

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**1. Contract ID Code  
Firm Fixed Price

Page 1 Of 8

2. Amendment/Modification No.

0005

3. Effective Date

2014OCT17

4. Requisition/Purchase Req No.

SEE SCHEDULE

5. Project No. (If applicable)

6. Issued By

U.S. ARMY CONTRACTING COMMAND  
PAMELA TAIARIOL  
WARREN, MICHIGAN 48397-5000  
HTTP://CONTRACTING.TACOM.ARMY.MIL

Code

W56HZV

7. Administered By (If other than Item 6)

Code

8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)

9A. Amendment Of Solicitation No.

W56HZV-13-R-0036

9B. Dated (See Item 11)

2014JUL01

10A. Modification Of Contract/Order No.

10B. Dated (See Item 13)

Code

Facility Code

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS** The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers is extended,  is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods:  
 (a) By completing items 8 and 15, and returning 2 signed copies of the amendments; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. **FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.** If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. Accounting And Appropriation Data (If required)

**13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS**

It Modifies The Contract/Order No. As Described In Item 14.

- A. This Change Order is Issued Pursuant To: \_\_\_\_\_ The Changes Set Forth In Item 14 Are Made In \_\_\_\_\_  
The Contract/Order No. In Item 10A.
- B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).
- C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of: \_\_\_\_\_
- D. Other (Specify type of modification and authority)

E. IMPORTANT: Contractor  is not,  is required to sign this document and return \_\_\_\_\_ copies to the Issuing Office.

14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

SEE SECOND PAGE FOR DESCRIPTION

Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. Name And Title Of Signer (Type or print)

16A. Name And Title Of Contracting Officer (Type or print)

15B. Contractor/Offeror

15C. Date Signed

16B. United States Of America

16C. Date Signed

(Signature of person authorized to sign)

By \_\_\_\_\_ /SIGNED/  
(Signature of Contracting Officer)

NSN 7540-01-152-8070

30-105-02

STANDARD FORM 30 (REV. 10-83)

PREVIOUS EDITIONS UNUSABLE

Prescribed by GSA FAR (48 CFR) 53.243

<b>CONTINUATION SHEET</b>	<b>Reference No. of Document Being Continued</b>	<b>Page 2 of 8</b>
	PIIN/SIIN W56HZV-13-R-0036	MOD/AMD 0005
<b>Name of Offeror or Contractor:</b>		

SECTION A - SUPPLEMENTAL INFORMATION

Buyer Name: PAMELA TAIARIOL  
 Buyer Office Symbol/Telephone Number: CCTA-HBF-C/(586)282-3743  
 Type of Contract: Firm Fixed Price  
 Kind of Contract: Supply Contracts and Priced Orders

\*\*\* End of Narrative A0000 \*\*\*

1. The purpose of Amendment 0005 to W56HZV-13-R-0036 is to change SECTION M-EVALUATION FACTORS FOR AWARD as follows:

a. Change a.1. in Clause 52.216-4216-EVALUATION CRITERIA FOR RANGE PRICING as follows:

FROM: 1. CLINS 0001 through 0026, Years 1-7

TO: 1. CLINS 0001 through 0027, Years 1-7 (Total Evaluated Price from ATT 0030, SUMMARY tab)

b. Add Clause 52.247-4457(TACOM)-EVALUATION OF TRANSPORTATION COSTS FOR LONG TERM CONTRACTS (SEP 2014).

c. Change Paragraph M.4.2 as follows:

FROM: M.4.2 Relative Importance of Factors To Price. The Technical and Small Business Participation factors combined are significantly more important than the Price factor. The Government will describe the overall technical ratings in adjectival terms as follows: outstanding, good, acceptable, marginal, and unacceptable. The Government will describe the risk ratings in adjectival terms as follows: low risk, moderate risk, and high risk. The Government will describe the small business participation ratings in adjectival terms as follows: outstanding, good, acceptable, marginal, and unacceptable.

TO: M.4.2 Relative Importance of Factors To Price. The Technical and Small Business Participation factors combined are significantly more important than the Price factor. The Government will describe the technical ratings in adjectival terms as follows: outstanding, good, acceptable, marginal, and unacceptable. The Government will describe the technical risk ratings in adjectival terms as follows: low risk, moderate risk, and high risk. The Government will describe the small business participation ratings in adjectival terms as follows: outstanding, good, acceptable, and marginal.

d. Remove the Best Value Assessment Table from Paragraph M.4.4 and revise M.4.4 as follows:

FROM: M.4.4 In developing the best value assessment the Government will consider a combined technical and proposal risk rating. In addition to the evaluation factors identified in M.4, above, the Government will consider various sub factors and elements of the offerors Technical Factor proposals.

