1. SOLICITATION NUMBER

2. TYPE OF SOLICITATION

3. DATE ISSUED

PAGE OF PAGES

4. CONTRACT NUMBER

5. REQUISITION/PURCHASE REQUEST NUMBER

6. PROJECT NUMBER

7. ISSUED BY

CODE

8. ADDRESS OFFER TO

a. NAME

b. TELEPHONE NUMBER (Include area code) (NO COLLECT CALLS)

10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS (Title, identifying number, date)

12a. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS?

(If "YES," indicate within how many calendar days after award in Item 12B.)

12b. CALENDAR DAYS

13. ADDITIONAL SOLICITATION REQUIREMENTS:

STANDARD FORM 1442 (REV. 8/2014)

STANDARD FORM 1442

Prescribed by GSA-FAR (48 CFR) 52.236-1(d)

SOLICITATION, OFFER,

AND AWARD

(Construction, Alteration, or Repair)

SOLICITATION

SOLICITATION

IMPORTANT - The "offer" section on the reverse must be fully completed by offeror.

9. FOR INFORMATION

 CALL:

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

SEALED BID (IFB)

NEGOTIATED (RFP)

11. The Contractor shall begin performance within \_\_\_\_\_\_\_\_\_\_\_\_ calendar days and complete it within

 \_\_\_\_\_\_\_\_\_\_\_\_

calendar days after receiving

award,

notice to proceed. This performance period is

mandatory

negotiable. (See \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_).

YES

NO

a.

Sealed offers in original and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_copies to perform the work required are due at the place specified in Item 8 by \_\_\_\_\_\_\_\_\_\_\_\_\_

(hour) local time \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date). If this is a sealed bid solicitation, offers must be publicly opened at that time. Sealed

envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, the date and time offers are due.

b.

An offer guarantee

is,

is not required.

c.

All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.

 .

d.

Offers providing less than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ calendar days for Government acceptance after the date offers are due will not be

considered and will be rejected.

1

17

36C26323R0001

X

09-20-2022

568-23-1-9965-0004

568-20-102

36C263

Department of Veterans Affairs

Network 23 Contracting Office (NCO 23)

111 South 18th Plaza, Suite C38

Omaha NE 68102-2077

Department of Veterans Affairs

Network 23 Contracting Office (NCO 23)

111 South 18th Plaza, Suite C38

Omaha NE 68102-2077

Sharon Spohn

402-996-3522

PN: 568-20-102, Upgrade Mental Health Lock Ward, Fort Meade VAMC in South Dakota

Contractor shall provide all necessary construction services to renovate the mental health lock ward at the

Fort Meade VAMC in South Dakota as outlined in the Scope of Work (SOW). Construction activities shall include,

but are not limited to, demolition, roofing, construction of a penthouse, HVAC, plumbing, electrical, raising

the ceiling, replacing handrails, upgrading windows to mental health requirements, and upgrading finishes.

Award is subject to the availability of funds.

NAICS Code: 236220

Size Standard: $39.5 Million

10

366

X

X

52.211-10

X

010

1

10:00 AM

CDT

11-01-2022

X

90

14. NAME AND ADDRESS OF OFFEROR

15. TELEPHONE NUMBER

16. REMITTANCE ADDRESS

CODE

FACILITY CODE

17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of the solicitation, if this offer is

accepted by the Government in writing within \_\_\_\_\_\_\_\_\_\_ calendar days after the date offers are due.

AMOUNTS

18. The offeror agrees to furnish any required performance and payment bonds.

19. ACKNOWLEDGMENT OF AMENDMENTS

AMENDMENT

NUMBER

DATE.

