c) of the clause at FAR 52.225-9 does not apply, the Government will evaluate only those offers based on use of the equivalent domestic construction material, and the offeror shall be required to furnish such domestic construction material. An offer based on use of the foreign construction material for which an exception was requested -

(i) Will be rejected as nonresponsive if this acquisition is conducted by sealed bidding; or

(ii) May be accepted if revised during negotiations.

L-7 FAR 52.236-27 Site Visit (Construction) (Feb 1995)

- (a) The clauses at 52.236-2, Differing Site Conditions, and 52.236-3, Site Investigations and Conditions Affecting the Work, will be included in any contract awarded as a result of this solicitation. Accordingly, offerors or quoters are urged and expected to inspect the site where the work will be performed.
- (b) Site visits shall be done independently.

L-8 FAR 52.252-1 Solicitation Provisions Incorporated by Reference. (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

www.arnet.gov/far/

www.usda.gov/procurement/policy/agar.html

L-9 FSAR 452.215-71 Instructions For the Preparation of Technical and Business Proposals (SEP 1999)

- (a) General Instructions
 - (1) The quote must include a technical proposal. The following information should be submitted so as to address the evaluation factors in Section M:

All contractors shall provide the following information for their technical proposals:

- Past Performance & Experience on Similar Projects: Provide a list of completed past projects with similar scope for the last three years, (include a brief description of the project and how it is similar to this one, dollar amount, project location and who the work was performed for). Include reference names and phone numbers for three projects. Offerors without a record of past performance will receive a neutral rating for past performance only. Provide this information for subcontractors on the project as well.
- Capacity to Perform Work: Provide a list of key personnel (including sub-contractors on the project) and their qualifications. Provide a description of equipment to be used in the project (make, model, year, etc).

L-10 FSAR 452.237-71 Pre-Bid/Pre-Proposal Conference. (FEB 1988)

No prebid conference will be held. Direct any questions you may have to Contracting Officer, located on the Midewin NTP, Deborah Bates at 815-423-2119

The Government assumes no responsibility for any expense incurred by an offeror prior to contract award.

SECTION M--EVALUATION FACTORS FOR AWARD

M-1 AWARD DETERMINATION

The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. **Failure to provide the requested information may cause your offer to be found to be non-responsive. Items needed for a “responsive” bid:**

1. **SF18 – filled out and signed**
2. **B-1 Schedule of Items – filled in**
3. **I - FAR Clause 52.225-9 Buy American Act, (Prepare Response if applicable)**
4. **K-2 Safety Plan (Signed Certification)**
5. **K-3 Government Employee Certification (Complete Form)**
6. **L Include any responses to this section if needed.**
7. **M-2 Factor 1 Experience & Past Performance Questionnaire (Complete Form)**
8. **M-2 Factor 2 Identify Work Force (Key Personnel), Equipment List, and Subcontractors (Prepare Narrative)**
9. **M-2 Factor 3 Price (Complete Section B-1)**

M-2 EVALUATION FACTORS 1-3

FACTOR 1 – PAST PERFORMANCE AND EXPERIENCE

PROPOSAL PREPARATION INSTRUCTIONS:

Complete the attached form to provide your relevant past performance and experience information or provide the same information in an alternative format.

1. Furnish a list of three projects of relevant and similar magnitude completed by the firm within the last three years. For each project cited, provide:
 - a. The name of the project
 - b. The location of the project
 - c. The total cost of the project
 - d. Brief narrative of the project (less than ½ page per project)
 - e. Name of the Government Agency, Company, or Individual contracting the work
 - f. The name and phone number of the Contracting Officer, project Engineer (if a non-government project), or individual administering the project, and
 - g. Any evaluations that you received.

EVALUATION CRITERIA

The Government will evaluate qualifications based on the experience and past performance. Past performance will be assessed on the extent of client satisfaction, effectiveness in managing and directing resources, reasonable and cooperative behavior, and quality of previous performance with clients. The Government may or may not contact any or all references listed.

FACTOR 2—IDENTIFY WORK FORCE AND SUBCONTRACTORS

PROPOSAL PREPARATION INSTRUCTION:

Describe your plan to accomplish the work as identified in the statement of work, your utilization of subcontractors if any and utilization of the local workforce. Identify key personnel and their qualifications. Provide a description of equipment to be used (make, model, year, etc). Provide the address of businesses that will perform the work of this solicitation (prime contractor as well as any subcontractors).

- (1) Indicate by percentage who will accomplish the work.
 - (2) Identify subcontractors, if any, and what work they will provide.
- The total percentage of work for the project should equal 100 percent.

EVALUATION CRITERIA:

The Government will evaluate workforce based on the percentage of the work that the contractor meets the requirements; refer to clause 52.236-1 Performance of Work by the Contractor.

FACTOR 3—PRICE

PROPOSAL PREPARATION INSTRUCTIONS:

Refer to Section B-1 for schedule of items. Provide your most competitive price. Note: unit price prevails; all pricing should be in the format of US dollars and cents.

EVALUATION CRITERIA

The Government will evaluate price independently of Factors 1 and 2. Upon completion of evaluation of the technical factors, price will be considered in the final evaluation.

The Government will evaluate offers in accordance with FAR 13.106-2. Best value will be based upon the evaluation criteria and price. The Government reserves the right to award a contract to other than the lowest priced offer if a high priced offer is judged to have a high performance/qualification confidence rating. In that event, the contracting officer shall make an integrated assessment best value award decision.

RELATIVE IMPORTANCE: Factors 1 & 2, when combined, are approximately equal to price.

EXPERIENCE AND PAST PERFORMANCE QUESTIONNAIRE

Instructions: See Box 10, REMARKS, if extra space is needed to answer any items below. Mark "X" in the appropriate boxes. Please list NA for inapplicable items.

1. Contractor's Name, Address & Telephone Number	2. Type of Business
	<input type="checkbox"/> Company
	<input type="checkbox"/> Corporation
	<input type="checkbox"/> Non-profit Organization
	<input type="checkbox"/> Co-partner
	<input type="checkbox"/> Individual

- 3. How many years of experience do you have in this line of work? _____
- 4. How many years of experience as a prime contractor? _____ subcontractor? _____
- 5. List similar projects your business has completed in the last 3 years:

Contract Amount	Type of Project	Date Completed	Name and Telephone Number to Contact For Information

- 6. List all of your firm's current contract commitments:

Contract Number	Award Amount	Type of Project	Est. Date of Completion	Name and Telephone Number to Contact For Information

- 7a. Have you ever failed to complete any work awarded to you? yes no
- 7b. Has work ever been completed by performance bond? yes no
- 7c. If "yes" to either Question 7a., or 7b., please specify location(s) and reason(s):

8. Organization that will be available for this project:

- a. Minimum No. of employees: _____ Maximum No. of employees: _____
- b. Are employees regularly on your payroll? ___ yes ___ no
- c. If applicable, specify equipment or any other specifics available for this contract:

d. Estimate rate of progress (such as acres/day, miles/day or other rate):

Minimum progress rate: _____ Maximum progress rate: _____

9. List the experience of the principal individuals of your business

Individual's Name	Current Position	# Years Experience	Comparable Type of Work

11. Quality Control Plan – Submit as part of your proposal specific information that outlines how offeror (and any subcontractors) will provide quality assurance, provide as an attachment to your technical proposal write-up or include in your technical proposal write-up.

12. Remarks:

CERTIFICATION: I certify that all of the statements made above are complete and correct to the best of my knowledge and that any persons named as references are authorized to furnish the Forest Service with any information needed to verify my capability to perform this project.

Signature

Title

Date