TO: M.4.4 The Government will consider the technical rating and technical risk ratings in developing the best value assessment. In addition to the evaluation factors identified in M.4, above, the Government will consider various sub factors and elements of the offerors Technical Factor proposals.

e. Change Paragraph M.4.5 to Paragraph M.4.4.1

f. Change Paragraph M.4.5.1 to Paragraph M.4.4.2

g. Change Paragraph M.4.5.2 to Paragraph M.4.4.3 and change the paragraph as follows:

FROM: M.4.5.2 Technical Elements. Driver Position Protection is somewhat more important than Operator Position Protection. Primary road speed is of equal importance to secondary road speed. Secondary road speed is significantly more important than off road speed. These elements will be combined to develop the overall respective subfactor ratings.

TO: M.4.4.3 Technical Elements. Driver Position Protection is somewhat more important than Operator Position Protection. Primary road speed is of equal importance to secondary road speed. Secondary road speed is significantly more important than off road speed.

h. Add Paragraph M.4.4.4.

2. All other sections of W56HZV-13-R-0036 remain unchanged.

\*\*\* END OF NARRATIVE A0005 \*\*\*

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SECTION M - EVALUATION FACTORS FOR AWARD

Status	Regulatory Cite	Title	Date
M-1 CHANGED	52.216-4216 (TACOM)	EVALUATION CRITERIA FOR RANGE PRICING	MAY/2005

a. The total evaluated price will include the following:

1. CLINs 0001 through 0027, Years 1-7 (Total Evaluated Price from ATT 0030, Summary tab)
2. Transportation costs if FOB Origin
3. FAT costs, if applicable

b. For CLINs with range pricing, the Government will calculate a weighted average unit price for each CLIN by multiplying the unit prices proposed for each quantity range by the below weighting percentages. The total evaluated price of each such CLIN will be based on multiplying the weighted average unit price by the estimated CLIN quantities specified in Section B of this solicitation.

Items: CLIN 0003-Production Units-Type II Heavy Crane  
 CLIN 0011-Pile Drive with Install Kit  
 CLIN 0013-Special Tool Kit

Quantity Range	Weighting Applied to Unit Price
From 1 to 8	20%
From 9 to 16	30%
From 17 to 48	50%
	Total 100%

Offerors should note that the pricing of all offers will be carefully reviewed to detect offers that are unbalanced from range to range (i.e. one or more ranges have pricing that is significantly over or understated as indicated by the application of cost or price analysis techniques). Unbalanced offers may be determined unacceptable. See FAR 15.404-1(g) for more information on unbalanced offers.

[End of Clause]

M-2 CHANGED	52.247-4457 (TACOM)	EVALUATION OF TRANSPORTATION COSTS FOR LONG TERM CONTRACTS	SEP/2014
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We do not know the quantity and destination requirements that will apply during the term of this Contract. To determine the low offeror, we will evaluate those transportation costs that apply to a quantity of 104, excluding any option quantities, by using the methodology described in the Section M clause entitled "Evaluation--FOB Origin" (FAR 52.247-47). The quantity delivery rate the Government identified in Paragraph (c) of Section F's clause 52.242-4457 entitled "Delivery Schedule for Delivery Orders" will be used in our evaluation. We will use the following estimated quantities, excluding any Foreign military Sales (FMS) portion (if any), to the listed tentative destinations in conducting our evaluation:

- 7 TO Zone 1 (Washington, Oregon, Idaho, Nevada, California)
- 6 TO Zone 2 (Utah, Arizona, Colorado, New Mexico)
- 3 TO Zone 3 (Montana, Wyoming, Nebraska, South Dakota, North Dakota)
- 25 TO Zone 4 (Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana)
- 12 TO Zone 5 (Minnesota, Wisconsin, Michigan, Indiana, Illinois, Iowa, Ohio)
- 21 TO Zone 6 (Kentucky, Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Maryland, Delaware)
- 12 TO Zone 7 (Mississippi, Alabama, Georgia, Florida)
- 8 TO Zone 8 (New Jersey, Pennsylvania, New York, Connecticut, Massachusetts, Vermont, New Hampshire, Maine, Rhode Island)
- 10 TO Zone 9 (OCONUS)

[End of Provision]

M.1 BASIS FOR AWARD.