20a. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER

20b. SIGNATURE

20c. OFFER DATE

21. ITEMS ACCEPTED:

22. AMOUNT

23. ACCOUNTING AND APPROPRIATION DATA

24. SUBMIT INVOICES TO ADDRESS SHOWN IN

ITEM

25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO

10 U.S.C. 2304(c)(

 )

41 U.S.C. 3304(a) (

 )

26. ADMINISTERED BY

27. PAYMENT WILL BE MADE BY

PHONE:

FAX:

28. NEGOTIATED AGREEMENT

29. AWARD

Your

Contractor agrees

offer on this solicitation is hereby accepted as to the items listed. This

to furnish and deliver all items or perform all work requirements identified

award consummates the contract, which consists of (a) the Government

on this form and any continuation sheets for the consideration stated in

solicitation and your offer, and (b) this contract award. No further cont-

this contract. The rights and obligations of the parties to this contract

ractual document is necessary.

shall be governed by (a) this contract award, (b) the solicitation, and (c)

the clauses, representations, certifications, and specifications incorporated

by reference in or attached to this contract.

30a. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED

31a. NAME OF CONTRACTING OFFICER

TO SIGN

30b. SIGNATURE

30c. DATE

31b. UNITED STATES OF AMERICA

31c. AWARD DATE

BY

**OFFER**

**AWARD**

**STANDARD FORM 1442 (REV. 8/2014) BACK**

(Include ZIP Code)

(Include area code)

(Include only if different than Item 14.)

(Insert any number equal to or greater than

the minimum requirement stated in Item 13d. Failure to insert any number means the offeror accepts the minimum in Item 13d.)

(The offeror acknowledges receipt of amendments to the solicitation -- give number and date of each)

(Type or print)

(4 copies unless otherwise specified)

(Type or print)

(Type or print)

(Contractor is required to sign this

document and return \_\_\_\_\_\_\_ copies to issuing office.)

(Contractor is not required to sign this document.)

**(Must be fully completed by offeror)**

**(To be completed by Government)**

**CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE**

568-3630162-9965-854200-3220 23NR1WA07

36C263

Department of Veterans Affairs

Network 23 Contracting Office (NCO 23)

111 South 18th Plaza, Suite C38

Omaha NE 68102-2077

Department of Veterans Affairs

FMS-VA-2(101)

Financial Services Center

PO Box 149971

Austin TX 78714-9971

Sharon A. Spohn

VA-VHA-2020-645FFEAB

Table of Contents

[PART I - THE SCHEDULE 1](#_Toc115177647)

[SECTION A - SOLICITATION/CONTRACT FORM 1](#_Toc115177648)

[A.1 SF 1442 SOLICITATION, OFFER, AND AWARD (Construction, Alteration, or Repair) 1](#_Toc115177649)

[A.2 SF 1442 SOLICITATION, OFFER, AND AWARD (CONSTRUCTION, ALTERATION, OR REPAIR)– BACK 2](#_Toc115177650)

[NOTICE OF TASK ORDER REQUEST FOR PROPOSAL (RFP) 4](#_Toc115177651)

[FAR 52.222-23, NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY FOR CONSTRUCTION (FEB 1999). Goals for minority participation for each trade and Goals for female participation for each trade: 7](#_Toc115177652)

[FAR 52.223-99 ENSURING ADEQUATE COVID-19 SAFETY PROTOCOLS FOR FEDERAL CONTRACTORS (OCT 2021) (DEVIATION) 7](#_Toc115177653)

[VAAR 852.219-77  VA NOTICE OF LIMITATIONS ON SUBCONTRACTING—CERTIFICATE OF COMPLIANCE FOR SERVICES AND CONSTRUCTION (SEP 2021) (DEVIATION) 8](#_Toc115177654)

[VAAR 852.236-90  RESTRICTION ON SUBMISSION AND USE OF EQUAL PRODUCTS (APR 2019) 9](#_Toc115177655)

[VHA Supplemental Contract Requirements for Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors 10](#_Toc115177656)

[WAGE DETERMINATION 12](#_Toc115177657)

[ATTACHMENTS 17](#_Toc115177658)

# NOTICE OF TASK ORDER REQUEST FOR PROPOSAL (RFP)

**ISSUE DATE:** September 29, 2022

**PROJECT NUMBER:** 568-20-102

**PROJECT TITLE:** Upgrade Mental Health Lock Ward

**LOCATION:** Fort Meade, South Dakota

**CONTRACTING POINT OF CONTACT**: Trent Seidel

**PROPOSAL DUE DATE: November 1, 2022**

Under the terms and conditions set forth in the Network Contracting Office 23 ND/SDIndefinite Delivery Indefinite Quantity (IDIQ) Multiple Award Task Order Contract (MATOC), VA Network Contracting Office 23 (NCO 23) requests that you provide a price proposal for the above referenced project as described below and in the attached Construction Documents. The following information is provided to assist you in preparing your proposal:

Note: **All documentation submittal due times are local time (CST).**

Note: If a firm is **not submitting** a proposal, you are requested to **submit a "No Bid" response** via email to the Contracting Officer or through Vendor Portal within five (5) days from receipt of the RFP.

**SCOPE:** Contractor shall provide all necessary construction services to renovate the mental health lock ward at the Fort Meade VAMC in South Dakota as outlined in the Scope of Work (SOW). Construction activities shall include, but are not limited to, demolition, roofing, construction of a penthouse, HVAC, plumbing, electrical, raising the ceiling, replacing handrails, upgrading windows to mental health requirements, and upgrading finishes.

The ward will be vacated during construction.

**PERIOD OF PERFORMANCE:**

The contractor shall commence work under this contract within 10 calendar days after the date the Contractor receives the notice to proceed, prosecute the work diligently, and complete the entire work ready for use not later than **366 calendar days** from the contractor’s receipt of the notice to proceed (NTP). The time stated for completion shall include final cleanup of the premises.

Working hours will be 7:00 AM to 4:30 PM unless otherwise stated in the SOW/drawings/specifications or pre-arranged with the local VA Engineering Office/Contracting Officer’s Representative (COR).

**NAICS CODE: 236220**

**MAGNITUDE OF CONSTRUCTION: $2 - $5 million**

**BONDS:**

Offer Guarantee/Bid Bond (SF 24):  **Yes**  20% as indicated in FAR Provision 52.228-1.

Note: A scanned copy of the Bid Guarantee may be provided with the proposal. A signed and sealed original must be provided by the awardee prior to award.

Performance (SF 25) and Payment Bonds (SF 25-A)**: Yes.** Performance and payment bonds in the amount of 100% of the awarded CLIN(s) shall be required. Bonds shall be submitted for approval to the Contracting Officer within 10 days after award of the task order. Commencement of construction is contingent upon approval of required bonds.

**WAGE DETERMINATION: SD20220027 Mod 4 dated 05/20/2022.** Full text of Wage Determination is attached.

**SITE VISIT:** An organized Site Visit **has** been scheduled for **October 11, 2022 at 10:00 AM Mountain Time.** Participants will meet at **Engineering Office on Fort Meade Campus**. Offerors are strongly encouraged to visit the VA installation to fully appraise themselves with the physical layout and the character and conditions under which the service is to be performed. Failure to do so will in no way relieve the successful offeror from the necessity of furnishing the services as specified in this proposal without additional cost to the Government.

**SOLICITATION RFI/QUESTIONS/CLARIFICATIONS:** Questions must be submitted to the vendor portal. Questions will be accepted up **to October 20, 2022 at 4:00 PM.** All answers will be published to vendor portal via an amendment. The Government reserves the right to not answer any RFIs/questions after the stated due date/time.

**BASIS OF AWARD:** Price Only, Lowest Price Technically Acceptable (LPTA), Tradeoff.

Price Only: Award will be based on price. Offeror shall submit a cost breakdown based upon Price Schedule Breakdown to permit a complete an analysis of price, including labor, burden, materials, equipment, transportation, supervision, and disposal. All costs should be separated and clearly listed in the corresponding Division.

**EVALUATION PROCEDURE:** The offeror shall submit a properly filled out Price Schedule Sheet Price Schedule Breakdown as provided in the solicitation.

The offeror’s price proposal will be initially evaluated by the Contracting Officer (CO) for

completeness. Only the lowest price proposal, found to be complete, will be provided to the

Contracting Officer’s Representative (COR) for evaluation.