M.1.1 General. The Government plans to award one Firm-Fixed Price requirements type contract as a result of this solicitation subject to the provisions contained herein. The evaluation of proposals submitted in response to this solicitation includes both an Acceptable/Unacceptable evaluation IAW M.5.1. and Source Selection Trade-Off Procedures IAW M.3.5. Best Value may result in award to other than the Offeror with the lowest evaluated price or the highest-rated proposal under the Non-Price Factors.

M.1.2 Selection of the successful Offeror shall be made following an assessment of each proposal against the requirements described herein and the criteria set forth below. Award will be made to the Offeror whose proposal, in the Source Selection Authoritys (SSA)

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independent judgment, represents the best value to the Government after completing the first phase of the evaluation.

M.1.3 Award Without Discussions. Pursuant to FAR 52.215-1 the Government reserves the right to make contract award on the basis of the initial proposals received without conducting discussions. The Government may provide offerors the opportunity to clarify certain aspects of their proposal or resolve minor or clerical mistakes. In the event that the Government elects to award without discussions then offerors will not be provided an opportunity to respond to any identified weaknesses or deficiencies or revise their proposals. In the event that the Government elects to award without discussions then the award decision will be based upon the evaluations of the initial proposals as submitted.

**M.2 REJECTION OF OFFERS.**

M.2.1. Offerors shall carefully read, understand and provide all the information requested in the Proposal Preparation Instructions and Content contained in Section L. If there are parts of the Section L instruction you do not understand, request clarification from the PCO in writing before the closing date of this solicitation. In accordance with clause FAR 52.215-1 contained in this solicitation, the Government may reject any or all proposals if such action is in the Governments interests. The circumstances that may lead to the rejection of a proposal are:

M.2.1.1 The proposal fails to meaningfully respond to the Proposal Preparation Instructions specified in Section L of this solicitation. Examples of failure to meaningfully respond include:

M.2.1.1.1 When a proposal merely offers to perform work according to the RFP terms or fails to present more than a statement indicating the contractors capability to comply with the RFP terms and does not provide support and elaboration as specified in Section L of this solicitation.

M.2.1.1.2 A proposal fails to provide any of the data and information required in Section L.

M.2.1.1.3 A proposal provides some data but omits significant material data and information required by Section L.

M.2.1.1.4 A proposal merely repeats the contract statement of work without elaboration.

M.2.1.2 The proposal price is unreasonable.

M.2.1.3 The proposal offers a product or service that does not meet all stated material requirements of the solicitation.

M.2.1.4 The proposal proposes exceptions to the attachments, exhibits, enclosures, or other RFP terms and conditions.

M.2.1.5 The offeror (or any subcontractor who will handle or have access to classified information) does not have SECRET Facility Clearance along with the safeguarding capabilities required to view the classified B-Kit specifications at the time of proposal submission.

**M.3 EVALUATION AND SOURCE SELECTION PROCESS.**

M.3.1 EVALUATION PROCESS. Selection of the successful offeror will be made following an assessment of each proposal, based on the response to the information called for in the Proposal Preparation Instructions in Section L of this RFP and against the solicitation requirements and the evaluation criteria described herein. Proposals will be evaluated as specified herein, to include developing narrative support for the evaluation conclusions under each Factor.

M.3.2 Source Selection Authority. The Source Selection Authority (SSA) is the official designated to direct the source selection process and select the offeror for contract award.

M.3.3 Source Selection Evaluation Board (SSEB). An SSEB has been established by the Government to evaluate proposals in response to this solicitation. The SSEB is comprised of technically qualified individuals who have been selected to conduct this evaluation in accordance with the evaluation criteria listed for this solicitation. Careful, full and impartial consideration will be given to all proposals received pursuant to this solicitation.

M.3.4. All the factors contained in each proposal will be evaluated. However, the closer the offerors evaluations are in the non-Price Factors, the more important Price becomes in the decision. Notwithstanding the relative order of importance of the Evaluation Factors as stated,

Price may be the controlling factor when:

- a. Proposals are considered approximately equal in non-Price Factors; or
- b. An otherwise superior proposal is unreasonable; or
- c. The advantages of a higher rated, higher Price proposal are not considered to be worth the Price premium.