The Government will evaluate pricing for award purposes by reviewing the price breakdown

provided using the attached Price Schedule Breakdown Sheet. The Government may

determine that an offer is unacceptable if the proposal prices are significantly unbalanced. A

proposal price is unbalanced when the proposal is based on prices significantly less than

the cost for some work and/or significantly overstated for other work. If the lowest price

proposal is determined to be unacceptable, the COR will be given the next lowest price

proposal for evaluation, and so on, until a determination of full acceptability has been made.

Price reasonableness will be established using any necessary price/cost analysis

techniques in FAR 15.404-1, including but not limited to price competition information and

the Independent Government Cost Estimate (IGCE), along with any other pricing tools

deemed necessary.

An award cannot be made if the successful offeror’s proposal price exceeds available

funding or cost limitations (if applicable).

**SITE SUPERVISION:**  The Contractor shall provide supervision in accordance with contract clause 52.236-6, Superintendence by the Contractor.

**PROPOSAL FORMAT:**

Proposals submitted in response to this solicitation shall be submitted via the [eCMS Vendor Portal](https://www.vendorportal.ecms.va.gov/eVP/Admin/UserList.aspx) and formatted as follows:

Offerors shall submit a cover letter and price proposal in the form of electronic documents. The cover letter shall include:

* The solicitation number;
* The name, address, telephone and facsimile numbers, and e-mail addresses of the offeror.
* A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish all items upon which prices are offered at the price set opposite each item;
* Names, titles, phone numbers, facsimile numbers, and e-mail addresses of persons authorized to negotiate on the offeror’s behalf with the Government in connection with this solicitation, and;
* Name, title, and signature of person authorized to sign the proposal.

Electronic documents shall be submitted in Microsoft Word and/or Microsoft Office Excel as applicable. An additional copy of all documentation shall be submitted using portable document format (.pdf).

To be considered for award, the offeror is required to submit, the following:

* Signed SF1442.
* Signed Amendment(s) SF30 or acknowledgment of Amendments, if any.
* Offer Guarantee/Bid Bond on form SF 24.
* Solicitation provided Price Schedule and attached Price Schedule Breakdown Sheet that

contains pricing for the entire requirement.

* Safety or Environmental Information, and Experience Modification Rate in accordance

with the written instructions stated below.

* Limitations on Subcontracting Certificate of Compliance, see attached, must be

completed, signed, and returned (per VAAR 852.219-77, VA NOTICE OF LIMITATIONS

 ON SUBCONTRACTING).

**SYSTEM FOR AWARD MANAGEMENT (SAM):** Contractors must ensure that their registration in SAM is up-to-date at time of proposal due date and prior to award of a task order. For more information, see the SAM website at [http://www.sam.gov](http://www.sam.gov/). A task order cannot be awarded to a contractor that is not registered and current in SAM.

**CLAUSES:**

All applicable Clauses of the base IDIQ contract for each offeror are incorporated into this solicitation in full force and effect.

### FAR 52.222-23, NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY FOR CONSTRUCTION (FEB 1999). Goals for minority participation for each trade and Goals for female participation for each trade:

|  |  |
| --- | --- |
| Goals for Minority Participation | Goals for Female Participation |
| *3.4% Meade, SMSA* | 6.9% |

### FAR 52.223-99 ENSURING ADEQUATE COVID-19 SAFETY PROTOCOLS FOR FEDERAL CONTRACTORS (OCT 2021) (DEVIATION)

1. *Definition*. As used in this clause -

*United States or its outlying areas* means—

* 1. The fifty States;
	2. The District of Columbia;
	3. The commonwealths of Puerto Rico and the Northern Mariana Islands;
	4. The territories of American Samoa, Guam, and the United States Virgin Islands; and
	5. The minor outlying islands of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Islands, Navassa Island, Palmyra Atoll, and Wake Atoll.
1. *Authority.* This clause implements Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors, dated September 9, 2021 (published in the Federal Register on September 14, 2021, 86 FR 50985).
2. *Compliance.* The Contractor shall comply with all guidance, including guidance conveyed through Frequently Asked Questions, as amended during the performance of this contract, for contractor workplace locations published by the Safer Federal Workforce Task Force (Task Force Guidance) at [https:/www.saferfederalworkforce.gov/contractors/.](https://www.saferfederalworkforce.gov/contractors/)
3. *Subcontracts*. The Contractor shall include the substance of this clause, including this paragraph (d), in subcontracts at any tier that exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award, and are for services, including construction, performed in whole or in part within the United States or its outlying areas.

 (End of clause)

### VAAR 852.219-77  VA NOTICE OF LIMITATIONS ON SUBCONTRACTING—CERTIFICATE OF COMPLIANCE FOR SERVICES AND CONSTRUCTION (SEP 2021) (DEVIATION)

  (a) Pursuant to 38 U.S.C. 8127(k)(2), the offeror certifies that—

    (1) If awarded a contract (see FAR 2.101 definition), it will comply with the limitations on subcontracting requirement as provided in the solicitation and the resultant contract, as follows:

      (i) [ ] Services. In the case of a contract for services (except construction), the contractor will not pay more than 50% of the amount paid by the government to it to firms that are not VIP-listed SDVOSBs as set forth in 852.219-10 or VOSBs as set forth in 852.219-11. Any work that a similarly situated VIP-listed subcontractor further subcontracts will count towards the 50% subcontract amount that cannot be exceeded. Other direct costs may be excluded to the extent they are not the principal purpose of the acquisition and small business concerns do not provide the service as set forth in 13 CFR 125.6.

      (ii) [X] General construction. In the case of a contract for general construction, the contractor will not pay more than 85% of the amount paid by the government to it to firms that are not VIP-listed SDVOSBs as set forth in 852.219-10 or VOSBs as set forth in 852.219-11. Any work that a similarly situated VIP-listed subcontractor further subcontracts will count towards the 85% subcontract amount that cannot be exceeded. Cost of materials are excluded and not considered to be subcontracted.

      (iii) [ ] Special trade construction contractors. In the case of a contract for special trade contractors, the contractor will not pay more than 75% of the amount paid by the government to it to firms that are not VIP-listed SDVOSBs as set forth in 852.219-10 or VOSBs as set forth in 852.219-11. Any work that a similarly situated subcontractor further subcontracts will count towards the 75% subcontract amount that cannot be exceeded. Cost of materials are excluded and not considered to be subcontracted.

    (2) The offeror acknowledges that this certification concerns a matter within the jurisdiction of an Agency of the United States. The offeror further acknowledges that this certification is subject to Title 18, United States Code, Section 1001, and, as such, a false, fictitious, or fraudulent certification may render the offeror subject to criminal, civil, or administrative penalties, including prosecution.

    (3) If VA determines that an SDVOSB/VOSB awarded a contract pursuant to 38 U.S.C. 8127 did not act in good faith, such SDVOSB/VOSB shall be subject to any or all of the following:

      (i) Referral to the VA Suspension and Debarment Committee;

      (ii) A fine under section 16(g)(1) of the Small Business Act (15 U.S.C. 645(g)(1)); and

      (iii) Prosecution for violating section 1001 of title 18.

  (b) The offeror represents and understands that by submission of its offer and award of a contract it may be required to provide copies of documents or records to VA that VA may review to determine whether the offeror complied with the limitations on subcontracting requirement specified in the contract. The Contracting Officer may, at their discretion, require the Contractor to demonstrate its compliance with the limitations on subcontracting at any time during performance and upon completion of a contract if the information regarding such compliance is not already available to the Contracting Officer. Evidence of compliance includes, but is not limited to, invoices, copies of subcontracts, or a list of the value of tasks performed.

  (c) The offeror further agrees to cooperate fully and make available any documents or records as may be required to enable VA to determine compliance with the limitations on subcontracting requirement. The offeror understands that failure to provide documents as requested by VA may result in remedial action as the Government deems appropriate.