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**M.3.5. SOURCE SELECTION TRADE-OFF PROCESS.**

This solicitation represents a combination of an Acceptable/Unacceptable and Best Value acquisition using a Source Selection Trade-Off process. A proposal that is Acceptable under Section M.5.1 will be evaluated under Source Selection Best Value Trade-Off procedures. The SSA will make the final decision Source Selection Trade-off judgment by weighing the merits of the non-Price Factors against the evaluated Price. As part of the best value determination, the relative strengths, weaknesses and risks of each offerors proposal in the non-Price Factors as well as the total evaluated Price shall be considered in selecting the offer which is most advantageous and represents the best value to the Government. This determination may result in award to other than the offeror with the lowest evaluated Price.

**M.4. EVALUATION CRITERIA.**

The Government will assess each offeror on three (3) Factors: (1) Technical; (2) Price; and (3) Small Business Participation.

M.4.1 The Technical Factor is somewhat more important than Price. The Price Factor is significantly more important than small business participation.

M.4.2 Relative Importance of Factors To Price. The Technical and Small Business Participation factors combined are significantly more important than the Price factor.

The Government will describe the technical ratings in adjectival terms as follows: outstanding, good, acceptable, marginal, and unacceptable. The Government will describe the technical risk ratings in adjectival terms as follows: low risk, moderate risk, and high risk. The Government will describe the small business participation ratings in adjectival terms as follows: outstanding, good, acceptable, and marginal.

M.4.3 Determination of Responsibility. Per FAR 9.103, contracts will be placed only with contractors that the Contracting Officer determines to be responsible. Prospective offerors, in order to qualify as sources for this acquisition, must be able to demonstrate that they meet standards of responsibility set forth in FAR 9.104 and TACOM clause 52.209-4011. The Government reserves the right to conduct a Pre-Award Survey on any or all offerors (or their significant sub-contractors greater than \$500K) to aid the PCO in the evaluation of each offerors proposal and ensure that a selected contractor is responsible. No award can be made to an offeror who has been determined non-responsible by the Contracting Officer. To make sure that you meet the responsibility criteria at FAR 9.104, we may:

- a. Arrange a visit to your plant and perform a necessary Pre-Award Survey, or
- b. Ask you to provide technical, production, quality, financial and/or managerial background information. If you do not provide us with the data we ask for within 7 days from the date you receive our request, or if you refuse to have us visit your facility, we may determine you non-responsible. If we visit your facility, please make sure that you have current data relevant to your proposal available for our team to review.

M.4.4 The Government will consider the technical rating and technical risk ratings in developing the best value assessment. In addition to the evaluation factors identified in M.4, above, the Government will consider various sub factors and elements of the offerors Technical Factor proposals.

M.4.4.1 The Technical Factor shall be divided into subfactors and elements. Specifically, the subfactors of the Technical Factor are: (1) Lift; (2) Crew Protection; (3) Reach; and (4) Overall Speed. The Crew Protection Subfactor is divided into the following Elements: (1) Driver Position Protection and (2) Operator Position Protection. The Overall Speed Subfactor is divided into the following Elements: (1) Primary Road Speed; (2) Secondary Road Speed; and (3) Off Road Speed.

M.4.4.2 Technical Sub-Factors. Lift is more important than crew protection. Crew protection is somewhat more important than reach. Reach is more important than overall speed.

M.4.4.3 Technical Elements. Driver Position Protection is somewhat more important than Operator Position Protection. Primary road speed is of equal importance to secondary road speed. Secondary road speed is significantly more important than off road speed.

M.4.4.4 The Technical Elements will be combined to develop the respective technical and technical risk ratings at the Technical Subfactor level. The Technical Subfactors will be combined to develop the technical rating and technical risk rating at the Factor level.

**M.5. Evaluation Process**

M.5.1 Verification of Compliance With Acceptable/Unacceptable Technical Performance Requirements. An "Acceptable" Technical proposal clearly meets the minimum requirements of the solicitation. An Unacceptable Technical proposal does not clearly meet the minimum requirements of the solicitation. This assessment will be performed using the information contained in the Technical Information Questionnaire (TIQ), as well other information supplied by the offeror to support conformance of the supplies to each TIQ requirement (e.g. commercial literature, vendor data, narrative descriptions of conformance to specification requirements, test data, etc). Determination of acceptability/unacceptability is not a part of the Best Value assessment in M.5.2. NOTE: Technical performance beyond



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M.5.2.5 Speed Subfactor Rating. In evaluating the speed elements the Government will apply the VehDyne analysis program to the data provided by offerors in the dynamic input data IAW Section L.2.3. Using The VehDyne analysis program the Government will calculate the projected vehicle speed performance for primary road speed, secondary road speed and off road speed. The Government will consider the projected speed performance for primary, secondary, and off road speed together and develop an overall assessment for speed.