  (d) Offeror completed certification/fill-in required. The formal certification must be completed, signed, and returned with the offeror’s bid, quotation, or proposal. The Government will not consider offers for award from offerors that do not provide the certification, and all such responses will be deemed ineligible for evaluation and award.

Certification:

I hereby certify that if awarded the contract, [*insert name of offeror*] will comply with the limitations on subcontracting specified in this clause and in the resultant contract. I further certify that I am authorized to execute this certification on behalf of [*insert name of offeror*].

Printed Name of Signee:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Title of Signee:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Company Name and Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### VAAR 852.236-90  RESTRICTION ON SUBMISSION AND USE OF EQUAL PRODUCTS (APR 2019)

  (a) This clause applies to the following items:

 Best Lock 9K System (5)

Johnson Controls International (JCI) – Building Automation system (BAS) devices and programing, fire alarm devices and programming, and PIV card readers for door access controls and programming.

The Door Switch – anti-ligature alarm system

  (b) Notwithstanding the ‘‘Material and Workmanship’’ clause of this contract, FAR 52.236–5(a), nor any other clause or provision, only brand name products for the items listed above will be authorized for use on this contract.

###  VHA Supplemental Contract Requirements for Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors

1. **Contractor employees who work in or travel to VHA locations must comply with the following:**
2. Documentation requirements:
	1. If fully vaccinated, shall show proof of vaccination.
		1. ***NOTE:*** *Acceptable proof of vaccination includes a signed record of immunization from a health care provider or pharmacy, a copy of the COVID-19 Vaccination Record Card (CDC Form MLS-319813\_r, published on September 3, 2020), or a copy of medical records documenting the vaccination.*
	2. If unvaccinated and granted a medical or religious exception, shall show negative COVID-19 test results dated within three calendar days prior to desired entry date. Test must be approved by the Food and Drug Administration (FDA) for emergency use or full approval. This includes tests available by a doctor’s order or an FDA approved over-the-counter test.
	3. Documentation cited in this section shall be digitally or physically maintained on each contractor employee while in a VA facility and is subject to inspection prior to entry to VA facilities and after entry for spot inspections by Contracting Officer Representatives (CORs) or other hospital personnel.
	4. Documentation will not be collected by the VA; contractors shall, at all times, adhere to and ensure compliance with federal laws designed to protect contractor employee health information and personally identifiable information.
3. **Contractor employees are subject to daily screening for COVID-19 and may be denied entry to VA facilities if they fail to pass screening protocols. As part of the screening process contractors may be asked screening questions found on the** [**COVID-19 Screening Tool**](https://www.va.gov/covid19screen/)**. Check regularly for updates.**
4. Contractor employees who work away from VA locations, but who will have direct contact with VA patients shall self-screen utilizing the [COVID-19 Screening Tool](https://www.va.gov/covid19screen/), in advance, each day that they will have direct patient contact and in accordance with their person or persons who coordinate COVID-19 workplace safety efforts at covered contractor workplaces. Contractors shall, at all times, adhere to and ensure compliance with federal laws designed to protect contractor employee health information and personally identifiable information.
5. **Contractor must immediately notify their COR or Contracting Officer if contract performance is jeopardized due to contractor employees being denied entry into VA Facilities.**

All applicable Clauses of the base IDIQ contract for each offeror are incorporated into this solicitation in full force and effect.

**SAFETY OR ENVIRONMENTAL VIOLATIONS AND EXPERIENCE MODIFICATION RATE:**

All Bidders/Offerors shall submit the following information pertaining to their past Safety and Environmental record. The information shall contain, at a minimum, a certification that the bidder/offeror has no more than three (3) serious, or one (1) repeat or one (1) willful OSHA or any EPA violation(s) in the past three years.

All Bidders/Offerors shall submit information regarding their current Experience Modification Rate (EMR) equal to or less than 1.0. This information shall be obtained from the bidder's/offeror's insurance company and be furnished on the insurance carrier's letterhead.

Self-insured contractors or other contractors that cannot provide their EMR rating on insurance letterhead must obtain a rating from the National Council on Compensation Insurance, Inc. (NCCI) by completing/submitting form ERM-6 and providing the rating on letterhead from NCCI. Note: Self-insured contractors or other contractors that cannot provide EMR rating on insurance letterhead from the states or territories of CA, DE, MI, NJ, ND, OH, PA, WA, WY, and PR shall obtain their EMR rating from their state-run worker's compensation insurance rating bureau.

A Determination of Responsibility will be accomplished for the apparent awardee prior to processing the award. The above information, along with other information obtained from Government systems, such as the OSHA and EPA online inspection history databases will be used to make the Determination of Responsibility. Failure to affirm being within the guidelines above or submit this information may result in a determination of “Non-Responsibility” for the bidder/offeror. NOTE: Any information received by the Government that would cause for a negative Determination of Responsibility will make the bidder/offeror ineligible for award.

This requirement is applicable to all subcontracting tiers, and prospective prime contractors are responsible for determining the responsibility of their prospective

# WAGE DETERMINATION

General Decision Number: SD20220027 05/20/2022

Superseded General Decision Number: SD20210027

State: South Dakota

Construction Type: Building

County: Meade County in South Dakota.

BUILDING CONSTRUCTION PROJECTS (does not include single family

homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally

required to pay at least the applicable minimum wage rate

required under Executive Order 14026 or Executive Order 13658.

Please note that these Executive Orders apply to covered

contracts entered into by the federal government that are

subject to the Davis-Bacon Act itself, but do not apply to

contracts subject only to the Davis-Bacon Related Acts,

including those set forth at 29 CFR 5.1(a)(2)-(60).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|If the contract is entered |. Executive Order 14026 |

|into on or after January 30, | generally applies to the |

|2022, or the contract is | contract. |

|renewed or extended (e.g., an |. The contractor must pay |

|option is exercised) on or | all covered workers at |

|after January 30, 2022: | least $15.00 per hour (or |

| | the applicable wage rate |

| | listed on this wage |

| | determination, if it is |

| | higher) for all hours |

| | spent performing on the |

| | contract in 2022. |

|\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_|\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_|

|If the contract was awarded on|. Executive Order 13658 |

|or between January 1, 2015 and| generally applies to the |

|January 29, 2022, and the | contract. |

|contract is not renewed or |. The contractor must pay all|

|extended on or after January | covered workers at least |

|30, 2022: | $11.25 per hour (or the |

| | applicable wage rate listed|

| | on this wage determination,|

| | if it is higher) for all |

| | hours spent performing on |

| | that contract in 2022. |

|\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_|\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_|

The applicable Executive Order minimum wage rate will be

adjusted annually. If this contract is covered by one of the

Executive Orders and a classification considered necessary for

performance of work on the contract does not appear on this

wage determination, the contractor must still submit a

conformance request.

Additional information on contractor requirements and worker

protections under the Executive Orders is available at

https://www.dol.gov/agencies/whd/government-contracts.

Modification Number Publication Date

 0 01/07/2022

 1 02/04/2022

 2 02/25/2022

 3 04/01/2022

 4 05/20/2022

 BRSD0004-003 05/01/2017

 Rates Fringes

BRICKLAYER.......................$ 31.96 3.94

----------------------------------------------------------------

\* PLUM0300-015 05/01/2022

 Rates Fringes

PIPEFITTER.......................$ 32.71 15.50

----------------------------------------------------------------

 SFSD0669-003 04/01/2022

 Rates Fringes

SPRINKLER FITTER (Fire

Sprinklers)......................$ 33.01 22.95

----------------------------------------------------------------

\* SUSD2012-024 08/21/2014

 Rates Fringes

CARPENTER, Excludes Drywall

Hanging and Metal Stud

Installation, and Form Work......$ 18.67 0.00

CEMENT MASON/CONCRETE FINISHER...$ 19.58 0.00

DRYWALL HANGER AND METAL STUD

INSTALLER........................$ 18.19 0.00

ELECTRICIAN......................$ 18.84 2.42

FORM WORKER......................$ 17.50 0.00

INSULATOR - MECHANICAL

(Duct, Pipe & Mechanical

System Insulation)...............$ 15.20 0.00

IRONWORKER, STRUCTURAL...........$ 23.91 12.05

LABORER: Common or General......$ 11.66 \*\* 1.65

LABORER: Mason Tender - Brick...$ 20.70 0.00

OPERATOR:

Backhoe/Excavator/Trackhoe.......$ 17.80 0.00

PAINTER (Brush, Roller, and

Spray)...........................$ 18.48 0.00

PLUMBER..........................$ 20.45 7.83

ROOFER...........................$ 13.74 \*\* 1.35

SHEET METAL WORKER (HVAC Duct

Installation Only)...............$ 18.68 3.72

TRUCK DRIVER: Dump Truck........$ 15.06 1.10

----------------------------------------------------------------

WELDERS - Receive rate prescribed for craft performing

operation to which welding is incidental.

================================================================

\*\* Workers in this classification may be entitled to a higher

minimum wage under Executive Order 14026 ($15.00) or 13658

($11.25). Please see the Note at the top of the wage

determination for more information.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave

for Federal Contractors applies to all contracts subject to the

Davis-Bacon Act for which the contract is awarded (and any

solicitation was issued) on or after January 1, 2017. If this

contract is covered by the EO, the contractor must provide

employees with 1 hour of paid sick leave for every 30 hours

they work, up to 56 hours of paid sick leave each year.

Employees must be permitted to use paid sick leave for their

own illness, injury or other health-related needs, including

preventive care; to assist a family member (or person who is

like family to the employee) who is ill, injured, or has other

health-related needs, including preventive care; or for reasons

resulting from, or to assist a family member (or person who is

like family to the employee) who is a victim of, domestic

violence, sexual assault, or stalking. Additional information

on contractor requirements and worker protections under the EO

is available at

https://www.dol.gov/agencies/whd/government-contracts.

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 a union rate (current union negotiated rate for local),

a survey rate (weighted average rate) or a union average rate

(weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed

in dotted lines beginning with characters other than ""SU"" or

""UAVG"" denotes that the union classification and rate were

prevailing for that classification in the survey. Example:

PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of

the union which prevailed in the survey for this

classification, which in this example would be Plumbers. 0198

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. 07/01/2014 is the effective date of the

most current negotiated rate, which in this example is July 1,

2014.

Union prevailing wage rates are updated to reflect all rate

changes in the collective bargaining agreement (CBA) governing

this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that

no one rate prevailed for this classification in the survey and

the published rate is derived by computing a weighted average

rate based on all the rates reported in the survey for that

classification. As this weighted average rate includes all

rates reported in the survey, it may include both union and

non-union rates. Example: SULA2012-007 5/13/2014. SU indicates

the rates are survey rates based on a weighted average

calculation of rates and are not majority rates. LA indicates

the State of Louisiana. 2012 is the year of survey on which

these classifications and rates are based. The next number, 007

in the example, is an internal number used in producing the

wage determination. 5/13/2014 indicates the survey completion

date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a

new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate

that no single majority rate prevailed for those

classifications; however, 100% of the data reported for the

classifications was union data. EXAMPLE: UAVG-OH-0010

08/29/2014. UAVG indicates that the rate is a weighted union

average rate. OH indicates the state. The next number, 0010 in

the example, is an internal number used in producing the wage

determination. 08/29/2014 indicates the survey completion date

for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of

each year, to reflect a weighted average of the current

negotiated/CBA rate of the union locals from which the rate is

based.

----------------------------------------------------------------

 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

National Office because National Office has 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.

================================================================

 END OF GENERAL DECISION

# ATTACHMENTS

S02\_Specifications (1,177 pages).

S02\_Drawings (54 pages).

TMS 20939 VA Privacy Training (3 pages).

NYS-Patient Safety Standards (243 pages).