M.5.2.6 Validity of the VehDyne analysis program. Offerors are advised that the formulas contained in the VehDyne analysis program are the result of validated research and as such are not subject to discussion or negotiation in any form. As an example - in the event that the analysis program determines a maximum secondary road speed that differs from the offerors claim then for the purpose of evaluating the offerors proposal the Government will consider only the secondary road speed data generated by the VehDyne analysis program.

M.5.2.7 Using the offerors technical approach to meeting the technical subfactors and elements as detailed IAW Section L.2.3., the Government will assess the risk of the Offeror not being able to meet the requirements as proposed. The following technical approaches may be assessed with an ascending level of risk:

- a. Offers that propose to meet the requirements of the purchase description using an existing product now in production that has been sold to other customers
- b. Offers of an existing product available as a prototype that is not yet available in the commercial marketplace but will be available in the commercial marketplace in time to satisfy the solicitation delivery requirements.
- c. Offers that propose to meet the requirements of the purchase description by integrating various existing major components into a single configuration that is not now in production but does exist as a prototype.
- d. Offers that propose to meet the requirements of the purchase description by integrating various existing major components into a single configuration that is neither in production nor exists as a prototype.
- e. Offers that propose to meet the requirements of the purchase description by integrating new original designs of major components or assemblies into a single configuration that is neither in production nor exists as a prototype.

M.6. Price Evaluation. Using the offerors price proposal the Government will develop an overall assessment of the price reasonableness of the proposal. During the price evaluation, the Government reserves the right to address and clarify any perceived omissions or errors in the price proposal IAW FAR 15.306(a)(1).

M.6.1 Evaluation of the Price Factor. The Price Factor evaluation will consider the total evaluated price to the Government. The assessment of total evaluated price will include consideration of the reasonableness of the proposed firm fixed prices of all priced CLINs.

M.6.2 A price is considered reasonable if that price does not exceed what would be incurred by a prudent person in the conduct of competitive business.

M.6.3 Total Evaluated Price. The Government will derive the total evaluated price by summing the result of taking the proposed unit price, or proposed weighted average unit price if applicable(as shown in Attachment 0030) for each contract line item multiplied by the estimated quantities appropriate to that contract line item, as calculated in Attachment 0030.

M.6.4 The Defense Contract Audit Agency may be requested to verify proposed rates and projections.

M.6.5 The Government may make a determination of reasonableness by any means allowable under FAR 15.404-1, but reserves the right to utilize any data other than certified cost or pricing data submitted to the extent it is deemed necessary.

M.6.6 Offerors shall note that the pricing of all proposals will be carefully reviewed to detect offers that are unbalanced as to price. An unbalanced offer is one which is (a) based on prices significantly high or low for one given period versus another period; or (b) the price of one or more contract line items is significantly over or understated; or (c) one or more ranges have pricing that is significantly over or understated as indicated by the application of price analysis techniques. There must be a direct relationship between the effort expended and its cost or price for each year and each CLIN. The Government may reject a proposal which is deemed unbalanced.

M.7 Evaluation of Volume IV-Small Business Participation (SBP) Factor.

M.7.1 Reference the proposal information required to be submitted in response to L.4.

M.7.2 The Small Business Participation Factor evaluation will consist of the following:

- a. An assessment of the extent of the Offerors proposed levels of participation by Small Business concerns compared against the

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Governments goals for Small Businesses in the categories listed below for this solicitation and expressed as a percentage of Total Contract Amount. The term Total Contract Amount is defined for evaluation purposes as the Total Evaluated Price (see M.6.3).

- 1. 15% for Small Business.
- 2. 2% for Small Disadvantaged Business (SDB)

b. An assessment of the probability that the Offeror will achieve the proposed levels, or the risk the Offeror will not achieve the proposed levels, during performance of the contract. The assessment of probability or risk is against the Offerors proposed goals and not the Governments goals listed above for this solicitation. If the Offeror is awarded the contract, the Offerors proposed goals will be incorporated into the contract and will be the goals against which performance will be measured. If the awardee is other than a small business, the proposed goals will be incorporated via the Small Business Subcontracting Plan goals, which shall be consistent with the goals proposed for the Small Business Participation Factor.

\*\*\* END OF NARRATIVE M0001 \*\*\*